

HB0470



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB0470

Introduced 01/31/11, by Rep. Michael J. Madigan

SYNOPSIS AS INTRODUCED:

30 ILCS 105/14.1

from Ch. 127, par. 150.1

Amends the State Finance Act. Makes a technical change in a Section concerning the State Employees' Retirement System.

LRB097 03297 PJG 43334 b

A BILL FOR

1 AN ACT concerning finance.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The State Finance Act is amended by changing
5 Section 14.1 as follows:

6 (30 ILCS 105/14.1) (from Ch. 127, par. 150.1)

7 Sec. 14.1. Appropriations for State contributions to the
8 State Employees' Retirement System; payroll requirements.

9 (a) Appropriations for State contributions to the ~~the~~ State
10 Employees' Retirement System of Illinois shall be expended in
11 the manner provided in this Section. Except as otherwise
12 provided in subsections (a-1) and (a-2), at the time of each
13 payment of salary to an employee under the personal services
14 line item, payment shall be made to the State Employees'
15 Retirement System, from the amount appropriated for State
16 contributions to the State Employees' Retirement System, of an
17 amount calculated at the rate certified for the applicable
18 fiscal year by the Board of Trustees of the State Employees'
19 Retirement System under Section 14-135.08 of the Illinois
20 Pension Code. If a line item appropriation to an employer for
21 this purpose is exhausted or is unavailable due to any
22 limitation on appropriations that may apply, (including, but
23 not limited to, limitations on appropriations from the Road

1 Fund under Section 8.3 of the State Finance Act), the amounts
2 shall be paid under the continuing appropriation for this
3 purpose contained in the State Pension Funds Continuing
4 Appropriation Act.

5 (a-1) Beginning on the effective date of this amendatory
6 Act of the 93rd General Assembly through the payment of the
7 final payroll from fiscal year 2004 appropriations,
8 appropriations for State contributions to the State Employees'
9 Retirement System of Illinois shall be expended in the manner
10 provided in this subsection (a-1). At the time of each payment
11 of salary to an employee under the personal services line item
12 from a fund other than the General Revenue Fund, payment shall
13 be made for deposit into the General Revenue Fund from the
14 amount appropriated for State contributions to the State
15 Employees' Retirement System of an amount calculated at the
16 rate certified for fiscal year 2004 by the Board of Trustees of
17 the State Employees' Retirement System under Section 14-135.08
18 of the Illinois Pension Code. This payment shall be made to the
19 extent that a line item appropriation to an employer for this
20 purpose is available or unexhausted. No payment from
21 appropriations for State contributions shall be made in
22 conjunction with payment of salary to an employee under the
23 personal services line item from the General Revenue Fund.

24 (a-2) For fiscal year 2010 only, at the time of each
25 payment of salary to an employee under the personal services
26 line item from a fund other than the General Revenue Fund,

1 payment shall be made for deposit into the State Employees'
2 Retirement System of Illinois from the amount appropriated for
3 State contributions to the State Employees' Retirement System
4 of Illinois of an amount calculated at the rate certified for
5 fiscal year 2010 by the Board of Trustees of the State
6 Employees' Retirement System of Illinois under Section
7 14-135.08 of the Illinois Pension Code. This payment shall be
8 made to the extent that a line item appropriation to an
9 employer for this purpose is available or unexhausted. For
10 fiscal year 2010 only, no payment from appropriations for State
11 contributions shall be made in conjunction with payment of
12 salary to an employee under the personal services line item
13 from the General Revenue Fund.

14 (a-3) For fiscal year 2011 only, at the time of each
15 payment of salary to an employee under the personal services
16 line item from a fund other than the General Revenue Fund,
17 payment shall be made for deposit into the State Employees'
18 Retirement System of Illinois from the amount appropriated for
19 State contributions to the State Employees' Retirement System
20 of Illinois of an amount calculated at the rate certified for
21 fiscal year 2011 by the Board of Trustees of the State
22 Employees' Retirement System of Illinois under Section
23 14-135.08 of the Illinois Pension Code. This payment shall be
24 made to the extent that a line item appropriation to an
25 employer for this purpose is available or unexhausted. For
26 fiscal year 2011 only, no payment from appropriations for State

1 contributions shall be made in conjunction with payment of
2 salary to an employee under the personal services line item
3 from the General Revenue Fund.

4 (b) Except during the period beginning on the effective
5 date of this amendatory Act of the 93rd General Assembly and
6 ending at the time of the payment of the final payroll from
7 fiscal year 2004 appropriations, the State Comptroller shall
8 not approve for payment any payroll voucher that (1) includes
9 payments of salary to eligible employees in the State
10 Employees' Retirement System of Illinois and (2) does not
11 include the corresponding payment of State contributions to
12 that retirement system at the full rate certified under Section
13 14-135.08 for that fiscal year for eligible employees, unless
14 the balance in the fund on which the payroll voucher is drawn
15 is insufficient to pay the total payroll voucher, or
16 unavailable due to any limitation on appropriations that may
17 apply, including, but not limited to, limitations on
18 appropriations from the Road Fund under Section 8.3 of the
19 State Finance Act. If the State Comptroller approves a payroll
20 voucher under this Section for which the fund balance is
21 insufficient to pay the full amount of the required State
22 contribution to the State Employees' Retirement System, the
23 Comptroller shall promptly so notify the Retirement System.

24 (b-1) For fiscal year 2010 only, the State Comptroller
25 shall not approve for payment any non-General Revenue Fund
26 payroll voucher that (1) includes payments of salary to

1 eligible employees in the State Employees' Retirement System of
2 Illinois and (2) does not include the corresponding payment of
3 State contributions to that retirement system at the full rate
4 certified under Section 14-135.08 for that fiscal year for
5 eligible employees, unless the balance in the fund on which the
6 payroll voucher is drawn is insufficient to pay the total
7 payroll voucher, or unavailable due to any limitation on
8 appropriations that may apply, including, but not limited to,
9 limitations on appropriations from the Road Fund under Section
10 8.3 of the State Finance Act. If the State Comptroller approves
11 a payroll voucher under this Section for which the fund balance
12 is insufficient to pay the full amount of the required State
13 contribution to the State Employees' Retirement System of
14 Illinois, the Comptroller shall promptly so notify the
15 retirement system.

16 (c) Notwithstanding any other provisions of law, beginning
17 July 1, 2007, required State and employee contributions to the
18 State Employees' Retirement System of Illinois relating to
19 affected legislative staff employees shall be paid out of
20 moneys appropriated for that purpose to the Commission on
21 Government Forecasting and Accountability, rather than out of
22 the lump-sum appropriations otherwise made for the payroll and
23 other costs of those employees.

24 These payments must be made pursuant to payroll vouchers
25 submitted by the employing entity as part of the regular
26 payroll voucher process.

1 For the purpose of this subsection, "affected legislative
2 staff employees" means legislative staff employees paid out of
3 lump-sum appropriations made to the General Assembly, an
4 Officer of the General Assembly, or the Senate Operations
5 Commission, but does not include district-office staff or
6 employees of legislative support services agencies.

7 (Source: P.A. 95-707, eff. 1-11-08; 96-45, eff. 7-15-09;
8 96-958, eff. 7-1-10.)