

# HB3871



## 98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB3871

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.

LRB098 15430 JWD 50460 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), (a-2), (a-3), and (a-4) at the  
13 time of each payment of salary to an employee under the  
14 personal services line item, payment shall be made to the State  
15 Employees' Retirement System, from the amount appropriated for  
16 State contributions to the State Employees' Retirement System,  
17 of an amount calculated at the rate certified for the  
18 applicable fiscal year by the Board of Trustees of the State  
19 Employees' Retirement System under Section 14-135.08 of the  
20 Illinois Pension Code. If a line item appropriation to an  
21 employer for this purpose is exhausted or is unavailable due to  
22 any limitation on appropriations that may apply, (including,  
23 but 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 (a-4) In fiscal years 2012 through 2014 only, at the time  
5 of each payment of salary to an employee under the personal  
6 services line item from a fund other than the General Revenue  
7 Fund, payment shall be made for deposit into the State  
8 Employees' Retirement System of Illinois from the amount  
9 appropriated for State contributions to the State Employees'  
10 Retirement System of Illinois of an amount calculated at the  
11 rate certified for the applicable fiscal year by the Board of  
12 Trustees of the State Employees' Retirement System of Illinois  
13 under Section 14-135.08 of the Illinois Pension Code. In fiscal  
14 years 2012 through 2014 only, no payment from appropriations  
15 for State contributions shall be made in conjunction with  
16 payment of salary to an employee under the personal services  
17 line item from the General Revenue Fund.

18 (b) Except during the period beginning on the effective  
19 date of this amendatory Act of the 93rd General Assembly and  
20 ending at the time of the payment of the final payroll from  
21 fiscal year 2004 appropriations, the State Comptroller shall  
22 not approve for payment any payroll voucher that (1) includes  
23 payments of salary to eligible employees in the State  
24 Employees' Retirement System of Illinois and (2) does not  
25 include the corresponding payment of State contributions to  
26 that retirement system at the full rate certified under Section

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

12 (b-1) For fiscal year 2010 and fiscal year 2011 only, the  
13 State Comptroller shall not approve for payment any non-General  
14 Revenue Fund payroll voucher that (1) includes payments of  
15 salary to eligible employees in the State Employees' Retirement  
16 System of Illinois and (2) does not include the corresponding  
17 payment of State contributions to that retirement system at the  
18 full rate certified under Section 14-135.08 for that fiscal  
19 year for eligible employees, unless the balance in the fund on  
20 which the payroll voucher is drawn is insufficient to pay the  
21 total payroll voucher, or unavailable due to any limitation on  
22 appropriations that may apply, including, but not limited to,  
23 limitations on appropriations from the Road Fund under Section  
24 8.3 of the State Finance Act. If the State Comptroller approves  
25 a payroll voucher under this Section for which the fund balance  
26 is insufficient to pay the full amount of the required State

1 contribution to the State Employees' Retirement System of  
2 Illinois, the Comptroller shall promptly so notify the  
3 retirement system.

4 (c) Notwithstanding any other provisions of law, beginning  
5 July 1, 2007, required State and employee contributions to the  
6 State Employees' Retirement System of Illinois relating to  
7 affected legislative staff employees shall be paid out of  
8 moneys appropriated for that purpose to the Commission on  
9 Government Forecasting and Accountability, rather than out of  
10 the lump-sum appropriations otherwise made for the payroll and  
11 other costs of those employees.

12 These payments must be made pursuant to payroll vouchers  
13 submitted by the employing entity as part of the regular  
14 payroll voucher process.

15 For the purpose of this subsection, "affected legislative  
16 staff employees" means legislative staff employees paid out of  
17 lump-sum appropriations made to the General Assembly, an  
18 Officer of the General Assembly, or the Senate Operations  
19 Commission, but does not include district-office staff or  
20 employees of legislative support services agencies.

21 (Source: P.A. 97-72, eff. 7-1-11; 97-732, eff. 6-30-12; 98-24,  
22 eff. 6-19-13.)