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**SUMMARY OF LEGISLATIVE CHANGES**  
**(continued)**

**HB 1670**

- Public Act 97-0504 effective January 1, 2012 amends the Open Meetings Act to require elected or appointed members of public bodies to take electronic training by the Attorney General's Public Access Counselor. Training must be completed by the end of 2012. Members that are elected or appointed after January 1, 2012 must complete the training within 90 days of taking the oath or assuming the responsibilities of the position.

**HB 3813**

- Public Act 97-0651 effective January 5, 2012 amends Article 1 in regards to Fraud and Fiduciary Liability.
- Requires fiduciaries to report reasonable suspicion of false statements. The Board of Trustees must report reasonable suspicion of false statements to the State's Attorney.
  
- The Act also amends 5/9-219 requiring sheriff police and correction officers that purchase service while on approved leave to represent a labor organization to remain in sworn status during the leave to be eligible to purchase service credit.

**2012 Session**

**HB 3969**

- Public Act 97-0967 effective August 16, 2012 amends Article 1 adding 5/1-166 which requires an employer to pay GARS for any additional liability created from a reciprocal retirement if the retiree's FAS is higher than their highest GARS salary, and they were employed by the non-GARS agency for 2 years or less since leaving GARS.

**2013 Session**

**SB 1921**

- Public Act 98-0551 effective August 27, 2013 amends Article 9 adds 5/9-119.1, which defines "earned annuity" to clarify how the Fund should administer Tier 2 Spouse Annuity benefits.
- Adds 5/9-202.1 to allow images to be treated as original records.
- Amends 5/9-112 to simplify the definition of salary and spells out how salary is defined for determining Ordinary Disability benefits.

**SB 1**

- Public Act 98-0599 effective June 1, 2014 amends Article 9 sections 219 and 220 so that new employees starting on or after June 1, 2014 shall not receive credit for lump sum vacation time paid and will not be allowed to purchase unused sick time. Note: this Act was later overturned as unconstitutional by the Illinois Supreme Court on May 8, 2015.



**APPENDIX F  
SUMMARY OF LEGISLATIVE CHANGES  
(continued)**

**2014 Session**

SB 2809

- Public Act 98-1137 effective June 1, 2015 amends Article 5/1-115 to allow the Attorney General to bring a civil action to enjoin the payment of benefits to any person who is convicted of any felony relating to or arising out of or in connection with that person’s service as an employee under the Code.

**2015 Session**

SB 842

- Public Act 99-0008 effective July 1, 2015 creates Articles 5/9-184.5 and 5/10-107.5 which, if the County or Forest Preserve District fails to transmit the required contribution to the Fund, allows the IL State Comptroller to deduct the amount due from payments of State Funds due to the Employer and remit to the Fund.

SB 1334

- Public Act 99-0462 effective January 1, 2016 amends Article 5/1-109.1 to include aspirational goals for retirement systems to use emerging investment managers for not less than 20% of the total funds under management. It also sets aspirational goal that not less than 20% of investment advisors and other contracts to utilize businesses owned by minorities, females, and persons with disabilities as those terms are defined in the Business Enterprise from Minorities, Females, and Persons with Disabilities Act.

**2016 Session**

SB 2817

- Public Act 99-0578 effective July 15, 2016 adds Article 5/9-108.3 to define “In Service”.
- Amends 5/9-158 to clarify that a Board Appointed Physician is not necessary for certain maternity or duty disability claims.
- Amends 5/9-179.2 to close “Other Governmental Service” provision to new participants after July 14, 2016.
- Adds 5/9-241 to clarify the Board’s ability to correct any calculation errors.

HB 6030

- Public Act 99-0683 effective July 29, 2016 adds Article 5/1-140 to allow the Illinois Department of Vital Records to share death reporting information to pension systems in Illinois.



**APPENDIX F**  
**SUMMARY OF LEGISLATIVE CHANGES**  
**(continued)**

**2017 Session**

SB 42

- Public Act 100-0023 effective July 6, 2017 makes many changes to the pension code adding Tier 3 for new hires of the Chicago (Municipal and Laborers) and State (SERS, SURS, TRS) funds and Optional Tier 3 for Cook County and other local systems (Chicago Teachers and Chicago Park).
- Adds 5/1-162 which would allow the Cook County Board (Employer) to opt into a Tier 3 plan. If the plan is adopted by Employer ordinance, it would allow any future new hire to elect the current Tier 2 plan or the new Tier 3 plan.
- Section 1-162 gives the Employer the ability to opt into Tier 3. Changes will be effective the later of 7/1/2018 or the date the Board adopts an ordinance to adopt the changes. If adopted it would then impact any new hires after 6 months after the adoption date. The earliest impact would be for new hires on or after January 1, 2019.
- If adopted new hires after 1/1/2019 (or later depending on ordinance date) would have the option of the current Tier 2 benefit under Section 1-160 or the new hybrid plan established under Section 1-162.
- New hires must make an election of which plan within 30 days of becoming a participant. The Fund has an obligation to establish process for making this election and can adopt rules for participation.
- For those that elect the benefits under 1-162 the new Tier 3 benefit structure would be:
  - The Section establishes a Hybrid Defined Benefit(DB)/Defined Contribution(DC) plan
  - FAS would be an average of the last 120 months (10 years)
  - Salary shall not exceed the SS Wage Base
  - Retirement benefits can begin at age 67 (or normal retirement age determined by SSA but not earlier than age 67) if retiree has at least 10 years of service
  - Employees accrue 1.25% per year of service for DB plan
  - COLA begins on first anniversary of annuity start date, calculated based on ½ CPI-w
  - Survivor benefit is 66-2/3% of retiree annuity at death or earned annuity for death of employee
  - Employees contribute 6.2% to DB plan, but contribution cannot exceed normal cost of benefit
  - Fund establishes a DC plan
  - Employee contributes at least 4% of salary to DC plan
  - Employer contributes between 2% and 6% to DC plan after one year of employment. The contribution can vary by individual employee and employer contributions immediately vest into an employee's account.
  - Employee contributions are reduced to cover the cost of offering DC plan



**APPENDIX F**  
**SUMMARY OF LEGISLATIVE CHANGES**  
**(continued)**

SB 1714

- Public Act 100-0542 effective November 8, 2017 requires investment consultants to report annually to the Fund regarding search disclosures for MBE, WBE, and DBE.
- Requires annual disclosure of all compensation or economic opportunity received during the last 24 months from investment advisors retained by the Fund.
- Beginning January 1, 2018 no contract for consulting services shall be awarded by the board without first requiring the consultant to make the economic opportunity and the MBE, WBE, and DBE disclosures.

SB 402

- Public Act 100-0554 effective November 16, 2017 requires the Fund, as a lobbying entity, to have a sexual harassment policy.

SB 350

- Public Act 100-0334 effective August 25, 2017 amends 5/9-235 and 5/10-109 to provide that no benefits shall be paid to any person who otherwise would receive a survivor benefit who is convicted of a felony relating to the service of the employee from whom the benefit results.

**2018 Session**

SB 2578

- Public Act 100-0794 effective August 10, 2018 amends 5-9/228 to allow payments to be directed to a member's certified and licensed nursing home under limited conditions where they are legally disabled.
- The act requires the nursing home to notify the Fund in the event of the disabled member's death or any other relevant change in their status.

HB 4412

- Public Act 100-0902 effective August 17, 2018 amends 5-1/109.1(5) requires all Illinois pension funds to make best efforts to ensure the racial and ethnic makeup of its senior staff represents the racial and ethnic makeup of its membership.



**APPENDIX F**  
**SUMMARY OF LEGISLATIVE CHANGES**  
**(continued)**

**2019 Session**

**HB 2071**

- Public Act 101-0011 effective June 7, 2019 creates 5-9/179.4 to allow active participants to establish service credit and earnings credit for periods of furlough and/or salary reduction occurring between December 1, 2017 and November 30, 2018.
- The act requires the participant to apply in writing before December 31, 2019, not receive any remuneration from the county and pay to the Fund on an after-tax basis the employee contributions and the employer's normal cost (based on the December 31, 2018 actuarial valuation) plus compound interest based on the actuarially assumed rate.
- The participant must make the above payment while they are active participants and within 12 months after their application date.

**HB 2460**

- Public Act 101-0473 effective January 1, 2020 amends 5-1/113.6 to require funds' investment policy include a statement that material, relevant, and decision-useful sustainability factors (as provided under the Illinois Sustainable Investing Act) are considered by the board, within the bounds of financial and fiduciary prudence, in evaluating investment decisions.
- The Act creates 5-1-113.7 requires that every pension fund adopt a written investment policy and file a copy of that policy with the Department of Insurance within 30 days after its adoption whenever a board changes its policy.

**SB 1264**

- Public Act 101-0546 effective January 1, 2020 (Revised Uniform Unclaimed Property Act "RUUPA") creates 765 ILCS 1026/15-1505 to require funds to report to the Illinois Treasurer all property presumed abandoned by providing the name of the owner and any beneficiaries, the last known address, the Social Security number or taxpayer ID number, and the dollar amount.
- The funds shall not have to pay the presumed abandoned account balance to the IL Treasurer, only reporting the information is required.

**2020 Session**

**SB 2135**

- Public Act 101-0640 effective June 12, 2020 amends the Open Meetings Act (5 ILCS 120/7) to allow digital meetings with members allowed to be present and vote via audio or video conference as long as certain criteria is met including the verbatim recordings being made available to the public.
- The act allows remote witnessing and notarization (with the addition of 5 ILCS 175/95-20).



**APPENDIX F  
SUMMARY OF LEGISLATIVE CHANGES  
(continued)**

**2021 Session**

SB 1056

- Public Act 102-0210 effective July 30, 2021 amends 5/10-107 to allow the Forest Preserve District to use other lawfully available funds in lieu of the tax levy.
- Amends 5/9-158 to allow the board to use an acceptable physician and allow the board discretion to approve periods longer than 1 year of disability.
- Amends 5/14-110(h) to allow some state employees to transfer prior Cook County service to SERS if they were in certain County positions (Police officer, corrections officer, court services officer).

**2022 Session**

HB 1859

- Public Act 102-1131 signed by the Governor February 10, 2023 and effective June 1, 2023, amends 5/10-107 to increase the annual contribution to the Forest Preserve Fund beginning in 2024.
- For payment years 2024 through 2054 the Forest Preserve District's required annual contribution to the Fund will be determined on an actuarial basis calculated annually to get the Forest Preserve pension liability to 100% by 2054.
- The methodology calls for 30 year layered amortization of unfunded actuarial accrued liability, using a 5-year smoothed actuarial value of assets with payments increasing at 2% per year.
- For payment years after 2055, the District's required annual contribution to the Fund shall be the amount needed to bring the actuarial assets of the Fund up to 100% of the total actuarial liabilities.
- The minimum required employer contribution shall be submitted annually on or before July 31 unless another timeframe is agreed upon.