

SURS Technical Corrections Bill

SB 1265 is an initiative of SURS that makes three technical changes under Article 15 of the Illinois Pension Code.

First, SB 1265 amends the definition of an "employee" under Section 15-107 to mirror a change to the definition of an "employer" under Section 15-106 by Public Act 100-0611 (which allowed certain legacy employees within the newly created Department of Innovation and Technology to continue to participate in SURS). In this manner, SB 1265 ensures consistency between the definitions of "employee" and "employer" under SURS.

Second, SB 1265 amends the definition of "basic compensation" under Section 15-110 to account for the creation of the optional, supplemental defined contribution plan (457 plan) in SURS under Public Act 100-0769. By treating employee contributions to the optional, supplemental defined contribution plan (457 plan) as part of basic compensation, SB 1265 maintains consistency with the treatment of employee contributions to the state's Deferred Compensation Plan (457 plan) which are also treated as part of basic compensation. In this manner, SB 1265 ensures that employees are not penalized for making contributions to the optional, supplemental defined contribution plan in SURS.

Third, SB 1265 corrects a drafting error in Section 15-145. Under Section 15-131, an unmarried disabled child is considered a "survivor" for benefit purposes if his or her mental or physical disability began prior to the age of 18. The same section provides that an unmarried, non-disabled child is considered a "survivor" for benefit purposes if he or she is less 18 years of age or is less than 22 years of age and a full-time student. Under current law, the language in Section 15-145 conflicts with the definition of a "survivor" under Section 15-131. By correcting the drafting error in Section 15-145, SB 1265 maintains consistency between the section and the definition of a "survivor" under SURS and reflects SURS' longstanding interpretation and administration of survivor benefits under the Illinois Pension Code.

SB 1265 takes effect immediately upon becoming law.

SB 1265 is identical to HB 2440 of the 101st General Assembly.

Governor Pritzker signed SB 1265 into law on August 9, 2019, as Public Act 101-0321.

Sponsor:

Senator Omar Aquino

Bill Link:

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