



United Counties Council of Illinois
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September 24, 2019

To: UCCI Membership

Re: Senate Bill 1236 (Public Act 101-0544) IMRF Pension Implications

Effective August 23, 2019, Public Act 101-0544 amended the Counties Code and the Local Government Officer Compensation Act to prohibit county board members and elected officials who are receiving a pension under Article 7 of the Illinois pension code, *i.e.* the Illinois Municipal Retirement Fund (“IMRF”), based on service in the same position from also receiving a salary for that same position. The amendments made by this Public Act are only related to the IMRF pensions.

New Section 4-10005 of the Counties Code (55 ILCS 5/4-10005) prohibits a county board member from receiving any salary or other compensation from the county if the member is receiving an IMRF pension for the member’s service as a county board member. Section 4-10005 applies only to those county board members receiving pension benefits from IMRF. Likewise, new Section 25 of the Local Government Office Compensation Act (50 ILCS 145/25) prohibits other local government elected officials from receiving any salary or other compensation from their respective unit of government if the official is receiving pension benefits from IMRF. If a member of a county board or local government official is receiving benefits from IMRF on the effective date of this amendatory Act, the member’s salary and compensation will be reduced to zero at the beginning of the member’s next term if the member is still receiving pension benefits from IMRF.

This reduction in salary and compensation does not apply to county board members in counties that have adopted an ordinance or resolution effective prior to January 1, 2019 that reduces the compensation of elected county officials who are receiving pension benefits from

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IMRF for their service as elected officials to an amount less than other elected county officials who are not receiving IMRF pension benefits for their service as elected officials. In such cases, the previously adopted ordinance applies instead of the new requirement.

At the request and direction of UCCI this opinion was prepared by
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Herman G. Bodewes



Jason E. Brokaw