

# COMMISSION ON GOVERNMENT FORECASTING AND ACCOUNTABILITY

## PENSION IMPACT NOTE

96th GENERAL ASSEMBLY

BILL NO: **SB 1266**

February 17, 2009

SPONSOR (S): Silverstein

SYSTEM(S): State Employees' Retirement System

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**FISCAL IMPACT:** SB 1266 provides a clarifying amendment to the Illinois Pension Code to allow Gaming Board investigators to remain in the SERS alternative formula under the auspices of the Illinois Gaming Board. The bill does not add any new position titles to the Alternative Formula; therefore there will be no fiscal impact.

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**SUBJECT MATTER:** SB 1266 separates the Illinois Gaming Board from the Department of Revenue for purposes of enforcing and administering the Riverboat Gambling Act. The bill amends the State Employees' Article of the Pension Code to provide the alternative (State Police) formula to any person employed by the Illinois Gaming Board as an investigator. SB 1266 also allows judges to serve on the Illinois Gaming Board without forfeiting their retirement annuities.

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### **COMMENTS:**

#### ***Gaming Board Investigators***

Currently, gaming investigators for the Illinois Department of Revenue are covered under the SERS Alternative Formula, which provides an annuity of 3.0% of final average salary for each year of service credit for employees not coordinated with Social Security. Members covered by the alternative formula may retire at age 50 with 25 years of service credit or at age 55 with 20 years of service credit.

SB 1266 separates the Gaming Board from the Department of Revenue for purposes of administering the Riverboat Gambling Act. The bill provides a clarifying amendment to the State Employees' Article of the Pension Code to allow gaming investigators to remain in the Alternative Formula under the auspices of the Illinois Gaming Board.

*Retired Judges Serving on Gaming Board*

Currently, the Judges' article of the Pension Code stipulates that a retired judge who is regularly employed for compensation by an employer other than a county shall have his or her retirement annuity payments suspended during such employment. P.A. 93-0685, the Ethics Reform Act of 2004, added a number of exemptions to this prohibition on post-retirement employment for judges who are employed as a Legislative or Executive Inspector General, or as Executive Director of the Legislative Ethics Commission or staff of the Legislative Ethics Commission. SB 1266 creates another exemption for retired judges who serve on the Illinois Gaming Board.

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