



SPECIAL MEMORANDUM #335

Date: January 11, 2016
To: Authorized Agents of Affected Employers
Subject: Update on Public Act 99-900

Public Act 99-900 became law on August 26, 2016. It alters IMRF participation requirements for all elected or appointed county board members in Illinois. In Special Memo 334, issued on August 30, 2016, IMRF provided counties with information necessary to understand the new requirements for IMRF participation for county board members mandated by the law.

Special Memo 334 did not address the impact of P.A. 99-900 on the county board chair for counties in which the chair is elected by the voters on a county-wide basis. When asked whether or not P.A. 99-900 applies to those board chairs, IMRF told counties that we believed it did apply. This answer was incorrect. P.A. 99-900 does not apply to the county board chair if the chair is elected by the voters on a county-wide basis. This law specifically applies to members of the county board. The Counties Code (55 ILCS 5/1-1001 et seq.) provides that a board chair elected by the voters of the county is not a member of the county board. Therefore the provisions of P.A. 99-900 do not apply to those board chairs.

A board chair elected by the voters county-wide is eligible to join IMRF, if the position is expected to require service for at least 600 or 1000 hours (as applicable) annually, even if first elected after August 26, 2016. The chair elected by the voters county-wide is not required to file monthly time records and a resolution confirming the chair's eligibility for IMRF is not required after every election. In addition, the board chair elected by the voters county-wide may not opt-out of IMRF participation, once he or she has chosen to participate. There must be a resolution separate from that for the county board members, finding that the position of chair is IMRF qualifying, for these chairs to choose IMRF participation.

Contact IMRF with questions

If you have questions about IMRF participation for your county board chair, please contact IMRF's General Counsel, Kathy O'Brien, at 630-368-5352.

Sincerely,

A handwritten signature in black ink, appearing to read "Louis W. Kosiba". The signature is fluid and cursive.

Louis W. Kosiba
Executive Director