

1	HOUSE JOINT RESOLUTION		
2	CONSTITUTIONAL AMENDMENT 005		
3	RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE		
4	NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE		
5	SENATE CONCURRING HEREIN, that there shall be submitted to the		
6	electors of the State for adoption or rejection at the general		
7	election next occurring at least 6 months after the adoption of		
8	this resolution a proposition to amend Article XIII of the		
9	Illinois Constitution by adding Section 5.1 as follows:		
10	ARTICLE XIII		
11	GENERAL PROVISIONS		
12	(ILCON Art. XIII, Sec. 5.1 new)		
13	<u>SECTION 5.1. PENSION BENEFIT INCREASES</u>		
14	<u>(a) A bill shall not become a law without the concurrence</u>		
15	<u>of three-fifths of the members elected to each house of the</u>		
16	<u>General Assembly if that bill increases a benefit under any</u>		
17	<u>pension or retirement system of the State, any unit of local</u>		
18	<u>government or school district, or any agency or instrumentality</u>		
19	<u>thereof. However, if the Governor vetoes a bill so passed by</u>		
20	<u>returning it with his objections to the house in which it</u>		
21	<u>originated, then that bill shall not become law unless, upon</u>		
22	<u>its return, it is passed by a record vote of two-thirds of the</u>		
23	<u>members elected to each house of the General Assembly.</u>		
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1	<u>Likewise, if the Governor returns a bill so passed with</u>		
2	<u>specific recommendations for change to the house in which it</u>		
3	<u>originated, then those recommendations may be accepted only by</u>		
4	<u>a record vote of two-thirds of the members elected to each</u>		
5	<u>house of the General Assembly. The provisions of this</u>		
6	<u>subsection (a) apply notwithstanding Article IV.</u>		
7	<u>(b) An ordinance, resolution, or other action of the</u>		

8	<u>governing body of any unit of local government or school</u>
9	<u>district shall not be valid without the concurrence of</u>
10	<u>three-fifths of the members of that governing body if that</u>
11	<u>ordinance, resolution, or other action increases a benefit</u>
12	<u>under any pension or retirement system for officials or</u>
13	<u>employees of that unit of local government or school district,</u>
14	<u>or any agency or instrumentality thereof.</u>
15	<u>(c) For the purposes of this Section, a bill, ordinance,</u>
16	<u>resolution, or other action increases a benefit if it increases</u>
17	<u>the amount of an existing benefit, adds a new benefit, or</u>
18	<u>expands the class of persons eligible for a benefit, regardless</u>
19	<u>of whether it includes an increase in contributions or a</u>
20	<u>reduction in any other benefit.</u>
21	SCHEDULE
22	This Constitutional Amendment takes effect upon being
23	declared adopted in accordance with Section 7 of the Illinois
24	Constitutional Amendment Act.

General Statement

The intent of this proposed Constitutional Amendment is to require an extra ordinary majority vote for the purpose of increasing a pension benefit for State and local government employees.

Questions

Q: Is the intent to require an extra ordinary vote by State and local officials in matters concerning appropriation legislation, budget approval, or legislation to hire new employees?

A: No, only on actions that specifically addresses increasing a pension benefit.

Q: So for example, if a unit of local government wanted to give their police officers a raise, would that require an extraordinary vote under this proposed constitutional amendment?

A: No. A salary raise alone would not constitute a pension benefit increase under this proposed constitutional amendment. We certainly understand that people get raises from time to time. That is not the abuse we are targeting here.

Q: What about a unit of local government expanding what “salary” means to include some kind of perq like a car and driver, or some kind of “longevity” bonus for total years served? Would those types of actions require an extraordinary vote?

A: Yes. That would be different than a simple salary increase. An expansion in what constitutes a “salary,” that had the effect of inflating an individual’s salary, would be a pension benefit increase that would require an extraordinary vote.