

House Joint Resolution Constitutional Amendment 49

On the November ballot, you will be asked to vote for or against House Joint Resolution Constitutional Amendment 49 (HJRCA 49).

You may have heard that HJRCA 49 will have an effect on the “pension clause” in the Illinois Constitution. The pension clause provides that benefits for active members cannot be reduced. We don’t believe HJRCA 49 will have any impact on the current constitutional protection.

HJRCA 49 does not expressly affect Municipal Employees’ and Officers’ Annuity and Benefit Fund (MEABF) benefits or limit what pension-related legislation can be introduced. It would increase the number of votes required to pass legislation that increases retirement benefits for public sector employees in Illinois pension-related legislation.

The MEABF Board of Trustees will not take a position on this proposal.

HJRCA 49 would

- Change the minimum number of votes needed to pass any pension-related legislation that increases retirement benefits for public sector employees in the General Assembly from 51% (“simple majority”) to a three-fifths majority (“super majority”).
 - A review of pension-related legislation approved by General Assembly over the previous 10 to 15 years has shown that all of them have passed with many more votes than a 51% majority.
- Change the minimum number of votes needed to override the governor's veto of a bill providing a retirement benefit increase from the currently required three-fifths majority to a two-thirds majority vote of the General Assembly.
- Change the minimum number of votes needed to pass any change by a local government that increases pension benefits (excluding salary increases) from 51% to a three-fifths majority.
 - Although the definition of local government includes pension funds, a pension fund has very little ability to increase pension benefits. Illinois pension funds are governed by the Illinois Pension Code. The Pension Code can be changed only by legislation passed by the General Assembly and signed into law by the governor.

To review the actual proposed amendment, please click [here](#) to see the notification mailed by the Illinois Secretary of State.