**Section 1650.3100 Summary and Purpose**

a) This Subpart Q is intended to implement compliance requirements imposed on the Teachers' Retirement System of the State of Illinois (System) by the United States Internal Revenue Service (IRS). On April 13, 2011, the System received a favorable determination letter reflecting the view of the IRS that the System complies in form with the applicable requirements for qualification under the Internal Revenue Code of 1986, as amended (26 USC). In connection with the determination letter application, the System submitted to the IRS proposed amendments to the provisions of Article 16 of the Illinois Pension Code [40 ILCS 5/16]. The IRS approved those proposed amendments by issuing a compliance statement, and adoption of the proposed amendments is necessary for continued reliance on the IRS compliance statement and favorable determination letter. While the System worked diligently to seek legislative enactment, the proposed amendments to Article 16 of the Illinois Pension Code have not yet been enacted by action of the Illinois General Assembly and signature by the Illinois Governor.

b) The System therefore requested, and the IRS has issued, a revised compliance statement approving adoption of the proposed amendments to be made to the Illinois Administrative Code, rather than to the Illinois Pension Code. To ensure the continued qualification of the retirement plan administered by the System and continued reliance on the IRS compliance statement and favorable determination letter, the purpose of this Subpart Q is to promulgate the required amendments to the System regarding the plan qualification requirements.

(Source: Added at 35 Ill. Reg. 19541, effective November 18, 2011)