



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB2199

Introduced 2/10/2011, by Sen. Michael Noland

SYNOPSIS AS INTRODUCED:

40 ILCS 5/4-108.4
30 ILCS 805/8.35 new

Amends the Downstate Firefighter Article of the Illinois Pension Code. Provides that a firefighter employed by a village with a population on July 1, 2007 greater than 9,000 but less than 12,000 who was excluded from participation in a downstate firefighter fund prior to January 1, 1996 because the firefighter earned credit for that service under the Illinois Municipal Retirement Fund Article for the same municipality may also elect to establish creditable service for those periods of employment for that municipality's emergency services as a firefighter, EMT, or paramedic during which he or she was excluded from participation in a downstate firefighter fund. Amends the State Mandates Act to require implementation without reimbursement.

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FISCAL NOTE ACT
MAY APPLY

PENSION IMPACT
NOTE ACT MAY
APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning public employee benefits.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Pension Code is amended by changing
5 Section 4-108.4 as follows:

6 (40 ILCS 5/4-108.4)

7 Sec. 4-108.4. Transfer of creditable service from Article 7
8 fund.

9 (a) Any firefighter who was excluded from participation in
10 an Article 4 fund because the firefighter earned credit for
11 that service under Article 7 of this Code and who is a
12 participant in the Illinois Municipal Retirement Fund may
13 become an active participant in that firefighter pension fund
14 by making a written application to the Board. Persons so
15 applying shall begin participation on the first day of the
16 month following the month in which the application is received
17 by the Board. An employee who makes application for
18 participation shall not be deemed ineligible to participate in
19 the firefighter pension fund by reason of having failed to
20 apply within the 3-month period specified in subsection (b) of
21 Section 4-107.

22 (a-1) A firefighter employed by a village with a population
23 on July 1, 2007 greater than 9,000 but less than 12,000 who was

1 excluded from participation in an Article 4 fund prior to
2 January 1, 1996 because the firefighter earned credit for that
3 service under Article 7 of this Code for the same municipality
4 may also elect to establish creditable service for those
5 periods of employment for that municipality's emergency
6 services as a firefighter, EMT, or paramedic during which he or
7 she was excluded from participation in an Article 4 fund by
8 paying into the fund the amount that the person would have
9 contributed had deductions from salary been made for this
10 purpose at the time the service was rendered, together with
11 interest thereon at 6% per annum, compounded annually, from the
12 time the service was rendered until the date of payment, less
13 any amounts transferred from the Illinois Municipal Retirement
14 Fund under Section 7-139.10.

15 (b) A firefighter who was excluded from participation in an
16 Article 4 fund because the firefighter earned credit for that
17 service under Article 7 of this Code and who is a participant
18 in the Illinois Municipal Retirement Fund may also elect to
19 establish creditable service for those periods of employment as
20 a firefighter during which he or she was excluded from
21 participation in an Article 4 fund by paying into the fund the
22 amount that the person would have contributed had deductions
23 from salary been made for this purpose at the time the service
24 was rendered, together with interest thereon at 6% per annum,
25 compounded annually, from the time the service was rendered
26 until the date of payment, less any amounts transferred from

1 the Illinois Municipal Retirement Fund under Section 7-139.10.

2 (c) In no event shall pension credit for the same service
3 rendered by an employee be accredited in more than one pension
4 fund or retirement system under this Code. If an employee
5 applies for service credit under subsection (a-1) or (b), then
6 any creditable service time accumulated in the Illinois
7 Municipal Retirement Fund for the same period must be
8 transferred to the Article 4 fund under Section 7-139.10.

9 (Source: P.A. 93-689, eff. 7-1-04.)

10 Section 90. The State Mandates Act is amended by adding
11 Section 8.35 as follows:

12 (30 ILCS 805/8.35 new)

13 Sec. 8.35. Exempt mandate. Notwithstanding Sections 6 and 8
14 of this Act, no reimbursement by the State is required for the
15 implementation of any mandate created by this amendatory Act of
16 the 97th General Assembly.