

AN ACT concerning public employee benefits.

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

Section 5. The Illinois Pension Code is amended by changing Section 7-109.3 as follows:

(40 ILCS 5/7-109.3) (from Ch. 108 1/2, par. 7-109.3)

Sec. 7-109.3. "Sheriff's Law Enforcement Employees".

(a) "Sheriff's law enforcement employee" or "SLEP" means:

(1) A county sheriff and all deputies, other than special deputies, employed on a full time basis in the office of the sheriff.

(2) A person who has elected to participate in this Fund under Section 3-109.1 of this Code, and who is employed by a participating municipality to perform police duties.

(3) A law enforcement officer employed on a full time basis by a Forest Preserve District, provided that such officer shall be deemed a "sheriff's law enforcement employee" for the purposes of this Article, and service in that capacity shall be deemed to be service as a sheriff's law enforcement employee, only if the board of commissioners of the District have so elected by adoption of an affirmative resolution. Such election, once made, may

not be rescinded.

(4) A person not eligible to participate in a fund established under Article 3 of this Code who is employed on a full-time basis by a participating municipality or participating instrumentality to perform police duties at an airport, but only if the governing authority of the employer has approved sheriff's law enforcement employee status for its airport police employees by adoption of an affirmative resolution. Such approval, once given, may not be rescinded.

(5) A person who (i) is employed by a participating municipality that has both 30 or more full-time police officers and 50 or more full-time firefighters and has not established a fund under Article 3 or Article 4 of this Code and (ii) is employed on a full-time basis by that participating municipality to perform police duties or firefighting and EMS duties; but only if the governing authority of that municipality has approved sheriff's law enforcement employee status for its police officer or firefighter employees by adoption of an affirmative resolution. The resolution must specify that SLEP status shall be applicable to such employment occurring on or after the adoption of the resolution. Such resolution shall be irrevocable, but shall automatically terminate upon the establishment of an Article 3 or 4 fund by the municipality.

(b) An employee who is a sheriff's law enforcement employee and is granted military leave or authorized leave of absence shall receive service credit in that capacity. Sheriff's law enforcement employees shall not be entitled to out-of-State service credit under Section 7-139.

(Source: P.A. 92-16, eff. 6-28-01.)

Section 99. Effective date. This Act takes effect upon becoming law.