



Sen. James F. Clayborne, Jr.

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LRB100 05036 EFG 23164 a

1 AMENDMENT TO SENATE BILL 419

2 AMENDMENT NO. _____. Amend Senate Bill 419 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by
5 changing Section 4-108.5 as follows:

6 (40 ILCS 5/4-108.5)

7 Sec. 4-108.5. Service for providing certain fire
8 protection services.

9 (a) A firefighter for a participating municipality who was
10 employed as an active firefighter providing fire protection for
11 a village or incorporated town with a population of greater
12 than 10,000 but less than 11,000 located in a county with a
13 population of greater than 600,000 and less than 700,000, as
14 estimated by the United States Census on July 1, 2004, may
15 elect to establish creditable service for periods of that
16 employment in which the firefighter provided fire protection

1 services for the participating municipality if, by May 1, 2007,
2 the firefighter (i) makes written application to the Board and
3 (ii) pays into the pension fund the amount that the person
4 would have contributed had deductions from salary been made for
5 this purpose at the time the service was rendered, plus
6 interest thereon at 6% per annum compounded annually from the
7 time the service was rendered until the date of payment.

8 (b) Time spent providing fire protection on a part-time
9 basis for a village or incorporated town with a population of
10 greater than 10,000 but less than 11,000 located in a county
11 with a population of greater than 600,000 and less than
12 700,000, as estimated by the United States Census on July 1,
13 2004, shall be calculated at the rate of one year of creditable
14 service for each 5 years of time spent providing such fire
15 protection, if the firefighter (i) has at least 5 years of
16 creditable service as an active firefighter, (ii) has at least
17 5 years of such service with a qualifying village or
18 incorporated town, (iii) applies for the creditable service
19 within 30 days after the effective date of this amendatory Act
20 of the 94th General Assembly, and (iv) contributes to the Fund
21 an amount representing employee contributions for the number of
22 years of creditable service granted under this subsection (b)
23 based on the salary and contribution rate in effect for the
24 firefighter at the date of entry into the fund, as determined
25 by the Board. The amount of creditable service granted under
26 this subsection (b) may not exceed 3 years.

1 (c) This subsection applies only to a person who was first
2 employed by a municipality in 2008 to provide fire protection
3 services on a full-time basis as a firefighter or fire chief,
4 but was prevented from participating in a pension fund under
5 this Article until 2015 by reason of the employing
6 municipality's delay in establishing a pension fund as required
7 under this Article. Such a person may elect to establish
8 creditable service for periods of such employment by that
9 municipality during which he or she did not participate, by
10 applying to the board in writing and paying to the pension fund
11 the employee contributions that he or she would have made had
12 deductions from salary been made for employee contributions at
13 the time the service was rendered, together with interest
14 thereon at the rate of 6% per annum, compounded annually, from
15 the time the service was rendered to the date of payment;
16 except that the granting of such creditable service is
17 contingent upon the consent of the governing body of the
18 municipality and payment to the pension fund by the
19 municipality of the corresponding employer contributions, plus
20 interest.

21 For the purposes of Sections 4-109, 4-109.1, and 4-114, and
22 notwithstanding any other provision of this Article, for a
23 person who establishes creditable service under this
24 subsection (c), the date upon which the person first became a
25 participating firefighter under this Article shall be deemed to
26 be no later than the first day of employment for which such

1 creditable service has been granted.

2 (Source: P.A. 97-813, eff. 7-13-12.)

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