

1 AN ACT concerning unemployment insurance.

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

4 Section 5. The Unemployment Insurance Act is amended by
5 changing Section 220 as follows:

6 (820 ILCS 405/220) (from Ch. 48, par. 330)

7 Sec. 220. A. The term "employment" shall not include
8 service performed prior to 1972 in the employ of this State,
9 or of any political subdivision thereof, or of any wholly
10 owned instrumentality of this State or its political
11 subdivisions.

12 B. The term "employment" shall not include service,
13 performed after 1971 and before 1978, in the employ of this
14 State or any of its instrumentalities:

- 15 1. In an elective position;
- 16 2. Of a professional or consulting nature,
17 compensated on a per diem or retainer basis;
- 18 3. For a State prison or other State correctional
19 institution, by an inmate of the prison or correctional
20 institution;
- 21 4. As part of an unemployment work-relief or
22 work-training program assisted or financed in whole or in
23 part by any Federal agency or an agency of this State, by
24 an individual receiving such work-relief or
25 work-training;

26 5. In a facility conducted for the purpose of
27 carrying out a program of rehabilitation for individuals
28 whose earning capacity is impaired by age or physical or
29 mental deficiency or injury or providing remunerative
30 work for individuals who because of their impaired
31 physical or mental capacity cannot be readily absorbed in

1 the competitive labor market, by an individual receiving
2 such rehabilitation or remunerative work;

3 6. Directly for the Illinois State Fair during its
4 active duration (including the week immediately preceding
5 and the week immediately following the Fair);

6 7. Directly and solely in connection with an
7 emergency, in fire-fighting, snow removal, flood control,
8 control of the effects of wind or flood, and the like, by
9 an individual hired solely for the period of such
10 emergency;

11 8. In the Illinois National Guard, directly and
12 solely in connection with its summer training camps or
13 during emergencies, by an individual called to duty
14 solely for such purposes.

15 C. Except as provided in Section 302, the term
16 "employment" shall not include service performed in the
17 employ of a political subdivision or a municipal corporation,
18 or an instrumentality of one or more of the foregoing or of
19 this State and one or more of the foregoing. This subsection
20 shall not apply to service performed after December 31, 1977.

21 D. The term "employment" shall not include service
22 performed after December 31, 1977:

23 1. In the employ of a governmental entity referred
24 to in clause (B) of Section 211.1 if such service is
25 performed in the exercise of duties

26 a. As an elected official;

27 b. As a member of a legislative body, or a
28 member of the judiciary, of this State or a
29 political subdivision or municipal corporation;

30 c. As a member of the Illinois National Guard
31 or Air National Guard;

32 d. As a worker serving on a temporary basis in
33 case of fire, storm, snow, earthquake, flood, or
34 similar emergency;

1 e. In a position which, under or pursuant to
2 the laws of this State, is designated as a major
3 nontenured policymaking or advisory position, or as
4 a policymaking position the performance of the
5 duties of which ordinarily does not require more
6 than 8 hours per week.

7 2. As part of an unemployment work-relief or
8 work-training program assisted or financed in whole or in
9 part by any Federal agency or an agency of this State, or
10 a political subdivision or municipal corporation, by an
11 individual receiving such work-relief or work-training.

12 3. In a facility conducted for the purpose of
13 carrying out a program of rehabilitation for individuals
14 whose earning capacity is impaired by age or physical or
15 mental deficiency or injury or providing remunerative
16 work for individuals who because of their impaired
17 physical or mental capacity cannot be readily absorbed in
18 the competitive labor market, by an individual receiving
19 such rehabilitation or remunerative work.

20 4. By an inmate of a custodial or penal
21 institution.

22 E. The term "employment" shall not include service
23 performed on or after January 1, 2002 in the employ of a
24 governmental entity referred to in clause (B) of Section
25 211.1 if the service is performed in the exercise of duties
26 as an election official or election worker and the amount of
27 remuneration received by the individual during the calendar
28 year for service as an election official or election worker
29 is less than \$1,000.

30 F. The term "employment" shall not include service
31 performed in the employ of an Indian tribe if such service is
32 performed in the exercise of duties:

- 33 1. as an elected official;
- 34 2. as a member of a legislative body, or a member

1 of the judiciary, of that Indian tribe;

2 3. as a worker serving on a temporary basis in case
3 of fire, storm, snow, earthquake, flood, or similar
4 emergency;

5 4. in a position which, under or pursuant to tribal
6 law, is designated as a major nontenured policymaking or
7 advisory position, or as a policymaking position the
8 performance of the duties of which ordinarily does not
9 require more than 8 hours per week;

10 5. as part of an unemployment work-relief or
11 work-training program assisted or financed in whole or in
12 part by any federal agency or an agency of this State, or
13 a political subdivision or municipal corporation, or an
14 Indian tribe, by an individual receiving such work-relief
15 or work training;

16 6. in a facility conducted for the purpose of
17 carrying out a program of rehabilitation for individuals
18 whose earning capacity is impaired by age or physical or
19 mental deficiency or injury or providing remunerative
20 work for individuals who because of their impaired
21 physical or mental capacity cannot be readily absorbed in
22 the competitive labor market, by an individual receiving
23 such rehabilitation or remunerative work;

24 7. by an inmate of a custodial or penal
25 institution.

26 G. The term "employment" shall not include service
27 performed by paid on call personnel of a fire protection
28 district.

29 (Source: P.A. 92-441, eff. 1-1-02; 92-555, eff. 6-24-02.)