



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB1458

Introduced 02/10/05, by Rep. Linda Chapa LaVia - Donald L. Moffitt - Michael P. McAuliffe - Patrick J. Verschoore - Patricia Bailey

SYNOPSIS AS INTRODUCED:

65 ILCS 5/10-1-16

from Ch. 24, par. 10-1-16

Amends the Illinois Municipal Code. Provides that persons who were engaged in active military or naval service of the United States for at least one year (now, at any time during certain stated periods) and who were honorably discharged shall be preferred for appointments to civil offices, positions, and places of employment in the classified service of a municipality that is subject to Division 1 of the Code. Provides that the municipality's civil service commission shall give preference points for original appointments to qualified veterans, whose names appear on any register of eligibles resulting from a civil service entrance exam, by adding 5 points to their final grade averages. Provides that qualified veterans shall be preferred for promotional civil service appointments and that the preference that the qualified veterans will receive shall be seven-tenths of one point for each 6 months or fraction thereof of active military or naval service not exceeding 30 months (now, no requirement that the service be active). Makes other changes. Effective immediately.

LRB094 08906 AJO 39126 b

1 AN ACT concerning local government.

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

4 Section 5. The Illinois Municipal Code is amended by
5 changing Section 10-1-16 as follows:

6 (65 ILCS 5/10-1-16) (from Ch. 24, par. 10-1-16)

7 Sec. 10-1-16. Persons who were engaged in the active
8 military or naval service of the United States for a period of
9 at least one year ~~at any time during the years 1898 through~~
10 ~~1902, 1914 through 1919, at any time between September 16, 1940~~
11 ~~and July 25, 1947, or at any time during the national emergency~~
12 ~~between June 25, 1950 and January 31, 1955, or at any time~~
13 ~~between January 1, 1961 and the date Congress declares the Viet~~
14 ~~Nam conflict ended,~~ and who were honorably discharged therefrom
15 and all persons who were engaged in such military or naval
16 service ~~during any of such years~~ who are now or may hereafter
17 be on inactive or reserve duty in such military or naval
18 service, not including, however, persons who were convicted by
19 court-martial of disobedience of orders, where such
20 disobedience consisted in the refusal to perform military
21 service on the ground of alleged religious or conscientious
22 objections against war, shall be preferred for appointments to
23 civil offices, positions, and places of employment in the
24 classified service of any municipality coming under the
25 provisions of this Division 1, provided they are found to
26 possess the business capacity necessary for the proper
27 discharge of the duties of such office, position, or place of
28 employment as determined by examination.

29 The civil service commission shall give preference points
30 for original appointment to qualified veterans whose names
31 appear on any register of eligibles resulting from an
32 examination for original entrance in the classified service of

1 any municipality coming under the provisions of this Division 1
2 by adding to the final grade average that they receive or will
3 receive as the result of any examination held for original
4 entrance, 5 points. The numerical result thus attained shall be
5 applied by the civil service commission in determining the
6 position of those persons on any eligibility list that has been
7 created as the result of any examination for original entrance
8 for purposes of preference in certification and appointment
9 from that eligibility list. Persons who were engaged in the
10 active military or naval service of the United States for a
11 period of at least one year ~~The civil service commission on~~
12 ~~certifying from any existing register of eligibles resulting~~
13 ~~from the holding of an examination for original entrance or any~~
14 ~~register of eligibles that may be hereafter created of persons~~
15 ~~who have taken and successfully passed the examinations~~
16 ~~provided for in this Division 1 for original entrance~~
17 ~~commencing prior to September 1, 1949, shall place the name or~~
18 ~~names of such persons at the head of any existing eligible~~
19 ~~register or list of eligibles that may hereafter be created~~
20 ~~under the provision of this Division 1, to be certified for~~
21 ~~appointment. The civil service commission shall give~~
22 ~~preference for original appointment to persons as hereinabove~~
23 ~~designated whose names appear on any register of eligibles~~
24 ~~resulting from an examination for original entrance held under~~
25 ~~the provisions of this Division 1 and commenced on or after~~
26 ~~September 1, 1949 by adding to the final grade average which~~
27 ~~they received or will receive as the result of any examination~~
28 ~~held for original entrance, 5 points. The numerical result thus~~
29 ~~attained shall be applied by the civil service commission in~~
30 ~~determining the position of such persons on any eligible list~~
31 ~~which has been created as the result of any examination for~~
32 ~~original entrance commenced on or after September 1, 1949 for~~
33 ~~purposes of preference in certification and appointment from~~
34 ~~such eligible list.~~

35 ~~Every certified civil service employee who was called to,~~
36 ~~or who volunteered for, the military or naval service of the~~

1 ~~United States at any time during the years specified in this~~
2 ~~Division 1, at any time between September 16, 1940 and July 25,~~
3 ~~1947, or at any time during the national emergency between June~~
4 ~~25, 1950 and January 31, 1955, or at any time between January~~
5 ~~1, 1961 and the date Congress declares the Viet Nam conflict~~
6 ~~ended,~~ and who were honorably discharged therefrom or who are
7 now or who may hereafter be on inactive or reserve duty in such
8 military or naval service, not including, however, persons who
9 were convicted by court martial of disobedience of orders where
10 such disobedience consisted in the refusal to perform military
11 service on the ground of alleged religious or conscientious
12 objections against war, and whose names appear on existing
13 promotional eligible registers or any promotional eligible
14 register that may hereafter be created, as provided for by this
15 Division 1, shall be preferred for promotional appointment to
16 civil offices, positions and places of employment in the
17 classified civil service of any municipality coming under the
18 provisions of this Division 1.

19 The civil service commission shall give preference for
20 promotional appointment to persons as hereinabove designated
21 whose names appear on existing promotional eligible registers
22 or promotional eligible registers that may hereafter be created
23 by adding to the final grade average which they received or
24 will receive as the result of any promotional examination
25 ~~commencing prior to September 1, 1949, six-tenths of one point~~
26 ~~for each 6 months or fraction thereof of military or naval~~
27 ~~service not exceeding 30 months, and by adding to the final~~
28 ~~grade average which they will receive as the result of any~~
29 ~~promotional examinations held commencing on or after September~~
30 ~~1, 1949~~ seven-tenths of one point for each 6 months or fraction
31 thereof of active military or naval service not exceeding 30
32 months. The numerical result thus attained shall be applied by
33 the civil service commission in determining the position of
34 such persons on any eligible list which has been created or
35 will be created as the result of any promotional examination
36 held hereunder for purposes of preference in certification and

1 appointment from such eligible list.

2 No person shall receive the preference for a promotional
3 appointment granted by this Section after he has received one
4 promotion from an eligible list on which he was allowed such
5 preference ~~and which was prepared as a result of an examination~~
6 ~~held on or after September 1, 1949.~~

7 No person entitled to preference or credit for military or
8 naval service hereunder shall be required to furnish evidence
9 or record of honorable discharge from the armed forces before
10 the publication or posting of any eligible register or list
11 resulting from the examination. Such preference shall be given
12 after the posting or publication of any eligible list or
13 register resulting from such examination and before any
14 certifications or appointments are made from such list or
15 register.

16 (Source: P.A. 76-69.)

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