



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4609

by Rep. Jim Sacia

SYNOPSIS AS INTRODUCED:

40 ILCS 5/3-106 from Ch. 108 1/2, par. 3-106
40 ILCS 5/3-110.11 new
40 ILCS 5/7-139.14 new
30 ILCS 805/8.32 new

Amends the Downstate Police Article of the Illinois Pension Code. Provides that, beginning on the effective date of this amendatory Act, "police officer" or "officer" includes any person who is employed as a police dispatcher. Allows a police dispatcher to transfer creditable service under the Illinois Municipal Retirement Fund Article to his or her pension fund under the Downstate Police Article. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB095 17616 AMC 43690 b

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 3-106 and by adding Sections 3-110.11 and 7-139.14 as
6 follows:

7 (40 ILCS 5/3-106) (from Ch. 108 1/2, par. 3-106)

8 Sec. 3-106. Police officer, officer. "Police officer" or
9 "officer": Any person who (1) is appointed to the police force
10 of a police department and sworn and commissioned to perform
11 police duties; and (2) within 3 months after receiving his or
12 her first appointment and, if reappointed, within 3 months
13 thereafter, or as otherwise provided in Section 3-109, makes
14 written application to the board to come under the provisions
15 of this Article.

16 Beginning on the effective date of this amendatory Act of
17 the 95th General Assembly, "police officer" or "officer"
18 includes any person who is employed as a police dispatcher.

19 Police officers serving initial probationary periods, if
20 otherwise eligible, shall be police officers within the meaning
21 of this Section.

22 (Source: P.A. 89-52, eff. 6-30-95.)

1 (40 ILCS 5/3-110.11 new)

2 Sec. 3-110.11. Transfer from IMRF. Until January 1, 2009, a
3 police dispatcher may transfer to a fund established under this
4 Article all or any portion of his or her creditable service
5 accumulated under Article 7 of this Code upon payment to the
6 fund of an amount to be determined by the board, equal to (i)
7 the difference between the amount of employee and employer
8 contributions transferred to the fund under Section 7-139.13
9 and the amounts that would have been contributed had such
10 contributions been made at the rates applicable to an employee
11 under this Article, plus (ii) interest thereon at the effective
12 rate for each year, compounded annually, from the date of
13 service to the date of payment.

14 (40 ILCS 5/7-139.14 new)

15 Sec. 7-139.14. Transfer to Article 3 fund.

16 (a) Until January 1, 2009, a police dispatcher who has
17 creditable service under this Article and who has become an
18 active participant in a police pension fund established under
19 Article 3 of this Code may apply for transfer to that Article 3
20 fund of all or any portion of his or her creditable service
21 accumulated under this Article. At the time of the transfer the
22 Fund shall pay to the police pension fund an amount equal to:

23 (1) the amounts accumulated to the credit of the
24 applicant under this Article, including interest;

25 (2) the municipality credits based on that service,

1 including interest; and
2 (3) any interest paid by the applicant in order to
3 reinstate that service.

4 Participation in this Fund with respect to the transferred
5 credits shall terminate on the date of transfer.

6 (b) A police dispatcher who is an active member of a
7 pension fund established under Article 3 of this Code may
8 reinstate creditable service under this Article that was
9 terminated by receipt of a refund by paying to the Fund the
10 amount of the refund plus interest thereon at the rate of 6%
11 per year, compounded annually, from the date of refund to the
12 date of payment.

13 Section 90. The State Mandates Act is amended by adding
14 Section 8.32 as follows:

15 (30 ILCS 805/8.32 new)

16 Sec. 8.32. Exempt mandate. Notwithstanding Sections 6 and 8
17 of this Act, no reimbursement by the State is required for the
18 implementation of any mandate created by this amendatory Act of
19 the 95th General Assembly.

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