

# HB0849



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB0849

Introduced 2/10/2009, by Rep. Rich Brauer

#### SYNOPSIS AS INTRODUCED:

65 ILCS 5/10-1-16

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

65 ILCS 5/10-2.1-8

from Ch. 24, par. 10-2.1-8

Amends the Illinois Municipal Code. In a Section concerning veterans' preference, provides that "active duty military or naval service of the United States" includes training at a service school that is ordered pursuant to certain provisions of federal law.

LRB096 03137 RLJ 13153 b

A BILL FOR

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 Sections 10-1-16 and 10-2.1-8 as follows:

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

7 Sec. 10-1-16. Veterans preference. Persons who were  
8 engaged in the active military or naval service of the United  
9 States for a period of at least one year and who were honorably  
10 discharged therefrom and all persons who were engaged in such  
11 military or naval service who are now or may hereafter be on  
12 inactive or reserve duty in such military or naval service, not  
13 including, however, persons who were convicted by  
14 court-martial of disobedience of orders, where such  
15 disobedience consisted in the refusal to perform military  
16 service on the ground of alleged religious or conscientious  
17 objections against war, shall be preferred for appointments to  
18 civil offices, positions, and places of employment in the  
19 classified service of any municipality coming under the  
20 provisions of this Division 1, provided they are found to  
21 possess the business capacity necessary for the proper  
22 discharge of the duties of such office, position, or place of  
23 employment as determined by examination. For purposes of this

1 Section, "active duty military or naval service of the United  
2 States" includes training and service school attendance, as  
3 defined in 10 U.S.C. 101(d), which is ordered pursuant to 10  
4 U.S.C. 12301(d).

5 The civil service commission shall give preference points  
6 for original appointment to qualified veterans whose names  
7 appear on any register of eligibles resulting from an  
8 examination for original entrance in the classified service of  
9 any municipality coming under the provisions of this Division 1  
10 by adding to the final grade average that they receive or will  
11 receive as the result of any examination held for original  
12 entrance, 5 points. The numerical result thus attained shall be  
13 applied by the civil service commission in determining the  
14 position of those persons on any eligibility list that has been  
15 created as the result of any examination for original entrance  
16 for purposes of preference in certification and appointment  
17 from that eligibility list. Persons who were engaged in the  
18 active military or naval service of the United States for a  
19 period of at least one year and who were honorably discharged  
20 therefrom or who are now or who may hereafter be on inactive or  
21 reserve duty in such military or naval service, not including,  
22 however, persons who were convicted by court martial of  
23 disobedience of orders where such disobedience consisted in the  
24 refusal to perform military service on the ground of alleged  
25 religious or conscientious objections against war, and whose  
26 names appear on existing promotional eligible registers or any

1 promotional eligible register that may hereafter be created, as  
2 provided for by this Division 1, shall be preferred for  
3 promotional appointment to civil offices, positions and places  
4 of employment in the classified civil service of any  
5 municipality coming under the provisions of this Division 1.

6 The civil service commission shall give preference for  
7 promotional appointment to persons as hereinabove designated  
8 whose names appear on existing promotional eligible registers  
9 or promotional eligible registers that may hereafter be created  
10 by adding to the final grade average which they received or  
11 will receive as the result of any promotional examination  
12 seven-tenths of one point for each 6 months or fraction thereof  
13 of active military or naval service not exceeding 30 months.  
14 The numerical result thus attained shall be applied by the  
15 civil service commission in determining the position of such  
16 persons on any eligible list which has been created or will be  
17 created as the result of any promotional examination held  
18 hereunder for purposes of preference in certification and  
19 appointment from such eligible list.

20 No person shall receive the preference for a promotional  
21 appointment granted by this Section after he has received one  
22 promotion from an eligible list on which he was allowed such  
23 preference.

24 No person entitled to preference or credit for military or  
25 naval service hereunder shall be required to furnish evidence  
26 or record of honorable discharge from the armed forces before

1 the publication or posting of any eligible register or list  
2 resulting from the examination. Such preference shall be given  
3 after the posting or publication of any eligible list or  
4 register resulting from such examination and before any  
5 certifications or appointments are made from such list or  
6 register.

7 (Source: P.A. 94-483, eff. 8-8-05.)

8 (65 ILCS 5/10-2.1-8) (from Ch. 24, par. 10-2.1-8)

9 Sec. 10-2.1-8. Veteran's and educational preference.  
10 Persons who have successfully obtained an associate's degree in  
11 the field of law enforcement, criminal justice, fire service,  
12 or emergency medical services, or a bachelor's degree from an  
13 accredited college or university; persons who have been awarded  
14 a certificate attesting to the successful completion of the  
15 Minimum Standards Basic Law Enforcement Training Course as  
16 provided in the Illinois Police Training Act and are currently  
17 serving as a law enforcement officer on a part-time or  
18 full-time basis within the State of Illinois; and persons who  
19 were engaged in the active military or naval service of the  
20 United States for a period of at least one year and who were  
21 honorably discharged therefrom, or who are now or may hereafter  
22 be on inactive or reserve duty in such military or naval  
23 service (not including, however, in the case of offices,  
24 positions and places of employment in the police department,  
25 persons who were convicted by court-martial of disobedience of

1 orders, where such disobedience consisted in the refusal to  
2 perform military service on the ground of religious or  
3 conscientious objections against war) shall be preferred for  
4 appointments to offices, positions, and places of employment in  
5 the fire and police departments of the municipality coming  
6 under the provisions of this Division 2.1. For purposes of this  
7 Section, "active duty military or naval service of the United  
8 States" includes training and service school attendance, as  
9 defined in 10 U.S.C. 101(d), which is ordered pursuant to 10  
10 U.S.C. 12301(d). The preference points awarded under this  
11 Section shall not be cumulative.

12 This amendatory Act of 1973 does not apply to any  
13 municipality which is a home rule unit.

14 (Source: P.A. 90-445, eff. 8-16-97.)