



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5389

Introduced 2/5/2010, by Rep. Michael P. McAuliffe

SYNOPSIS AS INTRODUCED:

40 ILCS 5/5-214

from Ch. 108 1/2, par. 5-214

Amends the Chicago Police Article of the Illinois Pension Code. Provides that credit for certain service other than service under the Article may be granted only to a person who first became a participant in the fund before the effective date of the amendatory Act. Effective immediately.

LRB096 18769 AMC 34154 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 5-214 as follows:

6 (40 ILCS 5/5-214) (from Ch. 108 1/2, par. 5-214)

7 Sec. 5-214. Credit for other service. Credit under this
8 Section may be granted only to a person who first became a
9 participant in this fund before the effective date of this
10 amendatory Act of the 96th General Assembly.

11 Any participant in this fund (other than a member of the
12 fire department of the city) who has rendered service as a
13 member of the police department of the city for a period of 3
14 years or more is entitled to credit for the various purposes of
15 this Article for service rendered prior to becoming a member or
16 subsequent thereto for the following periods:

17 (a) While on leave of absence from the police
18 department assigned or detailed to investigative,
19 protective, security or police work for the park district
20 of the city, the department of the Port of Chicago or the
21 sanitary district in which the city is located.

22 (b) As a temporary police officer in the city or while
23 serving in the office of the mayor or in the office of the

1 corporation counsel, as a member of the city council of the
2 city, as an employee of the Policemen's Annuity and Benefit
3 Fund created by this Article, as the head of an
4 organization whose membership consists of members of the
5 police department, the Public Vehicle License Commission
6 and the board of election commissioners of the city.

7 (c) While performing safety or investigative work for
8 the county in which such city is principally located or for
9 the State of Illinois or for the federal government, on
10 leave of absence from the department of police, or while
11 performing investigative work for the department as a
12 civilian employee of the department.

13 (d) While on leave of absence from the police
14 department of the city and serving as the chief of police
15 of a police department outside the city.

16 No credit shall be granted in this fund, however, for this
17 service if the policeman has credit therefor in any other
18 annuity and benefit fund, or unless he contributes to this fund
19 the amount he would have contributed with interest had he
20 remained an active member of the police department in the
21 position he occupied as a result of a civil service competitive
22 examination, certification and appointment by the Civil
23 Service Board; or in the case of a city operating under the
24 provisions of a personnel ordinance the position he occupied as
25 a result of a personnel ordinance competitive examination
26 certification and appointment under the authority of a

1 Municipal Personnel ordinance.

2 Concurrently with such contributions, the city shall
3 contribute the amounts provided by this Article. No credit
4 shall be allowed for any period of time for which contributions
5 by the policeman have not been paid. The period of service
6 rendered by such policeman prior to the date he became a member
7 of the police department of the city or while detailed,
8 assigned or on leave of absence and employed in any of the
9 departments set forth hereinabove in this Section for which
10 such policeman has contributed to this fund shall be credited
11 to him as service for all the purposes of this Article, except
12 that he shall not have any of the rights conferred by the
13 provisions of Sections 5-127 and 5-162 of this Article.

14 The changes in this Section made by Public Act 86-273 shall
15 apply to members of the fund who have not begun receiving a
16 pension under this Article on August 23, 1989, without regard
17 to whether employment is terminated before that date.

18 (Source: P.A. 86-273; 87-1265.)

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