

SB1479



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB1479

Introduced 2/18/2009, by Sen. Kwame Raoul

SYNOPSIS AS INTRODUCED:

40 ILCS 5/14-105

from Ch. 108 1/2, par. 14-105

Amends the State Employee Article of the Illinois Pension Code. Provides service credit for up to 5 days of voluntary or involuntary furlough used to address a State fiscal emergency. Effective immediately.

LRB096 07978 AMC 18082 b

FISCAL NOTE ACT
MAY APPLY

PENSION IMPACT
NOTE ACT MAY
APPLY

A BILL FOR

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 14-105 as follows:

6 (40 ILCS 5/14-105) (from Ch. 108 1/2, par. 14-105)

7 Sec. 14-105. Service credit for which contributions are not
8 required.

9 (a) Each employee in service on December 31, 1943, or then
10 on leave of absence not in conflict with Civil Service rules,
11 if such leave had not extended for more than one year
12 continuously, or who is otherwise entitled to prior service
13 credit, who becomes a member shall file with the board on a
14 form supplied by it, a detailed statement of all service
15 rendered prior to January 1, 1944, for which credit is claimed.

16 Upon verification thereof, the board shall issue a prior
17 service certificate certifying length of prior service. A prior
18 service certificate shall be conclusive so long as membership
19 continues, provided, that a member may, within one year from
20 the date of original issuance of the certificate or
21 modification thereof, request the board to modify or correct
22 the certificate.

23 When membership ceases, a prior service certificate shall

1 become void, and shall be revived only under the conditions
2 specified in this Article.

3 In the computation of prior service, the following schedule
4 shall govern: 9 months of service or more during any fiscal
5 year constitutes a year of service; 6 to 9 months, 3/4 of a
6 year; 3 to 6 months, 1/2 year; less than 3 months shall not be
7 considered. Credit shall not be allowed for any period of
8 absence without compensation or for less than 15 days service
9 in any month, nor shall more than one year of service be
10 creditable for all service rendered in any one fiscal year.

11 (b) Any member shall receive credit for military service
12 provided all of the following conditions are met:

13 (1) the member was a State employee within 6 months
14 immediately prior to entry into military service;

15 (2) the member returns as a State employee within 15
16 months after his unconditional discharge other than by
17 dishonorable discharge; and

18 (3) the member establishes creditable service for
19 State employment immediately prior to and following the
20 military service.

21 The total amount of creditable military service for any
22 member during his entire term of service shall not exceed 5
23 years in the aggregate, except that any member who on July 1,
24 1963, had accrued more than 5 years of such credit shall be
25 entitled to the total amount of such accrued credit.

26 (c) Any active member of the System who (1) was earning

1 eligible creditable service under subdivision (b)(12) of
2 Section 14-110 on January 1, 1992, and (2) has at least 17
3 years of creditable service under Article 5, and (3) is
4 eligible to transfer that creditable service to this System
5 under subsection (c) of Section 5-236 of this Code, and (4)
6 applies in writing for transfer of that creditable service to
7 this System within 30 days after the effective date of this
8 amendatory Act of 1993, shall receive eligible creditable
9 service in this System for that creditable service upon receipt
10 by this System of the amounts transferred under Section 5-236.
11 No additional contributions shall be required for the
12 transferred service.

13 (d) Any active member of the system who (1) was earning
14 eligible creditable service under subdivision (b)(5) of
15 Section 14-110 on January 1, 1992, and (2) has no more than 7
16 years of creditable service as a municipal conservator of the
17 peace under Article 7, and (3) is eligible to transfer that
18 creditable service to this System under subsection (a) of
19 Section 7-139.7 of this Code, and (4) makes written
20 notification to this System by January 31, 1994, shall receive
21 eligible creditable service in this System for that service
22 upon receipt by this System of the amounts transferred under
23 Section 7-139.7. No additional contributions shall be required
24 for the transferred service.

25 (e) Any member may establish creditable service and
26 earnings credit for a period of voluntary or involuntary

1 furlough, not exceeding 5 days, beginning on or after December
2 1, 2001 and ending before January 1, 2003, that is utilized as
3 a means of addressing a State fiscal emergency. To receive this
4 credit, the member must apply in writing to the System or the
5 member's employer before July 1, 2005. No additional
6 contribution is required for this credit.

7 (f) Any member may establish creditable service and
8 earnings credit for a period of voluntary or involuntary
9 furlough, not exceeding 5 days, beginning on or after July 1,
10 2008 and ending on or before June 30, 2009, that is utilized as
11 a means of addressing a State fiscal emergency. To receive this
12 credit, the member must apply in writing to the System or the
13 member's employer before July 1, 2012. No additional
14 contribution is required for this credit.

15 (Source: P.A. 92-566, eff. 6-25-02.)

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