



## 97TH GENERAL ASSEMBLY

### State of Illinois

### 2011 and 2012

#### HB2037

by Rep. Dan Brady

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/7-109.3 from Ch. 108 1/2, par. 7-109.3  
40 ILCS 5/7-109.4 new  
30 ILCS 805/8.35 new

Amends the IMRF Article of the Illinois Pension Code. Provides that an elected or appointed coroner may elect to participate in the Fund as a sheriff's law enforcement employee (SLEP). Allows conversion of prior service. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

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FISCAL NOTE ACT  
MAY APPLY

PENSION IMPACT  
NOTE ACT MAY  
APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

1 AN ACT in relation to 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 7-109.3 and adding Section 7-109.4 as follows:

6 (40 ILCS 5/7-109.3) (from Ch. 108 1/2, par. 7-109.3)

7 Sec. 7-109.3. "Sheriff's Law Enforcement Employees".

8 (a) "Sheriff's law enforcement employee" or "SLEP" means:

9 (1) A county sheriff and all deputies, other than  
10 special deputies, employed on a full time basis in the  
11 office of the sheriff.

12 (2) A person who has elected to participate in this  
13 Fund under Section 3-109.1 of this Code, and who is  
14 employed by a participating municipality to perform police  
15 duties.

16 (3) A law enforcement officer employed on a full time  
17 basis by a Forest Preserve District, provided that such  
18 officer shall be deemed a "sheriff's law enforcement  
19 employee" for the purposes of this Article, and service in  
20 that capacity shall be deemed to be service as a sheriff's  
21 law enforcement employee, only if the board of  
22 commissioners of the District have so elected by adoption  
23 of an affirmative resolution. Such election, once made, may

1 not be rescinded.

2 (4) A person not eligible to participate in a fund  
3 established under Article 3 of this Code who is employed on  
4 a full-time basis by a participating municipality or  
5 participating instrumentality to perform police duties at  
6 an airport, but only if the governing authority of the  
7 employer has approved sheriff's law enforcement employee  
8 status for its airport police employees by adoption of an  
9 affirmative resolution. Such approval, once given, may not  
10 be rescinded.

11 (5) An elected or appointed coroner who has elected to  
12 participate in this Fund as a sheriff's law enforcement  
13 employee under Section 3-109.4.

14 (b) An employee who is a sheriff's law enforcement employee  
15 and is granted military leave or authorized leave of absence  
16 shall receive service credit in that capacity. Sheriff's law  
17 enforcement employees shall not be entitled to out-of-State  
18 service credit under Section 7-139.

19 (Source: P.A. 92-16, eff. 6-28-01.)

20 (40 ILCS 5/7-109.4 new)

21 Sec. 7-109.4. SLEP credit for coroner.

22 (a) An elected or appointed coroner who participates in the  
23 Fund may elect to participate as a sheriff's law enforcement  
24 employee.

25 (b) An elected or appointed coroner who has elected to

1 participate in the Fund as a sheriff's law enforcement employee  
2 may have his or her service as a coroner prior to the date of  
3 that election deemed service as a sheriff's law enforcement  
4 employee by paying to the Fund the additional contribution  
5 required under Section 7-173.1, plus interest thereon at the  
6 effective rate from the date of the service to the date of  
7 payment.

8 Section 90. The State Mandates Act is amended by adding  
9 Section 8.35 as follows:

10 (30 ILCS 805/8.35 new)

11 Sec. 8.35. Exempt mandate. Notwithstanding Sections 6 and 8  
12 of this Act, no reimbursement by the State is required for the  
13 implementation of any mandate created by this amendatory Act of  
14 the 97th General Assembly.

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