



Sen. Chapin Rose

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1 AMENDMENT TO SENATE BILL 2163

2 AMENDMENT NO. _____. Amend Senate Bill 2163 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Military Leave of Absence Act is amended by
5 changing Section 1 as follows:

6 (5 ILCS 325/1) (from Ch. 129, par. 501)

7 Sec. 1. Leave of absence.

8 (a) Any full-time employee of the State of Illinois, a unit
9 of local government, a public institution of higher education
10 (as defined in Section 1 of the Board of Higher Education Act),
11 or a school district, other than an independent contractor, who
12 is a member of any reserve component of the United States Armed
13 Forces or of any reserve component of the Illinois State
14 Militia, shall be granted leave from his or her public
15 employment for any period actively spent in military service,
16 including:

- 1 (1) basic training;
- 2 (2) special or advanced training, whether or not within
3 the State, and whether or not voluntary;
- 4 (3) annual training; and
- 5 (4) any other training or duty required by the United
6 States Armed Forces.

7 During these leaves, the employee's seniority and other
8 benefits shall continue to accrue.

9 During leaves for annual training, the employee shall
10 continue to receive his or her regular compensation as a public
11 employee. During leaves for basic training, for up to 60 days
12 of special or advanced training, and for any other training or
13 duty required by the United States Armed Forces, if the
14 employee's daily rate of compensation for military activities
15 is less than his or her daily rate of compensation as a public
16 employee, he or she shall receive his or her regular
17 compensation as a public employee minus the amount of his or
18 her base pay for military activities.

19 (b) Any full-time employee of the State of Illinois or a
20 public institution of higher education (as defined in Section 1
21 of the Board of Higher Education Act), other than an
22 independent contractor, who is a member of the Illinois
23 National Guard or a reserve component of the United States
24 Armed Forces or the Illinois State Militia and who is mobilized
25 to active duty shall continue during the period of active duty
26 to receive his or her benefits and regular compensation as a

1 State employee, minus an amount equal to his or her military
2 active duty base pay.

3 (c) In making the calculations required under this Section,
4 the applicable governmental unit shall:

5 (1) determine the employee's daily rate of
6 compensation as a public employee by dividing the
7 employee's regular compensation as a public employee
8 during the pay period by the number of work days in the pay
9 period;

10 (2) determine the employee's daily rate of
11 compensation for military activities by dividing the
12 employee's base pay for the applicable military activities
13 by the number of calendar days in the month; and

14 (3) provide for an offset from the employee's gross
15 compensation of the lesser of (i) the amount determined
16 under paragraph (1) of this subsection (c) multiplied by
17 the number of days that the public employee would have
18 otherwise been required to work for the applicable
19 governmental unit during the pay period or (ii) the amount
20 determined under paragraph (2) of this subsection
21 multiplied by the number of days that the public employee
22 would have otherwise been required to work for the
23 applicable governmental unit during the pay period.

24 (d) The Department of Central Management Services and the
25 State Comptroller shall coordinate in the development of
26 procedures for the implementation of this Section.

1 (Source: P.A. 95-331, eff. 8-21-07; 96-346, eff. 1-1-10.)

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.".