



Adopted in House Comm. on Apr 29, 2004

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LRB093 21123 LRD 49952 a

1 AMENDMENT TO SENATE BILL 3200

2 AMENDMENT NO. _____. Amend Senate Bill 3200 by replacing
3 the title with the following:

4 "AN ACT in relation to public employee benefits."; and

5 by replacing everything after the enacting clause with the
6 following:

7 "Section 5. The Illinois Pension Code is amended by
8 changing Section 14-103.05 as follows:

9 (40 ILCS 5/14-103.05) (from Ch. 108 1/2, par. 14-103.05)
10 Sec. 14-103.05. Employee.

11 (a) Any person employed by a Department who receives salary
12 for personal services rendered to the Department on a warrant
13 issued pursuant to a payroll voucher certified by a Department
14 and drawn by the State Comptroller upon the State Treasurer,
15 including an elected official described in subparagraph (d) of
16 Section 14-104, shall become an employee for purpose of
17 membership in the Retirement System on the first day of such
18 employment.

19 A person entering service on or after January 1, 1972 and
20 prior to January 1, 1984 shall become a member as a condition
21 of employment and shall begin making contributions as of the
22 first day of employment.

1 A person entering service on or after January 1, 1984
2 shall, upon completion of 6 months of continuous service which
3 is not interrupted by a break of more than 2 months, become a
4 member as a condition of employment. Contributions shall begin
5 the first of the month after completion of the qualifying
6 period.

7 The qualifying period of 6 months of service is not
8 applicable to: (1) a person who has been granted credit for
9 service in a position covered by the State Universities
10 Retirement System, the Teachers' Retirement System of the State
11 of Illinois, the General Assembly Retirement System, or the
12 Judges Retirement System of Illinois unless that service has
13 been forfeited under the laws of those systems; (2) a person
14 entering service on or after July 1, 1991 in a noncovered
15 position; or (3) a person to whom Section 14-108.2a or
16 14-108.2b applies.

17 (b) The term "employee" does not include the following:

18 (1) members of the State Legislature, and persons
19 electing to become members of the General Assembly
20 Retirement System pursuant to Section 2-105;

21 (2) incumbents of offices normally filled by vote of
22 the people;

23 (3) except as otherwise provided in this Section, any
24 person appointed by the Governor with the advice and
25 consent of the Senate unless that person elects to
26 participate in this system;

27 (3.1) any person serving as a commissioner of an ethics
28 commission created under the State Officials and Employees
29 Ethics Act unless that person elects to participate in this
30 system with respect to that service as a commissioner;

31 (4) except as provided in Section 14-108.2 or
32 14-108.2c, any person who is covered or eligible to be
33 covered by the Teachers' Retirement System of the State of
34 Illinois, the State Universities Retirement System, or the

1 Judges Retirement System of Illinois;

2 (5) an employee of a municipality or any other
3 political subdivision of the State;

4 (6) any person who becomes an employee after June 30,
5 1979 as a public service employment program participant
6 under the Federal Comprehensive Employment and Training
7 Act and whose wages or fringe benefits are paid in whole or
8 in part by funds provided under such Act;

9 (7) enrollees of the Illinois Young Adult Conservation
10 Corps program, administered by the Department of Natural
11 Resources, authorized grantee pursuant to Title VIII of the
12 "Comprehensive Employment and Training Act of 1973", 29 USC
13 993, as now or hereafter amended;

14 (8) enrollees and temporary staff of programs
15 administered by the Department of Natural Resources under
16 the Youth Conservation Corps Act of 1970;

17 (9) any person who is a member of any professional
18 licensing or disciplinary board created under an Act
19 administered by the Department of Professional Regulation
20 or a successor agency or created or re-created after the
21 effective date of this amendatory Act of 1997, and who
22 receives per diem compensation rather than a salary,
23 notwithstanding that such per diem compensation is paid by
24 warrant issued pursuant to a payroll voucher; such persons
25 have never been included in the membership of this System,
26 and this amendatory Act of 1987 (P.A. 84-1472) is not
27 intended to effect any change in the status of such
28 persons;

29 (10) any person who is a member of the Illinois Health
30 Care Cost Containment Council, and receives per diem
31 compensation rather than a salary, notwithstanding that
32 such per diem compensation is paid by warrant issued
33 pursuant to a payroll voucher; such persons have never been
34 included in the membership of this System, and this

1 amendatory Act of 1987 is not intended to effect any change
2 in the status of such persons; or

3 (11) any person who is a member of the Oil and Gas
4 Board created by Section 1.2 of the Illinois Oil and Gas
5 Act, and receives per diem compensation rather than a
6 salary, notwithstanding that such per diem compensation is
7 paid by warrant issued pursuant to a payroll voucher.

8 (Source: P.A. 92-14, eff. 6-28-01.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law."