



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5366

Introduced 2/5/2010, by Rep. Daniel J. Burke

SYNOPSIS AS INTRODUCED:

40 ILCS 5/5-178	from Ch. 108 1/2, par. 5-178
40 ILCS 5/5-179	from Ch. 108 1/2, par. 5-179
40 ILCS 5/5-181	from Ch. 108 1/2, par. 5-181

Amends the Chicago Police Article of the Illinois Pension Code. Removes limitations on the rank of policemen who may serve on the board of trustees. Provides that the members of the board of trustees employed by the City (rather than specifying certain policemen) shall be detailed by the Police Superintendent to the office of the board for the duration of their terms as trustees. Makes changes in provisions concerning election of the policemen members. Effective immediately.

LRB096 18761 AMC 34146 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 Sections 5-178, 5-179, and 5-181 as follows:

6 (40 ILCS 5/5-178) (from Ch. 108 1/2, par. 5-178)

7 Sec. 5-178. Board created. A board of 8 members shall
8 constitute a board of trustees authorized to administer the
9 provisions of this Article. The board shall be known as the
10 Retirement Board of the Policemen's Annuity and Benefit Fund of
11 the city.

12 The board shall consist of 4 persons appointed by the mayor
13 of the city; 3 policemen employed by the city, ~~at least one of~~
14 ~~whom shall be a lieutenant or of a rank superior to lieutenant,~~
15 ~~one of whom shall be of the rank of sergeant, and one of whom~~
16 ~~shall be of the rank of investigator or a rank inferior to that~~
17 ~~rank;~~ and one annuitant of the fund, or a pensioner of any
18 prior police pension fund in operation, by authority of law, in
19 the city. Children less than age 18 shall not be eligible for
20 board membership. The term of office for all members shall be 3
21 years. For the election to be held in 2008 only, the terms for
22 the member who is a lieutenant or of a rank superior to
23 lieutenant and the member who is a sergeant shall be 3 years

1 and the terms for the member who is an investigator or a rank
2 inferior to that rank and the annuitant member shall be 4
3 years. After the terms of the 2008 election are completed, the
4 terms revert to 3-year terms for each elected trustee. Upon ~~his~~
5 election, the members employed by the city ~~member holding the~~
6 ~~rank of investigator or a rank inferior to that rank~~ shall be
7 detailed by the Police Superintendent to the office of the
8 board for the duration of their terms ~~his term~~ as trustees
9 ~~trustee~~.

10 The members of a retirement board holding office in a city
11 at the time this Article becomes effective, including elected,
12 appointed and ex-officio members, shall continue in office
13 until the expiration of their respective terms or appointment
14 and until their respective successors are elected or appointed,
15 and qualified.

16 At least 30 days prior to the expiration of the term of
17 office of each appointive member the mayor shall appoint a
18 successor for a term of 3 years.

19 The board shall conduct a regular election at least 30 days
20 prior to the expiration of the terms of the active policemen
21 members and annuitant or beneficiary members for election of a
22 successor of each such member for a term of 3 years.

23 Any member of the board so appointed or elected shall
24 continue in office until his successor is selected and has
25 qualified.

26 Any person so appointed or elected shall qualify by taking

1 an oath of office. A copy thereof shall be kept in the office
2 of the city clerk of the city.

3 (Source: P.A. 95-1036, eff. 2-17-09.)

4 (40 ILCS 5/5-179) (from Ch. 108 1/2, par. 5-179)

5 Sec. 5-179. Board elections. The regular elections for
6 members of the board shall be held under rules of the board at
7 least 30 days prior to the expiration of the term of office of
8 any elective member.

9 At any election for active policemen members, all such
10 policemen ~~of the appropriate rank~~ employed by the city when the
11 election is held have a right to vote ~~for members of the board~~
12 ~~of the same class of rank.~~

13 At any election for the pensioner or annuitant member, all
14 annuitants and pensioners (except children less than age 18)
15 and the legal guardian of any child annuitant or child
16 pensioner, whose mother or stepmother is not an annuitant or
17 pensioner of the fund, shall have a right to vote.

18 Ballots to be cast in such elections shall be of a secret
19 character.

20 (Source: P.A. 80-671.)

21 (40 ILCS 5/5-181) (from Ch. 108 1/2, par. 5-181)

22 Sec. 5-181. Board officers.

23 At each regular meeting in December, the board shall elect,
24 by a majority vote of the members who vote upon the question, a

1 president, a vice-president and a secretary from among its own
2 members to serve until the next regular December meeting and
3 until their successors are elected. The secretary shall make a
4 complete record of the proceedings of all meetings of the board
5 and perform such other duties as the board directs.

6 The secretary shall be chosen from the active policemen
7 members of the board, ~~and following his election shall, at the~~
8 ~~request of the board, be detailed to the office of the board by~~
9 ~~the head of the police department of the city as an active~~
10 ~~policeman assigned to such duty.~~

11 (Source: Laws 1965, p. 1080.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.