



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB5177

by Rep. Kelly M. Burke

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/5-214

from Ch. 108 1/2, par. 5-214

30 ILCS 805/8.42 new

Amends the Chicago Police Article of the Illinois Pension Code. In provisions concerning the establishment of credit for other service, provides that notwithstanding any other provision of law, the board shall reconsider an application for credit for performing specified safety or investigatory work that was submitted before April 1, 2008 and was denied. Amends the State Mandates Act to require implementation without reimbursement.

LRB100 19915 MJP 35195 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 Section 5-214 as follows:

6 (40 ILCS 5/5-214) (from Ch. 108 1/2, par. 5-214)

7 Sec. 5-214. Credit for other service. Any participant in  
8 this fund (other than a member of the fire department of the  
9 city) who has rendered service as a member of the police  
10 department of the city for a period of 3 years or more is  
11 entitled to credit for the various purposes of this Article for  
12 service rendered prior to becoming a member or subsequent  
13 thereto for the following periods:

14 (a) While on leave of absence from the police  
15 department assigned or detailed to investigative,  
16 protective, security or police work for the park district  
17 of the city, the department of the Port of Chicago or the  
18 sanitary district in which the city is located.

19 (b) As a temporary police officer in the city or while  
20 serving in the office of the mayor or in the office of the  
21 corporation counsel, as a member of the city council of the  
22 city, as an employee of the Policemen's Annuity and Benefit  
23 Fund created by this Article, as the head of an

1 organization whose membership consists of members of the  
2 police department, the Public Vehicle License Commission  
3 and the board of election commissioners of the city,  
4 provided that, in each of these cases and for all periods  
5 specified in this item (b), including those beginning  
6 before the effective date of this amendatory Act of the  
7 97th General Assembly, the police officer is on leave and  
8 continues to remain in sworn status, subject to the  
9 professional standards of the public employer or those  
10 terms established in statute.

11 (c) While performing safety or investigative work for  
12 the county in which such city is principally located or for  
13 the State of Illinois or for the federal government, on  
14 leave of absence from the department of police, or while  
15 performing investigative work for the department as a  
16 civilian employee of the department. Notwithstanding any  
17 other provision of law, the board shall reconsider an  
18 application for credit for service under this item (c) that  
19 was submitted before April 1, 2008 and was denied.

20 (d) While on leave of absence from the police  
21 department of the city and serving as the chief of police  
22 of a police department outside the city.

23 No credit shall be granted in this fund, however, for this  
24 service if the policeman has credit therefor in any other  
25 annuity and benefit fund, or unless he contributes to this fund  
26 the amount he would have contributed with interest had he

1 remained an active member of the police department in the  
2 position he occupied as a result of a civil service competitive  
3 examination, certification and appointment by the Civil  
4 Service Board; or in the case of a city operating under the  
5 provisions of a personnel ordinance the position he occupied as  
6 a result of a personnel ordinance competitive examination  
7 certification and appointment under the authority of a  
8 Municipal Personnel ordinance.

9 Concurrently with such contributions, the city shall  
10 contribute the amounts provided by this Article. No credit  
11 shall be allowed for any period of time for which contributions  
12 by the policeman have not been paid. The period of service  
13 rendered by such policeman prior to the date he became a member  
14 of the police department of the city or while detailed,  
15 assigned or on leave of absence and employed in any of the  
16 departments set forth hereinabove in this Section for which  
17 such policeman has contributed to this fund shall be credited  
18 to him as service for all the purposes of this Article, except  
19 that he shall not have any of the rights conferred by the  
20 provisions of Sections 5-127 and 5-162 of this Article.

21 The changes in this Section made by Public Act 86-273 shall  
22 apply to members of the fund who have not begun receiving a  
23 pension under this Article on August 23, 1989, without regard  
24 to whether employment is terminated before that date.

25 (Source: P.A. 97-651, eff. 1-5-12.)

1           Section 90. The State Mandates Act is amended by adding  
2           Section 8.42 as follows:

3           (30 ILCS 805/8.42 new)

4           Sec. 8.42. Exempt mandate. Notwithstanding Sections 6 and 8  
5           of this Act, no reimbursement by the State is required for the  
6           implementation of any mandate created by this amendatory Act of  
7           the 100th General Assembly.