

August 21, 2018

To the Honorable Members of
The Illinois House of Representatives,
100th General Assembly:

Today I return House Bill 5177 from the 100th General Assembly, which clarifies an issue in law that prohibited the transfer of service credits for Chicago police officers who retired from prior service with the Cook County Sheriff's Department.

This legislation would correct a misinterpretation of law caused by the Retirement Board of the Policemen's Annuity and Benefit Fund of the City of Chicago, which in 1992 stopped crediting this group of officers for their past service. This is a considerate approach to ensure these hardworking men and women are recognized properly.

House Bill 5177 needs to be balanced, however, with correct principles of due process. As the legislation is currently written, it is not narrowly tailored to the officers who were adversely affected by the Board's decisions from 1992 to 2008. Instead, HB 5177 opens up for redetermination *all* of the Board's denial decisions made on these sheriff classes prior to 2008. This goes beyond fixing the problem the legislature sought to solve and unnecessarily allows for anyone to appeal who did not agree the Board's proper decisions before 1992 as well.

There should be, as much as can be achieved, finality to administrative decisions and clarity about the rights and privileges of those who come before the State's boards and commissions. House Bill 5177 unnecessarily introduces uncertainty about cases that closed before 1992. A narrow approach to resolve the obvious and defined problem that prompted this legislation is more appropriate.

Therefore, pursuant to Section 9(e) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 5177, entitled "AN ACT concerning public employee benefits," with the following specific recommendation for change:

On page 2, by replacing lines 16 through 19 with the following:

“civilian employee of the department. Notwithstanding any other provision of law, the board shall reconsider an application for credit for service under this item (c) that was submitted after January 1, 1992 and before April 1, 2008 and was denied.”

With these changes, House Bill 5177 will have my approval. I respectfully request your concurrence.

Sincerely,

Bruce Rauner
GOVERNOR