



Rep. Eva Dina Delgado

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10200HB4488ham001

LRB102 19597 RPS 35810 a

1 AMENDMENT TO HOUSE BILL 4488

2 AMENDMENT NO. _____. Amend House Bill 4488 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by
5 changing Sections 6-174 and 11-181 as follows:

6 (40 ILCS 5/6-174) (from Ch. 108 1/2, par. 6-174)

7 Sec. 6-174. 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 Firemen's Annuity and Benefit Fund of
11 the city.

12 The board shall consist of the city treasurer, the city
13 comptroller, the city clerk, a deputy fire commissioner
14 designated by the fire commissioner of the city, 3 firemen
15 employed by the city, and 1 annuitant of the fund or a fireman
16 pensioner of any prior firemen's pension fund in operation, by

1 authority of law, in the city. The city treasurer, with the
2 prior approval of the board, may appoint a designee from among
3 employees of the city who is versed in the affairs of the city
4 treasurer's office to act in the absence of the city treasurer
5 on all matters pertaining to administering the provisions of
6 this Article. Children less than age 18 shall not be eligible
7 for membership.

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

13 In a city which first attains a population of over 500,000
14 and comes under the provisions of this Article, the active
15 firemen members of the board of trustees of any firemen's
16 pension fund then in effect in such city and the member of such
17 board who was chosen from the retired members of such fund
18 shall become members of the board as follows:

19 (a) The active fireman member for whom the highest number
20 of votes was cast and counted at the most recent election for
21 board members shall become a member of the retirement board
22 for a term which shall end on December 1st of the third year
23 after the year in which this Article comes into force in the
24 city; the member of the board for whom the second highest
25 number of votes was cast and counted at such election shall
26 become a member of the retirement board for a term which shall

1 end on December 1st of the second year after the year in which
2 this Article comes into force in the city; and the member of
3 the board for whom the third highest number of votes was cast
4 and counted at such election shall become a member of the
5 retirement board for a term which shall end on December 1st of
6 the first year after the year in which this Article comes into
7 force in the city.

8 (b) The annuitant member of the pension fund shall become
9 a member of the board for a term which shall end on December
10 1st of the second year after the year in which this Article
11 comes into force in the city.

12 The board shall conduct regular elections annually, at
13 least 30 days prior to the expiration of the term of the active
14 fireman member of the board whose term next expires, for the
15 election of a successor for a term of 3 years. The board also
16 shall conduct regular elections, at least 30 days prior to the
17 expiration of the term of the member who is a pensioner of any
18 pension fund formerly in effect in such city or an annuitant of
19 the annuity and benefit fund herein provided, for the election
20 of a successor to such member for a term of 3 years.

21 Any member of the board, elected as aforesaid, shall
22 continue in office until his successor is elected and
23 qualified.

24 Each member of the board, before entering upon the duties
25 of his office, shall take the oath prescribed by the
26 Constitution of this State, which oath shall be filed in the

1 office of the city clerk of the city.

2 (Source: P.A. 101-96, eff. 7-19-19.)

3 (40 ILCS 5/11-181) (from Ch. 108 1/2, par. 11-181)

4 Sec. 11-181. Board created. A board of 8 members shall
5 constitute the board of trustees authorized to carry out the
6 provisions of this Article. The board shall be known as the
7 Retirement Board of the Laborers' and Retirement Board
8 Employees' Annuity and Benefit Fund of the city. The board
9 shall consist of 5 persons appointed and 2 employees and one
10 annuitant elected in the manner hereinafter prescribed.

11 The appointed members of the board shall be appointed as
12 follows:

13 One member shall be appointed by the comptroller of the
14 city, who may be the comptroller ~~himself~~ or anyone chosen by
15 the comptroller from among employees of the city who is ~~are~~
16 versed in the affairs of the comptroller's office. One ~~one~~
17 member shall be appointed by the City Treasurer of the city,
18 who may be the City Treasurer ~~himself~~ or a person chosen from
19 among employees of the city who is ~~are~~ versed in the affairs of
20 the City Treasurer's office; the City Treasurer, with the
21 prior approval of the board, may also appoint a designee from
22 among employees of the city who is versed in the affairs of the
23 City Treasurer's office to act in the absence of the City
24 Treasurer on all matters pertaining to administering the
25 provisions of this Article. One ~~one~~ member shall be an

1 employee of the city appointed by the president of the local
2 labor organization representing a majority of the employees
3 participating in the Fund. Two ~~and 2~~ members shall be
4 appointed by the civil service commission or the Department of
5 Personnel of the city from among employees of the city who are
6 versed in the affairs of the civil service commission's office
7 or the Department of Personnel.

8 The member appointed by the comptroller shall hold office
9 for a term ending on December 1st of the first year following
10 the year of appointment. The member appointed by the City
11 Treasurer shall hold office for a term ending on December 1st
12 of the second year following the year of appointment. The
13 member appointed by the civil service commission shall hold
14 office for a term ending on the first day in the month of
15 December of the third year following the year of appointment.
16 The additional member appointed by the civil service
17 commission under this amendatory Act of 1998 shall hold office
18 for an initial term ending on December 1, 2000, and the member
19 appointed by the labor organization president shall hold
20 office for an initial term ending on December 1, 2001.
21 Thereafter each appointive member shall be appointed by the
22 officer or body that appointed his predecessor, for a term of 3
23 years.

24 The 2 employee members of the board shall be elected as
25 follows:

26 Within 30 days from and after the appointive members have

1 been appointed and have qualified, the appointive members
2 shall arrange for and hold an election.

3 One employee shall be elected for a term ending on
4 December 1st of the first year next following the effective
5 date; one for a term ending on December 1st of the following
6 year.

7 An employee member who takes advantage of the early
8 retirement incentives provided under this amendatory Act of
9 the 93rd General Assembly may continue as a member until the
10 end of his or her term.

11 The initial annuitant member shall be appointed by the
12 other members of the board for an initial term ending on
13 December 1, 1999. The annuitant member elected in 1999 shall
14 be deemed to have been elected for a 3-year term ending on
15 December 1, 2002. Thereafter, the annuitant member shall be
16 elected for a 3-year term ending on December 1st of the third
17 year following the election.

18 (Source: P.A. 93-654, eff. 1-16-04.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.".