

1 AN ACT in relation to 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
5 changing Sections 9-185, 9-186, and 9-187 as follows:

6 (40 ILCS 5/9-185) (from Ch. 108 1/2, par. 9-185)
7 Sec. 9-185. Board created.

8 (a) A board of 9 members ~~7-members~~ shall constitute the
9 board of trustees authorized to carry out the provisions of
10 this Article. The board of trustees shall be known as "The
11 Retirement Board of the County Employees' Annuity and Benefit
12 Fund of County". The board shall consist of 2 members
13 appointed and 7 members ~~5--members~~ elected as hereinafter
14 prescribed.

15 (b) The appointed members shall be appointed as follows:
16 One member shall be appointed by the comptroller of such
17 county, who may be the comptroller or some person chosen by
18 him from among employees of the county, who are versed in the
19 affairs of the comptroller's office; and one member shall be
20 appointed by the treasurer of such county, who may be the
21 treasurer or some person chosen by him from among employees
22 of the County who are versed in the affairs of the
23 treasurer's office.

24 The member appointed by the comptroller shall hold office
25 for a term ending on December 1st of the first year following
26 the year of appointment. The member appointed by the county
27 treasurer shall hold office for a term ending on December 1st
28 of the second year following the year of appointment.

29 Thereafter, each appointed member shall be appointed by
30 the officer that appointed his predecessor for a term of 2
31 years.

1 (c) Three county employee members of the board shall be
 2 elected as follows: within 30 days from and after the date
 3 upon which this Article comes into effect in the county, the
 4 clerk of the county shall arrange for and hold an election.
 5 One employee shall be elected for a term ending on the first
 6 day in the month of December of the first year next following
 7 the effective date; one for a term ending on December 1st of
 8 the following year; and one for a term ending December 1st of
 9 the second following year.

10 (d) Beginning December 1, 1988, and every 3 years
 11 thereafter, an annuitant member of the board shall be elected
 12 as follows: the board shall arrange for and hold an election
 13 in which only those participants who are currently receiving
 14 retirement ~~or-disability~~ benefits under this Article shall be
 15 eligible to vote and be elected. Each such member shall be
 16 elected to a term ending on the first day in the month of
 17 December of the third following year.

18 (d-1) Beginning December 1, 2001, and every 3 years
 19 thereafter, an annuitant member of the board shall be elected
 20 as follows: the board shall arrange for and hold an election
 21 in which only those participants who are currently receiving
 22 retirement benefits under this Article shall be eligible to
 23 vote and be elected. Each such member shall be elected to a
 24 term ending on the first day in the month of December of the
 25 third following year. Until December 1, 2001, the position
 26 created under this subsection (d-1) may be filled by the
 27 board as in the case of a vacancy.

28 (e) Beginning December 1, 1988, if a Forest Preserve
 29 District Employees' Annuity and Benefit Fund shall be in
 30 force in such county and the board of this fund is charged
 31 with administering the affairs of such annuity and benefit
 32 fund for employees of such forest preserve district, a forest
 33 preserve district member of the board shall be elected as of
 34 December 1, 1988, and every 3 years thereafter as follows:

1 the board shall arrange for and hold an election in which
 2 only those employees of such forest preserve district who are
 3 contributors to the annuity and benefit fund for employees of
 4 such forest preserve district shall be eligible to vote and
 5 be elected. Each such member shall be elected to a term
 6 ending on the first day in the month of December of the third
 7 following year.

8 (f) Beginning December 1, 2001, and every 3 years
 9 thereafter, if a Forest Preserve District Employees' Annuity
 10 and Benefit Fund is in force in the county and the board of
 11 this Fund is charged with administering the affairs of that
 12 annuity and benefit fund for employees of the forest preserve
 13 district, a forest preserve district annuitant member of the
 14 board shall be elected as follows: the board shall arrange
 15 for and hold an election in which only those participants who
 16 are currently receiving retirement benefits under Article 10
 17 shall be eligible to vote and be elected. Each such member
 18 shall be elected to a term ending on the first day in the
 19 month of December of the third following year. Until
 20 December 1, 2001, the position created under this subsection
 21 (f) may be filled by the board as in the case of a vacancy.

22 (Source: P.A. 85-964; 86-1488.)

23 (40 ILCS 5/9-186) (from Ch. 108 1/2, par. 9-186)
 24 Sec. 9-186. Board elections. In each year, the board
 25 shall conduct a regular election, under rules adopted by it,
 26 at least 30 days prior to the expiration of the term of each
 27 elected employee or annuitant member.

28 To be eligible to be a county employee member, a person
 29 must be an employee of the county and must have at least 5
 30 years of service credit in that capacity by December 1 of the
 31 year of election. To be eligible to be a forest preserve
 32 district member, a person must be an employee of the forest
 33 preserve district and must have at least 5 years of service

1 credit in that capacity by December 1 of the year of
2 election.

3 Only those persons who are employees of the county shall
4 be eligible to vote for the 3 county employee members, only
5 those persons who are employees of the forest preserve
6 district shall be eligible to vote for the forest preserve
7 district member, and only those persons who are currently
8 receiving retirement ~~or--disability~~ benefits under this
9 Article shall be eligible to vote for the annuitant members
10 elected under subsections (d) and (d-1) of Section 9-185, and
11 only those persons who are currently receiving retirement
12 benefits under Article 10 shall be eligible to vote for the
13 forest preserve district annuitant member elected under
14 subsection (f) of Section 9-185. The ballot shall be of
15 secret character.

16 Except as otherwise provided in Section 9-187, each
17 member of the board shall hold office until his successor is
18 chosen and has qualified.

19 Any person elected or appointed a member of the board
20 shall qualify for the office by taking an oath of office to
21 be administered by the county clerk or a person designated by
22 him. A copy thereof shall be kept in the office of the
23 county clerk. Any appointment or notice of election shall be
24 in writing and the written instrument shall be filed with the
25 oath.

26 (Source: P.A. 85-964; 86-1488.)

27 (40 ILCS 5/9-187) (from Ch. 108 1/2, par. 9-187)

28 Sec. 9-187. Board vacancy.

29 (a) A vacancy in the membership of the board shall be
30 filled as follows:

31 If the vacancy is that of an appointive member, the
32 official who appointed him shall appoint a person to serve
33 for the unexpired term.

1 If the vacancy is that of a county employee member, the
 2 remaining members of the board shall appoint a successor from
 3 among the employees of the county, who shall serve during the
 4 remainder of the unexpired term.

5 If the vacancy is that of a forest preserve district
 6 member, the remaining members of the board shall appoint a
 7 successor from among the employees of the forest preserve
 8 district, who shall serve during the remainder of the
 9 unexpired term.

10 If the vacancy is that of an annuitant member other than
 11 a forest preserve district annuitant member, the remaining
 12 members of the board shall appoint a successor from among
 13 those persons who are currently receiving retirement or
 14 disability benefits under this Article.

15 If the vacancy is that of a forest preserve district
 16 annuitant member, the remaining members of the board shall
 17 appoint a successor from among those persons who are
 18 currently receiving retirement benefits under Article 10.

19 **(b)** Any county or forest preserve district member who
 20 withdraws from service shall automatically cease to be a
 21 member of the board. Any annuitant member (other than a
 22 forest preserve district annuitant member) whose retirement
 23 or--disability benefits cease under this Article, and any
 24 forest preserve district annuitant member whose retirement
 25 benefits cease under Article 10, shall also automatically
 26 cease to be a member of the Board.

27 (Source: P.A. 85-964; 86-1488.)

28 Section 99. Effective date. This Act takes effect upon
 29 becoming law.