



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2390

Introduced 2/15/2023, by Rep. Patrick Windhorst

SYNOPSIS AS INTRODUCED:

40 ILCS 5/3-116 from Ch. 108 1/2, par. 3-116
55 ILCS 5/3-6015.5 new
65 ILCS 5/10-3-13 new

Amends the Downstate Police Article of the Illinois Pension Code. In a provision concerning submission to an examination to determine fitness for duty for police officers whose duties have been suspended because of disability, certification that a police officer is no longer disabled, and authorizing disabled police officers to be assigned to duty during an emergency, excludes police officers who have attained the age of 60. Amend the Counties Code and the Illinois Municipal Code. Provides that a deputy sheriff or police officer who is retired for disability and is 60 years old or older may not be recalled to service in any capacity. Effective immediately.

LRB103 30260 RPS 56688 b

1 AN ACT concerning local government.

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 Section 3-116 as follows:

6 (40 ILCS 5/3-116) (from Ch. 108 1/2, par. 3-116)

7 Sec. 3-116. Examination and emergency service. A police
8 officer whose duty is suspended because of disability may be
9 summoned to appear before the board, and to submit to an
10 examination to determine fitness for duty. The officer shall
11 abide by the board's decision. If a police officer retired for
12 disability, except one who voluntarily retires after 20 years'
13 service, is found upon medical examination to have recovered
14 from disability, the board shall certify to the chief of
15 police that the member is no longer disabled and is able to
16 resume the duties of his or her position. In case of emergency,
17 a disabled police officer may be assigned to and shall perform
18 such duty without right to compensation as the chief of police
19 or chief officer of the municipality may direct. This Section
20 does not apply to a police officer who has attained the age of
21 60.

22 (Source: P.A. 83-1440.)

1 Section 10. The Counties Code is amended by adding Section
2 3-6015.5 as follows:

3 (55 ILCS 5/3-6015.5 new)

4 Sec. 3-6015.5. Recall of deputy sheriffs; limit. A deputy
5 sheriff who is retired for disability and is 60 years old or
6 older may not be recalled to service in any capacity.

7 Section 15. The Illinois Municipal Code is amended by
8 adding Section 10-3-13 as follows:

9 (65 ILCS 5/10-3-13 new)

10 Sec. 10-3-13. Recall of police officers; limit. A police
11 officer who is retired for disability and is 60 years old or
12 older may not be recalled to service in any capacity.

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