



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 2/6/2004, by James A. DeLeo

SYNOPSIS AS INTRODUCED:

20 ILCS 1805/30.20

Amends the Military Code of Illinois. Provides that if an employer provides health insurance, the prohibition against imposing an exclusion or waiting period in connection with certain coverage does not apply if a 63-day break in coverage has occurred. Effective immediately.

LRB093 15965 BDD 41588 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning National Guard service.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Military Code of Illinois is amended by
5 changing Section 30.20 as follows:

6 (20 ILCS 1805/30.20)

7 Sec. 30.20. Reemployment; benefits.

8 (a) Any member of the National Guard who is reemployed or
9 seeks reemployment to a position of employment in accordance
10 with the provisions of this Article, shall be considered as
11 having been on furlough or leave of absence during his or her
12 State Active Duty and shall be so reemployed without loss of
13 seniority and shall be entitled to participate in insurance or
14 other benefits offered by the employer pursuant to established
15 rules and practices relating to employees on furlough or leave
16 of absence in effect with the employer at the time the member
17 entered State Active Duty. The member shall not be discharged
18 from the position without cause within one year after
19 reemployment.

20 (b) If an employer provides health insurance, an exclusion
21 or waiting period may not be imposed in connection with
22 coverage of a health or physical condition of a member entitled
23 to participate in that insurance under this Section, or a
24 health or physical condition of any other person who is covered
25 by the insurance by reason of the coverage of that member, if:
26 (i) the condition arose before or during that member's period
27 of State Active Duty; (ii) an exclusion or waiting period would
28 not have been imposed , as long as a 63-day break in coverage
29 has not occurred, for the condition during a period of coverage
30 resulting from participation by that member in the insurance;
31 and (iii) the condition of that member has not been determined
32 to be service connected.

1 (Source: P.A. 92-716, eff. 7-24-02.)

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.