



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB5742

by Rep. Michael P. McAuliffe

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/4-103 from Ch. 108 1/2, par. 4-103  
40 ILCS 5/4-141 rep.  
30 ILCS 805/8.32 new

Amends the Downstate Firefighter Article of the Illinois Pension Code. Removes the referendum provisions for participation of a city, township, village, or incorporated town of less than 5,000 population and changes the definition of "municipality" to include those entities. Amends the State Mandates Act to require implementation without reimbursement.

LRB095 18344 AMC 44429 b

FISCAL NOTE ACT  
MAY APPLY

PENSION IMPACT  
NOTE ACT MAY  
APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

1 AN ACT concerning 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 changing  
5 Sections 4-103 and 4-141 as follows:

6 (40 ILCS 5/4-103) (from Ch. 108 1/2, par. 4-103)

7 Sec. 4-103. Municipality. "Municipality" means any ~~+(1)~~  
8 ~~Any~~ city, township, village, or incorporated town with ~~of 5,000~~  
9 ~~or more but~~ less than 500,000 inhabitants, and any fire  
10 protection district having any full-time paid firefighters,  
11 ~~and (2) any city, village, incorporated town or township of~~  
12 ~~less than 5,000 inhabitants having a full-time paid fire~~  
13 ~~department which adopts the provisions of this article pursuant~~  
14 ~~to the provisions of Section 4-141.~~ The term "city council" or  
15 "board of trustees" includes the board of trustees of a fire  
16 protection district and the board of town trustees or other  
17 persons empowered to draft the tentative budget and  
18 appropriation ordinance and the electors of such a township  
19 acting at the annual or special meeting of town electors.

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

21 (40 ILCS 5/4-141 rep.)

22 Section 10. The Illinois Pension Code is amended by

1       repealing Section 4-141.

2               Section 90. The State Mandates Act is amended by adding  
3       Section 8.32 as follows:

4               (30 ILCS 805/8.32 new)

5               Sec. 8.32. Exempt mandate. Notwithstanding Sections 6 and 8  
6       of this Act, no reimbursement by the State is required for the  
7       implementation of any mandate created by this amendatory Act of  
8       the 95th General Assembly.