



Sen. Mike Jacobs

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09600HB3840sam001

LRB096 05778 AMC 25721 a

1 AMENDMENT TO HOUSE BILL 3840

2 AMENDMENT NO. _____. Amend House Bill 3840 by replacing
3 everything after the enacting clause with the following:

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 police
15 that the member is no longer disabled and is able to resume the
16 duties of his or her position. The police officer shall report

1 to the chief of the department, who shall thereupon order
2 immediate reinstatement into active service, and the
3 municipality shall immediately return the police officer to its
4 payroll, in the same rank or grade held at the date he or she
5 was placed on disability pension. If the police officer must
6 file a civil action against the municipality to enforce his or
7 her mandated return to payroll under this Section, then the
8 police officer is entitled to recovery of reasonable court
9 costs and attorney's fees. In case of emergency, a disabled
10 police officer may be assigned to and shall perform such duty
11 without right to compensation as the chief of police or chief
12 officer of the municipality may direct.

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

14 Section 90. The State Mandates Act is amended by adding
15 Section 8.33 as follows:

16 (30 ILCS 805/8.33 new)

17 Sec. 8.33. Exempt mandate. Notwithstanding Sections 6 and 8
18 of this Act, no reimbursement by the State is required for the
19 implementation of any mandate created by this amendatory Act of
20 the 96th General Assembly.

21 Section 99. Effective date. This Act takes effect upon
22 becoming law."