

# HB6256



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB6256

Introduced 2/11/2010, by Rep. Anthony DeLuca

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/14-105

from Ch. 108 1/2, par. 14-105

Amends the State Employee Article of the Illinois Pension Code. Allows a member to establish service credit for up to 24 days of voluntary or involuntary furlough, beginning on or after July 1, 2009 and ending on or before June 30, 2011, used to address a State fiscal emergency. Provides that no additional contribution is required for this credit. Effective immediately.

LRB096 20905 AMC 36704 b

FISCAL NOTE ACT  
MAY APPLY

PENSION IMPACT  
NOTE ACT MAY  
APPLY

A BILL FOR

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 Section 14-105 as follows:

6 (40 ILCS 5/14-105) (from Ch. 108 1/2, par. 14-105)

7 Sec. 14-105. Service credit for which contributions are not  
8 required.

9 (a) Each employee in service on December 31, 1943, or then  
10 on leave of absence not in conflict with Civil Service rules,  
11 if such leave had not extended for more than one year  
12 continuously, or who is otherwise entitled to prior service  
13 credit, who becomes a member shall file with the board on a  
14 form supplied by it, a detailed statement of all service  
15 rendered prior to January 1, 1944, for which credit is claimed.

16 Upon verification thereof, the board shall issue a prior  
17 service certificate certifying length of prior service. A prior  
18 service certificate shall be conclusive so long as membership  
19 continues, provided, that a member may, within one year from  
20 the date of original issuance of the certificate or  
21 modification thereof, request the board to modify or correct  
22 the certificate.

23 When membership ceases, a prior service certificate shall

1 become void, and shall be revived only under the conditions  
2 specified in this Article.

3 In the computation of prior service, the following schedule  
4 shall govern: 9 months of service or more during any fiscal  
5 year constitutes a year of service; 6 to 9 months, 3/4 of a  
6 year; 3 to 6 months, 1/2 year; less than 3 months shall not be  
7 considered. Credit shall not be allowed for any period of  
8 absence without compensation or for less than 15 days service  
9 in any month, nor shall more than one year of service be  
10 creditable for all service rendered in any one fiscal year.

11 (b) Any member shall receive credit for military service  
12 provided all of the following conditions are met:

13 (1) the member was a State employee within 6 months  
14 immediately prior to entry into military service;

15 (2) the member returns as a State employee within 15  
16 months after his unconditional discharge other than by  
17 dishonorable discharge; and

18 (3) the member establishes creditable service for  
19 State employment immediately prior to and following the  
20 military service.

21 The total amount of creditable military service for any  
22 member during his entire term of service shall not exceed 5  
23 years in the aggregate, except that any member who on July 1,  
24 1963, had accrued more than 5 years of such credit shall be  
25 entitled to the total amount of such accrued credit.

26 (c) Any active member of the System who (1) was earning

1 eligible creditable service under subdivision (b)(12) of  
2 Section 14-110 on January 1, 1992, and (2) has at least 17  
3 years of creditable service under Article 5, and (3) is  
4 eligible to transfer that creditable service to this System  
5 under subsection (c) of Section 5-236 of this Code, and (4)  
6 applies in writing for transfer of that creditable service to  
7 this System within 30 days after the effective date of this  
8 amendatory Act of 1993, shall receive eligible creditable  
9 service in this System for that creditable service upon receipt  
10 by this System of the amounts transferred under Section 5-236.  
11 No additional contributions shall be required for the  
12 transferred service.

13 (d) Any active member of the system who (1) was earning  
14 eligible creditable service under subdivision (b)(5) of  
15 Section 14-110 on January 1, 1992, and (2) has no more than 7  
16 years of creditable service as a municipal conservator of the  
17 peace under Article 7, and (3) is eligible to transfer that  
18 creditable service to this System under subsection (a) of  
19 Section 7-139.7 of this Code, and (4) makes written  
20 notification to this System by January 31, 1994, shall receive  
21 eligible creditable service in this System for that service  
22 upon receipt by this System of the amounts transferred under  
23 Section 7-139.7. No additional contributions shall be required  
24 for the transferred service.

25 (e) Any member may establish creditable service and  
26 earnings credit for a period of voluntary or involuntary

1 furlough, not exceeding 5 days, beginning on or after December  
2 1, 2001 and ending before January 1, 2003, that is utilized as  
3 a means of addressing a State fiscal emergency. To receive this  
4 credit, the member must apply in writing to the System or the  
5 member's employer before July 1, 2005. No additional  
6 contribution is required for this credit.

7 A member may establish creditable service and earnings  
8 credit for a period of voluntary or involuntary furlough, not  
9 exceeding 24 days, beginning on or after July 1, 2009 and  
10 ending on or before June 30, 2011, that is utilized as a means  
11 of addressing a State fiscal emergency. To receive this credit,  
12 the member must apply in writing to the System before July 1,  
13 2012. No additional contribution is required for this credit.

14 (Source: P.A. 92-566, eff. 6-25-02.)

15 Section 99. Effective date. This Act takes effect upon  
16 becoming law.