

1 AN ACT in relation to 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  
5 changing Section 6-209 as follows:

6 (40 ILCS 5/6-209) (from Ch. 108 1/2, par. 6-209)

7 Sec. 6-209. Computation of service.

8 (A) In computing the service rendered by a fireman prior  
9 to the effective date, the following periods shall be  
10 counted, in addition to all periods during which he performed  
11 the duties of his position, as periods of service for annuity  
12 purposes only: All periods of (a) vacation, (b) leave of  
13 absence with whole or part pay, (c) leave of absence without  
14 pay which were necessary on account of disability, and (d)  
15 leave of absence during which he was engaged in the military  
16 or naval service of the United States of America. Service  
17 credit shall not be allowed for any period during which a  
18 fireman was in receipt of pension on account of disability  
19 from any pension fund superseded by this fund.

20 (B) In computing the service rendered by a fireman on  
21 and after the effective date, the following periods shall be  
22 counted in addition to all periods during which he performed  
23 the duties of his position, as periods of service for annuity  
24 purposes only: All periods of (a) vacation, (b) leave of  
25 absence with whole or part pay, (c) leave of absence during  
26 which he was engaged in the military or naval service of the  
27 United States of America, (d) disability for which he  
28 receives any disability benefit, (e) disability for which he  
29 receives whole or part pay, (f) leave of absence, or other  
30 authorized relief from active duty, during which he served as  
31 president of The Firemen's Association of Chicago, (g)

1 periods of suspension from duty not to exceed a total of one  
2 year during the total period of service of the fireman, and  
3 (h) a period of time not to exceed 23 days in 1980 in  
4 accordance with an agreement with the City on a settlement of  
5 strike; provided that the fireman elects to make  
6 contributions to the Fund for the various annuity and benefit  
7 purposes according to the provisions of this Article as  
8 though he were an active fireman, based upon the salary  
9 attached to the civil service rank held by him during such  
10 absence from duty, and if the fireman so elects, the city  
11 shall make the prescribed concurrent contributions for such  
12 annuity and benefit purposes as provided in this Article, all  
13 to the end that such fireman shall be entitled to receive the  
14 same annuities and benefits for which he would otherwise be  
15 eligible if he had continued as an active fireman during the  
16 periods of absence from duty.

17 (C) In computing service on and after the effective date  
18 for ordinary disability benefit, all periods described in  
19 subsection (B) the-preceding-paragraph, except any period for  
20 which a fireman receives ordinary disability benefit, shall  
21 be counted as periods of service.

22 (D) In computing service for any of the purposes of this  
23 Article, credit shall be given for any periods prior to  
24 January 9, 1997, during which an active fireman (or fire  
25 paramedic) who is a member of the General Assembly is on  
26 leave of absence or is otherwise authorized to be absent from  
27 duty to enable him to perform his legislative duties,  
28 notwithstanding any reduction in salary for such periods and  
29 notwithstanding that the contributions paid by the fireman  
30 were based on such reduced salary rather than the full amount  
31 of salary attached to his civil service rank.

32 (E) In computing service for any of the purposes of this  
33 Article, credit shall be given for up to 24 months of service  
34 in the armed forces of the United States during which the

1 fireman was not on leave of absence from employment under  
2 this Article. In order to receive creditable service for  
3 military service under this subsection (E), a fireman must  
4 (1) apply to the Fund in writing and provide evidence of the  
5 military service that is satisfactory to the Board and (2)  
6 make contributions to the Fund equal to (i) the employee  
7 contributions that would have been required had the service  
8 been rendered as a fireman, plus (ii) an amount determined by  
9 the Board to be equal to the employer's normal cost of the  
10 benefits accrued for that military service, plus (iii)  
11 interest on items (i) and (ii) from the date of first  
12 membership in the Fund following that military service to the  
13 date of payment. If payment is made during the 6-month  
14 period that begins 3 months after the effective date of this  
15 amendatory Act of the 92nd General Assembly, the required  
16 interest shall be at the rate of 2.5% per year, compounded  
17 annually; otherwise, the required interest shall be  
18 calculated at the rate of 6% per year, compounded annually.

19 (F) In computing service for any of the purposes of this  
20 Article, no credit shall be given for any period during which  
21 a fireman was not rendering active service because of his  
22 discharge from the service, unless proceedings to test the  
23 legality of the discharge are filed in a court of competent  
24 jurisdiction within one year from the date of discharge and a  
25 final judgment is entered therein declaring the discharge  
26 illegal.

27 No overtime or extra service shall be included in  
28 computing service of a fireman and not more than one year or  
29 a proper fractional part thereof of service shall be allowed  
30 for service rendered during any calendar year.

31 (Source: P.A. 86-273; 86-1488; 87-1265.)

32 Section 90. The State Mandates Act is amended by adding  
33 Section 8.25 as follows:

1 (30 ILCS 805/8.25 new)

2 Sec. 8.25. Exempt mandate. Notwithstanding Sections 6  
3 and 8 of this Act, no reimbursement by the State is required  
4 for the implementation of any mandate created by this  
5 amendatory Act of the 92nd General Assembly.

6 Section 99. Effective date. This Act takes effect upon  
7 becoming law.