

**FRATERNAL ORDER OF POLICE – ILLINOIS STATE LODGE**  
**LEGISLATIVE UPDATES**  
**June 9, 2009**

The Illinois General Assembly officially adjourned the Spring 2009 session on Sunday, May 31, 2009. It did so without fully addressing the budget issues facing the State of Illinois. Consequently, it is likely that the General Assembly will reconvene at some time in the future prior to the scheduled November Veto session, but it is yet unknown if and when the reconvening will take place.

Please note that if there are particular pieces of legislation that you feel strongly about, you are encouraged to take time from your busy schedules to contact your Representatives and Senators, give your views on the bill(s), identify the position of the members of the legislature, and share those positions with other ILFOP members for future reference. To find out more about the ILFOP initiatives and/or those bills the ILFOP has tracked, please go to our website at [www.ilfop.org](http://www.ilfop.org) and click on Legislative Updates, or go to [www.ilga.gov](http://www.ilga.gov).

If you have questions or concerns relating to legislation or the process thereof, please feel free to call Dan Nelson at (217) 726-8880 or e-mail [dnelson@ilfop.org](mailto:dnelson@ilfop.org)

**2009 ILLINOIS FRATERNAL ORDER OF POLICE LEGISLATIVE AGENDA**

Regardless of when the General Assembly reconvenes, the Illinois Fraternal Order of Police (ILFOP) will continue to advance its 2009 legislative agenda. The following is the most recent update and status of the ILFOP agenda items.

**1. Pre-Employment Buy-Back of Military Service; As SB 552 - PASSED the Senate 59-0-0, but has not been released from the House Rules Committee**

SB 552 amends the Downstate Police and Chicago Police Articles of the Illinois Pension Code. It allows police officers to establish creditable service for up to 2 years of military service before employment. It also requires payment of employee and employer contributions, plus interest at the actuarially assumed rate.

This concept is the top priority for the ILFOP in 2009. In February 2009, HB 3816 was introduced by Representative Jim Watson of Jacksonville. It amends the Downstate Police, Chicago Police, Illinois Municipal Retirement Fund, Chicago Municipal, Cook County, Metropolitan Water Reclamation District, and State Universities Articles of the Illinois Pension Code by allowing police officers to establish creditable service for up to 4 years of military service before employment. HB 3816 did not move from the House Executive Committee, and was re-referred to the House Rules Committee.

Because of the current political and economic climate, the ILFOP realized that an amendment was needed to prevent the bill from being lost. Consequently, we reached out to Senator James DeLeo and requested that a Senate shell bill be located on which to attach the amendment. He secured SB 552. An amendment was added to that bill providing for a period of 2 years to be purchased for pre-employment military service in

the Downstate Police and Chicago Police Articles of the Illinois Pensions Code. Representative Dan Burke is the House sponsor.

According to the Commission on Government Forecasting and Accountability, SB 552 “requires the employee to pay the employer’s normal cost and the employee contribution, plus interest at the actuarially assumed rate, from the date of employment commencement to the date of payment. Therefore, the cost should be minimal.” For the full language of the bill and amendment please go to the following website and click on the Full Text option:

<http://www.ilga.gov/legislation/fulltext.asp?DocName=09600SB0552sam001&GA=96&SessionId=76&DocTypeId=SB&LegID=41423&DocNum=552&GAID=10&Session=>

A meeting with the House Speaker’s Chief of Staff is anticipated to ascertain the chances of SB 552 being posted for a committee hearing and House Floor vote.

**2. Reinstating Police Officers at Same Pay, Rank & Grade After Disability**

HB 3840 introduced by Representative Chapin Rose of Mahomet provides that an officer who is off on disability for an injury sustained in the line of duty, and who is released to return to work, the police officer is returned to his/her same payroll, rank or grade held at the date (s)he or she was placed on disability pension. HB 3840 passed unanimously out of the House Personnel and Pensions Committee on March 3, 2009 and then passed unanimously out of the full House by a vote of 118-0-0 on April 2, 2009. Upon arrival in the Senate, it was assigned to the Senate Pensions and Investment Committee. A hearing was held on the bill on May 7, 2009.

Because of much confusion during committee debate, and general maligning of it by the Illinois Municipal League, HB 3840 did not pass out of the Senate Pensions and Investment Committee, and has been re-assigned to the Senate Assignments Committee. This is unfortunate especially in light of the fact that it passed the House unanimously, and the Commission on Government Forecasting and Accountability determined that there was no discernable fiscal impact to HB 3840.

As of this report, we are in the process of quelling the raised confusion, and are hopeful for eventual passage of this bill during the 96<sup>th</sup> General Assembly.

For the full language of the bill please go to the following website and click on the Full Text option:

<http://www.ilga.gov/legislation/billstatus.asp?DocNum=3840&GAID=10&GA=96&DocTypeID=HB&LegID=46655&SessionID=76>.

**3. Adding Part and Full Time Correctional Officers to the Public Employees**

HB 3819 introduced by Representative Dan Brady of Bloomington provides that an "eligible employee" includes any full-time or part-time correctional officer employed by any county. This bill simply adds parity for county correctional officers under the Public Employee Disability Act. Unfortunately, HB 3819 has been re-referred to the House

Rules Committee. For the full language of the bill please go to the following website and click on the Full Text option:

<http://www.ilga.gov/legislation/billstatus.asp?DocNum=3819&GAID=10&GA=96&DocTypeID=HB&LegID=46629&SessionID=76>.

#### **4. Cost of Living Adjustments for Widows**

HB 3963 introduced by Representative Jim Sacia of Pecatonica provides for automatic annual increases in widow's annuities or surviving spouse pensions payable to the surviving spouses of police officers. This bill is in response to the 2nd District Appellate Court decision of Village of Roselle v. The Roselle Police Pension Board, wherein the Court ruled that the widow was not entitled to any cost of living increases beyond what the member was entitled to at the time of death. This bill changes that decision to make it clear that the surviving spouse is entitled to COLA increases. HB 3969 has been re-referred to the House Rules Committee. For the full language of the bill please go to the following website and click on the Full Text option:

<http://www.ilga.gov/legislation/billstatus.asp?DocNum=3963&GAID=10&GA=96&DocTypeID=HB&LegID=46803&SessionID=76>.

### **EXAMPLES OF TRACKED LEGISLATION**

The following lists legislation that the ILFOP tracked during the Spring 2009 and its current status. The full text of all bills below can be obtained at [www.ilga.gov](http://www.ilga.gov) by typing in the bill number (i.e. HB 0001 in the search by number box).

### **ILFOP SUPPORTS THE FOLLOWING LEGISLATION:**

- **No Texting While Driving:** HB 71 (D'Amico-Black-Jacobson-Holbrook-Arroyo/Sandoval-Silverstein-Althoff-Frerichs-Hutchison), **PASSED BOTH HOUSES.** HB 71 passed the House 89-27-0, and the Senate 45-6-7. For a roll call on HB 71, please go to the following website:  
[http://www.ilga.gov/legislation/votehistory/96/house/09600HB0071\\_04012009\\_015000T.pdf](http://www.ilga.gov/legislation/votehistory/96/house/09600HB0071_04012009_015000T.pdf)
- **DNA Taken from Those Arrested for Felonies:** HB 935 (Mendoza-Chapa La Via-Sacia-Graham-Reboletti/Murphy-Holmes-Millner-Kotowski-Bivins), passed the House 96-9-2, but is on the order of Postponed Consideration in the Senate. For a roll call on HB 935 please go to the following website:  
[http://www.ilga.gov/legislation/votehistory/96/house/09600HB0935\\_04032009\\_032000T.pdf](http://www.ilga.gov/legislation/votehistory/96/house/09600HB0935_04032009_032000T.pdf)
- **Police Officers Memorial Day:** HB2644 (Reboletti-Sacia-Rose-Gordon, C.-Dunkin/Millner), **PASSED BOTH HOUSES** unanimously.

- **Oral Search Warrants:** SB 171 (Haine/Reboletti), passed the Senate 52-3-3, but is stuck in the House Rules.
- **Abatement of Taxes for Spouses of Fallen Police Officers:** SB1942 (Raoul/McAuliffe), passed the Senate unanimously by a vote of 59-0-0, but in spite of this it is stuck in the House Rules Committee.
- **Education for Pension Fund Trustees:** SB 1974 (Harmon/McCarthy-Pritchard), **PASSED BOTH HOUSES**, unanimously.

### **ILFOP OPPOSES THE FOLLOWING LEGISLATION:**

- **Gas Tax Hike:** HB 1 (Bradley, J.-Madigan-Currie-Arroyo-Washington), was re-referred to the House Rules Committee.
- **Sentence Adjustments:** HB 45 (Turner-Howard-Washington), failed in the House by a vote of 32-83-2. For a roll call of how each member voted, please go to the following website:  
[http://www.ilga.gov/legislation/votehistory/96/house/09600HB0045\\_04032009\\_011000T.pdf](http://www.ilga.gov/legislation/votehistory/96/house/09600HB0045_04032009_011000T.pdf).
- **Condoms in Prisons:** HB 419 (Davis, M.), failed in the full House by a vote of 11-86-4. For a roll call of how each member voted, please go to the following website:  
[http://www.ilga.gov/legislation/votehistory/96/house/09600HB0419\\_04032009\\_045000T.pdf](http://www.ilga.gov/legislation/votehistory/96/house/09600HB0419_04032009_045000T.pdf).
- **Medical Marijuana:** SB 1381 (Haine-Martinez-Schoenberg-Trotter-Holmes/Lang-Saviano-Fritchey-Yarbrough), passed the Senate 30-28-1. Its final action deadline in the House has been extended to November 30, 2009. The ILFOP will continue to oppose the language of this bill. For a full text of the bill please go to the following website:  
<http://www.ilga.gov/legislation/fulltext.asp?DocName=&SessionId=76&GA=96&DocTypeId=SB&DocNum=1381&GAID=10&LegID=42617&SpecSess=&Session=>  
For a roll call of who voted for SB 1381 please go to the following website:  
[http://www.ilga.gov/legislation/votehistory/96/senate/09600SB1381\\_05272009\\_081000T.pdf](http://www.ilga.gov/legislation/votehistory/96/senate/09600SB1381_05272009_081000T.pdf)

As always, if there are particular pieces of legislation that you feel strongly about, you are encouraged to take time from your busy schedules to contact your Representatives and Senators, give your views on the bill(s), identify the position of the members of the legislature, and share those positions with other ILFOP members for future reference.

The ILFOP welcomes any and all comments and concerns of our members. As such, if you have questions or concerns relating to legislation or the process thereof, please feel free to call me at (217) 726-8880 or e-mail me at [dnelson@ilfop.org](mailto:dnelson@ilfop.org).