

State's Attorney

Jesse Danley

Victim Services

Shannon M. Hill

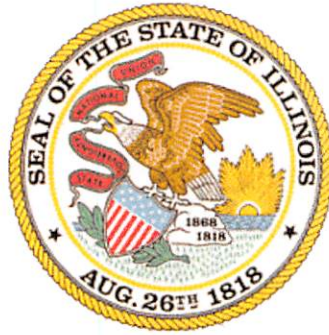
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To: The Coles County Board

From: Jesse Danley, State's Attorney

Date: January 30, 2019

Re: County Insurance

It has come to my attention that a question has been raised as to the appropriateness of county board members utilizing the health insurance available to county employees without first adopting a resolution permitting the same.

55 ILCS 5/5-1069 provides:

(a) The county board of any county may arrange to provide, **for the benefit of employees** of the county, group life, health, accident, hospital, and medical insurance, or any one or any combination of those types of insurance, or the county board may self-insure, for the benefit of its employees***(emphasis added)

Employee is defined at 55 ILCS 5/5-1069(e) as follows:

(e) The term "employees" as used in this Section includes elected or appointed officials but does not include temporary employees.

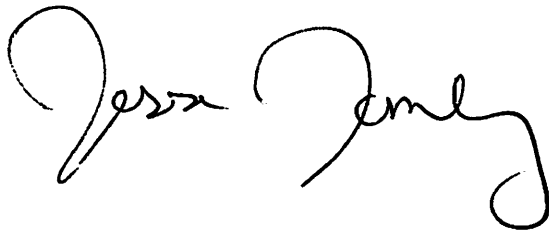
The statute also makes provision for retired employees (upon resolution or ordinance) at 55 ILCS 5/5-1069(f) as follows:

(f) The county board may, by ordinance, arrange to provide group life, health, accident, hospital, and medical insurance, or any one or a combination of those types of insurance, under this Section to retired former employees and retired former elected or appointed officials of the county.

The question may become: Are County Board members “elected officials”? It is my opinion they are elected officials. The Illinois Administrative Code in its definitions states that the State shall adopt the following definitions for the terms listed as follows: *** “Local Elected Official” includes all county and municipal officers such as county board members, mayors, and city or village council members. 56 Ill. Adm. Code 2600.20, 56 IL ADC 2600.20.

No enabling resolution or ordinance is necessary where the action is permitted by statute.

Please let me know if further clarification is desired.

A handwritten signature in black ink, appearing to read "Jesse Jemel". The signature is written in a cursive style with a large initial 'J' and a long, sweeping tail on the 'l'.