

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 Sections 5-167.2, 5-167.4, 6-128.2, and 6-128.4 as follows:

6 (40 ILCS 5/5-167.2) (from Ch. 108 1/2, par. 5-167.2)

7 Sec. 5-167.2. Retirement before September 1, 1967. A  
8 retired policeman, qualifying for minimum annuity or who  
9 retired from service with 20 or more years of service, before  
10 September 1, 1967, shall, in January of the year following the  
11 year he attains the age of 65, or in January of the year 1970,  
12 if then more than 65 years of age, have his then fixed and  
13 payable monthly annuity increased by an amount equal to 2% of  
14 the original grant of annuity, for each year the policeman was  
15 in receipt of annuity payments after the year in which he  
16 attains, or did attain the age of 63. An additional 2% increase  
17 in such then fixed and payable original granted annuity shall  
18 accrue in each January thereafter. Beginning January 1, 1986,  
19 the rate of such increase shall be 3% instead of 2%.

20 The provisions of the preceding paragraph of this Section  
21 apply only to a retired policeman eligible for such increases  
22 in his annuity who contributes to the Fund a sum equal to \$5  
23 for each full year of credited service upon which his annuity

1 was computed. All such sums contributed shall be placed in a  
2 Supplementary Payment Reserve and shall be used for the  
3 purposes of such Fund account.

4 Beginning with the monthly annuity payment due in July,  
5 1982, the fixed and granted monthly annuity payment for any  
6 policeman who retired from the service, before September 1,  
7 1976, at age 50 or over with 20 or more years of service and  
8 entitled to an annuity on January 1, 1974, shall be not less  
9 than \$400. It is the intent of the General Assembly that the  
10 change made in this Section by this amendatory Act of 1982  
11 shall apply retroactively to July 1, 1982.

12 Beginning with the monthly annuity payment due on January  
13 1, 1986, the fixed and granted monthly annuity payment for any  
14 policeman who retired from the service before January 1, 1986,  
15 at age 50 or over with 20 or more years of service, or any  
16 policeman who retired from service due to termination of  
17 disability and who is entitled to an annuity on January 1,  
18 1986, shall be not less than \$475.

19 Beginning with the monthly annuity payment due on January  
20 1, 1992, the fixed and granted monthly annuity payment for any  
21 policeman who retired from the service before January 1, 1992,  
22 at age 50 or over with 20 or more years of service, and for any  
23 policeman who retired from service due to termination of  
24 disability and who is entitled to an annuity on January 1,  
25 1992, shall be not less than \$650.

26 Beginning with the monthly annuity payment due on January

1 1, 1993, the fixed and granted monthly annuity payment for any  
2 policeman who retired from the service before January 1, 1993,  
3 at age 50 or over with 20 or more years of service, and for any  
4 policeman who retired from service due to termination of  
5 disability and who is entitled to an annuity on January 1,  
6 1993, shall be not less than \$750.

7 Beginning with the monthly annuity payment due on January  
8 1, 1994, the fixed and granted monthly annuity payment for any  
9 policeman who retired from the service before January 1, 1994,  
10 at age 50 or over with 20 or more years of service, and for any  
11 policeman who retired from service due to termination of  
12 disability and who is entitled to an annuity on January 1,  
13 1994, shall be not less than \$850.

14 Beginning with the monthly annuity payment due on January  
15 1, 2004, the fixed and granted monthly annuity payment for any  
16 policeman who retired from the service before January 1, 2004,  
17 at age 50 or over with 20 or more years of service, and for any  
18 policeman who retired from service due to termination of  
19 disability and who is entitled to an annuity on January 1,  
20 2004, shall be not less than \$950.

21 Beginning with the monthly annuity payment due on January  
22 1, 2005, the fixed and granted monthly annuity payment for any  
23 policeman who retired from the service before January 1, 2005,  
24 at age 50 or over with 20 or more years of service, and for any  
25 policeman who retired from service due to termination of  
26 disability and who is entitled to an annuity on January 1,

1 2005, shall be not less than \$1,050.

2 Beginning with the monthly annuity payment due on January  
3 1, 2016, the fixed and granted monthly annuity payment for any  
4 policeman who retired from the service before January 1, 2016,  
5 at age 50 or over with 20 or more years of service, and for any  
6 policeman who retired from service due to termination of  
7 disability and who is entitled to an annuity on January 1,  
8 2016, shall be no less than 125% of the Federal Poverty Level.

9 Beginning with the monthly annuity payment due on January  
10 1, 2019, the fixed and granted monthly annuity payment for any  
11 policeman who retired from the service before January 1, 2019,  
12 at age 50 or over with 20 or more years of service, and for any  
13 policeman who retired from service due to termination of  
14 disability and who is entitled to an annuity on January 1,  
15 2019, shall be no less than 150% of the Federal Poverty Level.

16 For purposes of this Section, the "Federal Poverty Level"  
17 shall be determined pursuant to the poverty guidelines updated  
18 periodically in the Federal Register by the United States  
19 Department of Health and Human Services under the authority of  
20 42 U.S.C. 9902(2).

21 The difference in amount between the original fixed and  
22 granted monthly annuity of any such policeman on the date of  
23 his retirement from the service and the monthly annuity  
24 provided for in the immediately preceding paragraph shall be  
25 paid as a supplement in the manner set forth in the immediately  
26 following paragraph.

1           To defray the annual cost of the increases indicated in the  
2 preceding part of this Section, the annual interest income  
3 accruing from investments held by this Fund, exclusive of gains  
4 or losses on sales or exchanges of assets during the year, over  
5 and above 4% a year shall be used to the extent necessary and  
6 available to finance the cost of such increases for the  
7 following year and such amount shall be transferred as of the  
8 end of each year beginning with the year 1969 to a Fund account  
9 designated as the Supplementary Payment Reserve from the  
10 Interest and Investment Reserve set forth in Section 5-207.

11           In the event the funds in the Supplementary Payment Reserve  
12 in any year arising from: (1) the interest income accruing in  
13 the preceding year above 4% a year and (2) the contributions by  
14 retired persons are insufficient to make the total payments to  
15 all persons entitled to the annuity specified in this Section  
16 and (3) any interest earnings over 4% a year beginning with the  
17 year 1969 which were not previously used to finance such  
18 increases and which were transferred to the Prior Service  
19 Annuity Reserve, may be used to the extent necessary and  
20 available to provide sufficient funds to finance such increases  
21 for the current year and such sums shall be transferred from  
22 the Prior Service Annuity Reserve. In the event the total money  
23 available in the Supplementary Payment Reserve from such  
24 sources are insufficient to make the total payments to all  
25 persons entitled to such increases for the year, a  
26 proportionate amount computed as the ratio of the money

1 available to the total of the total payments specified for that  
2 year shall be paid to each person for that year.

3 The Fund shall be obligated for the payment of the  
4 increases in annuity as provided for in this Section only to  
5 the extent that the assets for such purpose are available.

6 (Source: P.A. 99-506, eff. 5-30-16.)

7 (40 ILCS 5/5-167.4) (from Ch. 108 1/2, par. 5-167.4)

8 Sec. 5-167.4. Widow annuitant minimum annuity.

9 (a) Notwithstanding any other provision of this Article,  
10 beginning January 1, 1996, the minimum amount of widow's  
11 annuity payable to any person who is entitled to receive a  
12 widow's annuity under this Article is \$700 per month, without  
13 regard to whether the deceased policeman is in service on or  
14 after the effective date of this amendatory Act of 1995.

15 Notwithstanding any other provision of this Article,  
16 beginning January 1, 1999, the minimum amount of widow's  
17 annuity payable to any person who is entitled to receive a  
18 widow's annuity under this Article is \$800 per month, without  
19 regard to whether the deceased policeman is in service on or  
20 after the effective date of this amendatory Act of 1998.

21 Notwithstanding any other provision of this Article,  
22 beginning January 1, 2004, the minimum amount of widow's  
23 annuity payable to any person who is entitled to receive a  
24 widow's annuity under this Article is \$900 per month, without  
25 regard to whether the deceased policeman is in service on or

1 after the effective date of this amendatory Act of the 93rd  
2 General Assembly.

3 Notwithstanding any other provision of this Article,  
4 beginning January 1, 2005, the minimum amount of widow's  
5 annuity payable to any person who is entitled to receive a  
6 widow's annuity under this Article is \$1,000 per month, without  
7 regard to whether the deceased policeman is in service on or  
8 after the effective date of this amendatory Act of the 93rd  
9 General Assembly.

10 (b) Effective January 1, 1994, the minimum amount of  
11 widow's annuity shall be \$700 per month for the following  
12 classes of widows, without regard to whether the deceased  
13 policeman is in service on or after the effective date of this  
14 amendatory Act of 1993: (1) the widow of a policeman who dies  
15 in service with at least 10 years of service credit, or who  
16 dies in service after June 30, 1981; and (2) the widow of a  
17 policeman who withdraws from service with 20 or more years of  
18 service credit and does not withdraw a refund, provided that  
19 the widow is married to the policeman before he withdraws from  
20 service.

21 (b-5) Notwithstanding any other provision of this Article,  
22 beginning January 1, 2017, the minimum widow's annuity under  
23 this Article shall be no less than 125% of the Federal Poverty  
24 Level for all persons receiving widow's annuities on or after  
25 that date, without regard to whether the deceased policeman is  
26 in service on or after the effective date of this amendatory

1 Act of the 99th General Assembly. Notwithstanding any other  
2 provision of this Article, beginning January 1, 2019, the  
3 minimum widow's annuity under this Article shall be no less  
4 than 150% of the Federal Poverty Level for all persons  
5 receiving widow's annuities on or after that date, without  
6 regard to whether the deceased policeman is in service on or  
7 after the effective date of this amendatory Act of the 100th  
8 General Assembly. For purposes of this Section, "Federal  
9 Poverty Level" means the poverty guidelines applicable to an  
10 individual in a single-person household located in Illinois, as  
11 updated periodically in the Federal Register by the United  
12 States Department of Health and Human Services under the  
13 authority of 42 U.S.C. 9902(2).

14 (c) The city, in addition to the contributions otherwise  
15 made by it under the other provisions of this Article, shall  
16 make such contributions as are necessary for the minimum  
17 widow's annuities provided under this Section in the manner  
18 prescribed in Section 5-175.

19 (Source: P.A. 99-905, eff. 11-29-16.)

20 (40 ILCS 5/6-128.2) (from Ch. 108 1/2, par. 6-128.2)

21 Sec. 6-128.2. Minimum retirement annuities.

22 (a) Beginning with the monthly payment due in January,  
23 1988, the monthly annuity payment for any person who is  
24 entitled to receive a retirement annuity under this Article in  
25 January, 1990 and has retired from service at age 50 or over



1 with 20 or more years of service, and for any person who  
2 retires from service on or after January 24, 1990 at age 50 or  
3 over with 20 or more years of service, shall not be less than  
4 \$475 per month. The \$475 minimum annuity is exclusive of any  
5 automatic annual increases provided by Sections 6-164 and  
6 6-164.1, but not exclusive of previous raises in the minimum  
7 annuity as provided by any Section of this Article.

8 Beginning January 1, 1992, the minimum retirement annuity  
9 payable to any person who has retired from service at age 50 or  
10 over with 20 or more years of service and is entitled to  
11 receive a retirement annuity under this Article on that date,  
12 or who retires from service at age 50 or over with 20 or more  
13 years of service after that date, shall be \$650 per month.

14 Beginning January 1, 1993, the minimum retirement annuity  
15 payable to any person who has retired from service at age 50 or  
16 over with 20 or more years of service and is entitled to  
17 receive a retirement annuity under this Article on that date,  
18 or who retires from service at age 50 or over with 20 or more  
19 years of service after that date, shall be \$750 per month.

20 Beginning January 1, 1994, the minimum retirement annuity  
21 payable to any person who has retired from service at age 50 or  
22 over with 20 or more years of service and is entitled to  
23 receive a retirement annuity under this Article on that date,  
24 or who retires from service at age 50 or over with 20 or more  
25 years of service after that date, shall be \$850 per month.

26 Beginning January 1, 2004, the minimum retirement annuity

1 payable to any person who has retired from service at age 50 or  
2 over with 20 or more years of service and is entitled to  
3 receive a retirement annuity under this Article on that date,  
4 or who retires from service at age 50 or over with 20 or more  
5 years of service after that date, shall be \$950 per month.

6 Beginning January 1, 2005, the minimum retirement annuity  
7 payable to any person who has retired from service at age 50 or  
8 over with 20 or more years of service and is entitled to  
9 receive a retirement annuity under this Article on that date,  
10 or who retires from service at age 50 or over with 20 or more  
11 years of service after that date, shall be \$1,050 per month.

12 Beginning January 1, 2016, the minimum retirement annuity  
13 payable to any person who has retired from service at age 50 or  
14 over with 20 or more years of service and is entitled to  
15 receive a retirement annuity under this Article on that date,  
16 or who retires from service at age 50 or over with 20 or more  
17 years of service after that date, shall be no less than 125% of  
18 the Federal Poverty Level.

19 Beginning January 1, 2019, the minimum retirement annuity  
20 payable to any person who has retired from service at age 50 or  
21 over with 20 or more years of service and is entitled to  
22 receive a retirement annuity under this Article on that date,  
23 or who retires from service at age 50 or over with 20 or more  
24 years of service after that date, shall be no less than 150% of  
25 the Federal Poverty Level.

26 For purposes of this Section, the "Federal Poverty Level"

1 shall be determined pursuant to the poverty guidelines updated  
2 periodically in the Federal Register by the United States  
3 Department of Health and Human Services under the authority of  
4 42 U.S.C. 9902(2).

5 The minimum annuities established by this subsection (a) do  
6 include previous raises in the minimum annuity as provided by  
7 any Section of this Article, but do not include any sums which  
8 have been added or will be added to annuity payments by the  
9 automatic annual increases provided by Sections 6-164 and  
10 6-164.1. Such annual increases shall be paid in addition to the  
11 minimum amounts specified in this subsection.

12 (b) Notwithstanding any other provision of this Article,  
13 beginning January 1, 1990, the minimum retirement annuity  
14 payable to any person who is entitled to receive a retirement  
15 annuity under this Article on that date shall be \$475 per  
16 month.

17 (c) The changes made to this Section by this amendatory Act  
18 of the 93rd General Assembly apply to all persons receiving a  
19 retirement annuity under this Article, without regard to  
20 whether the retirement of the fireman occurred prior to the  
21 effective date of this amendatory Act.

22 (Source: P.A. 99-506, eff. 5-30-16.)

23 (40 ILCS 5/6-128.4) (from Ch. 108 1/2, par. 6-128.4)

24 Sec. 6-128.4. Minimum widow's annuities.

25 (a) Notwithstanding any other provision of this Article,

1 beginning January 1, 1996, the minimum amount of widow's  
2 annuity payable to any person who is entitled to receive a  
3 widow's annuity under this Article is \$700 per month, without  
4 regard to whether the deceased fireman is in service on or  
5 after the effective date of this amendatory Act of 1995.

6 (b) Notwithstanding Section 6-128.3, beginning January 1,  
7 1994, the minimum widow's annuity under this Article shall be  
8 \$700 per month for (1) all persons receiving widow's annuities  
9 on that date who are survivors of employees who retired at age  
10 50 or over with at least 20 years of service, and (2) persons  
11 who become eligible for widow's annuities and are survivors of  
12 employees who retired at age 50 or over with at least 20 years  
13 of service.

14 (c) Notwithstanding Section 6-128.3, beginning January 1,  
15 1999, the minimum widow's annuity under this Article shall be  
16 \$800 per month for (1) all persons receiving widow's annuities  
17 on that date who are survivors of employees who retired at age  
18 50 or over with at least 20 years of service, and (2) persons  
19 who become eligible for widow's annuities and are survivors of  
20 employees who retired at age 50 or over with at least 20 years  
21 of service.

22 (d) Notwithstanding Section 6-128.3, beginning January 1,  
23 2004, the minimum widow's annuity under this Article shall be  
24 \$900 per month for all persons receiving widow's annuities on  
25 or after that date, without regard to whether the deceased  
26 fireman is in service on or after the effective date of this

1 amendatory Act of the 93rd General Assembly.

2 (e) Notwithstanding Section 6-128.3, beginning January 1,  
3 2005, the minimum widow's annuity under this Article shall be  
4 \$1,000 per month for all persons receiving widow's annuities on  
5 or after that date, without regard to whether the deceased  
6 fireman is in service on or after the effective date of this  
7 amendatory Act of the 93rd General Assembly.

8 (f) Notwithstanding Section 6-128.3, beginning January 1,  
9 2017, the minimum widow's annuity under this Article shall be  
10 no less than 125% of the Federal Poverty Level for all persons  
11 receiving widow's annuities on or after that date, without  
12 regard to whether the deceased fireman is in service on or  
13 after the effective date of this amendatory Act of the 99th  
14 General Assembly.

15 (g) Notwithstanding Section 6-128.3, beginning January 1,  
16 2019, the minimum widow's annuity under this Article shall be  
17 no less than 150% of the Federal Poverty Level for all persons  
18 receiving widow's annuities on or after that date, without  
19 regard to whether the deceased fireman is in service on or  
20 after the effective date of this amendatory Act of the 100th  
21 General Assembly.

22 (h) For purposes of this Section, "Federal Poverty Level"  
23 means the poverty guidelines applicable to an individual in a  
24 single-person household located in Illinois, as updated  
25 periodically in the Federal Register by the United States  
26 Department of Health and Human Services under the authority of

1 42 U.S.C. 9902(2).

2 (Source: P.A. 99-905, eff. 11-29-16.)

3 Section 90. The State Mandates Act is amended by adding  
4 Section 8.42 as follows:

5 (30 ILCS 805/8.42 new)

6 Sec. 8.42. Exempt mandate. Notwithstanding Sections 6 and 8  
7 of this Act, no reimbursement by the State is required for the  
8 implementation of any mandate created by this amendatory Act of  
9 the 100th General Assembly.

10 Section 99. Effective date. This Act takes effect upon  
11 becoming law.