



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB5809

by Rep. Frances Ann Hurley

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/6-160

from Ch. 108 1/2, par. 6-160

30 ILCS 805/8.42 new

Amends the Chicago Firefighter Article of the Illinois Pension Code. Provides that if a fireman is involved in a proceeding for a declaration of invalidity of marriage, legal separation, or dissolution of marriage at the time he or she withdraws or enters upon annuity, his or her contributions for widow's annuity shall be refunded, upon request and if consistent with the court's order, after the entry of the judgment declaring the invalidity of the marriage, the judgment for legal separation, or the judgment of dissolution of marriage. Provides that the changes made by the amendatory Act apply without regard to whether the fireman was in service on or after the effective date of the amendatory Act. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB100 19090 RPS 34347 b

FISCAL NOTE ACT  
MAY APPLY

PENSION IMPACT  
NOTE ACT MAY  
APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

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 6-160 as follows:

6 (40 ILCS 5/6-160) (from Ch. 108 1/2, par. 6-160)

7 Sec. 6-160. Refund - Widow's annuity contributions. When a  
8 fireman attains age 63 in service and is not then married, or  
9 when an unmarried fireman withdraws before age 63 and enters  
10 upon annuity, his or her contributions for widow's annuity  
11 shall then be refunded to him or her, upon request. If a  
12 fireman is involved in a proceeding for a declaration of  
13 invalidity of marriage, legal separation, or dissolution of  
14 marriage at the time he or she withdraws or enters upon  
15 annuity, his or her contributions for widow's annuity shall be  
16 refunded, upon request and if consistent with the court's  
17 order, after the entry of the judgment declaring the invalidity  
18 of the marriage, the judgment for legal separation, or the  
19 judgment of dissolution of marriage. A refund under this  
20 Section may be repaid as provided in Section 6-142(B).

21 Notwithstanding Section 1-103.1, the changes made by this  
22 amendatory Act of the 100th General Assembly apply without  
23 regard to whether the fireman was in service on or after the

1 effective date of this amendatory Act of the 100th General  
2 Assembly.

3 (Source: P.A. 93-654, eff. 1-16-04.)

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

6 (30 ILCS 805/8.42 new)

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

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