



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3177

Introduced 1/13/2022, by Sen. Bill Cunningham

SYNOPSIS AS INTRODUCED:

40 ILCS 5/6-158

from Ch. 108 1/2, par. 6-158

30 ILCS 805/8.46 new

Amends the Chicago Firefighter Article of the Illinois Pension Code. Provides that a fireman who withdraws before age 50 and a fireman with less than 10 years of service who withdraws before age 57 (instead of a fireman who withdraws with less than 10 years of service), or any fireman who withdraws and enters the service of another department of the city, has a right to a refund of the entire amount to his credit as of the date of withdrawal. Provides that the changes made by the amendatory Act are intended to be a restatement and clarification of existing law and are intended to be retroactive to August 6, 2021. Amends the State Mandates Act to require implementation without reimbursement by the State. Effective immediately.

LRB102 23883 RPS 33078 b

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

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
5 changing Section 6-158 as follows:

6 (40 ILCS 5/6-158) (from Ch. 108 1/2, par. 6-158)
7 Sec. 6-158. Refund.

8 (a) A fireman who withdraws before age 50 and a fireman
9 with less than 10 years of service who withdraws before age 57,
10 or any fireman who withdraws and enters the service of another
11 department of the city, has a right to a refund of the entire
12 amount to his credit as of the date of withdrawal for age and
13 service annuity or Tier 2 monthly retirement annuity, for
14 automatic annual increase in annuity as provided in Section
15 6-164, and for widow's annuity or Tier 2 surviving spouse's
16 annuity, from deductions from salary.

17 (b) Any such fireman shall be entitled to refund until he
18 re-enters service or until his annuity is fixed.

19 (c) A fireman who receives a refund forfeits all rights to
20 any annuity or benefit from the fund, for himself and for any
21 other person who might benefit through him because of his
22 service, provided he shall retain the right to credit for any
23 such service, for the purpose of computing his total service

1 if he re-enters service before age 57, becomes a beneficiary
2 of the fund and makes repayment of the refund with interest.

3 (d) A fireman completing 10 years of service who does not
4 receive a refund, may receive an annuity as provided in this
5 Article.

6 (e) A fireman completing less than 10 years who does not
7 receive a refund has a right to have all amounts to his credit
8 for annuity purposes on the date of withdrawal improved by
9 interest while he is out of service until age 57 only, for his
10 benefit and the benefit of any person who may have any right to
11 annuity through him, if he subsequently reenters service and
12 attains a right to annuity.

13 (f) The changes made to this Section by this amendatory
14 Act of the 102nd General Assembly are intended to be a
15 restatement and clarification of existing law and are intended
16 to be retroactive to August 6, 2021 (the effective date of
17 Public Act 102-293).

18 (Source: P.A. 102-293, eff. 8-6-21.)

19 Section 90. The State Mandates Act is amended by adding
20 Section 8.46 as follows:

21 (30 ILCS 805/8.46 new)

22 Sec. 8.46. Exempt mandate. Notwithstanding Sections 6 and
23 8 of this Act, no reimbursement by the State is required for
24 the implementation of any mandate created by this amendatory

1 Act of the 102nd General Assembly.

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.