



Sen. Frank C. Watson

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09300HB0378sam003

LRB093 03957 EFG 50888 a

1 AMENDMENT TO HOUSE BILL 378

2 AMENDMENT NO. _____. Amend House Bill 378, AS AMENDED, in
3 the introductory portion of Section 5, before "6-142", by
4 inserting "3-120,"; and

5 in the body of Section 5, before the beginning of Sec. 6-142,
6 by inserting the following:

7 "(40 ILCS 5/3-120) (from Ch. 108 1/2, par. 3-120)
8 Sec. 3-120. Marriage after retirement.

9 (a) If a police officer marries subsequent to retirement on
10 any pension under this Article (other than a pension
11 established under Section 3-109.3) and dies less than 12 months
12 after the date of marriage, the surviving spouse and the
13 children of such surviving spouse shall receive no pension on
14 the death of the officer, except as provided in subsection (b)
15 or (c).

16 (b) Notwithstanding Section 1-103.1 of this Code, this
17 Section shall not be deemed to disqualify from receiving a
18 survivor's pension the surviving spouse and children of any
19 police officer who (i) retired from service in 1973, married
20 the surviving spouse during 1974, and died in 1988, or (ii)
21 retired on disability in October of 1982, married the surviving
22 spouse during 1991, and died in 1992. In the case of a person
23 who becomes eligible for a benefit under this subsection (b),
24 the benefit shall begin to accrue on July 1, 1990 or July 1 of

1 the year following the police officer's death, whichever is
2 later.

3 (c) Beginning on the effective date of this amendatory Act
4 of the 93rd General Assembly, this Section shall no longer
5 disqualify from receiving a pension the surviving spouse of any
6 police officer who married the deceased police officer after
7 his or her retirement on pension, but was married to the
8 deceased police officer for at least one year immediately
9 preceding the date of death, regardless of whether the deceased
10 police officer is in service or is receiving a retirement
11 pension on or after the effective date of this amendatory Act
12 of the 93rd General Assembly; except that this subsection (c)
13 does not apply to the surviving spouse of a police officer who
14 received a refund of contributions under Section 3-124. If the
15 surviving spouse of a police officer who died before the
16 effective date of this amendatory Act becomes eligible for a
17 pension because of this amendatory Act, that pension shall
18 begin to accrue on the date of the surviving spouse's
19 application for the pension, but in no event sooner than the
20 effective date of this amendatory Act.

21 (Source: P.A. 91-939, eff. 2-1-01.)".