

1 AN ACT in relation to 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 9-146.1 as follows:

6 (40 ILCS 5/9-146.1) (from Ch. 108 1/2, par. 9-146.1)

7 Sec. 9-146.1. Minimum annuities for widows. The widow of  
8 an employee who retires from service or dies while in the  
9 service subsequent to June 11, 1965, who is otherwise  
10 eligible for widow's annuity under this Article and for whom  
11 the amount of widow's annuity and widow's prior service  
12 annuity combined, fixed or provided for such widow under  
13 other provisions of this Article 9 is less than the amount  
14 hereinafter provided in this Section, shall, from and after  
15 the date her otherwise provided annuity would begin, in lieu  
16 of such otherwise provided widow's and widow's prior service  
17 annuity, be entitled to the following indicated amount of  
18 annuity:

19 (a) The widow of any employee who dies while in the  
20 service on or after the date on which he attains the age of  
21 60 or more years with at least 20 years of service, or 10 or  
22 more years of service if death occurs on or after attainment  
23 of age 65 and on or after January 1, 1982, shall be entitled  
24 to an annuity equal to one-half of the amount of annuity  
25 which her deceased husband would have been entitled to  
26 receive had he withdrawn from the service on the day  
27 immediately preceding the date of his death, conditional upon  
28 such widow having attained the age of 60 or more years on  
29 such date. Such amount of widow's annuity shall not, however,  
30 exceed the sum of \$500 a month if death in service occurs  
31 before July 1, 1985.

1           If such widow of such described employee shall not be 60  
2 or more years of age on such date of death, the amount  
3 provided in the immediately preceding paragraph for a widow  
4 60 or more years of age, shall, in the case of such younger  
5 widow, be reduced by 1/2 of 1 per cent for each month that  
6 her then attained age is less than 60 years; except that such  
7 younger widow of an employee who dies while in service on or  
8 after July 1, 1985 with at least 30 years of service, shall  
9 not be subject to the reduction in widow's annuity because of  
10 her age less than 60 on the date of the employee's death.

11           (b) The widow, of any employee who dies subsequent to  
12 the date of his retirement on annuity, and who so retired on  
13 or after the date on which he attained the age of 60 or more  
14 years with at least 20 years of service, or 10 or more years  
15 of service if retirement occurs on or after attainment of age  
16 65 and on or after January 1, 1982, shall be entitled to an  
17 annuity equal to one-half of the amount of annuity which her  
18 deceased husband received as of the date of his retirement on  
19 annuity, conditional upon such widow having attained the age  
20 of 60 or more years on the date of her husband's retirement  
21 on annuity. Such amount of widow's annuity shall not,  
22 however, exceed the sum of \$500 a month if the death occurs  
23 before the effective date of this amendatory Act of 1991.

24           If such widow of such described employee shall not have  
25 attained such age of 60 or more years on such date of her  
26 husband's retirement on annuity, the amount provided in the  
27 immediately preceding paragraph for a widow 60 or more years  
28 of age on the date of her husband's retirement on annuity,  
29 shall, in the case of such then younger widow, be reduced by  
30 1/2 of 1 per cent for each month that her then attained age  
31 was less than 60 years; except that such younger widow of an  
32 employee retiring on or after July 1, 1985 with at least 30  
33 years of service, shall not be subject to the reduction in  
34 widow's annuity because of her age less than 60 on the date

1 of the employee's retirement.

2 (c) The foregoing provisions relating to minimum  
3 annuities for widows shall not apply to the widow of any  
4 former county employee receiving an annuity from the Fund on  
5 June 11, 1965, who re-enters service as a county employee,  
6 unless such employee renders at least 3 years of additional  
7 service after the date of re-entry.

8 (d) An annuity being paid to a surviving spouse on  
9 January 1, 1984 shall be increased by 10% and shall  
10 thereafter be paid at the increased rate until the  
11 termination of the annuity by death or other cause. The  
12 annuity for a qualifying widow shall not exceed \$500 per  
13 month.

14 (e) The widow of any employee who dies while in service  
15 on or after July 1, 1985 but prior to January 1, 1988, and  
16 the widow of an employee who retires on or after July 1, 1985  
17 but prior to January 1, 1988 with at least 10 years of  
18 service, and the widow of an employee who retires on or after  
19 January 1, 1984 but prior to July 1, 1985 with at least 30  
20 years of service, shall be entitled to an annuity equal to  
21 one-half of the amount of annuity which her deceased husband  
22 would have received had he retired immediately prior to his  
23 death or one-half the amount of the originally granted  
24 retirement annuity, whichever is applicable. Such widow's  
25 annuity will be reduced 0.5% for each month that the widow's  
26 attained age is less than age 60 on the date of the  
27 employee's death in service or retirement if the employee's  
28 death in service or retirement is before January 1, 1988;  
29 except that such younger widow of an employee with at least  
30 30 years of service shall not be subject to the reduction in  
31 widow's annuity because of her age less than 60 on the date  
32 of the employee's death in service or retirement.

33 The widow of an employee who dies in service on or after  
34 January 1, 1988, or retires on or after January 1, 1988 with

1 at least 10 years of service, shall be entitled to an annuity  
2 equal to 1/2 of the amount of annuity which her deceased  
3 husband would have received had he retired immediately prior  
4 to his death or 1/2 of the amount of the annuity which her  
5 deceased husband received as of the date of his death,  
6 whichever is applicable. Such widow's annuity shall be  
7 reduced 0.5% for each month that the widow's attained age is  
8 less than age 60 on the date of the employee's death if  
9 employee's death in service or retirement is after January 1,  
10 1988; except that such younger widow of an employee with at  
11 least 30 years of service shall not be subject to the  
12 reduction in widow's annuity because of her age on the date  
13 of the employee's death.

14 In lieu of any other annuity provided by this Article,  
15 the widow of an employee who dies in service on or after  
16 January 1, 1992, or retires on or after January 1, 1992 with  
17 at least 10 years of service, shall be entitled to an annuity  
18 equal to 1/2 of the amount of annuity which her deceased  
19 husband would have received had he retired immediately prior  
20 to his death or 1/2 of the amount of the annuity which her  
21 deceased husband received as of the date of his death,  
22 whichever is applicable. Such widow's annuity shall be  
23 reduced 0.5% for each month that the widow's attained age is  
24 less than age 55 on the date of the employee's death; except  
25 that such younger widow of an employee with at least 30 years  
26 of service shall not be subject to the reduction in widow's  
27 annuity because of her age on the date of the employee's  
28 death.

29 In lieu of any other annuity provided by this Article,  
30 the widow of an employee who dies in service or withdraws  
31 from service on or after January 1, 1992 but before January  
32 1, 1993 at age 55 or over with at least 5 but less than 10  
33 years of service, shall be entitled to an annuity equal to  
34 half of the amount of annuity which her deceased husband

1 would have received had he retired immediately prior to his  
2 death or half of the amount of the annuity which her deceased  
3 husband received as of the date of his death, whichever is  
4 applicable. This widow's annuity shall be reduced 0.5% for  
5 each month that the widow's attained age is less than 60 on  
6 the date of the employee's death.

7 However, in the case of an employee dying in service, the  
8 amount of widow's annuity shall not be less than 10% of the  
9 highest average annual salary for any 4 consecutive years  
10 within the last 10 years of service immediately preceding the  
11 date of withdrawal. The maximum amount of annuity under this  
12 paragraph shall not be limited to a dollar maximum. The  
13 provisions of this paragraph shall not apply to the widow of  
14 any former County employee receiving an annuity from the fund  
15 who re-enters service as a County employee, unless such  
16 employee renders at least 3 years of additional service after  
17 the date of re-entry.

18 (f) An annuity being paid to a surviving spouse on July  
19 1, 1988, shall be increased on that date by 1% for each full  
20 year that has elapsed from the date the annuity began.

21 (g) In lieu of any other annuity provided under this  
22 Article, if the deceased employee was receiving a retirement  
23 annuity at the time of his death and that death occurs on or  
24 after January 1, 1993, the widow's annuity shall be 50% of  
25 the deceased employee's retirement annuity at the time of  
26 death, reduced by 0.5% for each month that the widow's age on  
27 the date of death is less than 55, except that the reduction  
28 does not apply if the deceased employee had at least 30 years  
29 of service.

30 (h) In lieu of any other annuity provided under this  
31 Article, the widow of an employee who dies in service on or  
32 after July 1, 2002 or has at least 10 years of service and  
33 dies on or after July 1, 2002 while receiving an annuity  
34 shall be entitled to a widow's annuity equal to 65% of the

1 amount of annuity which her deceased husband would have  
2 received had he retired immediately prior to his death or 65%  
3 of the amount of the annuity which her deceased husband  
4 received as of the date of his death, whichever is  
5 applicable. This widow's annuity shall be reduced by 0.5%  
6 for each month that the widow's age on the date of the  
7 employee's death is less than 55, unless the deceased husband  
8 had at least 20 years of service (30 years of service if the  
9 death occurs before July 1, 2003).  
10 (Source: P.A. 92-599, eff. 6-28-02.)

11 Section 90. The State Mandates Act is amended by adding  
12 Section 8.27 as follows:

13 (30 ILCS 805/8.27 new)

14 Sec. 8.27. Exempt mandate. Notwithstanding Sections 6  
15 and 8 of this Act, no reimbursement by the State is required  
16 for the implementation of any mandate created by this  
17 amendatory Act of the 93rd General Assembly.

18 Section 99. Effective date. This Act takes effect upon  
19 becoming law.