

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 8-152 and adding Section 8-152.1 as follows:

6 (40 ILCS 5/8-152) (from Ch. 108 1/2, par. 8-152)

7 Sec. 8-152. Widows or former wives not entitled to  
8 annuity. Except as provided in Section 8-152.1, the following  
9 widows or former wives of employees have no right to annuity  
10 from the fund:

11 (a) The widow, married subsequent to the effective date,  
12 of an employee who dies in service if she was not married to  
13 him before he attained age 65;

14 (b) The widow, married subsequent to the effective date,  
15 of an employee who withdraws from service whether or not he  
16 enters upon annuity, and who dies while out of service, if  
17 she was not his wife while he was in service and before he  
18 attained age 65;

19 (c) The widow of an employee with 10 or more years of  
20 service whose death occurs out of and after he has withdrawn  
21 from service, and who has received a refund of his  
22 contributions for annuity purposes;

23 (d) The widow of an employee with less than 10 years of  
24 service who dies out of service after he has withdrawn from  
25 service before he attained age 60;

26 (e) The former wife of an employee whose judgment of  
27 dissolution of marriage has been vacated or set aside after  
28 the employee's death, unless the proceedings to vacate or set  
29 aside the judgment were filed in court within 5 years after  
30 the entry thereof and within one year after the employee's  
31 death, and unless the board is made a party defendant to such

1 proceedings.

2 (Source: P.A. 81-1536.)

3 (40 ILCS 5/8-152.1 new)

4 Sec. 8-152.1. Widow's annuity for widow married to member  
5 for at least 3 years. Notwithstanding Section 8-152 or any  
6 other provision of this Code to the contrary, if a member (1)  
7 was married for at least one year at the time of termination  
8 of service, (2) was subsequently widowed, (3) subsequently  
9 remarried, and (4) has not received a refund under Section  
10 8-169, then that member's widow shall be entitled to a  
11 widow's annuity if the widow was married to the member for at  
12 least the last 3 years prior to the member's death.

13 Section 90. The State Mandates Act is amended by adding  
14 Section 8.27 as follows:

15 (30 ILCS 805/8.27 new)

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

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law.