

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 adding Section 17-121.1 as follows:

6 (40 ILCS 5/17-121.1 new)

7 Sec. 17-121.1. Domestic partner eligibility.

8 (a) Beginning July 1, 2003, an unmarried teacher may
9 designate a domestic partner by filing a written designation
10 with the Fund in the manner prescribed by the Fund. The Fund
11 may require reasonable evidence that the person designated
12 meets the qualifications set forth in subsection (c). Such a
13 designation is revocable at any time, but may not be made or
14 changed more than once in any 24-month period. The marriage
15 of a teacher automatically revokes any designation of a
16 domestic partner previously made by that teacher.

17 (b) The designated domestic partner of a teacher shall
18 be eligible to receive survivor and death benefits under this
19 Article in the same manner and subject to the same conditions
20 as a surviving spouse. For the purposes of determining
21 eligibility for those benefits, the date of designation of a
22 domestic partner shall be deemed the equivalent of the date
23 of marriage, and the revocation or change of a designation
24 shall be deemed the equivalent of termination of the
25 marriage. References in this Article and other applicable
26 Articles of this Code to a surviving spouse shall be deemed
27 to include a surviving designated domestic partner.

28 (c) "Domestic partner" means an individual of the same
29 gender as an unmarried teacher who (1) is involved with the
30 teacher in a long-term relationship of indefinite duration;
31 (2) has resided together with the teacher at the same address

1 for at least 12 months; (3) is not related to the teacher by
2 blood to a degree of closeness that would prohibit legal
3 marriage in the state in which they legally reside; (4) is
4 not married to any other person; and (5) has an exclusive
5 mutual commitment to the teacher in which they agree to be
6 jointly responsible for each other's common welfare and to
7 share financial obligations.

8 Section 90. The State Mandates Act is amended by adding
9 Section 8.27 as follows:

10 (30 ILCS 805/8.27 new)

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

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.