

1 AN ACT concerning unemployment insurance.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Unemployment Insurance Act is amended by  
5 changing Section 611 as follows:

6 (820 ILCS 405/611) (from Ch. 48, par. 441)

7 Sec. 611. Retirement pay. A. For the purposes of this  
8 Section "disqualifying income" means:

9 1. The entire amount which an individual has received or  
10 will receive with respect to a week in the form of a  
11 retirement payment (a) from an individual or organization (i)  
12 for which he performed services during his base period or  
13 which is liable for benefit charges or payments in lieu of  
14 contributions as a result of the payment of benefits to such  
15 individual and (ii) which pays all of the cost of such  
16 retirement payment, or (b) from a trust, annuity or insurance  
17 fund or under an annuity or insurance contract, to or under  
18 which an individual or organization for which he performed  
19 services during his base period or which is liable for  
20 benefit charges or payments in lieu of contributions as a  
21 result of the payment of benefits to such individual pays or  
22 has paid all of the premiums or contributions; and

23 2. One-half the amount which an individual has received  
24 or will receive with respect to a week in the form of a  
25 retirement payment (a) from an individual or organization (i)  
26 for which he performed services during his base period or  
27 which is liable for benefit charges or payments in lieu of  
28 contributions as a result of the payment of benefits to such  
29 individual and (ii) which pays some, but not all, of the cost  
30 of such retirement payment, or (b) from a trust, annuity or  
31 insurance fund ~~(including primary social security old age and~~

1 disability-retirement--benefits,--including--these--based--on  
2 self-employment) or under an annuity or insurance contract,  
3 to or under which an individual or organization for which he  
4 performed services during his base period or which is liable  
5 for benefit charges or payments in lieu of contributions as a  
6 result of the payment of benefits to such individual pays or  
7 has paid some, but not all, of the premiums or contributions.

8 2.1. Notwithstanding paragraphs 1 and 2 above, because  
9 the individual contributed to the cost of the benefits, none  
10 of the amount which an individual has received or will  
11 receive with respect to a week in the form of primary social  
12 security old age and disability retirement benefits,  
13 including those based on self-employment, shall constitute  
14 disqualifying income.

15 3. Notwithstanding paragraphs paragraph 1, 2 and 2.1 2  
16 above, the entire amount which an individual has received or  
17 will receive, with respect to any week which begins after  
18 March 31, 1980, of any governmental or other pension,  
19 retirement, or retired pay, annuity or any other similar  
20 periodic payment which is based on any previous work of such  
21 individual during his base period or which is liable for  
22 benefit charges or payments in lieu of contributions as a  
23 result of the payment of benefits to such individual. This  
24 paragraph shall be in effect only if it is required as a  
25 condition for full tax credit against the tax imposed by the  
26 Federal Unemployment Tax Act.

27 B. Whenever an individual has received or will receive a  
28 retirement payment for a month, an amount shall be deemed to  
29 have been paid him for each day equal to one-thirtieth of  
30 such retirement payment. If the retirement payment is for a  
31 half-month, an amount shall be deemed to have been paid the  
32 individual for each day equal to one-fifteenth of such  
33 retirement payment. If the retirement payment is for any  
34 other period, an amount shall be deemed to have been paid the

1 individual for each day in such period equal to the  
2 retirement payment divided by the number of days in the  
3 period.

4 C. An individual shall be ineligible for benefits for  
5 any week with respect to which his disqualifying income  
6 equals or exceeds his weekly benefit amount. If such  
7 disqualifying income with respect to a week totals less than  
8 the benefits for which he would otherwise be eligible under  
9 this Act, he shall be paid, with respect to such week,  
10 benefits reduced by the amount of such disqualifying income.

11 D. To assure full tax credit to the employers of this  
12 State against the tax imposed by the Federal Unemployment Tax  
13 Act, the Director shall take any action as may be necessary  
14 in the administration of paragraph 3 of subsection A of this  
15 Section to insure that the application of its provisions  
16 conform to the requirements of such Federal Act as  
17 interpreted by the United States Secretary of Labor or other  
18 appropriate Federal agency.

19 (Source: P.A. 86-3.)