

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.)