



Sen. Bill Brady

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09400HB0157sam002

LRB094 03611 AMC 46364 a

1 AMENDMENT TO HOUSE BILL 157

2 AMENDMENT NO. _____. Amend House Bill 157, AS AMENDED,
3 with reference to page and line numbers of Senate Amendment No.
4 1, on page 1, line 5, by replacing "7-109.3" with "3-120,
5 7-109.3,"; and

6 on page 1, immediately below line 5, by inserting the
7 following:

8 "(40 ILCS 5/3-120) (from Ch. 108 1/2, par. 3-120)

9 Sec. 3-120. Marriage after retirement.

10 (a) If a police officer marries subsequent to retirement on
11 any pension under this Article (other than a pension
12 established under Section 3-109.3) and dies less than 12 months
13 after the date of marriage, the surviving spouse and the
14 children of such surviving spouse shall receive no pension on
15 the death of the officer, except as provided in subsection (b)
16 or (c).

17 (b) Notwithstanding Section 1-103.1 of this Code, this
18 Section shall not be deemed to disqualify from receiving a
19 survivor's pension the surviving spouse and children of any
20 police officer who (i) retired from service in 1973, married
21 the surviving spouse during 1974, and died in 1988, or (ii)
22 retired on disability in October of 1982, married the surviving
23 spouse during 1991, and died in 1992. In the case of a person
24 who becomes eligible for a benefit under this subsection (b),

1 the benefit shall begin to accrue on July 1, 1990 or July 1 of
2 the year following the police officer's death, whichever is
3 later.

4 (c) Beginning on the effective date of this amendatory Act
5 of the 94th General Assembly, this Section shall no longer
6 disqualify from receiving a pension the surviving spouse of any
7 police officer who married the deceased police officer after
8 his or her retirement on pension, but was married to the
9 deceased police officer for at least one year immediately
10 preceding the date of death, regardless of whether the deceased
11 police officer is in service or is receiving a retirement
12 pension on or after the effective date of this amendatory Act
13 of the 94th General Assembly; except that this subsection (c)
14 does not apply to the surviving spouse of a police officer who
15 received a refund of contributions under Section 3-124. If the
16 surviving spouse of a police officer who died before the
17 effective date of this amendatory Act becomes eligible for a
18 pension because of this amendatory Act, that pension shall
19 begin to accrue on the date of the surviving spouse's
20 application for the pension, but in no event sooner than the
21 effective date of this amendatory Act.

22 (Source: P.A. 91-939, eff. 2-1-01.); and

23 on page 4, line 15, by deleting "begin to"; and

24 on page 4, lines 16 through 18, by deleting "no later than 6
25 months after the effective date of this amendatory Act of the
26 94th General Assembly"; and

27 on page 11, line 23, after "agreements", by inserting "and
28 other negotiated agreements".