



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB3493

Introduced 2/23/2005, by Rep. Thomas Holbrook

SYNOPSIS AS INTRODUCED:

40 ILCS 5/16-132

from Ch. 108 1/2, par. 16-132

Amends the Downstate Teacher Article of the Illinois Pension Code. Provides that a member who is eligible to receive a retirement annuity of at least 74.6% of final average salary and who will attain age 55 on or after May 15 of the calendar year of retirement shall be deemed to attain age 55 on May 15 of that calendar year (now who will attain age 55 on or before December 31 during the year which commences on July 1 shall be deemed to attain age 55 on the preceding June 1). Effective immediately.

LRB094 05389 AMC 35434 b

FISCAL NOTE ACT
MAY APPLY

PENSION IMPACT
NOTE ACT MAY
APPLY

1 AN ACT concerning 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 changing
5 Section 16-132 as follows:

6 (40 ILCS 5/16-132) (from Ch. 108 1/2, par. 16-132)

7 Sec. 16-132. Retirement annuity eligibility. A member who
8 has at least 20 years of creditable service is entitled to a
9 retirement annuity upon or after attainment of age 55. A member
10 who has at least 10 but less than 20 years of creditable
11 service is entitled to a retirement annuity upon or after
12 attainment of age 60. A member who has at least 5 but less than
13 10 years of creditable service is entitled to a retirement
14 annuity upon or after attainment of age 62. A member who (i)
15 has earned during the period immediately preceding the last day
16 of service at least one year of contributing creditable service
17 as an employee of a department as defined in Section 14-103.04,
18 (ii) has earned at least 5 years of contributing creditable
19 service as an employee of a department as defined in Section
20 14-103.04, and (iii) retires on or after January 1, 2001 is
21 entitled to a retirement annuity upon or after attainment of an
22 age which, when added to the number of years of his or her
23 total creditable service, equals at least 85. Portions of years
24 shall be counted as decimal equivalents.

25 A member who is eligible to receive a retirement annuity of
26 at least 74.6% of final average salary and will attain age 55
27 on or after May 15 and on or before December 31 of the calendar
28 year of retirement ~~before December 31 during the year which~~
29 ~~commences on July 1~~ shall be deemed to attain age 55 on May 15
30 of that calendar year ~~the preceding June 1.~~

31 A member meeting the above eligibility conditions is
32 entitled to a retirement annuity upon written application to

1 the board setting forth the date the member wishes the
2 retirement annuity to commence. However, the effective date of
3 the retirement annuity shall be no earlier than the day
4 following the last day of creditable service, regardless of the
5 date of official termination of employment.

6 To be eligible for a retirement annuity, a member shall not
7 be employed as a teacher in the schools included under this
8 System or under Article 17, except (i) as provided in Section
9 16-118 or 16-150.1, (ii) if the member is disabled (in which
10 event, eligibility for salary must cease), or (iii) if the
11 System is required by federal law to commence payment due to
12 the member's age; the changes to this sentence made by this
13 amendatory Act of the 93rd General Assembly apply without
14 regard to whether the member terminated employment before or
15 after its effective date.

16 (Source: P.A. 93-320, eff. 7-23-03.)

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.