



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB1814

Introduced 2/23/2007, by Rep. Harry Osterman

SYNOPSIS AS INTRODUCED:

40 ILCS 5/6-128.2	from Ch. 108 1/2, par. 6-128.2
40 ILCS 5/6-128.4	from Ch. 108 1/2, par. 6-128.4
30 ILCS 805/8.31 new	

Amends the Chicago Firefighter Article of the Illinois Pension Code. Provides that the minimum member annuity shall not be less than 50% of the current salary of an active firefighter with 5 years of service and the minimum widow's annuity shall not be less than 35% of the current salary of an active firefighter with 5 years of service. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB095 09091 AMC 29283 b

FISCAL NOTE ACT
MAY APPLY

PENSION IMPACT
NOTE ACT MAY
APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

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 Sections 6-128.2 and 6-128.4 as follows:

6 (40 ILCS 5/6-128.2) (from Ch. 108 1/2, par. 6-128.2)

7 Sec. 6-128.2. Minimum retirement annuities.

8 (a) Beginning with the monthly payment due in January,
9 1988, the monthly annuity payment for any person who is
10 entitled to receive a retirement annuity under this Article in
11 January, 1990 and has retired from service at age 50 or over
12 with 20 or more years of service, and for any person who
13 retires from service on or after January 24, 1990 at age 50 or
14 over with 20 or more years of service, shall not be less than
15 \$475 per month. The \$475 minimum annuity is exclusive of any
16 automatic annual increases provided by Sections 6-164 and
17 6-164.1, but not exclusive of previous raises in the minimum
18 annuity as provided by any Section of this Article.

19 Beginning January 1, 1992, the minimum retirement annuity
20 payable to any person who has retired from service at age 50 or
21 over with 20 or more years of service and is entitled to
22 receive a retirement annuity under this Article on that date,
23 or who retires from service at age 50 or over with 20 or more

1 years of service after that date, shall be \$650 per month.

2 Beginning January 1, 1993, the minimum retirement annuity
3 payable to any person who has retired from service at age 50 or
4 over with 20 or more years of service and is entitled to
5 receive a retirement annuity under this Article on that date,
6 or who retires from service at age 50 or over with 20 or more
7 years of service after that date, shall be \$750 per month.

8 Beginning January 1, 1994, the minimum retirement annuity
9 payable to any person who has retired from service at age 50 or
10 over with 20 or more years of service and is entitled to
11 receive a retirement annuity under this Article on that date,
12 or who retires from service at age 50 or over with 20 or more
13 years of service after that date, shall be \$850 per month.

14 Beginning January 1, 2004, the minimum retirement annuity
15 payable to any person who has retired from service at age 50 or
16 over with 20 or more years of service and is entitled to
17 receive a retirement annuity under this Article on that date,
18 or who retires from service at age 50 or over with 20 or more
19 years of service after that date, shall be \$950 per month.

20 Beginning January 1, 2005, the minimum retirement annuity
21 payable to any person who has retired from service at age 50 or
22 over with 20 or more years of service and is entitled to
23 receive a retirement annuity under this Article on that date,
24 or who retires from service at age 50 or over with 20 or more
25 years of service after that date, shall be \$1,050 per month.

26 Beginning January 1, 2008, the minimum retirement annuity

1 payable to any person who has retired from service at age 50 or
2 over with 20 or more years of service and is entitled to
3 receive a retirement annuity under this Article on that date,
4 or who retires from service at age 50 or over with 20 or more
5 years of service after that date, shall not be less than 50% of
6 the current salary of an active firefighter with 5 years of
7 service.

8 The minimum annuities established by this subsection (a) do
9 include previous raises in the minimum annuity as provided by
10 any Section of this Article, but do not include any sums which
11 have been added or will be added to annuity payments by the
12 automatic annual increases provided by Sections 6-164 and
13 6-164.1. Such annual increases shall be paid in addition to the
14 minimum amounts specified in this subsection.

15 (b) Notwithstanding any other provision of this Article,
16 beginning January 1, 1990, the minimum retirement annuity
17 payable to any person who is entitled to receive a retirement
18 annuity under this Article on that date shall be \$475 per
19 month.

20 (c) The changes made to this Section by this amendatory Act
21 of the 93rd General Assembly apply to all persons receiving a
22 retirement annuity under this Article, without regard to
23 whether the retirement of the fireman occurred prior to the
24 effective date of this amendatory Act.

25 (Source: P.A. 93-654, eff. 1-16-04.)

1 (40 ILCS 5/6-128.4) (from Ch. 108 1/2, par. 6-128.4)

2 Sec. 6-128.4. Minimum widow's annuities.

3 (a) Notwithstanding any other provision of this Article,
4 beginning January 1, 1996, the minimum amount of widow's
5 annuity payable to any person who is entitled to receive a
6 widow's annuity under this Article is \$700 per month, without
7 regard to whether the deceased fireman is in service on or
8 after the effective date of this amendatory Act of 1995.

9 (b) Notwithstanding Section 6-128.3, beginning January 1,
10 1994, the minimum widow's annuity under this Article shall be
11 \$700 per month for (1) all persons receiving widow's annuities
12 on that date who are survivors of employees who retired at age
13 50 or over with at least 20 years of service, and (2) persons
14 who become eligible for widow's annuities and are survivors of
15 employees who retired at age 50 or over with at least 20 years
16 of service.

17 (c) Notwithstanding Section 6-128.3, beginning January 1,
18 1999, the minimum widow's annuity under this Article shall be
19 \$800 per month for (1) all persons receiving widow's annuities
20 on that date who are survivors of employees who retired at age
21 50 or over with at least 20 years of service, and (2) persons
22 who become eligible for widow's annuities and are survivors of
23 employees who retired at age 50 or over with at least 20 years
24 of service.

25 (d) Notwithstanding Section 6-128.3, beginning January 1,
26 2004, the minimum widow's annuity under this Article shall be

1 \$900 per month for all persons receiving widow's annuities on
2 or after that date, without regard to whether the deceased
3 fireman is in service on or after the effective date of this
4 amendatory Act of the 93rd General Assembly.

5 (e) Notwithstanding Section 6-128.3, beginning January 1,
6 2005, the minimum widow's annuity under this Article shall be
7 \$1,000 per month for all persons receiving widow's annuities on
8 or after that date, without regard to whether the deceased
9 fireman is in service on or after the effective date of this
10 amendatory Act of the 93rd General Assembly.

11 (f) Notwithstanding Section 6-128.3, beginning January 1,
12 2008, the minimum widow's annuity under this Article for all
13 persons receiving widow's annuities on or after that date,
14 without regard to whether the deceased fireman is in service on
15 or after the effective date of this amendatory Act of the 95th
16 General Assembly, shall not be less than 35% of the current
17 salary of an active firefighter with 5 years of service.

18 (Source: P.A. 93-654, eff. 1-16-04.)

19 Section 90. The State Mandates Act is amended by adding
20 Section 8.31 as follows:

21 (30 ILCS 805/8.31 new)

22 Sec. 8.31. Exempt mandate. Notwithstanding Sections 6 and 8
23 of this Act, no reimbursement by the State is required for the
24 implementation of any mandate created by this amendatory Act of

1 the 95th General Assembly.

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.