



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB5787

by Rep. Michael P. McAuliffe

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 805/8.32 new	

Amends the Chicago Firefighter Article of the Illinois Pension Code. Increases the minimum member annuity to \$1,800 (was, \$1,050) and the minimum widow's annuity to \$1,500 (was, \$1,000). Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB095 18213 AMC 44297 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, 2009, 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 be \$1,800 per month.

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

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

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

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

24 (40 ILCS 5/6-128.4) (from Ch. 108 1/2, par. 6-128.4)

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

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

7 (b) Notwithstanding Section 6-128.3, beginning January 1,
8 1994, the minimum widow's annuity under this Article shall be
9 \$700 per month for (1) all persons receiving widow's annuities
10 on that date who are survivors of employees who retired at age
11 50 or over with at least 20 years of service, and (2) persons
12 who become eligible for widow's annuities and are survivors of
13 employees who retired at age 50 or over with at least 20 years
14 of service.

15 (c) Notwithstanding Section 6-128.3, beginning January 1,
16 1999, the minimum widow's annuity under this Article shall be
17 \$800 per month for (1) all persons receiving widow's annuities
18 on that date who are survivors of employees who retired at age
19 50 or over with at least 20 years of service, and (2) persons
20 who become eligible for widow's annuities and are survivors of
21 employees who retired at age 50 or over with at least 20 years
22 of service.

23 (d) Notwithstanding Section 6-128.3, beginning January 1,
24 2004, the minimum widow's annuity under this Article shall be
25 \$900 per month for all persons receiving widow's annuities on
26 or after that date, without regard to whether the deceased

1 fireman is in service on or after the effective date of this
2 amendatory Act of the 93rd General Assembly.

3 (e) Notwithstanding Section 6-128.3, beginning January 1,
4 2005, the minimum widow's annuity under this Article shall be
5 \$1,000 per month for all persons receiving widow's annuities on
6 or after that date, without regard to whether the deceased
7 fireman is in service on or after the effective date of this
8 amendatory Act of the 93rd General Assembly.

9 (f) Notwithstanding Section 6-128.3, beginning January 1,
10 2009, the minimum widow's annuity under this Article shall be
11 \$1,500 per month for all persons receiving widow's annuities on
12 or after that date, without regard to whether the deceased
13 fireman is in service on or after the effective date of this
14 amendatory Act of the 95th General Assembly.

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

16 Section 90. The State Mandates Act is amended by adding
17 Section 8.32 as follows:

18 (30 ILCS 805/8.32 new)

19 Sec. 8.32. Exempt mandate. Notwithstanding Sections 6 and 8
20 of this Act, no reimbursement by the State is required for the
21 implementation of any mandate created by this amendatory Act of
22 the 95th General Assembly.

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.