

SB0212



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB0212

Introduced 2/7/2007, by Sen. M. Maggie Crotty

SYNOPSIS AS INTRODUCED:

40 ILCS 5/3-111	from Ch. 108 1/2, par. 3-111
40 ILCS 5/3-125.1	from Ch. 108 1/2, par. 3-125.1
30 ILCS 805/8.31 new	

Amends the Downstate Police Article of the Illinois Pension Code to increase the pensions of persons with over 20 years of service. Increases the maximum pension from 75% to 80% of salary. Increases the police officers' contributions by any additional amount determined by the board of trustees of the fund to be necessary to fund the changes. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB095 08766 AMC 28950 b

FISCAL NOTE ACT
MAY APPLY

PENSION IMPACT
NOTE ACT MAY
APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

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 3-111 and 3-125.1 as follows:

6 (40 ILCS 5/3-111) (from Ch. 108 1/2, par. 3-111)
7 Sec. 3-111. Pension.

8 (a) A police officer age 50 or more with 20 or more years
9 of creditable service, who is not a participant in the
10 self-managed plan under Section 3-109.3 and who is no longer in
11 service as a police officer, shall receive a pension of 1/2 of
12 the salary attached to the rank held by the officer on the
13 police force for one year immediately prior to retirement or,
14 beginning July 1, 1987 for persons terminating service on or
15 after that date, the salary attached to the rank held on the
16 last day of service or for one year prior to the last day,
17 whichever is greater. The pension shall be increased by 5% ~~2.5%~~
18 of such salary for each additional year of service over 20
19 years of service through 26 ~~30~~ years of service, to a maximum
20 of 80% ~~75%~~ of such salary.

21 The changes made to this subsection (a) by this amendatory
22 Act of the 91st General Assembly apply to all pensions that
23 become payable under this subsection on or after January 1,

1 1999. All pensions payable under this subsection that began on
2 or after January 1, 1999 and before the effective date of this
3 amendatory Act shall be recalculated, and the amount of the
4 increase accruing for that period shall be payable to the
5 pensioner in a lump sum. The changes made to this subsection
6 (a) by this amendatory Act of the 95th General Assembly apply
7 to all pensions that become payable under this subsection on or
8 after the effective date of this amendatory Act of the 95th
9 General Assembly.

10 (a-5) No pension in effect on or granted after June 30,
11 1973 shall be less than \$200 per month. Beginning July 1, 1987,
12 the minimum retirement pension for a police officer having at
13 least 20 years of creditable service shall be \$400 per month,
14 without regard to whether or not retirement occurred prior to
15 that date. If the minimum pension established in Section
16 3-113.1 is greater than the minimum provided in this
17 subsection, the Section 3-113.1 minimum controls.

18 (b) A police officer mandatorily retired from service due
19 to age by operation of law, having at least 8 but less than 20
20 years of creditable service, shall receive a pension equal to 2
21 1/2% of the salary attached to the rank he or she held on the
22 police force for one year immediately prior to retirement or,
23 beginning July 1, 1987 for persons terminating service on or
24 after that date, the salary attached to the rank held on the
25 last day of service or for one year prior to the last day,
26 whichever is greater, for each year of creditable service.

1 A police officer who retires or is separated from service
2 having at least 8 years but less than 20 years of creditable
3 service, who is not mandatorily retired due to age by operation
4 of law, and who does not apply for a refund of contributions at
5 his or her last separation from police service, shall receive a
6 pension upon attaining age 60 equal to 2.5% of the salary
7 attached to the rank held by the police officer on the police
8 force for one year immediately prior to retirement or,
9 beginning July 1, 1987 for persons terminating service on or
10 after that date, the salary attached to the rank held on the
11 last day of service or for one year prior to the last day,
12 whichever is greater, for each year of creditable service.

13 (c) A police officer no longer in service who has at least
14 one but less than 8 years of creditable service in a police
15 pension fund but meets the requirements of this subsection (c)
16 shall be eligible to receive a pension from that fund equal to
17 2.5% of the salary attached to the rank held on the last day of
18 service under that fund or for one year prior to that last day,
19 whichever is greater, for each year of creditable service in
20 that fund. The pension shall begin no earlier than upon
21 attainment of age 60 (or upon mandatory retirement from the
22 fund by operation of law due to age, if that occurs before age
23 60) and in no event before the effective date of this
24 amendatory Act of 1997.

25 In order to be eligible for a pension under this subsection
26 (c), the police officer must have at least 8 years of

1 creditable service in a second police pension fund under this
2 Article and be receiving a pension under subsection (a) or (b)
3 of this Section from that second fund. The police officer need
4 not be in service on or after the effective date of this
5 amendatory Act of 1997.

6 (Source: P.A. 90-460, eff. 8-17-97; 91-939, eff. 2-1-01.)

7 (40 ILCS 5/3-125.1) (from Ch. 108 1/2, par. 3-125.1)

8 Sec. 3-125.1. Contributions by police officers. Each
9 police officer shall contribute to the pension fund the
10 following percentages of salary for the periods stated:
11 Beginning July 1, 1909 and prior to July 23, 1943, 1% (except
12 that prior to July 1, 1921 not more than one dollar per month
13 shall be deducted, and except that beginning July 1, 1921 and
14 prior to July 1, 1927 not more than \$2 per month shall be
15 deducted); beginning July 23, 1943 and prior to July 20, 1949,
16 3%; beginning July 20, 1949 and prior to July 17, 1959, 5%;
17 beginning July 17, 1959 and prior to July 1, 1971, 7%;
18 beginning July 1, 1971 and prior to July 1, 1975, 7 1/2%;
19 beginning July 1, 1975 and prior to January 1, 1987, 8 1/2%;
20 beginning January 1, 1987 and prior to January 1, 2001, 9%; ~~and~~
21 beginning January 1, 2001 and prior to the effective date of
22 this amendatory Act of the 95th General Assembly, 9.91%; and
23 beginning on the effective date of this amendatory Act of the
24 95th General Assembly, 9.91% plus any additional amount
25 determined by the board to be necessary to fund the changes

1 made to Section 3-111 by this amendatory Act. Such sums shall
2 be paid or deducted monthly. Contribution to the self-managed
3 plan shall be no less than 10% of salary.

4 "Salary" means the annual salary, including longevity,
5 attached to the police officer's rank, as established by the
6 municipality's appropriation ordinance, including any
7 compensation for overtime which is included in the salary so
8 established, but excluding any "overtime pay", "holiday pay",
9 "bonus pay", "merit pay", or any other cash benefit not
10 included in the salary so established.

11 (Source: P.A. 91-939, eff. 2-1-01.)

12 Section 90. The State Mandates Act is amended by adding
13 Section 8.31 as follows:

14 (30 ILCS 805/8.31 new)

15 Sec. 8.31. Exempt mandate. Notwithstanding Sections 6 and 8
16 of this Act, no reimbursement by the State is required for the
17 implementation of any mandate created by this amendatory Act of
18 the 95th General Assembly.

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.