



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB1008

Introduced 2/11/2009, by Rep. Daniel V. Beiser

SYNOPSIS AS INTRODUCED:

40 ILCS 5/7-156.1 new
30 ILCS 805/8.33 new

Amends the IMRF Article of the Illinois Pension Code. Provides that, upon the death of a sheriff's law enforcement employee, his or her survivors shall be entitled to the pension to which the police officer was then entitled. Sets forth the sequence of survivors and the amount of the pensions and provides for annual increases. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB096 08561 AMC 18684 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 adding
5 Section 7-156.1 as follows:

6 (40 ILCS 5/7-156.1 new)

7 Sec. 7-156.1. Pension to survivors; police officers.

8 (a) Upon the death of a police officer entitled to a
9 pension under Section 7-142.1, the surviving spouse shall be
10 entitled to the pension to which the police officer was then
11 entitled. Upon the death of the surviving spouse, or upon the
12 remarriage of the surviving spouse if that remarriage
13 terminates the surviving spouse's eligibility under Section
14 7-154, the police officer's unmarried children who are under
15 age 18 or who are dependent because of physical or mental
16 disability shall be entitled to equal shares of such pension.
17 If there is no eligible surviving spouse and no eligible child,
18 the dependent parent or parents of the officer shall be
19 entitled to receive or share such pension until their death or
20 marriage or remarriage after the death of the police officer.

21 (b) Upon the death of a police officer while in service,
22 having at least 20 years of creditable service, or upon the
23 death of a police officer who retired from service with at

1 least 20 years of creditable service, whether death occurs
2 before or after attainment of age 50, the pension earned by the
3 police officer as of the date of death as provided in Section
4 7-142.1 shall be paid to the survivors in the sequence provided
5 in subsection (a) of this Section.

6 (c) Upon the death of a police officer while in service,
7 having at least 10 but less than 20 years of creditable
8 service, a pension of 1/2 of the salary attached to the rank or
9 ranks held by the officer for one year immediately prior to
10 death shall be payable to the survivors in the sequence
11 provided in subsection (a) of this Section. If death occurs as
12 a result of the performance of duty, the 10-year requirement
13 shall not apply and the pension to survivors shall be payable
14 after any period of service.

15 (d) Each surviving spouse annuity under this Section that
16 begins on or after the effective date of this Section shall be
17 increased on the January 1 next occurring after the annuity
18 begins, by an amount equal to (i) 3% of the original amount
19 thereof if the deceased employee was receiving a retirement
20 annuity at the time of his death; otherwise (ii) 0.167% of the
21 original amount thereof for each complete month which has
22 elapsed since the date the annuity began. On each January 1
23 after the date of the initial increase under this subsection
24 (d), each surviving spouse annuity shall be increased by 3% of
25 the originally granted amount of the annuity.

1 Section 90. The State Mandates Act is amended by adding
2 Section 8.33 as follows:

3 (30 ILCS 805/8.33 new)

4 Sec. 8.33. Exempt mandate. Notwithstanding Sections 6 and 8
5 of this Act, no reimbursement by the State is required for the
6 implementation of any mandate created by this amendatory Act of
7 the 96th General Assembly.

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.