



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB1139

Introduced 2/11/2009, by Rep. Michael P. McAuliffe

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/6-128.2  
30 ILCS 805/8.33 new

from Ch. 108 1/2, par. 6-128.2

Amends the Chicago Firefighter Article of the Illinois Pension Code. Increases the minimum retirement annuity to \$1,300 (was, \$1,050). Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB096 08601 AMC 18724 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 Section 6-128.2 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, 2010, 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 \$1,300 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 Section 90. The State Mandates Act is amended by adding  
25 Section 8.33 as follows:

1 (30 ILCS 805/8.33 new)

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

6 Section 99. Effective date. This Act takes effect upon  
7 becoming law.