



Rep. Donald L. Moffitt

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LRB098 08128 JLS 43165 a

1 AMENDMENT TO HOUSE BILL 2772

2 AMENDMENT NO. _____. Amend House Bill 2772 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Unemployment Insurance Act is amended by
5 changing Section 611 as follows:

6 (820 ILCS 405/611) (from Ch. 48, par. 441)

7 Sec. 611. Retirement pay.

8 A. For the purposes of this Section "disqualifying income"
9 means:

10 1. The entire amount which an individual has received
11 or will receive with respect to a week in the form of a
12 retirement payment (a) from an individual or organization
13 (i) for which he performed services during his base period
14 or which is liable for benefit charges or payments in lieu
15 of contributions as a result of the payment of benefits to
16 such individual and (ii) which pays all of the cost of such

1 retirement payment, or (b) from a trust, annuity or
2 insurance fund or under an annuity or insurance contract,
3 to or under which an individual or organization for which
4 he performed services during his base period or which is
5 liable for benefit charges or payments in lieu of
6 contributions as a result of the payment of benefits to
7 such individual pays or has paid all of the premiums or
8 contributions; and

9 2. One-half the amount which an individual has received
10 or will receive with respect to a week in the form of a
11 retirement payment (a) from an individual or organization
12 (i) for which he performed services during his base period
13 or which is liable for benefit charges or payments in lieu
14 of contributions as a result of the payment of benefits to
15 such individual and (ii) which pays some, but not all, of
16 the cost of such retirement payment, or (b) from a trust,
17 annuity or insurance fund (including, except as provided in
18 paragraph 2.1, primary social security old age and
19 disability retirement benefits, including those based on
20 self-employment) or under an annuity or insurance
21 contract, to or under which an individual or organization
22 for which he performed services during his base period or
23 which is liable for benefit charges or payments in lieu of
24 contributions as a result of the payment of benefits to
25 such individual pays or has paid some, but not all, of the
26 premiums or contributions.

1 2.1. Notwithstanding paragraphs 1 and 2 above, none of
2 the amount that a volunteer firefighter or volunteer
3 ambulance worker has received or will receive with respect
4 to a week in the form of primary social security old age
5 and disability retirement benefits, including those based
6 on self-employment, shall constitute disqualifying income.

7 3. Notwithstanding ~~paragraphs~~ paragraph 1, 2 and 2.1 ~~2~~
8 above, the entire amount which an individual has received
9 or will receive, with respect to any week which begins
10 after March 31, 1980, of any governmental or other pension,
11 retirement, or retired pay, annuity or any other similar
12 periodic payment which is based on any previous work of
13 such individual during his base period or which is liable
14 for benefit charges or payments in lieu of contributions as
15 a result of the payment of benefits to such individual.
16 This paragraph shall be in effect only if it is required as
17 a condition for full tax credit against the tax imposed by
18 the Federal Unemployment Tax Act.

19 B. Whenever an individual has received or will receive a
20 retirement payment for a month, an amount shall be deemed to
21 have been paid him for each day equal to one-thirtieth of such
22 retirement payment. If the retirement payment is for a
23 half-month, an amount shall be deemed to have been paid the
24 individual for each day equal to one-fifteenth of such
25 retirement payment. If the retirement payment is for any other
26 period, an amount shall be deemed to have been paid the

1 individual for each day in such period equal to the retirement
2 payment divided by the number of days in the period.

3 C. An individual shall be ineligible for benefits for any
4 week with respect to which his disqualifying income equals or
5 exceeds his weekly benefit amount. If such disqualifying income
6 with respect to a week totals less than the benefits for which
7 he would otherwise be eligible under this Act, he shall be
8 paid, with respect to such week, benefits reduced by the amount
9 of such disqualifying income.

10 D. To assure full tax credit to the employers of this State
11 against the tax imposed by the Federal Unemployment Tax Act,
12 the Director shall take any action as may be necessary in the
13 administration of paragraph 3 of subsection A of this Section
14 to insure that the application of its provisions conform to the
15 requirements of such Federal Act as interpreted by the United
16 States Secretary of Labor or other appropriate Federal agency.
17 (Source: P.A. 86-3.)".