

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 7-141 and 16-132 as follows:

6 (40 ILCS 5/7-141) (from Ch. 108 1/2, par. 7-141)

7 Sec. 7-141. Retirement annuities - Conditions. Retirement
8 annuities shall be payable as hereinafter set forth:

9 (a) A participating employee who, regardless of cause, is
10 separated from the service of all participating municipalities
11 and instrumentalities thereof and participating
12 instrumentalities shall be entitled to a retirement annuity
13 provided:

14 1. He is at least age 55, or in the case of a person who
15 is eligible to have his annuity calculated under Section
16 7-142.1, he is at least age 50;

17 2. He is not entitled to receive earnings for
18 employment in a position requiring him, or entitling him to
19 elect, to be a participating employee;

20 3. The amount of his annuity, before the application of
21 paragraph (b) of Section 7-142 is at least \$10 per month;

22 4. If he first became a participating employee after
23 December 31, 1961, he has at least 8 years of service. This

1 service requirement shall not apply to any participating
2 employee, regardless of participation date, if the General
3 Assembly terminates the Fund.

4 (b) Retirement annuities shall be payable:

5 1. As provided in Section 7-119;

6 2. Except as provided in item 3, upon receipt by the
7 fund of a written application. The effective date may be
8 not more than 2 years ~~one year~~ prior to the date of the
9 receipt by the fund of the application;

10 3. Upon attainment of age 70 1/2 if the member (i) is
11 no longer in service, and (ii) is otherwise entitled to an
12 annuity under this Article;

13 4. To the beneficiary of the deceased annuitant for the
14 unpaid amount accrued to date of death, if any.

15 (Source: P.A. 97-328, eff. 8-12-11; 97-609, eff. 1-1-12.)

16 (40 ILCS 5/16-132) (from Ch. 108 1/2, par. 16-132)

17 (Text of Section before amendment by P.A. 98-599)

18 Sec. 16-132. Retirement annuity eligibility. A member who
19 has at least 20 years of creditable service is entitled to a
20 retirement annuity upon or after attainment of age 55. A member
21 who has at least 10 but less than 20 years of creditable
22 service is entitled to a retirement annuity upon or after
23 attainment of age 60. A member who has at least 5 but less than
24 10 years of creditable service is entitled to a retirement
25 annuity upon or after attainment of age 62. A member who (i)

1 has earned during the period immediately preceding the last day
2 of service at least one year of contributing creditable service
3 as an employee of a department as defined in Section 14-103.04,
4 (ii) has earned at least 5 years of contributing creditable
5 service as an employee of a department as defined in Section
6 14-103.04, and (iii) retires on or after January 1, 2001 is
7 entitled to a retirement annuity upon or after attainment of an
8 age which, when added to the number of years of his or her
9 total creditable service, equals at least 85. Portions of years
10 shall be counted as decimal equivalents.

11 A member who is eligible to receive a retirement annuity of
12 at least 74.6% of final average salary and will attain age 55
13 on or before December 31 during the year which commences on
14 July 1 shall be deemed to attain age 55 on the preceding June
15 1.

16 A member meeting the above eligibility conditions is
17 entitled to a retirement annuity upon written application to
18 the board setting forth the date the member wishes the
19 retirement annuity to commence. However, the effective date of
20 the retirement annuity shall be no earlier than the day
21 following the last day of creditable service, regardless of the
22 date of official termination of employment.

23 To be eligible for a retirement annuity, a member shall not
24 be employed as a teacher in the schools included under this
25 System or under Article 17, except (i) as provided in Section
26 16-118 or 16-150.1, (ii) if the member is disabled (in which

1 event, eligibility for salary must cease), or (iii) if the
2 System is required by federal law to commence payment due to
3 the member's age; the changes to this sentence made by this
4 amendatory Act of the 93rd General Assembly apply without
5 regard to whether the member terminated employment before or
6 after its effective date.

7 (Source: P.A. 93-320, eff. 7-23-03.)

8 (Text of Section after amendment by P.A. 98-599)

9 Sec. 16-132. Retirement annuity eligibility.

10 (a) A member who has at least 20 years of creditable
11 service is entitled to a retirement annuity upon or after
12 attainment of age 55. A member who has at least 10 but less
13 than 20 years of creditable service is entitled to a retirement
14 annuity upon or after attainment of age 60. A member who has at
15 least 5 but less than 10 years of creditable service is
16 entitled to a retirement annuity upon or after attainment of
17 age 62. A member who (i) has earned during the period
18 immediately preceding the last day of service at least one year
19 of contributing creditable service as an employee of a
20 department as defined in Section 14-103.04, (ii) has earned at
21 least 5 years of contributing creditable service as an employee
22 of a department as defined in Section 14-103.04, and (iii)
23 retires on or after January 1, 2001 is entitled to a retirement
24 annuity upon or after attainment of an age which, when added to
25 the number of years of his or her total creditable service,

1 equals at least 85. Portions of years shall be counted as
2 decimal equivalents.

3 A member who is eligible to receive a retirement annuity of
4 at least 74.6% of final average salary and will attain age 55
5 on or before December 31 during the year which commences on
6 July 1 shall be deemed to attain age 55 on the preceding June
7 1.

8 (b) Notwithstanding subsection (a) of this Section, for a
9 Tier 1 member who begins receiving a retirement annuity under
10 this Section on or after July 1, 2014, the required retirement
11 age under subsection (a) is increased as follows, based on the
12 Tier 1 member's age on June 1, 2014:

13 (1) If he or she is at least age 46 on June 1, 2014,
14 then the required retirement ages under subsection (a)
15 remain unchanged.

16 (2) If he or she is at least age 45 but less than age 46
17 on June 1, 2014, then the required retirement ages under
18 subsection (a) are increased by 4 months.

19 (3) If he or she is at least age 44 but less than age 45
20 on June 1, 2014, then the required retirement ages under
21 subsection (a) are increased by 8 months.

22 (4) If he or she is at least age 43 but less than age 44
23 on June 1, 2014, then the required retirement ages under
24 subsection (a) are increased by 12 months.

25 (5) If he or she is at least age 42 but less than age 43
26 on June 1, 2014, then the required retirement ages under

1 subsection (a) are increased by 16 months.

2 (6) If he or she is at least age 41 but less than age 42
3 on June 1, 2014, then the required retirement ages under
4 subsection (a) are increased by 20 months.

5 (7) If he or she is at least age 40 but less than age 41
6 on June 1, 2014, then the required retirement ages under
7 subsection (a) are increased by 24 months.

8 (8) If he or she is at least age 39 but less than age 40
9 on June 1, 2014, then the required retirement ages under
10 subsection (a) are increased by 28 months.

11 (9) If he or she is at least age 38 but less than age 39
12 on June 1, 2014, then the required retirement ages under
13 subsection (a) are increased by 32 months.

14 (10) If he or she is at least age 37 but less than age
15 38 on June 1, 2014, then the required retirement ages under
16 subsection (a) are increased by 36 months.

17 (11) If he or she is at least age 36 but less than age
18 37 on June 1, 2014, then the required retirement ages under
19 subsection (a) are increased by 40 months.

20 (12) If he or she is at least age 35 but less than age
21 36 on June 1, 2014, then the required retirement ages under
22 subsection (a) are increased by 44 months.

23 (13) If he or she is at least age 34 but less than age
24 35 on June 1, 2014, then the required retirement ages under
25 subsection (a) are increased by 48 months.

26 (14) If he or she is at least age 33 but less than age

1 34 on June 1, 2014, then the required retirement ages under
2 subsection (a) are increased by 52 months.

3 (15) If he or she is at least age 32 but less than age
4 33 on June 1, 2014, then the required retirement ages under
5 subsection (a) are increased by 56 months.

6 (16) If he or she is less than age 32 on June 1, 2014,
7 then the required retirement ages under subsection (a) are
8 increased by 60 months.

9 Notwithstanding Section 1-103.1, this subsection (b)
10 applies without regard to whether or not the Tier 1 member is
11 in active service under this Article on or after the effective
12 date of this amendatory Act of the 98th General Assembly.

13 (c) A member meeting the above eligibility conditions is
14 entitled to a retirement annuity upon written application to
15 the board setting forth the date the member wishes the
16 retirement annuity to commence. However, the effective date of
17 the retirement annuity shall be (i) no earlier than the day
18 following the last day of creditable service, regardless of the
19 date of official termination of employment, and (ii) in the
20 case of a member who is not eligible to retire on the effective
21 date of this amendatory Act of the 98th General Assembly, no
22 more than 2 years before the date of receipt by the System of
23 the application for retirement.

24 For the purpose of Section 1-103.1, the change to this
25 subsection made by this amendatory Act of the 98th General
26 Assembly is limited to annuities granted on or after the

1 effective date of this amendatory Act, without regard to
2 whether the member is in service on or after that effective
3 date.

4 (d) To be eligible for a retirement annuity, a member shall
5 not be employed as a teacher in the schools included under this
6 System or under Article 17, except (i) as provided in Section
7 16-118 or 16-150.1, (ii) if the member is disabled (in which
8 event, eligibility for salary must cease), or (iii) if the
9 System is required by federal law to commence payment due to
10 the member's age; the changes to this sentence made by Public
11 Act 93-320 apply without regard to whether the member
12 terminated employment before or after its effective date.

13 (Source: P.A. 98-599, eff. 6-1-14.)

14 Section 95. No acceleration or delay. Where this Act makes
15 changes in a statute that is represented in this Act by text
16 that is not yet or no longer in effect (for example, a Section
17 represented by multiple versions), the use of that text does
18 not accelerate or delay the taking effect of (i) the changes
19 made by this Act or (ii) provisions derived from any other
20 Public Act.