



Rep. Jack D. Franks

Filed: 4/1/2016

09900HB1334ham001

LRB099 06219 RPS 46544 a

1 AMENDMENT TO HOUSE BILL 1334

2 AMENDMENT NO. _____. Amend House Bill 1334 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by
5 changing Sections 3-124.1, 4-117, 5-159, and 6-156 as follows:

6 (40 ILCS 5/3-124.1) (from Ch. 108 1/2, par. 3-124.1)

7 Sec. 3-124.1. Re-entry into active service.

8 (a) If a police officer who is receiving pension payments
9 other than as provided in Section 3-109.3 re-enters active
10 service, pension payment shall be suspended while he or she is
11 in service. When he or she again retires, pension payments
12 shall be resumed. If the police officer remains in service
13 after re-entry for a period of less than 5 years, the pension
14 shall be the same as upon first retirement. If the officer's
15 service after re-entry is at least 5 years and the officer
16 makes the required contributions during the period of re-entry,

1 his or her pension shall be recomputed by taking into account
2 the additional period of service and salary.

3 (b) If a person who first entered service under this
4 Article after January 1, 2017 is receiving pension payments
5 (other than as provided in Section 3-109.3) and becomes a
6 member or participant under any other system or fund created by
7 this Code and is employed on a full-time basis, he or she shall
8 immediately notify the pension fund that is making those
9 pension payments of his or her participation or membership
10 under a system or fund created by this Code and the pension
11 payments shall be suspended while the person is employed
12 full-time. The suspension shall end upon termination of that
13 full-time employment.

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

15 (40 ILCS 5/4-117) (from Ch. 108 1/2, par. 4-117)

16 Sec. 4-117. Reentry into active service.

17 (a) If a firefighter receiving pension payments reenters
18 active service, pension payments shall be suspended while he or
19 she is in service. If the firefighter again retires or is
20 discharged, his or her monthly pension shall be resumed in the
21 same amount as was paid upon first retirement or discharge
22 unless he or she remained in active service 3 or more years
23 after re-entry in which case the monthly pension shall be based
24 on the salary attached to the firefighter's rank at the date of
25 last retirement.

1 (b) If a deferred pensioner re-enters active service, and
2 again retires or is discharged from the fire service, his or
3 her pension shall be based on the salary attached to the rank
4 held in the fire service at the date of earlier retirement,
5 unless the firefighter remains in active service for 3 or more
6 years after re-entry, in which case the monthly pension shall
7 be based on the salary attached to the firefighter's rank at
8 the date of last retirement.

9 (c) If a pensioner or deferred pensioner re-enters or is
10 recalled to active service and is thereafter injured, and the
11 injury is not related to an injury for which he or she was
12 previously receiving a disability pension, the 3 year service
13 requirement shall not apply in order for the firefighter to
14 qualify for the increased pension based on the rate of pay at
15 the time of the new injury.

16 (d) If a person who first entered service under this
17 Article after January 1, 2017 is receiving pension payments and
18 becomes a member or participant under any other system or fund
19 created by this Code and is employed on a full-time basis, he
20 or she shall immediately notify the pension fund that is making
21 those pension payments and the pension payments shall be
22 suspended while that person is employed full-time. The
23 suspension shall end upon termination of that full-time
24 employment.

25 (Source: P.A. 83-1440.)

1 (40 ILCS 5/5-159) (from Ch. 108 1/2, par. 5-159)
2 Sec. 5-159. Re-entry of pensioner or annuitant into
3 service.

4 (a) When a policeman who has withdrawn after the effective
5 date re-enters service, any annuity previously granted to him
6 and any annuity fixed for his wife shall be cancelled. The
7 policeman shall be credited for annuity purposes with sums
8 sufficient to provide annuities equal to those cancelled for
9 him and his wife, as of their respective ages on the date of
10 re-entrance into service.

11 Deductions from salary and contributions by the city for
12 all purposes of this Article shall be made, and upon subsequent
13 retirement new annuities based upon the amount then to his
14 credit for annuity purposes and the entire term of his service
15 shall be fixed for the policeman and his wife.

16 If such policeman's wife, for whom annuity has been fixed
17 prior to his re-entrance into service, has died or her marriage
18 to such policeman has been dissolved or declared invalid before
19 he re-entered service, no part, of any sum or sums to the
20 credit of such policeman for widow's annuity or for widow's
21 prior service annuity at the time annuity for such wife was
22 fixed shall be credited to such policeman at the time of
23 re-entry. No part of any such sum or sums shall be used to
24 provide annuity for any wife of such policeman who is his wife
25 at any time after his re-entry into service unless she was his
26 wife at the time of his withdrawal.

1 However, the payment of the pension or annuity shall
2 continue if re-entry into service is for the purpose of serving
3 on a part time basis as a street crossing guard.

4 (b) If a person who first entered service under this
5 Article after January 1, 2017 is receiving pension or annuity
6 payments and becomes a member or participant under any other
7 system or fund created by this Code and is employed on a
8 full-time basis, he or she shall immediately notify the Fund
9 and the pension or annuity payments shall be suspended while
10 that person is employed full-time. The suspension shall end
11 upon termination of that full-time employment.

12 (Source: P.A. 86-272.)

13 (40 ILCS 5/6-156) (from Ch. 108 1/2, par. 6-156)

14 Sec. 6-156. Re-entry of pensioner or annuitant into
15 service.

16 (a) When a fireman who has withdrawn after the effective
17 date re-enters the service before age 63, any annuity
18 previously granted to him and any annuity fixed for his wife
19 shall be cancelled. The fireman shall be credited with the
20 actuarial value of the annuities cancelled for him and his wife
21 as of their respective ages on the date of his re-entry into
22 service; provided, that for present employees and future
23 entrants who entered service prior to July 1, 1953, the maximum
24 age of a wife for this purpose shall not be more than 5 years
25 less than his age, and for future entrants who entered service

1 after June 30, 1953, the age, for annuity purposes, of a wife
2 who is older than her husband shall be assumed to be equal to
3 his age. Such sums shall be credited to the fireman to provide
4 for annuities in the future.

5 Deductions from salary and contributions by the city for
6 all purposes of this Article shall be made as provided herein,
7 and upon subsequent retirement, new annuities based upon the
8 amount then to his credit for annuity purposes and the entire
9 term of his service shall be fixed for him and his wife.

10 If such fireman's wife, for whom annuity has been fixed
11 prior to his re-entrance into service, has died, or the
12 marriage was dissolved before he re-entered service, no part of
13 any sum or sums to the credit of such fireman for widow's prior
14 service annuity at the time annuity for such wife was fixed
15 shall be credited to such fireman at the time of re-entry. No
16 part of any such sum or sums shall be used to provide annuity
17 for any wife of such fireman who is his wife at any time after
18 his re-entry into service.

19 (b) If a fireman re-enters service after age 63, payments
20 of pension or annuity previously granted shall be suspended.
21 When he again withdraws, payments upon such pension or annuity
22 shall be resumed. If the fireman dies in service, his widow
23 shall receive the annuity previously fixed for her.

24 (c) If a person who first entered service under this
25 Article after January 1, 2017 is receiving pension or annuity
26 payments and becomes a member or participant under any other

1 system or fund created by this Code and is employed on a
2 full-time basis, he or she shall immediately notify the Fund
3 and the pension or annuity payments shall be suspended while
4 that person is employed full-time. The suspension shall end
5 upon termination of that full-time employment.

6 (Source: P.A. 81-1536.)

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