

1 AN ACT concerning public employee benefits, which may also  
2 be referred to as the Retirement Means Retirement Act.

3 **Be it enacted by the People of the State of Illinois,**  
4 **represented in the General Assembly:**

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

7 (40 ILCS 5/3-124.1) (from Ch. 108 1/2, par. 3-124.1)

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

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

20 (b) If a person who first entered service under this  
21 Article after January 1, 2017 is receiving pension payments  
22 (other than as provided in Section 3-109.3) and becomes a  
23 member or participant under any other system or fund created by

1 this Code and is employed on a full-time basis, he or she shall  
2 immediately notify the pension fund that is making those  
3 pension payments of his or her participation or membership  
4 under a system or fund created by this Code and the pension  
5 payments shall be suspended while the person is employed  
6 full-time. The suspension shall end upon termination of that  
7 full-time employment.

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

9 (40 ILCS 5/4-117) (from Ch. 108 1/2, par. 4-117)

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

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

20 (b) If a deferred pensioner re-enters active service, and  
21 again retires or is discharged from the fire service, his or  
22 her pension shall be based on the salary attached to the rank  
23 held in the fire service at the date of earlier retirement,  
24 unless the firefighter remains in active service for 3 or more  
25 years after re-entry, in which case the monthly pension shall

1 be based on the salary attached to the firefighter's rank at  
2 the date of last retirement.

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

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

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

20 (40 ILCS 5/5-159) (from Ch. 108 1/2, par. 5-159)

21 Sec. 5-159. Re-entry of pensioner or annuitant into  
22 service.

23 (a) When a policeman who has withdrawn after the effective  
24 date re-enters service, any annuity previously granted to him  
25 and any annuity fixed for his wife shall be cancelled. The

1 policeman shall be credited for annuity purposes with sums  
2 sufficient to provide annuities equal to those cancelled for  
3 him and his wife, as of their respective ages on the date of  
4 re-entrance into service.

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

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

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

24 (b) 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. 86-272.)

7 (40 ILCS 5/6-156) (from Ch. 108 1/2, par. 6-156)

8 Sec. 6-156. Re-entry of pensioner or annuitant into  
9 service.

10 (a) When a fireman who has withdrawn after the effective  
11 date re-enters the service before age 63, any annuity  
12 previously granted to him and any annuity fixed for his wife  
13 shall be cancelled. The fireman shall be credited with the  
14 actuarial value of the annuities cancelled for him and his wife  
15 as of their respective ages on the date of his re-entry into  
16 service; provided, that for present employees and future  
17 entrants who entered service prior to July 1, 1953, the maximum  
18 age of a wife for this purpose shall not be more than 5 years  
19 less than his age, and for future entrants who entered service  
20 after June 30, 1953, the age, for annuity purposes, of a wife  
21 who is older than her husband shall be assumed to be equal to  
22 his age. Such sums shall be credited to the fireman to provide  
23 for annuities in the future.

24 Deductions from salary and contributions by the city for  
25 all purposes of this Article shall be made as provided herein,

1 and upon subsequent retirement, new annuities based upon the  
2 amount then to his credit for annuity purposes and the entire  
3 term of his service shall be fixed for him and his wife.

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

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

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

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

1           Section 99. Effective date. This Act takes effect upon  
2           becoming law.