

HB6297



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB6297

Introduced 2/11/2016, by Rep. Elaine Nekritz

SYNOPSIS AS INTRODUCED:

40 ILCS 5/6-140

from Ch. 108 1/2, par. 6-140

Amends the Chicago Firefighter Article of the Illinois Pension Code. Provides that an annuity for death in the line of duty shall not be paid to the wife of a fireman who dies while in receipt of disability benefits when the fireman's death was caused by an intervening illness or injury unrelated to the illness or injury that had prevented him from subsequently resuming active service in the fire department. Provides that the amendatory Act is intended to be a restatement and clarification of one of the eligibility requirements for that benefit. Effective immediately.

LRB099 20428 RPS 44925 b

FISCAL NOTE ACT
MAY APPLY

PENSION IMPACT
NOTE ACT MAY
APPLY

A BILL FOR

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 6-140 as follows:

6 (40 ILCS 5/6-140) (from Ch. 108 1/2, par. 6-140)
7 Sec. 6-140. Death in the line of duty.

8 (a) The annuity for the widow of a fireman whose death
9 results from the performance of an act or acts of duty shall be
10 an amount equal to 50% of the current annual salary attached to
11 the classified position to which the fireman was certified at
12 the time of his death and 75% thereof after December 31, 1972.

13 Unless the performance of an act or acts of duty results
14 directly in the death of the fireman, or prevents him from
15 subsequently resuming active service in the fire department,
16 the annuity herein provided shall not be paid; nor shall such
17 annuities be paid unless the widow was the wife of the fireman
18 at the time of the act or acts of duty which resulted in his
19 death; nor shall such annuities be paid to the wife of a
20 fireman who dies while in receipt of disability benefits when
21 the fireman's death was caused by an intervening illness or
22 injury unrelated to the illness or injury that had prevented
23 him from subsequently resuming active service in the fire

1 department. The amendment made to this subsection (a) by this
2 amendatory Act of the 99th General Assembly is intended to be a
3 restatement and clarification of one of the eligibility
4 requirements for the annuity herein provided.

5 (b) The changes made to this Section by this amendatory Act
6 of the 92nd General Assembly apply without regard to whether
7 the deceased fireman was in service on or after the effective
8 date of this amendatory Act. In the case of a widow receiving
9 an annuity under this Section that has been reduced to 40% of
10 current salary because the fireman, had he lived, would have
11 attained the age prescribed for compulsory retirement, the
12 annuity shall be restored to the amount provided in subsection
13 (a), with the increase beginning to accrue on the later of
14 January 1, 2001 or the day the annuity first became payable.

15 (Source: P.A. 92-50, eff. 7-12-01.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.