

1 (c) For the purpose of qualifying for the annual
2 increases provided in Section 5-167.1, a policeman whose
3 retirement annuity is calculated under this Section shall be
4 deemed to qualify for a minimum annuity.

5 (40 ILCS 5/5-144) (from Ch. 108 1/2, par. 5-144)

6 Sec. 5-144. Death from injury in the performance of acts
7 of duty; compensation annuity and supplemental annuity.

8 (a) Beginning January 1, 1986, and without regard to
9 whether or not the annuity in question began before that
10 date, if the annuity for the widow of a policeman whose
11 death, on or after January 1, 1940, results from injury
12 incurred in the performance of an act or acts of duty, is not
13 equal to the sum hereinafter stated, "compensation annuity"
14 equal to the difference between the annuity and an amount
15 equal to 75% of the policeman's salary attached to the
16 position he held by certification and appointment as a result
17 of competitive civil service examination that would
18 ordinarily have been paid to him as though he were in active
19 discharge of his duties shall be payable to the widow until
20 the policeman, had he lived, would have attained age 63. The
21 total amount of the widow's annuity and children's awards
22 payable to the family of such policeman shall not exceed the
23 amounts stated in Section 5-152.

24 The provisions of this Section, as amended by Public Act
25 84-1104, including the reference to the date upon which the
26 deceased policeman would have attained age 63, shall apply to
27 all widows of policemen whose death occurs on or after
28 January 1, 1940 due to injury incurred in the performance of
29 an act of duty, regardless of whether such death occurred
30 prior to September 17, 1969. For those widows of policemen
31 that died prior to September 17, 1969, who became eligible
32 for compensation annuity by the action of Public Act 84-1104,
33 such compensation annuity shall begin and be calculated from

1 January 1, 1986. The provisions of this amendatory Act of
2 1987 are intended to restate and clarify the intent of Public
3 Act 84-1104, and do not make any substantive change.

4 (b) Upon termination of the compensation annuity,
5 "supplemental annuity" shall become payable to the widow,
6 equal to the difference between the annuity for the widow and
7 an amount equal to ~~75%~~ 50% of the annual salary (including
8 all salary increases and longevity raises) that the policeman
9 would have been receiving when he attained age 63 if the
10 policeman had continued in service at the same rank (whether
11 career service or exempt) that he last held in the police
12 department. The increase in supplemental annuity resulting
13 from this amendatory Act of the 92nd General Assembly 1995
14 applies without regard to whether the deceased policeman was
15 in service on or after the effective date of this amendatory
16 Act and is payable from January 1, 2002 ~~1996~~ or the date upon
17 which the supplemental annuity begins, whichever is later.

18 (c) Neither compensation nor supplemental annuity shall
19 be paid unless the death of the policeman was a direct result
20 of the injury, or the injury was of such character as to
21 prevent him from subsequently resuming service as a
22 policeman; nor shall compensation or supplemental annuity be
23 paid unless the widow was the wife of the policeman when the
24 injury occurred.

25 (Source: P.A. 89-12, eff. 4-20-95.)

26 Section 90. The State Mandates Act is amended by adding
27 Section 8.26 as follows:

28 (30 ILCS 805/8.26 new)

29 Sec. 8.26. Exempt mandate. Notwithstanding Sections 6
30 and 8 of this Act, no reimbursement by the State is required
31 for the implementation of any mandate created by this
32 amendatory Act of the 92nd General Assembly.

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