

1 AN ACT in relation to 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  
5 changing Section 3-120 as follows:

6 (40 ILCS 5/3-120) (from Ch. 108 1/2, par. 3-120)

7 Sec. 3-120. Marriage after retirement.

8 (a) If a police officer marries subsequent to retirement  
9 on any pension under this Article, other than a pension  
10 established under Section 3-109.3, the surviving spouse and  
11 the children of such surviving spouse shall receive no  
12 pension on the death of the officer, except as provided in  
13 subsection (b) or (c).

14 (b) Notwithstanding Section 1-103.1 of this Code, this  
15 Section shall not be deemed to disqualify from receiving a  
16 survivor's pension the surviving spouse and children of any  
17 police officer who (i) retired from service in 1973, married  
18 the surviving spouse during 1974, and died in 1988, or (ii)  
19 retired on disability in October of 1982, married the  
20 surviving spouse during 1991, and died in 1992. In the case  
21 of a person who becomes eligible for a benefit under this  
22 subsection (b), the benefit shall begin to accrue on July 1,  
23 1990 or July 1 of the year following the police officer's  
24 death, whichever is later.

25 (c) Notwithstanding Section 1-103.1 of this Code, this  
26 Section does not disqualify from receiving a survivor's  
27 pension the surviving spouse and children of any police  
28 officer who dies on or after August 1, 2001, provided that  
29 the surviving spouse was married to the police officer for at  
30 least one year immediately prior to the date of death and, in  
31 the case of death before the effective date of this

1 amendatory Act of the 92nd General Assembly, the amount of  
2 any refund paid under Section 3-124 has been repaid to the  
3 Fund.

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

5 Section 90. The State Mandates Act is amended by adding  
6 Section 8.26 as follows:

7 (30 ILCS 805/8.26 new)

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

12 Section 99. Effective date. This Act takes effect upon  
13 becoming law.