



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB2910

by Rep. Robert Martwick

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the State Universities and Downstate Teacher Articles of the Illinois Pension Code. Provides that a Tier 1 member who is at least 55 years of age and meets other specified requirements may elect to receive an age enhancement and additional creditable service in an amount equal to the applicable minimum age for an undiscounted retirement annuity (based on the amount of creditable service the member has on the effective date of the election) minus the member's actual age on the effective date of the election and additional creditable service equal to the amount of the age enhancement. Provides that the amount of the age enhancement and creditable service granted may not exceed 5 years. Provides that a member who elects the age enhancement and additional creditable service shall have any automatic annual increase in his or her retirement annuity and survivor's annuity payable to his or her beneficiary calculated at 3% or the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u, whichever is less, of the originally granted annuity. Provides that any benefit increase that results from the amendatory Act is excluded from the definition of "new benefit increase". Makes conforming changes. Effective immediately.

LRB101 08042 RPS 53104 b

FISCAL NOTE ACT  
MAY APPLY

PENSION IMPACT  
NOTE ACT MAY  
APPLY

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 Sections 15-136, 15-136.4, 15-145, 15-185.5, 15-185.6, 15-198,  
6 16-133.1, 16-143.1, 16-190.5, 16-190.6, and 16-203 and by  
7 adding Sections 15-136.5 and 16-133.6 as follows:

8 (40 ILCS 5/15-136) (from Ch. 108 1/2, par. 15-136)

9 (Text of Section WITHOUT the changes made by P.A. 98-599,  
10 which has been held unconstitutional)

11 Sec. 15-136. Retirement annuities - Amount. The provisions  
12 of this Section 15-136 apply only to those participants who are  
13 participating in the traditional benefit package or the  
14 portable benefit package and do not apply to participants who  
15 are participating in the self-managed plan.

16 (a) The amount of a participant's retirement annuity,  
17 expressed in the form of a single-life annuity, shall be  
18 determined by whichever of the following rules is applicable  
19 and provides the largest annuity:

20 Rule 1: The retirement annuity shall be 1.67% of final rate  
21 of earnings for each of the first 10 years of service, 1.90%  
22 for each of the next 10 years of service, 2.10% for each year  
23 of service in excess of 20 but not exceeding 30, and 2.30% for

1 each year in excess of 30; or for persons who retire on or  
2 after January 1, 1998, 2.2% of the final rate of earnings for  
3 each year of service.

4 Rule 2: The retirement annuity shall be the sum of the  
5 following, determined from amounts credited to the participant  
6 in accordance with the actuarial tables and the effective rate  
7 of interest in effect at the time the retirement annuity  
8 begins:

9 (i) the normal annuity which can be provided on an  
10 actuarially equivalent basis, by the accumulated normal  
11 contributions as of the date the annuity begins;

12 (ii) an annuity from employer contributions of an  
13 amount equal to that which can be provided on an  
14 actuarially equivalent basis from the accumulated normal  
15 contributions made by the participant under Section  
16 15-113.6 and Section 15-113.7 plus 1.4 times all other  
17 accumulated normal contributions made by the participant;  
18 and

19 (iii) the annuity that can be provided on an  
20 actuarially equivalent basis from the entire contribution  
21 made by the participant under Section 15-113.3.

22 With respect to a police officer or firefighter who retires  
23 on or after August 14, 1998, the accumulated normal  
24 contributions taken into account under clauses (i) and (ii) of  
25 this Rule 2 shall include the additional normal contributions  
26 made by the police officer or firefighter under Section

1 15-157(a).

2 The amount of a retirement annuity calculated under this  
3 Rule 2 shall be computed solely on the basis of the  
4 participant's accumulated normal contributions, as specified  
5 in this Rule and defined in Section 15-116. Neither an employee  
6 or employer contribution for early retirement under Section  
7 15-136.2 nor any other employer contribution shall be used in  
8 the calculation of the amount of a retirement annuity under  
9 this Rule 2.

10 This amendatory Act of the 91st General Assembly is a  
11 clarification of existing law and applies to every participant  
12 and annuitant without regard to whether status as an employee  
13 terminates before the effective date of this amendatory Act.

14 This Rule 2 does not apply to a person who first becomes an  
15 employee under this Article on or after July 1, 2005.

16 Rule 3: The retirement annuity of a participant who is  
17 employed at least one-half time during the period on which his  
18 or her final rate of earnings is based, shall be equal to the  
19 participant's years of service not to exceed 30, multiplied by  
20 (1) \$96 if the participant's final rate of earnings is less  
21 than \$3,500, (2) \$108 if the final rate of earnings is at least  
22 \$3,500 but less than \$4,500, (3) \$120 if the final rate of  
23 earnings is at least \$4,500 but less than \$5,500, (4) \$132 if  
24 the final rate of earnings is at least \$5,500 but less than  
25 \$6,500, (5) \$144 if the final rate of earnings is at least  
26 \$6,500 but less than \$7,500, (6) \$156 if the final rate of

1 earnings is at least \$7,500 but less than \$8,500, (7) \$168 if  
2 the final rate of earnings is at least \$8,500 but less than  
3 \$9,500, and (8) \$180 if the final rate of earnings is \$9,500 or  
4 more, except that the annuity for those persons having made an  
5 election under Section 15-154(a-1) shall be calculated and  
6 payable under the portable retirement benefit program pursuant  
7 to the provisions of Section 15-136.4.

8 Rule 4: A participant who is at least age 50 and has 25 or  
9 more years of service as a police officer or firefighter, and a  
10 participant who is age 55 or over and has at least 20 but less  
11 than 25 years of service as a police officer or firefighter,  
12 shall be entitled to a retirement annuity of 2 1/4% of the  
13 final rate of earnings for each of the first 10 years of  
14 service as a police officer or firefighter, 2 1/2% for each of  
15 the next 10 years of service as a police officer or  
16 firefighter, and 2 3/4% for each year of service as a police  
17 officer or firefighter in excess of 20. The retirement annuity  
18 for all other service shall be computed under Rule 1. A Tier 2  
19 member is eligible for a retirement annuity calculated under  
20 Rule 4 only if that Tier 2 member meets the service  
21 requirements for that benefit calculation as prescribed under  
22 this Rule 4 in addition to the applicable age requirement under  
23 subsection (a-5) of Section 15-135.

24 For purposes of this Rule 4, a participant's service as a  
25 firefighter shall also include the following:

26 (i) service that is performed while the person is an

1 employee under subsection (h) of Section 15-107; and

2 (ii) in the case of an individual who was a  
3 participating employee employed in the fire department of  
4 the University of Illinois's Champaign-Urbana campus  
5 immediately prior to the elimination of that fire  
6 department and who immediately after the elimination of  
7 that fire department transferred to another job with the  
8 University of Illinois, service performed as an employee of  
9 the University of Illinois in a position other than police  
10 officer or firefighter, from the date of that transfer  
11 until the employee's next termination of service with the  
12 University of Illinois.

13 (b) For a Tier 1 member, the retirement annuity provided  
14 under Rules 1 and 3 above shall be reduced by 1/2 of 1% for each  
15 month the participant is under age 60 at the time of  
16 retirement. However, this reduction shall not apply in the  
17 following cases:

18 (1) For a disabled participant whose disability  
19 benefits have been discontinued because he or she has  
20 exhausted eligibility for disability benefits under clause  
21 (6) of Section 15-152;

22 (2) For a participant who has at least the number of  
23 years of service required to retire at any age under  
24 subsection (a) of Section 15-135; or

25 (3) For that portion of a retirement annuity which has  
26 been provided on account of service of the participant

1           during periods when he or she performed the duties of a  
2           police officer or firefighter, if these duties were  
3           performed for at least 5 years immediately preceding the  
4           date the retirement annuity is to begin.

5           (b-5) The retirement annuity of a Tier 2 member who is  
6           retiring after attaining age 62 with at least 10 years of  
7           service credit shall be reduced by 1/2 of 1% for each full  
8           month that the member's age is under age 67.

9           (c) The maximum retirement annuity provided under Rules 1,  
10          2, 4, and 5 shall be the lesser of (1) the annual limit of  
11          benefits as specified in Section 415 of the Internal Revenue  
12          Code of 1986, as such Section may be amended from time to time  
13          and as such benefit limits shall be adjusted by the  
14          Commissioner of Internal Revenue, and (2) 80% of final rate of  
15          earnings.

16          (d) A Tier 1 member whose status as an employee terminates  
17          after August 14, 1969 shall receive automatic increases in his  
18          or her retirement annuity as follows:

19               Effective January 1 immediately following the date the  
20               retirement annuity begins, the annuitant shall receive an  
21               increase in his or her monthly retirement annuity of 0.125% of  
22               the monthly retirement annuity provided under Rule 1, Rule 2,  
23               Rule 3, or Rule 4 contained in this Section, multiplied by the  
24               number of full months which elapsed from the date the  
25               retirement annuity payments began to January 1, 1972, plus  
26               0.1667% of such annuity, multiplied by the number of full

1 months which elapsed from January 1, 1972, or the date the  
2 retirement annuity payments began, whichever is later, to  
3 January 1, 1978, plus 0.25% of such annuity multiplied by the  
4 number of full months which elapsed from January 1, 1978, or  
5 the date the retirement annuity payments began, whichever is  
6 later, to the effective date of the increase.

7 The annuitant shall receive an increase in his or her  
8 monthly retirement annuity on each January 1 thereafter during  
9 the annuitant's life of 3% of the monthly annuity provided  
10 under Rule 1, Rule 2, Rule 3, or Rule 4 contained in this  
11 Section. The change made under this subsection by P.A. 81-970  
12 is effective January 1, 1980 and applies to each annuitant  
13 whose status as an employee terminates before or after that  
14 date.

15 Beginning January 1, 1990, all automatic annual increases  
16 payable under this Section shall be calculated as a percentage  
17 of the total annuity payable at the time of the increase,  
18 including all increases previously granted under this Article.

19 The change made in this subsection by P.A. 85-1008 is  
20 effective January 26, 1988, and is applicable without regard to  
21 whether status as an employee terminated before that date.

22 (d-1) Notwithstanding any other provision of this Article  
23 to the contrary, the automatic annual increase in retirement  
24 annuity for a Tier 1 member who elects the early retirement  
25 incentive under Section 15-136.5 shall be calculated at 3% or  
26 the annual unadjusted percentage increase (but not less than



1 zero) in the consumer price index-u for the 12 months ending  
2 with the September preceding each November 1, whichever is  
3 less, of the originally granted retirement annuity. If the  
4 annual unadjusted percentage change in the consumer price  
5 index-u for the 12 months ending with the September preceding  
6 each November 1 is zero or there is a decrease, then the  
7 annuity shall not be increased.

8 (d-5) A retirement annuity of a Tier 2 member shall receive  
9 annual increases on the January 1 occurring either on or after  
10 the attainment of age 67 or the first anniversary of the  
11 annuity start date, whichever is later. Each annual increase  
12 shall be calculated at 3% or one half the annual unadjusted  
13 percentage increase (but not less than zero) in the consumer  
14 price index-u for the 12 months ending with the September  
15 preceding each November 1, whichever is less, of the originally  
16 granted retirement annuity. If the annual unadjusted  
17 percentage change in the consumer price index-u for the 12  
18 months ending with the September preceding each November 1 is  
19 zero or there is a decrease, then the annuity shall not be  
20 increased.

21 (e) If, on January 1, 1987, or the date the retirement  
22 annuity payment period begins, whichever is later, the sum of  
23 the retirement annuity provided under Rule 1 or Rule 2 of this  
24 Section and the automatic annual increases provided under the  
25 preceding subsection or Section 15-136.1, amounts to less than  
26 the retirement annuity which would be provided by Rule 3, the

1 retirement annuity shall be increased as of January 1, 1987, or  
2 the date the retirement annuity payment period begins,  
3 whichever is later, to the amount which would be provided by  
4 Rule 3 of this Section. Such increased amount shall be  
5 considered as the retirement annuity in determining benefits  
6 provided under other Sections of this Article. This paragraph  
7 applies without regard to whether status as an employee  
8 terminated before the effective date of this amendatory Act of  
9 1987, provided that the annuitant was employed at least  
10 one-half time during the period on which the final rate of  
11 earnings was based.

12 (f) A participant is entitled to such additional annuity as  
13 may be provided on an actuarially equivalent basis, by any  
14 accumulated additional contributions to his or her credit.  
15 However, the additional contributions made by the participant  
16 toward the automatic increases in annuity provided under this  
17 Section shall not be taken into account in determining the  
18 amount of such additional annuity.

19 (g) If, (1) by law, a function of a governmental unit, as  
20 defined by Section 20-107 of this Code, is transferred in whole  
21 or in part to an employer, and (2) a participant transfers  
22 employment from such governmental unit to such employer within  
23 6 months after the transfer of the function, and (3) the sum of  
24 (A) the annuity payable to the participant under Rule 1, 2, or  
25 3 of this Section (B) all proportional annuities payable to the  
26 participant by all other retirement systems covered by Article

1 20, and (C) the initial primary insurance amount to which the  
2 participant is entitled under the Social Security Act, is less  
3 than the retirement annuity which would have been payable if  
4 all of the participant's pension credits validated under  
5 Section 20-109 had been validated under this system, a  
6 supplemental annuity equal to the difference in such amounts  
7 shall be payable to the participant.

8 (h) On January 1, 1981, an annuitant who was receiving a  
9 retirement annuity on or before January 1, 1971 shall have his  
10 or her retirement annuity then being paid increased \$1 per  
11 month for each year of creditable service. On January 1, 1982,  
12 an annuitant whose retirement annuity began on or before  
13 January 1, 1977, shall have his or her retirement annuity then  
14 being paid increased \$1 per month for each year of creditable  
15 service.

16 (i) On January 1, 1987, any annuitant whose retirement  
17 annuity began on or before January 1, 1977, shall have the  
18 monthly retirement annuity increased by an amount equal to 8¢  
19 per year of creditable service times the number of years that  
20 have elapsed since the annuity began.

21 (Source: P.A. 97-933, eff. 8-10-12; 97-968, eff. 8-16-12;  
22 98-92, eff. 7-16-13.)

23 (40 ILCS 5/15-136.4)

24 Sec. 15-136.4. Retirement and Survivor Benefits Under  
25 Portable Benefit Package.

1           (a) This Section 15-136.4 describes the form of annuity and  
2 survivor benefits available to a participant who has elected  
3 the portable benefit package and has completed the one-year  
4 waiting period required under subsection (e) of Section  
5 15-134.5. For purposes of this Section, the term "eligible  
6 spouse" means the husband or wife of a participant to whom the  
7 participant is married on the date the participant's annuity  
8 payment period begins, provided however, that if the  
9 participant should die prior to the commencement of retirement  
10 annuity benefits, then "eligible spouse" means the husband or  
11 wife, if any, to whom the participant was married throughout  
12 the one-year period preceding the date of his or her death.

13           (b) This subsection (b) describes the normal form of  
14 annuity payable to a participant subject to this Section  
15 15-136.4. If the participant is unmarried on the date his or  
16 her annuity payment period begins, then the annuity payments  
17 shall be made in the form of a single-life annuity as described  
18 in Section 15-118. If the participant is married on the date  
19 his or her annuity payments commence, then the annuity payments  
20 shall be paid in the form of a qualified joint and survivor  
21 annuity that is the actuarial equivalent of the single-life  
22 annuity. Under the "qualified joint and survivor annuity", a  
23 reduced amount shall be paid to the participant for his or her  
24 lifetime and his or her eligible spouse, if surviving at the  
25 participant's death, shall be entitled to receive thereafter a  
26 lifetime survivorship annuity in a monthly amount equal to 50%

1 of the reduced monthly amount that was payable to the  
2 participant. The last payment of a qualified joint and survivor  
3 annuity shall be made as of the first day of the month in which  
4 the death of the survivor occurs.

5 (c) Instead of the normal form of annuity that would be  
6 paid under subsection (b), a participant may elect in writing  
7 within the 180-day period prior to the date his or her annuity  
8 payments commence to waive the normal form of annuity payment  
9 and receive an optional form of payment as described in  
10 subsection (h). If the participant is married and elects an  
11 optional form of payment under subsection (h) other than a  
12 joint and survivor annuity with the eligible spouse designated  
13 as the contingent annuitant, then such election shall require  
14 the consent of his or her eligible spouse in the manner  
15 described in subsection (d). At any time during the 180-day  
16 period preceding the date the participant's payment period  
17 begins, the participant may revoke the optional form of payment  
18 elected under this subsection (c) and reinstate coverage under  
19 the qualified joint and survivor annuity without the spouse's  
20 consent, but an election to revoke the optional form elected  
21 and elect a new optional form of payment or designate a  
22 different contingent annuitant shall not be effective without  
23 the eligible spouse's consent.

24 (d) The eligible spouse's consent to any election made  
25 pursuant to this Section that requires the eligible spouse's  
26 consent shall be in writing and shall acknowledge the effect of

1 the consent. In addition, the eligible spouse's signature on  
2 the written consent must be witnessed by a notary public. The  
3 eligible spouse's consent need not be obtained if the system is  
4 satisfied that there is no eligible spouse, that the eligible  
5 spouse cannot be located, or because of any other relevant  
6 circumstances. An eligible spouse's consent under this Section  
7 is valid only with respect to the specified optional form of  
8 payment and, if applicable, contingent annuitant designated by  
9 the participant. If the optional form of payment or the  
10 contingent annuitant is subsequently changed (other than by a  
11 revocation of the optional form of payment and reinstatement of  
12 the qualified joint and survivor annuity), a new consent by the  
13 eligible spouse is required. The eligible spouse's consent to  
14 an election made by a participant pursuant to this Section,  
15 once made, may not be revoked by the eligible spouse.

16 (e) Within a reasonable period of time preceding the date a  
17 participant's annuity commences, a participant shall be  
18 supplied with a written explanation of (1) the terms and  
19 conditions of the normal form single-life annuity and qualified  
20 joint and survivor annuity, (2) the participant's right to  
21 elect a single-life annuity or an optional form of payment  
22 under subsection (h) subject to his or her eligible spouse's  
23 consent, if applicable, and (3) the participant's right to  
24 reinstate coverage under the qualified joint and survivor  
25 annuity prior to his or her annuity commencement date by  
26 revoking an election of an optional form of payment under

1 subsection (h).

2 (f) If a married participant with at least 1.5 years of  
3 service dies prior to commencing retirement annuity payments  
4 and prior to taking a refund under Section 15-154, his or her  
5 eligible spouse is entitled to receive a pre-retirement  
6 survivor annuity, if there is not then in effect a waiver of  
7 the pre-retirement survivor annuity. The pre-retirement  
8 survivor annuity payable under this subsection shall be a  
9 monthly annuity payable for the eligible spouse's life,  
10 commencing as of the beginning of the month next following the  
11 later of the date of the participant's death or the date the  
12 participant would have first met the eligibility requirements  
13 for retirement, and continuing through the beginning of the  
14 month in which the death of the eligible spouse occurs. The  
15 monthly amount payable to the spouse under the pre-retirement  
16 survivor annuity shall be equal to the monthly amount that  
17 would be payable as a survivor annuity under the qualified  
18 joint and survivor annuity described in subsection (b) if: (1)  
19 in the case of a participant who dies on or after the date on  
20 which the participant has met the eligibility requirements for  
21 retirement, the participant had retired with an immediate  
22 qualified joint and survivor annuity on the day before the  
23 participant's date of death; or (2) in the case of a  
24 participant who dies before the earliest date on which the  
25 participant would have met the eligibility requirements for  
26 retirement age, the participant had separated from service on

1 the date of death, survived to the earliest retirement age  
2 based on service prior to his or her death, retired with an  
3 immediate qualified joint and survivor annuity at the earliest  
4 retirement age, and died on the day after the day on which the  
5 participant would have attained the earliest retirement age.

6 (g) A married participant who has not retired may elect at  
7 any time to waive the pre-retirement survivor annuity described  
8 in subsection (f). Any such election shall require the consent  
9 of the participant's eligible spouse in the manner described in  
10 subsection (d). A waiver of the pre-retirement survivor annuity  
11 shall increase the lump sum death benefit payable under  
12 subsection (b) of Section 15-141. Prior to electing any waiver  
13 of the pre-retirement survivor annuity, the participant shall  
14 be provided with a written explanation of (1) the terms and  
15 conditions of the pre-retirement survivor annuity and the death  
16 benefits payable from the system both with and without the  
17 pre-retirement survivor annuity, (2) the participant's right  
18 to elect a waiver of the pre-retirement survivor annuity  
19 coverage subject to his or her spouse's consent, and (3) the  
20 participant's right to reinstate pre-retirement survivor  
21 annuity coverage at any time by revoking a prior waiver of such  
22 coverage.

23 (h) By filing a timely election with the system, a  
24 participant who will be eligible to receive a retirement  
25 annuity under this Section may waive the normal form of annuity  
26 payment described in subsection (b), subject to obtaining the



1 consent of his or her eligible spouse, if applicable, and elect  
2 to receive any one of the following optional forms of payment:

3 (1) Joint and Survivor Annuity Options: The  
4 participant may elect to receive a reduced annuity payable  
5 for his or her life and to have a lifetime survivorship  
6 annuity in a monthly amount equal to 50%, 75%, or 100% (as  
7 elected by the participant) of that reduced monthly amount,  
8 to be paid after the participant's death to his or her  
9 contingent annuitant, if the contingent annuitant is alive  
10 at the time of the participant's death.

11 (2) Single-Life Annuity Option (optional for married  
12 participants). The participant may elect to receive a  
13 single-life annuity payable for his or her life only.

14 (3) Lump sum retirement benefit. The participant may  
15 elect to receive a lump sum retirement benefit that is  
16 equal to the amount of a refund payable under Section  
17 15-154(a-2).

18 All joint and survivor annuity forms shall be in an amount that  
19 is the actuarial equivalent of the single-life annuity.

20 For the purposes of this Section, the term "contingent  
21 annuitant" means the beneficiary who is designated by a  
22 participant at the time the participant elects a joint and  
23 survivor annuity to receive the lifetime survivorship annuity  
24 in the event the beneficiary survives the participant at the  
25 participant's death.

26 (i) Under no circumstances may an option be elected,

1 changed, or revoked after the date the participant's retirement  
2 annuity commences.

3 (j) An election made pursuant to subsection (h) shall  
4 become inoperative if the participant or the contingent  
5 annuitant dies before the date the participant's annuity  
6 payments commence, or if the eligible spouse's consent is  
7 required and not given.

8 (k) (Blank).

9 (l) The automatic annual increases described in subsection  
10 (d) of Section 15-136 shall apply to retirement benefits under  
11 the portable benefit package and the automatic annual increases  
12 described in subsection (j) of Section 15-145 shall apply to  
13 survivor benefits under the portable benefit package; however,  
14 for a Tier 1 member in the portable benefit package who elected  
15 the early retirement incentive under Section 15-136.5, the  
16 automatic annual increases described in subsection (d-1) of  
17 Section 15-136 shall apply to his or her retirement benefits  
18 under the portable benefit package and the automatic annual  
19 increases described in subsection (j-5) of Section 15-145 shall  
20 apply to the survivor benefits under the portable benefit  
21 package.

22 (Source: P.A. 96-586, eff. 8-18-09; 97-933, eff. 8-10-12;  
23 97-968, eff. 8-16-12.)

24 (40 ILCS 5/15-136.5 new)

25 Sec. 15-136.5. Early retirement incentive for certain Tier

1 1 members.

2 (a) This Section provides an age enhancement and additional  
3 service credit as an early retirement incentive for certain  
4 Tier 1 members who elect to have their automatic annual  
5 increase in retirement annuity determined in accordance with  
6 subsection (d-1) of Section 15-136 and any annual increase in  
7 survivor benefits payable to their beneficiaries determined in  
8 the manner provided in subsection (j-5) of Section 15-145. To  
9 be eligible for the age enhancement and additional service  
10 credit, a person must:

11 (1) be a Tier 1 member of this System who, on or after  
12 the effective date of this amendatory Act of the 101st  
13 General Assembly, is (i) participating in this System as a  
14 full-time employee, (ii) on layoff status from such a  
15 position with a right of re-employment or recall to  
16 service, or (iii) on disability or a leave of absence from  
17 such a position, but only if the member is not receiving a  
18 disability retirement annuity under Section 15-153.2;

19 (2) not be a participant in the self-managed plan;

20 (3) have never previously received a retirement  
21 annuity under this Article, except that receipt of a  
22 disability retirement annuity does not disqualify a member  
23 if the annuity has been terminated and the member has  
24 returned to full-time employment under this Article before  
25 the effective date of his or her election under subsection

26 (b);

1           (4) not have a Qualified Illinois Domestic Relations  
2           Order in effect against him or her;

3           (5) file with the Board and the employer a written  
4           application electing to receive the age enhancement and  
5           additional service credit under this Section and a notice  
6           of resignation from employment, which resignation must  
7           take effect no later than the effective date of that  
8           election;

9           (6) have accrued sufficient service credit to be  
10           eligible to receive a retirement annuity under this  
11           Article;

12           (7) have attained age 55 (without the use of any age  
13           enhancement to be received under this Section) at the time  
14           of filing an application requesting an age enhancement  
15           under this Section; and

16           (8) not have made the election under Section 15-185.5  
17           or 15-185.6.

18           (b) For an eligible member who elects to receive the age  
19           enhancement and additional service credit under this Section,  
20           the amount of age enhancement shall be equal to the applicable  
21           minimum age for an undiscounted retirement annuity (based on  
22           the amount of creditable service the member has on the  
23           effective date of the election) minus the member's actual age  
24           on the effective date of the election. The amount of service  
25           credit established shall be equal to the amount of the age  
26           enhancement granted. The amount of service credit under this

1 Section shall not exceed 5 years, and the amount of age  
2 enhancement under this Section shall not exceed 5 years.

3 The service credit established under this Section may be  
4 used for all purposes under this Article and the Retirement  
5 Systems Reciprocal Act, except for the computation of final  
6 rate of earnings, or the determination of earnings or  
7 compensation under this or any other Article of the Code.

8 The age enhancement established under this Section may be  
9 used for all purposes under this Article (including calculation  
10 of a proportionate annuity payable by this System under the  
11 Retirement Systems Reciprocal Act), except for purposes of a  
12 reversionary annuity under Section 15-140 and the retirement  
13 annuity under Rule 2 of Section 15-136. Age enhancement  
14 established under this Section shall not be used in determining  
15 benefits payable by any other participating system under the  
16 Retirement Systems Reciprocal Act.

17 (c) Notwithstanding Sections 15-136, 15-136.4, and 15-145,  
18 in exchange for the age enhancement and additional service  
19 credit under this Section, a member who elects the age  
20 enhancement and service credit under this Section agrees to  
21 have his or her annual increases in retirement annuity  
22 determined in the manner provided in subsection (d-1) of  
23 Section 15-136 and any increase in survivor benefits payable to  
24 his or her beneficiary determined in the manner provided in  
25 subsection (j-5) of Section 15-145.

26 (d) An employer may offer additional incentives to induce a

1 member to elect the age enhancement and additional service  
2 credit under this Section. However, any such incentive shall  
3 not be included in the determination of earnings for the  
4 purposes of this Article.

5 (e) A person who returns to service under this Article  
6 after receiving any age enhancement or service credit under  
7 this Section thereby irrevocably forfeits that age enhancement  
8 and service credit and remains ineligible for any other early  
9 retirement benefit under this Article.

10 (f) The Board may adopt rules to implement this Section.

11 (40 ILCS 5/15-145) (from Ch. 108 1/2, par. 15-145)

12 Sec. 15-145. Survivors insurance benefits; conditions and  
13 amounts.

14 (a) The survivors insurance benefits provided under this  
15 Section shall be payable to the eligible survivors of a Tier 1  
16 member covered under the traditional benefit package upon the  
17 death of (1) a participating employee with at least 1 1/2 years  
18 of service, (2) a participant who terminated employment with at  
19 least 10 years of service, and (3) an annuitant in receipt of a  
20 retirement annuity or disability retirement annuity under this  
21 Article.

22 Service under the State Employees' Retirement System of  
23 Illinois, the Teachers' Retirement System of the State of  
24 Illinois and the Public School Teachers' Pension and Retirement  
25 Fund of Chicago shall be considered in determining eligibility

1 for survivors benefits under this Section.

2 If by law, a function of a governmental unit, as defined by  
3 Section 20-107, is transferred in whole or in part to an  
4 employer, and an employee transfers employment from this  
5 governmental unit to such employer within 6 months after the  
6 transfer of this function, the service credits in the  
7 governmental unit's retirement system which have been  
8 validated under Section 20-109 shall be considered in  
9 determining eligibility for survivors benefits under this  
10 Section.

11 (b) A surviving spouse of a deceased participant, or of a  
12 deceased annuitant who did not take a refund or additional  
13 annuity consisting of accumulated survivors insurance  
14 contributions or who repaid the refund or additional annuity,  
15 shall receive a survivors annuity of 30% of the final rate of  
16 earnings. Payments shall begin on the day following the  
17 participant's or annuitant's death or the date the surviving  
18 spouse attains age 50, whichever is later, and continue until  
19 the death of the surviving spouse. The annuity shall be payable  
20 to the surviving spouse prior to attainment of age 50 if the  
21 surviving spouse has in his or her care a deceased  
22 participant's or annuitant's dependent unmarried child under  
23 age 18 (under age 22 if a full-time student) who is eligible  
24 for a survivors annuity.

25 Remarriage of a surviving spouse prior to attainment of age  
26 55 that occurs before the effective date of this amendatory Act

1 of the 91st General Assembly shall disqualify him or her for  
2 the receipt of a survivors annuity until July 6, 2000.

3 A surviving spouse whose survivors annuity has been  
4 terminated due to remarriage may apply for reinstatement of  
5 that annuity. The reinstated annuity shall begin to accrue on  
6 July 6, 2000, except that if, on July 6, 2000, the annuity is  
7 payable to an eligible surviving child or parent, payment of  
8 the annuity to the surviving spouse shall not be reinstated  
9 until the annuity is no longer payable to any eligible  
10 surviving child or parent. The reinstated annuity shall include  
11 any one-time or annual increases received prior to the date of  
12 termination, as well as any increases that would otherwise have  
13 accrued from the date of termination to the date of  
14 reinstatement. An eligible surviving spouse whose expectation  
15 of receiving a survivors annuity was lost due to remarriage  
16 before attainment of age 50 shall also be entitled to  
17 reinstatement under this subsection, but the resulting  
18 survivors annuity shall not begin to accrue sooner than upon  
19 the surviving spouse's attainment of age 50.

20 The changes made to this subsection by this amendatory Act  
21 of the 92nd General Assembly (pertaining to remarriage prior to  
22 age 55 or 50) apply without regard to whether the deceased  
23 participant or annuitant was in service on or after the  
24 effective date of this amendatory Act.

25 (c) Each dependent unmarried child under age 18 (under age  
26 22 if a full-time student) of a deceased participant, or of a



1 deceased annuitant who did not take a refund or additional  
2 annuity consisting of accumulated survivors insurance  
3 contributions or who repaid the refund or additional annuity,  
4 shall receive a survivors annuity equal to the sum of (1) 20%  
5 of the final rate of earnings, and (2) 10% of the final rate of  
6 earnings divided by the number of children entitled to this  
7 benefit. Payments shall begin on the day following the  
8 participant's or annuitant's death and continue until the child  
9 marries, dies, or attains age 18 (age 22 if a full-time  
10 student). If the child is in the care of a surviving spouse who  
11 is eligible for survivors insurance benefits, the child's  
12 benefit shall be paid to the surviving spouse.

13 Each unmarried child over age 18 of a deceased participant  
14 or of a deceased annuitant who had a survivor's insurance  
15 beneficiary at the time of his or her retirement, and who was  
16 dependent upon the participant or annuitant by reason of a  
17 physical or mental disability which began prior to the date the  
18 child attained age 18 (age 22 if a full-time student), shall  
19 receive a survivor's annuity equal to the sum of (1) 20% of the  
20 final rate of earnings, and (2) 10% of the final rate of  
21 earnings divided by the number of children entitled to  
22 survivors benefits. Payments shall begin on the day following  
23 the participant's or annuitant's death and continue until the  
24 child marries, dies, or is no longer disabled. If the child is  
25 in the care of a surviving spouse who is eligible for survivors  
26 insurance benefits, the child's benefit may be paid to the

1 surviving spouse. For the purposes of this Section, disability  
2 means inability to engage in any substantial gainful activity  
3 by reason of any medically determinable physical or mental  
4 impairment that can be expected to result in death or that has  
5 lasted or can be expected to last for a continuous period of at  
6 least one year.

7 (d) Each dependent parent of a deceased participant, or of  
8 a deceased annuitant who did not take a refund or additional  
9 annuity consisting of accumulated survivors insurance  
10 contributions or who repaid the refund or additional annuity,  
11 shall receive a survivors annuity equal to the sum of (1) 20%  
12 of final rate of earnings, and (2) 10% of final rate of  
13 earnings divided by the number of parents who qualify for the  
14 benefit. Payments shall begin when the parent reaches age 55 or  
15 the day following the participant's or annuitant's death,  
16 whichever is later, and continue until the parent dies.  
17 Remarriage of a parent prior to attainment of age 55 shall  
18 disqualify the parent for the receipt of a survivors annuity.

19 (e) In addition to the survivors annuity provided above,  
20 each survivors insurance beneficiary shall, upon death of the  
21 participant or annuitant, receive a lump sum payment of \$1,000  
22 divided by the number of such beneficiaries.

23 (f) The changes made in this Section by Public Act 81-712  
24 pertaining to survivors annuities in cases of remarriage prior  
25 to age 55 shall apply to each survivors insurance beneficiary  
26 who remarries after June 30, 1979, regardless of the date that

1 the participant or annuitant terminated his employment or died.

2 The change made to this Section by this amendatory Act of  
3 the 91st General Assembly, pertaining to remarriage prior to  
4 age 55, applies without regard to whether the deceased  
5 participant or annuitant was in service on or after the  
6 effective date of this amendatory Act of the 91st General  
7 Assembly.

8 (g) On January 1, 1981, any person who was receiving a  
9 survivors annuity on or before January 1, 1971 shall have the  
10 survivors annuity then being paid increased by 1% for each full  
11 year which has elapsed from the date the annuity began. On  
12 January 1, 1982, any survivor whose annuity began after January  
13 1, 1971, but before January 1, 1981, shall have the survivor's  
14 annuity then being paid increased by 1% for each year which has  
15 elapsed from the date the survivor's annuity began. On January  
16 1, 1987, any survivor who began receiving a survivor's annuity  
17 on or before January 1, 1977, shall have the monthly survivor's  
18 annuity increased by \$1 for each full year which has elapsed  
19 since the date the survivor's annuity began.

20 (h) If the sum of the lump sum and total monthly survivor  
21 benefits payable under this Section upon the death of a  
22 participant amounts to less than the sum of the death benefits  
23 payable under items (2) and (3) of Section 15-141, the  
24 difference shall be paid in a lump sum to the beneficiary of  
25 the participant who is living on the date that this additional  
26 amount becomes payable.

1 (i) If the sum of the lump sum and total monthly survivor  
2 benefits payable under this Section upon the death of an  
3 annuitant receiving a retirement annuity or disability  
4 retirement annuity amounts to less than the death benefit  
5 payable under Section 15-142, the difference shall be paid to  
6 the beneficiary of the annuitant who is living on the date that  
7 this additional amount becomes payable.

8 (j) Effective on the later of (1) January 1, 1990, or (2)  
9 the January 1 on or next after the date on which the survivor  
10 annuity begins, if the deceased member died while receiving a  
11 retirement annuity, or in all other cases the January 1 nearest  
12 the first anniversary of the date the survivor annuity payments  
13 begin, every survivors insurance beneficiary shall receive an  
14 increase in his or her monthly survivors annuity of 3%. On each  
15 January 1 after the initial increase, the monthly survivors  
16 annuity shall be increased by 3% of the total survivors annuity  
17 provided under this Article, including previous increases  
18 provided by this subsection. Such increases shall apply to the  
19 survivors insurance beneficiaries of each participant and  
20 annuitant, whether or not the employment status of the  
21 participant or annuitant terminates before the effective date  
22 of this amendatory Act of 1990. This subsection (j) also  
23 applies to persons receiving a survivor annuity under the  
24 portable benefit package.

25 (j-5) Notwithstanding any other provision of this Article  
26 to the contrary, the automatic annual increase in the survivors

1 annuity for the survivor of a deceased Tier 1 member who  
2 elected the early retirement incentive under Section 15-136.5  
3 shall be calculated at 3% or the annual unadjusted percentage  
4 increase (but not less than zero) in the consumer price index-u  
5 for the 12 months ending with the September preceding each  
6 November 1, whichever is less, of the originally granted  
7 retirement annuity. If the annual unadjusted percentage change  
8 in the consumer price index-u for the 12 months ending with the  
9 September preceding each November 1 is zero or there is a  
10 decrease, then the annuity shall not be increased.

11 (k) If the Internal Revenue Code of 1986, as amended,  
12 requires that the survivors benefits be payable at an age  
13 earlier than that specified in this Section the benefits shall  
14 begin at the earlier age, in which event, the survivor's  
15 beneficiary shall be entitled only to that amount which is  
16 equal to the actuarial equivalent of the benefits provided by  
17 this Section.

18 (l) The changes made to this Section and Section 15-131 by  
19 this amendatory Act of 1997, relating to benefits for certain  
20 unmarried children who are full-time students under age 22,  
21 apply without regard to whether the deceased member was in  
22 service on or after the effective date of this amendatory Act  
23 of 1997. These changes do not authorize the repayment of a  
24 refund or a re-election of benefits, and any benefit or  
25 increase in benefits resulting from these changes is not  
26 payable retroactively for any period before the effective date

1 of this amendatory Act of 1997.

2 (Source: P.A. 98-92, eff. 7-16-13; 99-682, eff. 7-29-16.)

3 (40 ILCS 5/15-185.5)

4 Sec. 15-185.5. Accelerated pension benefit payment in lieu  
5 of any pension benefit.

6 (a) As used in this Section:

7 "Eligible person" means a person who:

8 (1) has terminated service;

9 (2) has accrued sufficient service credit to be  
10 eligible to receive a retirement annuity under this  
11 Article;

12 (3) has not received any retirement annuity under this  
13 Article;

14 (4) has not made the election under Section 15-136.5 or  
15 15-185.6; and

16 (5) is not a participant in the self-managed plan under  
17 Section 15-158.2.

18 "Implementation date" means the earliest date upon which  
19 the Board authorizes eligible persons to begin irrevocably  
20 electing the accelerated pension benefit payment option under  
21 this Section. The Board shall endeavor to make such  
22 participation available as soon as possible after the effective  
23 date of this amendatory Act of the 100th General Assembly and  
24 shall establish an implementation date by Board resolution.

25 "Pension benefit" means the benefits under this Article, or

1 Article 1 as it relates to those benefits, including any  
2 anticipated annual increases, that an eligible person is  
3 entitled to upon attainment of the applicable retirement age.  
4 "Pension benefit" also includes applicable survivors benefits,  
5 disability benefits, or disability retirement annuity  
6 benefits.

7 (b) Beginning on the implementation date, the System shall  
8 offer each eligible person the opportunity to irrevocably elect  
9 to receive an amount determined by the System to be equal to  
10 60% of the present value of his or her pension benefits in lieu  
11 of receiving any pension benefit. The System shall calculate,  
12 using actuarial tables and other assumptions adopted by the  
13 Board, the present value of pension benefits for each eligible  
14 person upon his or her request in writing to the System. The  
15 System shall not perform more than one calculation per eligible  
16 member in a State fiscal year. The offer shall specify the  
17 dollar amount that the eligible person will receive if he or  
18 she so elects and shall expire when a subsequent offer is made  
19 to an eligible person. The System shall make a good faith  
20 effort to contact every eligible person to notify him or her of  
21 the election.

22 Beginning on the implementation date and until June 30,  
23 2021, an eligible person may irrevocably elect to receive an  
24 accelerated pension benefit payment in the amount that the  
25 System offers under this subsection in lieu of receiving any  
26 pension benefit. A person who elects to receive an accelerated

1 pension benefit payment under this Section may not elect to  
2 proceed under the Retirement Systems Reciprocal Act with  
3 respect to service under this Article.

4 (c) Upon payment of an accelerated pension benefit payment  
5 under this Section, the person forfeits all accrued rights and  
6 credits in the System and no other benefit shall be paid under  
7 this Article based on those forfeited rights and credits,  
8 including any retirement, survivor, or other benefit; except  
9 that to the extent that participation, benefits, or premiums  
10 under the State Employees Group Insurance Act of 1971 are based  
11 on the amount of service credit, the terminated service credit  
12 shall be used for that purpose.

13 (d) If a person who has received an accelerated pension  
14 benefit payment under this Section returns to participation  
15 under this Article, any benefits under the System earned as a  
16 result of that return to participation shall be based solely on  
17 the person's credits and creditable service arising from the  
18 return to participation. Upon return to participation, the  
19 person shall be considered a new employee subject to all the  
20 qualifying conditions for participation and eligibility for  
21 benefits applicable to new employees.

22 (d-5) The accelerated pension benefit payment may not be  
23 repaid to the System, and the forfeited rights and credits may  
24 not under any circumstances be reinstated.

25 (e) As a condition of receiving an accelerated pension  
26 benefit payment, the accelerated pension benefit payment must



1 be deposited into a tax qualified retirement plan or account  
2 identified by the eligible person at the time of the election.  
3 The accelerated pension benefit payment under this Section may  
4 be subject to withholding or payment of applicable taxes, but  
5 to the extent permitted by federal law, a person who receives  
6 an accelerated pension benefit payment under this Section must  
7 direct the System to pay all of that payment as a rollover into  
8 another retirement plan or account qualified under the Internal  
9 Revenue Code of 1986, as amended.

10 (f) The System shall submit vouchers to the State  
11 Comptroller for the payment of accelerated pension benefit  
12 payments under this Section. The State Comptroller shall pay  
13 the amounts of the vouchers from the State Pension Obligation  
14 Acceleration Bond Fund to the System, and the System shall  
15 deposit the amounts into the applicable tax qualified plans or  
16 accounts.

17 (g) The Board shall adopt any rules, including emergency  
18 rules, necessary to implement this Section.

19 (h) No provision of this Section shall be interpreted in a  
20 way that would cause the System to cease to be a qualified plan  
21 under the Internal Revenue Code of 1986.

22 (Source: P.A. 100-587, eff. 6-4-18.)

23 (40 ILCS 5/15-185.6)

24 Sec. 15-185.6. Accelerated pension benefit payment for a  
25 reduction in an annual increase to a retirement annuity and an

1 annuity benefit payable as a result of death.

2 (a) As used in this Section:

3 "Accelerated pension benefit payment" means a lump sum  
4 payment equal to 70% of the difference of: (i) the present  
5 value of the automatic annual increases to a Tier 1 member's  
6 retirement annuity, including any increases to any annuity  
7 benefit payable as a result of his or her death, using the  
8 formula applicable to the Tier 1 member; and (ii) the present  
9 value of the automatic annual increases to the Tier 1 member's  
10 retirement annuity, including any increases to any annuity  
11 benefit payable as a result of his or her death, using the  
12 formula provided under subsection (b-5).

13 "Eligible person" means a person who:

14 (1) is a Tier 1 member;

15 (2) has submitted an application for a retirement  
16 annuity under this Article;

17 (3) meets the age and service requirements for  
18 receiving a retirement annuity under this Article;

19 (4) has not received any retirement annuity under this  
20 Article;

21 (5) has not made the election under Section 15-136.5 or  
22 15-185.5; and

23 (6) is not a participant in the self-managed plan under  
24 Section 15-158.2.

25 "Implementation date" means the earliest date upon which  
26 the Board authorizes eligible persons to begin irrevocably

1 electing the accelerated pension benefit payment option under  
2 this Section. The Board shall endeavor to make such  
3 participation available as soon as possible after the effective  
4 date of this amendatory Act of the 100th General Assembly and  
5 shall establish an implementation date by Board resolution.

6 (b) Beginning on the implementation date and until June 30,  
7 2021, the System shall implement an accelerated pension benefit  
8 payment option for eligible persons. The System shall  
9 calculate, using actuarial tables and other assumptions  
10 adopted by the Board, an accelerated pension benefit payment  
11 amount for an eligible person upon his or her request in  
12 writing to the System and shall offer that eligible person the  
13 opportunity to irrevocably elect to have his or her automatic  
14 annual increases in retirement annuity and any annuity benefit  
15 payable as a result of his or her death calculated in  
16 accordance with the formula provided in subsection (b-5) in  
17 exchange for the accelerated pension benefit payment. The  
18 System shall not perform more than one calculation under this  
19 Section per eligible person in a State fiscal year. The  
20 election under this subsection must be made before any  
21 retirement annuity is paid to the eligible person, and the  
22 eligible survivor, spouse, or contingent annuitant, as  
23 applicable, must consent to the election under this subsection.

24 (b-5) Notwithstanding any other provision of law, the  
25 retirement annuity of a person who made the election under  
26 subsection (b) shall be increased annually beginning on the

1 January 1 occurring either on or after the attainment of age 67  
2 or the first anniversary of the annuity start date, whichever  
3 is later, and any annuity benefit payable as a result of his or  
4 her death shall be increased annually beginning on: (1) the  
5 January 1 occurring on or after the commencement of the annuity  
6 if the deceased Tier 1 member died while receiving a retirement  
7 annuity; or (2) the January 1 occurring after the first  
8 anniversary of the commencement of the benefit. Each annual  
9 increase shall be calculated at 1.5% of the originally granted  
10 retirement annuity or annuity benefit payable as a result of  
11 the Tier 1 member's death.

12 (c) If an annuitant who has received an accelerated pension  
13 benefit payment returns to participation under this Article,  
14 the calculation of any future automatic annual increase in  
15 retirement annuity under subsection (c) of Section 15-139 shall  
16 be calculated in accordance with the formula provided in  
17 subsection (b-5).

18 (c-5) The accelerated pension benefit payment may not be  
19 repaid to the System.

20 (d) As a condition of receiving an accelerated pension  
21 benefit payment, the accelerated pension benefit payment must  
22 be deposited into a tax qualified retirement plan or account  
23 identified by the eligible person at the time of election. The  
24 accelerated pension benefit payment under this Section may be  
25 subject to withholding or payment of applicable taxes, but to  
26 the extent permitted by federal law, a person who receives an

1 accelerated pension benefit payment under this Section must  
2 direct the System to pay all of that payment as a rollover into  
3 another retirement plan or account qualified under the Internal  
4 Revenue Code of 1986, as amended.

5 (d-5) The System shall submit vouchers to the State  
6 Comptroller for the payment of accelerated pension benefit  
7 payments under this Section. The State Comptroller shall pay  
8 the amounts of the vouchers from the State Pension Obligation  
9 Acceleration Bond Fund to the System, and the System shall  
10 deposit the amounts into the applicable tax qualified plans or  
11 accounts.

12 (e) The Board shall adopt any rules, including emergency  
13 rules, necessary to implement this Section.

14 (f) No provision of this Section shall be interpreted in a  
15 way that would cause the System to cease to be a qualified plan  
16 under the Internal Revenue Code of 1986.

17 (Source: P.A. 100-587, eff. 6-4-18.)

18 (40 ILCS 5/15-198)

19 Sec. 15-198. Application and expiration of new benefit  
20 increases.

21 (a) As used in this Section, "new benefit increase" means  
22 an increase in the amount of any benefit provided under this  
23 Article, or an expansion of the conditions of eligibility for  
24 any benefit under this Article, that results from an amendment  
25 to this Code that takes effect after the effective date of this

1 amendatory Act of the 94th General Assembly. "New benefit  
2 increase", however, does not include any benefit increase  
3 resulting from the changes made to Article 1 or this Article by  
4 Public Act 100-23, Public Act 100-587, Public Act 100-769, or  
5 this amendatory Act of the 101st General Assembly ~~or this~~  
6 ~~amendatory Act of the 100th General Assembly.~~

7 (b) Notwithstanding any other provision of this Code or any  
8 subsequent amendment to this Code, every new benefit increase  
9 is subject to this Section and shall be deemed to be granted  
10 only in conformance with and contingent upon compliance with  
11 the provisions of this Section.

12 (c) The Public Act enacting a new benefit increase must  
13 identify and provide for payment to the System of additional  
14 funding at least sufficient to fund the resulting annual  
15 increase in cost to the System as it accrues.

16 Every new benefit increase is contingent upon the General  
17 Assembly providing the additional funding required under this  
18 subsection. The Commission on Government Forecasting and  
19 Accountability shall analyze whether adequate additional  
20 funding has been provided for the new benefit increase and  
21 shall report its analysis to the Public Pension Division of the  
22 Department of Insurance. A new benefit increase created by a  
23 Public Act that does not include the additional funding  
24 required under this subsection is null and void. If the Public  
25 Pension Division determines that the additional funding  
26 provided for a new benefit increase under this subsection is or

1 has become inadequate, it may so certify to the Governor and  
2 the State Comptroller and, in the absence of corrective action  
3 by the General Assembly, the new benefit increase shall expire  
4 at the end of the fiscal year in which the certification is  
5 made.

6 (d) Every new benefit increase shall expire 5 years after  
7 its effective date or on such earlier date as may be specified  
8 in the language enacting the new benefit increase or provided  
9 under subsection (c). This does not prevent the General  
10 Assembly from extending or re-creating a new benefit increase  
11 by law.

12 (e) Except as otherwise provided in the language creating  
13 the new benefit increase, a new benefit increase that expires  
14 under this Section continues to apply to persons who applied  
15 and qualified for the affected benefit while the new benefit  
16 increase was in effect and to the affected beneficiaries and  
17 alternate payees of such persons, but does not apply to any  
18 other person, including without limitation a person who  
19 continues in service after the expiration date and did not  
20 apply and qualify for the affected benefit while the new  
21 benefit increase was in effect.

22 (Source: P.A. 100-23, eff. 7-6-17; 100-587, eff. 6-4-18;  
23 100-769, eff. 8-10-18; revised 9-26-18.)

24 (40 ILCS 5/16-133.1) (from Ch. 108 1/2, par. 16-133.1)

25 (Text of Section WITHOUT the changes made by P.A. 98-599,

1 which has been held unconstitutional)

2 Sec. 16-133.1. Automatic annual increase in annuity.

3 (a) Each member with creditable service and retiring on or  
4 after August 26, 1969 is entitled to the automatic annual  
5 increases in annuity provided under this Section while  
6 receiving a retirement annuity or disability retirement  
7 annuity from the system.

8 An annuitant shall first be entitled to an initial increase  
9 under this Section on the January 1 next following the first  
10 anniversary of retirement, or January 1 of the year next  
11 following attainment of age 61, whichever is later. At such  
12 time, the system shall pay an initial increase determined as  
13 follows:

14 (1) 1.5% of the originally granted retirement annuity  
15 or disability retirement annuity multiplied by the number  
16 of years elapsed, if any, from the date of retirement until  
17 January 1, 1972, plus

18 (2) 2% of the originally granted annuity multiplied by  
19 the number of years elapsed, if any, from the date of  
20 retirement or January 1, 1972, whichever is later, until  
21 January 1, 1978, plus

22 (3) 3% of the originally granted annuity multiplied by  
23 the number of years elapsed from the date of retirement or  
24 January 1, 1978, whichever is later, until the effective  
25 date of the initial increase.

26 However, the initial annual increase calculated under this



1 Section for the recipient of a disability retirement annuity  
2 granted under Section 16-149.2 shall be reduced by an amount  
3 equal to the total of all increases in that annuity received  
4 under Section 16-149.5 (but not exceeding 100% of the amount of  
5 the initial increase otherwise provided under this Section).

6 Following the initial increase, automatic annual increases  
7 in annuity shall be payable on each January 1 thereafter during  
8 the lifetime of the annuitant, determined as a percentage of  
9 the originally granted retirement annuity or disability  
10 retirement annuity for increases granted prior to January 1,  
11 1990, and calculated as a percentage of the total amount of  
12 annuity, including previous increases under this Section, for  
13 increases granted on or after January 1, 1990, as follows: 1.5%  
14 for periods prior to January 1, 1972, 2% for periods after  
15 December 31, 1971 and prior to January 1, 1978, and 3% for  
16 periods after December 31, 1977.

17 (a-5) Notwithstanding any other provision of this Article  
18 to the contrary, the automatic annual increase in annuity for a  
19 Tier 1 member who elects the early retirement incentive under  
20 Section 16-133.6 shall be calculated at 3% or the annual  
21 unadjusted percentage increase (but not less than zero) in the  
22 consumer price index-u for the 12 months ending with the  
23 September preceding each November 1, whichever is less, of the  
24 originally granted retirement annuity. If the annual  
25 unadjusted percentage change in the consumer price index-u for  
26 the 12 months ending with the September preceding each November

1 1 is zero or there is a decrease, then the annuity shall not be  
2 increased.

3 For the purposes of this subsection, "consumer price  
4 index-u" means the index published by the Bureau of Labor  
5 Statistics of the United States Department of Labor that  
6 measures the average change in prices of goods and services  
7 purchased by all urban consumers, United States city average,  
8 all items, 1982-84 = 100. The new amount resulting from each  
9 annual adjustment shall be determined by the Public Pension  
10 Division of the Department of Insurance and made available to  
11 the boards of the retirement systems and pension funds by  
12 November 1 of each year.

13 (b) The automatic annual increases in annuity provided  
14 under this Section shall not be applicable unless a member has  
15 made contributions toward such increases for a period  
16 equivalent to one full year of creditable service. If a member  
17 contributes for service performed after August 26, 1969 but the  
18 member becomes an annuitant before such contributions amount to  
19 one full year's contributions based on the salary at the date  
20 of retirement, he or she may pay the necessary balance of the  
21 contributions to the system and be eligible for the automatic  
22 annual increases in annuity provided under this Section.

23 (c) Each member shall make contributions toward the cost of  
24 the automatic annual increases in annuity as provided under  
25 Section 16-152.

26 (d) An annuitant receiving a retirement annuity or

1 disability retirement annuity on July 1, 1969, who subsequently  
2 re-enters service as a teacher is eligible for the automatic  
3 annual increases in annuity provided under this Section if he  
4 or she renders at least one year of creditable service  
5 following the latest re-entry.

6 (e) In addition to the automatic annual increases in  
7 annuity provided under this Section, an annuitant who meets the  
8 service requirements of this Section and whose retirement  
9 annuity or disability retirement annuity began on or before  
10 January 1, 1971 shall receive, on January 1, 1981, an increase  
11 in the annuity then being paid of one dollar per month for each  
12 year of creditable service. On January 1, 1982, an annuitant  
13 whose retirement annuity or disability retirement annuity  
14 began on or before January 1, 1977 shall receive an increase in  
15 the annuity then being paid of one dollar per month for each  
16 year of creditable service.

17 On January 1, 1987, any annuitant whose retirement annuity  
18 began on or before January 1, 1977, shall receive an increase  
19 in the monthly retirement annuity equal to 8¢ per year of  
20 creditable service times the number of years that have elapsed  
21 since the annuity began.

22 (Source: P.A. 91-927, eff. 12-14-00.)

23 (40 ILCS 5/16-133.6 new)

24 Sec. 16-133.6. Early retirement incentive for certain Tier  
25 1 members.

1       (a) This Section provides an age enhancement and additional  
2 creditable service as an early retirement incentive for certain  
3 Tier 1 members who elect to have their automatic annual  
4 increase in retirement annuity determined in accordance with  
5 subsection (a-5) of Section 16-133.1 and any annual increase in  
6 a survivor's benefit payable to their beneficiaries determined  
7 in the manner provided in subsection (a-5) of Section 16-143.1.  
8 To be eligible for the age enhancement and additional  
9 creditable service, a person must:

10           (1) be a Tier 1 member of this System who, on or after  
11 the effective date of this amendatory Act of the 101st  
12 General Assembly, is (i) in active payroll status as a  
13 full-time teacher employed by an employer under this  
14 Article, (ii) on layoff status from such a position with a  
15 right of re-employment or recall to service, or (iii) on  
16 disability or a leave of absence from such a position, but  
17 only if the member is not receiving benefits under Section  
18 16-149 or 16-149.1;

19           (2) have never previously received a retirement  
20 annuity under this Article, except that receipt of a  
21 disability retirement annuity does not disqualify a member  
22 if the annuity has been terminated and the member has  
23 returned to full-time employment under this Article before  
24 the effective date of his or her election under subsection  
25 (b);

26           (3) not have a Qualified Illinois Domestic Relations

1 Order in effect against him or her;

2 (4) file with the Board and the employer a written  
3 application electing to receive the age enhancement and  
4 additional creditable service under this Section and a  
5 notice of resignation from employment, which resignation  
6 must take effect no later than the effective date of that  
7 election;

8 (5) have accrued sufficient creditable service to be  
9 eligible to receive a retirement annuity under this  
10 Article;

11 (6) have attained age 55 (without the use of any age  
12 enhancement to be received under this Section) at the time  
13 of filing an application requesting an age enhancement and  
14 additional creditable service under this Section;

15 (7) not receive any other early retirement incentive  
16 under Section 16-133.2, 16-133.3, 16-133.4, or 16-133.5 of  
17 this Article; and

18 (8) not have made the election under Section 16-190.5  
19 or 16-190.6.

20 (b) For an eligible member who elects to receive the age  
21 enhancement and additional creditable service under this  
22 Section, the amount of age enhancement shall be equal to the  
23 applicable minimum age for an undiscounted retirement annuity  
24 (based on the amount of creditable service the member has on  
25 the effective date of the election) minus the member's actual  
26 age on the effective date of the election. The amount of

1 creditable service established shall be equal to the amount of  
2 the age enhancement granted. The amount of creditable service  
3 under this Section shall not exceed 5 years, and the amount of  
4 age enhancement under this Section shall not exceed 5 years.

5 The creditable service established under this Section may  
6 be used for all purposes under this Article and the Retirement  
7 Systems Reciprocal Act, except for the computation of final  
8 average salary and the determination of salary or compensation  
9 under this or any other Article of the Code.

10 The age enhancement established under this Section may be  
11 used for all purposes under this Article (including calculation  
12 of a proportionate annuity payable by this System under the  
13 Retirement Systems Reciprocal Act), except for purposes of a  
14 reversionary annuity under Section 16-136, the retirement  
15 annuity under subdivision (a)(A) of Section 16-133, and the  
16 required distributions under Section 16-142.3. Age enhancement  
17 established under this Section shall not be used in determining  
18 benefits payable by any other participating system under the  
19 Retirement Systems Reciprocal Act.

20 (c) Notwithstanding Sections 16-133.1, 16-136.1, and  
21 16-143.1, in exchange for the age enhancement and creditable  
22 service under this Section, a member who elects the age  
23 enhancement and creditable service under this Section agrees to  
24 have his or her annual increases in retirement annuity  
25 determined in the manner provided in subsection (a-5) of  
26 Section 16-133.1 and any annual increases in a survivor's

1 benefit payable to his or her survivor's beneficiary determined  
2 in the manner provided in subsection (a-5) of Section 16-143.1.

3 (d) An employer may offer additional incentives to induce a  
4 member to elect the age enhancement and additional creditable  
5 service under this Section. However, any such incentive shall  
6 not be included in the determination of salary for the purposes  
7 of this Article.

8 (e) A person who returns to service under this Article  
9 after receiving any age enhancement or creditable service under  
10 this Section thereby irrevocably forfeits that age enhancement  
11 and creditable service and remains ineligible for any other  
12 early retirement benefit under this Article.

13 (f) The Board may adopt rules to implement this Section.

14 (40 ILCS 5/16-143.1) (from Ch. 108 1/2, par. 16-143.1)

15 Sec. 16-143.1. Increase in survivor benefits.

16 (a) Beginning January 1, 1990, each survivor's benefit and  
17 each reversionary annuity payable under Section 16-136 shall be  
18 increased by 3% of the currently payable amount thereof (1) on  
19 each January 1 occurring on or after the commencement of the  
20 annuity if the deceased teacher died while receiving a  
21 retirement or disability retirement annuity, or (2) in other  
22 cases, on each January 1 occurring on or after the first  
23 anniversary of the granting of the benefit, without regard to  
24 whether the deceased teacher was in service on or after the  
25 effective date of this amendatory Act of 1991, but such

1 increases shall not accrue for any period prior to January 1,  
2 1990.

3 (a-5) Notwithstanding any other provision of this Article  
4 to the contrary, the automatic annual increase in the  
5 survivor's benefit for the survivor of a deceased Tier 1 member  
6 who elected the early retirement incentive under Section  
7 15-136.5 shall be calculated at 3% or the annual unadjusted  
8 percentage increase (but not less than zero) in the consumer  
9 price index-u for the 12 months ending with the September  
10 preceding each November 1, whichever is less, of the originally  
11 granted retirement annuity. If the annual unadjusted  
12 percentage change in the consumer price index-u for the 12  
13 months ending with the September preceding each November 1 is  
14 zero or there is a decrease, then the annuity shall not be  
15 increased.

16 For the purposes of this subsection, "consumer price  
17 index-u" means the index published by the Bureau of Labor  
18 Statistics of the United States Department of Labor that  
19 measures the average change in prices of goods and services  
20 purchased by all urban consumers, United States city average,  
21 all items, 1982-84 = 100. The new amount resulting from each  
22 annual adjustment shall be determined by the Public Pension  
23 Division of the Department of Insurance and made available to  
24 the boards of the retirement systems and pension funds by  
25 November 1 of each year.

26 (b) On January 1, 1981, any beneficiary who was receiving a



1 survivor's monthly benefit on or before January 1, 1971, shall  
2 have the benefit then being paid increased by 1% for each full  
3 year elapsed from the date the survivor's benefit began. On  
4 January 1, 1982, any beneficiary who began receiving a  
5 survivor's monthly benefit after January 1, 1971, but before  
6 January 1, 1981 shall have the benefit then being paid  
7 increased by 1% for each year elapsed from the date the  
8 survivor's benefit began.

9 On January 1, 1987, any beneficiary whose monthly  
10 survivor's benefit began on or before January 1, 1977, shall  
11 have the monthly survivor's benefit increased by \$1 for each  
12 full year which has elapsed since the date the survivor's  
13 benefit began.

14 (Source: P.A. 86-273; 86-1488.)

15 (40 ILCS 5/16-190.5)

16 Sec. 16-190.5. Accelerated pension benefit payment in lieu  
17 of any pension benefit.

18 (a) As used in this Section:

19 "Eligible person" means a person who:

20 (1) has terminated service;

21 (2) has accrued sufficient service credit to be  
22 eligible to receive a retirement annuity under this  
23 Article;

24 (3) has not received any retirement annuity under this  
25 Article; and

1           (4) has not made the election under Section 16-133.6 or  
2           16-190.6.

3           "Pension benefit" means the benefits under this Article, or  
4           Article 1 as it relates to those benefits, including any  
5           anticipated annual increases, that an eligible person is  
6           entitled to upon attainment of the applicable retirement age.  
7           "Pension benefit" also includes applicable survivor's or  
8           disability benefits.

9           (b) As soon as practical after the effective date of this  
10          amendatory Act of the 100th General Assembly, the System shall  
11          calculate, using actuarial tables and other assumptions  
12          adopted by the Board, the present value of pension benefits for  
13          each eligible person who requests that information and shall  
14          offer each eligible person the opportunity to irrevocably elect  
15          to receive an amount determined by the System to be equal to  
16          60% of the present value of his or her pension benefits in lieu  
17          of receiving any pension benefit. The offer shall specify the  
18          dollar amount that the eligible person will receive if he or  
19          she so elects and shall expire when a subsequent offer is made  
20          to an eligible person. The System shall make a good faith  
21          effort to contact every eligible person to notify him or her of  
22          the election.

23          Until June 30, 2021, an eligible person may irrevocably  
24          elect to receive an accelerated pension benefit payment in the  
25          amount that the System offers under this subsection in lieu of  
26          receiving any pension benefit. A person who elects to receive

1 an accelerated pension benefit payment under this Section may  
2 not elect to proceed under the Retirement Systems Reciprocal  
3 Act with respect to service under this Article.

4 (c) A person's creditable service under this Article shall  
5 be terminated upon the person's receipt of an accelerated  
6 pension benefit payment under this Section, and no other  
7 benefit shall be paid under this Article based on the  
8 terminated creditable service, including any retirement,  
9 survivor, or other benefit; except that to the extent that  
10 participation, benefits, or premiums under the State Employees  
11 Group Insurance Act of 1971 are based on the amount of service  
12 credit, the terminated service credit shall be used for that  
13 purpose.

14 (d) If a person who has received an accelerated pension  
15 benefit payment under this Section returns to active service  
16 under this Article, then:

17 (1) Any benefits under the System earned as a result of  
18 that return to active service shall be based solely on the  
19 person's creditable service arising from the return to  
20 active service.

21 (2) The accelerated pension benefit payment may not be  
22 repaid to the System, and the terminated creditable service  
23 may not under any circumstances be reinstated.

24 (e) As a condition of receiving an accelerated pension  
25 benefit payment, the accelerated pension benefit payment must  
26 be transferred into a tax qualified retirement plan or account.

1 The accelerated pension benefit payment under this Section may  
2 be subject to withholding or payment of applicable taxes, but  
3 to the extent permitted by federal law, a person who receives  
4 an accelerated pension benefit payment under this Section must  
5 direct the System to pay all of that payment as a rollover into  
6 another retirement plan or account qualified under the Internal  
7 Revenue Code of 1986, as amended.

8 (f) Upon receipt of a member's irrevocable election to  
9 receive an accelerated pension benefit payment under this  
10 Section, the System shall submit a voucher to the Comptroller  
11 for payment of the member's accelerated pension benefit  
12 payment. The Comptroller shall transfer the amount of the  
13 voucher from the State Pension Obligation Acceleration Bond  
14 Fund to the System, and the System shall transfer the amount  
15 into the member's eligible retirement plan or qualified  
16 account.

17 (g) The Board shall adopt any rules, including emergency  
18 rules, necessary to implement this Section.

19 (h) No provision of this amendatory Act of the 100th  
20 General Assembly shall be interpreted in a way that would cause  
21 the applicable System to cease to be a qualified plan under the  
22 Internal Revenue Code of 1986.

23 (Source: P.A. 100-587, eff. 6-4-18.)

24 (40 ILCS 5/16-190.6)

25 Sec. 16-190.6. Accelerated pension benefit payment for a

1 reduction in annual retirement annuity and survivor's annuity  
2 increases.

3 (a) As used in this Section:

4 "Accelerated pension benefit payment" means a lump sum  
5 payment equal to 70% of the difference of the present value of  
6 the automatic annual increases to a Tier 1 member's retirement  
7 annuity and survivor's annuity using the formula applicable to  
8 the Tier 1 member and the present value of the automatic annual  
9 increases to the Tier 1 member's retirement annuity using the  
10 formula provided under subsection (b-5) and the survivor's  
11 annuity using the formula provided under subsection (b-6).

12 "Eligible person" means a person who:

13 (1) is a Tier 1 member;

14 (2) has submitted an application for a retirement  
15 annuity under this Article;

16 (3) meets the age and service requirements for  
17 receiving a retirement annuity under this Article;

18 (4) has not received any retirement annuity under this  
19 Article; and

20 (5) has not made the election under Section 16-133.6 or  
21 16-190.5.

22 (b) As soon as practical after the effective date of this  
23 amendatory Act of the 100th General Assembly and until June 30,  
24 2021, the System shall implement an accelerated pension benefit  
25 payment option for eligible persons. Upon the request of an  
26 eligible person, the System shall calculate, using actuarial

1 tables and other assumptions adopted by the Board, an  
2 accelerated pension benefit payment amount and shall offer that  
3 eligible person the opportunity to irrevocably elect to have  
4 his or her automatic annual increases in retirement annuity  
5 calculated in accordance with the formula provided under  
6 subsection (b-5) and any increases in survivor's annuity  
7 payable to his or her survivor's annuity beneficiary calculated  
8 in accordance with the formula provided under subsection (b-6)  
9 in exchange for the accelerated pension benefit payment. The  
10 election under this subsection must be made before the eligible  
11 person receives the first payment of a retirement annuity  
12 otherwise payable under this Article.

13 (b-5) Notwithstanding any other provision of law, the  
14 retirement annuity of a person who made the election under  
15 subsection (b) shall be subject to annual increases on the  
16 January 1 occurring either on or after the attainment of age 67  
17 or the first anniversary of the annuity start date, whichever  
18 is later. Each annual increase shall be calculated at 1.5% of  
19 the originally granted retirement annuity.

20 (b-6) Notwithstanding any other provision of law, a  
21 survivor's annuity payable to a survivor's annuity beneficiary  
22 of a person who made the election under subsection (b) shall be  
23 subject to annual increases on the January 1 occurring on or  
24 after the first anniversary of the commencement of the annuity.  
25 Each annual increase shall be calculated at 1.5% of the  
26 originally granted survivor's annuity.

1 (c) If a person who has received an accelerated pension  
2 benefit payment returns to active service under this Article,  
3 then:

4 (1) the calculation of any future automatic annual  
5 increase in retirement annuity shall be calculated in  
6 accordance with the formula provided in subsection (b-5);  
7 and

8 (2) the accelerated pension benefit payment may not be  
9 repaid to the System.

10 (d) As a condition of receiving an accelerated pension  
11 benefit payment, the accelerated pension benefit payment must  
12 be transferred into a tax qualified retirement plan or account.  
13 The accelerated pension benefit payment under this Section may  
14 be subject to withholding or payment of applicable taxes, but  
15 to the extent permitted by federal law, a person who receives  
16 an accelerated pension benefit payment under this Section must  
17 direct the System to pay all of that payment as a rollover into  
18 another retirement plan or account qualified under the Internal  
19 Revenue Code of 1986, as amended.

20 (d-5) Upon receipt of a member's irrevocable election to  
21 receive an accelerated pension benefit payment under this  
22 Section, the System shall submit a voucher to the Comptroller  
23 for payment of the member's accelerated pension benefit  
24 payment. The Comptroller shall transfer the amount of the  
25 voucher from the State Pension Obligation Acceleration Bond  
26 Fund to the System, and the System shall transfer the amount

1 into the member's eligible retirement plan or qualified  
2 account.

3 (e) The Board shall adopt any rules, including emergency  
4 rules, necessary to implement this Section.

5 (f) No provision of this Section shall be interpreted in a  
6 way that would cause the applicable System to cease to be a  
7 qualified plan under the Internal Revenue Code of 1986.

8 (Source: P.A. 100-587, eff. 6-4-18.)

9 (40 ILCS 5/16-203)

10 Sec. 16-203. Application and expiration of new benefit  
11 increases.

12 (a) As used in this Section, "new benefit increase" means  
13 an increase in the amount of any benefit provided under this  
14 Article, or an expansion of the conditions of eligibility for  
15 any benefit under this Article, that results from an amendment  
16 to this Code that takes effect after June 1, 2005 (the  
17 effective date of Public Act 94-4). "New benefit increase",  
18 however, does not include any benefit increase resulting from  
19 the changes made to Article 1 or this Article by Public Act  
20 95-910, Public Act 100-23, Public Act 100-587, Public Act  
21 100-743, Public Act 100-769, or this amendatory Act of the  
22 101st General Assembly ~~or by this amendatory Act of the 100th~~  
23 ~~General Assembly.~~

24 (b) Notwithstanding any other provision of this Code or any  
25 subsequent amendment to this Code, every new benefit increase



1 is subject to this Section and shall be deemed to be granted  
2 only in conformance with and contingent upon compliance with  
3 the provisions of this Section.

4 (c) The Public Act enacting a new benefit increase must  
5 identify and provide for payment to the System of additional  
6 funding at least sufficient to fund the resulting annual  
7 increase in cost to the System as it accrues.

8 Every new benefit increase is contingent upon the General  
9 Assembly providing the additional funding required under this  
10 subsection. The Commission on Government Forecasting and  
11 Accountability shall analyze whether adequate additional  
12 funding has been provided for the new benefit increase and  
13 shall report its analysis to the Public Pension Division of the  
14 Department of Insurance. A new benefit increase created by a  
15 Public Act that does not include the additional funding  
16 required under this subsection is null and void. If the Public  
17 Pension Division determines that the additional funding  
18 provided for a new benefit increase under this subsection is or  
19 has become inadequate, it may so certify to the Governor and  
20 the State Comptroller and, in the absence of corrective action  
21 by the General Assembly, the new benefit increase shall expire  
22 at the end of the fiscal year in which the certification is  
23 made.

24 (d) Every new benefit increase shall expire 5 years after  
25 its effective date or on such earlier date as may be specified  
26 in the language enacting the new benefit increase or provided

1 under subsection (c). This does not prevent the General  
2 Assembly from extending or re-creating a new benefit increase  
3 by law.

4 (e) Except as otherwise provided in the language creating  
5 the new benefit increase, a new benefit increase that expires  
6 under this Section continues to apply to persons who applied  
7 and qualified for the affected benefit while the new benefit  
8 increase was in effect and to the affected beneficiaries and  
9 alternate payees of such persons, but does not apply to any  
10 other person, including without limitation a person who  
11 continues in service after the expiration date and did not  
12 apply and qualify for the affected benefit while the new  
13 benefit increase was in effect.

14 (Source: P.A. 100-23, eff. 7-6-17; 100-587, eff. 6-4-18;  
15 100-743, eff. 8-10-18; 100-769, eff. 8-10-18; revised  
16 10-15-18.)

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

1 INDEX

2 Statutes amended in order of appearance

3 40 ILCS 5/15-136 from Ch. 108 1/2, par. 15-136

4 40 ILCS 5/15-136.4

5 40 ILCS 5/15-136.5 new

6 40 ILCS 5/15-145 from Ch. 108 1/2, par. 15-145

7 40 ILCS 5/15-185.5

8 40 ILCS 5/15-185.6

9 40 ILCS 5/15-198

10 40 ILCS 5/16-133.1 from Ch. 108 1/2, par. 16-133.1

11 40 ILCS 5/16-133.6 new

12 40 ILCS 5/16-143.1 from Ch. 108 1/2, par. 16-143.1

13 40 ILCS 5/16-190.5

14 40 ILCS 5/16-190.6

15 40 ILCS 5/16-203