



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**

Introduced 2/6/2004, by Michael J. Madigan

**SYNOPSIS AS INTRODUCED:**

40 ILCS 5/7-141

from Ch. 108 1/2, par. 7-141

Amends the Illinois Pension Code. Makes a technical change in a Section concerning the Illinois Municipal Retirement Fund.

LRB093 17276 LRD 42942 b

PENSION IMPACT  
NOTE ACT MAY  
APPLY

1 AN ACT in relation to pensions.

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

4 Section 5. The Illinois Pension Code is amended by changing  
5 Section 7-141 as follows:

6 (40 ILCS 5/7-141) (from Ch. 108 1/2, par. 7-141)

7 Sec. 7-141. Retirement annuities - Conditions. ~~Retirement~~  
8 ~~annuities shall be payable as hereinafter set forth:~~

9 (a) A participating employee who, regardless of cause, is  
10 separated from the service of all participating municipalities  
11 and instrumentalities thereof and participating  
12 instrumentalities shall be entitled to a retirement annuity  
13 provided:

14 1. He is at least age 55, or in the case of a person who  
15 is eligible to have his annuity calculated under Section  
16 7-142.1, he is at least age 50;

17 2. He is (i) an employee who was employed by any  
18 participating municipality or participating  
19 instrumentality which had not elected to exclude persons  
20 employed in positions normally requiring performance of  
21 duty for less than 1000 hours per year or was employed in a  
22 position normally requiring performance of duty for 600  
23 hours or more per year prior to such election by any  
24 participating municipality or participating  
25 instrumentality included in and subject to this Article on  
26 or before the effective date of this amendatory Act of 1981  
27 which made such election and is not entitled to receive  
28 earnings for employment in a position normally requiring  
29 performance of duty for 600 hours or more per year for any  
30 participating municipality and instrumentalities thereof  
31 and participating instrumentality; or (ii) an employee who  
32 was employed only by a participating municipality or

1 participating instrumentality, or participating  
2 municipalities or participating instrumentalities, which  
3 have elected to exclude persons in positions normally  
4 requiring performance of duty for less than 1000 hours per  
5 year after the effective date of such exclusion or which  
6 are included under and subject to the Article after the  
7 effective date of this amendatory Act of 1981 and elects to  
8 exclude persons in such positions, and is not entitled to  
9 receive earnings for employment in a position normally  
10 requiring performance of duty for 1000 hours or more per  
11 year by such a participating municipality or participating  
12 instrumentality;

13 3. The amount of his annuity, before the application of  
14 paragraph (b) of Section 7-142 is at least \$10 per month;

15 4. If he first became a participating employee after  
16 December 31, 1961, he has at least 8 years of service. This  
17 service requirement shall not apply to any participating  
18 employee, regardless of participation date, if the General  
19 Assembly terminates the Fund.

20 (b) Retirement annuities shall be payable:

21 1. As provided in Section 7-119;

22 2. Except as provided in item 3, upon receipt by the  
23 fund of a written application. The effective date may be  
24 not more than one year prior to the date of the receipt by  
25 the fund of the application;

26 3. Upon attainment of age 70 1/2 if the member (i) is  
27 no longer in service, and (ii) is otherwise entitled to an  
28 annuity under this Article;

29 4. To the beneficiary of the deceased annuitant for the  
30 unpaid amount accrued to date of death, if any.

31 (Source: P.A. 91-887, eff. 7-6-00.)