



## 94TH GENERAL ASSEMBLY

### State of Illinois

#### 2005 and 2006

#### SB2665

Introduced 1/20/2006, by Sen. James A. DeLeo

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/5-167.5  
30 ILCS 805/8.30 new

from Ch. 108 1/2, par. 5-167.5

Amends the Chicago Police Article of the Illinois Pension Code. Provides that retiree members of the city health care plans shall pay no higher premium, and shall receive no lower level of benefits, than the active employee members with the same Medicare status. Pre-empts home rule. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB094 17505 AMC 52801 b

FISCAL NOTE ACT  
MAY APPLY

PENSION IMPACT  
NOTE ACT MAY  
APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

1 AN ACT concerning public employee benefits.

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

4 Section 5. The Illinois Pension Code is amended by changing  
5 Section 5-167.5 as follows:

6 (40 ILCS 5/5-167.5) (from Ch. 108 1/2, par. 5-167.5)

7 Sec. 5-167.5. Payments to city for annuitant health care;  
8 equality of coverage.

9 (a) For the purposes of this Section, "city annuitant"  
10 means a person receiving an age and service annuity, a widow's  
11 annuity, a child's annuity, or a minimum annuity under this  
12 Article as a direct result of previous employment by the City  
13 of Chicago ("the city").

14 (b) The board shall pay to the city, on behalf of the  
15 board's city annuitants who participate in any of the city's  
16 health care plans, the following amounts:

17 (1) From July 1, 2003 through June 30, 2008, \$85 per  
18 month for each such annuitant who is not eligible to  
19 receive Medicare benefits and \$55 per month for each such  
20 annuitant who is eligible to receive Medicare benefits.

21 (2) From July 1, 2008 through June 30, 2013, \$95 per  
22 month for each such annuitant who is not eligible to  
23 receive Medicare benefits and \$65 per month for each such  
24 annuitant who is eligible to receive Medicare benefits.

25 The payments described in this subsection shall be paid  
26 from the tax levy authorized under Section 5-168; such amounts  
27 shall be credited to the reserve for group hospital care and  
28 group medical and surgical plan benefits, and all payments to  
29 the city required under this subsection shall be charged  
30 against it.

31 (c) The city health care plans referred to in this Section  
32 and the board's payments to the city under this Section are not

1 and shall not be construed to be pension or retirement benefits  
2 for the purposes of Section 5 of Article XIII of the Illinois  
3 Constitution of 1970.

4 (d) Beginning January 1, 2007, retirees under this Article  
5 who participate in the city health care plans shall pay no  
6 higher premium or other cost, and shall receive no lower level  
7 of benefits, than the corresponding active employee  
8 participants in those plans with the same Medicare status. The  
9 city, a home rule unit, may not create or maintain any  
10 inequality in benefits or costs for retired and active  
11 participants in the city health care plans in a manner  
12 inconsistent with this subsection. This subsection is a  
13 limitation on the concurrent exercise of home rule power under  
14 subsection (i) of Section 6 of Article VII of the Illinois  
15 Constitution.

16 (Source: P.A. 92-599, eff. 6-28-02; 93-42, eff. 7-1-03.)

17 Section 90. The State Mandates Act is amended by adding  
18 Section 8.30 as follows:

19 (30 ILCS 805/8.30 new)

20 Sec. 8.30. Exempt mandate. Notwithstanding Sections 6 and 8  
21 of this Act, no reimbursement by the State is required for the  
22 implementation of any mandate created by this amendatory Act of  
23 the 94th General Assembly.

24 Section 99. Effective date. This Act takes effect upon  
25 becoming law.