

SB0645



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB0645

Introduced 2/8/2007, by Sen. James A. DeLeo

SYNOPSIS AS INTRODUCED:

40 ILCS 5/3-111.1
30 ILCS 805/8.31 new

from Ch. 108 1/2, par. 3-111.1

Amends the Downstate Police Article of the Illinois Pension Code. Applies changes made by Public Act 91-939 increasing a police officer's monthly pension by 1/12 of 3% of the originally granted pension for each month that has elapsed since the pension began (before Public Act 91-939 it was by 3% of the originally granted pension for each year that has elapsed since the pension began) to initial increases that become payable on or after January 1, 1998 (rather than January 1, 1999). Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB095 05039 AMC 25107 b

FISCAL NOTE ACT
MAY APPLY

PENSION IMPACT
NOTE ACT MAY
APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

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 3-111.1 as follows:

6 (40 ILCS 5/3-111.1) (from Ch. 108 1/2, par. 3-111.1)

7 Sec. 3-111.1. Increase in pension.

8 (a) Except as provided in subsection (e), the monthly
9 pension of a police officer who retires after July 1, 1971, and
10 prior to January 1, 1986, shall be increased, upon either the
11 first of the month following the first anniversary of the date
12 of retirement if the officer is 60 years of age or over at
13 retirement date, or upon the first day of the month following
14 attainment of age 60 if it occurs after the first anniversary
15 of retirement, by 3% of the originally granted pension and by
16 an additional 3% of the originally granted pension in January
17 of each year thereafter.

18 (b) The monthly pension of a police officer who retired
19 from service with 20 or more years of service, on or before
20 July 1, 1971, shall be increased in January of the year
21 following the year of attaining age 65 or in January of 1972,
22 if then over age 65, by 3% of the originally granted pension
23 for each year the police officer received pension payments. In

1 each January thereafter, he or she shall receive an additional
2 increase of 3% of the original pension.

3 (c) The monthly pension of a police officer who retires on
4 disability or is retired for disability shall be increased in
5 January of the year following the year of attaining age 60, by
6 3% of the original grant of pension for each year he or she
7 received pension payments. In each January thereafter, the
8 police officer shall receive an additional increase of 3% of
9 the original pension.

10 (d) The monthly pension of a police officer who retires
11 after January 1, 1986, shall be increased, upon either the
12 first of the month following the first anniversary of the date
13 of retirement if the officer is 55 years of age or over, or
14 upon the first day of the month following attainment of age 55
15 if it occurs after the first anniversary of retirement, by 1/12
16 of 3% of the originally granted pension for each full month
17 that has elapsed since the pension began, and by an additional
18 3% of the originally granted pension in January of each year
19 thereafter.

20 The changes made to this subsection (d) by Public Act
21 91-939 ~~this amendatory Act of the 91st General Assembly~~ apply
22 to all initial increases that become payable under this
23 subsection on or after January 1, 1998 ~~1999~~. All initial
24 increases that became payable under this subsection on or after
25 January 1, 1998 ~~1999~~ and before the effective date of this
26 amendatory Act of the 95th General Assembly shall be

1 recalculated and the additional amount accruing for that
2 period, if any, shall be payable to the pensioner in a lump
3 sum.

4 (e) Notwithstanding the provisions of subsection (a), upon
5 the first day of the month following (1) the first anniversary
6 of the date of retirement, or (2) the attainment of age 55, or
7 (3) July 1, 1987, whichever occurs latest, the monthly pension
8 of a police officer who retired on or after January 1, 1977 and
9 on or before January 1, 1986, and did not receive an increase
10 under subsection (a) before July 1, 1987, shall be increased by
11 3% of the originally granted monthly pension for each full year
12 that has elapsed since the pension began, and by an additional
13 3% of the originally granted pension in each January
14 thereafter. The increases provided under this subsection are in
15 lieu of the increases provided in subsection (a).

16 (f) Notwithstanding the other provisions of this Section,
17 beginning with increases granted on or after July 1, 1993, the
18 second and all subsequent automatic annual increases granted
19 under subsection (a), (b), (d), or (e) of this Section shall be
20 calculated as 3% of the amount of pension payable at the time
21 of the increase, including any increases previously granted
22 under this Section, rather than 3% of the originally granted
23 pension amount. Section 1-103.1 does not apply to this
24 subsection (f).

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

1 Section 90. The State Mandates Act is amended by adding
2 Section 8.31 as follows:

3 (30 ILCS 805/8.31 new)

4 Sec. 8.31. Exempt mandate. Notwithstanding Sections 6 and 8
5 of this Act, no reimbursement by the State is required for the
6 implementation of any mandate created by this amendatory Act of
7 the 95th General Assembly.

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.