



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5417

Introduced 2/5/2010, by Rep. Kevin A. McCarthy

SYNOPSIS AS INTRODUCED:

40 ILCS 5/3-142

from Ch. 108 1/2, par. 3-142

Amends the Downstate Police Article of the Illinois Pension Code. Removes language that provides that beneficiaries shall be paid pro rata from the available funds if there is not sufficient money in the fund to pay the benefits under the Article. Effective immediately.

LRB096 16302 AMC 31560 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 3-142 as follows:

6 (40 ILCS 5/3-142) (from Ch. 108 1/2, par. 3-142)

7 Sec. 3-142. Payment of benefits - funds insufficient. Any
8 police officer and any eligible surviving spouse, child or
9 children, or dependent parent of the officer to whom the board
10 has ordered benefits to be paid, shall receive a yearly benefit
11 payable in 12 equal monthly installments, which shall be the
12 aggregate amount to which they are entitled.

13 If at any time there is not sufficient money in the fund to
14 pay the benefits under this Article the city council or board
15 of trustees of the municipality shall make every legal effort
16 to replenish the fund so that all beneficiaries may receive the
17 amounts to which they are entitled. ~~If, thereafter, there still~~
18 ~~remain insufficient funds, the beneficiaries shall be paid pro~~
19 ~~rata from the available funds, but no allowance or order of the~~
20 ~~board shall be held to create any liability against the~~
21 ~~municipality, but only against the pension fund.~~

22 (Source: P.A. 83-1440.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.