

1 AN ACT in relation to 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
5 changing Section 11-145.1 as follows:

6 (40 ILCS 5/11-145.1) (from Ch. 108 1/2, par. 11-145.1)

7 Sec. 11-145.1. Minimum annuities for widows.

8 The widow otherwise eligible for widow's annuity under
9 other Sections of this Article 11, of an employee hereinafter
10 described, who retires from service or dies while in the
11 service subsequent to the effective date of this amendatory
12 provision, and for which widow the amount of widow's annuity
13 and widow's prior service annuity combined, fixed or provided
14 for such widow under other provisions of said Article 11 is
15 less than the amount hereinafter provided in this section,
16 shall, from and after the date her otherwise provided annuity
17 would begin, in lieu of such otherwise provided widow's and
18 widow's prior service annuity, be entitled to the following
19 indicated amount of annuity:

20 (a) The widow of any employee who dies while in service
21 on or after the date on which he attains age 60 if the death
22 occurs before July 1, 1990, or on or after the date on which
23 he attains age 55 if the death occurs on or after July 1,
24 1990, with at least 20 years of service, or on or after the
25 date on which he attains age 50 if the death occurs on or
26 after the effective date of this amendatory Act of 1997 with
27 at least 30 years of service, shall be entitled to an annuity
28 equal to one-half of the amount of annuity which her deceased
29 husband would have been entitled to receive had he withdrawn
30 from the service on the day immediately preceding the date of
31 his death, conditional upon such widow having attained age 60

1 on or before such date if the death occurs before July 1,
2 1990, or age 55 if the death occurs on or after July 1, 1990,
3 or age 50 if the death occurs on or after January 1, 1998 and
4 the employee is age 50 or over with at least 30 years of
5 service or age 55 or over with at least 25 years of service.
6 Except as provided in subsection (j), the widow's annuity
7 shall not, however, exceed the sum of \$500 a month if the
8 employee's death in service occurs before January 23, 1987.
9 The widow's annuity shall not be limited to a maximum dollar
10 amount if the employee's death in service occurs on or after
11 January 23, 1987.

12 If the employee dies in service before July 1, 1990, and
13 if such widow of such described employee shall not be 60 or
14 more years of age on such date of death, the amount provided
15 in the immediately preceding paragraph for a widow 60 or more
16 years of age, shall, in the case of such younger widow, be
17 reduced by 0.25% for each month that her then attained age is
18 less than 60 years if the employee was born before January 1,
19 1936, or dies in service on or after January 1, 1988, or 0.5%
20 for each month that her then attained age is less than 60
21 years if the employee was born on or after January 1, 1936
22 and dies in service before January 1, 1988.

23 If the employee dies in service on or after July 1, 1990,
24 and if the widow of the employee has not attained age 55 on
25 or before the employee's date of death, the amount otherwise
26 provided in this subsection (a) shall be reduced by 0.25% for
27 each month that her then attained age is less than 55 years;
28 except that if the employee dies in service on or after
29 January 1, 1998 at age 50 or over with at least 30 years of
30 service or at age 55 or over with at least 25 years of
31 service, there shall be no reduction due to the widow's age
32 if she has attained age 50 on or before the employee's date
33 of death, and if the widow has not attained age 50 on or
34 before the employee's date of death the amount otherwise

1 provided in this subsection (a) shall be reduced by 0.25% for
2 each month that her then attained age is less than 50 years.

3 (b) The widow of any employee who dies subsequent to the
4 date of his retirement on annuity, and who so retired on or
5 after the date on which he attained age 60 if retirement
6 occurs before July 1, 1990, or on or after the date on which
7 he attained age 55 if retirement occurs on or after July 1,
8 1990, with at least 20 years of service, or on or after the
9 date on which he attained age 50 if the retirement occurs on
10 or after the effective date of this amendatory Act of 1997
11 with at least 30 years of service, shall be entitled to an
12 annuity equal to one-half of the amount of annuity which her
13 deceased husband received as of the date of his retirement on
14 annuity, conditional upon such widow having attained age 60
15 on or before the date of her husband's retirement on annuity
16 if retirement occurs before July 1, 1990, or age 55 if
17 retirement occurs on or after July 1, 1990, or age 50 if the
18 retirement on annuity occurs on or after January 1, 1998 and
19 the employee is age 50 or over with at least 30 years of
20 service or age 55 or over with at least 25 years of service.
21 Except as provided in subsection (j), this widow's annuity
22 shall not, however, exceed the sum of \$500 a month if the
23 employee's death occurs before January 23, 1987. The widow's
24 annuity shall not be limited to a maximum dollar amount if
25 the employee's death occurs on or after January 23, 1987,
26 regardless of the date of retirement; provided that, if
27 retirement was before January 23, 1987, the employee or
28 eligible spouse repays the excess spouse refund with interest
29 at the effective rate from the date of refund to the date of
30 repayment.

31 If the date of the employee's retirement on annuity is
32 before July 1, 1990, and if such widow of such described
33 employee shall not have attained such age of 60 or more years
34 on such date of her husband's retirement on annuity, the

1 amount provided in the immediately preceding paragraph for a
2 widow 60 or more years of age on the date of her husband's
3 retirement on annuity, shall, in the case of such then
4 younger widow, be reduced by 0.25% for each month that her
5 then attained age was less than 60 years if the employee was
6 born before January 1, 1936, or withdraws from service on or
7 after January 1, 1988, or 0.5% for each month that her then
8 attained age was less than 60 years if the employee was born
9 on or after January 1, 1936 and withdraws from service before
10 January 1, 1988.

11 If the date of the employee's retirement on annuity is on
12 or after July 1, 1990, and if the widow of the employee has
13 not attained age 55 by the date of the employee's retirement
14 on annuity, the amount otherwise provided in this subsection
15 (b) shall be reduced by 0.25% for each month that her then
16 attained age is less than 55 years; except that if the
17 employee retires on annuity on or after January 1, 1998 at
18 age 50 or over with at least 30 years of service or at age 55
19 or over with at least 25 years of service, there shall be no
20 reduction due to the widow's age if she has attained age 50
21 on or before the employee's date of death, and if the widow
22 has not attained age 50 on or before the employee's date of
23 death the amount otherwise provided in this subsection (b)
24 shall be reduced by 0.25% for each month that her then
25 attained age is less than 50 years.

26 (c) The foregoing provisions relating to minimum
27 annuities for widows shall not apply to the widow of any
28 former employee receiving an annuity from the fund on August
29 2, 1965 or on the effective date of this amendatory
30 provision, who re-enters service as a former employee, unless
31 such employee renders at least 3 years of additional service
32 after the date of re-entry.

33 (d) (Blank).

34 (e) (Blank).

1 (f) The amendments to this Section by this amendatory
2 Act of 1985, relating to changing the discount because of age
3 from 1/2 of 1% to 0.25% per month for widows of employees
4 born before January 1, 1936, shall apply only to qualifying
5 widows whose husbands die while in the service on or after
6 August 16, 1985 or withdraw and enter on annuity on or after
7 August 16, 1985.

8 (g) Beginning on January 1, 1999, the minimum amount of
9 widow's annuity shall be \$800 per month for life for the
10 following classes of widows, without regard to the fact that
11 the death of the employee occurred prior to the effective
12 date of this amendatory Act of 1998:

13 (1) any widow annuitant alive and receiving a term
14 annuity on the effective date of this amendatory Act of
15 1998, except a reciprocal annuity;

16 (2) any widow annuitant alive and receiving a life
17 annuity on the effective date of this amendatory Act of
18 1998, except a reciprocal annuity;

19 (3) any widow annuitant alive and receiving a
20 reciprocal annuity on the effective date of this
21 amendatory Act of 1998, whose employee spouse's service
22 in this fund was at least 5 years;

23 (4) the widow of an employee with at least 10 years
24 of service in this fund who dies after retirement, if the
25 retirement occurred prior to the effective date of this
26 amendatory Act of 1998;

27 (5) the widow of an employee with at least 10 years
28 of service in this fund who dies after retirement, if
29 withdrawal occurs on or after the effective date of this
30 amendatory Act of 1998;

31 (6) the widow of an employee who dies in service
32 with at least 5 years of service in this fund, if the
33 death in service occurs on or after the effective date of
34 this amendatory Act of 1998.

1 The increases granted under items (1), (2), (3) and (4)
2 of this subsection (g) shall not be limited by any other
3 Section of this Act.

4 (h) The widow of an employee who retired or died in
5 service on or after January 1, 1985 and before July 1, 1990,
6 at age 55 or older, and with at least 35 years of service
7 credit, shall be entitled to have her widow's annuity
8 increased, effective January 1, 1991, to an amount equal to
9 50% of the retirement annuity that the deceased employee
10 received on the date of retirement, or would have been
11 eligible to receive if he had retired on the day preceding
12 the date of his death in service, provided that if the widow
13 had not attained age 60 by the date of the employee's
14 retirement or death in service, the amount of the annuity
15 shall be reduced by 0.25% for each month that her then
16 attained age was less than age 60 if the employee's
17 retirement or death in service occurred on or after January
18 1, 1988, or by 0.5% for each month that her attained age is
19 less than age 60 if the employee's retirement or death in
20 service occurred prior to January 1, 1988. However, in cases
21 where a refund of excess contributions for widow's annuity
22 has been paid by the Fund, the increase in benefit provided
23 by this subsection (h) shall be contingent upon repayment of
24 the refund to the Fund with interest at the effective rate
25 from the date of refund to the date of payment.

26 (i) If a deceased employee is receiving a retirement
27 annuity at the time of death and that death occurs on or
28 after June 27, 1997, the widow may elect to receive, in lieu
29 of any other annuity provided under this Article, 50% of the
30 deceased employee's retirement annuity at the time of death
31 reduced by 0.25% for each month that the widow's age on the
32 date of death is less than 55; except that if the employee
33 dies on or after January 1, 1998 and withdrew from service on
34 or after June 27, 1997 at age 50 or over with at least 30

1 years of service or at age 55 or over with at least 25 years
2 of service, there shall be no reduction due to the widow's
3 age if she has attained age 50 on or before the employee's
4 date of death, and if the widow has not attained age 50 on or
5 before the employee's date of death the amount otherwise
6 provided in this subsection (i) shall be reduced by 0.25% for
7 each month that her age on the date of death is less than 50
8 years. However, in cases where a refund of excess
9 contributions for widow's annuity has been paid by the Fund,
10 the benefit provided by this subsection (i) is contingent
11 upon repayment of the refund to the Fund with interest at the
12 effective rate from the date of refund to the date of
13 payment.

14 (j) For widows of employees who died before January 23,
15 1987 after retirement on annuity or in service, the maximum
16 dollar amount limitation on widow's annuity shall cease to
17 apply, beginning with the first annuity payment after the
18 effective date of this amendatory Act of 1997; except that if
19 a refund of excess contributions for widow's annuity has been
20 paid by the Fund, the increase resulting from this subsection
21 (j) shall not begin before the refund has been repaid to the
22 Fund, together with interest at the effective rate from the
23 date of the refund to the date of repayment.

24 (k) In lieu of any other annuity provided in this
25 Article, an eligible spouse of any employee who dies in
26 service at least 60 days after the effective date of this
27 amendatory Act of the 92nd General Assembly with at least 10
28 years of Laborers' service shall be entitled to an annuity of
29 60% of the minimum formula annuity earned and accrued to the
30 credit of the employee at the date of death, plus 1% for each
31 year of total Laborers' service, to a maximum of 85%. For
32 the purposes of this subsection, the minimum formula annuity
33 earned and accrued to the credit of the employee is equal to
34 2.40% for each year of service of the highest average annual

1 salary for any 4 consecutive years within the last 10 years
2 of service immediately preceding the date of death, to a
3 maximum of 80% of the highest average annual salary. This
4 annuity shall not be reduced due to the age of the employee
5 or spouse.

6 In lieu of any other annuity provided in this Article, an
7 eligible spouse of any employee annuitant who dies after
8 retirement at least 60 days after the effective date of this
9 amendatory Act of the 92nd General Assembly with at least 10
10 years of Laborers' service shall be entitled to an annuity of
11 60%, plus 1% for each year of total Laborers' service to a
12 maximum of 85%, of the deceased employee's retirement annuity
13 at the time of death reduced by 0.25% for each month that the
14 widow's age on the date of death is less than 55; except that
15 if the employee withdrew from service on or after June 27,
16 1997 at age 50 or over with at least 30 years of service or
17 at age 55 or over with at least 25 years of service, there
18 shall be no reduction due to the widow's age if she has
19 attained age 50 on or before the employee's date of death,
20 and if the widow has not attained age 50 on or before the
21 employee's date of death the amount otherwise provided in
22 this subsection (k) shall be reduced by 0.25% for each month
23 that her than attained age is less than 50 years. However,
24 in cases where a refund of excess contributions for widow's
25 annuity has been paid by the Fund, the benefit provided by
26 this subsection (k) is contingent upon repayment of the
27 refund to the Fund with interest at the effective rate from
28 the date of refund to the date of payment.

29 In addition to any other eligibility requirements under
30 this Article, the spouse is eligible for this annuity only if
31 the marriage was in effect for 10 full years or more at the
32 date of retirement or death in service.

33 (Source: P.A. 90-32, eff. 6-27-97; 90-511, eff. 8-22-97;
34 90-766, eff. 8-14-98.)

1 Section 90. The State Mandates Act is amended by adding
2 Section 8.25 as follows:

3 (30 ILCS 805/8.25 new)

4 Sec. 8.25. Exempt mandate. Notwithstanding Sections 6
5 and 8 of this Act, no reimbursement by the State is required
6 for the implementation of any mandate created by this
7 amendatory Act of the 92nd General Assembly.

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