



Rep. Daniel J. Burke

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1 AMENDMENT TO HOUSE BILL 5183

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5183 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by  
5 changing Sections 5-167.4, 6-128.2, and 6-128.4 as follows:

6 (40 ILCS 5/5-167.4) (from Ch. 108 1/2, par. 5-167.4)

7 Sec. 5-167.4. Widow annuitant minimum annuity.

8 (a) Notwithstanding any other provision of this Article,  
9 beginning January 1, 1996, the minimum amount of widow's  
10 annuity payable to any person who is entitled to receive a  
11 widow's annuity under this Article is \$700 per month, without  
12 regard to whether the deceased policeman is in service on or  
13 after the effective date of this amendatory Act of 1995.

14 Notwithstanding any other provision of this Article,  
15 beginning January 1, 1999, the minimum amount of widow's  
16 annuity payable to any person who is entitled to receive a

1 widow's annuity under this Article is \$800 per month, without  
2 regard to whether the deceased policeman is in service on or  
3 after the effective date of this amendatory Act of 1998.

4 Notwithstanding any other provision of this Article,  
5 beginning January 1, 2004, the minimum amount of widow's  
6 annuity payable to any person who is entitled to receive a  
7 widow's annuity under this Article is \$900 per month, without  
8 regard to whether the deceased policeman is in service on or  
9 after the effective date of this amendatory Act of the 93rd  
10 General Assembly.

11 Notwithstanding any other provision of this Article,  
12 beginning January 1, 2005, the minimum amount of widow's  
13 annuity payable to any person who is entitled to receive a  
14 widow's annuity under this Article is \$1,000 per month, without  
15 regard to whether the deceased policeman is in service on or  
16 after the effective date of this amendatory Act of the 93rd  
17 General Assembly.

18 (b) Effective January 1, 1994, the minimum amount of  
19 widow's annuity shall be \$700 per month for the following  
20 classes of widows, without regard to whether the deceased  
21 policeman is in service on or after the effective date of this  
22 amendatory Act of 1993: (1) the widow of a policeman who dies  
23 in service with at least 10 years of service credit, or who  
24 dies in service after June 30, 1981; and (2) the widow of a  
25 policeman who withdraws from service with 20 or more years of  
26 service credit and does not withdraw a refund, provided that

1 the widow is married to the policeman before he withdraws from  
2 service.

3 (b-5) Notwithstanding any other provision of this Article,  
4 beginning January 1, 2017, the minimum widow's annuity under  
5 this Article shall be no less than 125% of the Federal Poverty  
6 Level for all persons receiving widow's annuities on or after  
7 that date, without regard to whether the deceased policeman is  
8 in service on or after the effective date of this amendatory  
9 Act of the 99th General Assembly. Notwithstanding any other  
10 provision of this Article, beginning January 1, 2019, the  
11 minimum widow's annuity under this Article shall be no less  
12 than 150% of the Federal Poverty Level for all persons  
13 receiving widow's annuities on or after that date, without  
14 regard to whether the deceased policeman is in service on or  
15 after the effective date of this amendatory Act of the 100th  
16 General Assembly. For purposes of this Section, "Federal  
17 Poverty Level" means the poverty guidelines applicable to an  
18 individual in a single-person household located in Illinois, as  
19 updated periodically in the Federal Register by the United  
20 States Department of Health and Human Services under the  
21 authority of 42 U.S.C. 9902(2).

22 (c) The city, in addition to the contributions otherwise  
23 made by it under the other provisions of this Article, shall  
24 make such contributions as are necessary for the minimum  
25 widow's annuities provided under this Section in the manner  
26 prescribed in Section 5-175.

1 (Source: P.A. 99-905, eff. 11-29-16.)

2 (40 ILCS 5/6-128.2) (from Ch. 108 1/2, par. 6-128.2)

3 Sec. 6-128.2. Minimum retirement annuities.

4 (a) Beginning with the monthly payment due in January,  
5 1988, the monthly annuity payment for any person who is  
6 entitled to receive a retirement annuity under this Article in  
7 January, 1990 and has retired from service at age 50 or over  
8 with 20 or more years of service, and for any person who  
9 retires from service on or after January 24, 1990 at age 50 or  
10 over with 20 or more years of service, shall not be less than  
11 \$475 per month. The \$475 minimum annuity is exclusive of any  
12 automatic annual increases provided by Sections 6-164 and  
13 6-164.1, but not exclusive of previous raises in the minimum  
14 annuity as provided by any Section of this Article.

15 Beginning January 1, 1992, the minimum retirement annuity  
16 payable to any person who has retired from service at age 50 or  
17 over with 20 or more years of service and is entitled to  
18 receive a retirement annuity under this Article on that date,  
19 or who retires from service at age 50 or over with 20 or more  
20 years of service after that date, shall be \$650 per month.

21 Beginning January 1, 1993, the minimum retirement annuity  
22 payable to any person who has retired from service at age 50 or  
23 over with 20 or more years of service and is entitled to  
24 receive a retirement annuity under this Article on that date,  
25 or who retires from service at age 50 or over with 20 or more

1 years of service after that date, shall be \$750 per month.

2 Beginning January 1, 1994, the minimum retirement annuity  
3 payable to any person who has retired from service at age 50 or  
4 over with 20 or more years of service and is entitled to  
5 receive a retirement annuity under this Article on that date,  
6 or who retires from service at age 50 or over with 20 or more  
7 years of service after that date, shall be \$850 per month.

8 Beginning January 1, 2004, the minimum retirement annuity  
9 payable to any person who has retired from service at age 50 or  
10 over with 20 or more years of service and is entitled to  
11 receive a retirement annuity under this Article on that date,  
12 or who retires from service at age 50 or over with 20 or more  
13 years of service after that date, shall be \$950 per month.

14 Beginning January 1, 2005, the minimum retirement annuity  
15 payable to any person who has retired from service at age 50 or  
16 over with 20 or more years of service and is entitled to  
17 receive a retirement annuity under this Article on that date,  
18 or who retires from service at age 50 or over with 20 or more  
19 years of service after that date, shall be \$1,050 per month.

20 Beginning January 1, 2016, the minimum retirement annuity  
21 payable to any person who has retired from service at age 50 or  
22 over with 20 or more years of service and is entitled to  
23 receive a retirement annuity under this Article on that date,  
24 or who retires from service at age 50 or over with 20 or more  
25 years of service after that date, shall be no less than 125% of  
26 the Federal Poverty Level.

1        Beginning January 1, 2019, the minimum retirement annuity  
2 payable to any person who has retired from service at age 50 or  
3 over with 20 or more years of service and is entitled to  
4 receive a retirement annuity under this Article on that date,  
5 or who retires from service at age 50 or over with 20 or more  
6 years of service after that date, shall be no less than 150% of  
7 the Federal Poverty Level.

8        For purposes of this Section, the "Federal Poverty Level"  
9 shall be determined pursuant to the poverty guidelines updated  
10 periodically in the Federal Register by the United States  
11 Department of Health and Human Services under the authority of  
12 42 U.S.C. 9902(2).

13        The minimum annuities established by this subsection (a) do  
14 include previous raises in the minimum annuity as provided by  
15 any Section of this Article, but do not include any sums which  
16 have been added or will be added to annuity payments by the  
17 automatic annual increases provided by Sections 6-164 and  
18 6-164.1. Such annual increases shall be paid in addition to the  
19 minimum amounts specified in this subsection.

20        (b) Notwithstanding any other provision of this Article,  
21 beginning January 1, 1990, the minimum retirement annuity  
22 payable to any person who is entitled to receive a retirement  
23 annuity under this Article on that date shall be \$475 per  
24 month.

25        (c) The changes made to this Section by this amendatory Act  
26 of the 93rd General Assembly apply to all persons receiving a

1 retirement annuity under this Article, without regard to  
2 whether the retirement of the fireman occurred prior to the  
3 effective date of this amendatory Act.

4 (Source: P.A. 99-506, eff. 5-30-16.)

5 (40 ILCS 5/6-128.4) (from Ch. 108 1/2, par. 6-128.4)

6 Sec. 6-128.4. Minimum widow's annuities.

7 (a) Notwithstanding any other provision of this Article,  
8 beginning January 1, 1996, the minimum amount of widow's  
9 annuity payable to any person who is entitled to receive a  
10 widow's annuity under this Article is \$700 per month, without  
11 regard to whether the deceased fireman is in service on or  
12 after the effective date of this amendatory Act of 1995.

13 (b) Notwithstanding Section 6-128.3, beginning January 1,  
14 1994, the minimum widow's annuity under this Article shall be  
15 \$700 per month for (1) all persons receiving widow's annuities  
16 on that date who are survivors of employees who retired at age  
17 50 or over with at least 20 years of service, and (2) persons  
18 who become eligible for widow's annuities and are survivors of  
19 employees who retired at age 50 or over with at least 20 years  
20 of service.

21 (c) Notwithstanding Section 6-128.3, beginning January 1,  
22 1999, the minimum widow's annuity under this Article shall be  
23 \$800 per month for (1) all persons receiving widow's annuities  
24 on that date who are survivors of employees who retired at age  
25 50 or over with at least 20 years of service, and (2) persons

1 who become eligible for widow's annuities and are survivors of  
2 employees who retired at age 50 or over with at least 20 years  
3 of service.

4 (d) Notwithstanding Section 6-128.3, beginning January 1,  
5 2004, the minimum widow's annuity under this Article shall be  
6 \$900 per month for all persons receiving widow's annuities on  
7 or after that date, without regard to whether the deceased  
8 fireman is in service on or after the effective date of this  
9 amendatory Act of the 93rd General Assembly.

10 (e) Notwithstanding Section 6-128.3, beginning January 1,  
11 2005, the minimum widow's annuity under this Article shall be  
12 \$1,000 per month for all persons receiving widow's annuities on  
13 or after that date, without regard to whether the deceased  
14 fireman is in service on or after the effective date of this  
15 amendatory Act of the 93rd General Assembly.

16 (f) Notwithstanding Section 6-128.3, beginning January 1,  
17 2017, the minimum widow's annuity under this Article shall be  
18 no less than 125% of the Federal Poverty Level for all persons  
19 receiving widow's annuities on or after that date, without  
20 regard to whether the deceased fireman is in service on or  
21 after the effective date of this amendatory Act of the 99th  
22 General Assembly.

23 (g) Notwithstanding Section 6-128.3, beginning January 1,  
24 2019, the minimum widow's annuity under this Article shall be  
25 no less than 150% of the Federal Poverty Level for all persons  
26 receiving widow's annuities on or after that date, without



1 regard to whether the deceased fireman is in service on or  
2 after the effective date of this amendatory Act of the 100th  
3 General Assembly.

4 (h) For purposes of this Section, "Federal Poverty Level"  
5 means the poverty guidelines applicable to an individual in a  
6 single-person household located in Illinois, as updated  
7 periodically in the Federal Register by the United States  
8 Department of Health and Human Services under the authority of  
9 42 U.S.C. 9902(2).

10 (Source: P.A. 99-905, eff. 11-29-16.)

11 Section 90. The State Mandates Act is amended by adding  
12 Section 8.42 as follows:

13 (30 ILCS 805/8.42 new)

14 Sec. 8.42. Exempt mandate. Notwithstanding Sections 6 and 8  
15 of this Act, no reimbursement by the State is required for the  
16 implementation of any mandate created by this amendatory Act of  
17 the 100th General Assembly.

18 Section 99. Effective date. This Act takes effect upon  
19 becoming law."