



Sen. Robert F. Martwick

**Filed: 5/28/2021**

10200HB0275sam002

LRB102 10029 SMS 27220 a

1 AMENDMENT TO HOUSE BILL 275

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 275, AS AMENDED,  
3 with reference to page and line numbers of Senate Amendment  
4 No. 1, on page 1, line 5, by replacing "Section 8-151" with  
5 "Sections 8-151 and 8-165"; and

6 on page 4, immediately below line 14, by inserting the  
7 following:

8 "(40 ILCS 5/8-165) (from Ch. 108 1/2, par. 8-165)  
9 Sec. 8-165. Re-entry into service.

10 (a) Except as provided in subsection (c), when ~~When~~ an  
11 employee receiving age and service or prior service annuity  
12 who has withdrawn from service after the effective date  
13 re-enters service before age 65, any annuity previously  
14 granted and any annuity fixed for his wife shall be cancelled.  
15 The employee shall be credited for annuity purposes with sums  
16 sufficient to provide annuities equal to those cancelled, as

1 of their ages on the date of re-entry; provided, the maximum  
2 age of the wife for this purpose shall be as provided in  
3 Section 8-155 of this Article.

4 The sums so credited shall provide for annuities to be  
5 fixed and granted in the future. Contributions by the  
6 employees and the city for the purposes of this Article shall  
7 be made, and when the proper time arrives, as provided in this  
8 Article, new annuities based upon the total credit for annuity  
9 purposes and the entire term of his service shall be fixed for  
10 the employee and his wife.

11 If the employee's wife died before he re-entered service,  
12 no part of any credits for widow's or widow's prior service  
13 annuity at the time annuity for his wife was fixed shall be  
14 credited upon re-entry into service, and no such sums shall  
15 thereafter be used to provide such annuity.

16 (b) Except as provided in subsection (c), when ~~When~~ an  
17 employee re-enters service after age 65, payments on account  
18 of any annuity previously granted shall be suspended during  
19 the time thereafter that he is in service, and when he again  
20 withdraws, annuity payments shall be resumed. If the employee  
21 dies in service, his widow shall receive the amount of annuity  
22 previously fixed for her.

23 (c) For school years beginning on or after July 1, 2021, an  
24 age and service or prior service annuity shall not be  
25 cancelled in the case of an employee who is re-employed by the  
26 Board of Education of the city as a Special Education

1 Classroom Assistant or Classroom Assistant on a temporary and  
2 non-annual basis or on an hourly basis so long as the person:  
3 (1) does not work for compensation on more than 120 days in a  
4 school year; or (2) does not accept gross compensation for the  
5 re-employment in a school year in excess of \$30,000. These  
6 limitations apply only to school years that begin on or after  
7 July 1, 2021. Re-employment under this subsection does not  
8 require contributions, result in service credit being earned  
9 or granted, or constitute active participation in the Fund.

10 (Source: P.A. 81-1536.)".