



Rep. Jay Hoffman

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10300HB1052ham001

LRB103 04996 RPS 57631 a

1 AMENDMENT TO HOUSE BILL 1052

2 AMENDMENT NO. _____. Amend House Bill 1052 as follows:

3 on page 1, line 5, by replacing "4-109 and 4-109.1" with
4 "3-111, 3-111.1, 4-109, and 4-109.1"; and

5 on page 1, immediately below line 5, by inserting the
6 following:

7 "(40 ILCS 5/3-111) (from Ch. 108 1/2, par. 3-111)

8 Sec. 3-111. Pension.

9 (a) A police officer age 50 or more with 20 or more years
10 of creditable service, who is not a participant in the
11 self-managed plan under Section 3-109.3 and who is no longer
12 in service as a police officer, shall receive a pension of 1/2
13 of the salary attached to the rank held by the officer on the
14 police force for one year immediately prior to retirement or,
15 beginning July 1, 1987 for persons terminating service on or

1 after that date, the salary attached to the rank held on the
2 last day of service or for one year prior to the last day,
3 whichever is greater. The pension shall be increased by 2.5%
4 of such salary for each additional year of service over 20
5 years of service through 30 years of service, to a maximum of
6 75% of such salary.

7 The changes made to this subsection (a) by this amendatory
8 Act of the 91st General Assembly apply to all pensions that
9 become payable under this subsection on or after January 1,
10 1999. All pensions payable under this subsection that began on
11 or after January 1, 1999 and before the effective date of this
12 amendatory Act shall be recalculated, and the amount of the
13 increase accruing for that period shall be payable to the
14 pensioner in a lump sum.

15 (a-5) No pension in effect on or granted after June 30,
16 1973 shall be less than \$200 per month. Beginning July 1, 1987,
17 the minimum retirement pension for a police officer having at
18 least 20 years of creditable service shall be \$400 per month,
19 without regard to whether or not retirement occurred prior to
20 that date. If the minimum pension established in Section
21 3-113.1 is greater than the minimum provided in this
22 subsection, the Section 3-113.1 minimum controls.

23 (b) A police officer mandatorily retired from service due
24 to age by operation of law, having at least 8 but less than 20
25 years of creditable service, shall receive a pension equal to
26 2 1/2% of the salary attached to the rank he or she held on the

1 police force for one year immediately prior to retirement or,
2 beginning July 1, 1987 for persons terminating service on or
3 after that date, the salary attached to the rank held on the
4 last day of service or for one year prior to the last day,
5 whichever is greater, for each year of creditable service.

6 A police officer who retires or is separated from service
7 having at least 8 years but less than 20 years of creditable
8 service, who is not mandatorily retired due to age by
9 operation of law, and who does not apply for a refund of
10 contributions at his or her last separation from police
11 service, shall receive a pension upon attaining age 60 equal
12 to 2.5% of the salary attached to the rank held by the police
13 officer on the police force for one year immediately prior to
14 retirement or, beginning July 1, 1987 for persons terminating
15 service on or after that date, the salary attached to the rank
16 held on the last day of service or for one year prior to the
17 last day, whichever is greater, for each year of creditable
18 service.

19 (c) A police officer no longer in service who has at least
20 one but less than 8 years of creditable service in a police
21 pension fund but meets the requirements of this subsection (c)
22 shall be eligible to receive a pension from that fund equal to
23 2.5% of the salary attached to the rank held on the last day of
24 service under that fund or for one year prior to that last day,
25 whichever is greater, for each year of creditable service in
26 that fund. The pension shall begin no earlier than upon

1 attainment of age 60 (or upon mandatory retirement from the
2 fund by operation of law due to age, if that occurs before age
3 60) and in no event before the effective date of this
4 amendatory Act of 1997.

5 In order to be eligible for a pension under this
6 subsection (c), the police officer must have at least 8 years
7 of creditable service in a second police pension fund under
8 this Article and be receiving a pension under subsection (a)
9 or (b) of this Section from that second fund. The police
10 officer need not be in service on or after the effective date
11 of this amendatory Act of 1997.

12 (d) Notwithstanding any other provision of this Article,
13 the provisions of this subsection (d) apply to a person who is
14 not a participant in the self-managed plan under Section
15 3-109.3 and who first becomes a police officer under this
16 Article on or after January 1, 2011.

17 A police officer age 55 or more who has 10 or more years of
18 service in that capacity shall be entitled at his option to
19 receive a monthly pension for his service as a police officer
20 computed by multiplying 2.5% for each year of such service by
21 his or her final average salary.

22 The pension of a police officer who is retiring after
23 attaining age 50 with 10 or more years but less than 20 years
24 of creditable service shall be reduced by one-half of 1% for
25 each month that the police officer's age is under age 55.

26 The pension of a police officer who is retiring after

1 attaining age 50 with 20 or more years of creditable service
2 shall not be reduced.

3 The maximum pension under this subsection (d) shall be 75%
4 of final average salary.

5 For the purposes of this subsection (d), "final average
6 salary" means the greater of: (i) the average monthly salary
7 obtained by dividing the total salary of the police officer
8 during the 48 consecutive months of service within the last 60
9 months of service in which the total salary was the highest by
10 the number of months of service in that period; or (ii) the
11 average monthly salary obtained by dividing the total salary
12 of the police officer during the 96 consecutive months of
13 service within the last 120 months of service in which the
14 total salary was the highest by the number of months of service
15 in that period.

16 Beginning on January 1, 2011, for all purposes under this
17 Code (including without limitation the calculation of benefits
18 and employee contributions), the annual salary based on the
19 plan year of a member or participant to whom this Section
20 applies shall not exceed \$106,800; however, that amount shall
21 annually thereafter be increased by the lesser of (i) 3% of
22 that amount, including all previous adjustments, or (ii) the
23 annual unadjusted percentage increase (but not less than zero)
24 in the consumer price index-u for the 12 months ending with the
25 September preceding each November 1, including all previous
26 adjustments.

1 Nothing in this amendatory Act of the 101st General
2 Assembly shall cause or otherwise result in any retroactive
3 adjustment of any employee contributions.

4 (Source: P.A. 101-610, eff. 1-1-20.)

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

6 Sec. 3-111.1. Increase in pension.

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

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

25 (c) The monthly pension of a police officer who retires on

1 disability or is retired for disability shall be increased in
2 January of the year following the year of attaining age 60, by
3 3% of the original grant of pension for each year he or she
4 received pension payments. In each January thereafter, the
5 police officer shall receive an additional increase of 3% of
6 the original pension.

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

17 The changes made to this subsection (d) by this amendatory
18 Act of the 91st General Assembly apply to all initial
19 increases that become payable under this subsection on or
20 after January 1, 1999. All initial increases that became
21 payable under this subsection on or after January 1, 1999 and
22 before the effective date of this amendatory Act shall be
23 recalculated and the additional amount accruing for that
24 period, if any, shall be payable to the pensioner in a lump
25 sum.

26 (e) Notwithstanding the provisions of subsection (a), upon

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

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

22 (g) Notwithstanding any other provision of this Article,
23 the monthly pension of a person who first becomes a police
24 officer under this Article on or after January 1, 2011 shall be
25 increased on the January 1 occurring either on or after the
26 attainment of age 55 ~~60~~ or the first anniversary of the pension

1 start date, whichever is later. Each annual increase shall be
2 calculated at 3% ~~or one-half the annual unadjusted percentage~~
3 ~~increase (but not less than zero) in the consumer price~~
4 ~~index u for the 12 months ending with the September preceding~~
5 ~~each November 1, whichever is less, of the originally granted~~
6 ~~pension. If the annual unadjusted percentage change in the~~
7 ~~consumer price index u for a 12 month period ending in~~
8 ~~September is zero or, when compared with the preceding period,~~
9 ~~decreases, then the pension shall not be increased.~~

10 ~~For the purposes of this subsection (g), "consumer price~~
11 ~~index u" means the index published by the Bureau of Labor~~
12 ~~Statistics of the United States Department of Labor that~~
13 ~~measures the average change in prices of goods and services~~
14 ~~purchased by all urban consumers, United States city average,~~
15 ~~all items, 1982-84 = 100. The new amount resulting from each~~
16 ~~annual adjustment shall be determined by the Public Pension~~
17 ~~Division of the Department of Insurance and made available to~~
18 ~~the boards of the pension funds.~~

19 Notwithstanding Section 1-103.1, the changes made by this
20 amendatory Act of the 103rd General Assembly apply without
21 regard to whether the person who first became a police officer
22 under this Article on or after January 1, 2011 is in active
23 service under this Article on or after the effective date of
24 this amendatory Act of the 103rd General Assembly.

25 (Source: P.A. 96-1495, eff. 1-1-11.)"