



Rep. Eva-Dina Delgado

Filed: 5/9/2023

10300SB1648ham001

LRB103 27807 RPS 61591 a

1 AMENDMENT TO SENATE BILL 1648

2 AMENDMENT NO. _____. Amend Senate Bill 1648 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by
5 changing Section 11-159 and by adding Sections 11-159.1 and
6 14-126.5 as follows:

7 (40 ILCS 5/11-159) (from Ch. 108 1/2, par. 11-159)

8 Sec. 11-159. Annuity after withdrawal while disabled for
9 employees who first became participants prior to January 1,
10 2011.

11 (a) This Section applies to employees who first became
12 participants prior to January 1, 2011.

13 (b) An employee whose disability continues after the
14 employee ~~he~~ has received ordinary disability benefits ~~benefit~~
15 for the maximum period of time prescribed by this Article,~~7~~ and
16 who withdraws before age 60 while still so disabled~~7~~ is

1 entitled to receive an annuity in ~~of~~ such amount as can be
2 provided from the total sum accumulated to the employee's ~~his~~
3 credit from employee contributions and employer ~~city~~
4 contributions, to be computed as of the employee's ~~his~~ age on
5 the date of withdrawal. If the minimum annuity under Section
6 11-134 applies and is greater than the annuity under this
7 subsection (b), then the Section 11-134 annuity shall apply.
8 Any annuity under this subsection (b) shall be subject to
9 automatic annual increases under Section 11-134.1.

10 (c) The annuity to which the employee's spouse ~~his wife~~
11 shall be entitled upon the employee's ~~his~~ death, shall be
12 fixed on the date of the employee's ~~his~~ withdrawal. It shall be
13 provided on a reversionary annuity basis from the total sum
14 accumulated to the employee's ~~his~~ credit for widow's annuity
15 on the date of such withdrawal. If the minimum annuity under
16 Section 11-145.1 applies and is greater than the annuity under
17 this subsection (c), then the Section 11-145.1 annuity shall
18 apply. Any widow's annuity shall not be subject to any
19 automatic annual increases.

20 (d) Upon the death of any such employee while on annuity,
21 if the employee's ~~his~~ service was at least 4 years after the
22 date of the employee's ~~his~~ original entry, and at least 2 years
23 after the date of the employee's ~~his~~ latest re-entry, the
24 employee's ~~his~~ unmarried ~~child or~~ children under age 18 shall
25 be entitled to an annuity as specified in this Article for
26 children of an employee who retires after age 55, subject to

1 prescribed limitations on total payments to a family of an
2 employee.

3 (Source: P.A. 81-1536.)

4 (40 ILCS 5/11-159.1 new)

5 Sec. 11-159.1. Annuity after withdrawal while disabled for
6 employees who first became participants on or after January 1,
7 2011.

8 (a) This Section applies to employees who first became
9 participants on or after January 1, 2011.

10 (b) An employee whose disability continues after the
11 employee has received ordinary disability benefits for the
12 maximum period of time prescribed by this Article and who
13 withdraws before becoming eligible for a retirement annuity
14 under subsection (c), (c-5), (d), or (d-5) of Section 1-160
15 while still so disabled is entitled to receive an annuity in
16 such amount as can be provided from the total sum accumulated
17 to the employee's credit from employee contributions and
18 employer contributions, to be computed as of the employee's
19 age on the date of withdrawal. The minimum annuity under
20 Section 11-134 shall not apply, and any annuity under this
21 subsection (b) shall not be subject to any automatic annual
22 increases.

23 (c) The annuity to which the employee's spouse shall be
24 entitled upon the employee's death shall be fixed on the date
25 of the employee's withdrawal. It shall be provided on a

1 reversionary annuity basis from the total sum accumulated to
2 the employee's credit for widow's annuity on the date of such
3 withdrawal. The minimum annuity under Section 11-145.1 shall
4 not apply and any widow's annuity under this subsection (c)
5 shall not be subject to any automatic annual increases.

6 (d) Upon the death of any such employee while on annuity,
7 if the employee's service was at least 4 years after the date
8 of the employee's original entry, and at least 2 years after
9 the date of the employee's latest re-entry, the employee's
10 unmarried children under age 18 shall be entitled to an
11 annuity as specified in this Article for children of an
12 employee who retires after age 55, subject to prescribed
13 limitations on total payments to a family of an employee.

14 (40 ILCS 5/14-126.5 new)

15 Sec. 14-126.5. Retirement annuity option for termination
16 of ordinary disability benefit. A member who is subject to the
17 provisions of Section 1-160 whose disability continues but
18 whose disability benefit is either terminated due to attaining
19 age 65 or terminated after 5 years because the ordinary
20 disability benefit commenced after age 60 shall immediately
21 qualify to begin receiving a retirement annuity without the
22 reduction provided under subsection (d) of Section 1-160 if
23 the member has earned at least 10 years of creditable service.

24 Section 90. The State Mandates Act is amended by adding

1 Section 8.47 as follows:

2 (30 ILCS 805/8.47 new)

3 Sec. 8.47. Exempt mandate. Notwithstanding Sections 6 and
4 8 of this Act, no reimbursement by the State is required for
5 the implementation of any mandate created by this amendatory
6 Act of the 103rd General Assembly.

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