



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB4097

by Rep. Michael P. McAuliffe

SYNOPSIS AS INTRODUCED:

40 ILCS 5/5-137.1 new
30 ILCS 805/8.36 new

Amends the Chicago Police Article of the Illinois Pension Code. Provides for payment of a widow's annuity to an individual engaged to be married to (or to be joined in a civil union with) a policeman who dies in service on or after December 1, 2011. Requires a person making a claim for this benefit to produce clear and convincing evidence at a hearing before the Board that he or she was actually engaged to the policeman at the time of the policeman's death. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB097 17857 EFG 63079 b

FISCAL NOTE ACT
MAY APPLY

PENSION IMPACT
NOTE ACT MAY
APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning 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 adding
5 Section 5-137.1 as follows:

6 (40 ILCS 5/5-137.1 new)

7 Sec. 5-137.1. Widow's annuity - Death in service - Engaged
8 person. The annuity benefits set forth in Section 5-137 for
9 widows shall also apply to an individual who is engaged to be
10 married to (or to be joined in a civil union with) a present
11 employee or future entrant who dies in service on or after
12 December 1, 2011.

13 A person making a claim for benefits under this Section
14 must produce clear and convincing evidence at a hearing before
15 the Board that he or she was actually engaged to be married to
16 (or to be joined in a civil union with) the policeman at the
17 time of the policeman's death. The limitation of subdivision
18 (a) of Section 5-146 (requiring marriage for at least one year)
19 and any other provisions of this Article requiring marriage (or
20 civil union) as a condition of receiving a widow's annuity do
21 not apply to the granting of a widow's annuity to an engaged
22 person under this Section.

23 This Section is not limited under Section 1-103.1 to

1 persons in service on or after the effective date of this
2 amendatory Act of the 97th General Assembly.

3 Section 90. The State Mandates Act is amended by adding
4 Section 8.36 as follows:

5 (30 ILCS 805/8.36 new)

6 Sec. 8.36. Exempt mandate. Notwithstanding Sections 6 and 8
7 of this Act, no reimbursement by the State is required for the
8 implementation of any mandate created by this amendatory Act of
9 the 97th General Assembly.

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.