



Rep. Michael J. Madigan

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LRB098 08482 EFG 41386 a

1 AMENDMENT TO HOUSE BILL 1154

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1154 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by adding  
5 Sections 2-105.1, 2-105.2, 2-119.2, 14-103.40, 14-103.41,  
6 14-114.1, 15-107.1, 15-107.2, 15-135.5, 16-106.4, 16-106.5,  
7 and 16-133.6 as follows:

8 (40 ILCS 5/2-105.1 new)

9 Sec. 2-105.1. Tier I participant. "Tier I participant": A  
10 participant who first became a participant before January 1,  
11 2011.

12 (40 ILCS 5/2-105.2 new)

13 Sec. 2-105.2. Tier I retiree. "Tier I retiree": a former  
14 Tier I participant who is receiving a retirement annuity.

1 (40 ILCS 5/2-119.2 new)

2 Sec. 2-119.2. Termination of annual increases.  
3 Notwithstanding any other provision of this Article, no  
4 automatic annual increase in annuity shall be granted on or  
5 after the effective date of this amendatory Act of the 98th  
6 General Assembly to (i) any Tier I retiree or (ii) any person  
7 receiving a survivor's annuity based on the death of a current  
8 or former Tier I participant or Tier I retiree. Annual  
9 increases granted before that effective date shall continue in  
10 force.

11 For purposes of Section 1-103.1, this Section applies  
12 without regard to whether the Tier I participant or Tier I  
13 retiree was in service on or after the effective date of this  
14 Section.

15 (40 ILCS 5/14-103.40 new)

16 Sec. 14-103.40. Tier I member. "Tier I member": A member of  
17 this System who first became a member or participant before  
18 January 1, 2011 under any reciprocal retirement system or  
19 pension fund established under this Code other than a  
20 retirement system or pension fund established under Article 2,  
21 3, 4, 5, 6, or 18 of this Code.

22 (40 ILCS 5/14-103.41 new)

23 Sec. 14-103.41. Tier I retiree. "Tier I retiree": A former  
24 Tier I member who is receiving a retirement annuity.

1 (40 ILCS 5/14-114.1 new)

2 Sec. 14-114.1. Termination of Tier I annual increases.  
3 Notwithstanding any other provision of this Article, no  
4 automatic annual increase in annuity shall be granted on or  
5 after the effective date of this amendatory Act of the 98th  
6 General Assembly to (i) any Tier I retiree, (ii) any current or  
7 former Tier I member receiving a disability benefit, or (iii)  
8 any person receiving a reversionary annuity or a widow's or  
9 survivor's annuity based on the death of a current or former  
10 Tier I member or Tier I retiree. Annual increases granted  
11 before that effective date shall continue in force.

12 This Section does not apply to any annuity payable to a  
13 person subject to Section 1-160 with respect to service under  
14 this Article, nor to any annuity payable under this Article to  
15 the eligible survivor of such a person. For purposes of Section  
16 1-103.1, this Section applies without regard to whether the  
17 Tier I member or Tier I retiree was in service on or after the  
18 effective date of this Section.

19 (40 ILCS 5/15-107.1 new)

20 Sec. 15-107.1. Tier I participant. "Tier I participant": A  
21 participant under this Article, other than a participant in the  
22 self-managed plan under Section 15-158.2, who first became a  
23 member or participant before January 1, 2011 under any  
24 reciprocal retirement system or pension fund established under

1 this Code other than a retirement system or pension fund  
2 established under Article 2, 3, 4, 5, 6, or 18 of this Code.

3 (40 ILCS 5/15-107.2 new)

4 Sec. 15-107.2. Tier I retiree. "Tier I retiree": A former  
5 Tier I participant who is receiving a retirement annuity.

6 A person does not become a Tier I retiree by virtue of  
7 receiving a reversionary, survivors, beneficiary, or  
8 disability annuity.

9 (40 ILCS 5/15-135.5 new)

10 Sec. 15-135.5. Termination of Tier I annual increases.  
11 Notwithstanding any other provision of this Article, no  
12 automatic annual increase in annuity shall be granted on or  
13 after the effective date of this amendatory Act of the 98th  
14 General Assembly to (i) any Tier I retiree, (ii) any current or  
15 former Tier I participant receiving a disability benefit, or  
16 (iii) any person receiving a survivors insurance benefit,  
17 reversionary annuity, or other type of annuity based on the  
18 death of a current or former Tier I participant or Tier I  
19 retiree. Annual increases granted before that effective date  
20 shall continue in force.

21 This Section does not apply to any annuity payable to a  
22 person subject to Section 1-160 with respect to service under  
23 this Article, nor to any annuity payable under this Article to  
24 the eligible survivor of such a person. This Section does not

1 apply to benefits, including disability benefits, payable  
2 under the self-managed plan. For purposes of Section 1-103.1,  
3 this Section applies without regard to whether the Tier I  
4 participant or Tier I retiree was in service on or after the  
5 effective date of this Section.

6 (40 ILCS 5/16-106.4 new)

7 Sec. 16-106.4. Tier I member. "Tier I member": A member  
8 under this Article who first became a member or participant  
9 before January 1, 2011 under any reciprocal retirement system  
10 or pension fund established under this Code other than a  
11 retirement system or pension fund established under Article 2,  
12 3, 4, 5, 6, or 18 of this Code.

13 (40 ILCS 5/16-106.5 new)

14 Sec. 16-106.5. Tier I retiree. "Tier I retiree": A former  
15 Tier I member who is receiving a retirement annuity.

16 (40 ILCS 5/16-133.6 new)

17 Sec. 16-133.6. Termination of Tier I annual increases.  
18 Notwithstanding any other provision of this Article, no  
19 automatic annual increase in annuity shall be granted on or  
20 after the effective date of this amendatory Act of the 98th  
21 General Assembly to (i) any Tier I retiree, (ii) any current or  
22 former Tier I member receiving a disability benefit, or (iii)  
23 any person receiving a reversionary annuity or survivor's

1 benefit based on the death of a current or former Tier I member  
2 or Tier I retiree. Annual increases granted before that  
3 effective date shall continue in force.

4 This Section does not apply to any annuity payable to a  
5 person subject to Section 1-160 with respect to service under  
6 this Article, nor to any annuity payable under this Article to  
7 the eligible survivor of such a person. For purposes of Section  
8 1-103.1, this Section applies without regard to whether the  
9 Tier I member or Tier I retiree was in service on or after the  
10 effective date of this Section.

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