

1 AN ACT in relation to 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
5 changing Section 4-109.1 as follows:

6 (40 ILCS 5/4-109.1) (from Ch. 108 1/2, par. 4-109.1)

7 Sec. 4-109.1. Increase in pension.

8 (a) Except as provided in subsection (e), the monthly
9 pension of a firefighter who retires after July 1, 1971 and
10 prior to January 1, 1986, shall, upon either the first of the
11 month following the first anniversary of the date of
12 retirement if 60 years of age or over at retirement date, or
13 upon the first day of the month following attainment of age
14 60 if it occurs after the first anniversary of retirement, be
15 increased by 2% of the originally granted monthly pension and
16 by an additional 2% in each January thereafter. Effective
17 January 1976, the rate of the annual increase shall be 3% of
18 the originally granted monthly pension.

19 (b) The monthly pension of a firefighter who retired
20 from service with 20 or more years of service, on or before
21 July 1, 1971, shall be increased, in January of the year
22 following the year of attaining age 65 or in January 1972, if
23 then over age 65, by 2% of the originally granted monthly
24 pension, for each year the firefighter received pension
25 payments. In each January thereafter, he or she shall
26 receive an additional increase of 2% of the original monthly
27 pension. Effective January 1976, the rate of the annual
28 increase shall be 3%.

29 (c) The monthly pension of a firefighter who is
30 receiving a disability pension under this Article shall be
31 increased, in January of the year following the year the

1 firefighter attains age 60, or in January 1974, if then over
2 age 60, by 2% of the originally granted monthly pension for
3 each year he or she received pension payments. In each
4 January thereafter, the firefighter shall receive an
5 additional increase of 2% of the original monthly pension.
6 Effective January 1976, the rate of the annual increase shall
7 be 3%.

8 (c-1) On January 1, 1998, every child's disability
9 benefit payable on that date under Section 4-110 or 4-110.1
10 shall be increased by an amount equal to 1/12 of 3% of the
11 amount of the benefit, multiplied by the number of months for
12 which the benefit has been payable. On each January 1
13 thereafter, every child's disability benefit payable under
14 Section 4-110 or 4-110.1 shall be increased by 3% of the
15 amount of the benefit then being paid, including any previous
16 increases received under this Article. These increases are
17 not subject to any limitation on the maximum benefit amount
18 included in Section 4-110 or 4-110.1.

19 (d) The monthly pension of a firefighter who retires
20 after January 1, 1986, shall, upon either the first of the
21 month following the first anniversary of the date of
22 retirement if 55 years of age or over, or upon the first day
23 of the month following attainment of age 55 if it occurs
24 after the first anniversary of retirement, be increased by
25 1/12 of 3% of the originally granted monthly pension for each
26 full month that has elapsed since the pension began, and by
27 an additional 3% in each January thereafter.

28 The changes made to this subsection (d) by this
29 amendatory Act of the 91st General Assembly apply to all
30 initial increases that become payable under this subsection
31 on or after January 1, 1999. All initial increases that
32 became payable under this subsection on or after January 1,
33 1999 and before the effective date of this amendatory Act
34 shall be recalculated and the additional amount accruing for

1 that period, if any, shall be payable to the pensioner in a
2 lump sum.

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

15 (f) The monthly pension of a surviving spouse who is
16 receiving a pension under this Article shall be increased, in
17 (i) January of the year following the year in which the
18 surviving spouse attains age 55, (ii) January of the year
19 following the year in which the surviving spouse pension
20 began, or (iii) January of 2002, whichever occurs last, by
21 1/12 of 3% of the originally granted monthly pension for each
22 full month that has elapsed since the pension began, and by
23 an additional 3% in each January thereafter. These increases
24 are not subject to any limitation on the maximum amount of
25 the pension otherwise imposed by this Article.

26 (Source: P.A. 90-32, eff. 6-27-97; 91-466, eff. 8-6-99.)

27 Section 90. The State Mandates Act is amended by adding
28 Section 8.25 as follows:

29 (30 ILCS 805/8.25 new)

30 Sec. 8.25. Exempt mandate. Notwithstanding Sections 6
31 and 8 of this Act, no reimbursement by the State is required
32 for the implementation of any mandate created by this

1 amendatory Act of the 92nd General Assembly.

2 Section 99. Effective date. This Act takes effect upon

3 becoming law.