

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 (c-2) On January 1, 2003 and on each January 1
20 thereafter, every survivor's pension payable under subsection
21 (a) of Section 4-114 shall be increased by 3% of the amount
22 then being paid, including any previous increases received
23 under this Article.

24 (d) The monthly pension of a firefighter who retires
25 after January 1, 1986, shall, upon either the first of the
26 month following the first anniversary of the date of
27 retirement if 55 years of age or over, or upon the first day
28 of the month following attainment of age 55 if it occurs
29 after the first anniversary of retirement, be increased by
30 1/12 of 3% of the originally granted monthly pension for each
31 full month that has elapsed since the pension began, and by
32 an additional 3% in each January thereafter.

33 The changes made to this subsection (d) by this
34 amendatory Act of the 91st General Assembly apply to all

1 initial increases that become payable under this subsection
2 on or after January 1, 1999. All initial increases that
3 became payable under this subsection on or after January 1,
4 1999 and before the effective date of this amendatory Act
5 shall be recalculated and the additional amount accruing for
6 that period, if any, shall be payable to the pensioner in a
7 lump sum.

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

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

21 Section 90. The State Mandates Act is amended by adding
22 Section 8.26 as follows:

23 (30 ILCS 805/8.26 new)

24 Sec. 8.26. Exempt mandate. Notwithstanding Sections 6
25 and 8 of this Act, no reimbursement by the State is required
26 for the implementation of any mandate created by this
27 amendatory Act of the 92nd General Assembly.

28 Section 99. Effective date. This Act takes effect upon
29 becoming law.