



## 95TH GENERAL ASSEMBLY

### State of Illinois

### 2007 and 2008

#### HB0725

Introduced 2/7/2007, by Rep. Michael P. McAuliffe - Angelo Saviano

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/3-111.1  
30 ILCS 805/8.31 new

from Ch. 108 1/2, par. 3-111.1

Amends the Downstate Police Article of the Illinois Pension Code. Applies changes made by Public Act 91-939 increasing a police officer's monthly pension by 1/12 of 3% of the originally granted pension for each month that has elapsed since the pension began (before Public Act 91-939 it was by 3% of the originally granted pension for each year that has elapsed since the pension began) to initial increases that become payable on or after January 1, 1998 (rather than January 1, 1999). Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB095 05040 AMC 25108 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 changing  
5 Section 3-111.1 as follows:

6 (40 ILCS 5/3-111.1) (from Ch. 108 1/2, par. 3-111.1)

7 Sec. 3-111.1. Increase in pension.

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

18 (b) The monthly pension of a police officer who retired  
19 from service with 20 or more years of service, on or before  
20 July 1, 1971, shall be increased in January of the year  
21 following the year of attaining age 65 or in January of 1972,  
22 if then over age 65, by 3% of the originally granted pension  
23 for each year the police officer received pension payments. In

1 each January thereafter, he or she shall receive an additional  
2 increase of 3% of the original pension.

3 (c) The monthly pension of a police officer who retires on  
4 disability or is retired for disability shall be increased in  
5 January of the year following the year of attaining age 60, by  
6 3% of the original grant of pension for each year he or she  
7 received pension payments. In each January thereafter, the  
8 police officer shall receive an additional increase of 3% of  
9 the original pension.

10 (d) The monthly pension of a police officer who retires  
11 after January 1, 1986, shall be increased, upon either the  
12 first of the month following the first anniversary of the date  
13 of retirement if the officer is 55 years of age or over, or  
14 upon the first day of the month following attainment of age 55  
15 if it occurs after the first anniversary of retirement, by 1/12  
16 of 3% of the originally granted pension for each full month  
17 that has elapsed since the pension began, and by an additional  
18 3% of the originally granted pension in January of each year  
19 thereafter.

20 The changes made to this subsection (d) by Public Act  
21 91-939 ~~this amendatory Act of the 91st General Assembly~~ apply  
22 to all initial increases that become payable under this  
23 subsection on or after January 1, 1998 ~~1999~~. All initial  
24 increases that became payable under this subsection on or after  
25 January 1, 1998 ~~1999~~ and before the effective date of this  
26 amendatory Act of the 95th General Assembly shall be

1 recalculated and the additional amount accruing for that  
2 period, if any, shall be payable to the pensioner in a lump  
3 sum.

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

16 (f) Notwithstanding the other provisions of this Section,  
17 beginning with increases granted on or after July 1, 1993, the  
18 second and all subsequent automatic annual increases granted  
19 under subsection (a), (b), (d), or (e) of this Section shall be  
20 calculated as 3% of the amount of pension payable at the time  
21 of the increase, including any increases previously granted  
22 under this Section, rather than 3% of the originally granted  
23 pension amount. Section 1-103.1 does not apply to this  
24 subsection (f).

25 (Source: P.A. 91-939, eff. 2-1-01.)

1           Section 90. The State Mandates Act is amended by adding  
2           Section 8.31 as follows:

3           (30 ILCS 805/8.31 new)

4           Sec. 8.31. Exempt mandate. Notwithstanding Sections 6 and 8  
5           of this Act, no reimbursement by the State is required for the  
6           implementation of any mandate created by this amendatory Act of  
7           the 95th General Assembly.

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