



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB1892

Introduced 2/6/2025, by Sen. Robert F. Martwick

#### SYNOPSIS AS INTRODUCED:

|                      |                                |
|----------------------|--------------------------------|
| 40 ILCS 5/5-136.1    | from Ch. 108 1/2, par. 5-136.1 |
| 40 ILCS 5/6-141.1    | from Ch. 108 1/2, par. 6-141.1 |
| 30 ILCS 805/8.49 new |                                |

Amends the Chicago Police and Chicago Firefighter Articles of the Illinois Pension Code. Provides that a widow's annuity shall be equal to 66 2/3%(instead of 50%) of the retirement annuity the deceased policeman or fireman was receiving at the time of death or 66 2/3% (instead of 50%) of the retirement annuity the policeman or fireman would have been eligible for if the policeman or fireman retired from service on the day before the policeman's or fireman's death. Amends the State Mandates Act to require implementation without reimbursement.

LRB104 11131 RPS 21213 b

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

A BILL FOR

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  
5 changing Sections 5-136.1 and 6-141.1 as follows:

6 (40 ILCS 5/5-136.1) (from Ch. 108 1/2, par. 5-136.1)

7 Sec. 5-136.1. (a) Notwithstanding the other provisions of  
8 this Article, the widow of a policeman (1) who retires on or  
9 after January 1, 1986, and subsequently dies while receiving a  
10 retirement annuity, or (2) dies on or after January 1, 1991  
11 while receiving a retirement annuity without regard to the  
12 date of retirement, or (3) dies after December 31, 1985, while  
13 an active policeman with at least 1 1/2 years of creditable  
14 service, may in lieu of any other widow's annuity have the  
15 amount of widow's annuity calculated in accordance with this  
16 Section.

17 (b) If the deceased policeman was an active policeman at  
18 the time of his death and had at least 1 1/2 years of  
19 creditable service, the widow's annuity shall be 30% of the  
20 annual maximum salary attached to the classified civil service  
21 position of a first class patrolman at the time of his death.  
22 If such policeman dies on or after January 1, 1991, the widow's  
23 annuity shall be the greater of (1) 30% of the annual maximum

1 salary attached to the classified civil service position of a  
2 first class patrolman at the time of his death, or (2) 66 2/3%  
3 ~~50%~~ of the retirement annuity the deceased policeman would  
4 have been eligible to receive if he had retired from service on  
5 the day before his death. This annuity is fixed at the time of  
6 the policeman's death and does not increase. This annuity  
7 shall not be limited to the maximum dollar amount in effect for  
8 widows' annuities at the time of the policeman's death.

9 (c) If the deceased policeman was receiving a retirement  
10 annuity at the time of his death, the widow's annuity shall be  
11 equal to 40% of the policeman's annuity at the time of the  
12 policeman's death until December 31, 1987, and 66 2/3% ~~50%~~  
13 of such policeman's annuity thereafter. The increase in widow's  
14 annuity provided by this amendatory Act of 1987 shall apply to  
15 all annuities calculated under this subsection (c). This  
16 annuity shall not be limited to the maximum dollar amount in  
17 effect for widows' annuities at the time of the policeman's  
18 death or retirement.

19 (d) This Section shall in no way limit any annuity  
20 otherwise payable under this Article.

21 (e) The widow's annuity of any widow of a policeman who  
22 retired on or after January 1, 1986 and died while receiving a  
23 retirement annuity, which was not calculated under this  
24 Section because the deceased policeman had reached age 63  
25 prior to January 1, 1986, shall be recalculated, effective  
26 January 1, 1991, in accordance with the provisions of this

Section, notwithstanding Section 1-103.1.

(Source: P.A. 85-964; 86-1488.)

(40 ILCS 5/6-141.1) (from Ch. 108 1/2, par. 6-141.1)

Sec. 6-141.1. (a) Notwithstanding the other provisions of this Article, the widow of a fireman who dies on or after June 30, 1984, while receiving a retirement annuity or while an active fireman with at least 1 1/2 years of creditable service, may elect to have the amount of widow's annuity calculated in accordance with this Section.

(b) If the deceased fireman was an active fireman at the time of his death and had at least 1 1/2 years of creditable service, the widow's annuity shall be the greater of (1) 30% of the salary attached to the rank of first class firefighter in the classified career service at the time of the fireman's death, or (2) 66 2/3% ~~50%~~ of the retirement annuity the deceased fireman would have been eligible to receive if he had retired from service on the day before his death.

(c) If the deceased fireman was receiving a retirement annuity at the time of his death, the widow's annuity shall be equal to 66 2/3% ~~50%~~ of the amount of such retirement annuity at the time of the fireman's death.

(Source: P.A. 84-11.)

Section 90. The State Mandates Act is amended by adding Section 8.49 as follows:

1 (30 ILCS 805/8.49 new)

2 Sec. 8.49. Exempt mandate. Notwithstanding Sections 6 and  
3 8 of this Act, no reimbursement by the State is required for  
4 the implementation of any mandate created by this amendatory  
5 Act of the 104th General Assembly.