



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB2824

by Rep. Michael J. Zalewski

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/8-125	from Ch. 108 1/2, par. 8-125
40 ILCS 5/8-162	from Ch. 108 1/2, par. 8-162
40 ILCS 5/8-244.1	from Ch. 108 1/2, par. 8-244.1

Amends the Chicago Municipal Article of the Illinois Pension Code. Provides that the date on which an annuity payment period begins shall not be prior to termination or more than one year prior to receipt by the board of the written application for benefits. Provides that each disabled employee who receives duty or ordinary disability benefit shall be examined at least once a year, or a longer period of time as determined by the board (rather than shall be examined at least once a year), by one or more licensed and practicing physicians appointed by the board. Provides that an annuitant who directs the board to pay the annuity due him or her to a financial institution shall hold the board and Fund harmless from any claim or loss related to any error as to whether the financial institution is or continues to be federally insured. Removes a provision concerning the payment of benefits to certain persons confined in publicly owned and operated mental institutions. Effective immediately.

LRB101 08718 RPS 53805 b

FISCAL NOTE ACT  
MAY APPLY

PENSION IMPACT  
NOTE ACT MAY  
APPLY

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 changing  
5 Sections 8-125, 8-162, and 8-244.1 as follows:

6 (40 ILCS 5/8-125) (from Ch. 108 1/2, par. 8-125)  
7 Sec. 8-125. Annuity.

8 "Annuity": Equal monthly payments for life, unless  
9 otherwise specified.

10 For annuities taking effect before January 1, 1998, the  
11 first payment shall be due and payable one month after the  
12 occurrence of the event upon which payment of the annuity  
13 depends, and the last payment shall be due and payable as of  
14 the date of the annuitant's death and shall be prorated from  
15 the date of the last preceding payment to the date of death for  
16 deaths that occur on or before March 31, 2000. All payments  
17 made on or after April 1, 2000 shall be made on the first day of  
18 the calendar month and the last payment shall be made on the  
19 first day of the calendar month in which the annuity payment  
20 period ends. All payments for months beginning with April of  
21 2000 shall be for the entire calendar month, without proration.  
22 A pro rata amount shall be paid for that part of the month from  
23 the March 2000 annuity payment date through March 31, 2000.

1           For annuities taking effect on or after January 1, 1998,  
2 payments shall be made as of the first day of the calendar  
3 month, with the first payment to be made as of the first day of  
4 the calendar month coincidental with or next following the  
5 first day of the annuity payment period, and the last payment  
6 to be made as of the first day of the calendar month in which  
7 the annuity payment period ends. For annuities taking effect on  
8 or after January 1, 1998, all payments shall be for the entire  
9 calendar month, without proration. The date on which the  
10 annuity payment period begins shall not be prior to termination  
11 or more than one year prior to receipt by the board of the  
12 written application for benefits.

13           For the purposes of this Section, the "annuity payment  
14 period" means the period beginning on the day after the  
15 occurrence of the event upon which payment of the annuity  
16 depends, and ending on the day upon which the death of the  
17 annuitant or other event terminating the annuity occurs.

18           (Source: P.A. 90-31, eff. 6-27-97; 91-887, eff. 7-6-00.)

19           (40 ILCS 5/8-162) (from Ch. 108 1/2, par. 8-162)

20           Sec. 8-162. Proof of disability, duty and ordinary.

21           Proof of duty or ordinary disability shall be furnished to  
22 the board by at least one licensed and practicing physician  
23 appointed by the board. The board may require other evidence of  
24 disability. Each disabled employee who receives duty or  
25 ordinary disability benefit shall be examined at least once a

1 year, or a longer period of time as determined by the board, by  
2 one or more licensed and practicing physicians appointed by the  
3 board. When the disability ceases, the board shall discontinue  
4 payment of the benefit and the employee shall be returned to  
5 active service.

6 (Source: Laws 1963, p. 161.)

7 (40 ILCS 5/8-244.1) (from Ch. 108 1/2, par. 8-244.1)

8 Sec. 8-244.1. Payment of annuity other than direct.

9 (a) The board, at the written direction and request of any  
10 annuitant, may, solely as an accommodation to such annuitant,  
11 pay the annuity due him to a bank, savings and loan association  
12 or any other financial institution insured by an agency of the  
13 federal government, for deposit to his account, or to a bank or  
14 trust company for deposit in a trust established by him for his  
15 benefit with such bank, savings and loan association or trust  
16 company, and such annuitant may withdraw such direction at any  
17 time. An annuitant who directs the board to pay the annuity due  
18 him or her to a financial institution shall hold the board and  
19 Fund harmless from any claim or loss related to any error as to  
20 whether the financial institution is or continues to be  
21 federally insured. The board may also, in the case of any  
22 disability beneficiary or annuitant for whom no estate guardian  
23 has been appointed and who is confined in a publicly owned and  
24 operated mental institution, pay such disability benefit or  
25 annuity due such person to the superintendent or other head of

1 ~~such institution or hospital for deposit to such person's trust~~  
2 ~~fund account maintained for him by such institution or~~  
3 ~~hospital, if by law such trust fund accounts are authorized or~~  
4 ~~recognized.~~

5 (b) An annuitant formerly employed by the City of Chicago  
6 may authorize the withholding of a portion of his or her  
7 annuity for payment of dues to the labor organization which  
8 formerly represented the annuitant when the annuitant was an  
9 active employee; however, no withholding shall be required  
10 under this subsection for payment to one labor organization  
11 unless a minimum of 25 annuitants authorize such withholding.  
12 The Board shall prescribe a form for the authorization of  
13 withholding of dues, release of name, social security number  
14 and address and shall provide such forms to employees,  
15 annuitants and labor organizations upon request. Amounts  
16 withheld by the Board under this subsection shall be promptly  
17 paid over to the designated organizations, indicating the  
18 names, social security numbers and addresses of annuitants on  
19 whose behalf dues were withheld.

20 At the request and at the expense of the labor organization  
21 that formerly represented the annuitant, the City of Chicago  
22 shall coordinate mailings no more than twice in any  
23 twelve-month period to such annuitants and the Board shall  
24 supply current annuitant addresses to the City of Chicago upon  
25 request. These mailings shall be limited to informing the  
26 annuitants of their rights under this subsection (b), the form

1 authorizing the withholding of dues from their annuity and  
2 information supplied by the labor organization pertinent to the  
3 decision of whether to exercise the rights of this subsection.  
4 (Source: P.A. 100-23, eff. 7-6-17.)

5 Section 99. Effective date. This Act takes effect upon  
6 becoming law.