

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 Section 6-158 as follows:

6 (40 ILCS 5/6-158) (from Ch. 108 1/2, par. 6-158)  
7 Sec. 6-158. Refund.

8 (a) A fireman who withdraws before age 50 and a fireman  
9 with less than 10 years of service who withdraws before age 57,  
10 or any fireman who withdraws and enters the service of another  
11 department of the city, has a right to a refund of the entire  
12 amount to his credit as of the date of withdrawal for age and  
13 service annuity or Tier 2 monthly retirement annuity, for  
14 automatic annual increase in annuity as provided in Section  
15 6-164, and for widow's annuity or Tier 2 surviving spouse's  
16 annuity, from deductions from salary.

17 (b) Any such fireman shall be entitled to refund until he  
18 re-enters service or until his annuity is fixed.

19 (c) A fireman who receives a refund forfeits all rights to  
20 any annuity or benefit from the fund, for himself and for any  
21 other person who might benefit through him because of his  
22 service, provided he shall retain the right to credit for any  
23 such service, for the purpose of computing his total service

1 if he re-enters service before age 57, becomes a beneficiary  
2 of the fund and makes repayment of the refund with interest.

3 (d) A fireman completing 10 years of service who does not  
4 receive a refund, may receive an annuity as provided in this  
5 Article.

6 (e) A fireman completing less than 10 years who does not  
7 receive a refund has a right to have all amounts to his credit  
8 for annuity purposes on the date of withdrawal improved by  
9 interest while he is out of service until age 57 only, for his  
10 benefit and the benefit of any person who may have any right to  
11 annuity through him, if he subsequently reenters service and  
12 attains a right to annuity.

13 (f) The changes made to this Section by this amendatory  
14 Act of the 102nd General Assembly are intended to be a  
15 restatement and clarification of existing law and are intended  
16 to be retroactive to August 6, 2021 (the effective date of  
17 Public Act 102-293).

18 (Source: P.A. 102-293, eff. 8-6-21.)

19 Section 90. The State Mandates Act is amended by adding  
20 Section 8.46 as follows:

21 (30 ILCS 805/8.46 new)

22 Sec. 8.46. Exempt mandate. Notwithstanding Sections 6 and  
23 8 of this Act, no reimbursement by the State is required for  
24 the implementation of any mandate created by this amendatory

1 Act of the 102nd General Assembly.

2       Section 99. Effective date. This Act takes effect upon  
3 becoming law.