

SB4054



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB4054

Introduced 1/21/2022, by Sen. Robert F. Martwick

SYNOPSIS AS INTRODUCED:

40 ILCS 5/6-128.4
30 ILCS 805/8.46 new

from Ch. 108 1/2, par. 6-128.4

Amends the Chicago Firefighter Article of the Illinois Pension Code. Provides that beginning January 1, 2023, the minimum widow's annuity shall be no less than 150% (rather than 125%) of the Federal Poverty Level for all persons receiving widow's annuities on or after that date, without regard to whether the deceased fireman is in service on or after the effective date of the amendatory Act. Makes a conforming change. Amends the State Mandates Act to require implementation without reimbursement by the State. Effective immediately.

LRB102 24737 RPS 33977 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 Section 6-128.4 as follows:

6 (40 ILCS 5/6-128.4) (from Ch. 108 1/2, par. 6-128.4)

7 Sec. 6-128.4. Minimum widow's annuities.

8 (a) Notwithstanding any other provision of this Article,
9 beginning January 1, 1996, the minimum amount of widow's
10 annuity payable to any person who is entitled to receive a
11 widow's annuity under this Article is \$700 per month, without
12 regard to whether the deceased fireman is in service on or
13 after the effective date of this amendatory Act of 1995.

14 (b) Notwithstanding Section 6-128.3, beginning January 1,
15 1994, the minimum widow's annuity under this Article shall be
16 \$700 per month for (1) all persons receiving widow's annuities
17 on that date who are survivors of employees who retired at age
18 50 or over with at least 20 years of service, and (2) persons
19 who become eligible for widow's annuities and are survivors of
20 employees who retired at age 50 or over with at least 20 years
21 of service.

22 (c) Notwithstanding Section 6-128.3, beginning January 1,
23 1999, the minimum widow's annuity under this Article shall be

1 \$800 per month for (1) all persons receiving widow's annuities
2 on that date who are survivors of employees who retired at age
3 50 or over with at least 20 years of service, and (2) persons
4 who become eligible for widow's annuities and are survivors of
5 employees who retired at age 50 or over with at least 20 years
6 of service.

7 (d) Notwithstanding Section 6-128.3, beginning January 1,
8 2004, the minimum widow's annuity under this Article shall be
9 \$900 per month for all persons receiving widow's annuities on
10 or after that date, without regard to whether the deceased
11 fireman is in service on or after the effective date of this
12 amendatory Act of the 93rd General Assembly.

13 (e) Notwithstanding Section 6-128.3, beginning January 1,
14 2005, the minimum widow's annuity under this Article shall be
15 \$1,000 per month for all persons receiving widow's annuities
16 on or after that date, without regard to whether the deceased
17 fireman is in service on or after the effective date of this
18 amendatory Act of the 93rd General Assembly.

19 (f) Notwithstanding Section 6-128.3, beginning January 1,
20 2017 and until January 1, 2023, the minimum widow's annuity
21 under this Article shall be no less than 125% of the Federal
22 Poverty Level for all persons receiving widow's annuities on
23 or after that date, without regard to whether the deceased
24 fireman is in service on or after the effective date of this
25 amendatory Act of the 99th General Assembly.

26 Notwithstanding Section 6-128.3, beginning January 1,

1 2023, the minimum widow's annuity under this Article shall be
2 no less than 150% of the Federal Poverty Level for all persons
3 receiving widow's annuities on or after that date, without
4 regard to whether the deceased fireman is in service on or
5 after the effective date of this amendatory Act of the 102nd
6 General Assembly.

7 For purposes of this Section, "Federal Poverty Level"
8 means the poverty guidelines applicable to an individual in a
9 single-person household located in Illinois, as updated
10 periodically in the Federal Register by the United States
11 Department of Health and Human Services under the authority of
12 42 U.S.C. 9902(2).

13 (Source: P.A. 99-905, eff. 11-29-16.)

14 Section 90. The State Mandates Act is amended by adding
15 Section 8.46 as follows:

16 (30 ILCS 805/8.46 new)

17 Sec. 8.46. Exempt mandate. Notwithstanding Sections 6 and
18 8 of this Act, no reimbursement by the State is required for
19 the implementation of any mandate created by this amendatory
20 Act of the 102nd General Assembly.

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.