

1 AN ACT in relation to 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 3-120 as follows:

6 (40 ILCS 5/3-120) (from Ch. 108 1/2, par. 3-120)
7 Sec. 3-120. Marriage after retirement.

8 (a) If a police officer marries subsequent to retirement
9 on any pension under this Article other than a pension
10 established under Section 3-109.3, the surviving spouse and
11 the children of such surviving spouse shall receive no
12 pension on the death of the officer, except as provided in
13 subsection (b) or (c).

14 (b) Notwithstanding Section 1-103.1 of this Code, this
15 Section shall not be deemed to disqualify from receiving a
16 survivor's pension the surviving spouse and children of any
17 police officer who (i) retired from service in 1973, married
18 the surviving spouse during 1974, and died in 1988, or (ii)
19 retired on disability in October of 1982, married the
20 surviving spouse during 1991, and died in 1992. In the case
21 of a person who becomes eligible for a benefit under this
22 subsection (b), the benefit shall begin to accrue on July 1,
23 1990 or July 1 of the year following the police officer's
24 death, whichever is later.

25 (c) Beginning January 1, 2004, this Section does not
26 disqualify the surviving spouse and children of a police
27 officer from receiving a survivor's pension if the surviving
28 spouse was married to the police officer for at least one
29 year immediately preceding the officer's death. This
30 subsection applies without regard to whether the deceased
31 police officer was in service on or after the effective date

1 of this amendatory Act of the 93rd General Assembly. In the
2 case of a person who becomes eligible for a survivor's
3 pension under this subsection because of the death of a
4 police officer who died before that effective date, the
5 pension shall begin to accrue on the first day of the month
6 following the month in which an application for that pension
7 is received by the Board, but in no event sooner than January
8 1, 2004, and in no event before the repayment, with interest,
9 of any refund of contributions previously received from the
10 fund.

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

12 Section 90. The State Mandates Act is amended by adding
13 Section 8.27 as follows:

14 (30 ILCS 805/8.27 new)

15 Sec. 8.27. Exempt mandate. Notwithstanding Sections 6
16 and 8 of this Act, no reimbursement by the State is required
17 for the implementation of any mandate created by this
18 amendatory Act of the 93rd General Assembly.

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.