



## 93RD GENERAL ASSEMBLY

### State of Illinois

### 2003 and 2004

Introduced 02/05/04, by Ralph C. Capparelli

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/5-136.2 new  
30 ILCS 805/8.28 new

Amends the Chicago Police Article of the Illinois Pension Code. Provides a compounded 3% annual increase in surviving spouse annuities. Amends the State Mandates Act to require implementation without reimbursement. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB093 18365 LRD 44072 b

FISCAL NOTE ACT  
MAY APPLY

PENSION IMPACT  
NOTE ACT MAY  
APPLY

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 adding  
5 Section 5-136.2 as follows:

6 (40 ILCS 5/5-136.2 new)

7 Sec. 5-136.2. Annual increase in widow's annuity.

8 (a) Except as provided in subsection (c), each widow's  
9 annuity payable under this Article shall be increased by 3% of  
10 the original fixed amount of the annuity on the later of (1)  
11 January 1, 2005, or (2) the January 1 occurring on or next  
12 following the first anniversary of the granting of the annuity.  
13 On each January 1 following the initial increase under this  
14 subsection, each widow's annuity payable under this Article  
15 shall be increased by an amount equal to 3% of the current  
16 amount of the annuity, including any previous increases under  
17 this Section.

18 (b) The limitations on the maximum amount of widow's  
19 annuity imposed under Section 5-148 and the provisions of this  
20 Article on fixation of the amount of widow's annuity do not  
21 apply to the annual increases provided under this Section. The  
22 increases provided under this Section apply without regard to  
23 whether or not the deceased employee was in service on or after  
24 the effective date of this amendatory Act of the 93rd General  
25 Assembly.

26 (c) The increases provided in this Section do apply to a  
27 compensation or supplemental annuity under Section 5-144.

28 The increases provided in this Section do not apply to a  
29 reversionary or term annuity.

30 Section 90. The State Mandates Act is amended by adding  
31 Section 8.28 as follows:

1 (30 ILCS 805/8.28 new)

2 Sec. 8.28. Exempt mandate. Notwithstanding Sections 6 and 8  
3 of this Act, no reimbursement by the State is required for the  
4 implementation of any mandate created by this amendatory Act of  
5 the 93rd General Assembly.

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