

# HB5431



## 96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5431

Introduced 2/5/2010, by Rep. Kevin A. McCarthy

### SYNOPSIS AS INTRODUCED:

40 ILCS 5/7-141

from Ch. 108 1/2, par. 7-141

Amends the Illinois Pension Code. Makes a technical change in a Section concerning the Illinois Municipal Retirement Fund.

LRB096 19505 AMC 34897 b

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 Section 7-141 as follows:

6 (40 ILCS 5/7-141) (from Ch. 108 1/2, par. 7-141)

7 Sec. 7-141. Retirement annuities - Conditions. Retirement  
8 annuities shall be payable as hereinafter set forth:

9 (a) A participating employee who, regardless of cause, is  
10 separated from the ~~the~~ service of all participating  
11 municipalities and instrumentalities thereof and participating  
12 instrumentalities shall be entitled to a retirement annuity  
13 provided:

14 1. He is at least age 55, or in the case of a person who  
15 is eligible to have his annuity calculated under Section  
16 7-142.1, he is at least age 50;

17 2. He is (i) an employee who was employed by any  
18 participating municipality or participating  
19 instrumentality which had not elected to exclude persons  
20 employed in positions normally requiring performance of  
21 duty for less than 1000 hours per year or was employed in a  
22 position normally requiring performance of duty for 600  
23 hours or more per year prior to such election by any

1 participating municipality or participating  
2 instrumentality included in and subject to this Article on  
3 or before the effective date of this amendatory Act of 1981  
4 which made such election and is not entitled to receive  
5 earnings for employment in a position normally requiring  
6 performance of duty for 600 hours or more per year for any  
7 participating municipality and instrumentalities thereof  
8 and participating instrumentality; or (ii) an employee who  
9 was employed only by a participating municipality or  
10 participating instrumentality, or participating  
11 municipalities or participating instrumentalities, which  
12 have elected to exclude persons in positions normally  
13 requiring performance of duty for less than 1000 hours per  
14 year after the effective date of such exclusion or which  
15 are included under and subject to the Article after the  
16 effective date of this amendatory Act of 1981 and elects to  
17 exclude persons in such positions, and is not entitled to  
18 receive earnings for employment in a position normally  
19 requiring performance of duty for 1000 hours or more per  
20 year by such a participating municipality or participating  
21 instrumentality;

22 3. The amount of his annuity, before the application of  
23 paragraph (b) of Section 7-142 is at least \$10 per month;

24 4. If he first became a participating employee after  
25 December 31, 1961, he has at least 8 years of service. This  
26 service requirement shall not apply to any participating

1 employee, regardless of participation date, if the General  
2 Assembly terminates the Fund.

3 (b) Retirement annuities shall be payable:

4 1. As provided in Section 7-119;

5 2. Except as provided in item 3, upon receipt by the  
6 fund of a written application. The effective date may be  
7 not more than one year prior to the date of the receipt by  
8 the fund of the application;

9 3. Upon attainment of age 70 1/2 if the member (i) is  
10 no longer in service, and (ii) is otherwise entitled to an  
11 annuity under this Article;

12 4. To the beneficiary of the deceased annuitant for the  
13 unpaid amount accrued to date of death, if any.

14 (Source: P.A. 91-887, eff. 7-6-00.)