



Rep. Donald L. Moffitt

Filed: 5/28/2009

09600SB0039ham005

LRB096 03892 AMC 27651 a

1 AMENDMENT TO SENATE BILL 39

2 AMENDMENT NO. _____. Amend Senate Bill 39, AS AMENDED, in
3 Section 5, in the introductory clause, after "3-109,", by
4 inserting "4-109.1,"; and

5 in Section 5, immediately below Sec. 3-109, by inserting the
6 following:

7 "(40 ILCS 5/4-109.1) (from Ch. 108 1/2, par. 4-109.1)
8 Sec. 4-109.1. Increase in pension.

9 (a) Except as provided in subsection (e), the monthly
10 pension of a firefighter who retires after July 1, 1971 and
11 prior to January 1, 1986, shall, upon either the first of the
12 month following the first anniversary of the date of retirement
13 if 60 years of age or over at retirement date, or upon the
14 first day of the month following attainment of age 60 if it
15 occurs after the first anniversary of retirement, be increased
16 by 2% of the originally granted monthly pension and by an

1 additional 2% in each January thereafter. Effective January
2 1976, the rate of the annual increase shall be 3% of the
3 originally granted monthly pension.

4 (b) The monthly pension of a firefighter who retired from
5 service with 20 or more years of service, on or before July 1,
6 1971, shall be increased, in January of the year following the
7 year of attaining age 65 or in January 1972, if then over age
8 65, by 2% of the originally granted monthly pension, for each
9 year the firefighter received pension payments. In each January
10 thereafter, he or she shall receive an additional increase of
11 2% of the original monthly pension. Effective January 1976, the
12 rate of the annual increase shall be 3%.

13 (c) The monthly pension of a firefighter who is receiving a
14 disability pension under this Article shall be increased, in
15 January of the year following the year the firefighter attains
16 age 60, or in January 1974, if then over age 60, by 2% of the
17 originally granted monthly pension for each year he or she
18 received pension payments. In each January thereafter, the
19 firefighter shall receive an additional increase of 2% of the
20 original monthly pension. Effective January 1976, the rate of
21 the annual increase shall be 3%.

22 (c-1) On January 1, 1998, every child's disability benefit
23 payable on that date under Section 4-110 or 4-110.1 shall be
24 increased by an amount equal to 1/12 of 3% of the amount of the
25 benefit, multiplied by the number of months for which the
26 benefit has been payable. On each January 1 thereafter, every

1 child's disability benefit payable under Section 4-110 or
2 4-110.1 shall be increased by 3% of the amount of the benefit
3 then being paid, including any previous increases received
4 under this Article. These increases are not subject to any
5 limitation on the maximum benefit amount included in Section
6 4-110 or 4-110.1.

7 (c-2) On July 1, 2004, every pension payable to or on
8 behalf of a minor or disabled surviving child that is payable
9 on that date under Section 4-114 shall be increased by an
10 amount equal to 1/12 of 3% of the amount of the pension,
11 multiplied by the number of months for which the benefit has
12 been payable. On July 1, 2005, July 1, 2006, July 1, 2007, and
13 July 1, 2008, every pension payable to or on behalf of a minor
14 or disabled surviving child that is payable under Section 4-114
15 shall be increased by 3% of the amount of the pension then
16 being paid, including any previous increases received under
17 this Article. These increases are not subject to any limitation
18 on the maximum benefit amount included in Section 4-114.

19 (d) The monthly pension of a firefighter who retires after
20 January 1, 1986, shall, upon either the first of the month
21 following the first anniversary of the date of retirement if 55
22 years of age or over, or upon the first day of the month
23 following attainment of age 55 if it occurs after the first
24 anniversary of retirement, be increased by 1/12 of 3% of the
25 originally granted monthly pension for each full month that has
26 elapsed since the pension began, and by an additional 3% in

1 each January thereafter.

2 The changes made to this subsection (d) by this amendatory
3 Act of the 91st General Assembly apply to all initial increases
4 that become payable under this subsection on or after January
5 1, 1999. All initial increases that became payable under this
6 subsection on or after January 1, 1999 and before the effective
7 date of this amendatory Act shall be recalculated and the
8 additional amount accruing for that period, if any, shall be
9 payable to the pensioner in a lump sum.

10 (e) Notwithstanding the provisions of subsection (a), upon
11 the first day of the month following (1) the first anniversary
12 of the date of retirement, or (2) the attainment of age 55, or
13 (3) July 1, 1987, whichever occurs latest, the monthly pension
14 of a firefighter who retired on or after January 1, 1977 and on
15 or before January 1, 1986 and did not receive an increase under
16 subsection (a) before July 1, 1987, shall be increased by 3% of
17 the originally granted monthly pension for each full year that
18 has elapsed since the pension began, and by an additional 3% in
19 each January thereafter. The increases provided under this
20 subsection are in lieu of the increases provided in subsection
21 (a).

22 (f) In July 2009, the monthly pension of a firefighter who
23 retired before July 1, 1977 shall be recalculated and increased
24 to reflect the amount that the firefighter would have received
25 in July 2009 had the firefighter been receiving a 3% compounded
26 increase for each year he or she received pension payments

1 after January 1, 1986, plus any increases in pension received
2 for each year prior to January 1, 1986. In each January
3 thereafter, he or she shall receive an additional increase of
4 3% of the amount of the pension then being paid. The changes
5 made to this Section by this amendatory Act of the 96th General
6 Assembly apply without regard to whether the firefighter was in
7 service on or after its effective date.

8 (Source: P.A. 93-689, eff. 7-1-04.)".