

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 Sections 6-210, 9-157, and 12-190.3 as follows:

6 (40 ILCS 5/6-210) (from Ch. 108 1/2, par. 6-210)

7 Sec. 6-210. Credit allowed for service in police
8 department. Service rendered by a fireman, as a regularly
9 appointed and sworn policeman of the city shall be included,
10 for the purposes of this Article, as if such service were
11 rendered as a fireman of the city. Salary received by a fireman
12 for any such service as a policeman shall be considered, for
13 the purposes of this Article, as salary received as a fireman.
14 Any annuity payable to a fireman under this Article shall be
15 reduced by any pension or annuity payable to him from any
16 policemen's other pension fund or annuity and benefit fund in
17 operation in the city, and any member entering service after
18 January 1, 2011 shall not be given service credit in this fund
19 for any period of time in which the member is in receipt of
20 retirement benefits from any annuity and benefit fund in
21 operation in the city.

22 Any policeman who becomes a fireman, subsequent to July 1,
23 1935, may contribute to the fund an amount equal to the sum

1 which would have accumulated to his credit from deductions from
2 salary for annuity purposes if he had been contributing to the
3 fund such sums as he contributed for annuity purposes to the
4 policemen's annuity and benefit fund, and no credit for periods
5 of service rendered by him in the police department shall be
6 allowed, under this Article, except as to such periods for
7 which he made contributions to the policemen's annuity and
8 benefit fund, provided he has made the payments required by
9 this Article.

10 (Source: P.A. 81-1536.)

11 (40 ILCS 5/9-157) (from Ch. 108 1/2, par. 9-157)

12 Sec. 9-157. Ordinary disability benefit. An employee while
13 under age 65 and prior to January 1, 1979, or while under age
14 70 and after January 1, 1979, but prior to January 1, 1987, and
15 regardless of age on or after January 1, 1987, who becomes
16 disabled after becoming a contributor to the fund as the result
17 of any cause other than injury incurred in the performance of
18 an act of duty is entitled to ordinary disability benefit
19 during such disability, after the first 30 days thereof.

20 No employee who becomes disabled and whose disability
21 commences during any period of absence from duty without pay
22 ~~other than on paid vacation~~ may receive ordinary disability
23 benefit until he recovers from such disability and performs the
24 duties of his position in the service for at least 15
25 consecutive days, Sundays and holidays excepted, after his

1 recovery from such disability.

2 The benefit shall not be allowed unless application
3 therefor is made while the disability exists, nor for any
4 period of disability before 30 days before the application for
5 such benefit is made. The foregoing limitations do not apply if
6 the board finds from satisfactory evidence presented to it that
7 there was reasonable cause for delay in filing such application
8 within such periods of time.

9 The first payment shall be made not later than one month
10 after the benefit is granted and each subsequent payment shall
11 be made not later than one month after the last preceding
12 payment.

13 The disability benefit prescribed herein shall cease when
14 the first of the following dates shall occur and the employee,
15 if still disabled, shall thereafter be entitled to such annuity
16 as is otherwise provided in this Article:

17 (a) the date disability ceases.

18 (b) the date the disabled employee attains age 65 for
19 disability commencing prior to January 1, 1979.

20 (c) the date the disabled employee attains 65 for
21 disability commencing prior to attainment of age 60 in the
22 service and after January 1, 1979.

23 (d) the date the disabled employee attains the age of 70
24 for disability commencing after attainment of age 60 in the
25 service and after January 1, 1979.

26 (e) the date the payments of the benefit shall exceed in

1 the aggregate, throughout the employee's service, a period
2 equal to 1/4 of the total service rendered prior to the date of
3 disability but in no event more than 5 years. In computing such
4 total service any period during which the employee received
5 ordinary disability benefit and any period of absence from duty
6 other than paid vacation shall be excluded.

7 Any employee whose duty disability benefit was terminated
8 on or after January 1, 1979 by reason of his attainment of age
9 65 and who continues to be disabled after age 65 may elect
10 before July 1, 1986 to have such benefits resumed beginning at
11 the time of such termination and continuing until termination
12 is required under this Section as amended by this amendatory
13 Act of 1985. The amount payable to any employee for such
14 resumed benefit for any period shall be reduced by the amount
15 of any retirement annuity paid to such employee under this
16 Article for the same period of time or by any refund paid in
17 lieu of annuity.

18 Any employee whose disability benefit was terminated on or
19 after January 1, 1987 by reason of his attainment of age 70,
20 and who continues to be disabled after age 70, may elect before
21 March 31, 1988, to have such benefits resumed beginning at the
22 time of such termination and continuing until termination is
23 required under this Section as amended by this amendatory Act
24 of 1987. The amount payable to any employee for such resumed
25 benefit for any period shall be reduced by the amount of any
26 retirement annuity paid to such employee under this Article for

1 the same period of time or by any refund paid in lieu of
2 annuity.

3 Ordinary disability benefit shall be 50% of the employee's
4 salary at the date of disability. Instead of all amounts
5 ordinarily contributed by an employee and by the county for age
6 and service annuity and widow's annuity based on the salary at
7 date of disability, the county shall contribute sums equal to
8 such amounts for any period during which the employee receives
9 ordinary disability and such is deemed for annuity and refund
10 purposes as amounts contributed by him. The county shall also
11 contribute 1/2 of 1% salary deductions required as a
12 contribution from the employee under Section 9-133.

13 An employee who has withdrawn from service or was laid off
14 for any reason, who is absent from service thereafter for 60
15 days or more who re-enters the service subsequent to such
16 absence is not entitled to ordinary disability benefit unless
17 he renders at least 6 months of service subsequent to the date
18 of such last re-entry.

19 (Source: P.A. 85-964.)

20 (40 ILCS 5/12-190.3) (from Ch. 108 1/2, par. 12-190.3)

21 Sec. 12-190.3. Fraud. Any person who knowingly makes any
22 false statement or falsifies or permits to be falsified any
23 record of this Fund in any attempt to defraud the Fund is
24 guilty of a Class A misdemeanor.

25 None of the benefits provided for in this Article shall be

1 paid to any person who is convicted of any misdemeanor or
2 felony relating to or arising out of or in connection with any
3 attempt to defraud the Fund.

4 This Section shall not operate to impair any contract or
5 vested right previously acquired under any law or laws
6 continued in this Article, nor to preclude the right to a
7 refund.

8 (Source: P.A. 86-1488.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.