

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 5-167.2, 5-168, 6-128.2, and 6-165 and by adding  
6 Sections 5-168.2 and 6-165.2 as follows:

7 (40 ILCS 5/5-167.2) (from Ch. 108 1/2, par. 5-167.2)

8 Sec. 5-167.2. Retirement before September 1, 1967. A  
9 retired policeman, qualifying for minimum annuity or who  
10 retired from service with 20 or more years of service, before  
11 September 1, 1967, shall, in January of the year following the  
12 year he attains the age of 65, or in January of the year 1970,  
13 if then more than 65 years of age, have his then fixed and  
14 payable monthly annuity increased by an amount equal to 2% of  
15 the original grant of annuity, for each year the policeman was  
16 in receipt of annuity payments after the year in which he  
17 attains, or did attain the age of 63. An additional 2% increase  
18 in such then fixed and payable original granted annuity shall  
19 accrue in each January thereafter. Beginning January 1, 1986,  
20 the rate of such increase shall be 3% instead of 2%.

21 The provisions of the preceding paragraph of this Section  
22 apply only to a retired policeman eligible for such increases  
23 in his annuity who contributes to the Fund a sum equal to \$5

1 for each full year of credited service upon which his annuity  
2 was computed. All such sums contributed shall be placed in a  
3 Supplementary Payment Reserve and shall be used for the  
4 purposes of such Fund account.

5 Beginning with the monthly annuity payment due in July,  
6 1982, the fixed and granted monthly annuity payment for any  
7 policeman who retired from the service, before September 1,  
8 1976, at age 50 or over with 20 or more years of service and  
9 entitled to an annuity on January 1, 1974, shall be not less  
10 than \$400. It is the intent of the General Assembly that the  
11 change made in this Section by this amendatory Act of 1982  
12 shall apply retroactively to July 1, 1982.

13 Beginning with the monthly annuity payment due on January  
14 1, 1986, the fixed and granted monthly annuity payment for any  
15 policeman who retired from the service before January 1, 1986,  
16 at age 50 or over with 20 or more years of service, or any  
17 policeman who retired from service due to termination of  
18 disability and who is entitled to an annuity on January 1,  
19 1986, shall be not less than \$475.

20 Beginning with the monthly annuity payment due on January  
21 1, 1992, the fixed and granted monthly annuity payment for any  
22 policeman who retired from the service before January 1, 1992,  
23 at age 50 or over with 20 or more years of service, and for any  
24 policeman who retired from service due to termination of  
25 disability and who is entitled to an annuity on January 1,  
26 1992, shall be not less than \$650.

1           Beginning with the monthly annuity payment due on January  
2 1, 1993, the fixed and granted monthly annuity payment for any  
3 policeman who retired from the service before January 1, 1993,  
4 at age 50 or over with 20 or more years of service, and for any  
5 policeman who retired from service due to termination of  
6 disability and who is entitled to an annuity on January 1,  
7 1993, shall be not less than \$750.

8           Beginning with the monthly annuity payment due on January  
9 1, 1994, the fixed and granted monthly annuity payment for any  
10 policeman who retired from the service before January 1, 1994,  
11 at age 50 or over with 20 or more years of service, and for any  
12 policeman who retired from service due to termination of  
13 disability and who is entitled to an annuity on January 1,  
14 1994, shall be not less than \$850.

15           Beginning with the monthly annuity payment due on January  
16 1, 2004, the fixed and granted monthly annuity payment for any  
17 policeman who retired from the service before January 1, 2004,  
18 at age 50 or over with 20 or more years of service, and for any  
19 policeman who retired from service due to termination of  
20 disability and who is entitled to an annuity on January 1,  
21 2004, shall be not less than \$950.

22           Beginning with the monthly annuity payment due on January  
23 1, 2005, the fixed and granted monthly annuity payment for any  
24 policeman who retired from the service before January 1, 2005,  
25 at age 50 or over with 20 or more years of service, and for any  
26 policeman who retired from service due to termination of

1 disability and who is entitled to an annuity on January 1,  
2 2005, shall be not less than \$1,050.

3 Beginning with the monthly annuity payment due on January  
4 1, 2016, the fixed and granted monthly annuity payment for any  
5 policeman who retired from the service before January 1, 2016,  
6 at age 50 or over with 20 or more years of service, and for any  
7 policeman who retired from service due to termination of  
8 disability and who is entitled to an annuity on January 1,  
9 2016, shall be no less than 125% of the Federal Poverty Level.  
10 For purposes of this Section, the "Federal Poverty Level" shall  
11 be determined pursuant to the poverty guidelines updated  
12 periodically in the Federal Register by the United States  
13 Department of Health and Human Services under the authority of  
14 42 U.S.C. 9902(2).

15 The difference in amount between the original fixed and  
16 granted monthly annuity of any such policeman on the date of  
17 his retirement from the service and the monthly annuity  
18 provided for in the immediately preceding paragraph shall be  
19 paid as a supplement in the manner set forth in the immediately  
20 following paragraph.

21 To defray the annual cost of the increases indicated in the  
22 preceding part of this Section, the annual interest income  
23 accruing from investments held by this Fund, exclusive of gains  
24 or losses on sales or exchanges of assets during the year, over  
25 and above 4% a year shall be used to the extent necessary and  
26 available to finance the cost of such increases for the

1 following year and such amount shall be transferred as of the  
2 end of each year beginning with the year 1969 to a Fund account  
3 designated as the Supplementary Payment Reserve from the  
4 Interest and Investment Reserve set forth in Section 5-207.

5 In the event the funds in the Supplementary Payment Reserve  
6 in any year arising from: (1) the interest income accruing in  
7 the preceding year above 4% a year and (2) the contributions by  
8 retired persons are insufficient to make the total payments to  
9 all persons entitled to the annuity specified in this Section  
10 and (3) any interest earnings over 4% a year beginning with the  
11 year 1969 which were not previously used to finance such  
12 increases and which were transferred to the Prior Service  
13 Annuity Reserve, may be used to the extent necessary and  
14 available to provide sufficient funds to finance such increases  
15 for the current year and such sums shall be transferred from  
16 the Prior Service Annuity Reserve. In the event the total money  
17 available in the Supplementary Payment Reserve from such  
18 sources are insufficient to make the total payments to all  
19 persons entitled to such increases for the year, a  
20 proportionate amount computed as the ratio of the money  
21 available to the total of the total payments specified for that  
22 year shall be paid to each person for that year.

23 The Fund shall be obligated for the payment of the  
24 increases in annuity as provided for in this Section only to  
25 the extent that the assets for such purpose are available.

26 (Source: P.A. 93-654, eff. 1-16-04.)

1 (40 ILCS 5/5-168) (from Ch. 108 1/2, par. 5-168)

2 Sec. 5-168. Financing.

3 (a) Except as expressly provided in this Section, the city  
4 shall levy a tax annually upon all taxable property therein for  
5 the purpose of providing revenue for the fund.

6 The tax shall be at a rate that will produce a sum which,  
7 when added to the amounts deducted from the policemen's  
8 salaries and the amounts deposited in accordance with  
9 subsection (g), is sufficient for the purposes of the fund.

10 For the years 1968 and 1969, the city council shall levy a  
11 tax annually at a rate on the dollar of the assessed valuation  
12 of all taxable property that will produce, when extended, not  
13 to exceed \$9,700,000. Beginning with the year 1970 and through  
14 2014, the city council shall levy a tax annually at a rate on  
15 the dollar of the assessed valuation of all taxable property  
16 that will produce when extended an amount not to exceed the  
17 total amount of contributions by the policemen to the Fund made  
18 in the calendar year 2 years before the year for which the  
19 applicable annual tax is levied, multiplied by 1.40 for the tax  
20 levy year 1970; by 1.50 for the year 1971; by 1.65 for 1972; by  
21 1.85 for 1973; by 1.90 for 1974; by 1.97 for 1975 through 1981;  
22 by 2.00 for 1982 and for each tax levy year through 2014.  
23 Beginning in tax levy year 2015, the city council shall levy a  
24 tax annually at a rate on the dollar of the assessed valuation  
25 of all taxable property that will produce when extended an

1 annual amount that is equal to no less than the amount of the  
2 city's contribution in each of the following payment years: for  
3 2016, \$420,000,000; for 2017, \$464,000,000; for 2018,  
4 \$500,000,000; for 2019, \$557,000,000; for 2020, \$579,000,000.

5 Beginning in tax levy year 2020, the city council shall  
6 levy a tax annually at a rate on the dollar of the assessed  
7 valuation of all taxable property that will produce when  
8 extended an annual amount that is equal to no less than (1) the  
9 normal cost to the Fund, plus (2) an annual amount sufficient  
10 to bring the total assets of the Fund up to 90% of the total  
11 actuarial liabilities of the Fund by the end of fiscal year  
12 2055 ~~2040~~, as annually updated and determined by an enrolled  
13 actuary employed by the Illinois Department of Insurance or by  
14 an enrolled actuary retained by the Fund ~~or the city~~. In making  
15 these determinations, the required minimum employer  
16 contribution shall be calculated each year as a level  
17 percentage of payroll over the years remaining up to and  
18 including fiscal year 2055 ~~2040~~ and shall be determined under  
19 the entry age normal actuarial cost method. Beginning in  
20 payment year 2056, the city's total required contribution in  
21 that year and each year thereafter shall be an annual amount  
22 that is equal to no less than (1) the normal cost of the Fund,  
23 plus (2) the annual amount determined by an enrolled actuary  
24 employed by the Illinois Department of Insurance or by an  
25 enrolled actuary retained by the Fund to be equal to the  
26 amount, if any, needed to bring the total actuarial assets of

1 the Fund up to 90% of the total actuarial liabilities of the  
2 Fund as of the end of the year, utilizing the entry age normal  
3 cost method as provided above ~~projected unit credit actuarial~~  
4 ~~cost method.~~

5 For the purposes of this subsection (a), contributions by  
6 the policeman to the Fund shall not include payments made by a  
7 policeman to establish credit under Section 5-214.2 of this  
8 Code.

9 (a-5) For purposes of determining the required employer  
10 contribution to the Fund, the value of the Fund's assets shall  
11 be equal to the actuarial value of the Fund's assets, which  
12 shall be calculated as follows:

13 (1) On March 30, 2011, the actuarial value of the  
14 Fund's assets shall be equal to the market value of the  
15 assets as of that date.

16 (2) In determining the actuarial value of the Fund's  
17 assets for fiscal years after March 30, 2011, any actuarial  
18 gains or losses from investment return incurred in a fiscal  
19 year shall be recognized in equal annual amounts over the  
20 5-year period following that fiscal year.

21 (a-7) If the city fails to transmit to the Fund  
22 contributions required of it under this Article for more than  
23 90 days after the payment of those contributions is due, the  
24 Fund shall ~~may~~, after giving notice to the city, certify to the  
25 State Comptroller the amounts of the delinquent payments, and  
26 the Comptroller must, beginning in fiscal year 2016, deduct and

1 deposit into the Fund the certified amounts or a portion of  
2 those amounts from the following proportions of grants of State  
3 funds to the city:

4 (1) in fiscal year 2016, one-third of the total amount  
5 of any grants of State funds to the city;

6 (2) in fiscal year 2017, two-thirds of the total amount  
7 of any grants of State funds to the city; and

8 (3) in fiscal year 2018 and each fiscal year  
9 thereafter, the total amount of any grants of State funds  
10 to the city.

11 The State Comptroller may not deduct from any grants of  
12 State funds to the city more than the amount of delinquent  
13 payments certified to the State Comptroller by the Fund.

14 (b) The tax shall be levied and collected in like manner  
15 with the general taxes of the city, and is in addition to all  
16 other taxes which the city is now or may hereafter be  
17 authorized to levy upon all taxable property therein, and is  
18 exclusive of and in addition to the amount of tax the city is  
19 now or may hereafter be authorized to levy for general purposes  
20 under any law which may limit the amount of tax which the city  
21 may levy for general purposes. The county clerk of the county  
22 in which the city is located, in reducing tax levies under  
23 Section 8-3-1 of the Illinois Municipal Code, shall not  
24 consider the tax herein authorized as a part of the general tax  
25 levy for city purposes, and shall not include the tax in any  
26 limitation of the percent of the assessed valuation upon which

1 taxes are required to be extended for the city.

2 (c) On or before January 10 of each year, the board shall  
3 notify the city council of the requirement that the tax herein  
4 authorized be levied by the city council for that current year.  
5 The board shall compute the amounts necessary for the purposes  
6 of this fund to be credited to the reserves established and  
7 maintained within the fund; shall make an annual determination  
8 of the amount of the required city contributions; and shall  
9 certify the results thereof to the city council.

10 As soon as any revenue derived from the tax is collected it  
11 shall be paid to the city treasurer of the city and shall be  
12 held by him for the benefit of the fund in accordance with this  
13 Article.

14 (d) If the funds available are insufficient during any year  
15 to meet the requirements of this Article, the city may issue  
16 tax anticipation warrants against the tax levy for the current  
17 fiscal year.

18 (e) The various sums, including interest, to be contributed  
19 by the city, shall be taken from the revenue derived from such  
20 tax or otherwise as expressly provided in this Section. Any  
21 moneys of the city derived from any source other than the tax  
22 herein authorized shall not be used for any purpose of the fund  
23 nor the cost of administration thereof, unless applied to make  
24 the deposit expressly authorized in this Section or the  
25 additional city contributions required under subsection (h).

26 (f) If it is not possible or practicable for the city to

1 make its contributions at the time that salary deductions are  
2 made, the city shall make such contributions as soon as  
3 possible thereafter, with interest thereon to the time it is  
4 made.

5 (g) In lieu of levying all or a portion of the tax required  
6 under this Section in any year, the city may deposit with the  
7 city treasurer no later than March 1 of that year for the  
8 benefit of the fund, to be held in accordance with this  
9 Article, an amount that, together with the taxes levied under  
10 this Section for that year, is not less than the amount of the  
11 city contributions for that year as certified by the board to  
12 the city council. The deposit may be derived from any source  
13 legally available for that purpose, including, but not limited  
14 to, the proceeds of city borrowings. The making of a deposit  
15 shall satisfy fully the requirements of this Section for that  
16 year to the extent of the amounts so deposited. Amounts  
17 deposited under this subsection may be used by the fund for any  
18 of the purposes for which the proceeds of the tax levied under  
19 this Section may be used, including the payment of any amount  
20 that is otherwise required by this Article to be paid from the  
21 proceeds of that tax.

22 (h) In addition to the contributions required under the  
23 other provisions of this Article, by November 1 of the  
24 following specified years, the city shall deposit with the city  
25 treasurer for the benefit of the fund, to be held and used in  
26 accordance with this Article, the following specified amounts:

1 \$6,300,000 in 1999; \$5,880,000 in 2000; \$5,460,000 in 2001;  
2 \$5,040,000 in 2002; and \$4,620,000 in 2003.

3 The additional city contributions required under this  
4 subsection are intended to decrease the unfunded liability of  
5 the fund and shall not decrease the amount of the city  
6 contributions required under the other provisions of this  
7 Article. The additional city contributions made under this  
8 subsection may be used by the fund for any of its lawful  
9 purposes.

10 (i) Any proceeds received by the city in relation to the  
11 operation of a casino or casinos within the city shall be  
12 expended by the city for payment to the Policemen's Annuity and  
13 Benefit Fund of Chicago to satisfy the city contribution  
14 obligation in any year.

15 (Source: P.A. 95-1036, eff. 2-17-09; 96-1495, eff. 1-1-11.)

16 (40 ILCS 5/5-168.2 new)

17 Sec. 5-168.2. Funding obligation.

18 (a) Beginning January 1, 2016, the city shall be obligated  
19 to contribute to the Fund in each fiscal year an amount not  
20 less than the amount determined annually under subsection (a)  
21 of Section 5-168 of this Code. Notwithstanding any other  
22 provision of law, if the city fails to pay the amount  
23 guaranteed under this Section on or before December 31 of the  
24 year in which such amount is due, the Fund may bring a mandamus  
25 action in the Circuit Court of Cook County to compel the city

1 to make the required payment, irrespective of other remedies  
2 that may be available to the Fund. The obligations and causes  
3 of action created under this Section shall be in addition to  
4 any other right or remedy otherwise accorded by common law or  
5 State or federal law, and nothing in this Section shall be  
6 construed to deny, abrogate, impair, or waive any such common  
7 law or statutory right or remedy.

8 (b) In ordering the city to make the required payment, the  
9 court may order a reasonable payment schedule to enable the  
10 city to make the required payment without significantly  
11 imperilling the public health, safety, or welfare. Any payments  
12 required to be made by the city pursuant to this Section are  
13 expressly subordinated to the payment of the principal,  
14 interest, premium, if any, and other payments on or related to  
15 any bonded debt obligation of the city, either currently  
16 outstanding or to be issued, for which the source of repayment  
17 or security thereon is derived directly or indirectly from any  
18 funds collected or received by the city. Payments on such  
19 bonded obligations include any statutory fund transfers or  
20 other prefunding mechanisms or formulas set forth, now or  
21 hereafter, in State law, city ordinance, or bond indentures,  
22 into debt service funds or accounts of the city related to such  
23 bonded obligations, consistent with the payment schedules  
24 associated with such obligations.

1           Sec. 6-128.2. Minimum retirement annuities.

2           (a) Beginning with the monthly payment due in January,  
3 1988, the monthly annuity payment for any person who is  
4 entitled to receive a retirement annuity under this Article in  
5 January, 1990 and has retired from service at age 50 or over  
6 with 20 or more years of service, and for any person who  
7 retires from service on or after January 24, 1990 at age 50 or  
8 over with 20 or more years of service, shall not be less than  
9 \$475 per month. The \$475 minimum annuity is exclusive of any  
10 automatic annual increases provided by Sections 6-164 and  
11 6-164.1, but not exclusive of previous raises in the minimum  
12 annuity as provided by any Section of this Article.

13           Beginning January 1, 1992, the minimum retirement annuity  
14 payable to any person who has retired from service at age 50 or  
15 over with 20 or more years of service and is entitled to  
16 receive a retirement annuity under this Article on that date,  
17 or who retires from service at age 50 or over with 20 or more  
18 years of service after that date, shall be \$650 per month.

19           Beginning January 1, 1993, the minimum retirement annuity  
20 payable to any person who has retired from service at age 50 or  
21 over with 20 or more years of service and is entitled to  
22 receive a retirement annuity under this Article on that date,  
23 or who retires from service at age 50 or over with 20 or more  
24 years of service after that date, shall be \$750 per month.

25           Beginning January 1, 1994, the minimum retirement annuity  
26 payable to any person who has retired from service at age 50 or

1 over with 20 or more years of service and is entitled to  
2 receive a retirement annuity under this Article on that date,  
3 or who retires from service at age 50 or over with 20 or more  
4 years of service after that date, shall be \$850 per month.

5 Beginning January 1, 2004, the minimum retirement annuity  
6 payable to any person who has retired from service at age 50 or  
7 over with 20 or more years of service and is entitled to  
8 receive a retirement annuity under this Article on that date,  
9 or who retires from service at age 50 or over with 20 or more  
10 years of service after that date, shall be \$950 per month.

11 Beginning January 1, 2005, the minimum retirement annuity  
12 payable to any person who has retired from service at age 50 or  
13 over with 20 or more years of service and is entitled to  
14 receive a retirement annuity under this Article on that date,  
15 or who retires from service at age 50 or over with 20 or more  
16 years of service after that date, shall be \$1,050 per month.

17 Beginning January 1, 2016, the minimum retirement annuity  
18 payable to any person who has retired from service at age 50 or  
19 over with 20 or more years of service and is entitled to  
20 receive a retirement annuity under this Article on that date,  
21 or who retires from service at age 50 or over with 20 or more  
22 years of service after that date, shall be no less than 125% of  
23 the Federal Poverty Level. For purposes of this Section, the  
24 "Federal Poverty Level" shall be determined pursuant to the  
25 poverty guidelines updated periodically in the Federal  
26 Register by the United States Department of Health and Human

1 Services under the authority of 42 U.S.C. 9902(2).

2 The minimum annuities established by this subsection (a) do  
3 include previous raises in the minimum annuity as provided by  
4 any Section of this Article, but do not include any sums which  
5 have been added or will be added to annuity payments by the  
6 automatic annual increases provided by Sections 6-164 and  
7 6-164.1. Such annual increases shall be paid in addition to the  
8 minimum amounts specified in this subsection.

9 (b) Notwithstanding any other provision of this Article,  
10 beginning January 1, 1990, the minimum retirement annuity  
11 payable to any person who is entitled to receive a retirement  
12 annuity under this Article on that date shall be \$475 per  
13 month.

14 (c) The changes made to this Section by this amendatory Act  
15 of the 93rd General Assembly apply to all persons receiving a  
16 retirement annuity under this Article, without regard to  
17 whether the retirement of the fireman occurred prior to the  
18 effective date of this amendatory Act.

19 (Source: P.A. 93-654, eff. 1-16-04.)

20 (40 ILCS 5/6-165) (from Ch. 108 1/2, par. 6-165)

21 Sec. 6-165. Financing; tax.

22 (a) Except as expressly provided in this Section, each city  
23 shall levy a tax annually upon all taxable property therein for  
24 the purpose of providing revenue for the fund. For the years  
25 prior to the year 1960, the tax rate shall be as provided for

1 in the "Firemen's Annuity and Benefit Fund of the Illinois  
2 Municipal Code". The tax, from and after January 1, 1968 to and  
3 including the year 1971, shall not exceed .0863% of the value,  
4 as equalized or assessed by the Department of Revenue, of all  
5 taxable property in the city. Beginning with the year 1972 and  
6 through 2014, the city shall levy a tax annually at a rate on  
7 the dollar of the value, as equalized or assessed by the  
8 Department of Revenue of all taxable property within such city  
9 that will produce, when extended, not to exceed an amount equal  
10 to the total amount of contributions by the employees to the  
11 fund made in the calendar year 2 years prior to the year for  
12 which the annual applicable tax is levied, multiplied by 2.23  
13 through the calendar year 1981, and by 2.26 for the year 1982  
14 and for each tax levy year through 2014. Beginning in tax levy  
15 year 2015, the city council shall levy a tax annually at a rate  
16 on the dollar of the assessed valuation of all taxable property  
17 that will produce when extended an annual amount that is equal  
18 to no less than the amount of the city's contribution in each  
19 of the following payment years: for 2016, \$199,000,000; for  
20 2017, \$208,000,000; for 2018, \$227,000,000; for 2019,  
21 \$235,000,000; for 2020, \$245,000,000.

22 Beginning in tax levy year 2020, the city council shall  
23 levy a tax annually at a rate on the dollar of the assessed  
24 valuation of all taxable property that will produce when  
25 extended an annual amount that is equal to no less than (1) the  
26 normal cost to the Fund, plus (2) an annual amount sufficient

1 to bring the total assets of the Fund up to 90% of the total  
2 actuarial liabilities of the Fund by the end of fiscal year  
3 2055 ~~2040~~, as annually updated and determined by an enrolled  
4 actuary employed by the Illinois Department of Insurance or by  
5 an enrolled actuary retained by the Fund or the city. In making  
6 these determinations, the required minimum employer  
7 contribution shall be calculated each year as a level  
8 percentage of payroll over the years remaining up to and  
9 including fiscal year 2055 ~~2040~~ and shall be determined under  
10 the entry age normal actuarial cost method. Beginning in  
11 payment year 2056, the city's required contribution in that  
12 year and for each year thereafter shall be an annual amount  
13 that is equal to no less than (1) the normal cost to the Fund,  
14 plus (2) the annual amount determined by an enrolled actuary  
15 employed by the Illinois Department of Insurance or by an  
16 enrolled actuary retained by the Fund to be equal to the  
17 amount, if any, needed to bring the total actuarial assets of  
18 the Fund up to 90% of the total actuarial liabilities of the  
19 Fund as of the end of the year, utilizing the entry age normal  
20 actuarial cost method as provided above ~~projected unit credit~~  
21 ~~actuarial cost method~~.

22 To provide revenue for the ordinary death benefit  
23 established by Section 6-150 of this Article, in addition to  
24 the contributions by the firemen for this purpose, the city  
25 council shall for the year 1962 and each year thereafter  
26 annually levy a tax, which shall be in addition to and

1 exclusive of the taxes authorized to be levied under the  
2 foregoing provisions of this Section, upon all taxable property  
3 in the city, as equalized or assessed by the Department of  
4 Revenue, at such rate per cent of the value of such property as  
5 shall be sufficient to produce for each year the sum of  
6 \$142,000.

7 The amounts produced by the taxes levied annually, together  
8 with the deposit expressly authorized in this Section, shall be  
9 sufficient, when added to the amounts deducted from the  
10 salaries of firemen and applied to the fund, to provide for the  
11 purposes of the fund.

12 (a-5) For purposes of determining the required employer  
13 contribution to the Fund, the value of the Fund's assets shall  
14 be equal to the actuarial value of the Fund's assets, which  
15 shall be calculated as follows:

16 (1) On March 30, 2011, the actuarial value of the  
17 Fund's assets shall be equal to the market value of the  
18 assets as of that date.

19 (2) In determining the actuarial value of the Fund's  
20 assets for fiscal years after March 30, 2011, any actuarial  
21 gains or losses from investment return incurred in a fiscal  
22 year shall be recognized in equal annual amounts over the  
23 5-year period following that fiscal year.

24 (a-7) If the city fails to transmit to the Fund  
25 contributions required of it under this Article for more than  
26 90 days after the payment of those contributions is due, the

1 Fund ~~shall~~ may, after giving notice to the city, certify to the  
2 State Comptroller the amounts of the delinquent payments, and  
3 the Comptroller must, beginning in fiscal year 2016, deduct and  
4 deposit into the Fund the certified amounts or a portion of  
5 those amounts from the following proportions of grants of State  
6 funds to the city:

7 (1) in fiscal year 2016, one-third of the total amount  
8 of any grants of State funds to the city;

9 (2) in fiscal year 2017, two-thirds of the total amount  
10 of any grants of State funds to the city; and

11 (3) in fiscal year 2018 and each fiscal year  
12 thereafter, the total amount of any grants of State funds  
13 to the city.

14 The State Comptroller may not deduct from any grants of  
15 State funds to the city more than the amount of delinquent  
16 payments certified to the State Comptroller by the Fund.

17 (b) The taxes shall be levied and collected in like manner  
18 with the general taxes of the city, and shall be in addition to  
19 all other taxes which the city may levy upon all taxable  
20 property therein and shall be exclusive of and in addition to  
21 the amount of tax the city may levy for general purposes under  
22 Section 8-3-1 of the Illinois Municipal Code, approved May 29,  
23 1961, as amended, or under any other law or laws which may  
24 limit the amount of tax which the city may levy for general  
25 purposes.

26 (c) The amounts of the taxes to be levied in each year

1 shall be certified to the city council by the board.

2 (d) As soon as any revenue derived from such taxes is  
3 collected, it shall be paid to the city treasurer and held for  
4 the benefit of the fund, and all such revenue shall be paid  
5 into the fund in accordance with the provisions of this  
6 Article.

7 (e) If the funds available are insufficient during any year  
8 to meet the requirements of this Article, the city may issue  
9 tax anticipation warrants, against the tax levies herein  
10 authorized for the current fiscal year.

11 (f) The various sums, hereinafter stated, including  
12 interest, to be contributed by the city, shall be taken from  
13 the revenue derived from the taxes or otherwise as expressly  
14 provided in this Section. Except for defraying the cost of  
15 administration of the fund during the calendar year in which a  
16 city first attains a population of 500,000 and comes under the  
17 provisions of this Article and the first calendar year  
18 thereafter, any money of the city derived from any source other  
19 than these taxes or the sale of tax anticipation warrants shall  
20 not be used to provide revenue for the fund, nor to pay any  
21 part of the cost of administration thereof, unless applied to  
22 make the deposit expressly authorized in this Section or the  
23 additional city contributions required under subsection (h).

24 (g) In lieu of levying all or a portion of the tax required  
25 under this Section in any year, the city may deposit with the  
26 city treasurer no later than March 1 of that year for the

1 benefit of the fund, to be held in accordance with this  
2 Article, an amount that, together with the taxes levied under  
3 this Section for that year, is not less than the amount of the  
4 city contributions for that year as certified by the board to  
5 the city council. The deposit may be derived from any source  
6 legally available for that purpose, including, but not limited  
7 to, the proceeds of city borrowings. The making of a deposit  
8 shall satisfy fully the requirements of this Section for that  
9 year to the extent of the amounts so deposited. Amounts  
10 deposited under this subsection may be used by the fund for any  
11 of the purposes for which the proceeds of the taxes levied  
12 under this Section may be used, including the payment of any  
13 amount that is otherwise required by this Article to be paid  
14 from the proceeds of those taxes.

15 (h) In addition to the contributions required under the  
16 other provisions of this Article, by November 1 of the  
17 following specified years, the city shall deposit with the city  
18 treasurer for the benefit of the fund, to be held and used in  
19 accordance with this Article, the following specified amounts:  
20 \$6,300,000 in 1999; \$5,880,000 in 2000; \$5,460,000 in 2001;  
21 \$5,040,000 in 2002; and \$4,620,000 in 2003.

22 The additional city contributions required under this  
23 subsection are intended to decrease the unfunded liability of  
24 the fund and shall not decrease the amount of the city  
25 contributions required under the other provisions of this  
26 Article. The additional city contributions made under this

1 subsection may be used by the fund for any of its lawful  
2 purposes.

3 (i) Any proceeds received by the city in relation to the  
4 operation of a casino or casinos within the city shall be  
5 expended by the city for payment to the Firemen's Annuity and  
6 Benefit Fund of Chicago to satisfy the city contribution  
7 obligation in any year.

8 (Source: P.A. 96-1495, eff. 1-1-11.)

9 (40 ILCS 5/6-165.2 new)

10 Sec. 6-165.2. Funding Obligation.

11 (a) Beginning January 1, 2016, the city shall be obligated  
12 to contribute to the Fund in each fiscal year an amount not  
13 less than the amount determined annually under subsection (a)  
14 of Section 6-165 of this Code. Notwithstanding any other  
15 provision of law, if the city fails to pay the amount  
16 guaranteed under this Section on or before December 31 of the  
17 year in which such amount is due, the Fund may bring a mandamus  
18 action in the Circuit Court of Cook County to compel the city  
19 to make the required payment, irrespective of other remedies  
20 that may be available to the Fund. The obligations and causes  
21 of action created under this Section shall be in addition to  
22 any other right or remedy otherwise accorded by common law or  
23 State or federal law, and nothing in this Section shall be  
24 construed to deny, abrogate, impair, or waive any such common  
25 law or statutory right or remedy.

1       (b) In ordering the city to make the required payment, the  
2 court may order a reasonable payment schedule to enable the  
3 city to make the required payment without significantly  
4 imperilling the public health, safety, or welfare. Any payments  
5 required to be made by the city pursuant to this Section are  
6 expressly subordinated to the payment of the principal,  
7 interest, premium, if any, and other payments on or related to  
8 any bonded debt obligation of the city, either currently  
9 outstanding or to be issued, for which the source of repayment  
10 or security thereon is derived directly or indirectly from any  
11 funds collected or received by the city or collected or  
12 received on behalf of the city. Payments on such bonded  
13 obligations include any statutory fund transfers or other  
14 prefunding mechanisms or formulas set forth, now or hereafter,  
15 in State law, city ordinance, or bond indentures, into debt  
16 service funds or accounts of the city related to such bonded  
17 obligations, consistent with the payment schedules associated  
18 with such obligations.

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