

AN ACT concerning public employee benefits.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Illinois Pension Code is amended by changing Section 3-120 as follows:

(40 ILCS 5/3-120) (from Ch. 108 1/2, par. 3-120)

Sec. 3-120. Marriage after retirement.

(a) If a police officer marries subsequent to retirement on any pension under this Article other than a pension established under Section 3-109.3, the surviving spouse and the children of such surviving spouse shall receive no pension on the death of the officer, except as provided in subsection (b) or (c).

(b) Notwithstanding Section 1-103.1 of this Code, this Section shall not be deemed to disqualify from receiving a survivor's pension the surviving spouse and children of any police officer who (i) retired from service in 1973, married the surviving spouse during 1974, and died in 1988, or (ii) retired on disability in October of 1982, married the surviving spouse during 1991, and died in 1992. In the case of a person who becomes eligible for a benefit under this subsection (b), the benefit shall begin to accrue on July 1, 1990 or July 1 of the year following the police officer's

death, whichever is later.

(c) This Section does not disqualify a surviving spouse from receiving a survivor's pension if (i) the police officer was married to the surviving spouse for at least 5 years prior to the police officer's death and (ii) the surviving spouse has attained age 62. For a person who becomes eligible for a benefit under this subsection (c), the benefit shall begin to accrue on the effective date of this amendatory Act of the 102nd General Assembly or the first day of the month following the police officer's death, whichever is later. Notwithstanding any other provision of this Code, the benefits for a surviving spouse who qualifies under this subsection shall terminate no later than 15 years after the benefits begin to accrue. For the purposes of Section 1-103.1 of this Code, this subsection is applicable without regard to whether the police officer was in active service on or after the effective date of this amendatory Act of the 102nd General Assembly.

(Source: P.A. 91-939, eff. 2-1-01.)

Section 90. The State Mandates Act is amended by adding Section 8.46 as follows:

(30 ILCS 805/8.46 new)

Sec. 8.46. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for

Public Act 102-0811

HB5447 Enrolled

LRB102 21821 RPS 30941 b

the implementation of any mandate created by this amendatory
Act of the 102nd General Assembly.