

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 Sections 5-167.4 and 6-128.4 as follows:

(40 ILCS 5/5-167.4) (from Ch. 108 1/2, par. 5-167.4)

Sec. 5-167.4. Widow annuitant minimum annuity.

(a) Notwithstanding any other provision of this Article, beginning January 1, 1996, the minimum amount of widow's annuity payable to any person who is entitled to receive a widow's annuity under this Article is \$700 per month, without regard to whether the deceased policeman is in service on or after the effective date of this amendatory Act of 1995.

Notwithstanding any other provision of this Article, beginning January 1, 1999, the minimum amount of widow's annuity payable to any person who is entitled to receive a widow's annuity under this Article is \$800 per month, without regard to whether the deceased policeman is in service on or after the effective date of this amendatory Act of 1998.

Notwithstanding any other provision of this Article, beginning January 1, 2004, the minimum amount of widow's annuity payable to any person who is entitled to receive a widow's annuity under this Article is \$900 per month, without

regard to whether the deceased policeman is in service on or after the effective date of this amendatory Act of the 93rd General Assembly.

Notwithstanding any other provision of this Article, beginning January 1, 2005, the minimum amount of widow's annuity payable to any person who is entitled to receive a widow's annuity under this Article is \$1,000 per month, without regard to whether the deceased policeman is in service on or after the effective date of this amendatory Act of the 93rd General Assembly.

(b) Effective January 1, 1994, the minimum amount of widow's annuity shall be \$700 per month for the following classes of widows, without regard to whether the deceased policeman is in service on or after the effective date of this amendatory Act of 1993: (1) the widow of a policeman who dies in service with at least 10 years of service credit, or who dies in service after June 30, 1981; and (2) the widow of a policeman who withdraws from service with 20 or more years of service credit and does not withdraw a refund, provided that the widow is married to the policeman before he withdraws from service.

(b-5) Notwithstanding any other provision of this Article, beginning January 1, 2017 and until January 1, 2023, the minimum widow's annuity under this Article shall be no less than 125% of the Federal Poverty Level for all persons receiving widow's annuities on or after that date, without

regard to whether the deceased policeman is in service on or after the effective date of this amendatory Act of the 99th General Assembly.

Notwithstanding any other provision of this Article, beginning January 1, 2023, the minimum widow's annuity under this Article shall be no less than 150% of the Federal Poverty Level for all persons receiving widow's annuities on or after that date, without regard to whether the deceased policeman is in service on or after the effective date of this amendatory Act of the 102nd General Assembly.

For purposes of this Section, "Federal Poverty Level" means the poverty guidelines applicable to an individual in a single-person household located in Illinois, as updated periodically in the Federal Register by the United States Department of Health and Human Services under the authority of 42 U.S.C. 9902(2).

(c) The city, in addition to the contributions otherwise made by it under the other provisions of this Article, shall make such contributions as are necessary for the minimum widow's annuities provided under this Section in the manner prescribed in Section 5-175.

(Source: P.A. 99-905, eff. 11-29-16.)

(40 ILCS 5/6-128.4) (from Ch. 108 1/2, par. 6-128.4)

Sec. 6-128.4. Minimum widow's annuities.

(a) Notwithstanding any other provision of this Article,

beginning January 1, 1996, the minimum amount of widow's annuity payable to any person who is entitled to receive a widow's annuity under this Article is \$700 per month, without regard to whether the deceased fireman is in service on or after the effective date of this amendatory Act of 1995.

(b) Notwithstanding Section 6-128.3, beginning January 1, 1994, the minimum widow's annuity under this Article shall be \$700 per month for (1) all persons receiving widow's annuities on that date who are survivors of employees who retired at age 50 or over with at least 20 years of service, and (2) persons who become eligible for widow's annuities and are survivors of employees who retired at age 50 or over with at least 20 years of service.

(c) Notwithstanding Section 6-128.3, beginning January 1, 1999, the minimum widow's annuity under this Article shall be \$800 per month for (1) all persons receiving widow's annuities on that date who are survivors of employees who retired at age 50 or over with at least 20 years of service, and (2) persons who become eligible for widow's annuities and are survivors of employees who retired at age 50 or over with at least 20 years of service.

(d) Notwithstanding Section 6-128.3, beginning January 1, 2004, the minimum widow's annuity under this Article shall be \$900 per month for all persons receiving widow's annuities on or after that date, without regard to whether the deceased fireman is in service on or after the effective date of this

amendatory Act of the 93rd General Assembly.

(e) Notwithstanding Section 6-128.3, beginning January 1, 2005, the minimum widow's annuity under this Article shall be \$1,000 per month for all persons receiving widow's annuities on or after that date, without regard to whether the deceased fireman is in service on or after the effective date of this amendatory Act of the 93rd General Assembly.

(f) Notwithstanding Section 6-128.3, beginning January 1, 2017 and until January 1, 2023, the minimum widow's annuity under this Article shall be no less than 125% of the Federal Poverty Level for all persons receiving widow's annuities on or after that date, without regard to whether the deceased fireman is in service on or after the effective date of this amendatory Act of the 99th General Assembly.

Notwithstanding Section 6-128.3, beginning January 1, 2023, the minimum widow's annuity under this Article shall be no less than 150% of the Federal Poverty Level for all persons receiving widow's annuities on or after that date, without regard to whether the deceased fireman is in service on or after the effective date of this amendatory Act of the 102nd General Assembly.

For purposes of this Section, "Federal Poverty Level" means the poverty guidelines applicable to an individual in a single-person household located in Illinois, as updated periodically in the Federal Register by the United States Department of Health and Human Services under the authority of

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42 U.S.C. 9902(2).

(Source: P.A. 99-905, eff. 11-29-16.)

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

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