

1 AMENDMENT TO HOUSE BILL 2099

2 AMENDMENT NO. _____. Amend House Bill 2099 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by
5 changing Sections 8-110, 8-113, 8-120, 8-137, 8-138, 8-150.1,
6 8-158, 8-161, 8-167, 8-168, 8-171, 8-227, 8-230.7, 8-243.2,
7 11-125.8, 11-134, 11-134.1, 11-145.1, 11-153, 11-156, 11-164,
8 11-167, and 15-112 and adding Sections 5-233.1, 8-230.9, and
9 8-230.10 as follows:

10 (40 ILCS 5/5-233.1 new)

11 Sec. 5-233.1. Transfer of creditable service to Article
12 8 or 11 fund. A person who (i) is an active participant in a
13 fund established under Article 8 or 11 of this Code and (ii)
14 has at least 10 and no more than 22 years of creditable
15 service in this Fund may, within the 90 days following the
16 effective date of this Section, apply for transfer of of his
17 or her credits and creditable service accumulated in this
18 Fund to the Article 8 or 11 fund. At the time of the
19 transfer, this Fund shall pay to the Article 8 or 11 fund an
20 amount consisting of:

21 (1) the amounts credited to the applicant through
22 employee contributions for the service to be transferred,

1 including interest; and
 2 (2) the corresponding municipality credits,
 3 including interest, on the books of the Fund on the date
 4 of transfer.

5 Participation in this Fund with respect to the credits
 6 transferred shall terminate on the date of transfer.

7 (40 ILCS 5/8-110) (from Ch. 108 1/2, par. 8-110)

8 Sec. 8-110. Employer. "Employer":

9 (1) a city of more than 500,000 inhabitants;

10 (2) or the Board of Education of the such city, with
 11 respect to any of its employees who participate in this Fund;

12 (3) the Chicago Housing Authority, with respect to any
 13 of its employees who participate in this Fund subject to the
 14 provisions of Section 8-230.9;

15 (4) the Public Building Commission of the city, with
 16 respect to any of its employees who participate in this Fund;
 17 and

18 (5) ~~to which this Article applies,~~ or the Retirement
 19 Board.

20 (Source: Laws 1968, p. 181.)

21 (40 ILCS 5/8-113) (from Ch. 108 1/2, par. 8-113)

22 Sec. 8-113. Municipal employee, employee, contributor,
 23 or participant. "Municipal employee", "employee",
 24 "contributor", or "participant":

25 (a) Any employee of an employer employed in the
 26 classified civil service thereof other than by temporary
 27 appointment or in a position excluded or exempt from the
 28 classified service by the Civil Service Act, or in the case
 29 of a city operating under a personnel ordinance, any employee
 30 of an employer employed in the classified or career service
 31 under the provisions of a personnel ordinance, other than in
 32 a provisional or exempt position as specified in such

1 ordinance or in rules and regulations formulated thereunder.

2 (b) Any employee in the service of an employer before
3 the Civil Service Act came in effect for the employer.

4 (c) Any person employed by the board.

5 (d) Any person employed after December 31, 1949, but
6 prior to January 1, 1984, in the service of the employer by
7 temporary appointment or in a position exempt from the
8 classified service as set forth in the Civil Service Act, or
9 in a provisional or exempt position as specified in the
10 personnel ordinance, who meets the following qualifications:

11 (1) has rendered service during not less than 12
12 calendar months to an employer as an employee, officer, or
13 official, 4 months of which must have been consecutive full
14 normal working months of service rendered immediately prior
15 to filing application to be included; and

16 (2) files written application with the board, while in
17 the service, to be included hereunder.

18 (e) After December 31, 1949, any alderman or other
19 officer or official of the employer, who files, while in
20 office, written application with the board to be included
21 hereunder.

22 (f) Beginning January 1, 1984, any person employed by an
23 employer other than the Chicago Housing Authority or the
24 Public Building Commission of the city, whether or not such
25 person is serving by temporary appointment or in a position
26 exempt from the classified service as set forth in the Civil
27 Service Act, or in a provisional or exempt position as
28 specified in the personnel ordinance, provided that such
29 person is neither (1) an alderman or other officer or
30 official of the employer, nor (2) participating, on the basis
31 of such employment, in any other pension fund or retirement
32 system established under this Act.

33 (g) After December 31, 1959, any person employed in the
34 law department of the city, or municipal court or Board of

1 Election Commissioners of the city, who was a contributor and
2 participant, on December 31, 1959, in the annuity and benefit
3 fund in operation in the city on said date, by virtue of the
4 Court and Law Department Employees' Annuity Act or the Board
5 of Election Commissioners Employees' Annuity Act.

6 After December 31, 1959, the foregoing definition
7 includes any other person employed or to be employed in the
8 law department, or municipal court (other than as a judge),
9 or Board of Election Commissioners (if his salary is provided
10 by appropriation of the city council of the city and his
11 salary paid by the city) -- subject, however, in the case of
12 such persons not participants on December 31, 1959, to
13 compliance with the same qualifications and restrictions
14 otherwise set forth in this Section and made generally
15 applicable to employees or officers of the city concerning
16 eligibility for participation or membership.

17 (h) After December 31, 1965, any person employed in the
18 public library of the city -- and any other person -- who was
19 a contributor and participant, on December 31, 1965, in the
20 pension fund in operation in the city on said date, by virtue
21 of the Public Library Employees' Pension Act.

22 (i) After December 31, 1968, any person employed in the
23 house of correction of the city, who was a contributor and
24 participant, on December 31, 1968, in the pension fund in
25 operation in the city on said date, by virtue of the House of
26 Correction Employees' Pension Act.

27 (j) Any person employed full-time on or after the
28 effective date of this amendatory Act of the 92nd General
29 Assembly by the Chicago Housing Authority who has elected to
30 participate in this Fund as provided in subsection (a) of
31 Section 8-230.9.

32 (k) Any person employed full-time by the Public Building
33 Commission of the city who has elected to participate in this
34 Fund as provided in subsection (d) of Section 8-230.7.

1 (Source: P.A. 83-802.)

2 (40 ILCS 5/8-120) (from Ch. 108 1/2, par. 8-120)

3 Sec. 8-120. Child or children. "Child" or "children":
4 The natural child or children, or any child or children
5 legally adopted by an employee at least one year prior to the
6 date any benefit for the child or children accrues, ~~and~~
7 ~~adopted prior to the date the employee attained age 55.~~

8 (Source: P.A. 84-1028.)

9 (40 ILCS 5/8-137) (from Ch. 108 1/2, par. 8-137)

10 Sec. 8-137. Automatic increase in annuity.

11 (a) An employee who retired or retires from service
12 after December 31, 1959 and before January 1, 1987, having
13 attained age 60 or more, shall, in January of the year after
14 the year in which the first anniversary of retirement occurs,
15 have the amount of his then fixed and payable monthly annuity
16 increased by 1 1/2%, and such first fixed annuity as granted
17 at retirement increased by a further 1 1/2% in January of
18 each year thereafter. Beginning with January of the year
19 1972, such increases shall be at the rate of 2% in lieu of
20 the aforesaid specified 1 1/2%, and beginning with January of
21 the year 1984 such increases shall be at the rate of 3%.
22 Beginning in January of 1999, such increases shall be at the
23 rate of 3% of the currently payable monthly annuity,
24 including any increases previously granted under this
25 Article. An employee who retires on annuity after December
26 31, 1959 and before January 1, 1987, but before age 60, shall
27 receive such increases beginning in January of the year after
28 the year in which he attains age 60.

29 An employee who retires from service on or after January
30 1, 1987 shall, upon the first annuity payment date following
31 the first anniversary of the date of retirement, or upon the
32 first annuity payment date following attainment of age 60,

1 whichever occurs later, have his then fixed and payable
 2 monthly annuity increased by 3%, and such annuity shall be
 3 increased by an additional 3% of the original fixed annuity
 4 on the same date each year thereafter. Beginning in January
 5 of 1999, such increases shall be at the rate of 3% of the
 6 currently payable monthly annuity, including any increases
 7 previously granted under this Article.

8 (a-5) Notwithstanding the provisions of subsection (a),
 9 upon the first annuity payment date following (1) the third
 10 anniversary of retirement, (2) the attainment of age 53, or
 11 (3) the date 60 days after the effective date of this
 12 amendatory Act of the 92nd General Assembly, whichever occurs
 13 latest, the monthly pension of an employee who retires on
 14 annuity prior to the attainment of age 60 who has not
 15 received an increase under subsection (a) shall be increased
 16 by 3%, and such annuity shall be increased by an additional
 17 3% of the current payable monthly annuity, including such
 18 increases previously granted under this Article, on the same
 19 date each year thereafter. The increases provided under this
 20 subsection are in lieu of the increases provided in
 21 subsection (a).

22 (b) Subsections (a) and (a-5) are ~~The--foregoing~~
 23 ~~provision-is~~ not applicable to an employee retiring and
 24 receiving a term annuity, as herein defined, nor to any
 25 otherwise qualified employee who retires before he makes
 26 employee contributions (at the 1/2 of 1% rate as provided in
 27 this Act) for this additional annuity for not less than the
 28 equivalent of one full year. Such employee, however, shall
 29 make arrangement to pay to the fund a balance of such 1/2 of
 30 1% contributions, based on his final salary, as will bring
 31 such 1/2 of 1% contributions, computed without interest, to
 32 the equivalent of or completion of one year's contributions.

33 Beginning with January, 1960, each employee shall
 34 contribute by means of salary deductions 1/2 of 1% of each

1 salary payment, concurrently with and in addition to the
2 employee contributions otherwise made for annuity purposes.

3 Each such additional contribution shall be credited to an
4 account in the prior service annuity reserve, to be used,
5 together with city contributions, to defray the cost of the
6 specified annuity increments. Any balance in such account at
7 the beginning of each calendar year shall be credited with
8 interest at the rate of 3% per annum.

9 Such additional employee contributions are not
10 refundable, except to an employee who withdraws and applies
11 for refund under this Article, and in cases where a term
12 annuity becomes payable. In such cases his contributions
13 shall be refunded, without interest, and charged to such
14 account in the prior service annuity reserve.

15 (Source: P.A. 90-766, eff. 8-14-98.)

16 (40 ILCS 5/8-138) (from Ch. 108 1/2, par. 8-138)

17 Sec. 8-138. Minimum annuities - Additional provisions.

18 (a) An employee who withdraws after age 65 or more with
19 at least 20 years of service, for whom the amount of age and
20 service and prior service annuity combined is less than the
21 amount stated in this Section, shall from the date of
22 withdrawal, instead of all annuities otherwise provided, be
23 entitled to receive an annuity for life of \$150 a year, plus
24 1 1/2% for each year of service, to and including 20 years,
25 and 1 2/3% for each year of service over 20 years, of his
26 highest average annual salary for any 4 consecutive years
27 within the last 10 years of service immediately preceding the
28 date of withdrawal.

29 An employee who withdraws after 20 or more years of
30 service, before age 65, shall be entitled to such annuity, to
31 begin not earlier than upon attained age of 55 years if under
32 such age at withdrawal, reduced by 2% for each full year or
33 fractional part thereof that his attained age is less than

1 65, plus an additional 2% reduction for each full year or
2 fractional part thereof that his attained age when annuity is
3 to begin is less than 60 so that the total reduction at age
4 55 shall be 30%.

5 (b) An employee who withdraws after July 1, 1957, at age
6 60 or over, with 20 or more years of service, for whom the
7 age and service and prior service annuity combined, is less
8 than the amount stated in this paragraph, shall, from the
9 date of withdrawal, instead of such annuities, be entitled to
10 receive an annuity for life equal to 1 2/3% for each year of
11 service, of the highest average annual salary for any 5
12 consecutive years within the last 10 years of service
13 immediately preceding the date of withdrawal; provided, that
14 in the case of any employee who withdraws on or after July 1,
15 1971, such employee age 60 or over with 20 or more years of
16 service, shall receive an annuity for life equal to 1.67% for
17 each of the first 10 years of service; 1.90% for each of the
18 next 10 years of service; 2.10% for each year of service in
19 excess of 20 but not exceeding 30; and 2.30% for each year of
20 service in excess of 30, based on the highest average annual
21 salary for any 4 consecutive years within the last 10 years
22 of service immediately preceding the date of withdrawal.

23 An employee who withdraws after July 1, 1957 and before
24 January 1, 1988, with 20 or more years of service, before age
25 60 years is entitled to annuity, to begin not earlier than
26 upon attained age of 55 years, if under such age at
27 withdrawal, as computed in the last preceding paragraph,
28 reduced 0.25% for each full month or fractional part thereof
29 that his attained age when annuity is to begin is less than
30 60 if the employee was born before January 1, 1936, or 0.5%
31 for each such month if the employee was born on or after
32 January 1, 1936.

33 Any employee born before January 1, 1936, who withdraws
34 with 20 or more years of service, and any employee with 20 or

1 more years of service who withdraws on or after January 1,
2 1988, may elect to receive, in lieu of any other employee
3 annuity provided in this Section, an annuity for life equal
4 to 1.80% for each of the first 10 years of service, 2.00% for
5 each of the next 10 years of service, 2.20% for each year of
6 service in excess of 20 but not exceeding 30, and 2.40% for
7 each year of service in excess of 30, of the highest average
8 annual salary for any 4 consecutive years within the last 10
9 years of service immediately preceding the date of
10 withdrawal, to begin not earlier than upon attained age of 55
11 years, if under such age at withdrawal, reduced 0.25% for
12 each full month or fractional part thereof that his attained
13 age when annuity is to begin is less than 60; except that an
14 employee retiring on or after January 1, 1988, at age 55 or
15 over but less than age 60, having at least 35 years of
16 service, or an employee retiring on or after July 1, 1990, at
17 age 55 or over but less than age 60, having at least 30 years
18 of service, or an employee retiring on or after the effective
19 date of this amendatory Act of 1997, at age 55 or over but
20 less than age 60, having at least 25 years of service, shall
21 not be subject to the reduction in retirement annuity because
22 of retirement below age 60.

23 However, in the case of an employee who retired on or
24 after January 1, 1985 but before January 1, 1988, at age 55
25 or older and with at least 35 years of service, and who was
26 subject under this subsection (b) to the reduction in
27 retirement annuity because of retirement below age 60, that
28 reduction shall cease to be effective January 1, 1991, and
29 the retirement annuity shall be recalculated accordingly.

30 Any employee who withdraws on or after July 1, 1990, with
31 20 or more years of service, may elect to receive, in lieu of
32 any other employee annuity provided in this Section, an
33 annuity for life equal to 2.20% for each year of service if
34 withdrawal is before 60 days after the effective date of this

1 amendatory Act of the 92nd General Assembly, or 2.40% for
2 each year of service if withdrawal is 60 days after the
3 effective date of this amendatory Act of the 92nd General
4 Assembly or later, of the highest average annual salary for
5 any 4 consecutive years within the last 10 years of service
6 immediately preceding the date of withdrawal, to begin not
7 earlier than upon attained age of 55 years, if under such age
8 at withdrawal, reduced 0.25% for each full month or
9 fractional part thereof that his attained age when annuity is
10 to begin is less than 60; except that an employee retiring at
11 age 55 or over but less than age 60, having at least 30 years
12 of service, shall not be subject to the reduction in
13 retirement annuity because of retirement below age 60.

14 Any employee who withdraws on or after the effective date
15 of this amendatory Act of 1997 with 20 or more years of
16 service may elect to receive, in lieu of any other employee
17 annuity provided in this Section, an annuity for life equal
18 to 2.20%, for each year of service, if withdrawal is before
19 60 days after the effective date of this amendatory Act of
20 the 92nd General Assembly, or 2.40% for each year of service
21 if withdrawal is 60 days after the effective date of this
22 amendatory Act of the 92nd General Assembly or later, of the
23 highest average annual salary for any 4 consecutive years
24 within the last 10 years of service immediately preceding the
25 date of withdrawal, to begin not earlier than upon attainment
26 of age 55 (age 50 if the employee has at least 30 years of
27 service), reduced 0.25% for each full month or remaining
28 fractional part thereof that the employee's attained age when
29 annuity is to begin is less than 60; except that an employee
30 retiring at age 50 or over with at least 30 years of service
31 or at age 55 or over with at least 25 years of service shall
32 not be subject to the reduction in retirement annuity because
33 of retirement below age 60.

34 The maximum annuity payable under part (a) and (b) of

1 this Section shall not exceed 70% of highest average annual
2 salary in the case of an employee who withdraws prior to July
3 1, 1971, and 75% if withdrawal takes place on or after July
4 1, 1971 and prior to 60 days after the effective date of this
5 amendatory Act of the 92nd General Assembly, or 80% if
6 withdrawal is 60 days after the effective date of this
7 amendatory Act of the 92nd General Assembly or later. For the
8 purpose of the minimum annuity provided in this Section
9 \$1,500 is considered the minimum annual salary for any year;
10 and the maximum annual salary for the computation of such
11 annuity is \$4,800 for any year before 1953, \$6000 for the
12 years 1953 to 1956, inclusive, and the actual annual salary,
13 as salary is defined in this Article, for any year
14 thereafter.

15 To preserve rights existing on December 31, 1959, for
16 participants and contributors on that date to the fund
17 created by the Court and Law Department Employees' Annuity
18 Act, who became participants in the fund provided for on
19 January 1, 1960, the maximum annual salary to be considered
20 for such persons for the years 1955 and 1956 is \$7,500.

21 (c) For an employee receiving disability benefit, his
22 salary for annuity purposes under paragraphs (a) and (b) of
23 this Section, for all periods of disability benefit
24 subsequent to the year 1956, is the amount on which his
25 disability benefit was based.

26 (d) An employee with 20 or more years of service, whose
27 entire disability benefit credit period expires before
28 attainment of age 55 while still disabled for service, is
29 entitled upon withdrawal to the larger of (1) the minimum
30 annuity provided above, assuming he is then age 55, and
31 reducing such annuity to its actuarial equivalent as of his
32 attained age on such date or (2) the annuity provided from
33 his age and service and prior service annuity credits.

34 (e) The minimum annuity provisions do not apply to any

1 former municipal employee receiving an annuity from the fund
2 who re-enters service as a municipal employee, unless he
3 renders at least 3 years of additional service after the date
4 of re-entry.

5 (f) An employee in service on July 1, 1947, or who
6 became a contributor after July 1, 1947 and before attainment
7 of age 70, who withdraws after age 65, with less than 20
8 years of service for whom the annuity has been fixed under
9 this Article shall, instead of the annuity so fixed, receive
10 an annuity as follows:

11 Such amount as he could have received had the accumulated
12 amounts for annuity been improved with interest at the
13 effective rate to the date of his withdrawal, or to
14 attainment of age 70, whichever is earlier, and had the city
15 contributed to such earlier date for age and service annuity
16 the amount that it would have contributed had he been under
17 age 65, after the date his annuity was fixed in accordance
18 with this Article, and assuming his annuity were computed
19 from such accumulations as of his age on such earlier date.
20 The annuity so computed shall not exceed the annuity which
21 would be payable under the other provisions of this Section
22 if the employee was credited with 20 years of service and
23 would qualify for annuity thereunder.

24 (g) Instead of the annuity provided in this Article, an
25 employee having attained age 65 with at least 15 years of
26 service who withdraws from service on or after July 1, 1971
27 and whose annuity computed under other provisions of this
28 Article is less than the amount provided under this
29 paragraph, is entitled to a minimum annuity for life equal to
30 1% of the highest average annual salary, as salary is defined
31 and limited in this Section for any 4 consecutive years
32 within the last 10 years of service for each year of service,
33 plus the sum of \$25 for each year of service. The annuity
34 shall not exceed 60% of such highest average annual salary.

1 (g-1) Instead of any other retirement annuity provided
2 in this Article, an employee who has at least 10 years of
3 service and withdraws from service on or after January 1,
4 1999 may elect to receive a retirement annuity for life,
5 beginning no earlier than upon attainment of age 60, equal to
6 2.2% if withdrawal is before 60 days after the effective date
7 of this amendatory Act of the 92nd General Assembly or 2.4%
8 if withdrawal is 60 days after the effective date of this
9 amendatory Act of the 92nd General Assembly or later, of
10 final average salary for each year of service, subject to a
11 maximum of 75% of final average salary if withdrawal is
12 before 60 days after the effective date of this amendatory
13 Act of the 92nd General Assembly, or 80% if withdrawal is 60
14 days after the effective date of this amendatory Act of the
15 92nd General Assembly or later. For the purpose of
16 calculating this annuity, "final average salary" means the
17 highest average annual salary for any 4 consecutive years in
18 the last 10 years of service.

19 (h) The minimum annuities provided under this Section
20 shall be paid in equal monthly installments.

21 (i) The amendatory provisions of part (b) and (g) of
22 this Section shall be effective July 1, 1971 and apply in the
23 case of every qualifying employee withdrawing on or after
24 July 1, 1971.

25 (j) The amendatory provisions of this amendatory Act of
26 1985 (P.A. 84-23) relating to the discount of annuity because
27 of retirement prior to attainment of age 60, and to the
28 retirement formula, for those born before January 1, 1936,
29 shall apply only to qualifying employees withdrawing on or
30 after July 18, 1985.

31 (k) Beginning on January 1, 1999, the minimum amount of
32 employee's annuity shall be \$850 per month for life for the
33 following classes of employees, without regard to the fact
34 that withdrawal occurred prior to the effective date of this

1 amendatory Act of 1998:

2 (1) any employee annuitant alive and receiving a
3 life annuity on the effective date of this amendatory Act
4 of 1998, except a reciprocal annuity;

5 (2) any employee annuitant alive and receiving a
6 term annuity on the effective date of this amendatory Act
7 of 1998, except a reciprocal annuity;

8 (3) any employee annuitant alive and receiving a
9 reciprocal annuity on the effective date of this
10 amendatory Act of 1998, whose service in this fund is at
11 least 5 years;

12 (4) any employee annuitant withdrawing after age 60
13 on or after the effective date of this amendatory Act of
14 1998, with at least 10 years of service in this fund.

15 The increases granted under items (1), (2) and (3) of
16 this subsection (k) shall not be limited by any other Section
17 of this Act.

18 (Source: P.A. 90-32, eff. 6-27-97; 90-511, eff. 8-22-97;
19 90-766, eff. 8-14-98.)

20 (40 ILCS 5/8-150.1) (from Ch. 108 1/2, par. 8-150.1)
21 Sec. 8-150.1. Minimum annuities for widows. The widow
22 (otherwise eligible for widow's annuity under other Sections
23 of this Article 8) of an employee hereinafter described, who
24 retires from service or dies while in the service subsequent
25 to the effective date of this amendatory provision, and for
26 which widow the amount of widow's annuity and widow's prior
27 service annuity combined, fixed or provided for such widow
28 under other provisions of this Article is less than the
29 amount provided in this Section, shall, from and after the
30 date her otherwise provided annuity would begin, in lieu of
31 such otherwise provided widow's and widow's prior service
32 annuity, be entitled to the following indicated amount of
33 annuity:

1 (a) The widow of any employee who dies while in service
2 on or after the date on which he attains age 60 if the death
3 occurs before July 1, 1990, or on or after the date on which
4 he attains age 55 if the death occurs on or after July 1,
5 1990, with at least 20 years of service, or on or after the
6 date on which he attains age 50 if the death occurs on or
7 after the effective date of this amendatory Act of 1997 with
8 at least 30 years of service, shall be entitled to an annuity
9 equal to one-half of the amount of annuity which her deceased
10 husband would have been entitled to receive had he withdrawn
11 from the service on the day immediately preceding the date of
12 his death, conditional upon such widow having attained the
13 age of 60 or more years on such date if the death occurs
14 before July 1, 1990, or age 55 or more if the death occurs on
15 or after July 1, 1990, or age 50 or more if the death occurs
16 on or after January 1, 1998 and the employee is age 50 or
17 over with at least 30 years of service or age 55 or over with
18 at least 25 years of service. Except as provided in
19 subsection (k), this widow's annuity shall not, however,
20 exceed the sum of \$500 a month if the employee's death in
21 service occurs before January 23, 1987. The widow's annuity
22 shall not be limited to a maximum dollar amount if the
23 employee's death in service occurs on or after January 23,
24 1987.

25 If the employee dies in service before July 1, 1990, and
26 if such widow of such described employee shall not be 60 or
27 more years of age on such date of death, the amount provided
28 in the immediately preceding paragraph for a widow 60 or more
29 years of age, shall, in the case of such younger widow, be
30 reduced by 0.25% for each month that her then attained age is
31 less than 60 years if the employee was born before January 1,
32 1936 or dies in service on or after January 1, 1988, or by
33 0.5% for each month that her then attained age is less than
34 60 years if the employee was born on or after July 1, 1936

1 and dies in service before January 1, 1988.

2 If the employee dies in service on or after July 1, 1990,
3 and if the widow of the employee has not attained age 55 on
4 or before the employee's date of death, the amount otherwise
5 provided in this subsection (a) shall be reduced by 0.25% for
6 each month that her then attained age is less than 55 years;
7 except that if the employee dies in service on or after
8 January 1, 1998 at age 50 or over with at least 30 years of
9 service or at age 55 or over with at least 25 years of
10 service, there shall be no reduction due to the widow's age
11 if she has attained age 50 on or before the employee's date
12 of death, and if the widow has not attained age 50 on or
13 before the employee's date of death the amount otherwise
14 provided in this subsection (a) shall be reduced by 0.25% for
15 each month that her then attained age is less than 50 years.

16 (b) The widow of any employee who dies subsequent to the
17 date of his retirement on annuity, and who so retired on or
18 after the date on which he attained the age of 60 or more
19 years if retirement occurs before July 1, 1990, or on or
20 after the date on which he attained age 55 if retirement
21 occurs on or after July 1, 1990, with at least 20 years of
22 service, or on or after the date on which he attained age 50
23 if the retirement occurs on or after the effective date of
24 this amendatory Act of 1997 with at least 30 years of
25 service, shall be entitled to an annuity equal to one-half of
26 the amount of annuity which her deceased husband received as
27 of the date of his retirement on annuity, conditional upon
28 such widow having attained the age of 60 or more years on the
29 date of her husband's retirement on annuity if retirement
30 occurs before July 1, 1990, or age 55 or more if retirement
31 occurs on or after July 1, 1990, or age 50 or more if the
32 retirement on annuity occurs on or after January 1, 1998 and
33 the employee is age 50 or over with at least 30 years of
34 service or age 55 or over with at least 25 years of service.

1 Except as provided in subsection (k), this widow's annuity
2 shall not, however, exceed the sum of \$500 a month if the
3 employee's death occurs before January 23, 1987. The widow's
4 annuity shall not be limited to a maximum dollar amount if
5 the employee's death occurs on or after January 23, 1987,
6 regardless of the date of retirement; provided that, if
7 retirement was before January 23, 1987, the employee or
8 eligible spouse repays the excess spouse refund with interest
9 at the effective rate from the date of refund to the date of
10 repayment.

11 If the date of the employee's retirement on annuity is
12 before July 1, 1990, and if such widow of such described
13 employee shall not have attained such age of 60 or more years
14 on such date of her husband's retirement on annuity, the
15 amount provided in the immediately preceding paragraph for a
16 widow 60 or more years of age on the date of her husband's
17 retirement on annuity, shall, in the case of such then
18 younger widow, be reduced by 0.25% for each month that her
19 then attained age was less than 60 years if the employee was
20 born before January 1, 1936 or withdraws from service on or
21 after January 1, 1988, or by 0.5% for each month that her
22 then attained age is less than 60 years if the employee was
23 born on or after January 1, 1936 and withdraws from service
24 before January 1, 1988.

25 If the date of the employee's retirement on annuity is on
26 or after July 1, 1990, and if the widow of the employee has
27 not attained age 55 by the date of the employee's retirement
28 on annuity, the amount otherwise provided in this subsection
29 (b) shall be reduced by 0.25% for each month that her then
30 attained age is less than 55 years; except that if the
31 employee retires on annuity on or after January 1, 1998 at
32 age 50 or over with at least 30 years of service or at age 55
33 or over with at least 25 years of service, there shall be no
34 reduction due to the widow's age if she has attained age 50

1 on or before the employee's date of death, and if the widow
2 has not attained age 50 on or before the employee's date of
3 death the amount otherwise provided in this subsection (b)
4 shall be reduced by 0.25% for each month that her then
5 attained age is less than 50 years.

6 (c) The foregoing provisions relating to minimum
7 annuities for widows shall not apply to the widow of any
8 former municipal employee receiving an annuity from the fund
9 on August 9, 1965 or on the effective date of this amendatory
10 provision, who re-enters service as a municipal employee,
11 unless such employee renders at least 3 years of additional
12 service after the date of re-entry.

13 (d) In computing the amount of annuity which the husband
14 specified in the foregoing paragraphs (a) and (b) of this
15 Section would have been entitled to receive, or received,
16 such amount shall be the annuity to which such husband would
17 have been, or was entitled, before reduction in the amount of
18 his annuity for the purposes of the voluntary optional
19 reversionary annuity provided for in Sec. 8-139 of this
20 Article, if such option was elected.

21 (e) (Blank).

22 (f) (Blank).

23 (g) The amendatory provisions of this amendatory Act of
24 1985 relating to annuity discount because of age for widows
25 of employees born before January 1, 1936, shall apply only to
26 qualifying widows of employees withdrawing or dying in
27 service on or after July 18, 1985.

28 (h) Beginning on January 1, 1999, the minimum amount of
29 widow's annuity shall be \$800 per month for life for the
30 following classes of widows, without regard to the fact that
31 the death of the employee occurred prior to the effective
32 date of this amendatory Act of 1998:

33 (1) any widow annuitant alive and receiving a life
34 annuity on the effective date of this amendatory Act of

1 1998, except a reciprocal annuity;

2 (2) any widow annuitant alive and receiving a term
3 annuity on the effective date of this amendatory Act of
4 1998, except a reciprocal annuity;

5 (3) any widow annuitant alive and receiving a
6 reciprocal annuity on the effective date of this
7 amendatory Act of 1998, whose employee spouse's service
8 in this fund was at least 5 years;

9 (4) the widow of an employee with at least 10 years
10 of service in this fund who dies after retirement, if the
11 retirement occurred prior to the effective date of this
12 amendatory Act of 1998;

13 (5) the widow of an employee with at least 10 years
14 of service in this fund who dies after retirement, if
15 withdrawal occurs on or after the effective date of this
16 amendatory Act of 1998;

17 (6) the widow of an employee who dies in service
18 with at least 5 years of service in this fund, if the
19 death in service occurs on or after the effective date of
20 this amendatory Act of 1998.

21 The increases granted under items (1), (2), (3) and (4)
22 of this subsection (h) shall not be limited by any other
23 Section of this Act.

24 (i) The widow of an employee who retired or died in
25 service on or after January 1, 1985 and before July 1, 1990,
26 at age 55 or older, and with at least 35 years of service
27 credit, shall be entitled to have her widow's annuity
28 increased, effective January 1, 1991, to an amount equal to
29 50% of the retirement annuity that the deceased employee
30 received on the date of retirement, or would have been
31 eligible to receive if he had retired on the day preceding
32 the date of his death in service, provided that if the widow
33 had not attained age 60 by the date of the employee's
34 retirement or death in service, the amount of the annuity

1 shall be reduced by 0.25% for each month that her then
2 attained age was less than age 60 if the employee's
3 retirement or death in service occurred on or after January
4 1, 1988, or by 0.5% for each month that her attained age is
5 less than age 60 if the employee's retirement or death in
6 service occurred prior to January 1, 1988. However, in cases
7 where a refund of excess contributions for widow's annuity
8 has been paid by the Fund, the increase in benefit provided
9 by this subsection (i) shall be contingent upon repayment of
10 the refund to the Fund with interest at the effective rate
11 from the date of refund to the date of payment.

12 (j) If a deceased employee is receiving a retirement
13 annuity at the time of death and that death occurs on or
14 after June 27, 1997, the widow may elect to receive, in lieu
15 of any other annuity provided under this Article, 50% of the
16 deceased employee's retirement annuity at the time of death
17 reduced by 0.25% for each month that the widow's age on the
18 date of death is less than 55; except that if the employee
19 dies on or after January 1, 1998 and withdrew from service on
20 or after June 27, 1997 at age 50 or over with at least 30
21 years of service or at age 55 or over with at least 25 years
22 of service, there shall be no reduction due to the widow's
23 age if she has attained age 50 on or before the employee's
24 date of death, and if the widow has not attained age 50 on or
25 before the employee's date of death the amount otherwise
26 provided in this subsection (j) shall be reduced by 0.25% for
27 each month that her age on the date of death is less than 50
28 years. However, in cases where a refund of excess
29 contributions for widow's annuity has been paid by the Fund,
30 the benefit provided by this subsection (j) is contingent
31 upon repayment of the refund to the Fund with interest at the
32 effective rate from the date of refund to the date of
33 payment.

34 (k) For widows of employees who died before January 23,

1 1987 after retirement on annuity or in service, the maximum
2 dollar amount limitation on widow's annuity shall cease to
3 apply, beginning with the first annuity payment after the
4 effective date of this amendatory Act of 1997; except that if
5 a refund of excess contributions for widow's annuity has been
6 paid by the Fund, the increase resulting from this subsection
7 (k) shall not begin before the refund has been repaid to the
8 Fund, together with interest at the effective rate from the
9 date of the refund to the date of repayment.

10 (l) In lieu of any other annuity provided in this
11 Article, an eligible spouse of an employee who dies in
12 service at least 60 days after the effective date of this
13 amendatory Act of the 92nd General Assembly with at least 10
14 years of service shall be entitled to an annuity of 50% of
15 the minimum formula annuity earned and accrued to the credit
16 of the employee at the date of death. For the purposes of
17 this subsection, the minimum formula annuity earned and
18 accrued to the credit of the employee is equal to 2.40% for
19 each year of service of the highest average annual salary for
20 any 4 consecutive years within the last 10 years of service
21 immediately preceding the date of death, up to a maximum of
22 80% of the highest average annual salary. This annuity shall
23 not be reduced due to the age of the employee or spouse. In
24 addition to any other eligibility requirements under this
25 Article, the spouse is eligible for this annuity only if the
26 marriage was in effect for 10 full years or more.

27 (Source: P.A. 90-32, eff. 6-27-97; 90-511, eff. 8-22-97;
28 90-766, eff. 8-14-98.)

29 (40 ILCS 5/8-158) (from Ch. 108 1/2, par. 8-158)

30 Sec. 8-158. Child's annuity. A child's annuity is
31 payable monthly after the death of an employee parent to the
32 child until the child's attainment of age 18, under the
33 following conditions, if the child was born before the

1 employee attained age 65, and before he withdrew from
2 service:

3 (a) ~~upon death resulting from injury incurred in~~
4 ~~the performance of an act of duty;~~

5 (b) upon death in service from any cause other than
6 ~~injury incurred in the performance of an act of duty, if~~
7 ~~the employee has at least 4 years of service after the~~
8 ~~date of his original entry into service, and at least 2~~
9 ~~years after the date of his latest re-entry;~~

10 (b) (e) upon death of an employee who withdraws
11 from service after age 55 (or after age 50 with at least
12 30 years of service if withdrawal is on or after June 27,
13 1997) and who has entered upon or is eligible for
14 annuity.

15 Payment shall be made as provided in Section 8-125.

16 (Source: P.A. 90-31, eff. 6-27-97; 90-766, eff. 8-14-98.)

17 (40 ILCS 5/8-161) (from Ch. 108 1/2, par. 8-161)

18 Sec. 8-161. Ordinary disability benefit. An employee
19 while under age 65 and prior to January 1, 1979, or while
20 under age 70 and after January 1, 1979, who becomes disabled
21 after the effective date as the result of any cause other
22 than injury incurred in the performance of duty, shall be
23 entitled to ordinary disability benefit during such
24 disability, after the first 30 days thereof.

25 The first payment shall be made not later than one month
26 after the benefit is granted and each subsequent payment
27 shall be made not later than one month after the last
28 preceding payment.

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

33 (a) the date disability ceases.

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

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

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

9 (e) the date the payments of the benefit shall exceed in
10 the aggregate, throughout the employee's service, a period
11 equal to 1/4 of the total service rendered prior to the date
12 of disability but in no event more than 5 years. In
13 computing such total service any period during which the
14 employee received ordinary disability benefit shall be
15 excluded.

16 Any employee whose ordinary disability benefit was
17 terminated after January 1, 1979 by reason of his attainment
18 of age 65 and who continues disabled after age 65 may elect
19 before July 1, 1986 to have such benefits resumed beginning
20 at the time of such termination and continuing until
21 termination is required under this Section as amended by this
22 amendatory Act of 1985. The amount payable to any employee
23 for such resumed benefit for any period shall be reduced by
24 the amount of any retirement annuity paid to such employee
25 under this Article for the same period of time or by any
26 refund paid in lieu of annuity.

27 Ordinary disability benefit shall be 50% of the
28 employee's salary at the date of disability.

29 For ordinary disability benefits paid before January 1,
30 2001, before any payment, an amount equal to less the sum
31 ordinarily deducted from salary for all annuity purposes for
32 such period for which the ordinary disability benefit is made
33 shall be deducted from such payment and credited to the
34 employee as a deduction from salary for that period. The

1 sums so deducted shall ~~be credited to the employee and shall~~
2 be regarded, for annuity and refund purposes, as an amount
3 contributed by him.

4 For ordinary disability benefits paid on or after January
5 1, 2001, the fund shall credit sums equal to the amounts
6 ordinarily contributed by an employee for annuity purposes
7 for any period during which the employee receives ordinary
8 disability, and those sums shall be deemed for annuity
9 purposes and purposes of Section 8-173 as amounts contributed
10 by the employee. These amounts credited for annuity purposes
11 shall not be credited for refund purposes.

12 If a participating employee is eligible for a disability
13 benefit under the federal Social Security Act, the amount of
14 ordinary disability benefit under this Section attributable
15 to employment with the Chicago Housing Authority or the
16 Public Building Commission of the city shall be reduced, but
17 not to less than \$10 per month, by the amount that the
18 employee would be eligible to receive as a disability benefit
19 under the federal Social Security Act, whether or not that
20 federal benefit is based on service as a covered employee
21 under this Article. The reduction shall be effective as of
22 the month the employee is eligible for the social security
23 disability benefit. The Board may make this reduction
24 pending determination of eligibility for the social security
25 disability benefit, if it appears to the Board that the
26 employee may be eligible, and make an appropriate adjustment
27 if necessary after eligibility for the social security
28 disability benefit is determined. If the employee's social
29 security disability benefit is reduced or terminated because
30 of a refusal to accept rehabilitation services under the
31 federal Rehabilitation Act of 1973 or the federal Social
32 Security Act or because the employee is receiving a workers'
33 compensation benefit, the ordinary disability benefit under
34 this Section shall be reduced as if the employee were

1 receiving the full social security disability benefit.

2 The amount of ordinary disability benefit shall not be
3 reduced by reason of any increase in the amount of social
4 security disability benefit that takes effect after the month
5 of the initial reduction under this Section, other than an
6 increase resulting from a correction in the employee's wage
7 records.

8 (Source: P.A. 84-23.)

9 (40 ILCS 5/8-167) (from Ch. 108 1/2, par. 8-167)
10 Sec. 8-167. Restoration of rights.

11 (1) An employee who has withdrawn as a refund the
12 amounts credited for annuity purposes, and who re-enters
13 service and serves for periods comprising at least 2 years
14 after the date of the last refund paid to him, shall have his
15 annuity rights restored by compliance with the following
16 provisions:

17 (a) after such 2 year period, he shall repay to the
18 Fund, while in service, in full all refunds received,
19 together with interest at the effective rate from the
20 dates of refund to the date of repayment; or

21 (b) if payment is not made in a single sum, the
22 repayment may be made in installments by deductions from
23 salary or otherwise in such amounts and manner as the
24 board, by rule, may prescribe, with interest at the
25 effective rate accruing on unpaid balances; or

26 (c) if the employee withdraws from service or dies
27 in service before full repayment is made, such rights
28 shall not be restored, but the amount, including
29 interest, repaid by him, but without any further interest
30 otherwise normally credited, shall be refunded to him or
31 to his widow, or in the manner provided by the refund
32 provisions of this Article if no widow survives.

33 (2) A person who is employed full-time by a local labor

1 organization that represents municipal employees and has
2 withdrawn as a refund the amounts credited for annuity
3 purposes may elect to have his or her annuity rights restored
4 by repaying to the Fund in full all refunds received,
5 together with interest at the effective rate from the date of
6 the refund to the date of repayment. Repayment of a refund
7 under this subsection (2) does not require a return to
8 service, and this subsection applies without regard to
9 whether the person is in service on or after the effective
10 date of this amendatory Act of the 92nd General Assembly.

11 (3) This Section applies also to any person who received
12 a refund from any annuity and benefit fund or pension fund
13 which was merged into and superseded by the annuity and
14 benefit fund provided for in this Article on or after
15 December 31, 1959. Upon repayment such person shall receive
16 credit for all annuity purposes in the annuity and benefit
17 fund provided for in this Article for the period of service
18 covered by such refund.

19 (4) The amount of refund repayment is considered as
20 salary deductions for age and service annuity and widow's
21 annuity purposes in the case of a male person. In the latter
22 case the amount of refund repayment is allocated in the
23 applicable proportion for age and service and widow's annuity
24 purposes. Such person shall also be credited with city
25 contributions for age and service annuity, and widow's
26 annuity if a male employee, in the amount which would have
27 been credited and accrued if such person had been a
28 participant in and contributor to the annuity and benefit
29 fund provided for in this Article during the period of such
30 service on the basis of his salary during such period.

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

32 (40 ILCS 5/8-168) (from Ch. 108 1/2, par. 8-168)

33 Sec. 8-168. Refunds - Withdrawal before age 55 or with

1 less than 10 years of service.

2 1. An employee, without regard to length of service, who
3 withdraws before age 55, and any employee with less than 10
4 years of service who withdraws before age 60, shall be
5 entitled to a refund of the accumulated sums to his credit,
6 as of the date of withdrawal, for age and service annuity and
7 widow's annuity from amounts contributed by him, including
8 interest credited and including amounts contributed for him
9 for age and service and widow's annuity purposes by the city
10 while receiving duty disability benefits; provided that such
11 amounts contributed by the city after December 31, 1981,
12 while the employee is receiving duty disability benefits, and
13 amounts credited to the employee for annuity purposes by the
14 fund after December 31, 2000, while the employee is receiving
15 ordinary disability benefits, shall not be credited for
16 refund purposes. If he is a present employee he shall also be
17 entitled to a refund of the accumulations from any sums
18 contributed by him, and applied to any municipal pension fund
19 superseded by this fund.

20 2. Upon receipt of the refund, the employee surrenders
21 and forfeits all rights to any annuity or other benefits, for
22 himself and for any other persons who might have benefited
23 through him; provided that he may have such period of service
24 counted in computing the term of his service if he becomes an
25 employee before age 65, excepting as limited by the
26 provisions of paragraph (a) (3) of Section 8-232 of this
27 Article relating to the basis of computing the term of
28 service.

29 3. Any such employee shall retain such right to a refund
30 of such amounts when he shall apply for same until he
31 re-enters the service or until the amount of annuity shall
32 have been fixed as provided in this Article. Thereafter, no
33 such right shall exist in the case of any such employee.

34 4. Any such municipal employee who shall have served 10

1 or more years and who shall not withdraw the amounts
2 aforesaid to which he shall have a right of refund shall have
3 a right to annuity as stated in this Article.

4 5. Any such municipal employee who shall have served
5 less than 10 years and who shall not withdraw the amounts to
6 which he shall have a right to refund shall have a right to
7 have all such amounts and all other amounts to his credit for
8 annuity purposes on date of his withdrawal from service
9 retained to his credit and improved by interest while he
10 shall be out of the service at the rate of 3 1/2% or 3% per
11 annum (whichever rate shall apply under the provisions of
12 Section 8-155 of this Article) and used for annuity purposes
13 for his benefit and the benefit of any person who may have
14 any right to annuity through him because of his service,
15 according to the provisions of this Article in the event that
16 he shall subsequently re-enter the service and complete the
17 number of years of service necessary to attain a right to
18 annuity; but such sum shall be improved by interest to his
19 credit while he shall be out of the service only until he
20 shall have become 65 years of age.

21 (Source: P.A. 82-283.)

22 (40 ILCS 5/8-171) (from Ch. 108 1/2, par. 8-171)

23 Sec. 8-171. Refund in lieu of annuity. In lieu of an
24 annuity, an employee who withdraws and whose annuity would
25 amount to less than \$800 a month for life, may elect to
26 receive a refund of his accumulated contributions for annuity
27 purposes, based on the amounts contributed by him.

28 The widow of any employee, eligible for annuity upon the
29 death of her husband, whose widow's annuity would amount to
30 less than \$800 a month for life, may, in lieu of widow's
31 annuity, elect to receive a refund of the accumulated
32 contributions for annuity purposes, based on the amounts
33 contributed by her deceased employee husband, but reduced by

1 any amounts theretofore paid to him in the form of an annuity
2 or refund out of such accumulated contributions.

3 Accumulated contributions shall mean the amounts -
4 including the interest credited thereon - contributed by the
5 employee for age and service and widow's annuity to the date
6 of his withdrawal or death, whichever first occurs, including
7 any amounts contributed for him as salary deductions while
8 receiving duty disability benefits, and, if not otherwise
9 included, any accumulations from sums contributed by him and
10 applied to any pension fund superseded by this fund; provided
11 that such amounts contributed by the city after December 31,
12 1981 while the employee is receiving duty disability benefits
13 and amounts credited to the employee for annuity purposes by
14 the fund after December 31, 2000 while the employee is
15 receiving ordinary disability shall not be included.

16 The acceptance of such refund in lieu of widow's annuity,
17 on the part of a widow, shall not deprive a child or children
18 of the right to receive a child's annuity as provided for in
19 Sections 8-158 and 8-159 of this Article, and neither shall
20 the payment of a child's annuity in the case of such refund
21 to a widow reduce the amount herein set forth as refundable
22 to such widow electing a refund in lieu of widow's annuity.

23 (Source: P.A. 91-887, eff. 7-6-00.)

24 (40 ILCS 5/8-227) (from Ch. 108 1/2, par. 8-227)

25 Sec. 8-227. Service as police officer, firefighter or
26 teacher.

27 (a) Service rendered by an employee as a police officer
28 and member of the regularly constituted police department of
29 the city, or as a firefighter and regular member of the paid
30 fire department of the city, or as a teacher in the public
31 school system in the city shall be counted, for the purposes
32 of this Article, as service rendered as an employee of the
33 city. Salary received for any such service shall be treated,

1 for the purposes of this Article, as salary received for the
2 performance of duty as an employee.

3 (b) Subsection (a) applies ~~The foregoing provisions~~
4 ~~shall apply~~ to service rendered after the effective date only
5 if the employee pays to the Fund, prior to his separation
6 from service, an amount equal to what would have accumulated
7 in his or her account from salary deductions as employee
8 contributions, including interest at the effective rate, if
9 such contributions had been made for age and service and
10 spouse's annuity during all of such service; provided, that
11 no service shall be counted or payments received for any
12 period of service for which the employee retains or has not
13 forfeited his or her rights to credit for the same period of
14 service in another annuity and benefit fund, or pension fund,
15 in operation in the city for the benefit of such police
16 officers, firefighters, or teachers. The amount transferred
17 to the Fund under item (1) of Section 5-233.1, if any, shall
18 be credited against the contributions required under this
19 subsection.

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

21 (40 ILCS 5/8-230.7)

22 Sec. 8-230.7. Service rendered to Public Building
23 Commission.

24 (a) An employee or former employee of the Public
25 Building Commission of the city who has established credit
26 under the Fund with regard to service to an employer other
27 than the Public Building Commission of the city may
28 contribute to the Fund and receive credit for all periods of
29 full-time employment with by the Public Building Commission
30 created by the employing city occurring prior to 60 days
31 after the effective date of this amendatory Act, except for
32 those periods for which the employee retains a right to
33 credit in another public pension fund or retirement system

1 established under this Code. Such service credit shall be
2 paid for and granted on the same basis and under the same
3 conditions as are applicable in the case of employees who
4 make payment for past service under Section 8-230, provided
5 that the person must also pay the corresponding employer
6 contributions, and further provided that the contributions
7 and service credit are permitted under Section 415 of the
8 Internal Revenue Code of 1986. The contributions shall be
9 based on the salary actually received by the person from the
10 Commission for that employment.

11 (b) A person establishing service credit under
12 subsection (a) or electing to participate in the Fund under
13 subsection (d) may, at the same time, reinstate service
14 credit that was terminated through receipt of a refund by
15 repaying to the Fund the amount of the refund plus interest
16 at the effective rate from the date of the refund to the date
17 of repayment.

18 (c) An eligible person may establish service credit
19 under subsection (a) and reinstate service credit under
20 subsection (b) without returning to active service as an
21 employee under this Article, but the required contributions
22 and repayment must be received by the Fund before the person
23 begins to receive a retirement annuity under this Article.

24 (d) Within 60 days after beginning full-time employment
25 with the Public Building Commission of the city (or within 60
26 days after the effective date of this amendatory Act of the
27 92nd General Assembly, whichever is later), a person having
28 service credits in this Fund or reinstating service credits
29 under subsection (b) may elect to participate in this Fund
30 with respect to that Public Building Commission employment.
31 An employee who participates in this Fund with respect to
32 Public Building Commission employment shall not, with respect
33 to the same period of employment, participate in any other
34 pension plan for employees of the Commission for which

1 contributions are made by the Commission, except that this
 2 provision shall not prevent an employee from making elective
 3 contributions to a plan of deferred compensation during that
 4 period. An election under this subsection (d), once made, is
 5 irrevocable.

6 Participation under this subsection shall be on the same
 7 basis and under the same conditions as are applicable in the
 8 case of participating employees of the city. Employee
 9 contributions shall be based on the salary actually received
 10 by the employee for that employment. Employer contributions
 11 shall be paid by the Public Building Commission rather than
 12 the city, at a rate to be determined by the Retirement Board.

13 (Source: P.A. 90-766, eff. 8-14-98.)

14 (40 ILCS 5/8-230.9 new)

15 Sec. 8-230.9. Service rendered to Chicago Housing
 16 Authority.

17 (a) Within 60 days after beginning full-time employment
 18 with the Chicago Housing Authority (or within 60 days after
 19 the effective date of this amendatory Act of the 92nd General
 20 Assembly, whichever is later), a person having service
 21 credits in this Fund or reinstating service credits under
 22 subsection (c) may elect to participate in this Fund with
 23 respect to that Chicago Housing Authority employment. An
 24 employee who participates in this Fund with respect to
 25 Chicago Housing Authority employment shall not, with respect
 26 to the same period of employment, participate in any other
 27 pension plan for employees of the Authority for which
 28 contributions are made by the Authority, except that this
 29 provision shall not prevent an employee from making elective
 30 contributions to a plan of deferred compensation during that
 31 period. An election under this subsection (a), once made, is
 32 irrevocable.

33 Participation under this subsection shall be on the same

1 basis and under the same conditions as are applicable in the
2 case of participating employees of the city. Employee
3 contributions shall be based on the salary actually received
4 by the employee for that employment. Employer contributions
5 shall be paid by the Chicago Housing Authority rather than
6 the city, at a rate to be determined by the Retirement Board.

7 (b) An employee or former employee of the Chicago
8 Housing Authority who has established credit under the Fund
9 with regard to service to an employer other than the Chicago
10 Housing Authority may contribute to the Fund and receive
11 credit for all periods of full-time employment with the
12 Chicago Housing Authority occurring prior to 60 days after
13 the effective date of this amendatory Act, except for those
14 periods for which the employee retains a right to credit in
15 another public pension fund or retirement system established
16 under this Code. Such service credit shall be paid for and
17 granted on the same basis and under the same conditions as
18 are applicable in the case of employees who make payment for
19 past service under Section 8-230, provided that the person
20 must also pay the corresponding employer contributions, and
21 further provided that the contributions and service credit
22 are permitted under Section 415 of the Internal Revenue Code
23 of 1986. The contributions shall be based on the salary
24 actually received by the person from the Authority for that
25 employment.

26 (c) A person establishing service credit under
27 subsection (b) or electing to participate in the Fund under
28 subsection (a) may, at the same time, reinstate service
29 credit that was terminated through receipt of a refund by
30 repaying to the Fund the amount of the refund plus interest
31 at the effective rate from the date of the refund to the date
32 of repayment.

33 (d) An eligible person may establish service credit
34 under subsection (b) and reinstate service credit under

1 subsection (c) without returning to active service as an
2 employee under this Article, but the required contributions
3 and repayment must be received by the Fund before the person
4 begins to receive a retirement annuity under this Article.

5 (40 ILCS 5/8-230.10 new)

6 Sec. 8-230.10. Service rendered to IHDA. An employee
7 with at least 10 years of creditable service in the Fund may
8 establish service credit for up to 7 years of full-time
9 employment by the Illinois Housing Development Authority for
10 which the employee does not have credit in another public
11 pension fund or retirement system.

12 To establish service credit under this Section, the
13 employee must apply to the Fund in writing by July 1, 2002
14 and pay to the Fund, at any time before beginning to receive
15 a retirement annuity under this Article, an amount to be
16 determined by the Fund, consisting of (i) employee
17 contributions based on the salary actually received by the
18 person from the Illinois Housing Development Authority for
19 that employment and the contribution rates then in effect for
20 employees of the Fund, (ii) the corresponding employer
21 contributions, and (iii) regular interest on the amounts in
22 items (i) and (ii) from the date of the service to the date
23 of payment.

24 (40 ILCS 5/8-243.2) (from Ch. 108 1/2, par. 8-243.2)

25 Sec. 8-243.2. Alternative annuity for city officers.

26 (a) For the purposes of this Section and Sections
27 8-243.1 and 8-243.3, "city officer" means the city clerk, the
28 city treasurer, or an alderman of the city elected by vote of
29 the people, while serving in that capacity or as provided in
30 subsection (f), who has elected to participate in the Fund.

31 (b) Any elected city officer, while serving in that
32 capacity or as provided in subsection (f), may elect to

1 establish alternative credits for an alternative annuity by
 2 electing in writing to make additional optional
 3 contributions in accordance with this Section and the
 4 procedures established by the board. Such elected city
 5 officer may discontinue making the additional optional
 6 contributions by notifying the Fund in writing in accordance
 7 with this Section and procedures established by the board.

8 Additional optional contributions for the alternative
 9 annuity shall be as follows:

10 (1) For service after the option is elected, an
 11 additional contribution of 3% of salary shall be
 12 contributed to the Fund on the same basis and under the
 13 same conditions as contributions required under Sections
 14 8-174 and 8-182.

15 (2) For service before the option is elected, an
 16 additional contribution of 3% of the salary for the
 17 applicable period of service, plus interest at the
 18 effective rate from the date of service to the date of
 19 payment. All payments for past service must be paid in
 20 full before credit is given. No additional optional
 21 contributions may be made for any period of service for
 22 which credit has been previously forfeited by acceptance
 23 of a refund, unless the refund is repaid in full with
 24 interest at the effective rate from the date of refund to
 25 the date of repayment.

26 (c) In lieu of the retirement annuity otherwise payable
 27 under this Article, any city officer elected by vote of the
 28 people who (1) has elected to participate in the Fund and
 29 make additional optional contributions in accordance with
 30 this Section, and (2) has attained age 55 60 with at least 10
 31 years of service credit, or has attained age 60 65 with at
 32 least 8 years of service credit, may elect to have his
 33 retirement annuity computed as follows: 3% of the
 34 participant's salary at the time of termination of service

1 for each of the first 8 years of service credit, plus 4% of
2 such salary for each of the next 4 years of service credit,
3 plus 5% of such salary for each year of service credit in
4 excess of 12 years, subject to a maximum of 80% of such
5 salary. To the extent such elected city officer has made
6 additional optional contributions with respect to only a
7 portion of his years of service credit, his retirement
8 annuity will first be determined in accordance with this
9 Section to the extent such additional optional contributions
10 were made, and then in accordance with the remaining Sections
11 of this Article to the extent of years of service credit with
12 respect to which additional optional contributions were not
13 made.

14 (d) In lieu of the disability benefits otherwise payable
15 under this Article, any city officer elected by vote of the
16 people who (1) has elected to participate in the Fund, and
17 (2) has become permanently disabled and as a consequence is
18 unable to perform the duties of his office, and (3) was
19 making optional contributions in accordance with this Section
20 at the time the disability was incurred, may elect to receive
21 a disability annuity calculated in accordance with the
22 formula in subsection (c). For the purposes of this
23 subsection, such elected city officer shall be considered
24 permanently disabled only if: (i) disability occurs while in
25 service as an elected city officer and is of such a nature as
26 to prevent him from reasonably performing the duties of his
27 office at the time; and (ii) the board has received a written
28 certification by at least 2 licensed physicians appointed by
29 it stating that such officer is disabled and that the
30 disability is likely to be permanent.

31 (e) Refunds of additional optional contributions shall
32 be made on the same basis and under the same conditions as
33 provided under Sections 8-168, 8-170 and 8-171. Interest
34 shall be credited at the effective rate on the same basis and

1 under the same conditions as for other contributions.
2 Optional contributions shall be accounted for in a separate
3 Elected City Officer Optional Contribution Reserve. Optional
4 contributions under this Section shall be included in the
5 amount of employee contributions used to compute the tax levy
6 under Section 8-173.

7 (f) The effective date of this plan of optional
8 alternative benefits and contributions shall be July 1, 1990,
9 or the date upon which approval is received from the U.S.
10 Internal Revenue Service, whichever is later.

11 The plan of optional alternative benefits and
12 contributions shall not be available to any former city
13 officer or employee receiving an annuity from the Fund on the
14 effective date of the plan, unless he re-enters service as an
15 elected city officer and renders at least 3 years of
16 additional service after the date of re-entry. However, a
17 person who holds office as a city officer on June 1, 1995
18 ~~April--30,--1991~~ may elect to participate in the plan, to
19 transfer credits into the Fund from other Articles of this
20 Code, and to make the contributions required for prior
21 service, until 30 days after the effective date of this
22 amendatory Act of the 92nd General Assembly ~~the-plan-takes~~
23 ~~effect~~, notwithstanding the ending of his term of office
24 prior to that effective date; in the event that the person is
25 already receiving an annuity from this Fund or any other
26 Article of this Code at the time of making this election, the
27 annuity shall be recalculated to include any increase
28 resulting from participation in the plan, with such increase
29 taking effect on the effective date of the election plan.

30 (Source: P.A. 86-1488; 87-794.)

31 (40 ILCS 5/11-125.8)

32 Sec. 11-125.8. Service as police officer, firefighter, or
33 teacher.

1 (a) Service rendered by an employee as a police officer
 2 and member of the regularly constituted police department of
 3 the city, or as a firefighter and regular member of the paid
 4 fire department of the city, or as a teacher in the public
 5 school system in the city shall be counted, for the purposes
 6 of this Article, as service rendered as an employee of the
 7 city. Salary received for any such service shall be treated,
 8 for the purposes of this Article, as salary received for the
 9 performance of duty as an employee.

10 (b) Credit shall be granted under subsection (a) only if
 11 (1) the employee pays to the Fund prior to his or her
 12 separation from service an amount equal to the employee
 13 contributions that would have been payable for that service,
 14 based on the salary actually received, plus interest at the
 15 effective rate, and (2) the employee has terminated any
 16 credit for that service earned in any other annuity and
 17 benefit fund or pension fund in operation in the city for the
 18 benefit of police officers, firefighters, or teachers. The
 19 amount transferred to the Fund under item (1) of Section
 20 5-233.1, if any, shall be credited against the contributions
 21 required under this subsection.

22 (Source: P.A. 90-31, eff. 6-27-97.)

23 (40 ILCS 5/11-134) (from Ch. 108 1/2, par. 11-134)
 24 Sec. 11-134. Minimum annuities.

25 (a) An employee whose withdrawal occurs after July 1,
 26 1957 at age 60 or over, with 20 or more years of service, (as
 27 service is defined or computed in Section 11-216), for whom
 28 the age and service and prior service annuity combined is
 29 less than the amount stated in this Section, shall, from and
 30 after the date of withdrawal, in lieu of all annuities
 31 otherwise provided in this Article, be entitled to receive an
 32 annuity for life of an amount equal to 1 2/3% for each year
 33 of service, of the highest average annual salary for any 5

1 consecutive years within the last 10 years of service
2 immediately preceding the date of withdrawal; provided, that
3 in the case of any employee who withdraws on or after July 1,
4 1971, such employee age 60 or over with 20 or more years of
5 service, shall be entitled to instead receive an annuity for
6 life equal to 1.67% for each of the first 10 years of
7 service; 1.90% for each of the next 10 years of service;
8 2.10% for each year of service in excess of 20 but not
9 exceeding 30; and 2.30% for each year of service in excess of
10 30, based on the highest average annual salary for any 4
11 consecutive years within the last 10 years of service
12 immediately preceding the date of withdrawal.

13 An employee who withdraws after July 1, 1957 and before
14 January 1, 1988, with 20 or more years of service, before age
15 60, shall be entitled to an annuity, to begin not earlier
16 than age 55, if under such age at withdrawal, as computed in
17 the last preceding paragraph, reduced 0.25% if the employee
18 was born before January 1, 1936, or 0.5% if the employee was
19 born on or after January 1, 1936, for each full month or
20 fractional part thereof that his attained age when such
21 annuity is to begin is less than 60.

22 Any employee born before January 1, 1936 who withdraws
23 with 20 or more years of service, and any employee with 20 or
24 more years of service who withdraws on or after January 1,
25 1988, may elect to receive, in lieu of any other employee
26 annuity provided in this Section, an annuity for life equal
27 to 1.80% for each of the first 10 years of service, 2.00% for
28 each of the next 10 years of service, 2.20% for each year of
29 service in excess of 20, but not exceeding 30, and 2.40% for
30 each year of service in excess of 30, of the highest average
31 annual salary for any 4 consecutive years within the last 10
32 years of service immediately preceding the date of
33 withdrawal, to begin not earlier than upon attained age of 55
34 years, if under such age at withdrawal, reduced 0.25% for

1 each full month or fractional part thereof that his attained
2 age when annuity is to begin is less than 60; except that an
3 employee retiring on or after January 1, 1988, at age 55 or
4 over but less than age 60, having at least 35 years of
5 service, or an employee retiring on or after July 1, 1990, at
6 age 55 or over but less than age 60, having at least 30 years
7 of service, or an employee retiring on or after the effective
8 date of this amendatory Act of 1997, at age 55 or over but
9 less than age 60, having at least 25 years of service, shall
10 not be subject to the reduction in retirement annuity because
11 of retirement below age 60.

12 However, in the case of an employee who retired on or
13 after January 1, 1985 but before January 1, 1988, at age 55
14 or older and with at least 35 years of service, and who was
15 subject under this subsection (a) to the reduction in
16 retirement annuity because of retirement below age 60, that
17 reduction shall cease to be effective January 1, 1991, and
18 the retirement annuity shall be recalculated accordingly.

19 Any employee who withdraws on or after July 1, 1990, with
20 20 or more years of service, may elect to receive, in lieu of
21 any other employee annuity provided in this Section, an
22 annuity for life equal to 2.20% for each year of service if
23 withdrawal is before 60 days after the effective date of this
24 amendatory Act of the 92nd General Assembly, or 2.40% for
25 each year of service if withdrawal is 60 days after the
26 effective date of this amendatory Act of the 92nd General
27 Assembly or later, of the highest average annual salary for
28 any 4 consecutive years within the last 10 years of service
29 immediately preceding the date of withdrawal, to begin not
30 earlier than upon attained age of 55 years, if under such age
31 at withdrawal, reduced 0.25% for each full month or
32 fractional part thereof that his attained age when annuity is
33 to begin is less than 60; except that an employee retiring at
34 age 55 or over but less than age 60, having at least 30 years

1 of service, shall not be subject to the reduction in
2 retirement annuity because of retirement below age 60.

3 Any employee who withdraws on or after the effective date
4 of this amendatory Act of 1997 with 20 or more years of
5 service may elect to receive, in lieu of any other employee
6 annuity provided in this Section, an annuity for life equal
7 to 2.20%, for each year of service if withdrawal is before 60
8 days after the effective date of this amendatory Act of the
9 92nd General Assembly, or 2.40% for each year of service if
10 withdrawal is 60 days after the effective date of this
11 amendatory Act of the 92nd General Assembly or later, of the
12 highest average annual salary for any 4 consecutive years
13 within the last 10 years of service immediately preceding the
14 date of withdrawal, to begin not earlier than upon attainment
15 of age 55 (age 50 if the employee has at least 30 years of
16 service), reduced 0.25% for each full month or remaining
17 fractional part thereof that the employee's attained age when
18 annuity is to begin is less than 60; except that an employee
19 retiring at age 50 or over with at least 30 years of service
20 or at age 55 or over with at least 25 years of service shall
21 not be subject to the reduction in retirement annuity because
22 of retirement below age 60.

23 The maximum annuity payable under this paragraph (a) of
24 this Section shall not exceed 70% of highest average annual
25 salary in the case of an employee who withdraws prior to July
26 1, 1971, 75% if withdrawal takes place on or after July 1,
27 1971, and prior to 60 days after the effective date of this
28 amendatory Act of the 92nd General Assembly, or 80% if
29 withdrawal is 60 days after the effective date of this
30 amendatory Act of the 92nd General Assembly or later. For the
31 purpose of the minimum annuity provided in said paragraphs
32 \$1,500 shall be considered the minimum annual salary for any
33 year; and the maximum annual salary to be considered for the
34 computation of such annuity shall be \$4,800 for any year

1 prior to 1953, \$6,000 for the years 1953 to 1956, inclusive,
2 and the actual annual salary, as salary is defined in this
3 Article, for any year thereafter.

4 (b) For an employee receiving disability benefit, his
5 salary for annuity purposes under this Section shall, for all
6 periods of disability benefit subsequent to the year 1956, be
7 the amount on which his disability benefit was based.

8 (c) An employee with 20 or more years of service, whose
9 entire disability benefit credit period expires prior to
10 attainment of age 55 while still disabled for service, shall
11 be entitled upon withdrawal to the larger of (1) the minimum
12 annuity provided above assuming that he is then age 55, and
13 reducing such annuity to its actuarial equivalent at his
14 attained age on such date, or (2) the annuity provided from
15 his age and service and prior service annuity credits.

16 (d) The minimum annuity provisions as aforesaid shall
17 not apply to any former employee receiving an annuity from
18 the fund, and who re-enters service as an employee, unless he
19 renders at least 3 years of additional service after the date
20 of re-entry.

21 (e) An employee in service on July 1, 1947, or who
22 became a contributor after July 1, 1947 and prior to July 1,
23 1950, or who shall become a contributor to the fund after
24 July 1, 1950 prior to attainment of age 70, who withdraws
25 after age 65 with less than 20 years of service, for whom the
26 annuity has been fixed under the foregoing Sections of this
27 Article shall, in lieu of the annuity so fixed, receive an
28 annuity as follows:

29 Such amount as he could have received had the accumulated
30 amounts for annuity been improved with interest at the
31 effective rate to the date of his withdrawal, or to
32 attainment of age 70, whichever is earlier, and had the city
33 contributed to such earlier date for age and service annuity
34 the amount that would have been contributed had he been under

1 age 65, after the date his annuity was fixed in accordance
2 with this Article, and assuming his annuity were computed
3 from such accumulations as of his age on such earlier date.
4 The annuity so computed shall not exceed the annuity which
5 would be payable under the other provisions of this Section
6 if the employee was credited with 20 years of service and
7 would qualify for annuity thereunder.

8 (f) In lieu of the annuity provided in this or in any
9 other Section of this Article, an employee having attained
10 age 65 with at least 15 years of service who withdraws from
11 service on or after July 1, 1971 and whose annuity computed
12 under other provisions of this Article is less than the
13 amount provided under this paragraph shall be entitled to
14 receive a minimum annual annuity for life equal to 1% of the
15 highest average annual salary for any 4 consecutive years
16 within the last 10 years of service immediately preceding
17 retirement for each year of his service plus the sum of \$25
18 for each year of service. Such annual annuity shall not
19 exceed the maximum percentages stated under paragraph (a) of
20 this Section of such highest average annual salary.

21 (f-1) Instead of any other retirement annuity provided
22 in this Article, an employee who has at least 10 years of
23 service and withdraws from service on or after January 1,
24 1999 may elect to receive a retirement annuity for life,
25 beginning no earlier than upon attainment of age 60, equal to
26 2.2% if withdrawal is before 60 days after the effective date
27 of this amendatory Act of the 92nd General Assembly or 2.4%
28 for each year of service if withdrawal is 60 days after the
29 effective date of this amendatory Act of the 92nd General
30 Assembly or later, of final average salary for each year of
31 service, subject to a maximum of 75% of final average salary
32 if withdrawal is before 60 days after the effective date of
33 this amendatory Act of the 92nd General Assembly, or 80% if
34 withdrawal is 60 days after the effective date of this

1 amendatory Act of the 92nd General Assembly or later. For the
2 purpose of calculating this annuity, "final average salary"
3 means the highest average annual salary for any 4 consecutive
4 years in the last 10 years of service.

5 (g) Any annuity payable under the preceding subsections
6 of this Section 11-134 shall be paid in equal monthly
7 installments.

8 (h) The amendatory provisions of part (a) and (f) of
9 this Section shall be effective July 1, 1971 and apply in the
10 case of every qualifying employee withdrawing on or after
11 July 1, 1971.

12 (i) The amendatory provisions of this amendatory Act of
13 1985 relating to the discount of annuity because of
14 retirement prior to attainment of age 60 and increasing the
15 retirement formula for those born before January 1, 1936,
16 shall apply only to qualifying employees withdrawing on or
17 after August 16, 1985.

18 (j) Beginning on January 1, 1999, the minimum amount of
19 employee's annuity shall be \$850 per month for life for the
20 following classes of employees, without regard to the fact
21 that withdrawal occurred prior to the effective date of this
22 amendatory Act of 1998:

23 (1) any employee annuitant alive and receiving a
24 life annuity on the effective date of this amendatory Act
25 of 1998, except a reciprocal annuity;

26 (2) any employee annuitant alive and receiving a
27 term annuity on the effective date of this amendatory Act
28 of 1998, except a reciprocal annuity;

29 (3) any employee annuitant alive and receiving a
30 reciprocal annuity on the effective date of this
31 amendatory Act of 1998, whose service in this fund is at
32 least 5 years;

33 (4) any employee annuitant withdrawing after age 60
34 on or after the effective date of this amendatory Act of

1 1998, with at least 10 years of service in this fund.

2 The increases granted under items (1), (2) and (3) of
3 this subsection (j) shall not be limited by any other Section
4 of this Act.

5 (Source: P.A. 90-32, eff. 6-27-97; 90-511, eff. 8-22-97;
6 90-766, eff. 8-14-98.)

7 (40 ILCS 5/11-134.1) (from Ch. 108 1/2, par. 11-134.1)

8 Sec. 11-134.1. Automatic increase in annuity.

9 (a) An employee who retired or retires from service
10 after December 31, 1963, and before January 1, 1987, having
11 attained age 60 or more, shall, in the month of January of
12 the year following the year in which the first anniversary of
13 retirement occurs, have the amount of his then fixed and
14 payable monthly annuity increased by 1 1/2%, and such first
15 fixed annuity as granted at retirement increased by a further
16 1 1/2% in January of each year thereafter. Beginning with
17 January of the year 1972, such increases shall be at the rate
18 of 2% in lieu of the aforesaid specified 1 1/2%. Beginning
19 January, 1984, such increases shall be at the rate of 3%.
20 Beginning in January of 1999, such increases shall be at the
21 rate of 3% of the currently payable monthly annuity,
22 including any increases previously granted under this
23 Article. An employee who retires on annuity after December
24 31, 1963 and before January 1, 1987, but prior to age 60,
25 shall receive such increases beginning with January of the
26 year immediately following the year in which he attains the
27 age of 60 years.

28 An employee who retires from service on or after January
29 1, 1987 shall, upon the first annuity payment date following
30 the first anniversary of the date of retirement, or upon the
31 first annuity payment date following attainment of age 60,
32 whichever occurs later, have his then fixed and payable
33 monthly annuity increased by 3%, and such annuity shall be

1 increased by an additional 3% of the original fixed annuity
2 on the same date each year thereafter. Beginning in January
3 of 1999, such increases shall be at the rate of 3% of the
4 currently payable monthly annuity, including any increases
5 previously granted under this Article.

6 (a-5) Notwithstanding the provisions of subsection (a),
7 upon the first annuity payment date following (1) the third
8 anniversary of retirement, (2) the attainment of age 53, or
9 (3) the date 60 days after the effective date of this
10 amendatory Act of the 92nd General Assembly, whichever occurs
11 latest, the monthly pension of an employee who retires on
12 annuity prior to the attainment of age 60 who has not
13 received an increase under subsection (a) shall be increased
14 by 3%, and such annuity shall be increased by an additional
15 3% of the current payable monthly annuity, including such
16 increases previously granted under this Article, on the same
17 date each year thereafter. The increases provided under this
18 subsection are in lieu of the increases provided in
19 subsection (a).

20 (b) The foregoing provision is not applicable to an
21 employee retiring and receiving a term annuity, as defined in
22 this Article, nor to any otherwise qualified employee who
23 retires before he shall have made employee contributions (at
24 the 1/2 of 1% rate as hereinafter provided) for the purposes
25 of this additional annuity for not less than the equivalent
26 of one full year. Such employee, however, shall make
27 arrangement to pay to the fund a balance of such 1/2 of 1%
28 contributions, based on his final salary, as will bring such
29 1/2 of 1% contributions, computed without interest, to the
30 equivalent of or completion of one year's contributions.

31 Beginning with the month of January, 1964, each employee
32 shall contribute by means of salary deductions 1/2 of 1% of
33 each salary payment, concurrently with and in addition to the
34 employee contributions otherwise made for annuity purposes.

1 Each such additional employee contribution shall be
2 credited to an account in the prior service annuity reserve,
3 to be used, together with city contributions, to defray the
4 cost of the specified annuity increments. Any balance as of
5 the beginning of each calendar year existing in such account
6 shall be credited with interest at the rate of 3% per annum.

7 Such employee contributions shall not be subject to
8 refund, except to an employee who resigns or is discharged
9 and applies for refund under this Article, and also in cases
10 where a term annuity becomes payable.

11 In such cases the employee contributions shall be
12 refunded him, without interest, and charged to the
13 aforementioned account in the prior service annuity reserve.

14 (Source: P.A. 90-766, eff. 8-14-98.)

15 (40 ILCS 5/11-145.1) (from Ch. 108 1/2, par. 11-145.1)

16 Sec. 11-145.1. Minimum annuities for widows.

17 The widow otherwise eligible for widow's annuity under
18 other Sections of this Article 11, of an employee hereinafter
19 described, who retires from service or dies while in the
20 service subsequent to the effective date of this amendatory
21 provision, and for which widow the amount of widow's annuity
22 and widow's prior service annuity combined, fixed or provided
23 for such widow under other provisions of said Article 11 is
24 less than the amount hereinafter provided in this section,
25 shall, from and after the date her otherwise provided annuity
26 would begin, in lieu of such otherwise provided widow's and
27 widow's prior service annuity, be entitled to the following
28 indicated amount of annuity:

29 (a) The widow of any employee who dies while in service
30 on or after the date on which he attains age 60 if the death
31 occurs before July 1, 1990, or on or after the date on which
32 he attains age 55 if the death occurs on or after July 1,
33 1990, with at least 20 years of service, or on or after the

1 date on which he attains age 50 if the death occurs on or
2 after the effective date of this amendatory Act of 1997 with
3 at least 30 years of service, shall be entitled to an annuity
4 equal to one-half of the amount of annuity which her deceased
5 husband would have been entitled to receive had he withdrawn
6 from the service on the day immediately preceding the date of
7 his death, conditional upon such widow having attained age 60
8 on or before such date if the death occurs before July 1,
9 1990, or age 55 if the death occurs on or after July 1, 1990,
10 or age 50 if the death occurs on or after January 1, 1998 and
11 the employee is age 50 or over with at least 30 years of
12 service or age 55 or over with at least 25 years of service.
13 Except as provided in subsection (j), the widow's annuity
14 shall not, however, exceed the sum of \$500 a month if the
15 employee's death in service occurs before January 23, 1987.
16 The widow's annuity shall not be limited to a maximum dollar
17 amount if the employee's death in service occurs on or after
18 January 23, 1987.

19 If the employee dies in service before July 1, 1990, and
20 if such widow of such described employee shall not be 60 or
21 more years of age on such date of death, the amount provided
22 in the immediately preceding paragraph for a widow 60 or more
23 years of age, shall, in the case of such younger widow, be
24 reduced by 0.25% for each month that her then attained age is
25 less than 60 years if the employee was born before January 1,
26 1936, or dies in service on or after January 1, 1988, or 0.5%
27 for each month that her then attained age is less than 60
28 years if the employee was born on or after January 1, 1936
29 and dies in service before January 1, 1988.

30 If the employee dies in service on or after July 1, 1990,
31 and if the widow of the employee has not attained age 55 on
32 or before the employee's date of death, the amount otherwise
33 provided in this subsection (a) shall be reduced by 0.25% for
34 each month that her then attained age is less than 55 years;

1 except that if the employee dies in service on or after
2 January 1, 1998 at age 50 or over with at least 30 years of
3 service or at age 55 or over with at least 25 years of
4 service, there shall be no reduction due to the widow's age
5 if she has attained age 50 on or before the employee's date
6 of death, and if the widow has not attained age 50 on or
7 before the employee's date of death the amount otherwise
8 provided in this subsection (a) shall be reduced by 0.25% for
9 each month that her then attained age is less than 50 years.

10 (b) The widow of any employee who dies subsequent to the
11 date of his retirement on annuity, and who so retired on or
12 after the date on which he attained age 60 if retirement
13 occurs before July 1, 1990, or on or after the date on which
14 he attained age 55 if retirement occurs on or after July 1,
15 1990, with at least 20 years of service, or on or after the
16 date on which he attained age 50 if the retirement occurs on
17 or after the effective date of this amendatory Act of 1997
18 with at least 30 years of service, shall be entitled to an
19 annuity equal to one-half of the amount of annuity which her
20 deceased husband received as of the date of his retirement on
21 annuity, conditional upon such widow having attained age 60
22 on or before the date of her husband's retirement on annuity
23 if retirement occurs before July 1, 1990, or age 55 if
24 retirement occurs on or after July 1, 1990, or age 50 if the
25 retirement on annuity occurs on or after January 1, 1998 and
26 the employee is age 50 or over with at least 30 years of
27 service or age 55 or over with at least 25 years of service.
28 Except as provided in subsection (j), this widow's annuity
29 shall not, however, exceed the sum of \$500 a month if the
30 employee's death occurs before January 23, 1987. The widow's
31 annuity shall not be limited to a maximum dollar amount if
32 the employee's death occurs on or after January 23, 1987,
33 regardless of the date of retirement; provided that, if
34 retirement was before January 23, 1987, the employee or

1 eligible spouse repays the excess spouse refund with interest
2 at the effective rate from the date of refund to the date of
3 repayment.

4 If the date of the employee's retirement on annuity is
5 before July 1, 1990, and if such widow of such described
6 employee shall not have attained such age of 60 or more years
7 on such date of her husband's retirement on annuity, the
8 amount provided in the immediately preceding paragraph for a
9 widow 60 or more years of age on the date of her husband's
10 retirement on annuity, shall, in the case of such then
11 younger widow, be reduced by 0.25% for each month that her
12 then attained age was less than 60 years if the employee was
13 born before January 1, 1936, or withdraws from service on or
14 after January 1, 1988, or 0.5% for each month that her then
15 attained age was less than 60 years if the employee was born
16 on or after January 1, 1936 and withdraws from service before
17 January 1, 1988.

18 If the date of the employee's retirement on annuity is on
19 or after July 1, 1990, and if the widow of the employee has
20 not attained age 55 by the date of the employee's retirement
21 on annuity, the amount otherwise provided in this subsection
22 (b) shall be reduced by 0.25% for each month that her then
23 attained age is less than 55 years; except that if the
24 employee retires on annuity on or after January 1, 1998 at
25 age 50 or over with at least 30 years of service or at age 55
26 or over with at least 25 years of service, there shall be no
27 reduction due to the widow's age if she has attained age 50
28 on or before the employee's date of death, and if the widow
29 has not attained age 50 on or before the employee's date of
30 death the amount otherwise provided in this subsection (b)
31 shall be reduced by 0.25% for each month that her then
32 attained age is less than 50 years.

33 (c) The foregoing provisions relating to minimum
34 annuities for widows shall not apply to the widow of any

1 former employee receiving an annuity from the fund on August
2 2, 1965 or on the effective date of this amendatory
3 provision, who re-enters service as a former employee, unless
4 such employee renders at least 3 years of additional service
5 after the date of re-entry.

6 (d) (Blank).

7 (e) (Blank).

8 (f) The amendments to this Section by this amendatory
9 Act of 1985, relating to changing the discount because of age
10 from 1/2 of 1% to 0.25% per month for widows of employees
11 born before January 1, 1936, shall apply only to qualifying
12 widows whose husbands die while in the service on or after
13 August 16, 1985 or withdraw and enter on annuity on or after
14 August 16, 1985.

15 (g) Beginning on January 1, 1999, the minimum amount of
16 widow's annuity shall be \$800 per month for life for the
17 following classes of widows, without regard to the fact that
18 the death of the employee occurred prior to the effective
19 date of this amendatory Act of 1998:

20 (1) any widow annuitant alive and receiving a term
21 annuity on the effective date of this amendatory Act of
22 1998, except a reciprocal annuity;

23 (2) any widow annuitant alive and receiving a life
24 annuity on the effective date of this amendatory Act of
25 1998, except a reciprocal annuity;

26 (3) any widow annuitant alive and receiving a
27 reciprocal annuity on the effective date of this
28 amendatory Act of 1998, whose employee spouse's service
29 in this fund was at least 5 years;

30 (4) the widow of an employee with at least 10 years
31 of service in this fund who dies after retirement, if the
32 retirement occurred prior to the effective date of this
33 amendatory Act of 1998;

34 (5) the widow of an employee with at least 10 years

1 of service in this fund who dies after retirement, if
2 withdrawal occurs on or after the effective date of this
3 amendatory Act of 1998;

4 (6) the widow of an employee who dies in service
5 with at least 5 years of service in this fund, if the
6 death in service occurs on or after the effective date of
7 this amendatory Act of 1998.

8 The increases granted under items (1), (2), (3) and (4)
9 of this subsection (g) shall not be limited by any other
10 Section of this Act.

11 (h) The widow of an employee who retired or died in
12 service on or after January 1, 1985 and before July 1, 1990,
13 at age 55 or older, and with at least 35 years of service
14 credit, shall be entitled to have her widow's annuity
15 increased, effective January 1, 1991, to an amount equal to
16 50% of the retirement annuity that the deceased employee
17 received on the date of retirement, or would have been
18 eligible to receive if he had retired on the day preceding
19 the date of his death in service, provided that if the widow
20 had not attained age 60 by the date of the employee's
21 retirement or death in service, the amount of the annuity
22 shall be reduced by 0.25% for each month that her then
23 attained age was less than age 60 if the employee's
24 retirement or death in service occurred on or after January
25 1, 1988, or by 0.5% for each month that her attained age is
26 less than age 60 if the employee's retirement or death in
27 service occurred prior to January 1, 1988. However, in cases
28 where a refund of excess contributions for widow's annuity
29 has been paid by the Fund, the increase in benefit provided
30 by this subsection (h) shall be contingent upon repayment of
31 the refund to the Fund with interest at the effective rate
32 from the date of refund to the date of payment.

33 (i) If a deceased employee is receiving a retirement
34 annuity at the time of death and that death occurs on or

1 after June 27, 1997, the widow may elect to receive, in lieu
2 of any other annuity provided under this Article, 50% of the
3 deceased employee's retirement annuity at the time of death
4 reduced by 0.25% for each month that the widow's age on the
5 date of death is less than 55; except that if the employee
6 dies on or after January 1, 1998 and withdrew from service on
7 or after June 27, 1997 at age 50 or over with at least 30
8 years of service or at age 55 or over with at least 25 years
9 of service, there shall be no reduction due to the widow's
10 age if she has attained age 50 on or before the employee's
11 date of death, and if the widow has not attained age 50 on or
12 before the employee's date of death the amount otherwise
13 provided in this subsection (i) shall be reduced by 0.25% for
14 each month that her age on the date of death is less than 50
15 years. However, in cases where a refund of excess
16 contributions for widow's annuity has been paid by the Fund,
17 the benefit provided by this subsection (i) is contingent
18 upon repayment of the refund to the Fund with interest at the
19 effective rate from the date of refund to the date of
20 payment.

21 (j) For widows of employees who died before January 23,
22 1987 after retirement on annuity or in service, the maximum
23 dollar amount limitation on widow's annuity shall cease to
24 apply, beginning with the first annuity payment after the
25 effective date of this amendatory Act of 1997; except that if
26 a refund of excess contributions for widow's annuity has been
27 paid by the Fund, the increase resulting from this subsection
28 (j) shall not begin before the refund has been repaid to the
29 Fund, together with interest at the effective rate from the
30 date of the refund to the date of repayment.

31 (k) In lieu of any other annuity provided in this
32 Article, an eligible spouse of an employee who dies in
33 service at least 60 days after the effective date of this
34 amendatory Act of the 92nd General Assembly with at least 10

1 years of service shall be entitled to an annuity of 50% of
 2 the minimum formula annuity earned and accrued to the credit
 3 of the employee at the date of death. For the purposes of
 4 this subsection, the minimum formula annuity earned and
 5 accrued to the credit of the employee is equal to 2.40% for
 6 each year of service of the highest average annual salary for
 7 any 4 consecutive years within the last 10 years of service
 8 immediately preceding the date of death, up to a maximum of
 9 80% of the highest average annual salary. This annuity shall
 10 not be reduced due to the age of the employee or spouse. In
 11 addition to any other eligibility requirements under this
 12 Article, the spouse is eligible for this annuity only if the
 13 marriage was in effect for 10 full years or more.

14 (Source: P.A. 90-32, eff. 6-27-97; 90-511, eff. 8-22-97;
 15 90-766, eff. 8-14-98.)

16 (40 ILCS 5/11-153) (from Ch. 108 1/2, par. 11-153)
 17 Sec. 11-153. Child's annuity.

18 (a) A "Child's Annuity" shall be payable monthly after
 19 the death of an employee parent to an unmarried child until
 20 the child's attainment of age 18 or marriage, whichever event
 21 shall first occur, under the following conditions, if the
 22 child was born or in esse before the employee attained age
 23 65, and before he withdrew from service:

24 (1) ~~upon death resulting from injury incurred in~~
 25 ~~the performance of an act of duty;~~

26 {2} upon death in service from any cause other than
 27 ~~injury incurred in the performance of duty, if the~~
 28 ~~employee has at least 4 years of service after the date~~
 29 ~~of his original entry into service, and at least 2 years~~
 30 ~~after the date of his latest re-entry;~~

31 {2}{3} upon death of an employee who withdraws from
 32 service after age 55 (or after age 50 with at least 30
 33 years of service if withdrawal is on or after June 27,

1 1997) and who has entered upon or is eligible for
2 annuity.

3 Payment shall be made as provided in Section 11-124.

4 (b) After July 24, 1967, an adopted child shall be
5 entitled to the same child's annuity benefits provided for
6 natural children in this Article, if:

7 (1) the child was legally adopted by the employee
8 at least one year prior to the death of the employee; and

9 (2) the child was adopted before the employee
10 withdrew from service attained-age-55.

11 (Source: P.A. 90-31, eff. 6-27-97; 90-766, eff. 8-14-98.)

12 (40 ILCS 5/11-156) (from Ch. 108 1/2, par. 11-156)

13 Sec. 11-156. Ordinary disability benefit. An employee,
14 while under age 65 and prior to January 1, 1979, or while
15 under age 70 and after January 1, 1979, who becomes disabled
16 after the effective date as the result of any cause other
17 than injury incurred in the performance of any act or acts of
18 duty, shall be entitled to ordinary disability benefit during
19 such disability, after the first 30 days thereof.

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

24 (a) the date disability ceases.

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

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

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

33 (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
3 of disability but in no event more than 5 years. In computing
4 such total the following periods shall be excluded:

5 (i) Any period during which the employee received
6 ordinary disability benefit;

7 (ii) Any period of absence from duty, whether caused by
8 layoff, leave of absence or suspension of employment, or any
9 other reason, unless the board, upon satisfactory evidence,
10 finds that the disability resulted from a cause which existed
11 or occurred prior to such period of absence. No employee who
12 becomes disabled and whose disability begins during absence
13 from duty (other than while on vacation with pay) shall have
14 any right to ordinary disability benefit, except as herein
15 provided, until he recovers from such disability and performs
16 the duties of his position in the service for at least 15
17 consecutive days, Sundays and holidays excepted, after such
18 recovery.

19 The first payment shall be made not later than one month
20 after the benefit is granted and each subsequent payment
21 shall be made not later than one month after the last
22 preceding payment.

23 Ordinary disability benefit shall be 50% of the
24 employee's salary at the date of disability.

25 For ordinary disability benefits paid before January 1,
26 2001, before any payment, an amount equal to,~~less~~ the sum
27 ordinarily deducted from salary for all annuity purposes for
28 such period for which the ordinary disability benefit is made
29 shall be deducted from such payment and credited to the
30 employee as a deduction from salary for that period. The
31 sums so deducted ~~shall be credited to the employee and~~ shall
32 be regarded, for annuity and refund purposes, as an amount
33 contributed by him.

34 For ordinary disability benefits paid on or after January

1 1, 2001, the fund shall credit sums equal to the amounts
 2 ordinarily contributed by an employee for annuity purposes
 3 for any period during which the employee receives ordinary
 4 disability, and those sums shall be deemed for annuity
 5 purposes and purposes of Section 11-169 as amounts
 6 contributed by the employee. These amounts credited for
 7 annuity purposes shall not be credited for refund purposes.

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

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

20 (40 ILCS 5/11-164) (from Ch. 108 1/2, par. 11-164)
 21 Sec. 11-164. Refunds - Withdrawal before age 55 or with
 22 less than 10 years of service.

23 (1) An employee, without regard to length of service,
 24 who withdraws before age 55, and any employee with less than
 25 10 years of service who withdraws before age 60, shall be
 26 entitled to a refund of the total sum accumulated to his
 27 credit as of date of withdrawal for age and service annuity
 28 and widow's annuity from amounts contributed by him or by the
 29 City in lieu of employee contributions during duty
 30 disability; provided that such amounts contributed by the
 31 city after December 31, 1983 while the employee is receiving
 32 duty disability benefits and amounts credited to the employee
 33 for annuity purposes by the fund after December 31, 2000

1 while the employee is receiving ordinary disability benefits
2 shall not be credited for refund purposes.

3 The board may in its discretion withhold payment of
4 refund for a period not to exceed 6 months from the date of
5 withdrawal. Interest at the effective rate shall be paid on
6 any such refund withheld during such withheld period not to
7 exceed 6 months.

8 (2) Upon receipt of the refund, the employee surrenders
9 and forfeits all rights to any annuity or other benefits, for
10 himself and for any other persons who might have benefited
11 through him; provided that he may have such period of service
12 counted in computing the term of his service for age and
13 service annuity purposes only if he becomes an employee
14 before age 65.

15 (3) An employee who does not receive a refund shall have
16 all amounts to his credit for annuity purposes on the date of
17 his withdrawal improved by interest only until he becomes age
18 65, while out of service, at the effective rate, for his
19 benefit and the benefit of any person who may have any right
20 to annuity through him if he re-enters the service and
21 attains a right to annuity.

22 (4) Any such employee shall retain such right to refund
23 of such amounts when he shall apply for same, until he
24 re-enters the service or until the amount of annuity to which
25 he shall have a right shall have been fixed as provided in
26 this Article. Thereafter, no such right shall exist in the
27 case of any such employee.

28 (Source: P.A. 83-499.)

29 (40 ILCS 5/11-167) (from Ch. 108 1/2, par. 11-167)

30 Sec. 11-167. Refunds in lieu of annuity. In lieu of an
31 annuity, an employee who withdraws, and whose annuity would
32 amount to less than \$800 a month for life may elect to
33 receive a refund of the total sum accumulated to his credit

1 from employee contributions for annuity purposes.

2 The widow of any employee, eligible for annuity upon the
3 death of her husband, whose annuity would amount to less than
4 \$800 a month for life, may, in lieu of a widow's annuity,
5 elect to receive a refund of the accumulated contributions
6 for annuity purposes, based on the amounts contributed by her
7 deceased employee husband, but reduced by any amounts
8 theretofore paid to him in the form of an annuity or refund
9 out of such accumulated contributions.

10 Accumulated contributions shall mean the amounts
11 including interest credited thereon contributed by the
12 employee for age and service and widow's annuity to the date
13 of his withdrawal or death, whichever first occurs, and
14 including the accumulations from any amounts contributed for
15 him as salary deductions while receiving duty disability
16 benefits; provided that such amounts contributed by the city
17 after December 31, 1983 while the employee is receiving duty
18 disability benefits and amounts credited to the employee for
19 annuity purposes by the fund after December 31, 2000 while
20 the employee is receiving ordinary disability benefits.

21 The acceptance of such refund in lieu of widow's annuity,
22 on the part of a widow, shall not deprive a child or children
23 of the right to receive a child's annuity as provided for in
24 Sections 11-153 and 11-154 of this Article, and neither shall
25 the payment of a child's annuity in the case of such refund
26 to a widow reduce the amount herein set forth as refundable
27 to such widow electing a refund in lieu of widow's annuity.

28 (Source: P.A. 90-655, eff. 7-30-98; 91-887, eff. 7-6-00.)

29 (40 ILCS 5/15-112) (from Ch. 108 1/2, par. 15-112)

30 Sec. 15-112. Final rate of earnings. "Final rate of
31 earnings": For an employee who is paid on an hourly basis or
32 who receives an annual salary in installments during 12
33 months of each academic year, the average annual earnings

1 during the 48 consecutive calendar month period ending with
2 the last day of final termination of employment or the 4
3 consecutive academic years of service in which the employee's
4 earnings were the highest, whichever is greater. For any
5 other employee, the average annual earnings during the 4
6 consecutive academic years of service in which his or her
7 earnings were the highest. For an employee with less than 48
8 months or 4 consecutive academic years of service, the
9 average earnings during his or her entire period of service.
10 The earnings of an employee with more than 36 months of
11 service prior to the date of becoming a participant are, for
12 such period, considered equal to the average earnings during
13 the last 36 months of such service. For an employee on leave
14 of absence with pay, or on leave of absence without pay who
15 makes contributions during such leave, earnings are assumed
16 to be equal to the basic compensation on the date the leave
17 began. For an employee on disability leave, earnings are
18 assumed to be equal to the basic compensation on the date
19 disability occurs or the average earnings during the 24
20 months immediately preceding the month in which disability
21 occurs, whichever is greater.

22 For a participant who retires on or after the effective
23 date of this amendatory Act of 1997 with at least 20 years of
24 service as a firefighter or police officer under this
25 Article, the final rate of earnings shall be the annual rate
26 of earnings received by the participant on his or her last
27 day as a firefighter or police officer under this Article, if
28 that is greater than the final rate of earnings as calculated
29 under the other provisions of this Section.

30 If a participant is an employee for at least 6 months
31 during the academic year in which his or her employment is
32 terminated, the annual final rate of earnings shall be 25% of
33 the sum of (1) the annual basic compensation for that year,
34 and (2) the amount earned during the 36 months immediately

1 preceding that year, if this is greater than the final rate
2 of earnings as calculated under the other provisions of this
3 Section.

4 In the determination of the final rate of earnings for an
5 employee, that part of an employee's earnings for any
6 academic year beginning after June 30, 1997, which exceeds
7 the employee's earnings with that employer for the preceding
8 year by more than 20 percent shall be excluded; in the event
9 that an employee has more than one employer this limitation
10 shall be calculated separately for the earnings with each
11 employer. In making such calculation, only the basic
12 compensation of employees shall be considered, without regard
13 to vacation or overtime or to contracts for summer
14 employment.

15 The following are not considered as earnings in
16 determining final rate of earnings: severance or separation
17 pay, retirement pay, payment ~~for in-lieu-of~~ unused sick leave
18 and payments from an employer for the period used in
19 determining final rate of earnings for any purpose other than
20 services rendered, leave of absence or vacation granted
21 during that period, and vacation of up to 56 work days
22 allowed upon termination of employment; except that, if the
23 benefit has been collectively bargained between the employer
24 and the recognized collective bargaining agent pursuant to
25 the Illinois Educational Labor Relations Act, payment
26 received during a period of up to 2 academic years for unused
27 sick leave may be considered as earnings in accordance with
28 the applicable collective bargaining agreement, subject to
29 the 20% increase limitation of this Section. Any unused sick
30 leave considered as earnings under this Section shall not be
31 taken into account in calculating service credit under
32 Section 15-113.4.

33 Intermittent periods of service shall be considered as
34 consecutive in determining final rate of earnings.

1 (Source: P.A. 90-65, eff. 7-7-97; 90-511, eff. 8-22-97;
2 91-887, eff. 7-6-00.)

3 Section 90. The State Mandates Act is amended by adding
4 Section 8.25 as follows:

5 (30 ILCS 805/8.25 new)

6 Sec. 8.25. Exempt mandate. Notwithstanding Sections 6
7 and 8 of this Act, no reimbursement by the State is required
8 for the implementation of any mandate created by this
9 amendatory Act of the 92nd General Assembly.

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