

1 AN ACT in relation to public employee benefits.

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

4 Section 5. The Illinois Pension Code is amended by  
5 changing Section 17-121 as follows:

6 (40 ILCS 5/17-121) (from Ch. 108 1/2, par. 17-121)

7 Sec. 17-121. Survivor's and Children's pensions -  
8 Eligibility. A surviving spouse of a teacher shall be  
9 entitled to a survivor's pension only if he was married to  
10 the contributor for at least 1 1/2 years immediately prior to  
11 his death or retirement, whichever first occurs, and also on  
12 the date of the last termination of his service.

13 If the surviving spouse is under age 50 and there are no  
14 eligible minor children born to or legally adopted by the  
15 contributor and his surviving spouse, payment of the  
16 survivor's pension shall begin when the surviving spouse  
17 attains age 50.

18 Remarriage of the surviving spouse prior to September 1,  
19 1983 while in receipt of a survivor's pension shall  
20 permanently terminate payment thereof, regardless of any  
21 subsequent change in marital status; however, beginning  
22 September 1, 1983, remarriage of a surviving spouse after  
23 attainment of age 55 shall not terminate the survivor's  
24 pension.

25 A surviving spouse whose pension was terminated on or  
26 after September 1, 1983 due to remarriage after attainment of  
27 age 55, and who applies for reinstatement of that pension  
28 before January 1, 1990, shall be entitled to have the pension  
29 reinstated effective January 1, 1990.

30 A surviving spouse of a member or annuitant under this  
31 Fund who is also a dependent beneficiary under the provisions

1 of Section 16-140 is eligible for a reciprocal survivor's  
2 pension, provided that any refund of survivor's pension  
3 contributions is repaid to the Fund and application is made  
4 within 30 days after the effective date of this amendatory  
5 Act of the 92nd General Assembly.

6 (Source: P.A. 86-273.)

7 Section 90. The State Mandates Act is amended by adding  
8 Section 8.25 as follows:

9 (30 ILCS 805/8.25 new)

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

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