

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 5-144 as follows:

6 (40 ILCS 5/5-144) (from Ch. 108 1/2, par. 5-144)

7 Sec. 5-144. Death from injury in the performance of acts  
8 of duty; compensation annuity and supplemental annuity.

9 (a) Beginning January 1, 1986, and without regard to  
10 whether or not the annuity in question began before that  
11 date, if the annuity for the widow of a policeman whose  
12 death, on or after January 1, 1940, results from injury  
13 incurred in the performance of an act or acts of duty, is not  
14 equal to the sum hereinafter stated, "compensation annuity"  
15 equal to the difference between the annuity and an amount  
16 equal to 75% of the policeman's salary attached to the  
17 position he held by certification and appointment as a result  
18 of competitive civil service examination that would  
19 ordinarily have been paid to him as though he were in active  
20 discharge of his duties shall be payable to the widow until  
21 the policeman, had he lived, would have attained age 63. The  
22 total amount of the widow's annuity and children's awards  
23 payable to the family of such policeman shall not exceed the  
24 amounts stated in Section 5-152.

25 The provisions of this Section, as amended by Public Act  
26 84-1104, including the reference to the date upon which the  
27 deceased policeman would have attained age 63, shall apply to  
28 all widows of policemen whose death occurs on or after  
29 January 1, 1940 due to injury incurred in the performance of  
30 an act of duty, regardless of whether such death occurred  
31 prior to September 17, 1969. For those widows of policemen

1 that died prior to September 17, 1969, who became eligible  
 2 for compensation annuity by the action of Public Act 84-1104,  
 3 such compensation annuity shall begin and be calculated from  
 4 January 1, 1986. The provisions of this amendatory Act of  
 5 1987 are intended to restate and clarify the intent of Public  
 6 Act 84-1104, and do not make any substantive change.

7 (b) Upon termination of the compensation annuity,  
 8 "supplemental annuity" shall become payable to the widow,  
 9 equal to the difference between the annuity for the widow and  
 10 an amount equal to ~~75%~~ 50% of the annual salary (including  
 11 all salary increases and longevity raises) that the policeman  
 12 would have been receiving when he attained age 63 if the  
 13 policeman had continued in service at the same rank (whether  
 14 career service or exempt) that he last held in the police  
 15 department. The increase in supplemental annuity resulting  
 16 from this amendatory Act of the 92nd General Assembly 1995  
 17 applies without regard to whether the deceased policeman was  
 18 in service on or after the effective date of this amendatory  
 19 Act and is payable from January 1, 2003 ~~1996~~ or the date upon  
 20 which the supplemental annuity begins, whichever is later.

21 (c) Neither compensation nor supplemental annuity shall  
 22 be paid unless the death of the policeman was a direct result  
 23 of the injury, or the injury was of such character as to  
 24 prevent him from subsequently resuming service as a  
 25 policeman; nor shall compensation or supplemental annuity be  
 26 paid unless the widow was the wife of the policeman when the  
 27 injury occurred.

28 (Source: P.A. 89-12, eff. 4-20-95.)

29 Section 90. The State Mandates Act is amended by adding  
 30 Section 8.26 as follows:

31 (30 ILCS 805/8.26 new)  
 32 Sec. 8.26. Exempt mandate. Notwithstanding Sections 6

1 and 8 of this Act, no reimbursement by the State is required  
2 for the implementation of any mandate created by this  
3 amendatory Act of the 92nd General Assembly.

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