

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 6-128 as follows:

6 (40 ILCS 5/6-128) (from Ch. 108 1/2, par. 6-128)

7 Sec. 6-128. (a) A future entrant who withdraws on or
8 after July 21, 1959, after completing at least 23 years of
9 service, and for whom the annuity otherwise provided in this
10 Article is less than that stated in this Section, has a right
11 to receive annuity as follows:

12 If he is age 53 or more on withdrawal, his annuity after
13 withdrawal, shall be equal to 50% of his average salary
14 ~~determined--by--striking--an--average--of--4--consecutive--highest~~
15 ~~years--of--salary--within--the--last--10--years--of--service~~
16 ~~immediately--preceding--the--date--of--withdrawal.~~

17 An employee who reaches compulsory retirement age and who
18 has less than 23 years of service shall be entitled to a
19 minimum annuity equal to an amount determined by the product
20 of (1) his years of service and (2) 2% of his average salary
21 ~~for--the--4--consecutive--highest--years--of--salary--within--the--last~~
22 ~~10--years--of--service--immediately--prior--to--his--reaching~~
23 ~~compulsory--retirement--age.~~

24 An employee who remains in service after qualifying for
25 annuity under this Section shall have added to this annuity
26 an additional 1% of average salary for each completed year of
27 service or fraction thereof rendered until July 21, 1959, and
28 an additional 1% for a total of 2% of average salary from
29 July 21, 1959. Each future entrant who has completed 23
30 years of service before reaching age 53 shall have added to
31 this annuity 1% of average salary for each completed year of

1 service or fraction thereof in excess of 23 years up to age
 2 53. "Salary"--as--referred--to--in--this--paragraph--shall--be
 3 determined--by--striking--an--average--of--the--4--consecutive
 4 highest--years--of--salary--within--the--last--10--years--of--service
 5 immediately--preceding--withdrawal.

6 (b) In lieu of the annuity provided in the foregoing
 7 provisions of this Section any future entrant who withdraws
 8 from the service either (i) after December 31, 1983 with at
 9 least 22 years of service credit and having attained age 52
 10 in the service, or (ii) after December 31, 1984 with at least
 11 21 years of service credit and having attained age 51 in the
 12 service, or (iii) after December 31, 1985 with at least 20
 13 years of service credit and having attained age 50 in the
 14 service, or (iv) after December 31, 1990 with at least 20
 15 years of service regardless of age, may elect to receive an
 16 annuity, to begin not earlier than upon attainment of age 50
 17 if under that age at withdrawal, computed as follows: an
 18 annuity equal to 50% of the average salary ~~for the 4 highest~~
 19 ~~consecutive years of the last 10 years of service~~, plus
 20 additional annuity equal to 2% of such average salary for
 21 each completed year of service or fraction thereof rendered
 22 after his completion of the minimum number of years of
 23 service required for him to be eligible under this subsection
 24 (b). However, the annuity provided under this subsection (b)
 25 may not exceed 75% of such average salary.

26 (c) For the purpose of this Section, "average salary"
 27 means:

28 (1) for an employee withdrawing from service before
 29 the effective date of this amendatory Act of the 92nd
 30 General Assembly, the average of the highest 4
 31 consecutive years of salary within the last 10 years of
 32 service;

33 (2) for an employee withdrawing from service on or
 34 after the effective date of this amendatory Act of the

1 92nd General Assembly, the average of the highest 36
2 consecutive months of salary within the last 10 years of
3 service.

4 (Source: P.A. 86-1488.)

5 Section 90. The State Mandates Act is amended by adding
6 Section 8.26 as follows:

7 (30 ILCS 805/8.26 new)

8 Sec. 8.26. Exempt mandate. Notwithstanding Sections 6
9 and 8 of this Act, no reimbursement by the State is required
10 for the implementation of any mandate created by this
11 amendatory Act of the 92nd General Assembly.

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