



Rep. Robert Martwick

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LRB100 17241 RPS 39778 a

1 AMENDMENT TO SENATE BILL 2608

2 AMENDMENT NO. _____. Amend Senate Bill 2608 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by
5 changing Sections 14-110 and 14-152.1 as follows:

6 (40 ILCS 5/14-110) (from Ch. 108 1/2, par. 14-110)

7 Sec. 14-110. Alternative retirement annuity.

8 (a) Any member who has withdrawn from service with not less
9 than 20 years of eligible creditable service and has attained
10 age 55, and any member who has withdrawn from service with not
11 less than 25 years of eligible creditable service and has
12 attained age 50, regardless of whether the attainment of either
13 of the specified ages occurs while the member is still in
14 service, shall be entitled to receive at the option of the
15 member, in lieu of the regular or minimum retirement annuity, a
16 retirement annuity computed as follows:

1 (i) for periods of service as a noncovered employee: if
2 retirement occurs on or after January 1, 2001, 3% of final
3 average compensation for each year of creditable service;
4 if retirement occurs before January 1, 2001, 2 1/4% of
5 final average compensation for each of the first 10 years
6 of creditable service, 2 1/2% for each year above 10 years
7 to and including 20 years of creditable service, and 2 3/4%
8 for each year of creditable service above 20 years; and

9 (ii) for periods of eligible creditable service as a
10 covered employee: if retirement occurs on or after January
11 1, 2001, 2.5% of final average compensation for each year
12 of creditable service; if retirement occurs before January
13 1, 2001, 1.67% of final average compensation for each of
14 the first 10 years of such service, 1.90% for each of the
15 next 10 years of such service, 2.10% for each year of such
16 service in excess of 20 but not exceeding 30, and 2.30% for
17 each year in excess of 30.

18 Such annuity shall be subject to a maximum of 75% of final
19 average compensation if retirement occurs before January 1,
20 2001 or to a maximum of 80% of final average compensation if
21 retirement occurs on or after January 1, 2001.

22 These rates shall not be applicable to any service
23 performed by a member as a covered employee which is not
24 eligible creditable service. Service as a covered employee
25 which is not eligible creditable service shall be subject to
26 the rates and provisions of Section 14-108.

1 (b) For the purpose of this Section, "eligible creditable
2 service" means creditable service resulting from service in one
3 or more of the following positions:

4 (1) State policeman;

5 (2) fire fighter in the fire protection service of a
6 department;

7 (3) air pilot;

8 (4) special agent;

9 (5) investigator for the Secretary of State;

10 (6) conservation police officer;

11 (7) investigator for the Department of Revenue or the
12 Illinois Gaming Board;

13 (8) security employee of the Department of Human
14 Services;

15 (9) Central Management Services security police
16 officer;

17 (10) security employee of the Department of
18 Corrections or the Department of Juvenile Justice;

19 (11) dangerous drugs investigator;

20 (12) investigator for the Department of State Police;

21 (13) investigator for the Office of the Attorney
22 General;

23 (14) controlled substance inspector;

24 (15) investigator for the Office of the State's
25 Attorneys Appellate Prosecutor;

26 (16) Commerce Commission police officer;

1 (17) arson investigator;

2 (18) State highway maintenance worker.

3 A person employed in one of the positions specified in this
4 subsection is entitled to eligible creditable service for
5 service credit earned under this Article while undergoing the
6 basic police training course approved by the Illinois Law
7 Enforcement Training Standards Board, if completion of that
8 training is required of persons serving in that position. For
9 the purposes of this Code, service during the required basic
10 police training course shall be deemed performance of the
11 duties of the specified position, even though the person is not
12 a sworn peace officer at the time of the training.

13 (c) For the purposes of this Section:

14 (1) The term "State policeman" includes any title or
15 position in the Department of State Police that is held by
16 an individual employed under the State Police Act.

17 (2) The term "fire fighter in the fire protection
18 service of a department" includes all officers in such fire
19 protection service including fire chiefs and assistant
20 fire chiefs.

21 (3) The term "air pilot" includes any employee whose
22 official job description on file in the Department of
23 Central Management Services, or in the department by which
24 he is employed if that department is not covered by the
25 Personnel Code, states that his principal duty is the
26 operation of aircraft, and who possesses a pilot's license;

1 however, the change in this definition made by this
2 amendatory Act of 1983 shall not operate to exclude any
3 noncovered employee who was an "air pilot" for the purposes
4 of this Section on January 1, 1984.

5 (4) The term "special agent" means any person who by
6 reason of employment by the Division of Narcotic Control,
7 the Bureau of Investigation or, after July 1, 1977, the
8 Division of Criminal Investigation, the Division of
9 Internal Investigation, the Division of Operations, or any
10 other Division or organizational entity in the Department
11 of State Police is vested by law with duties to maintain
12 public order, investigate violations of the criminal law of
13 this State, enforce the laws of this State, make arrests
14 and recover property. The term "special agent" includes any
15 title or position in the Department of State Police that is
16 held by an individual employed under the State Police Act.

17 (5) The term "investigator for the Secretary of State"
18 means any person employed by the Office of the Secretary of
19 State and vested with such investigative duties as render
20 him ineligible for coverage under the Social Security Act
21 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and
22 218(1)(1) of that Act.

23 A person who became employed as an investigator for the
24 Secretary of State between January 1, 1967 and December 31,
25 1975, and who has served as such until attainment of age
26 60, either continuously or with a single break in service

1 of not more than 3 years duration, which break terminated
2 before January 1, 1976, shall be entitled to have his
3 retirement annuity calculated in accordance with
4 subsection (a), notwithstanding that he has less than 20
5 years of credit for such service.

6 (6) The term "Conservation Police Officer" means any
7 person employed by the Division of Law Enforcement of the
8 Department of Natural Resources and vested with such law
9 enforcement duties as render him ineligible for coverage
10 under the Social Security Act by reason of Sections
11 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The
12 term "Conservation Police Officer" includes the positions
13 of Chief Conservation Police Administrator and Assistant
14 Conservation Police Administrator.

15 (7) The term "investigator for the Department of
16 Revenue" means any person employed by the Department of
17 Revenue and vested with such investigative duties as render
18 him ineligible for coverage under the Social Security Act
19 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and
20 218(1)(1) of that Act.

21 The term "investigator for the Illinois Gaming Board"
22 means any person employed as such by the Illinois Gaming
23 Board and vested with such peace officer duties as render
24 the person ineligible for coverage under the Social
25 Security Act by reason of Sections 218(d)(5)(A),
26 218(d)(8)(D), and 218(1)(1) of that Act.

1 (8) The term "security employee of the Department of
2 Human Services" means any person employed by the Department
3 of Human Services who (i) is employed at the Chester Mental
4 Health Center and has daily contact with the residents
5 thereof, (ii) is employed within a security unit at a
6 facility operated by the Department and has daily contact
7 with the residents of the security unit, (iii) is employed
8 at a facility operated by the Department that includes a
9 security unit and is regularly scheduled to work at least
10 50% of his or her working hours within that security unit,
11 or (iv) is a mental health police officer. "Mental health
12 police officer" means any person employed by the Department
13 of Human Services in a position pertaining to the
14 Department's mental health and developmental disabilities
15 functions who is vested with such law enforcement duties as
16 render the person ineligible for coverage under the Social
17 Security Act by reason of Sections 218(d)(5)(A),
18 218(d)(8)(D) and 218(1)(1) of that Act. "Security unit"
19 means that portion of a facility that is devoted to the
20 care, containment, and treatment of persons committed to
21 the Department of Human Services as sexually violent
22 persons, persons unfit to stand trial, or persons not
23 guilty by reason of insanity. With respect to past
24 employment, references to the Department of Human Services
25 include its predecessor, the Department of Mental Health
26 and Developmental Disabilities.

1 The changes made to this subdivision (c) (8) by Public
2 Act 92-14 apply to persons who retire on or after January
3 1, 2001, notwithstanding Section 1-103.1.

4 (9) "Central Management Services security police
5 officer" means any person employed by the Department of
6 Central Management Services who is vested with such law
7 enforcement duties as render him ineligible for coverage
8 under the Social Security Act by reason of Sections
9 218(d) (5) (A), 218(d) (8) (D) and 218(1) (1) of that Act.

10 (10) For a member who first became an employee under
11 this Article before July 1, 2005, the term "security
12 employee of the Department of Corrections or the Department
13 of Juvenile Justice" means any employee of the Department
14 of Corrections or the Department of Juvenile Justice or the
15 former Department of Personnel, and any member or employee
16 of the Prisoner Review Board, who has daily contact with
17 inmates or youth by working within a correctional facility
18 or Juvenile facility operated by the Department of Juvenile
19 Justice or who is a parole officer or an employee who has
20 direct contact with committed persons in the performance of
21 his or her job duties. For a member who first becomes an
22 employee under this Article on or after July 1, 2005, the
23 term means an employee of the Department of Corrections or
24 the Department of Juvenile Justice who is any of the
25 following: (i) officially headquartered at a correctional
26 facility or Juvenile facility operated by the Department of

1 Juvenile Justice, (ii) a parole officer, (iii) a member of
2 the apprehension unit, (iv) a member of the intelligence
3 unit, (v) a member of the sort team, or (vi) an
4 investigator.

5 (11) The term "dangerous drugs investigator" means any
6 person who is employed as such by the Department of Human
7 Services.

8 (12) The term "investigator for the Department of State
9 Police" means a person employed by the Department of State
10 Police who is vested under Section 4 of the Narcotic
11 Control Division Abolition Act with such law enforcement
12 powers as render him ineligible for coverage under the
13 Social Security Act by reason of Sections 218(d)(5)(A),
14 218(d)(8)(D) and 218(1)(1) of that Act.

15 (13) "Investigator for the Office of the Attorney
16 General" means any person who is employed as such by the
17 Office of the Attorney General and is vested with such
18 investigative duties as render him ineligible for coverage
19 under the Social Security Act by reason of Sections
20 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act. For
21 the period before January 1, 1989, the term includes all
22 persons who were employed as investigators by the Office of
23 the Attorney General, without regard to social security
24 status.

25 (14) "Controlled substance inspector" means any person
26 who is employed as such by the Department of Professional

1 Regulation and is vested with such law enforcement duties
2 as render him ineligible for coverage under the Social
3 Security Act by reason of Sections 218(d)(5)(A),
4 218(d)(8)(D) and 218(1)(1) of that Act. The term
5 "controlled substance inspector" includes the Program
6 Executive of Enforcement and the Assistant Program
7 Executive of Enforcement.

8 (15) The term "investigator for the Office of the
9 State's Attorneys Appellate Prosecutor" means a person
10 employed in that capacity on a full time basis under the
11 authority of Section 7.06 of the State's Attorneys
12 Appellate Prosecutor's Act.

13 (16) "Commerce Commission police officer" means any
14 person employed by the Illinois Commerce Commission who is
15 vested with such law enforcement duties as render him
16 ineligible for coverage under the Social Security Act by
17 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and
18 218(1)(1) of that Act.

19 (17) "Arson investigator" means any person who is
20 employed as such by the Office of the State Fire Marshal
21 and is vested with such law enforcement duties as render
22 the person ineligible for coverage under the Social
23 Security Act by reason of Sections 218(d)(5)(A),
24 218(d)(8)(D), and 218(1)(1) of that Act. A person who was
25 employed as an arson investigator on January 1, 1995 and is
26 no longer in service but not yet receiving a retirement

1 annuity may convert his or her creditable service for
2 employment as an arson investigator into eligible
3 creditable service by paying to the System the difference
4 between the employee contributions actually paid for that
5 service and the amounts that would have been contributed if
6 the applicant were contributing at the rate applicable to
7 persons with the same social security status earning
8 eligible creditable service on the date of application.

9 (18) The term "State highway maintenance worker" means
10 a person who is either of the following:

11 (i) A person employed on a full-time basis by the
12 Illinois Department of Transportation in the position
13 of highway maintainer, highway maintenance lead
14 worker, highway maintenance lead/lead worker, heavy
15 construction equipment operator, power shovel
16 operator, or bridge mechanic; and whose principal
17 responsibility is to perform, on the roadway, the
18 actual maintenance necessary to keep the highways that
19 form a part of the State highway system in serviceable
20 condition for vehicular traffic.

21 (ii) A person employed on a full-time basis by the
22 Illinois State Toll Highway Authority in the position
23 of equipment operator/laborer H-4, equipment
24 operator/laborer H-6, welder H-4, welder H-6,
25 mechanical/electrical H-4, mechanical/electrical H-6,
26 water/sewer H-4, water/sewer H-6, sign maker/hanger

1 H-4, sign maker/hanger H-6, roadway lighting H-4,
2 roadway lighting H-6, structural H-4, structural H-6,
3 painter H-4, or painter H-6; and whose principal
4 responsibility is to perform, on the roadway, the
5 actual maintenance necessary to keep the Authority's
6 tollways in serviceable condition for vehicular
7 traffic.

8 (d) A security employee of the Department of Corrections or
9 the Department of Juvenile Justice, and a security employee of
10 the Department of Human Services who is not a mental health
11 police officer, shall not be eligible for the alternative
12 retirement annuity provided by this Section unless he or she
13 meets the following minimum age and service requirements at the
14 time of retirement:

15 (i) 25 years of eligible creditable service and age 55;

16 or

17 (ii) beginning January 1, 1987, 25 years of eligible
18 creditable service and age 54, or 24 years of eligible
19 creditable service and age 55; or

20 (iii) beginning January 1, 1988, 25 years of eligible
21 creditable service and age 53, or 23 years of eligible
22 creditable service and age 55; or

23 (iv) beginning January 1, 1989, 25 years of eligible
24 creditable service and age 52, or 22 years of eligible
25 creditable service and age 55; or

26 (v) beginning January 1, 1990, 25 years of eligible

1 creditable service and age 51, or 21 years of eligible
2 creditable service and age 55; or

3 (vi) beginning January 1, 1991, 25 years of eligible
4 creditable service and age 50, or 20 years of eligible
5 creditable service and age 55.

6 Persons who have service credit under Article 16 of this
7 Code for service as a security employee of the Department of
8 Corrections or the Department of Juvenile Justice, or the
9 Department of Human Services in a position requiring
10 certification as a teacher may count such service toward
11 establishing their eligibility under the service requirements
12 of this Section; but such service may be used only for
13 establishing such eligibility, and not for the purpose of
14 increasing or calculating any benefit.

15 (e) If a member enters military service while working in a
16 position in which eligible creditable service may be earned,
17 and returns to State service in the same or another such
18 position, and fulfills in all other respects the conditions
19 prescribed in this Article for credit for military service,
20 such military service shall be credited as eligible creditable
21 service for the purposes of the retirement annuity prescribed
22 in this Section.

23 (f) For purposes of calculating retirement annuities under
24 this Section, periods of service rendered after December 31,
25 1968 and before October 1, 1975 as a covered employee in the
26 position of special agent, conservation police officer, mental

1 health police officer, or investigator for the Secretary of
2 State, shall be deemed to have been service as a noncovered
3 employee, provided that the employee pays to the System prior
4 to retirement an amount equal to (1) the difference between the
5 employee contributions that would have been required for such
6 service as a noncovered employee, and the amount of employee
7 contributions actually paid, plus (2) if payment is made after
8 July 31, 1987, regular interest on the amount specified in item
9 (1) from the date of service to the date of payment.

10 For purposes of calculating retirement annuities under
11 this Section, periods of service rendered after December 31,
12 1968 and before January 1, 1982 as a covered employee in the
13 position of investigator for the Department of Revenue shall be
14 deemed to have been service as a noncovered employee, provided
15 that the employee pays to the System prior to retirement an
16 amount equal to (1) the difference between the employee
17 contributions that would have been required for such service as
18 a noncovered employee, and the amount of employee contributions
19 actually paid, plus (2) if payment is made after January 1,
20 1990, regular interest on the amount specified in item (1) from
21 the date of service to the date of payment.

22 (g) A State policeman may elect, not later than January 1,
23 1990, to establish eligible creditable service for up to 10
24 years of his service as a policeman under Article 3, by filing
25 a written election with the Board, accompanied by payment of an
26 amount to be determined by the Board, equal to (i) the

1 difference between the amount of employee and employer
2 contributions transferred to the System under Section 3-110.5,
3 and the amounts that would have been contributed had such
4 contributions been made at the rates applicable to State
5 policemen, plus (ii) interest thereon at the effective rate for
6 each year, compounded annually, from the date of service to the
7 date of payment.

8 Subject to the limitation in subsection (i), a State
9 policeman may elect, not later than July 1, 1993, to establish
10 eligible creditable service for up to 10 years of his service
11 as a member of the County Police Department under Article 9, by
12 filing a written election with the Board, accompanied by
13 payment of an amount to be determined by the Board, equal to
14 (i) the difference between the amount of employee and employer
15 contributions transferred to the System under Section 9-121.10
16 and the amounts that would have been contributed had those
17 contributions been made at the rates applicable to State
18 policemen, plus (ii) interest thereon at the effective rate for
19 each year, compounded annually, from the date of service to the
20 date of payment.

21 (h) Subject to the limitation in subsection (i), a State
22 policeman or investigator for the Secretary of State may elect
23 to establish eligible creditable service for up to 12 years of
24 his service as a policeman under Article 5, by filing a written
25 election with the Board on or before January 31, 1992, and
26 paying to the System by January 31, 1994 an amount to be

1 determined by the Board, equal to (i) the difference between
2 the amount of employee and employer contributions transferred
3 to the System under Section 5-236, and the amounts that would
4 have been contributed had such contributions been made at the
5 rates applicable to State policemen, plus (ii) interest thereon
6 at the effective rate for each year, compounded annually, from
7 the date of service to the date of payment.

8 Subject to the limitation in subsection (i), a State
9 policeman, conservation police officer, or investigator for
10 the Secretary of State may elect to establish eligible
11 creditable service for up to 10 years of service as a sheriff's
12 law enforcement employee under Article 7, by filing a written
13 election with the Board on or before January 31, 1993, and
14 paying to the System by January 31, 1994 an amount to be
15 determined by the Board, equal to (i) the difference between
16 the amount of employee and employer contributions transferred
17 to the System under Section 7-139.7, and the amounts that would
18 have been contributed had such contributions been made at the
19 rates applicable to State policemen, plus (ii) interest thereon
20 at the effective rate for each year, compounded annually, from
21 the date of service to the date of payment.

22 Subject to the limitation in subsection (i), a State
23 policeman, conservation police officer, or investigator for
24 the Secretary of State may elect to establish eligible
25 creditable service for up to 5 years of service as a police
26 officer under Article 3, a policeman under Article 5, a

1 sheriff's law enforcement employee under Article 7, a member of
2 the county police department under Article 9, or a police
3 officer under Article 15 by filing a written election with the
4 Board and paying to the System an amount to be determined by
5 the Board, equal to (i) the difference between the amount of
6 employee and employer contributions transferred to the System
7 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4
8 and the amounts that would have been contributed had such
9 contributions been made at the rates applicable to State
10 policemen, plus (ii) interest thereon at the effective rate for
11 each year, compounded annually, from the date of service to the
12 date of payment.

13 Subject to the limitation in subsection (i), an
14 investigator for the Office of the Attorney General, or an
15 investigator for the Department of Revenue, may elect to
16 establish eligible creditable service for up to 5 years of
17 service as a police officer under Article 3, a policeman under
18 Article 5, a sheriff's law enforcement employee under Article
19 7, or a member of the county police department under Article 9
20 by filing a written election with the Board within 6 months
21 after August 25, 2009 (the effective date of Public Act 96-745)
22 and paying to the System an amount to be determined by the
23 Board, equal to (i) the difference between the amount of
24 employee and employer contributions transferred to the System
25 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the
26 amounts that would have been contributed had such contributions

1 been made at the rates applicable to State policemen, plus (ii)
2 interest thereon at the actuarially assumed rate for each year,
3 compounded annually, from the date of service to the date of
4 payment.

5 Subject to the limitation in subsection (i), a State
6 policeman, conservation police officer, investigator for the
7 Office of the Attorney General, an investigator for the
8 Department of Revenue, or investigator for the Secretary of
9 State may elect to establish eligible creditable service for up
10 to 5 years of service as a person employed by a participating
11 municipality to perform police duties, or law enforcement
12 officer employed on a full-time basis by a forest preserve
13 district under Article 7, a county corrections officer, or a
14 court services officer under Article 9, by filing a written
15 election with the Board within 6 months after August 25, 2009
16 (the effective date of Public Act 96-745) and paying to the
17 System an amount to be determined by the Board, equal to (i)
18 the difference between the amount of employee and employer
19 contributions transferred to the System under Sections 7-139.8
20 and 9-121.10 and the amounts that would have been contributed
21 had such contributions been made at the rates applicable to
22 State policemen, plus (ii) interest thereon at the actuarially
23 assumed rate for each year, compounded annually, from the date
24 of service to the date of payment.

25 (i) The total amount of eligible creditable service
26 established by any person under subsections (g), (h), (j), (k),

1 ~~and~~ (1), and (1-5) of this Section shall not exceed 12 years.

2 (j) Subject to the limitation in subsection (i), an
3 investigator for the Office of the State's Attorneys Appellate
4 Prosecutor or a controlled substance inspector may elect to
5 establish eligible creditable service for up to 10 years of his
6 service as a policeman under Article 3 or a sheriff's law
7 enforcement employee under Article 7, by filing a written
8 election with the Board, accompanied by payment of an amount to
9 be determined by the Board, equal to (1) the difference between
10 the amount of employee and employer contributions transferred
11 to the System under Section 3-110.6 or 7-139.8, and the amounts
12 that would have been contributed had such contributions been
13 made at the rates applicable to State policemen, plus (2)
14 interest thereon at the effective rate for each year,
15 compounded annually, from the date of service to the date of
16 payment.

17 (k) Subject to the limitation in subsection (i) of this
18 Section, an alternative formula employee may elect to establish
19 eligible creditable service for periods spent as a full-time
20 law enforcement officer or full-time corrections officer
21 employed by the federal government or by a state or local
22 government located outside of Illinois, for which credit is not
23 held in any other public employee pension fund or retirement
24 system. To obtain this credit, the applicant must file a
25 written application with the Board by March 31, 1998,
26 accompanied by evidence of eligibility acceptable to the Board

1 and payment of an amount to be determined by the Board, equal
2 to (1) employee contributions for the credit being established,
3 based upon the applicant's salary on the first day as an
4 alternative formula employee after the employment for which
5 credit is being established and the rates then applicable to
6 alternative formula employees, plus (2) an amount determined by
7 the Board to be the employer's normal cost of the benefits
8 accrued for the credit being established, plus (3) regular
9 interest on the amounts in items (1) and (2) from the first day
10 as an alternative formula employee after the employment for
11 which credit is being established to the date of payment.

12 (1) Subject to the limitation in subsection (i), a security
13 employee of the Department of Corrections may elect, not later
14 than July 1, 1998, to establish eligible creditable service for
15 up to 10 years of his or her service as a policeman under
16 Article 3, by filing a written election with the Board,
17 accompanied by payment of an amount to be determined by the
18 Board, equal to (i) the difference between the amount of
19 employee and employer contributions transferred to the System
20 under Section 3-110.5, and the amounts that would have been
21 contributed had such contributions been made at the rates
22 applicable to security employees of the Department of
23 Corrections, plus (ii) interest thereon at the effective rate
24 for each year, compounded annually, from the date of service to
25 the date of payment.

26 (1-5) Subject to the limitation in subsection (i) of this

1 Section, a State policeman may elect to establish eligible
2 creditable service for up to 5 years of service as a full-time
3 law enforcement officer employed by the federal government or
4 by a state or local government located outside of Illinois for
5 which credit is not held in any other public employee pension
6 fund or retirement system. To obtain this credit, the applicant
7 must file a written application with the Board no later than 3
8 years after the effective date of this amendatory Act of the
9 100th General Assembly, accompanied by evidence of eligibility
10 acceptable to the Board and payment of an amount to be
11 determined by the Board, equal to (1) employee contributions
12 for the credit being established, based upon the applicant's
13 salary on the first day as an alternative formula employee
14 after the employment for which credit is being established and
15 the rates then applicable to alternative formula employees,
16 plus (2) an amount determined by the Board to be the employer's
17 normal cost of the benefits accrued for the credit being
18 established, plus (3) regular interest on the amounts in items
19 (1) and (2) from the first day as an alternative formula
20 employee after the employment for which credit is being
21 established to the date of payment.

22 (m) The amendatory changes to this Section made by this
23 amendatory Act of the 94th General Assembly apply only to: (1)
24 security employees of the Department of Juvenile Justice
25 employed by the Department of Corrections before the effective
26 date of this amendatory Act of the 94th General Assembly and

1 transferred to the Department of Juvenile Justice by this
2 amendatory Act of the 94th General Assembly; and (2) persons
3 employed by the Department of Juvenile Justice on or after the
4 effective date of this amendatory Act of the 94th General
5 Assembly who are required by subsection (b) of Section 3-2.5-15
6 of the Unified Code of Corrections to have any bachelor's or
7 advanced degree from an accredited college or university or, in
8 the case of persons who provide vocational training, who are
9 required to have adequate knowledge in the skill for which they
10 are providing the vocational training.

11 (n) A person employed in a position under subsection (b) of
12 this Section who has purchased service credit under subsection
13 (j) of Section 14-104 or subsection (b) of Section 14-105 in
14 any other capacity under this Article may convert up to 5 years
15 of that service credit into service credit covered under this
16 Section by paying to the Fund an amount equal to (1) the
17 additional employee contribution required under Section
18 14-133, plus (2) the additional employer contribution required
19 under Section 14-131, plus (3) interest on items (1) and (2) at
20 the actuarially assumed rate from the date of the service to
21 the date of payment.

22 (Source: P.A. 100-19, eff. 1-1-18.)

23 (40 ILCS 5/14-152.1)

24 Sec. 14-152.1. Application and expiration of new benefit
25 increases.

1 (a) As used in this Section, "new benefit increase" means
2 an increase in the amount of any benefit provided under this
3 Article, or an expansion of the conditions of eligibility for
4 any benefit under this Article, that results from an amendment
5 to this Code that takes effect after June 1, 2005 (the
6 effective date of Public Act 94-4). "New benefit increase",
7 however, does not include any benefit increase resulting from
8 the changes made to Article 1 or this Article by Public Act
9 96-37, Public Act 100-23, or this amendatory Act of the 100th
10 General Assembly ~~or by this amendatory Act of the 100th General~~
11 ~~Assembly.~~

12 (b) Notwithstanding any other provision of this Code or any
13 subsequent amendment to this Code, every new benefit increase
14 is subject to this Section and shall be deemed to be granted
15 only in conformance with and contingent upon compliance with
16 the provisions of this Section.

17 (c) The Public Act enacting a new benefit increase must
18 identify and provide for payment to the System of additional
19 funding at least sufficient to fund the resulting annual
20 increase in cost to the System as it accrues.

21 Every new benefit increase is contingent upon the General
22 Assembly providing the additional funding required under this
23 subsection. The Commission on Government Forecasting and
24 Accountability shall analyze whether adequate additional
25 funding has been provided for the new benefit increase and
26 shall report its analysis to the Public Pension Division of the

1 Department of Insurance. A new benefit increase created by a
2 Public Act that does not include the additional funding
3 required under this subsection is null and void. If the Public
4 Pension Division determines that the additional funding
5 provided for a new benefit increase under this subsection is or
6 has become inadequate, it may so certify to the Governor and
7 the State Comptroller and, in the absence of corrective action
8 by the General Assembly, the new benefit increase shall expire
9 at the end of the fiscal year in which the certification is
10 made.

11 (d) Every new benefit increase shall expire 5 years after
12 its effective date or on such earlier date as may be specified
13 in the language enacting the new benefit increase or provided
14 under subsection (c). This does not prevent the General
15 Assembly from extending or re-creating a new benefit increase
16 by law.

17 (e) Except as otherwise provided in the language creating
18 the new benefit increase, a new benefit increase that expires
19 under this Section continues to apply to persons who applied
20 and qualified for the affected benefit while the new benefit
21 increase was in effect and to the affected beneficiaries and
22 alternate payees of such persons, but does not apply to any
23 other person, including without limitation a person who
24 continues in service after the expiration date and did not
25 apply and qualify for the affected benefit while the new
26 benefit increase was in effect.

1 (Source: P.A. 100-23, eff. 7-6-17.)

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