



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

SB2608

Introduced 2/7/2018, by Sen. John G. Mulroe and Martin A. Sandoval

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/14-110

from Ch. 108 1/2, par. 14-110

40 ILCS 5/14-152.1

Amends the State Employee Article of the Illinois Pension Code. Authorizes a State policeman to elect to establish eligible creditable service for up to 5 years of service as a full-time law enforcement officer employed by the federal government or by a state or local government located outside of Illinois for which credit is not held in any other public employee pension fund or retirement system. Provides that to obtain that credit, the applicant must file a written application with the Board, accompanied by evidence of eligibility acceptable to the Board and payment of a specified amount to be determined by the Board. Excludes a benefit increase resulting from the amendatory Act from the definition of "new benefit increase". Effective immediately.

LRB100 17241 RPS 32400 b

FISCAL NOTE ACT  
MAY APPLY

PENSION IMPACT  
NOTE ACT MAY  
APPLY

1 AN ACT concerning 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 changing  
5 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8 (a) Any member who has withdrawn from service with not less  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10 age 55, and any member who has withdrawn from service with not  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:

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

1 for each year of creditable service above 20 years; and

2 (ii) for periods of eligible creditable service as a  
3 covered employee: if retirement occurs on or after January  
4 1, 2001, 2.5% of final average compensation for each year  
5 of creditable service; if retirement occurs before January  
6 1, 2001, 1.67% of final average compensation for each of  
7 the first 10 years of such service, 1.90% for each of the  
8 next 10 years of such service, 2.10% for each year of such  
9 service in excess of 20 but not exceeding 30, and 2.30% for  
10 each year in excess of 30.

11 Such annuity shall be subject to a maximum of 75% of final  
12 average compensation if retirement occurs before January 1,  
13 2001 or to a maximum of 80% of final average compensation if  
14 retirement occurs on or after January 1, 2001.

15 These rates shall not be applicable to any service  
16 performed by a member as a covered employee which is not  
17 eligible creditable service. Service as a covered employee  
18 which is not eligible creditable service shall be subject to  
19 the rates and provisions of Section 14-108.

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

23 (1) State policeman;

24 (2) fire fighter in the fire protection service of a  
25 department;

26 (3) air pilot;

- 1 (4) special agent;
- 2 (5) investigator for the Secretary of State;
- 3 (6) conservation police officer;
- 4 (7) investigator for the Department of Revenue or the  
5 Illinois Gaming Board;
- 6 (8) security employee of the Department of Human  
7 Services;
- 8 (9) Central Management Services security police  
9 officer;
- 10 (10) security employee of the Department of  
11 Corrections or the Department of Juvenile Justice;
- 12 (11) dangerous drugs investigator;
- 13 (12) investigator for the Department of State Police;
- 14 (13) investigator for the Office of the Attorney  
15 General;
- 16 (14) controlled substance inspector;
- 17 (15) investigator for the Office of the State's  
18 Attorneys Appellate Prosecutor;
- 19 (16) Commerce Commission police officer;
- 20 (17) arson investigator;
- 21 (18) State highway maintenance worker.

22 A person employed in one of the positions specified in this  
23 subsection is entitled to eligible creditable service for  
24 service credit earned under this Article while undergoing the  
25 basic police training course approved by the Illinois Law  
26 Enforcement Training Standards Board, if completion of that

1 training is required of persons serving in that position. For  
2 the purposes of this Code, service during the required basic  
3 police training course shall be deemed performance of the  
4 duties of the specified position, even though the person is not  
5 a sworn peace officer at the time of the training.

6 (c) For the purposes of this Section:

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

10 (2) The term "fire fighter in the fire protection  
11 service of a department" includes all officers in such fire  
12 protection service including fire chiefs and assistant  
13 fire chiefs.

14 (3) The term "air pilot" includes any employee whose  
15 official job description on file in the Department of  
16 Central Management Services, or in the department by which  
17 he is employed if that department is not covered by the  
18 Personnel Code, states that his principal duty is the  
19 operation of aircraft, and who possesses a pilot's license;  
20 however, the change in this definition made by this  
21 amendatory Act of 1983 shall not operate to exclude any  
22 noncovered employee who was an "air pilot" for the purposes  
23 of this Section on January 1, 1984.

24 (4) The term "special agent" means any person who by  
25 reason of employment by the Division of Narcotic Control,  
26 the Bureau of Investigation or, after July 1, 1977, the

1 Division of Criminal Investigation, the Division of  
2 Internal Investigation, the Division of Operations, or any  
3 other Division or organizational entity in the Department  
4 of State Police is vested by law with duties to maintain  
5 public order, investigate violations of the criminal law of  
6 this State, enforce the laws of this State, make arrests  
7 and recover property. The term "special agent" includes any  
8 title or position in the Department of State Police that is  
9 held by an individual employed under the State Police Act.

10 (5) The term "investigator for the Secretary of State"  
11 means any person employed by the Office of the Secretary of  
12 State and vested with such investigative duties as render  
13 him ineligible for coverage under the Social Security Act  
14 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and  
15 218(1)(1) of that Act.

16 A person who became employed as an investigator for the  
17 Secretary of State between January 1, 1967 and December 31,  
18 1975, and who has served as such until attainment of age  
19 60, either continuously or with a single break in service  
20 of not more than 3 years duration, which break terminated  
21 before January 1, 1976, shall be entitled to have his  
22 retirement annuity calculated in accordance with  
23 subsection (a), notwithstanding that he has less than 20  
24 years of credit for such service.

25 (6) The term "Conservation Police Officer" means any  
26 person employed by the Division of Law Enforcement of the

1 Department of Natural Resources and vested with such law  
2 enforcement duties as render him ineligible for coverage  
3 under the Social Security Act by reason of Sections  
4 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The  
5 term "Conservation Police Officer" includes the positions  
6 of Chief Conservation Police Administrator and Assistant  
7 Conservation Police Administrator.

8 (7) The term "investigator for the Department of  
9 Revenue" means any person employed by the Department of  
10 Revenue and vested with such investigative duties as render  
11 him ineligible for coverage under the Social Security Act  
12 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and  
13 218(1)(1) of that Act.

14 The term "investigator for the Illinois Gaming Board"  
15 means any person employed as such by the Illinois Gaming  
16 Board and vested with such peace officer duties as render  
17 the person ineligible for coverage under the Social  
18 Security Act by reason of Sections 218(d)(5)(A),  
19 218(d)(8)(D), and 218(1)(1) of that Act.

20 (8) The term "security employee of the Department of  
21 Human Services" means any person employed by the Department  
22 of Human Services who (i) is employed at the Chester Mental  
23 Health Center and has daily contact with the residents  
24 thereof, (ii) is employed within a security unit at a  
25 facility operated by the Department and has daily contact  
26 with the residents of the security unit, (iii) is employed

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

20 The changes made to this subdivision (c)(8) by Public  
21 Act 92-14 apply to persons who retire on or after January  
22 1, 2001, notwithstanding Section 1-103.1.

23 (9) "Central Management Services security police  
24 officer" means any person employed by the Department of  
25 Central Management Services who is vested with such law  
26 enforcement duties as render him ineligible for coverage



1 under the Social Security Act by reason of Sections  
2 218(d) (5) (A), 218(d) (8) (D) and 218(1) (1) of that Act.

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

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

1           (12) The term "investigator for the Department of State  
2 Police" means a person employed by the Department of State  
3 Police who is vested under Section 4 of the Narcotic  
4 Control Division Abolition Act with such law enforcement  
5 powers as render him ineligible for coverage under the  
6 Social Security Act by reason of Sections 218(d)(5)(A),  
7 218(d)(8)(D) and 218(1)(1) of that Act.

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

18           (14) "Controlled substance inspector" means any person  
19 who is employed as such by the Department of Professional  
20 Regulation and is vested with such law enforcement duties  
21 as render him ineligible for coverage under the Social  
22 Security Act by reason of Sections 218(d)(5)(A),  
23 218(d)(8)(D) and 218(1)(1) of that Act. The term  
24 "controlled substance inspector" includes the Program  
25 Executive of Enforcement and the Assistant Program  
26 Executive of Enforcement.

1           (15) The term "investigator for the Office of the  
2           State's Attorneys Appellate Prosecutor" means a person  
3           employed in that capacity on a full time basis under the  
4           authority of Section 7.06 of the State's Attorneys  
5           Appellate Prosecutor's Act.

6           (16) "Commerce Commission police officer" means any  
7           person employed by the Illinois Commerce Commission who is  
8           vested with such law enforcement duties as render him  
9           ineligible for coverage under the Social Security Act by  
10          reason of Sections 218(d)(5)(A), 218(d)(8)(D), and  
11          218(1)(1) of that Act.

12          (17) "Arson investigator" means any person who is  
13          employed as such by the Office of the State Fire Marshal  
14          and is vested with such law enforcement duties as render  
15          the person ineligible for coverage under the Social  
16          Security Act by reason of Sections 218(d)(5)(A),  
17          218(d)(8)(D), and 218(1)(1) of that Act. A person who was  
18          employed as an arson investigator on January 1, 1995 and is  
19          no longer in service but not yet receiving a retirement  
20          annuity may convert his or her creditable service for  
21          employment as an arson investigator into eligible  
22          creditable service by paying to the System the difference  
23          between the employee contributions actually paid for that  
24          service and the amounts that would have been contributed if  
25          the applicant were contributing at the rate applicable to  
26          persons with the same social security status earning

1 eligible creditable service on the date of application.

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

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

14 (ii) A person employed on a full-time basis by the  
15 Illinois State Toll Highway Authority in the position  
16 of equipment operator/laborer H-4, equipment  
17 operator/laborer H-6, welder H-4, welder H-6,  
18 mechanical/electrical H-4, mechanical/electrical H-6,  
19 water/sewer H-4, water/sewer H-6, sign maker/hanger  
20 H-4, sign maker/hanger H-6, roadway lighting H-4,  
21 roadway lighting H-6, structural H-4, structural H-6,  
22 painter H-4, or painter H-6; and whose principal  
23 responsibility is to perform, on the roadway, the  
24 actual maintenance necessary to keep the Authority's  
25 tollways in serviceable condition for vehicular  
26 traffic.

1 (d) A security employee of the Department of Corrections or  
2 the Department of Juvenile Justice, and a security employee of  
3 the Department of Human Services who is not a mental health  
4 police officer, shall not be eligible for the alternative  
5 retirement annuity provided by this Section unless he or she  
6 meets the following minimum age and service requirements at the  
7 time of retirement:

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

9 or

10 (ii) beginning January 1, 1987, 25 years of eligible  
11 creditable service and age 54, or 24 years of eligible  
12 creditable service and age 55; or

13 (iii) beginning January 1, 1988, 25 years of eligible  
14 creditable service and age 53, or 23 years of eligible  
15 creditable service and age 55; or

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

19 (v) beginning January 1, 1990, 25 years of eligible  
20 creditable service and age 51, or 21 years of eligible  
21 creditable service and age 55; or

22 (vi) beginning January 1, 1991, 25 years of eligible  
23 creditable service and age 50, or 20 years of eligible  
24 creditable service and age 55.

25 Persons who have service credit under Article 16 of this  
26 Code for service as a security employee of the Department of

1 Corrections or the Department of Juvenile Justice, or the  
2 Department of Human Services in a position requiring  
3 certification as a teacher may count such service toward  
4 establishing their eligibility under the service requirements  
5 of this Section; but such service may be used only for  
6 establishing such eligibility, and not for the purpose of  
7 increasing or calculating any benefit.

8 (e) If a member enters military service while working in a  
9 position in which eligible creditable service may be earned,  
10 and returns to State service in the same or another such  
11 position, and fulfills in all other respects the conditions  
12 prescribed in this Article for credit for military service,  
13 such military service shall be credited as eligible creditable  
14 service for the purposes of the retirement annuity prescribed  
15 in this Section.

16 (f) For purposes of calculating retirement annuities under  
17 this Section, periods of service rendered after December 31,  
18 1968 and before October 1, 1975 as a covered employee in the  
19 position of special agent, conservation police officer, mental  
20 health police officer, or investigator for the Secretary of  
21 State, shall be deemed to have been service as a noncovered  
22 employee, provided that the employee pays to the System prior  
23 to retirement an amount equal to (1) the difference between the  
24 employee contributions that would have been required for such  
25 service as a noncovered employee, and the amount of employee  
26 contributions actually paid, plus (2) if payment is made after

1 July 31, 1987, regular interest on the amount specified in item  
2 (1) from the date of service to the date of payment.

3 For purposes of calculating retirement annuities under  
4 this Section, periods of service rendered after December 31,  
5 1968 and before January 1, 1982 as a covered employee in the  
6 position of investigator for the Department of Revenue shall be  
7 deemed to have been service as a noncovered employee, provided  
8 that the employee pays to the System prior to retirement an  
9 amount equal to (1) the difference between the employee  
10 contributions that would have been required for such service as  
11 a noncovered employee, and the amount of employee contributions  
12 actually paid, plus (2) if payment is made after January 1,  
13 1990, regular interest on the amount specified in item (1) from  
14 the date of service to the date of payment.

15 (g) A State policeman may elect, not later than January 1,  
16 1990, to establish eligible creditable service for up to 10  
17 years of his service as a policeman under Article 3, by filing  
18 a written election with the Board, accompanied by payment of an  
19 amount to be determined by the Board, equal to (i) the  
20 difference between the amount of employee and employer  
21 contributions transferred to the System under Section 3-110.5,  
22 and the amounts that would have been contributed had such  
23 contributions been made at the rates applicable to State  
24 policemen, plus (ii) interest thereon at the effective rate for  
25 each year, compounded annually, from the date of service to the  
26 date of payment.

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

14           (h) Subject to the limitation in subsection (i), a State  
15 policeman or investigator for the Secretary of State may elect  
16 to establish eligible creditable service for up to 12 years of  
17 his service as a policeman under Article 5, by filing a written  
18 election with the Board on or before January 31, 1992, and  
19 paying to the System by January 31, 1994 an amount to be  
20 determined by the Board, equal to (i) the difference between  
21 the amount of employee and employer contributions transferred  
22 to the System under Section 5-236, and the amounts that would  
23 have been contributed had such contributions been made at the  
24 rates applicable to State policemen, plus (ii) interest thereon  
25 at the effective rate for each year, compounded annually, from  
26 the date of service to the date of payment.



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

15           Subject to the limitation in subsection (i), a State  
16 policeman, conservation police officer, or investigator for  
17 the Secretary of State may elect to establish eligible  
18 creditable service for up to 5 years of service as a police  
19 officer under Article 3, a policeman under Article 5, a  
20 sheriff's law enforcement employee under Article 7, a member of  
21 the county police department under Article 9, or a police  
22 officer under Article 15 by filing a written election with the  
23 Board and paying to the System an amount to be determined by  
24 the Board, equal to (i) the difference between the amount of  
25 employee and employer contributions transferred to the System  
26 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4

1 and the amounts that would have been contributed had such  
2 contributions been made at the rates applicable to State  
3 policemen, plus (ii) interest thereon at the effective rate for  
4 each year, compounded annually, from the date of service to the  
5 date of payment.

6 Subject to the limitation in subsection (i), an  
7 investigator for the Office of the Attorney General, or an  
8 investigator for the Department of Revenue, may elect to  
9 establish eligible creditable service for up to 5 years of  
10 service as a police officer under Article 3, a policeman under  
11 Article 5, a sheriff's law enforcement employee under Article  
12 7, or a member of the county police department under Article 9  
13 by filing a written election with the Board within 6 months  
14 after August 25, 2009 (the effective date of Public Act 96-745)  
15 and paying to the System an amount to be determined by the  
16 Board, equal to (i) the difference between the amount of  
17 employee and employer contributions transferred to the System  
18 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the  
19 amounts that would have been contributed had such contributions  
20 been made at the rates applicable to State policemen, plus (ii)  
21 interest thereon at the actuarially assumed rate for each year,  
22 compounded annually, from the date of service to the date of  
23 payment.

24 Subject to the limitation in subsection (i), a State  
25 policeman, conservation police officer, investigator for the  
26 Office of the Attorney General, an investigator for the

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

18 (i) The total amount of eligible creditable service  
19 established by any person under subsections (g), (h), (j), (k),  
20 ~~and~~ (l), and (1-5) of this Section shall not exceed 12 years.

21 (j) Subject to the limitation in subsection (i), an  
22 investigator for the Office of the State's Attorneys Appellate  
23 Prosecutor or a controlled substance inspector may elect to  
24 establish eligible creditable service for up to 10 years of his  
25 service as a policeman under Article 3 or a sheriff's law  
26 enforcement employee under Article 7, by filing a written

1 election with the Board, accompanied by payment of an amount to  
2 be determined by the Board, equal to (1) the difference between  
3 the amount of employee and employer contributions transferred  
4 to the System under Section 3-110.6 or 7-139.8, and the amounts  
5 that would have been contributed had such contributions been  
6 made at the rates applicable to State policemen, plus (2)  
7 interest thereon at the effective rate for each year,  
8 compounded annually, from the date of service to the date of  
9 payment.

10 (k) Subject to the limitation in subsection (i) of this  
11 Section, an alternative formula employee may elect to establish  
12 eligible creditable service for periods spent as a full-time  
13 law enforcement officer or full-time corrections officer  
14 employed by the federal government or by a state or local  
15 government located outside of Illinois, for which credit is not  
16 held in any other public employee pension fund or retirement  
17 system. To obtain this credit, the applicant must file a  
18 written application with the Board by March 31, 1998,  
19 accompanied by evidence of eligibility acceptable to the Board  
20 and payment of an amount to be determined by the Board, equal  
21 to (1) employee contributions for the credit being established,  
22 based upon the applicant's salary on the first day as an  
23 alternative formula employee after the employment for which  
24 credit is being established and the rates then applicable to  
25 alternative formula employees, plus (2) an amount determined by  
26 the Board to be the employer's normal cost of the benefits

1 accrued for the credit being established, plus (3) regular  
2 interest on the amounts in items (1) and (2) from the first day  
3 as an alternative formula employee after the employment for  
4 which credit is being established to the date of payment.

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

19 (1-5) Subject to the limitation in subsection (i) of this  
20 Section, a State policeman may elect to establish eligible  
21 creditable service for up to 5 years of service as a full-time  
22 law enforcement officer employed by the federal government or  
23 by a state or local government located outside of Illinois for  
24 which credit is not held in any other public employee pension  
25 fund or retirement system. To obtain this credit, the applicant  
26 must file a written application with the Board, accompanied by

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

13 (m) The amendatory changes to this Section made by this  
14 amendatory Act of the 94th General Assembly apply only to: (1)  
15 security employees of the Department of Juvenile Justice  
16 employed by the Department of Corrections before the effective  
17 date of this amendatory Act of the 94th General Assembly and  
18 transferred to the Department of Juvenile Justice by this  
19 amendatory Act of the 94th General Assembly; and (2) persons  
20 employed by the Department of Juvenile Justice on or after the  
21 effective date of this amendatory Act of the 94th General  
22 Assembly who are required by subsection (b) of Section 3-2.5-15  
23 of the Unified Code of Corrections to have any bachelor's or  
24 advanced degree from an accredited college or university or, in  
25 the case of persons who provide vocational training, who are  
26 required to have adequate knowledge in the skill for which they

1 are providing the vocational training.

2 (n) A person employed in a position under subsection (b) of  
3 this Section who has purchased service credit under subsection  
4 (j) of Section 14-104 or subsection (b) of Section 14-105 in  
5 any other capacity under this Article may convert up to 5 years  
6 of that service credit into service credit covered under this  
7 Section by paying to the Fund an amount equal to (1) the  
8 additional employee contribution required under Section  
9 14-133, plus (2) the additional employer contribution required  
10 under Section 14-131, plus (3) interest on items (1) and (2) at  
11 the actuarially assumed rate from the date of the service to  
12 the date of payment.

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

14 (40 ILCS 5/14-152.1)

15 Sec. 14-152.1. Application and expiration of new benefit  
16 increases.

17 (a) As used in this Section, "new benefit increase" means  
18 an increase in the amount of any benefit provided under this  
19 Article, or an expansion of the conditions of eligibility for  
20 any benefit under this Article, that results from an amendment  
21 to this Code that takes effect after June 1, 2005 (the  
22 effective date of Public Act 94-4). "New benefit increase",  
23 however, does not include any benefit increase resulting from  
24 the changes made to Article 1 or this Article by Public Act  
25 96-37, Public Act 100-23, or this amendatory Act of the 100th

1 ~~General Assembly or by this amendatory Act of the 100th General~~  
2 ~~Assembly.~~

3 (b) Notwithstanding any other provision of this Code or any  
4 subsequent amendment to this Code, every new benefit increase  
5 is subject to this Section and shall be deemed to be granted  
6 only in conformance with and contingent upon compliance with  
7 the provisions of this Section.

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

12 Every new benefit increase is contingent upon the General  
13 Assembly providing the additional funding required under this  
14 subsection. The Commission on Government Forecasting and  
15 Accountability shall analyze whether adequate additional  
16 funding has been provided for the new benefit increase and  
17 shall report its analysis to the Public Pension Division of the  
18 Department of Insurance. A new benefit increase created by a  
19 Public Act that does not include the additional funding  
20 required under this subsection is null and void. If the Public  
21 Pension Division determines that the additional funding  
22 provided for a new benefit increase under this subsection is or  
23 has become inadequate, it may so certify to the Governor and  
24 the State Comptroller and, in the absence of corrective action  
25 by the General Assembly, the new benefit increase shall expire  
26 at the end of the fiscal year in which the certification is



1 made.

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

8 (e) Except as otherwise provided in the language creating  
9 the new benefit increase, a new benefit increase that expires  
10 under this Section continues to apply to persons who applied  
11 and qualified for the affected benefit while the new benefit  
12 increase was in effect and to the affected beneficiaries and  
13 alternate payees of such persons, but does not apply to any  
14 other person, including without limitation a person who  
15 continues in service after the expiration date and did not  
16 apply and qualify for the affected benefit while the new  
17 benefit increase was in effect.

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

19 Section 99. Effective date. This Act takes effect upon  
20 becoming law.