

1 AN ACT concerning State government.

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

4 Section 5. The Department of Revenue Law of the Civil
5 Administrative Code of Illinois is amended by adding Section
6 2505-306 as follows:

7 (20 ILCS 2505/2505-306 new)

8 Sec. 2505-306. Retiring investigators; purchase of service
9 firearm and badge. The Director shall establish a program to
10 allow a Department investigator who is honorably retiring in
11 good standing to purchase either one or both of the following:
12 (1) any badge previously issued to the investigator by the
13 Department; or (2) if the investigator has a currently valid
14 Firearm Owner's Identification Card, the service firearm
15 issued or previously issued to the investigator by the
16 Department. The cost of the firearm shall be the replacement
17 value of the firearm and not the firearm's fair market value.

18 Section 10. The Illinois Pension Code is amended by
19 changing Section 1-160 as follows:

20 (40 ILCS 5/1-160)

21 Sec. 1-160. Provisions applicable to new hires.

1 (a) The provisions of this Section apply to a person who,
2 on or after January 1, 2011, first becomes a member or a
3 participant under any reciprocal retirement system or pension
4 fund established under this Code, other than a retirement
5 system or pension fund established under Article 2, 3, 4, 5, 6,
6 7, 15, or 18 of this Code, notwithstanding any other provision
7 of this Code to the contrary, but do not apply to any
8 self-managed plan established under this Code or to any
9 participant of the retirement plan established under Section
10 22-101; except that this Section applies to a person who
11 elected to establish alternative credits by electing in
12 writing after January 1, 2011, but before August 8, 2011,
13 under Section 7-145.1 of this Code. Notwithstanding anything
14 to the contrary in this Section, for purposes of this Section,
15 a person who is a Tier 1 regular employee as defined in Section
16 7-109.4 of this Code or who participated in a retirement
17 system under Article 15 prior to January 1, 2011 shall be
18 deemed a person who first became a member or participant prior
19 to January 1, 2011 under any retirement system or pension fund
20 subject to this Section. The changes made to this Section by
21 Public Act 98-596 are a clarification of existing law and are
22 intended to be retroactive to January 1, 2011 (the effective
23 date of Public Act 96-889), notwithstanding the provisions of
24 Section 1-103.1 of this Code.

25 This Section does not apply to a person who first becomes a
26 noncovered employee under Article 14 on or after the

1 implementation date of the plan created under Section 1-161
2 for that Article, unless that person elects under subsection
3 (b) of Section 1-161 to instead receive the benefits provided
4 under this Section and the applicable provisions of that
5 Article.

6 This Section does not apply to a person who first becomes a
7 member or participant under Article 16 on or after the
8 implementation date of the plan created under Section 1-161
9 for that Article, unless that person elects under subsection
10 (b) of Section 1-161 to instead receive the benefits provided
11 under this Section and the applicable provisions of that
12 Article.

13 This Section does not apply to a person who elects under
14 subsection (c-5) of Section 1-161 to receive the benefits
15 under Section 1-161.

16 This Section does not apply to a person who first becomes a
17 member or participant of an affected pension fund on or after 6
18 months after the resolution or ordinance date, as defined in
19 Section 1-162, unless that person elects under subsection (c)
20 of Section 1-162 to receive the benefits provided under this
21 Section and the applicable provisions of the Article under
22 which he or she is a member or participant.

23 (b) "Final average salary" means, except as otherwise
24 provided in this subsection, the average monthly (or annual)
25 salary obtained by dividing the total salary or earnings
26 calculated under the Article applicable to the member or

1 participant during the 96 consecutive months (or 8 consecutive
2 years) of service within the last 120 months (or 10 years) of
3 service in which the total salary or earnings calculated under
4 the applicable Article was the highest by the number of months
5 (or years) of service in that period. For the purposes of a
6 person who first becomes a member or participant of any
7 retirement system or pension fund to which this Section
8 applies on or after January 1, 2011, in this Code, "final
9 average salary" shall be substituted for the following:

10 (1) (Blank).

11 (2) In Articles 8, 9, 10, 11, and 12, "highest average
12 annual salary for any 4 consecutive years within the last
13 10 years of service immediately preceding the date of
14 withdrawal".

15 (3) In Article 13, "average final salary".

16 (4) In Article 14, "final average compensation".

17 (5) In Article 17, "average salary".

18 (6) In Section 22-207, "wages or salary received by
19 him at the date of retirement or discharge".

20 A member of the Teachers' Retirement System of the State
21 of Illinois who retires on or after June 1, 2021 and for whom
22 the 2020-2021 school year is used in the calculation of the
23 member's final average salary shall use the higher of the
24 following for the purpose of determining the member's final
25 average salary:

26 (A) the amount otherwise calculated under the first

1 paragraph of this subsection; or

2 (B) an amount calculated by the Teachers' Retirement
3 System of the State of Illinois using the average of the
4 monthly (or annual) salary obtained by dividing the total
5 salary or earnings calculated under Article 16 applicable
6 to the member or participant during the 96 months (or 8
7 years) of service within the last 120 months (or 10 years)
8 of service in which the total salary or earnings
9 calculated under the Article was the highest by the number
10 of months (or years) of service in that period.

11 (b-5) Beginning on January 1, 2011, for all purposes under
12 this Code (including without limitation the calculation of
13 benefits and employee contributions), the annual earnings,
14 salary, or wages (based on the plan year) of a member or
15 participant to whom this Section applies shall not exceed
16 \$106,800; however, that amount shall annually thereafter be
17 increased by the lesser of (i) 3% of that amount, including all
18 previous adjustments, or (ii) one-half the annual unadjusted
19 percentage increase (but not less than zero) in the consumer
20 price index-u for the 12 months ending with the September
21 preceding each November 1, including all previous adjustments.

22 For the purposes of this Section, "consumer price index-u"
23 means the index published by the Bureau of Labor Statistics of
24 the United States Department of Labor that measures the
25 average change in prices of goods and services purchased by
26 all urban consumers, United States city average, all items,

1 1982-84 = 100. The new amount resulting from each annual
2 adjustment shall be determined by the Public Pension Division
3 of the Department of Insurance and made available to the
4 boards of the retirement systems and pension funds by November
5 1 of each year.

6 (c) A member or participant is entitled to a retirement
7 annuity upon written application if he or she has attained age
8 67 (age 65, with respect to service under Article 12 that is
9 subject to this Section, for a member or participant under
10 Article 12 who first becomes a member or participant under
11 Article 12 on or after January 1, 2022 or who makes the
12 election under item (i) of subsection (d-15) of this Section)
13 and has at least 10 years of service credit and is otherwise
14 eligible under the requirements of the applicable Article.

15 A member or participant who has attained age 62 (age 60,
16 with respect to service under Article 12 that is subject to
17 this Section, for a member or participant under Article 12 who
18 first becomes a member or participant under Article 12 on or
19 after January 1, 2022 or who makes the election under item (i)
20 of subsection (d-15) of this Section) and has at least 10 years
21 of service credit and is otherwise eligible under the
22 requirements of the applicable Article may elect to receive
23 the lower retirement annuity provided in subsection (d) of
24 this Section.

25 (c-5) A person who first becomes a member or a participant
26 subject to this Section on or after July 6, 2017 (the effective

1 date of Public Act 100-23), notwithstanding any other
2 provision of this Code to the contrary, is entitled to a
3 retirement annuity under Article 8 or Article 11 upon written
4 application if he or she has attained age 65 and has at least
5 10 years of service credit and is otherwise eligible under the
6 requirements of Article 8 or Article 11 of this Code,
7 whichever is applicable.

8 (d) The retirement annuity of a member or participant who
9 is retiring after attaining age 62 (age 60, with respect to
10 service under Article 12 that is subject to this Section, for a
11 member or participant under Article 12 who first becomes a
12 member or participant under Article 12 on or after January 1,
13 2022 or who makes the election under item (i) of subsection
14 (d-15) of this Section) with at least 10 years of service
15 credit shall be reduced by one-half of 1% for each full month
16 that the member's age is under age 67 (age 65, with respect to
17 service under Article 12 that is subject to this Section, for a
18 member or participant under Article 12 who first becomes a
19 member or participant under Article 12 on or after January 1,
20 2022 or who makes the election under item (i) of subsection
21 (d-15) of this Section).

22 (d-5) The retirement annuity payable under Article 8 or
23 Article 11 to an eligible person subject to subsection (c-5)
24 of this Section who is retiring at age 60 with at least 10
25 years of service credit shall be reduced by one-half of 1% for
26 each full month that the member's age is under age 65.

1 (d-10) Each person who first became a member or
2 participant under Article 8 or Article 11 of this Code on or
3 after January 1, 2011 and prior to July 6, 2017 (the effective
4 date of Public Act 100-23) ~~this amendatory Act of the 100th~~
5 ~~General Assembly~~ shall make an irrevocable election either:

6 (i) to be eligible for the reduced retirement age
7 provided in subsections (c-5) and (d-5) of this Section,
8 the eligibility for which is conditioned upon the member
9 or participant agreeing to the increases in employee
10 contributions for age and service annuities provided in
11 subsection (a-5) of Section 8-174 of this Code (for
12 service under Article 8) or subsection (a-5) of Section
13 11-170 of this Code (for service under Article 11); or

14 (ii) to not agree to item (i) of this subsection
15 (d-10), in which case the member or participant shall
16 continue to be subject to the retirement age provisions in
17 subsections (c) and (d) of this Section and the employee
18 contributions for age and service annuity as provided in
19 subsection (a) of Section 8-174 of this Code (for service
20 under Article 8) or subsection (a) of Section 11-170 of
21 this Code (for service under Article 11).

22 The election provided for in this subsection shall be made
23 between October 1, 2017 and November 15, 2017. A person
24 subject to this subsection who makes the required election
25 shall remain bound by that election. A person subject to this
26 subsection who fails for any reason to make the required

1 election within the time specified in this subsection shall be
2 deemed to have made the election under item (ii).

3 (d-15) Each person who first becomes a member or
4 participant under Article 12 on or after January 1, 2011 and
5 prior to January 1, 2022 shall make an irrevocable election
6 either:

7 (i) to be eligible for the reduced retirement age
8 specified in subsections (c) and (d) of this Section, the
9 eligibility for which is conditioned upon the member or
10 participant agreeing to the increase in employee
11 contributions for service annuities specified in
12 subsection (b) of Section 12-150; or

13 (ii) to not agree to item (i) of this subsection
14 (d-15), in which case the member or participant shall not
15 be eligible for the reduced retirement age specified in
16 subsections (c) and (d) of this Section and shall not be
17 subject to the increase in employee contributions for
18 service annuities specified in subsection (b) of Section
19 12-150.

20 The election provided for in this subsection shall be made
21 between January 1, 2022 and April 1, 2022. A person subject to
22 this subsection who makes the required election shall remain
23 bound by that election. A person subject to this subsection
24 who fails for any reason to make the required election within
25 the time specified in this subsection shall be deemed to have
26 made the election under item (ii).

1 (e) Any retirement annuity or supplemental annuity shall
2 be subject to annual increases on the January 1 occurring
3 either on or after the attainment of age 67 (age 65, with
4 respect to service under Article 12 that is subject to this
5 Section, for a member or participant under Article 12 who
6 first becomes a member or participant under Article 12 on or
7 after January 1, 2022 or who makes the election under item (i)
8 of subsection (d-15); and beginning on July 6, 2017 (the
9 effective date of Public Act 100-23) ~~this amendatory Act of~~
10 ~~the 100th General Assembly~~, age 65 with respect to service
11 under Article 8 or Article 11 for eligible persons who: (i) are
12 subject to subsection (c-5) of this Section; or (ii) made the
13 election under item (i) of subsection (d-10) of this Section)
14 or the first anniversary of the annuity start date, whichever
15 is later. Each annual increase shall be calculated at 3% or
16 one-half the annual unadjusted percentage increase (but not
17 less than zero) in the consumer price index-u for the 12 months
18 ending with the September preceding each November 1, whichever
19 is less, of the originally granted retirement annuity. If the
20 annual unadjusted percentage change in the consumer price
21 index-u for the 12 months ending with the September preceding
22 each November 1 is zero or there is a decrease, then the
23 annuity shall not be increased.

24 For the purposes of Section 1-103.1 of this Code, the
25 changes made to this Section by Public Act 102-263 ~~this~~
26 ~~amendatory Act of the 102nd General Assembly~~ are applicable

1 without regard to whether the employee was in active service
2 on or after August 6, 2021 (the effective date of Public Act
3 102-263) ~~this amendatory Act of the 102nd General Assembly.~~

4 For the purposes of Section 1-103.1 of this Code, the
5 changes made to this Section by Public Act 100-23 ~~this~~
6 ~~amendatory Act of the 100th General Assembly~~ are applicable
7 without regard to whether the employee was in active service
8 on or after July 6, 2017 (the effective date of Public Act
9 100-23) ~~this amendatory Act of the 100th General Assembly.~~

10 (f) The initial survivor's or widow's annuity of an
11 otherwise eligible survivor or widow of a retired member or
12 participant who first became a member or participant on or
13 after January 1, 2011 shall be in the amount of 66 2/3% of the
14 retired member's or participant's retirement annuity at the
15 date of death. In the case of the death of a member or
16 participant who has not retired and who first became a member
17 or participant on or after January 1, 2011, eligibility for a
18 survivor's or widow's annuity shall be determined by the
19 applicable Article of this Code. The initial benefit shall be
20 66 2/3% of the earned annuity without a reduction due to age. A
21 child's annuity of an otherwise eligible child shall be in the
22 amount prescribed under each Article if applicable. Any
23 survivor's or widow's annuity shall be increased (1) on each
24 January 1 occurring on or after the commencement of the
25 annuity if the deceased member died while receiving a
26 retirement annuity or (2) in other cases, on each January 1

1 occurring after the first anniversary of the commencement of
2 the annuity. Each annual increase shall be calculated at 3% or
3 one-half the annual unadjusted percentage increase (but not
4 less than zero) in the consumer price index-u for the 12 months
5 ending with the September preceding each November 1, whichever
6 is less, of the originally granted survivor's annuity. If the
7 annual unadjusted percentage change in the consumer price
8 index-u for the 12 months ending with the September preceding
9 each November 1 is zero or there is a decrease, then the
10 annuity shall not be increased.

11 (g) The benefits in Section 14-110 apply ~~only~~ if the
12 person is ~~a State policeman,~~ a fire fighter in the fire
13 protection service of a department, ~~a conservation police~~
14 ~~officer, an investigator for the Secretary of State, an arson~~
15 ~~investigator, a Commerce Commission police officer,~~
16 ~~investigator for the Department of Revenue or the Illinois~~
17 ~~Gaming Board,~~ a security employee of the Department of
18 Corrections or the Department of Juvenile Justice, or a
19 security employee of the Department of Innovation and
20 Technology, as those terms are defined in subsection (b) and
21 subsection (c) of Section 14-110. A person who meets the
22 requirements of this Section is entitled to an annuity
23 calculated under the provisions of Section 14-110, in lieu of
24 the regular or minimum retirement annuity, only if the person
25 has withdrawn from service with not less than 20 years of
26 eligible creditable service and has attained age 60,

1 regardless of whether the attainment of age 60 occurs while
2 the person is still in service.

3 (g-5) The benefits in Section 14-110 apply if the person
4 is a State policeman, investigator for the Secretary of State,
5 conservation police officer, investigator for the Department
6 of Revenue or the Illinois Gaming Board, investigator for the
7 Office of the Attorney General, Commerce Commission police
8 officer, or arson investigator, as those terms are defined in
9 subsection (b) and subsection (c) of Section 14-110. A person
10 who meets the requirements of this Section is entitled to an
11 annuity calculated under the provisions of Section 14-110, in
12 lieu of the regular or minimum retirement annuity, only if the
13 person has withdrawn from service with not less than 20 years
14 of eligible creditable service and has attained age 55,
15 regardless of whether the attainment of age 55 occurs while
16 the person is still in service.

17 (h) If a person who first becomes a member or a participant
18 of a retirement system or pension fund subject to this Section
19 on or after January 1, 2011 is receiving a retirement annuity
20 or retirement pension under that system or fund and becomes a
21 member or participant under any other system or fund created
22 by this Code and is employed on a full-time basis, except for
23 those members or participants exempted from the provisions of
24 this Section under subsection (a) of this Section, then the
25 person's retirement annuity or retirement pension under that
26 system or fund shall be suspended during that employment. Upon

1 termination of that employment, the person's retirement
2 annuity or retirement pension payments shall resume and be
3 recalculated if recalculation is provided for under the
4 applicable Article of this Code.

5 If a person who first becomes a member of a retirement
6 system or pension fund subject to this Section on or after
7 January 1, 2012 and is receiving a retirement annuity or
8 retirement pension under that system or fund and accepts on a
9 contractual basis a position to provide services to a
10 governmental entity from which he or she has retired, then
11 that person's annuity or retirement pension earned as an
12 active employee of the employer shall be suspended during that
13 contractual service. A person receiving an annuity or
14 retirement pension under this Code shall notify the pension
15 fund or retirement system from which he or she is receiving an
16 annuity or retirement pension, as well as his or her
17 contractual employer, of his or her retirement status before
18 accepting contractual employment. A person who fails to submit
19 such notification shall be guilty of a Class A misdemeanor and
20 required to pay a fine of \$1,000. Upon termination of that
21 contractual employment, the person's retirement annuity or
22 retirement pension payments shall resume and, if appropriate,
23 be recalculated under the applicable provisions of this Code.

24 (i) (Blank).

25 (j) In the case of a conflict between the provisions of
26 this Section and any other provision of this Code, the

1 provisions of this Section shall control.

2 (Source: P.A. 101-610, eff. 1-1-20; 102-16, eff. 6-17-21;
3 102-210, eff. 1-1-22; 102-263, eff. 8-6-21; revised 9-28-21.)

4 Section 15. The Law Enforcement Intern Training Act is
5 amended by adding Section 24 as follows:

6 (50 ILCS 708/24 new)

7 Sec. 24. Transfer credits from public institutions of
8 higher education.

9 (a) As used in this Section, "public institutions of
10 higher education" has the meaning ascribed to that term in the
11 Board of Higher Education Act.

12 (b) The Board shall collaborate with the Illinois
13 Community College Board and the Board of Higher Education to
14 create a report with recommendations to the General Assembly
15 for establishing minimum requirements for credits that may
16 transfer from public institutions of higher education to
17 satisfy the requirements of law enforcement and correctional
18 intern courses under this Act.

19 (c) The report shall be submitted to the General Assembly
20 no later than July 1, 2023.

21 Section 20. The Counties Code is amended by adding Section
22 3-6042 as follows:

1 (55 ILCS 5/3-6042 new)

2 Sec. 3-6042. Retiring employee; purchase of service
3 firearm and badge. Each Sheriff shall establish a program to
4 allow an employee of the Sheriff's Department who is honorably
5 retiring in good standing to purchase either one or both of the
6 following: (1) any badge previously issued to the employee by
7 the Sheriff's Department; or (2) if the employee has a
8 currently valid Firearm Owner's Identification Card, the
9 service firearm issued or previously issued to the employee by
10 the Sheriff's Department. The badge must be permanently and
11 conspicuously marked in such a manner that the individual who
12 possesses the badge is not mistaken for an actively serving
13 law enforcement officer. The cost of the firearm shall be the
14 replacement value of the firearm and not the firearm's fair
15 market value.

16 Section 25. The Illinois Gambling Act is amended by adding
17 Section 5.4 as follows:

18 (230 ILCS 10/5.4 new)

19 Sec. 5.4. Retiring investigators; purchase of service
20 firearm and badge. The Board shall establish a program to
21 allow an investigator appointed under paragraph (20.6) of
22 subsection (c) of Section 4 who is honorably retiring in good
23 standing to purchase either one or both of the following: (1)
24 any badge previously issued to the investigator by the Board;

1 or (2) if the investigator has a currently valid Firearm
2 Owner's Identification Card, the service firearm issued or
3 previously issued to the investigator by the Board. The badge
4 must be permanently and conspicuously marked in such a manner
5 that the individual who possesses the badge is not mistaken
6 for an actively serving law enforcement officer. The cost of
7 the firearm shall be the replacement value of the firearm and
8 not the firearm's fair market value.

9 Section 30. The Unified Code of Corrections is amended by
10 adding Section 3-2-10.5 as follows:

11 (730 ILCS 5/3-2-10.5 new)

12 Sec. 3-2-10.5. Retiring security employees and parole
13 agents; purchase of service firearm and badge. The Director
14 shall establish a program to allow a security employee or
15 parole agent of the Department who is honorably retiring in
16 good standing to purchase either one or both of the following:
17 (1) any badge previously issued to the security employee or
18 parole agent by the Department; or (2) if the security
19 employee or parole agent has a currently valid Firearm Owner's
20 Identification Card, the service firearm issued or previously
21 issued to the security employee or parole agent by the
22 Department. The badge must be permanently and conspicuously
23 marked in such a manner that the individual who possesses the
24 badge is not mistaken for an actively serving law enforcement

1 officer. The cost of the firearm shall be the replacement
2 value of the firearm and not the firearm's fair market value.

3 Section 35. The Probation and Probation Officers Act is
4 amended by adding Section 15.2 as follows:

5 (730 ILCS 110/15.2 new)

6 Sec. 15.2. Retiring probation officer; purchase of service
7 firearm and badge. Each department shall establish a program
8 to allow a probation officer of the department who is
9 honorably retiring in good standing to purchase either one or
10 both of the following: (1) any badge previously issued to the
11 probation officer by the department; or (2) if the probation
12 officer has a currently valid Firearm Owner's Identification
13 Card, the service firearm issued or previously issued to the
14 probation officer by the department. The badge must be
15 permanently and conspicuously marked in such a manner that the
16 individual who possesses the badge is not mistaken for an
17 actively serving law enforcement officer. The cost of the
18 firearm shall be the replacement value of the firearm and not
19 the firearm's fair market value.

20 Section 99. Effective date. This Act takes effect upon
21 becoming law, except that Section 15 takes effect January 1,
22 2023.