



Rep. Katie Stuart

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10200HB4209ham001

LRB102 20423 RPS 35605 a

1 AMENDMENT TO HOUSE BILL 4209

2 AMENDMENT NO. _____. Amend House Bill 4209 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by
5 changing Sections 3-110.10 and 7-139.14 as follows:

6 (40 ILCS 5/3-110.10)

7 Sec. 3-110.10. Transfer from Article 7. Until January 1,
8 2009, a person may transfer to a fund established under this
9 Article up to 8 years of creditable service accumulated under
10 Article 7 of this Code upon payment to the fund of an amount to
11 be determined by the board, equal to (i) the difference
12 between the amount of employee and employer contributions
13 transferred to the fund under Section 7-139.11 and the amounts
14 that would have been contributed had such contributions been
15 made at the rates applicable to an employee under this
16 Article, plus (ii) interest thereon at the actuarially assumed

1 rate, compounded annually, from the date of service to the
2 date of payment.

3 No later than September 30, 2023 ~~6 months after the~~
4 ~~effective date of this amendatory Act of the 102nd General~~
5 ~~Assembly~~, a person may transfer to a fund established under
6 this Article creditable service accumulated under Article 7 of
7 this Code for service as a sheriff's law enforcement employee,
8 person employed by a participating municipality to perform
9 police duties, ~~or~~ law enforcement officer employed on a
10 full-time basis by a forest preserve district, or person
11 employed by a participating municipality or instrumentality to
12 perform administrative duties related to law enforcement upon
13 payment to the fund of an amount to be determined by the board,
14 equal to (i) the difference between the amount of employee and
15 employer contributions transferred to the fund under Section
16 7-139.14 and the amounts that would have been contributed had
17 such contributions been made at the rates applicable to an
18 employee under this Article, plus (ii) interest thereon at the
19 actuarially assumed rate, compounded annually, from the date
20 of service to the date of payment.

21 (Source: P.A. 102-113, eff. 7-23-21.)

22 (40 ILCS 5/7-139.14)

23 Sec. 7-139.14. Transfer to Article 3 pension fund.

24 (a) No later than June 30, 2023 ~~Within 6 months after the~~
25 ~~effective date of this amendatory Act of the 102nd General~~

1 ~~Assembly~~, an active member of a pension fund established under
2 Article 3 of this Code may apply for transfer to that Article 3
3 pension fund of his or her credits and creditable service
4 accumulated in this Fund for service as a sheriff's law
5 enforcement employee, person employed by a participating
6 municipality to perform police duties, ~~or~~ law enforcement
7 officer employed on a full-time basis by a forest preserve
8 district, or person employed by a participating municipality
9 or instrumentality to perform administrative duties related to
10 law enforcement. The creditable service shall be transferred
11 only upon payment by this Fund to such Article 3 pension fund
12 of an amount equal to:

13 (1) the amounts accumulated to the credit of the
14 applicant for the service to be transferred, including
15 interest; and

16 (2) an amount representing employer contributions,
17 equal to the total amount determined under item (1); and

18 (3) any interest paid by the applicant to reinstate
19 such service.

20 Participation in this Fund as to any credits transferred
21 under this Section shall terminate on the date of transfer.

22 (b) Notwithstanding any other provision of this Code, any
23 person applying to transfer service under this Section may
24 reinstate credits and creditable service terminated upon
25 receipt of a separation benefit by paying to the Fund the
26 amount of the separation benefit plus interest thereon at the

1 actuarially assumed rate of interest to the date of payment.
2 Such payment must be made within 60 ~~90~~ days after notification
3 by the Fund of the cost of such reinstatement.

4 (Source: P.A. 102-113, eff. 7-23-21.)

5 Section 10. The Illinois Pension Code is amended by adding
6 Section 3-110.13 and by changing Section 15-134.4 as follows:

7 (40 ILCS 5/3-110.13 new)

8 Sec. 3-110.13. Transfer from Article 15. No later than
9 June 30, 2023, a person may irrevocably apply under Section
10 15-134.4 to transfer to a fund established under this Article
11 creditable service accumulated under Article 15 of this Code
12 for service as a police officer upon payment to the fund of an
13 amount, to be determined by the board, equal to (i) the
14 difference between the amount of employee and employer
15 contributions transferred to the fund under Section 15-134.4
16 and the amounts that would have been contributed had such
17 contributions been made at the rates applicable to an employee
18 under this Article, plus (ii) interest thereon at the
19 actuarially assumed rate, compounded annually, from the date
20 of service to the date of payment.

21 (40 ILCS 5/15-134.4) (from Ch. 108 1/2, par. 15-134.4)

22 Sec. 15-134.4. Transfer of creditable service to an
23 Article 3 pension fund, the Article 5 Pension Fund, or the

1 Article 14 System.

2 (a) An active member of the Pension Fund established under
3 Article 5 of this Code may apply, not later than January 1,
4 1990, to transfer his or her credits and creditable service
5 accumulated under this System for service with the City
6 Colleges of Chicago teaching in the Criminal Justice Program,
7 to the Article 5 Fund. Such credits and creditable service
8 shall be transferred forthwith.

9 Payment by this System to the Article 5 Fund shall be made
10 at the same time and shall consist of:

11 (1) the amounts credited to the applicant for such
12 service through employee contributions, including
13 interest, as of the date of transfer; and

14 (2) employer contributions equal in amount to the
15 accumulated employee contributions as determined in item
16 (1).

17 Participation in this System with respect to such credits
18 shall terminate on the date of transfer.

19 (b) Any active member of the State Employees' Retirement
20 System who is a State policeman, an investigator for the
21 Secretary of State, or a conservation police officer, and who
22 is not a participating employee in this System, may apply for
23 transfer of some or all of his or her creditable service
24 accumulated in this System for service as a police officer to
25 the State Employees' Retirement System in accordance with
26 Section 14-110. The creditable service shall be transferred

1 only upon payment by this System to the State Employees'
2 Retirement System of an amount equal to:

3 (1) the amounts accumulated to the credit of the
4 applicant for the service to be transferred, including
5 interest, as of the date of transfer, and any interest
6 paid by the applicant to reinstate such service; and

7 (2) employer contributions equal in amount to the
8 accumulated employee contributions as determined in item
9 (1) ~~and~~

10 ~~(3) any interest paid by the applicant to reinstate~~
11 ~~such service.~~

12 Participation in this System as to any credits transferred
13 under this Section shall terminate on the date of transfer.

14 (c) Any person applying to transfer service under
15 subsection (b) may reinstate credits and creditable service
16 terminated upon receipt of a refund by paying to the System the
17 amount of the refund plus interest thereon at the rate of 6%
18 per year from the date of the refund to the date of payment.

19 (d) No later than June 30, 2023, any active member of a
20 pension fund established under Article 3 of this Code who is
21 not a participating employee in this System may apply for
22 transfer of some or all of his or her creditable service
23 accumulated in this System for service as a police officer to
24 that Article 3 pension fund in accordance with Section
25 3-110.13. The creditable service shall be transferred only
26 upon payment by this System to that Article 3 pension fund of

1 an amount equal to:

2 (1) the amounts accumulated to the credit of the
3 applicant for the service to be transferred, including
4 interest, as of the date of transfer, and any interest
5 paid by the applicant to reinstate such service; and

6 (2) employer contributions equal in amount to the
7 accumulated employee contributions as determined in item
8 (1).

9 Participation in this System as to any credits transferred
10 under this Section shall terminate on the date of transfer.

11 (e) An application to transfer credits and creditable
12 service under this Section shall be irrevocable.

13 (Source: P.A. 95-530, eff. 8-28-07.)

14 Section 90. The State Mandates Act is amended by adding
15 Section 8.46 as follows:

16 (30 ILCS 805/8.46 new)

17 Sec. 8.46. Exempt mandate. Notwithstanding Sections 6 and
18 8 of this Act, no reimbursement by the State is required for
19 the implementation of any mandate created by this amendatory
20 Act of the 102nd General Assembly.

21 Section 99. Effective date. This Act takes effect January
22 1, 2023."