

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
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
17 rate, compounded annually, from the date of service to the
18 date of payment.

19 No later than September 30, 2023 ~~6 months after the~~
20 ~~effective date of this amendatory Act of the 102nd General~~
21 ~~Assembly~~, a person may transfer to a fund established under
22 this Article creditable service accumulated under Article 7 of
23 this Code for service as a sheriff's law enforcement employee,

1 person employed by a participating municipality to perform
2 police duties, ~~or~~ law enforcement officer employed on a
3 full-time basis by a forest preserve district, or person
4 employed by a participating municipality or instrumentality to
5 perform administrative duties related to law enforcement upon
6 payment to the fund of an amount to be determined by the board,
7 equal to (i) the difference between the amount of employee and
8 employer contributions transferred to the fund under Section
9 7-139.14 and the amounts that would have been contributed had
10 such contributions been made at the rates applicable to an
11 employee under this Article, plus (ii) interest thereon at the
12 actuarially assumed rate, compounded annually, from the date
13 of service to the date of payment.

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

15 (40 ILCS 5/7-139.14)

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

17 (a) No later than June 30, 2023 ~~Within 6 months after the~~
18 ~~effective date of this amendatory Act of the 102nd General~~
19 ~~Assembly~~, an active member of a pension fund established under
20 Article 3 of this Code may apply for transfer to that Article 3
21 pension fund of his or her credits and creditable service
22 accumulated in this Fund for service as a sheriff's law
23 enforcement employee, person employed by a participating
24 municipality to perform police duties, ~~or~~ law enforcement
25 officer employed on a full-time basis by a forest preserve

1 district, or person employed by a participating municipality
2 or instrumentality to perform administrative duties related to
3 law enforcement. The creditable service shall be transferred
4 only upon payment by this Fund to such Article 3 pension fund
5 of an amount equal to:

6 (1) the amounts accumulated to the credit of the
7 applicant for the service to be transferred, including
8 interest; and

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

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

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

15 (b) Notwithstanding any other provision of this Code, any
16 person applying to transfer service under this Section may
17 reinstate credits and creditable service terminated upon
18 receipt of a separation benefit by paying to the Fund the
19 amount of the separation benefit plus interest thereon at the
20 actuarially assumed rate of interest to the date of payment.
21 Such payment must be made within 60 ~~90~~ days after notification
22 by the Fund of the cost of such reinstatement.

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

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

1 (40 ILCS 5/3-110.13 new)

2 Sec. 3-110.13. Transfer from Article 15. No later than
3 June 30, 2023, a person may irrevocably apply under Section
4 15-134.4 to transfer to a fund established under this Article
5 creditable service accumulated under Article 15 of this Code
6 for service as a police officer upon payment to the fund of an
7 amount, to be determined by the board, equal to (i) the
8 difference between the amount of employee and employer
9 contributions transferred to the fund under Section 15-134.4
10 and the amounts that would have been contributed had such
11 contributions been made at the rates applicable to an employee
12 under this Article, plus (ii) interest thereon at the
13 actuarially assumed rate, compounded annually, from the date
14 of service to the date of payment.

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

16 Sec. 15-134.4. Transfer of creditable service to an
17 Article 3 pension fund, the Article 5 Pension Fund, or the
18 Article 14 System.

19 (a) An active member of the Pension Fund established under
20 Article 5 of this Code may apply, not later than January 1,
21 1990, to transfer his or her credits and creditable service
22 accumulated under this System for service with the City
23 Colleges of Chicago teaching in the Criminal Justice Program,
24 to the Article 5 Fund. Such credits and creditable service

1 shall be transferred forthwith.

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

4 (1) the amounts credited to the applicant for such
5 service through employee contributions, including
6 interest, as of the date of transfer; and

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

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

12 (b) Any active member of the State Employees' Retirement
13 System who is a State policeman, an investigator for the
14 Secretary of State, or a conservation police officer, and who
15 is not a participating employee in this System, may apply for
16 transfer of some or all of his or her creditable service
17 accumulated in this System for service as a police officer to
18 the State Employees' Retirement System in accordance with
19 Section 14-110. The creditable service shall be transferred
20 only upon payment by this System to the State Employees'
21 Retirement System of an amount equal to:

22 (1) the amounts accumulated to the credit of the
23 applicant for the service to be transferred, including
24 interest, as of the date of transfer, and any interest
25 paid by the applicant to reinstate such service; and

26 (2) employer contributions equal in amount to the

1 accumulated employee contributions as determined in item

2 (1) ~~and~~

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

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

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

12 (d) No later than June 30, 2023, any active member of a
13 pension fund established under Article 3 of this Code who is
14 not a participating employee in this System may apply for
15 transfer of some or all of his or her creditable service
16 accumulated in this System for service as a police officer to
17 that Article 3 pension fund in accordance with Section
18 3-110.13. The creditable service shall be transferred only
19 upon payment by this System to that Article 3 pension fund of
20 an amount equal to:

21 (1) the amounts accumulated to the credit of the
22 applicant for the service to be transferred, including
23 interest, as of the date of transfer, and any interest
24 paid by the applicant to reinstate such service; and

25 (2) employer contributions equal in amount to the
26 accumulated employee contributions as determined in item

1 (1).

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

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

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

7 Section 15. The Illinois Pension Code is amended by adding
8 Sections 3-110.14 and 7-139.1a as follows:

9 (40 ILCS 5/3-110.14 new)

10 Sec. 3-110.14. Transfer to Article 7. On and after July 1,
11 2022 but no later than December 1, 2023, a participating
12 employee who is actively employed as a sheriff's law
13 enforcement employee under Article 7 may make a written
14 election to transfer up to 10 years of creditable service from
15 a fund established under this Article to the Illinois
16 Municipal Retirement Fund established under Article 7. Upon
17 receiving a written election by a participant under this
18 Section, the creditable service shall be transferred to the
19 Illinois Municipal Retirement Fund as soon as practicable upon
20 payment by the police pension fund to the Illinois Municipal
21 Retirement Fund of an amount equal to:

22 (1) the amounts accumulated to the credit of the
23 applicant on the books of the fund on the date of the
24 transfer; and

1 (2) employer contributions in an amount equal to the
2 amount determined under paragraph (1).

3 Participation in the police pension fund with respect to the
4 service to be transferred shall terminate on the date of
5 transfer. This Section does not allow reinstatement of credits
6 in this Article that were previously forfeited.

7 (40 ILCS 5/7-139.1a new)

8 Sec. 7-139.1a. Transfer from Article 3. On and after July
9 1, 2022 but no later than January 1, 2023, a participating
10 sheriff's law enforcement employee may elect to transfer up to
11 10 years of service credit to the Fund as set forth in Section
12 3-110.14. To establish creditable service under this Section,
13 the sheriff's law enforcement employee may elect to do either
14 of the following:

15 (1) pay to the Fund 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
18 Fund under Section 3-110.14 and the amounts that would
19 have been contributed had such contributions been made at
20 the rates applicable to a sheriff's law enforcement
21 employee under this Article, plus (ii) interest thereon at
22 the actuarially assumed rate, compounded annually, from
23 the date of service to the date of payment; or

24 (2) have the amount of his or her creditable service
25 established under this Section reduced by an amount

1 corresponding to the amount by which (i) the employer and
2 employee contributions that would have been required if he
3 or she had participated in the Fund as a sheriff's law
4 enforcement employee during the period for which credit is
5 being transferred, plus interest thereon at the
6 actuarially assumed rate, compounded annually, from the
7 date of termination of the service for which credit is
8 being transferred to the date of payment, exceeds (ii) the
9 amount actually transferred to the Fund.

10 Notwithstanding the amount transferred by the Article 3
11 fund pursuant to Section 3-110.14, in no event shall the
12 service credit established under this Section exceed the
13 lesser of 10 years or the actual amount of service credit that
14 had been earned in the Article 3 fund. If an amount greater
15 than the amount described under paragraph (1) is transferred
16 to the Fund, the additional amount shall be credited to the
17 account of the sheriff's law enforcement employee's employer.

18 Section 90. The State Mandates Act is amended by adding
19 Section 8.46 as follows:

20 (30 ILCS 805/8.46 new)

21 Sec. 8.46. Exempt mandate. Notwithstanding Sections 6 and
22 8 of this Act, no reimbursement by the State is required for
23 the implementation of any mandate created by this amendatory
24 Act of the 102nd General Assembly.

1 Section 99. Effective date. This Act takes effect upon
2 becoming law, except that Sections 5 and 10 take effect
3 January 1, 2023.