



Rep. Michael Halpin

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LRB102 23772 RPS 35236 a

1 AMENDMENT TO HOUSE BILL 4660

2 AMENDMENT NO. _____. Amend House Bill 4660 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by
5 changing Sections 4-108.8, 7-139.8, 9-121.10, 14-110, and
6 14-152.1 as follows:

7 (40 ILCS 5/4-108.8)

8 Sec. 4-108.8. Transfer of creditable service to the State
9 Employees' Retirement System.

10 (a) Any active member of the State Employees' Retirement
11 System who is an arson investigator, investigator for the
12 Department of Revenue, or investigator for the Illinois Gaming
13 Board may apply for transfer of some or all of his or her
14 credits and creditable service accumulated in any
15 firefighters' pension fund under this Article to the State
16 Employees' Retirement System in accordance with Section

1 14-110. The creditable service shall be transferred only upon
2 payment by the firefighters' pension fund to the State
3 Employees' Retirement System of an amount equal to:

4 (1) the amounts accumulated to the credit of the
5 applicant for the service to be transferred on file with
6 the fund on the date of transfer;

7 (2) employer contributions in an amount equal to the
8 amount determined under paragraph (1); and

9 (3) any interest paid by the applicant in order to
10 reinstate service to be transferred.

11 Participation in the firefighters' pension fund with
12 respect to the service to be transferred shall terminate on
13 the date of transfer.

14 (b) Any person applying to transfer service under this
15 Section may reinstate service that was terminated by receipt
16 of a refund, by paying to the firefighters' pension fund the
17 amount of the refund with interest thereon at the actuarially
18 assumed rate of interest, compounded annually, from the date
19 of refund to the date of payment.

20 (Source: P.A. 102-210, eff. 7-30-21.)

21 (40 ILCS 5/7-139.8) (from Ch. 108 1/2, par. 7-139.8)

22 Sec. 7-139.8. Transfer to Article 14 System.

23 (a) Any active member of the State Employees' Retirement
24 System who is a State policeman, an investigator for the
25 Secretary of State, a conservation police officer, an

1 investigator for the Office of the Attorney General, an
2 investigator for the Department of Revenue, an investigator
3 for the Illinois Gaming Board, an arson investigator, a
4 Commerce Commission police officer, an investigator for the
5 Office of the State's Attorneys Appellate Prosecutor, or a
6 controlled substance inspector may apply for transfer of some
7 or all of his or her credits and creditable service
8 accumulated in this Fund for service as a sheriff's law
9 enforcement employee, person employed by a participating
10 municipality to perform police duties, or law enforcement
11 officer employed on a full-time basis by a forest preserve
12 district to the State Employees' Retirement System in
13 accordance with Section 14-110. The creditable service shall
14 be transferred only upon payment by this Fund to the State
15 Employees' Retirement System of an amount equal to:

16 (1) the amounts accumulated to the credit of the
17 applicant for the service to be transferred, including
18 interest; and

19 (2) municipality credits based on such service,
20 including interest; and

21 (3) any interest paid by the applicant to reinstate
22 such service.

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

25 (b) Any person applying to transfer service under this
26 Section may reinstate credits and creditable service

1 terminated upon receipt of a separation benefit, by paying to
2 the Fund the amount of the separation benefit plus interest
3 thereon at the actuarially assumed rate of interest to the
4 date of payment.

5 (Source: P.A. 102-210, eff. 7-30-21.)

6 (40 ILCS 5/9-121.10) (from Ch. 108 1/2, par. 9-121.10)

7 Sec. 9-121.10. Transfer to Article 14.

8 (a) Any active member of the State Employees' Retirement
9 System who is a State policeman, investigator for the Office
10 of the Attorney General, an investigator for the Department of
11 Revenue, investigator for the Illinois Gaming Board, arson
12 investigator, investigator for the Secretary of State, or
13 conservation police officer may apply for transfer of some or
14 all of his creditable service as a member of the County Police
15 Department, a county corrections officer, or a court services
16 officer accumulated under this Article to the State Employees'
17 Retirement System in accordance with Section 14-110. At the
18 time of the transfer the Fund shall pay to the State Employees'
19 Retirement System an amount equal to:

20 (1) the amounts accumulated to the credit of the
21 applicant on the books of the Fund on the date of transfer
22 for the service to be transferred; and

23 (2) the corresponding municipality credits, including
24 interest, on the books of the Fund on the date of transfer;
25 and

1 (3) any interest paid by the applicant in order to
2 reinstate such service.

3 Participation in this Fund with respect to the credits
4 transferred shall terminate on the date of transfer.

5 (b) Any person applying to transfer service under this
6 Section may reinstate credit for service as a member of the
7 County Police Department that was terminated by receipt of a
8 refund, by paying to the Fund the amount of the refund with
9 interest thereon at the actuarially assumed rate of interest,
10 compounded annually, from the date of refund to the date of
11 payment.

12 (Source: P.A. 95-530, eff. 8-28-07; 96-745, eff. 8-25-09.)

13 (40 ILCS 5/14-110) (from Ch. 108 1/2, par. 14-110)

14 Sec. 14-110. Alternative retirement annuity.

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

24 (i) for periods of service as a noncovered employee:
25 if retirement occurs on or after January 1, 2001, 3% of

1 final average compensation for each year of creditable
2 service; if retirement occurs before January 1, 2001, 2
3 1/4% of final average compensation for each of the first
4 10 years of creditable service, 2 1/2% for each year above
5 10 years to and including 20 years of creditable service,
6 and 2 3/4% for each year of creditable service above 20
7 years; and

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

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

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

26 (b) For the purpose of this Section, "eligible creditable

1 service" means creditable service resulting from service in
2 one or more of the following positions:

3 (1) State policeman;

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

6 (3) air pilot;

7 (4) special agent;

8 (5) investigator for the Secretary of State;

9 (6) conservation police officer;

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

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

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

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

18 (11) dangerous drugs investigator;

19 (12) investigator for the Illinois State Police;

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

22 (14) controlled substance inspector;

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

25 (16) Commerce Commission police officer;

26 (17) arson investigator;

1 (18) State highway maintenance worker;

2 (19) security employee of the Department of Innovation
3 and Technology; or

4 (20) transferred employee.

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

15 A person under paragraph (20) is entitled to eligible
16 creditable service for service credit earned under this
17 Article on and after his or her transfer by Executive Order No.
18 2003-10, Executive Order No. 2004-2, or Executive Order No.
19 2016-1.

20 (c) For the purposes of this Section:

21 (1) The term "State policeman" includes any title or
22 position in the Illinois State Police that is held by an
23 individual employed under the Illinois State Police Act.

24 (2) The term "fire fighter in the fire protection
25 service of a department" includes all officers in such
26 fire protection service including fire chiefs and

1 assistant fire chiefs.

2 (3) The term "air pilot" includes any employee whose
3 official job description on file in the Department of
4 Central Management Services, or in the department by which
5 he is employed if that department is not covered by the
6 Personnel Code, states that his principal duty is the
7 operation of aircraft, and who possesses a pilot's
8 license; however, the change in this definition made by
9 Public Act 83-842 ~~this amendatory Act of 1983~~ shall not
10 operate to exclude any noncovered employee who was an "air
11 pilot" for the purposes of this Section on January 1,
12 1984.

13 (4) The term "special agent" means any person who by
14 reason of employment by the Division of Narcotic Control,
15 the Bureau of Investigation or, after July 1, 1977, the
16 Division of Criminal Investigation, the Division of
17 Internal Investigation, the Division of Operations, the
18 Division of Patrol Operations, or any other Division or
19 organizational entity in the Illinois State Police is
20 vested by law with duties to maintain public order,
21 investigate violations of the criminal law of this State,
22 enforce the laws of this State, make arrests and recover
23 property. The term "special agent" includes any title or
24 position in the Illinois State Police that is held by an
25 individual employed under the Illinois State Police Act.

26 (5) The term "investigator for the Secretary of State"

1 means any person employed by the Office of the Secretary
2 of State and vested with such investigative duties as
3 render him ineligible for coverage under the Social
4 Security Act by reason of Sections 218(d)(5)(A),
5 218(d)(8)(D) and 218(1)(1) of that Act.

6 A person who became employed as an investigator for
7 the Secretary of State between January 1, 1967 and
8 December 31, 1975, and who has served as such until
9 attainment of age 60, either continuously or with a single
10 break in service of not more than 3 years duration, which
11 break terminated before January 1, 1976, shall be entitled
12 to have his retirement annuity calculated in accordance
13 with subsection (a), notwithstanding that he has less than
14 20 years of credit for such service.

15 (6) The term "Conservation Police Officer" means any
16 person employed by the Division of Law Enforcement of the
17 Department of Natural Resources and vested with such law
18 enforcement 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. The
21 term "Conservation Police Officer" includes the positions
22 of Chief Conservation Police Administrator and Assistant
23 Conservation Police Administrator.

24 (7) The term "investigator for the Department of
25 Revenue" means any person employed by the Department of
26 Revenue and vested with such investigative duties as

1 render him ineligible for coverage under the Social
2 Security Act by reason of Sections 218(d)(5)(A),
3 218(d)(8)(D) and 218(1)(1) of that Act.

4 The term "investigator for the Illinois Gaming Board"
5 means any person employed as such by the Illinois Gaming
6 Board and vested with such peace officer duties as render
7 the person ineligible for coverage under the Social
8 Security Act by reason of Sections 218(d)(5)(A),
9 218(d)(8)(D), and 218(1)(1) of that Act.

10 (8) The term "security employee of the Department of
11 Human Services" means any person employed by the
12 Department of Human Services who (i) is employed at the
13 Chester Mental Health Center and has daily contact with
14 the residents thereof, (ii) is employed within a security
15 unit at a facility operated by the Department and has
16 daily contact with the residents of the security unit,
17 (iii) is employed at a facility operated by the Department
18 that includes a security unit and is regularly scheduled
19 to work at least 50% of his or her working hours within
20 that security unit, or (iv) is a mental health police
21 officer. "Mental health police officer" means any person
22 employed by the Department of Human Services in a position
23 pertaining to the Department's mental health and
24 developmental disabilities functions who is vested with
25 such law enforcement duties as render the person
26 ineligible for coverage under the Social Security Act by

1 reason of Sections 218(d)(5)(A), 218(d)(8)(D) and
2 218(1)(1) of that Act. "Security unit" means that portion
3 of a facility that is devoted to the care, containment,
4 and treatment of persons committed to the Department of
5 Human Services as sexually violent persons, persons unfit
6 to stand trial, or persons not guilty by reason of
7 insanity. With respect to past employment, references to
8 the Department of Human Services include its predecessor,
9 the Department of Mental Health and Developmental
10 Disabilities.

11 The changes made to this subdivision (c)(8) by Public
12 Act 92-14 apply to persons who retire on or after January
13 1, 2001, notwithstanding Section 1-103.1.

14 (9) "Central Management Services security police
15 officer" means any person employed by the Department of
16 Central Management Services who is vested with such law
17 enforcement duties as render him ineligible for coverage
18 under the Social Security Act by reason of Sections
19 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act.

20 (10) For a member who first became an employee under
21 this Article before July 1, 2005, the term "security
22 employee of the Department of Corrections or the
23 Department of Juvenile Justice" means any employee of the
24 Department of Corrections or the Department of Juvenile
25 Justice or the former Department of Personnel, and any
26 member or employee of the Prisoner Review Board, who has

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

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

18 (12) The term "investigator for the Illinois State
19 Police" means a person employed by the Illinois State
20 Police who is vested under Section 4 of the Narcotic
21 Control Division Abolition Act with such law enforcement
22 powers as render him ineligible for coverage under the
23 Social Security Act by reason of Sections 218(d)(5)(A),
24 218(d)(8)(D) and 218(1)(1) of that Act.

25 (13) "Investigator for the Office of the Attorney
26 General" means any person who is employed as such by the

1 Office of the Attorney General and is vested with such
2 investigative 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. For
5 the period before January 1, 1989, the term includes all
6 persons who were employed as investigators by the Office
7 of the Attorney General, without regard to social security
8 status.

9 (14) "Controlled substance inspector" means any person
10 who is employed as such by the Department of Professional
11 Regulation and is vested with such law enforcement duties
12 as render him ineligible for coverage under the Social
13 Security Act by reason of Sections 218(d)(5)(A),
14 218(d)(8)(D) and 218(1)(1) of that Act. The term
15 "controlled substance inspector" includes the Program
16 Executive of Enforcement and the Assistant Program
17 Executive of Enforcement.

18 (15) The term "investigator for the Office of the
19 State's Attorneys Appellate Prosecutor" means a person
20 employed in that capacity on a full-time ~~full-time~~ basis
21 under the authority of Section 7.06 of the State's
22 Attorneys Appellate Prosecutor's Act.

23 (16) "Commerce Commission police officer" means any
24 person employed by the Illinois Commerce Commission who is
25 vested with such law enforcement duties as render him
26 ineligible for coverage under the Social Security Act by

1 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and
2 218(1)(1) of that Act.

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

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

21 (i) A person employed on a full-time basis by the
22 Illinois Department of Transportation in the position
23 of highway maintainer, highway maintenance lead
24 worker, highway maintenance lead/lead worker, heavy
25 construction equipment operator, power shovel
26 operator, or bridge mechanic; and whose principal

1 responsibility is to perform, on the roadway, the
2 actual maintenance necessary to keep the highways that
3 form a part of the State highway system in serviceable
4 condition for vehicular traffic.

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

18 (19) The term "security employee of the Department of
19 Innovation and Technology" means a person who was a
20 security employee of the Department of Corrections or the
21 Department of Juvenile Justice, was transferred to the
22 Department of Innovation and Technology pursuant to
23 Executive Order 2016-01, and continues to perform similar
24 job functions under that Department.

25 (20) "Transferred employee" means an employee who was
26 transferred to the Department of Central Management

1 Services by Executive Order No. 2003-10 or Executive Order
2 No. 2004-2 or transferred to the Department of Innovation
3 and Technology by Executive Order No. 2016-1, or both, and
4 was entitled to eligible creditable service for services
5 immediately preceding the transfer.

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

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

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

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

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

25 (v) beginning January 1, 1990, 25 years of eligible
26 creditable service and age 51, or 21 years of eligible

1 creditable service and age 55; or

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

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

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

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

1 State, shall be deemed to have been service as a noncovered
2 employee, provided that the employee pays to the System prior
3 to retirement an amount equal to (1) the difference between
4 the employee contributions that would have been required for
5 such service as a noncovered employee, and the amount of
6 employee contributions actually paid, plus (2) if payment is
7 made after July 31, 1987, regular interest on the amount
8 specified in item (1) from the date of service to the date of
9 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
14 be deemed to have been service as a noncovered employee,
15 provided that the employee pays to the System prior to
16 retirement an amount equal to (1) the difference between the
17 employee contributions that would have been required for such
18 service as a noncovered employee, and the amount of employee
19 contributions actually paid, plus (2) if payment is made after
20 January 1, 1990, regular interest on the amount specified in
21 item (1) from 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
26 an 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
6 for each year, compounded annually, from the date of service
7 to the 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
19 for each year, compounded annually, from the date of service
20 to the 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
6 thereon at the effective rate for each year, compounded
7 annually, from 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
18 would have been contributed had such contributions been made
19 at the rates applicable to State policemen, plus (ii) interest
20 thereon at the effective rate for each year, compounded
21 annually, from 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
2 of 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
11 for each year, compounded annually, from the date of service
12 to the 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
22 96-745) and paying to the System an amount to be determined by
23 the 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

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

25 Subject to the limitation in subsection (i), a State
26 policeman, arson investigator, or Commerce Commission police

1 officer may elect to establish eligible creditable service for
2 up to 5 years of service as a person employed by a
3 participating municipality to perform police duties under
4 Article 7, a county corrections officer, a court services
5 officer under Article 9, or a firefighter under Article 4 by
6 filing a written election with the Board within 6 months after
7 July 30, 2021 (the effective date of Public Act 102-210) ~~this~~
8 ~~amendatory Act of the 102nd General Assembly~~ and paying to the
9 System an amount to be determined by the Board equal to (i) the
10 difference between the amount of employee and employer
11 contributions transferred to the System under Sections
12 4-108.8, 7-139.8, and 9-121.10 and the amounts that would have
13 been contributed had such contributions been made at the rates
14 applicable to State policemen, plus (ii) interest thereon at
15 the actuarially assumed rate for each year, compounded
16 annually, from the date of service to the date of payment.

17 Subject to the limitation in subsection (i), a
18 conservation police officer may elect to establish eligible
19 creditable service for up to 5 years of service as a person
20 employed by a participating municipality to perform police
21 duties under Article 7, a county corrections officer, or a
22 court services officer under Article 9 by filing a written
23 election with the Board within 6 months after July 30, 2021
24 (the effective date of Public Act 102-210) ~~this amendatory Act~~
25 ~~of the 102nd General Assembly~~ and paying to the System 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 Sections 7-139.8
3 and 9-121.10 and the amounts that would have been contributed
4 had such contributions been made at the rates applicable to
5 State policemen, plus (ii) interest thereon at the actuarially
6 assumed rate for each year, compounded annually, from the date
7 of service to the date of payment.

8 Subject to the limitation in subsection (i), an
9 investigator for the Department of Revenue, investigator for
10 the Illinois Gaming Board, or arson investigator may elect to
11 establish eligible creditable service for up to 5 years of
12 service as a person employed by a participating municipality
13 to perform police duties under Article 7, a county corrections
14 officer, a court services officer under Article 9, or a
15 firefighter under Article 4 by filing a written election with
16 the Board within 6 months after the effective date of this
17 amendatory Act of the 102nd General Assembly and paying to the
18 System an amount to be determined by the Board equal to (i) the
19 difference between the amount of employee and employer
20 contributions transferred to the System under Sections
21 4-108.8, 7-139.8, and 9-121.10 and the amounts that would have
22 been contributed had such contributions been made at the rates
23 applicable to investigators for the Department of Revenue,
24 investigators for the Illinois Gaming Board, or arson
25 investigators, plus (ii) interest thereon at the actuarially
26 assumed rate for each year, compounded annually, from the date

1 of service to the date of payment.

2 Notwithstanding the limitation in subsection (i), a State
3 policeman or conservation police officer may elect to convert
4 service credit earned under this Article to eligible
5 creditable service, as defined by this Section, by filing a
6 written election with the board within 6 months after July 30,
7 2021 (the effective date of Public Act 102-210) ~~this~~
8 ~~amendatory Act of the 102nd General Assembly~~ and paying to the
9 System an amount to be determined by the Board equal to (i) the
10 difference between the amount of employee contributions
11 originally paid for that service and the amounts that would
12 have been contributed had such contributions been made at the
13 rates applicable to State policemen, plus (ii) the difference
14 between the employer's normal cost of the credit prior to the
15 conversion authorized by Public Act 102-210 ~~this amendatory~~
16 ~~Act of the 102nd General Assembly~~ and the employer's normal
17 cost of the credit converted in accordance with Public Act
18 102-210 ~~this amendatory Act of the 102nd General Assembly,~~
19 plus (iii) interest thereon at the actuarially assumed rate
20 for each year, compounded annually, from the date of service
21 to the date of payment.

22 (i) The total amount of eligible creditable service
23 established by any person under subsections (g), (h), (j),
24 (k), (l), (l-5), and (o) of this Section shall not exceed 12
25 years.

26 (j) Subject to the limitation in subsection (i), an

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

15 (k) Subject to the limitation in subsection (i) of this
16 Section, an alternative formula employee may elect to
17 establish eligible creditable service for periods spent as a
18 full-time law enforcement officer or full-time corrections
19 officer employed by the federal government or by a state or
20 local government located outside of Illinois, for which credit
21 is not held in any other public employee pension fund or
22 retirement system. To obtain this credit, the applicant must
23 file a written application with the Board by March 31, 1998,
24 accompanied by evidence of eligibility acceptable to the Board
25 and payment of an amount to be determined by the Board, equal
26 to (1) employee contributions for the credit being

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

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

25 (1-5) Subject to the limitation in subsection (i) of this
26 Section, a State policeman may elect to establish eligible

1 creditable service for up to 5 years of service as a full-time
2 law enforcement officer employed by the federal government or
3 by a state or local government located outside of Illinois for
4 which credit is not held in any other public employee pension
5 fund or retirement system. To obtain this credit, the
6 applicant must file a written application with the Board no
7 later than 3 years after January 1, 2020 (the effective date of
8 Public Act 101-610) ~~this amendatory Act of the 101st General~~
9 ~~Assembly~~, accompanied by evidence of eligibility acceptable to
10 the Board and payment of an amount to be determined by the
11 Board, equal to (1) employee contributions for the credit
12 being established, based upon the applicant's salary on the
13 first day as an alternative formula employee after the
14 employment for which credit is being established and the rates
15 then applicable to alternative formula employees, plus (2) an
16 amount determined by the Board to be the employer's normal
17 cost of the benefits accrued for the credit being established,
18 plus (3) regular interest on the amounts in items (1) and (2)
19 from the first day as an alternative formula employee after
20 the employment for which credit is being established to the
21 date of payment.

22 (m) The amendatory changes to this Section made by Public
23 Act 94-696 ~~this amendatory Act of the 94th General Assembly~~
24 apply only to: (1) security employees of the Department of
25 Juvenile Justice employed by the Department of Corrections
26 before June 1, 2006 (the effective date of Public Act 94-696)

1 ~~this amendatory Act of the 94th General Assembly~~ and
2 transferred to the Department of Juvenile Justice by Public
3 Act 94-696 ~~this amendatory Act of the 94th General Assembly;~~
4 and (2) persons employed by the Department of Juvenile Justice
5 on or after June 1, 2006 (the effective date of Public Act
6 94-696) ~~this amendatory Act of the 94th General Assembly~~ who
7 are required by subsection (b) of Section 3-2.5-15 of the
8 Unified Code of Corrections to have any bachelor's or advanced
9 degree from an accredited college or university or, in the
10 case of persons who provide vocational training, who are
11 required to have adequate knowledge in the skill for which
12 they are providing the vocational training.

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

24 (o) Subject to the limitation in subsection (i), a
25 conservation police officer, investigator for the Secretary of
26 State, Commerce Commission police officer, investigator for

1 the Department of Revenue or the Illinois Gaming Board, or
2 arson investigator subject to subsection (g) of Section 1-160
3 may elect to convert up to 8 years of service credit
4 established before January 1, 2020 (the effective date of
5 Public Act 101-610) ~~this amendatory Act of the 101st General~~
6 ~~Assembly~~ as a conservation police officer, investigator for
7 the Secretary of State, Commerce Commission police officer,
8 investigator for the Department of Revenue or the Illinois
9 Gaming Board, or arson investigator under this Article into
10 eligible creditable service by filing a written election with
11 the Board no later than one year after January 1, 2020 (the
12 effective date of Public Act 101-610) ~~this amendatory Act of~~
13 ~~the 101st General Assembly~~, accompanied by payment of an
14 amount to be determined by the Board equal to (i) the
15 difference between the amount of the employee contributions
16 actually paid for that service and the amount of the employee
17 contributions that would have been paid had the employee
18 contributions been made as a noncovered employee serving in a
19 position in which eligible creditable service, as defined in
20 this Section, may be earned, plus (ii) interest thereon at the
21 effective rate for each year, compounded annually, from the
22 date of service to the date of payment.

23 (Source: P.A. 101-610, eff. 1-1-20; 102-210, eff. 7-30-21;
24 102-538, eff. 8-20-21; revised 10-12-21.)

1 Sec. 14-152.1. Application and expiration of new benefit
2 increases.

3 (a) As used in this Section, "new benefit increase" means
4 an increase in the amount of any benefit provided under this
5 Article, or an expansion of the conditions of eligibility for
6 any benefit under this Article, that results from an amendment
7 to this Code that takes effect after June 1, 2005 (the
8 effective date of Public Act 94-4). "New benefit increase",
9 however, does not include any benefit increase resulting from
10 the changes made to Article 1 or this Article by Public Act
11 96-37, Public Act 100-23, Public Act 100-587, Public Act
12 100-611, Public Act 101-10, Public Act 101-610, Public Act
13 102-210, or this amendatory Act of the 102nd General Assembly
14 ~~or this amendatory Act of the 102nd General Assembly.~~

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

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

24 Every new benefit increase is contingent upon the General
25 Assembly providing the additional funding required under this
26 subsection. The Commission on Government Forecasting and

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

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

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

1 continues in service after the expiration date and did not
2 apply and qualify for the affected benefit while the new
3 benefit increase was in effect.

4 (Source: P.A. 101-10, eff. 6-5-19; 101-81, eff. 7-12-19;
5 101-610, eff. 1-1-20; 102-210, eff. 7-30-21.)

6 Section 90. The State Mandates Act is amended by adding
7 Section 8.46 as follows:

8 (30 ILCS 805/8.46 new)

9 Sec. 8.46. Exempt mandate. Notwithstanding Sections 6 and
10 8 of this Act, no reimbursement by the State is required for
11 the implementation of any mandate created by this amendatory
12 Act of the 102nd General Assembly."