



Sen. Christopher Belt

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1 AMENDMENT TO SENATE BILL 3778

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3778, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

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

8 (40 ILCS 5/4-108.8)

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

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

1 fund under this Article to the State Employees' Retirement  
2 System in accordance with Section 14-110. The creditable  
3 service shall be transferred only upon payment by the  
4 firefighters' pension fund to the State Employees' Retirement  
5 System of an amount equal to:

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

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

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

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

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

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

23 (40 ILCS 5/7-139.8) (from Ch. 108 1/2, par. 7-139.8)

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

25 (a) Any active member of the State Employees' Retirement

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

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

21 (2) municipality credits based on such service,  
22 including interest; and

23 (3) any interest paid by the applicant to reinstate  
24 such service.

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

1 (b) Any person applying to transfer service under this  
2 Section may reinstate credits and creditable service  
3 terminated upon receipt of a separation benefit, by paying to  
4 the Fund the amount of the separation benefit plus interest  
5 thereon at the actuarially assumed rate of interest to the  
6 date of payment.

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

8 (40 ILCS 5/9-121.10) (from Ch. 108 1/2, par. 9-121.10)

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

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

25 (2) the corresponding municipality credits, including

1 interest, on the books of the Fund on the date of transfer;  
2 and

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

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

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

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

15 (40 ILCS 5/14-110) (from Ch. 108 1/2, par. 14-110)

16 Sec. 14-110. Alternative retirement annuity.

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

1 (i) for periods of service as a noncovered employee:  
2 if retirement occurs on or after January 1, 2001, 3% of  
3 final average compensation for each year of creditable  
4 service; if retirement occurs before January 1, 2001, 2  
5 1/4% of final average compensation for each of the first  
6 10 years of creditable service, 2 1/2% for each year above  
7 10 years to and including 20 years of creditable service,  
8 and 2 3/4% for each year of creditable service above 20  
9 years; and

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

19 Such annuity shall be subject to a maximum of 75% of final  
20 average compensation if retirement occurs before January 1,  
21 2001 or to a maximum of 80% of final average compensation if  
22 retirement occurs on or after January 1, 2001.

23 These rates shall not be applicable to any service  
24 performed by a member as a covered employee which is not  
25 eligible creditable service. Service as a covered employee  
26 which is not eligible creditable service shall be subject to

1 the rates and provisions of Section 14-108.

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

5 (1) State policeman;

6 (2) fire fighter in the fire protection service of a  
7 department;

8 (3) air pilot;

9 (4) special agent;

10 (5) investigator for the Secretary of State;

11 (6) conservation police officer;

12 (7) investigator for the Department of Revenue or the  
13 Illinois Gaming Board;

14 (8) security employee of the Department of Human  
15 Services;

16 (9) Central Management Services security police  
17 officer;

18 (10) security employee of the Department of  
19 Corrections or the Department of Juvenile Justice;

20 (11) dangerous drugs investigator;

21 (12) investigator for the Illinois State Police;

22 (13) investigator for the Office of the Attorney  
23 General;

24 (14) controlled substance inspector;

25 (15) investigator for the Office of the State's  
26 Attorneys Appellate Prosecutor;

- 1           (16) Commerce Commission police officer;
- 2           (17) arson investigator;
- 3           (18) State highway maintenance worker;
- 4           (19) security employee of the Department of Innovation  
5           and Technology; or
- 6           (20) transferred employee.

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

17          A person under paragraph (20) is entitled to eligible  
18          creditable service for service credit earned under this  
19          Article on and after his or her transfer by Executive Order No.  
20          2003-10, Executive Order No. 2004-2, or Executive Order No.  
21          2016-1.

22          (c) For the purposes of this Section:

23                 (1) The term "State policeman" 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                 (2) The term "fire fighter in the fire protection



1 service of a department" includes all officers in such  
2 fire protection service including fire chiefs and  
3 assistant fire chiefs.

4 (3) The term "air pilot" includes any employee whose  
5 official job description on file in the Department of  
6 Central Management Services, or in the department by which  
7 he is employed if that department is not covered by the  
8 Personnel Code, states that his principal duty is the  
9 operation of aircraft, and who possesses a pilot's  
10 license; however, the change in this definition made by  
11 Public Act 83-842 ~~this amendatory Act of 1983~~ shall not  
12 operate to exclude any noncovered employee who was an "air  
13 pilot" for the purposes of this Section on January 1,  
14 1984.

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

1 individual employed under the Illinois State Police Act.

2 (5) The term "investigator for the Secretary of State"  
3 means any person employed by the Office of the Secretary  
4 of State and vested with such investigative duties as  
5 render him ineligible for coverage under the Social  
6 Security Act by reason of Sections 218(d)(5)(A),  
7 218(d)(8)(D) and 218(1)(1) of that Act.

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

17 (6) The term "Conservation Police Officer" means any  
18 person employed by the Division of Law Enforcement of the  
19 Department of Natural Resources and vested with such law  
20 enforcement duties as render him ineligible for coverage  
21 under the Social Security Act by reason of Sections  
22 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The  
23 term "Conservation Police Officer" includes the positions  
24 of Chief Conservation Police Administrator and Assistant  
25 Conservation Police Administrator.

26 (7) The term "investigator for the Department of

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

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

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

13 The changes made to this subdivision (c)(8) by Public  
14 Act 92-14 apply to persons who retire on or after January  
15 1, 2001, notwithstanding Section 1-103.1.

16 (9) "Central Management Services security police  
17 officer" means any person employed by the Department of  
18 Central Management Services who is vested with such law  
19 enforcement duties as render him ineligible for coverage  
20 under the Social Security Act by reason of Sections  
21 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act.

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

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

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

20 (12) The term "investigator for the Illinois State  
21 Police" means a person employed by the Illinois State  
22 Police who is vested under Section 4 of the Narcotic  
23 Control Division Abolition Act with such law enforcement  
24 powers as render him ineligible for coverage under the  
25 Social Security Act by reason of Sections 218(d)(5)(A),  
26 218(d)(8)(D) and 218(1)(1) of that Act.

1           (13) "Investigator for the Office of the Attorney  
2           General" means any person who is employed as such by the  
3           Office of the Attorney General and is vested with such  
4           investigative duties as render him ineligible for coverage  
5           under the Social Security Act by reason of Sections  
6           218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act. For  
7           the period before January 1, 1989, the term includes all  
8           persons who were employed as investigators by the Office  
9           of the Attorney General, without regard to social security  
10          status.

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

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

25          (16) "Commerce Commission police officer" means any  
26          person employed by the Illinois Commerce Commission who is

1 vested with such law enforcement duties as render him  
2 ineligible for coverage under the Social Security Act by  
3 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and  
4 218(1)(1) of that Act.

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

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

23 (i) A person employed on a full-time basis by the  
24 Illinois Department of Transportation in the position  
25 of highway maintainer, highway maintenance lead  
26 worker, highway maintenance lead/lead worker, heavy

1 construction equipment operator, power shovel  
2 operator, or bridge mechanic; and whose principal  
3 responsibility is to perform, on the roadway, the  
4 actual maintenance necessary to keep the highways that  
5 form a part of the State highway system in serviceable  
6 condition for vehicular traffic.

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

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



1           (20) "Transferred employee" means an employee who was  
2 transferred to the Department of Central Management  
3 Services by Executive Order No. 2003-10 or Executive Order  
4 No. 2004-2 or transferred to the Department of Innovation  
5 and Technology by Executive Order No. 2016-1, or both, and  
6 was entitled to eligible creditable service for services  
7 immediately preceding the transfer.

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

16           (i) 25 years of eligible creditable service and age  
17 55; or

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

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

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

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

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

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

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

24          (f) For purposes of calculating retirement annuities under  
25          this Section, periods of service rendered after December 31,  
26          1968 and before October 1, 1975 as a covered employee in the

1 position of special agent, conservation police officer, mental  
2 health police officer, or investigator for the Secretary of  
3 State, shall be deemed to have been service as a noncovered  
4 employee, provided that the employee pays to the System prior  
5 to retirement an amount equal to (1) the difference between  
6 the employee contributions that would have been required for  
7 such service as a noncovered employee, and the amount of  
8 employee contributions actually paid, plus (2) if payment is  
9 made after July 31, 1987, regular interest on the amount  
10 specified in item (1) from the date of service to the date of  
11 payment.

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

24 (g) A State policeman may elect, not later than January 1,  
25 1990, to establish eligible creditable service for up to 10  
26 years of his service as a policeman under Article 3, by filing

1 a written election with the Board, accompanied by payment of  
2 an amount to be determined by the Board, equal to (i) the  
3 difference between the amount of employee and employer  
4 contributions transferred to the System under Section 3-110.5,  
5 and the amounts that would have been contributed had such  
6 contributions been made at the rates applicable to State  
7 policemen, plus (ii) interest thereon at the effective rate  
8 for each year, compounded annually, from the date of service  
9 to the date of payment.

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

23 (h) Subject to the limitation in subsection (i), a State  
24 policeman or investigator for the Secretary of State may elect  
25 to establish eligible creditable service for up to 12 years of  
26 his service as a policeman under Article 5, by filing a written

1 election with the Board on or before January 31, 1992, and  
2 paying to the System by January 31, 1994 an amount to be  
3 determined by the Board, equal to (i) the difference between  
4 the amount of employee and employer contributions transferred  
5 to the System under Section 5-236, and the amounts that would  
6 have been contributed had such contributions been made at the  
7 rates applicable to State policemen, plus (ii) interest  
8 thereon at the effective rate for each year, compounded  
9 annually, from the date of service to the date of payment.

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

24 Subject to the limitation in subsection (i), a State  
25 policeman, conservation police officer, or investigator for  
26 the Secretary of State may elect to establish eligible

1 creditable service for up to 5 years of service as a police  
2 officer under Article 3, a policeman under Article 5, a  
3 sheriff's law enforcement employee under Article 7, a member  
4 of the county police department under Article 9, or a police  
5 officer under Article 15 by filing a written election with the  
6 Board and paying to the System an amount to be determined by  
7 the Board, equal to (i) the difference between the amount of  
8 employee and employer contributions transferred to the System  
9 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4  
10 and the amounts that would have been contributed had such  
11 contributions been made at the rates applicable to State  
12 policemen, plus (ii) interest thereon at the effective rate  
13 for each year, compounded annually, from the date of service  
14 to the date of payment.

15 Subject to the limitation in subsection (i), an  
16 investigator for the Office of the Attorney General, or an  
17 investigator for the Department of Revenue, may elect to  
18 establish eligible creditable service for up to 5 years of  
19 service as a police officer under Article 3, a policeman under  
20 Article 5, a sheriff's law enforcement employee under Article  
21 7, or a member of the county police department under Article 9  
22 by filing a written election with the Board within 6 months  
23 after August 25, 2009 (the effective date of Public Act  
24 96-745) and paying to the System an amount to be determined by  
25 the Board, equal to (i) the difference between the amount of  
26 employee and employer contributions transferred to the System

1 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the  
2 amounts that would have been contributed had such  
3 contributions been made at the rates applicable to State  
4 policemen, plus (ii) interest thereon at the actuarially  
5 assumed rate for each year, compounded annually, from the date  
6 of service to the date of payment.

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

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

19           Subject to the limitation in subsection (i), a  
20 conservation police officer may elect to establish eligible  
21 creditable service for up to 5 years of service as a person  
22 employed by a participating municipality to perform police  
23 duties under Article 7, a county corrections officer, or a  
24 court services officer under Article 9 by filing a written  
25 election with the Board within 6 months after July 30, 2021  
26 (the effective date of Public Act 102-210) ~~this amendatory Act~~



1 ~~of the 102nd General Assembly~~ and paying to the System an  
2 amount to be determined by the Board equal to (i) the  
3 difference between the amount of employee and employer  
4 contributions transferred to the System under Sections 7-139.8  
5 and 9-121.10 and the amounts that would have been contributed  
6 had such contributions been made at the rates applicable to  
7 State policemen, plus (ii) interest thereon at the actuarially  
8 assumed rate for each year, compounded annually, from the date  
9 of service to the date of payment.

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

1 assumed rate for each year, compounded annually, from the date  
2 of service to the date of payment.

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

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

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

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

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

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

26 (1-5) Subject to the limitation in subsection (i) of this

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

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

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

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

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

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

24 (Source: P.A. 101-610, eff. 1-1-20; 102-210, eff. 7-30-21;  
25 102-538, eff. 8-20-21; revised 10-12-21.)

1 (40 ILCS 5/14-152.1)

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

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

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

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

25 Every new benefit increase is contingent upon the General  
26 Assembly providing the additional funding required under this



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

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

21 (e) Except as otherwise provided in the language creating  
22 the new benefit increase, a new benefit increase that expires  
23 under this Section continues to apply to persons who applied  
24 and qualified for the affected benefit while the new benefit  
25 increase was in effect and to the affected beneficiaries and  
26 alternate payees of such persons, but does not apply to any

1 other person, including, without limitation, a person who  
2 continues in service after the expiration date and did not  
3 apply and qualify for the affected benefit while the new  
4 benefit increase was in effect.

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

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

9 (30 ILCS 805/8.46 new)

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