



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 Notwithstanding the limitation in subsection (i), an
24 investigator for the Department of Revenue, investigator for
25 the Illinois Gaming Board, investigator for the Secretary of
26 State, or arson investigator may elect to convert service

1 credit earned under this Article to eligible creditable
2 service, as defined by this Section, by filing a written
3 election with the Board within 6 months after the effective
4 date of this amendatory Act of the 102nd General Assembly and
5 paying to the System an amount to be determined by the Board
6 equal to (i) the difference between the amount of employee
7 contributions originally paid for that service and the amounts
8 that would have been contributed had such contributions been
9 made at the rates applicable to investigators for the
10 Department of Revenue, investigators for the Illinois Gaming
11 Board, investigators for the Secretary of State, or arson
12 investigators, plus (ii) the difference between the employer's
13 normal cost of the credit prior to the conversion authorized
14 by this amendatory Act of the 102nd General Assembly and the
15 employer's normal cost of the credit converted in accordance
16 with this amendatory Act of the 102nd General Assembly, plus
17 (iii) interest thereon at the actuarially assumed rate for
18 each year, compounded annually, from the date of service to
19 the date of payment.

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

24 (j) Subject to the limitation in subsection (i), an
25 investigator for the Office of the State's Attorneys Appellate
26 Prosecutor or a controlled substance inspector may elect to

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

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

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

9 (1) Subject to the limitation in subsection (i), a
10 security employee of the Department of Corrections may elect,
11 not later than July 1, 1998, to establish eligible creditable
12 service for up to 10 years of his or her service as a policeman
13 under Article 3, by filing a written election with the Board,
14 accompanied by payment of an amount to be determined by the
15 Board, equal to (i) the difference between the amount of
16 employee and employer contributions transferred to the System
17 under Section 3-110.5, and the amounts that would have been
18 contributed had such contributions been made at the rates
19 applicable to security employees of the Department of
20 Corrections, 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 (1-5) Subject to the limitation in subsection (i) of this
24 Section, a State policeman may elect to establish eligible
25 creditable service for up to 5 years of service as a full-time
26 law enforcement officer employed by the federal government or

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

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

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

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

22 (o) Subject to the limitation in subsection (i), a
23 conservation police officer, investigator for the Secretary of
24 State, Commerce Commission police officer, investigator for
25 the Department of Revenue or the Illinois Gaming Board, or
26 arson investigator subject to subsection (g) of Section 1-160

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

21 (Source: P.A. 101-610, eff. 1-1-20; 102-210, eff. 7-30-21;
22 102-538, eff. 8-20-21; revised 10-12-21.)

23 (40 ILCS 5/14-152.1)

24 Sec. 14-152.1. Application and expiration of new benefit
25 increases.

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

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

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

22 Every new benefit increase is contingent upon the General
23 Assembly providing the additional funding required under this
24 subsection. The Commission on Government Forecasting and
25 Accountability shall analyze whether adequate additional
26 funding has been provided for the new benefit increase and

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

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

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

1 benefit increase was in effect.

2 (Source: P.A. 101-10, eff. 6-5-19; 101-81, eff. 7-12-19;
3 101-610, eff. 1-1-20; 102-210, eff. 7-30-21.)

4 Section 90. The State Mandates Act is amended by adding
5 Section 8.46 as follows:

6 (30 ILCS 805/8.46 new)

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