



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3785

Introduced 1/21/2022, by Sen. John F. Curran

SYNOPSIS AS INTRODUCED:

40 ILCS 5/3-110.10
40 ILCS 5/7-139.14
30 ILCS 805/8.46 new

Amends the Downstate Police and Illinois Municipal Retirement Fund (IMRF) Articles of the Illinois Pension Code. Provides that within 6 months after the effective date of the amendatory Act, a person may transfer to a fund established under the Downstate Police Article creditable service accumulated under IMRF for service as a county correctional officer upon payment to the police pension fund of a specified amount to be determined by the board. Provides that any person applying to transfer service under the provisions may reinstate credits and creditable service under IMRF that were terminated upon receipt of a separation benefit by paying to IMRF the amount of the separation benefit plus interest thereon at the actuarially assumed rate of interest to the date of payment. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB102 22518 RPS 31659 b

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning public employee benefits.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

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

6 (40 ILCS 5/3-110.10)

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

19 No later than 6 months after July 23, 2021 (the effective
20 date of Public Act 102-113) ~~this amendatory Act of the 102nd~~
21 ~~General Assembly~~, a person may transfer to a fund established
22 under this Article creditable service accumulated under
23 Article 7 of this Code for service as a sheriff's law

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

12 No later than 6 months after the effective date of this
13 amendatory Act of the 102nd General Assembly, a person may
14 transfer to a fund established under this Article creditable
15 service accumulated under Article 7 of this Code for service
16 as a county correctional officer upon payment to the fund of an
17 amount to be determined by the board, equal to (i) the
18 difference between the amount of employee and employer
19 contributions transferred to the fund under Section 7-139.14
20 and the amounts that would have been contributed had such
21 contributions been made at the rates applicable to an employee
22 under this Article, plus (ii) interest thereon at the
23 actuarially assumed rate, compounded annually, from the date
24 of service to the date of payment.

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

1 (40 ILCS 5/7-139.14)

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

3 (a) Within 6 months after July 23, 2021 (the effective
4 date of Public Act 102-113) ~~this amendatory Act of the 102nd~~
5 ~~General Assembly~~, an active member of a pension fund
6 established under Article 3 of this Code may apply for
7 transfer to that Article 3 pension fund of his or her credits
8 and creditable service accumulated in this Fund for service as
9 a sheriff's law enforcement employee, person employed by a
10 participating municipality to perform police duties, or law
11 enforcement officer employed on a full-time basis by a forest
12 preserve district. The creditable service shall be transferred
13 only upon payment by this Fund to such Article 3 pension fund
14 of an amount equal to:

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

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

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

22 Within 6 months after the effective date of this
23 amendatory Act of the 102nd General Assembly, an active member
24 of a pension fund established under Article 3 of this Code may
25 apply for transfer to that Article 3 pension fund of his or her
26 credits and creditable service accumulated in this Fund for

1 service as a county correctional officer. The creditable
2 service shall be transferred only upon payment by this Fund to
3 such Article 3 pension fund of an amount equal to:

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

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

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

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

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

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

22 Section 90. The State Mandates Act is amended by adding
23 Section 8.46 as follows:

24 (30 ILCS 805/8.46 new)

1 Sec. 8.46. Exempt mandate. Notwithstanding Sections 6 and
2 8 of this Act, no reimbursement by the State is required for
3 the implementation of any mandate created by this amendatory
4 Act of the 102nd General Assembly.

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.