



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB1299

Introduced 1/31/2023, by Rep. Michael T. Marron

SYNOPSIS AS INTRODUCED:

40 ILCS 5/1-160

40 ILCS 5/14-110

40 ILCS 5/14-152.1

from Ch. 108 1/2, par. 14-110

Amends the State Employee Article of the Illinois Pension Code. Provides that the alternative retirement annuity provisions apply to a Tier 2 State highway maintenance worker. Authorizes a Tier 2 State highway maintenance worker to convert up to 8 years of certain service credit established before the effective date of the amendatory Act into eligible creditable service under the alternative retirement annuity provisions upon application and payment of a specified contribution. Provides that any benefit increase that results from the amendatory Act is excluded from the definition of "new benefit increase".

LRB103 05659 RPS 50678 b

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 1-160, 14-110, and 14-152.1 as follows:

6 (40 ILCS 5/1-160)

7 (Text of Section from P.A. 102-719)

8 Sec. 1-160. Provisions applicable to new hires.

9 (a) The provisions of this Section apply to a person who,
10 on or after January 1, 2011, first becomes a member or a
11 participant under any reciprocal retirement system or pension
12 fund established under this Code, other than a retirement
13 system or pension fund established under Article 2, 3, 4, 5, 6,
14 7, 15, or 18 of this Code, notwithstanding any other provision
15 of this Code to the contrary, but do not apply to any
16 self-managed plan established under this Code or to any
17 participant of the retirement plan established under Section
18 22-101; except that this Section applies to a person who
19 elected to establish alternative credits by electing in
20 writing after January 1, 2011, but before August 8, 2011,
21 under Section 7-145.1 of this Code. Notwithstanding anything
22 to the contrary in this Section, for purposes of this Section,
23 a person who is a Tier 1 regular employee as defined in Section

1 7-109.4 of this Code or who participated in a retirement
2 system under Article 15 prior to January 1, 2011 shall be
3 deemed a person who first became a member or participant prior
4 to January 1, 2011 under any retirement system or pension fund
5 subject to this Section. The changes made to this Section by
6 Public Act 98-596 are a clarification of existing law and are
7 intended to be retroactive to January 1, 2011 (the effective
8 date of Public Act 96-889), notwithstanding the provisions of
9 Section 1-103.1 of this Code.

10 This Section does not apply to a person who first becomes a
11 noncovered employee under Article 14 on or after the
12 implementation date of the plan created under Section 1-161
13 for that Article, unless that person elects under subsection
14 (b) of Section 1-161 to instead receive the benefits provided
15 under this Section and the applicable provisions of that
16 Article.

17 This Section does not apply to a person who first becomes a
18 member or participant under Article 16 on or after the
19 implementation date of the plan created under Section 1-161
20 for that Article, unless that person elects under subsection
21 (b) of Section 1-161 to instead receive the benefits provided
22 under this Section and the applicable provisions of that
23 Article.

24 This Section does not apply to a person who elects under
25 subsection (c-5) of Section 1-161 to receive the benefits
26 under Section 1-161.

1 This Section does not apply to a person who first becomes a
2 member or participant of an affected pension fund on or after 6
3 months after the resolution or ordinance date, as defined in
4 Section 1-162, unless that person elects under subsection (c)
5 of Section 1-162 to receive the benefits provided under this
6 Section and the applicable provisions of the Article under
7 which he or she is a member or participant.

8 (b) "Final average salary" means, except as otherwise
9 provided in this subsection, the average monthly (or annual)
10 salary obtained by dividing the total salary or earnings
11 calculated under the Article applicable to the member or
12 participant during the 96 consecutive months (or 8 consecutive
13 years) of service within the last 120 months (or 10 years) of
14 service in which the total salary or earnings calculated under
15 the applicable Article was the highest by the number of months
16 (or years) of service in that period. For the purposes of a
17 person who first becomes a member or participant of any
18 retirement system or pension fund to which this Section
19 applies on or after January 1, 2011, in this Code, "final
20 average salary" shall be substituted for the following:

21 (1) (Blank).

22 (2) In Articles 8, 9, 10, 11, and 12, "highest average
23 annual salary for any 4 consecutive years within the last
24 10 years of service immediately preceding the date of
25 withdrawal".

26 (3) In Article 13, "average final salary".

1 (4) In Article 14, "final average compensation".

2 (5) In Article 17, "average salary".

3 (6) In Section 22-207, "wages or salary received by
4 him at the date of retirement or discharge".

5 A member of the Teachers' Retirement System of the State
6 of Illinois who retires on or after June 1, 2021 and for whom
7 the 2020-2021 school year is used in the calculation of the
8 member's final average salary shall use the higher of the
9 following for the purpose of determining the member's final
10 average salary:

11 (A) the amount otherwise calculated under the first
12 paragraph of this subsection; or

13 (B) an amount calculated by the Teachers' Retirement
14 System of the State of Illinois using the average of the
15 monthly (or annual) salary obtained by dividing the total
16 salary or earnings calculated under Article 16 applicable
17 to the member or participant during the 96 months (or 8
18 years) of service within the last 120 months (or 10 years)
19 of service in which the total salary or earnings
20 calculated under the Article was the highest by the number
21 of months (or years) of service in that period.

22 (b-5) Beginning on January 1, 2011, for all purposes under
23 this Code (including without limitation the calculation of
24 benefits and employee contributions), the annual earnings,
25 salary, or wages (based on the plan year) of a member or
26 participant to whom this Section applies shall not exceed

1 \$106,800; however, that amount shall annually thereafter be
2 increased by the lesser of (i) 3% of that amount, including all
3 previous adjustments, or (ii) one-half the annual unadjusted
4 percentage increase (but not less than zero) in the consumer
5 price index-u for the 12 months ending with the September
6 preceding each November 1, including all previous adjustments.

7 For the purposes of this Section, "consumer price index-u"
8 means the index published by the Bureau of Labor Statistics of
9 the United States Department of Labor that measures the
10 average change in prices of goods and services purchased by
11 all urban consumers, United States city average, all items,
12 1982-84 = 100. The new amount resulting from each annual
13 adjustment shall be determined by the Public Pension Division
14 of the Department of Insurance and made available to the
15 boards of the retirement systems and pension funds by November
16 1 of each year.

17 (c) A member or participant is entitled to a retirement
18 annuity upon written application if he or she has attained age
19 67 (age 65, with respect to service under Article 12 that is
20 subject to this Section, for a member or participant under
21 Article 12 who first becomes a member or participant under
22 Article 12 on or after January 1, 2022 or who makes the
23 election under item (i) of subsection (d-15) of this Section)
24 and has at least 10 years of service credit and is otherwise
25 eligible under the requirements of the applicable Article.

26 A member or participant who has attained age 62 (age 60,

1 with respect to service under Article 12 that is subject to
2 this Section, for a member or participant under Article 12 who
3 first becomes a member or participant under Article 12 on or
4 after January 1, 2022 or who makes the election under item (i)
5 of subsection (d-15) of this Section) and has at least 10 years
6 of service credit and is otherwise eligible under the
7 requirements of the applicable Article may elect to receive
8 the lower retirement annuity provided in subsection (d) of
9 this Section.

10 (c-5) A person who first becomes a member or a participant
11 subject to this Section on or after July 6, 2017 (the effective
12 date of Public Act 100-23), notwithstanding any other
13 provision of this Code to the contrary, is entitled to a
14 retirement annuity under Article 8 or Article 11 upon written
15 application if he or she has attained age 65 and has at least
16 10 years of service credit and is otherwise eligible under the
17 requirements of Article 8 or Article 11 of this Code,
18 whichever is applicable.

19 (d) The retirement annuity of a member or participant who
20 is retiring after attaining age 62 (age 60, with respect to
21 service under Article 12 that is subject to this Section, for a
22 member or participant under Article 12 who first becomes a
23 member or participant under Article 12 on or after January 1,
24 2022 or who makes the election under item (i) of subsection
25 (d-15) of this Section) with at least 10 years of service
26 credit shall be reduced by one-half of 1% for each full month

1 that the member's age is under age 67 (age 65, with respect to
2 service under Article 12 that is subject to this Section, for a
3 member or participant under Article 12 who first becomes a
4 member or participant under Article 12 on or after January 1,
5 2022 or who makes the election under item (i) of subsection
6 (d-15) of this Section).

7 (d-5) The retirement annuity payable under Article 8 or
8 Article 11 to an eligible person subject to subsection (c-5)
9 of this Section who is retiring at age 60 with at least 10
10 years of service credit shall be reduced by one-half of 1% for
11 each full month that the member's age is under age 65.

12 (d-10) Each person who first became a member or
13 participant under Article 8 or Article 11 of this Code on or
14 after January 1, 2011 and prior to July 6, 2017 (the effective
15 date of Public Act 100-23) shall make an irrevocable election
16 either:

17 (i) to be eligible for the reduced retirement age
18 provided in subsections (c-5) and (d-5) of this Section,
19 the eligibility for which is conditioned upon the member
20 or participant agreeing to the increases in employee
21 contributions for age and service annuities provided in
22 subsection (a-5) of Section 8-174 of this Code (for
23 service under Article 8) or subsection (a-5) of Section
24 11-170 of this Code (for service under Article 11); or

25 (ii) to not agree to item (i) of this subsection
26 (d-10), in which case the member or participant shall

1 continue to be subject to the retirement age provisions in
2 subsections (c) and (d) of this Section and the employee
3 contributions for age and service annuity as provided in
4 subsection (a) of Section 8-174 of this Code (for service
5 under Article 8) or subsection (a) of Section 11-170 of
6 this Code (for service under Article 11).

7 The election provided for in this subsection shall be made
8 between October 1, 2017 and November 15, 2017. A person
9 subject to this subsection who makes the required election
10 shall remain bound by that election. A person subject to this
11 subsection who fails for any reason to make the required
12 election within the time specified in this subsection shall be
13 deemed to have made the election under item (ii).

14 (d-15) Each person who first becomes a member or
15 participant under Article 12 on or after January 1, 2011 and
16 prior to January 1, 2022 shall make an irrevocable election
17 either:

18 (i) to be eligible for the reduced retirement age
19 specified in subsections (c) and (d) of this Section, the
20 eligibility for which is conditioned upon the member or
21 participant agreeing to the increase in employee
22 contributions for service annuities specified in
23 subsection (b) of Section 12-150; or

24 (ii) to not agree to item (i) of this subsection
25 (d-15), in which case the member or participant shall not
26 be eligible for the reduced retirement age specified in

1 subsections (c) and (d) of this Section and shall not be
2 subject to the increase in employee contributions for
3 service annuities specified in subsection (b) of Section
4 12-150.

5 The election provided for in this subsection shall be made
6 between January 1, 2022 and April 1, 2022. A person subject to
7 this subsection who makes the required election shall remain
8 bound by that election. A person subject to this subsection
9 who fails for any reason to make the required election within
10 the time specified in this subsection shall be deemed to have
11 made the election under item (ii).

12 (e) Any retirement annuity or supplemental annuity shall
13 be subject to annual increases on the January 1 occurring
14 either on or after the attainment of age 67 (age 65, with
15 respect to service under Article 12 that is subject to this
16 Section, for a member or participant under Article 12 who
17 first becomes a member or participant under Article 12 on or
18 after January 1, 2022 or who makes the election under item (i)
19 of subsection (d-15); and beginning on July 6, 2017 (the
20 effective date of Public Act 100-23), age 65 with respect to
21 service under Article 8 or Article 11 for eligible persons
22 who: (i) are subject to subsection (c-5) of this Section; or
23 (ii) made the election under item (i) of subsection (d-10) of
24 this Section) or the first anniversary of the annuity start
25 date, whichever is later. Each annual increase shall be
26 calculated at 3% or one-half the annual unadjusted percentage

1 increase (but not less than zero) in the consumer price
2 index-u for the 12 months ending with the September preceding
3 each November 1, whichever is less, of the originally granted
4 retirement annuity. If the annual unadjusted percentage change
5 in the consumer price index-u for the 12 months ending with the
6 September preceding each November 1 is zero or there is a
7 decrease, then the annuity shall not be increased.

8 For the purposes of Section 1-103.1 of this Code, the
9 changes made to this Section by Public Act 102-263 are
10 applicable without regard to whether the employee was in
11 active service on or after August 6, 2021 (the effective date
12 of Public Act 102-263).

13 For the purposes of Section 1-103.1 of this Code, the
14 changes made to this Section by Public Act 100-23 are
15 applicable without regard to whether the employee was in
16 active service on or after July 6, 2017 (the effective date of
17 Public Act 100-23).

18 (f) The initial survivor's or widow's annuity of an
19 otherwise eligible survivor or widow of a retired member or
20 participant who first became a member or participant on or
21 after January 1, 2011 shall be in the amount of 66 2/3% of the
22 retired member's or participant's retirement annuity at the
23 date of death. In the case of the death of a member or
24 participant who has not retired and who first became a member
25 or participant on or after January 1, 2011, eligibility for a
26 survivor's or widow's annuity shall be determined by the

1 applicable Article of this Code. The initial benefit shall be
2 66 2/3% of the earned annuity without a reduction due to age. A
3 child's annuity of an otherwise eligible child shall be in the
4 amount prescribed under each Article if applicable. Any
5 survivor's or widow's annuity shall be increased (1) on each
6 January 1 occurring on or after the commencement of the
7 annuity if the deceased member died while receiving a
8 retirement annuity or (2) in other cases, on each January 1
9 occurring after the first anniversary of the commencement of
10 the annuity. Each annual increase shall be calculated at 3% or
11 one-half the annual unadjusted percentage increase (but not
12 less than zero) in the consumer price index-u for the 12 months
13 ending with the September preceding each November 1, whichever
14 is less, of the originally granted survivor's annuity. If the
15 annual unadjusted percentage change in the consumer price
16 index-u for the 12 months ending with the September preceding
17 each November 1 is zero or there is a decrease, then the
18 annuity shall not be increased.

19 (g) The benefits in Section 14-110 apply if the person is a
20 fire fighter in the fire protection service of a department, a
21 security employee of the Department of Corrections or the
22 Department of Juvenile Justice, ~~or~~ a security employee of the
23 Department of Innovation and Technology, or a State highway
24 maintenance worker, as those terms are defined in subsection
25 (b) and subsection (c) of Section 14-110. A person who meets
26 the requirements of this Section is entitled to an annuity

1 calculated under the provisions of Section 14-110, in lieu of
2 the regular or minimum retirement annuity, only if the person
3 has withdrawn from service with not less than 20 years of
4 eligible creditable service and has attained age 60,
5 regardless of whether the attainment of age 60 occurs while
6 the person is still in service.

7 (g-5) The benefits in Section 14-110 apply if the person
8 is a State policeman, investigator for the Secretary of State,
9 conservation police officer, investigator for the Department
10 of Revenue or the Illinois Gaming Board, investigator for the
11 Office of the Attorney General, Commerce Commission police
12 officer, or arson investigator, as those terms are defined in
13 subsection (b) and subsection (c) of Section 14-110. A person
14 who meets the requirements of this Section is entitled to an
15 annuity calculated under the provisions of Section 14-110, in
16 lieu of the regular or minimum retirement annuity, only if the
17 person has withdrawn from service with not less than 20 years
18 of eligible creditable service and has attained age 55,
19 regardless of whether the attainment of age 55 occurs while
20 the person is still in service.

21 (h) If a person who first becomes a member or a participant
22 of a retirement system or pension fund subject to this Section
23 on or after January 1, 2011 is receiving a retirement annuity
24 or retirement pension under that system or fund and becomes a
25 member or participant under any other system or fund created
26 by this Code and is employed on a full-time basis, except for

1 those members or participants exempted from the provisions of
2 this Section under subsection (a) of this Section, then the
3 person's retirement annuity or retirement pension under that
4 system or fund shall be suspended during that employment. Upon
5 termination of that employment, the person's retirement
6 annuity or retirement pension payments shall resume and be
7 recalculated if recalculation is provided for under the
8 applicable Article of this Code.

9 If a person who first becomes a member of a retirement
10 system or pension fund subject to this Section on or after
11 January 1, 2012 and is receiving a retirement annuity or
12 retirement pension under that system or fund and accepts on a
13 contractual basis a position to provide services to a
14 governmental entity from which he or she has retired, then
15 that person's annuity or retirement pension earned as an
16 active employee of the employer shall be suspended during that
17 contractual service. A person receiving an annuity or
18 retirement pension under this Code shall notify the pension
19 fund or retirement system from which he or she is receiving an
20 annuity or retirement pension, as well as his or her
21 contractual employer, of his or her retirement status before
22 accepting contractual employment. A person who fails to submit
23 such notification shall be guilty of a Class A misdemeanor and
24 required to pay a fine of \$1,000. Upon termination of that
25 contractual employment, the person's retirement annuity or
26 retirement pension payments shall resume and, if appropriate,

1 be recalculated under the applicable provisions of this Code.

2 (i) (Blank).

3 (j) In the case of a conflict between the provisions of
4 this Section and any other provision of this Code, the
5 provisions of this Section shall control.

6 (Source: P.A. 101-610, eff. 1-1-20; 102-16, eff. 6-17-21;
7 102-210, eff. 1-1-22; 102-263, eff. 8-6-21; 102-719, eff.
8 5-6-22.)

9 (Text of Section from P.A. 102-813)

10 Sec. 1-160. Provisions applicable to new hires.

11 (a) The provisions of this Section apply to a person who,
12 on or after January 1, 2011, first becomes a member or a
13 participant under any reciprocal retirement system or pension
14 fund established under this Code, other than a retirement
15 system or pension fund established under Article 2, 3, 4, 5, 6,
16 7, 15, or 18 of this Code, notwithstanding any other provision
17 of this Code to the contrary, but do not apply to any
18 self-managed plan established under this Code or to any
19 participant of the retirement plan established under Section
20 22-101; except that this Section applies to a person who
21 elected to establish alternative credits by electing in
22 writing after January 1, 2011, but before August 8, 2011,
23 under Section 7-145.1 of this Code. Notwithstanding anything
24 to the contrary in this Section, for purposes of this Section,
25 a person who is a Tier 1 regular employee as defined in Section

1 7-109.4 of this Code or who participated in a retirement
2 system under Article 15 prior to January 1, 2011 shall be
3 deemed a person who first became a member or participant prior
4 to January 1, 2011 under any retirement system or pension fund
5 subject to this Section. The changes made to this Section by
6 Public Act 98-596 are a clarification of existing law and are
7 intended to be retroactive to January 1, 2011 (the effective
8 date of Public Act 96-889), notwithstanding the provisions of
9 Section 1-103.1 of this Code.

10 This Section does not apply to a person who first becomes a
11 noncovered employee under Article 14 on or after the
12 implementation date of the plan created under Section 1-161
13 for that Article, unless that person elects under subsection
14 (b) of Section 1-161 to instead receive the benefits provided
15 under this Section and the applicable provisions of that
16 Article.

17 This Section does not apply to a person who first becomes a
18 member or participant under Article 16 on or after the
19 implementation date of the plan created under Section 1-161
20 for that Article, unless that person elects under subsection
21 (b) of Section 1-161 to instead receive the benefits provided
22 under this Section and the applicable provisions of that
23 Article.

24 This Section does not apply to a person who elects under
25 subsection (c-5) of Section 1-161 to receive the benefits
26 under Section 1-161.

1 This Section does not apply to a person who first becomes a
2 member or participant of an affected pension fund on or after 6
3 months after the resolution or ordinance date, as defined in
4 Section 1-162, unless that person elects under subsection (c)
5 of Section 1-162 to receive the benefits provided under this
6 Section and the applicable provisions of the Article under
7 which he or she is a member or participant.

8 (b) "Final average salary" means, except as otherwise
9 provided in this subsection, the average monthly (or annual)
10 salary obtained by dividing the total salary or earnings
11 calculated under the Article applicable to the member or
12 participant during the 96 consecutive months (or 8 consecutive
13 years) of service within the last 120 months (or 10 years) of
14 service in which the total salary or earnings calculated under
15 the applicable Article was the highest by the number of months
16 (or years) of service in that period. For the purposes of a
17 person who first becomes a member or participant of any
18 retirement system or pension fund to which this Section
19 applies on or after January 1, 2011, in this Code, "final
20 average salary" shall be substituted for the following:

21 (1) (Blank).

22 (2) In Articles 8, 9, 10, 11, and 12, "highest average
23 annual salary for any 4 consecutive years within the last
24 10 years of service immediately preceding the date of
25 withdrawal".

26 (3) In Article 13, "average final salary".

1 (4) In Article 14, "final average compensation".

2 (5) In Article 17, "average salary".

3 (6) In Section 22-207, "wages or salary received by
4 him at the date of retirement or discharge".

5 A member of the Teachers' Retirement System of the State
6 of Illinois who retires on or after June 1, 2021 and for whom
7 the 2020-2021 school year is used in the calculation of the
8 member's final average salary shall use the higher of the
9 following for the purpose of determining the member's final
10 average salary:

11 (A) the amount otherwise calculated under the first
12 paragraph of this subsection; or

13 (B) an amount calculated by the Teachers' Retirement
14 System of the State of Illinois using the average of the
15 monthly (or annual) salary obtained by dividing the total
16 salary or earnings calculated under Article 16 applicable
17 to the member or participant during the 96 months (or 8
18 years) of service within the last 120 months (or 10 years)
19 of service in which the total salary or earnings
20 calculated under the Article was the highest by the number
21 of months (or years) of service in that period.

22 (b-5) Beginning on January 1, 2011, for all purposes under
23 this Code (including without limitation the calculation of
24 benefits and employee contributions), the annual earnings,
25 salary, or wages (based on the plan year) of a member or
26 participant to whom this Section applies shall not exceed

1 \$106,800; however, that amount shall annually thereafter be
2 increased by the lesser of (i) 3% of that amount, including all
3 previous adjustments, or (ii) one-half the annual unadjusted
4 percentage increase (but not less than zero) in the consumer
5 price index-u for the 12 months ending with the September
6 preceding each November 1, including all previous adjustments.

7 For the purposes of this Section, "consumer price index-u"
8 means the index published by the Bureau of Labor Statistics of
9 the United States Department of Labor that measures the
10 average change in prices of goods and services purchased by
11 all urban consumers, United States city average, all items,
12 1982-84 = 100. The new amount resulting from each annual
13 adjustment shall be determined by the Public Pension Division
14 of the Department of Insurance and made available to the
15 boards of the retirement systems and pension funds by November
16 1 of each year.

17 (c) A member or participant is entitled to a retirement
18 annuity upon written application if he or she has attained age
19 67 (age 65, with respect to service under Article 12 that is
20 subject to this Section, for a member or participant under
21 Article 12 who first becomes a member or participant under
22 Article 12 on or after January 1, 2022 or who makes the
23 election under item (i) of subsection (d-15) of this Section)
24 and has at least 10 years of service credit and is otherwise
25 eligible under the requirements of the applicable Article.

26 A member or participant who has attained age 62 (age 60,

1 with respect to service under Article 12 that is subject to
2 this Section, for a member or participant under Article 12 who
3 first becomes a member or participant under Article 12 on or
4 after January 1, 2022 or who makes the election under item (i)
5 of subsection (d-15) of this Section) and has at least 10 years
6 of service credit and is otherwise eligible under the
7 requirements of the applicable Article may elect to receive
8 the lower retirement annuity provided in subsection (d) of
9 this Section.

10 (c-5) A person who first becomes a member or a participant
11 subject to this Section on or after July 6, 2017 (the effective
12 date of Public Act 100-23), notwithstanding any other
13 provision of this Code to the contrary, is entitled to a
14 retirement annuity under Article 8 or Article 11 upon written
15 application if he or she has attained age 65 and has at least
16 10 years of service credit and is otherwise eligible under the
17 requirements of Article 8 or Article 11 of this Code,
18 whichever is applicable.

19 (d) The retirement annuity of a member or participant who
20 is retiring after attaining age 62 (age 60, with respect to
21 service under Article 12 that is subject to this Section, for a
22 member or participant under Article 12 who first becomes a
23 member or participant under Article 12 on or after January 1,
24 2022 or who makes the election under item (i) of subsection
25 (d-15) of this Section) with at least 10 years of service
26 credit shall be reduced by one-half of 1% for each full month

1 that the member's age is under age 67 (age 65, with respect to
2 service under Article 12 that is subject to this Section, for a
3 member or participant under Article 12 who first becomes a
4 member or participant under Article 12 on or after January 1,
5 2022 or who makes the election under item (i) of subsection
6 (d-15) of this Section).

7 (d-5) The retirement annuity payable under Article 8 or
8 Article 11 to an eligible person subject to subsection (c-5)
9 of this Section who is retiring at age 60 with at least 10
10 years of service credit shall be reduced by one-half of 1% for
11 each full month that the member's age is under age 65.

12 (d-10) Each person who first became a member or
13 participant under Article 8 or Article 11 of this Code on or
14 after January 1, 2011 and prior to July 6, 2017 (the effective
15 date of Public Act 100-23) shall make an irrevocable election
16 either:

17 (i) to be eligible for the reduced retirement age
18 provided in subsections (c-5) and (d-5) of this Section,
19 the eligibility for which is conditioned upon the member
20 or participant agreeing to the increases in employee
21 contributions for age and service annuities provided in
22 subsection (a-5) of Section 8-174 of this Code (for
23 service under Article 8) or subsection (a-5) of Section
24 11-170 of this Code (for service under Article 11); or

25 (ii) to not agree to item (i) of this subsection
26 (d-10), in which case the member or participant shall

1 continue to be subject to the retirement age provisions in
2 subsections (c) and (d) of this Section and the employee
3 contributions for age and service annuity as provided in
4 subsection (a) of Section 8-174 of this Code (for service
5 under Article 8) or subsection (a) of Section 11-170 of
6 this Code (for service under Article 11).

7 The election provided for in this subsection shall be made
8 between October 1, 2017 and November 15, 2017. A person
9 subject to this subsection who makes the required election
10 shall remain bound by that election. A person subject to this
11 subsection who fails for any reason to make the required
12 election within the time specified in this subsection shall be
13 deemed to have made the election under item (ii).

14 (d-15) Each person who first becomes a member or
15 participant under Article 12 on or after January 1, 2011 and
16 prior to January 1, 2022 shall make an irrevocable election
17 either:

18 (i) to be eligible for the reduced retirement age
19 specified in subsections (c) and (d) of this Section, the
20 eligibility for which is conditioned upon the member or
21 participant agreeing to the increase in employee
22 contributions for service annuities specified in
23 subsection (b) of Section 12-150; or

24 (ii) to not agree to item (i) of this subsection
25 (d-15), in which case the member or participant shall not
26 be eligible for the reduced retirement age specified in

1 subsections (c) and (d) of this Section and shall not be
2 subject to the increase in employee contributions for
3 service annuities specified in subsection (b) of Section
4 12-150.

5 The election provided for in this subsection shall be made
6 between January 1, 2022 and April 1, 2022. A person subject to
7 this subsection who makes the required election shall remain
8 bound by that election. A person subject to this subsection
9 who fails for any reason to make the required election within
10 the time specified in this subsection shall be deemed to have
11 made the election under item (ii).

12 (e) Any retirement annuity or supplemental annuity shall
13 be subject to annual increases on the January 1 occurring
14 either on or after the attainment of age 67 (age 65, with
15 respect to service under Article 12 that is subject to this
16 Section, for a member or participant under Article 12 who
17 first becomes a member or participant under Article 12 on or
18 after January 1, 2022 or who makes the election under item (i)
19 of subsection (d-15); and beginning on July 6, 2017 (the
20 effective date of Public Act 100-23), age 65 with respect to
21 service under Article 8 or Article 11 for eligible persons
22 who: (i) are subject to subsection (c-5) of this Section; or
23 (ii) made the election under item (i) of subsection (d-10) of
24 this Section) or the first anniversary of the annuity start
25 date, whichever is later. Each annual increase shall be
26 calculated at 3% or one-half the annual unadjusted percentage

1 increase (but not less than zero) in the consumer price
2 index-u for the 12 months ending with the September preceding
3 each November 1, whichever is less, of the originally granted
4 retirement annuity. If the annual unadjusted percentage change
5 in the consumer price index-u for the 12 months ending with the
6 September preceding each November 1 is zero or there is a
7 decrease, then the annuity shall not be increased.

8 For the purposes of Section 1-103.1 of this Code, the
9 changes made to this Section by Public Act 102-263 are
10 applicable without regard to whether the employee was in
11 active service on or after August 6, 2021 (the effective date
12 of Public Act 102-263).

13 For the purposes of Section 1-103.1 of this Code, the
14 changes made to this Section by Public Act 100-23 are
15 applicable without regard to whether the employee was in
16 active service on or after July 6, 2017 (the effective date of
17 Public Act 100-23).

18 (f) The initial survivor's or widow's annuity of an
19 otherwise eligible survivor or widow of a retired member or
20 participant who first became a member or participant on or
21 after January 1, 2011 shall be in the amount of 66 2/3% of the
22 retired member's or participant's retirement annuity at the
23 date of death. In the case of the death of a member or
24 participant who has not retired and who first became a member
25 or participant on or after January 1, 2011, eligibility for a
26 survivor's or widow's annuity shall be determined by the

1 applicable Article of this Code. The initial benefit shall be
2 66 2/3% of the earned annuity without a reduction due to age. A
3 child's annuity of an otherwise eligible child shall be in the
4 amount prescribed under each Article if applicable. Any
5 survivor's or widow's annuity shall be increased (1) on each
6 January 1 occurring on or after the commencement of the
7 annuity if the deceased member died while receiving a
8 retirement annuity or (2) in other cases, on each January 1
9 occurring after the first anniversary of the commencement of
10 the annuity. Each annual increase shall be calculated at 3% or
11 one-half the annual unadjusted percentage increase (but not
12 less than zero) in the consumer price index-u for the 12 months
13 ending with the September preceding each November 1, whichever
14 is less, of the originally granted survivor's annuity. If the
15 annual unadjusted percentage change in the consumer price
16 index-u for the 12 months ending with the September preceding
17 each November 1 is zero or there is a decrease, then the
18 annuity shall not be increased.

19 (g) The benefits in Section 14-110 apply only if the
20 person is a State policeman, a fire fighter in the fire
21 protection service of a department, a conservation police
22 officer, an investigator for the Secretary of State, an arson
23 investigator, a Commerce Commission police officer,
24 investigator for the Department of Revenue or the Illinois
25 Gaming Board, a security employee of the Department of
26 Corrections or the Department of Juvenile Justice, ~~or~~ a

1 security employee of the Department of Innovation and
2 Technology, or a State highway maintenance worker, as those
3 terms are defined in subsection (b) and subsection (c) of
4 Section 14-110. A person who meets the requirements of this
5 Section is entitled to an annuity calculated under the
6 provisions of Section 14-110, in lieu of the regular or
7 minimum retirement annuity, only if the person has withdrawn
8 from service with not less than 20 years of eligible
9 creditable service and has attained age 60, regardless of
10 whether the attainment of age 60 occurs while the person is
11 still in service.

12 (h) If a person who first becomes a member or a participant
13 of a retirement system or pension fund subject to this Section
14 on or after January 1, 2011 is receiving a retirement annuity
15 or retirement pension under that system or fund and becomes a
16 member or participant under any other system or fund created
17 by this Code and is employed on a full-time basis, except for
18 those members or participants exempted from the provisions of
19 this Section under subsection (a) of this Section, then the
20 person's retirement annuity or retirement pension under that
21 system or fund shall be suspended during that employment. Upon
22 termination of that employment, the person's retirement
23 annuity or retirement pension payments shall resume and be
24 recalculated if recalculation is provided for under the
25 applicable Article of this Code.

26 If a person who first becomes a member of a retirement

1 system or pension fund subject to this Section on or after
2 January 1, 2012 and is receiving a retirement annuity or
3 retirement pension under that system or fund and accepts on a
4 contractual basis a position to provide services to a
5 governmental entity from which he or she has retired, then
6 that person's annuity or retirement pension earned as an
7 active employee of the employer shall be suspended during that
8 contractual service. A person receiving an annuity or
9 retirement pension under this Code shall notify the pension
10 fund or retirement system from which he or she is receiving an
11 annuity or retirement pension, as well as his or her
12 contractual employer, of his or her retirement status before
13 accepting contractual employment. A person who fails to submit
14 such notification shall be guilty of a Class A misdemeanor and
15 required to pay a fine of \$1,000. Upon termination of that
16 contractual employment, the person's retirement annuity or
17 retirement pension payments shall resume and, if appropriate,
18 be recalculated under the applicable provisions of this Code.

19 (i) (Blank).

20 (j) In the case of a conflict between the provisions of
21 this Section and any other provision of this Code, the
22 provisions of this Section shall control.

23 (Source: P.A. 101-610, eff. 1-1-20; 102-16, eff. 6-17-21;
24 102-210, eff. 1-1-22; 102-263, eff. 8-6-21; 102-813, eff.
25 5-13-22.)

1 (Text of Section from P.A. 102-956)

2 Sec. 1-160. Provisions applicable to new hires.

3 (a) The provisions of this Section apply to a person who,
4 on or after January 1, 2011, first becomes a member or a
5 participant under any reciprocal retirement system or pension
6 fund established under this Code, other than a retirement
7 system or pension fund established under Article 2, 3, 4, 5, 6,
8 7, 15, or 18 of this Code, notwithstanding any other provision
9 of this Code to the contrary, but do not apply to any
10 self-managed plan established under this Code or to any
11 participant of the retirement plan established under Section
12 22-101; except that this Section applies to a person who
13 elected to establish alternative credits by electing in
14 writing after January 1, 2011, but before August 8, 2011,
15 under Section 7-145.1 of this Code. Notwithstanding anything
16 to the contrary in this Section, for purposes of this Section,
17 a person who is a Tier 1 regular employee as defined in Section
18 7-109.4 of this Code or who participated in a retirement
19 system under Article 15 prior to January 1, 2011 shall be
20 deemed a person who first became a member or participant prior
21 to January 1, 2011 under any retirement system or pension fund
22 subject to this Section. The changes made to this Section by
23 Public Act 98-596 are a clarification of existing law and are
24 intended to be retroactive to January 1, 2011 (the effective
25 date of Public Act 96-889), notwithstanding the provisions of
26 Section 1-103.1 of this Code.

1 This Section does not apply to a person who first becomes a
2 noncovered employee under Article 14 on or after the
3 implementation date of the plan created under Section 1-161
4 for that Article, unless that person elects under subsection
5 (b) of Section 1-161 to instead receive the benefits provided
6 under this Section and the applicable provisions of that
7 Article.

8 This Section does not apply to a person who first becomes a
9 member or participant under Article 16 on or after the
10 implementation date of the plan created under Section 1-161
11 for that Article, unless that person elects under subsection
12 (b) of Section 1-161 to instead receive the benefits provided
13 under this Section and the applicable provisions of that
14 Article.

15 This Section does not apply to a person who elects under
16 subsection (c-5) of Section 1-161 to receive the benefits
17 under Section 1-161.

18 This Section does not apply to a person who first becomes a
19 member or participant of an affected pension fund on or after 6
20 months after the resolution or ordinance date, as defined in
21 Section 1-162, unless that person elects under subsection (c)
22 of Section 1-162 to receive the benefits provided under this
23 Section and the applicable provisions of the Article under
24 which he or she is a member or participant.

25 (b) "Final average salary" means, except as otherwise
26 provided in this subsection, the average monthly (or annual)

1 salary obtained by dividing the total salary or earnings
2 calculated under the Article applicable to the member or
3 participant during the 96 consecutive months (or 8 consecutive
4 years) of service within the last 120 months (or 10 years) of
5 service in which the total salary or earnings calculated under
6 the applicable Article was the highest by the number of months
7 (or years) of service in that period. For the purposes of a
8 person who first becomes a member or participant of any
9 retirement system or pension fund to which this Section
10 applies on or after January 1, 2011, in this Code, "final
11 average salary" shall be substituted for the following:

12 (1) (Blank).

13 (2) In Articles 8, 9, 10, 11, and 12, "highest average
14 annual salary for any 4 consecutive years within the last
15 10 years of service immediately preceding the date of
16 withdrawal".

17 (3) In Article 13, "average final salary".

18 (4) In Article 14, "final average compensation".

19 (5) In Article 17, "average salary".

20 (6) In Section 22-207, "wages or salary received by
21 him at the date of retirement or discharge".

22 A member of the Teachers' Retirement System of the State
23 of Illinois who retires on or after June 1, 2021 and for whom
24 the 2020-2021 school year is used in the calculation of the
25 member's final average salary shall use the higher of the
26 following for the purpose of determining the member's final

1 average salary:

2 (A) the amount otherwise calculated under the first
3 paragraph of this subsection; or

4 (B) an amount calculated by the Teachers' Retirement
5 System of the State of Illinois using the average of the
6 monthly (or annual) salary obtained by dividing the total
7 salary or earnings calculated under Article 16 applicable
8 to the member or participant during the 96 months (or 8
9 years) of service within the last 120 months (or 10 years)
10 of service in which the total salary or earnings
11 calculated under the Article was the highest by the number
12 of months (or years) of service in that period.

13 (b-5) Beginning on January 1, 2011, for all purposes under
14 this Code (including without limitation the calculation of
15 benefits and employee contributions), the annual earnings,
16 salary, or wages (based on the plan year) of a member or
17 participant to whom this Section applies shall not exceed
18 \$106,800; however, that amount shall annually thereafter be
19 increased by the lesser of (i) 3% of that amount, including all
20 previous adjustments, or (ii) one-half the annual unadjusted
21 percentage increase (but not less than zero) in the consumer
22 price index-u for the 12 months ending with the September
23 preceding each November 1, including all previous adjustments.

24 For the purposes of this Section, "consumer price index-u"
25 means the index published by the Bureau of Labor Statistics of
26 the United States Department of Labor that measures the

1 average change in prices of goods and services purchased by
2 all urban consumers, United States city average, all items,
3 1982-84 = 100. The new amount resulting from each annual
4 adjustment shall be determined by the Public Pension Division
5 of the Department of Insurance and made available to the
6 boards of the retirement systems and pension funds by November
7 1 of each year.

8 (c) A member or participant is entitled to a retirement
9 annuity upon written application if he or she has attained age
10 67 (age 65, with respect to service under Article 12 that is
11 subject to this Section, for a member or participant under
12 Article 12 who first becomes a member or participant under
13 Article 12 on or after January 1, 2022 or who makes the
14 election under item (i) of subsection (d-15) of this Section)
15 and has at least 10 years of service credit and is otherwise
16 eligible under the requirements of the applicable Article.

17 A member or participant who has attained age 62 (age 60,
18 with respect to service under Article 12 that is subject to
19 this Section, for a member or participant under Article 12 who
20 first becomes a member or participant under Article 12 on or
21 after January 1, 2022 or who makes the election under item (i)
22 of subsection (d-15) of this Section) and has at least 10 years
23 of service credit and is otherwise eligible under the
24 requirements of the applicable Article may elect to receive
25 the lower retirement annuity provided in subsection (d) of
26 this Section.

1 (c-5) A person who first becomes a member or a participant
2 subject to this Section on or after July 6, 2017 (the effective
3 date of Public Act 100-23), notwithstanding any other
4 provision of this Code to the contrary, is entitled to a
5 retirement annuity under Article 8 or Article 11 upon written
6 application if he or she has attained age 65 and has at least
7 10 years of service credit and is otherwise eligible under the
8 requirements of Article 8 or Article 11 of this Code,
9 whichever is applicable.

10 (d) The retirement annuity of a member or participant who
11 is retiring after attaining age 62 (age 60, with respect to
12 service under Article 12 that is subject to this Section, for a
13 member or participant under Article 12 who first becomes a
14 member or participant under Article 12 on or after January 1,
15 2022 or who makes the election under item (i) of subsection
16 (d-15) of this Section) with at least 10 years of service
17 credit shall be reduced by one-half of 1% for each full month
18 that the member's age is under age 67 (age 65, with respect to
19 service under Article 12 that is subject to this Section, for a
20 member or participant under Article 12 who first becomes a
21 member or participant under Article 12 on or after January 1,
22 2022 or who makes the election under item (i) of subsection
23 (d-15) of this Section).

24 (d-5) The retirement annuity payable under Article 8 or
25 Article 11 to an eligible person subject to subsection (c-5)
26 of this Section who is retiring at age 60 with at least 10

1 years of service credit shall be reduced by one-half of 1% for
2 each full month that the member's age is under age 65.

3 (d-10) Each person who first became a member or
4 participant under Article 8 or Article 11 of this Code on or
5 after January 1, 2011 and prior to July 6, 2017 (the effective
6 date of Public Act 100-23) shall make an irrevocable election
7 either:

8 (i) to be eligible for the reduced retirement age
9 provided in subsections (c-5) and (d-5) of this Section,
10 the eligibility for which is conditioned upon the member
11 or participant agreeing to the increases in employee
12 contributions for age and service annuities provided in
13 subsection (a-5) of Section 8-174 of this Code (for
14 service under Article 8) or subsection (a-5) of Section
15 11-170 of this Code (for service under Article 11); or

16 (ii) to not agree to item (i) of this subsection
17 (d-10), in which case the member or participant shall
18 continue to be subject to the retirement age provisions in
19 subsections (c) and (d) of this Section and the employee
20 contributions for age and service annuity as provided in
21 subsection (a) of Section 8-174 of this Code (for service
22 under Article 8) or subsection (a) of Section 11-170 of
23 this Code (for service under Article 11).

24 The election provided for in this subsection shall be made
25 between October 1, 2017 and November 15, 2017. A person
26 subject to this subsection who makes the required election

1 shall remain bound by that election. A person subject to this
2 subsection who fails for any reason to make the required
3 election within the time specified in this subsection shall be
4 deemed to have made the election under item (ii).

5 (d-15) Each person who first becomes a member or
6 participant under Article 12 on or after January 1, 2011 and
7 prior to January 1, 2022 shall make an irrevocable election
8 either:

9 (i) to be eligible for the reduced retirement age
10 specified in subsections (c) and (d) of this Section, the
11 eligibility for which is conditioned upon the member or
12 participant agreeing to the increase in employee
13 contributions for service annuities specified in
14 subsection (b) of Section 12-150; or

15 (ii) to not agree to item (i) of this subsection
16 (d-15), in which case the member or participant shall not
17 be eligible for the reduced retirement age specified in
18 subsections (c) and (d) of this Section and shall not be
19 subject to the increase in employee contributions for
20 service annuities specified in subsection (b) of Section
21 12-150.

22 The election provided for in this subsection shall be made
23 between January 1, 2022 and April 1, 2022. A person subject to
24 this subsection who makes the required election shall remain
25 bound by that election. A person subject to this subsection
26 who fails for any reason to make the required election within

1 the time specified in this subsection shall be deemed to have
2 made the election under item (ii).

3 (e) Any retirement annuity or supplemental annuity shall
4 be subject to annual increases on the January 1 occurring
5 either on or after the attainment of age 67 (age 65, with
6 respect to service under Article 12 that is subject to this
7 Section, for a member or participant under Article 12 who
8 first becomes a member or participant under Article 12 on or
9 after January 1, 2022 or who makes the election under item (i)
10 of subsection (d-15); and beginning on July 6, 2017 (the
11 effective date of Public Act 100-23), age 65 with respect to
12 service under Article 8 or Article 11 for eligible persons
13 who: (i) are subject to subsection (c-5) of this Section; or
14 (ii) made the election under item (i) of subsection (d-10) of
15 this Section) or the first anniversary of the annuity start
16 date, whichever is later. Each annual increase shall be
17 calculated at 3% or one-half the annual unadjusted percentage
18 increase (but not less than zero) in the consumer price
19 index-u for the 12 months ending with the September preceding
20 each November 1, whichever is less, of the originally granted
21 retirement annuity. If the annual unadjusted percentage change
22 in the consumer price index-u for the 12 months ending with the
23 September preceding each November 1 is zero or there is a
24 decrease, then the annuity shall not be increased.

25 For the purposes of Section 1-103.1 of this Code, the
26 changes made to this Section by Public Act 102-263 are

1 applicable without regard to whether the employee was in
2 active service on or after August 6, 2021 (the effective date
3 of Public Act 102-263).

4 For the purposes of Section 1-103.1 of this Code, the
5 changes made to this Section by Public Act 100-23 are
6 applicable without regard to whether the employee was in
7 active service on or after July 6, 2017 (the effective date of
8 Public Act 100-23).

9 (f) The initial survivor's or widow's annuity of an
10 otherwise eligible survivor or widow of a retired member or
11 participant who first became a member or participant on or
12 after January 1, 2011 shall be in the amount of 66 2/3% of the
13 retired member's or participant's retirement annuity at the
14 date of death. In the case of the death of a member or
15 participant who has not retired and who first became a member
16 or participant on or after January 1, 2011, eligibility for a
17 survivor's or widow's annuity shall be determined by the
18 applicable Article of this Code. The initial benefit shall be
19 66 2/3% of the earned annuity without a reduction due to age. A
20 child's annuity of an otherwise eligible child shall be in the
21 amount prescribed under each Article if applicable. Any
22 survivor's or widow's annuity shall be increased (1) on each
23 January 1 occurring on or after the commencement of the
24 annuity if the deceased member died while receiving a
25 retirement annuity or (2) in other cases, on each January 1
26 occurring after the first anniversary of the commencement of

1 the annuity. Each annual increase shall be calculated at 3% or
2 one-half the annual unadjusted percentage increase (but not
3 less than zero) in the consumer price index-u for the 12 months
4 ending with the September preceding each November 1, whichever
5 is less, of the originally granted survivor's annuity. If the
6 annual unadjusted percentage change in the consumer price
7 index-u for the 12 months ending with the September preceding
8 each November 1 is zero or there is a decrease, then the
9 annuity shall not be increased.

10 (g) The benefits in Section 14-110 apply only if the
11 person is a State policeman, a fire fighter in the fire
12 protection service of a department, a conservation police
13 officer, an investigator for the Secretary of State, an
14 investigator for the Office of the Attorney General, an arson
15 investigator, a Commerce Commission police officer,
16 investigator for the Department of Revenue or the Illinois
17 Gaming Board, a security employee of the Department of
18 Corrections or the Department of Juvenile Justice, ~~or~~ a
19 security employee of the Department of Innovation and
20 Technology, or a State highway maintenance worker, as those
21 terms are defined in subsection (b) and subsection (c) of
22 Section 14-110. A person who meets the requirements of this
23 Section is entitled to an annuity calculated under the
24 provisions of Section 14-110, in lieu of the regular or
25 minimum retirement annuity, only if the person has withdrawn
26 from service with not less than 20 years of eligible

1 creditable service and has attained age 60, regardless of
2 whether the attainment of age 60 occurs while the person is
3 still in service.

4 (h) If a person who first becomes a member or a participant
5 of a retirement system or pension fund subject to this Section
6 on or after January 1, 2011 is receiving a retirement annuity
7 or retirement pension under that system or fund and becomes a
8 member or participant under any other system or fund created
9 by this Code and is employed on a full-time basis, except for
10 those members or participants exempted from the provisions of
11 this Section under subsection (a) of this Section, then the
12 person's retirement annuity or retirement pension under that
13 system or fund shall be suspended during that employment. Upon
14 termination of that employment, the person's retirement
15 annuity or retirement pension payments shall resume and be
16 recalculated if recalculation is provided for under the
17 applicable Article of this Code.

18 If a person who first becomes a member of a retirement
19 system or pension fund subject to this Section on or after
20 January 1, 2012 and is receiving a retirement annuity or
21 retirement pension under that system or fund and accepts on a
22 contractual basis a position to provide services to a
23 governmental entity from which he or she has retired, then
24 that person's annuity or retirement pension earned as an
25 active employee of the employer shall be suspended during that
26 contractual service. A person receiving an annuity or

1 retirement pension under this Code shall notify the pension
2 fund or retirement system from which he or she is receiving an
3 annuity or retirement pension, as well as his or her
4 contractual employer, of his or her retirement status before
5 accepting contractual employment. A person who fails to submit
6 such notification shall be guilty of a Class A misdemeanor and
7 required to pay a fine of \$1,000. Upon termination of that
8 contractual employment, the person's retirement annuity or
9 retirement pension payments shall resume and, if appropriate,
10 be recalculated under the applicable provisions of this Code.

11 (i) (Blank).

12 (j) In the case of a conflict between the provisions of
13 this Section and any other provision of this Code, the
14 provisions of this Section shall control.

15 (Source: P.A. 101-610, eff. 1-1-20; 102-16, eff. 6-17-21;
16 102-210, eff. 1-1-22; 102-263, eff. 8-6-21; 102-956, eff.
17 5-27-22.)

18 (40 ILCS 5/14-110) (from Ch. 108 1/2, par. 14-110)

19 (Text of Section from P.A. 102-813)

20 Sec. 14-110. Alternative retirement annuity.

21 (a) Any member who has withdrawn from service with not
22 less than 20 years of eligible creditable service and has
23 attained age 55, and any member who has withdrawn from service
24 with not less than 25 years of eligible creditable service and
25 has attained age 50, regardless of whether the attainment of

1 either of the specified ages occurs while the member is still
2 in service, shall be entitled to receive at the option of the
3 member, in lieu of the regular or minimum retirement annuity,
4 a retirement annuity computed as follows:

5 (i) for periods of service as a noncovered employee:
6 if retirement occurs on or after January 1, 2001, 3% of
7 final average compensation for each year of creditable
8 service; if retirement occurs before January 1, 2001, 2
9 1/4% of final average compensation for each of the first
10 10 years of creditable service, 2 1/2% for each year above
11 10 years to and including 20 years of creditable service,
12 and 2 3/4% for each year of creditable service above 20
13 years; and

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

23 Such annuity shall be subject to a maximum of 75% of final
24 average compensation if retirement occurs before January 1,
25 2001 or to a maximum of 80% of final average compensation if
26 retirement occurs on or after January 1, 2001.

1 These rates shall not be applicable to any service
2 performed by a member as a covered employee which is not
3 eligible creditable service. Service as a covered employee
4 which is not eligible creditable service shall be subject to
5 the rates and provisions of Section 14-108.

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

9 (1) State policeman;

10 (2) fire fighter in the fire protection service of a
11 department;

12 (3) air pilot;

13 (4) special agent;

14 (5) investigator for the Secretary of State;

15 (6) conservation police officer;

16 (7) investigator for the Department of Revenue or the
17 Illinois Gaming Board;

18 (8) security employee of the Department of Human
19 Services;

20 (9) Central Management Services security police
21 officer;

22 (10) security employee of the Department of
23 Corrections or the Department of Juvenile Justice;

24 (11) dangerous drugs investigator;

25 (12) investigator for the Illinois State Police;

26 (13) investigator for the Office of the Attorney

1 General;

2 (14) controlled substance inspector;

3 (15) investigator for the Office of the State's
4 Attorneys Appellate Prosecutor;

5 (16) Commerce Commission police officer;

6 (17) arson investigator;

7 (18) State highway maintenance worker;

8 (19) security employee of the Department of Innovation
9 and Technology; or

10 (20) transferred employee.

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

21 A person under paragraph (20) is entitled to eligible
22 creditable service for service credit earned under this
23 Article on and after his or her transfer by Executive Order No.
24 2003-10, Executive Order No. 2004-2, or Executive Order No.
25 2016-1.

26 (c) For the purposes of this Section:

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

4 (2) The term "fire fighter in the fire protection
5 service of a department" includes all officers in such
6 fire protection service including fire chiefs and
7 assistant fire chiefs.

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

18 (4) The term "special agent" means any person who by
19 reason of employment by the Division of Narcotic Control,
20 the Bureau of Investigation or, after July 1, 1977, the
21 Division of Criminal Investigation, the Division of
22 Internal Investigation, the Division of Operations, the
23 Division of Patrol Operations, or any other Division or
24 organizational entity in the Illinois State Police is
25 vested by law with duties to maintain public order,
26 investigate violations of the criminal law of this State,

1 enforce the laws of this State, make arrests and recover
2 property. The term "special agent" includes any title or
3 position in the Illinois State Police that is held by an
4 individual employed under the Illinois State Police Act.

5 (5) The term "investigator for the Secretary of State"
6 means any person employed by the Office of the Secretary
7 of State and vested with such investigative duties as
8 render him 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.

11 A person who became employed as an investigator for
12 the Secretary of State between January 1, 1967 and
13 December 31, 1975, and who has served as such until
14 attainment of age 60, either continuously or with a single
15 break in service of not more than 3 years duration, which
16 break terminated before January 1, 1976, shall be entitled
17 to have his retirement annuity calculated in accordance
18 with subsection (a), notwithstanding that he has less than
19 20 years of credit for such service.

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

1 of Chief Conservation Police Administrator and Assistant
2 Conservation Police Administrator.

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

9 The term "investigator for the Illinois Gaming Board"
10 means any person employed as such by the Illinois Gaming
11 Board and vested with such peace officer duties as render
12 the person ineligible for coverage under the Social
13 Security Act by reason of Sections 218(d)(5)(A),
14 218(d)(8)(D), and 218(1)(1) of that Act.

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

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

16 The changes made to this subdivision (c)(8) by Public
17 Act 92-14 apply to persons who retire on or after January
18 1, 2001, notwithstanding Section 1-103.1.

19 (9) "Central Management Services security police
20 officer" means any person employed by the Department of
21 Central Management Services who is vested with such law
22 enforcement duties as render him ineligible for coverage
23 under the Social Security Act by reason of Sections
24 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act.

25 (10) For a member who first became an employee under
26 this Article before July 1, 2005, the term "security

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

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

23 (12) The term "investigator for the Illinois State
24 Police" means a person employed by the Illinois State
25 Police who is vested under Section 4 of the Narcotic
26 Control Division Abolition Act with such law enforcement

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

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

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

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

1 Appellate Prosecutor's Act.

2 (16) "Commerce Commission police officer" means any
3 person employed by the Illinois Commerce Commission who is
4 vested with such law enforcement duties as render him
5 ineligible for coverage under the Social Security Act by
6 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and
7 218(1)(1) of that Act.

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

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

26 (i) A person employed on a full-time basis by the

1 Illinois Department of Transportation in the position
2 of highway maintainer, highway maintenance lead
3 worker, highway maintenance lead/lead worker, heavy
4 construction equipment operator, power shovel
5 operator, or bridge mechanic; and whose principal
6 responsibility is to perform, on the roadway, the
7 actual maintenance necessary to keep the highways that
8 form a part of the State highway system in serviceable
9 condition for vehicular traffic.

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

23 (19) The term "security employee of the Department of
24 Innovation and Technology" means a person who was a
25 security employee of the Department of Corrections or the
26 Department of Juvenile Justice, was transferred to the

1 Department of Innovation and Technology pursuant to
2 Executive Order 2016-01, and continues to perform similar
3 job functions under that Department.

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

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

19 (i) 25 years of eligible creditable service and age
20 55; or

21 (ii) beginning January 1, 1987, 25 years of eligible
22 creditable service and age 54, or 24 years of eligible
23 creditable service and age 55; or

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

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

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

7 (vi) beginning January 1, 1991, 25 years of eligible
8 creditable service and age 50, or 20 years of eligible
9 creditable service and age 55.

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

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

1 (f) For purposes of calculating retirement annuities under
2 this Section, periods of service rendered after December 31,
3 1968 and before October 1, 1975 as a covered employee in the
4 position of special agent, conservation police officer, mental
5 health police officer, or investigator for the Secretary of
6 State, shall be deemed to have been service as a noncovered
7 employee, provided that the employee pays to the System prior
8 to retirement an amount equal to (1) the difference between
9 the employee contributions that would have been required for
10 such service as a noncovered employee, and the amount of
11 employee contributions actually paid, plus (2) if payment is
12 made after July 31, 1987, regular interest on the amount
13 specified in item (1) from the date of service to the date of
14 payment.

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

1 (g) A State policeman may elect, not later than January 1,
2 1990, to establish eligible creditable service for up to 10
3 years of his service as a policeman under Article 3, by filing
4 a written election with the Board, accompanied by payment of
5 an amount to be determined by the Board, equal to (i) the
6 difference between the amount of employee and employer
7 contributions transferred to the System under Section 3-110.5,
8 and the amounts that would have been contributed had such
9 contributions been made at the rates applicable to State
10 policemen, plus (ii) interest thereon at the effective rate
11 for each year, compounded annually, from the date of service
12 to the date of payment.

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

1 policeman or investigator for the Secretary of State may elect
2 to establish eligible creditable service for up to 12 years of
3 his service as a policeman under Article 5, by filing a written
4 election with the Board on or before January 31, 1992, and
5 paying to the System by January 31, 1994 an amount to be
6 determined by the Board, equal to (i) the difference between
7 the amount of employee and employer contributions transferred
8 to the System under Section 5-236, and the amounts that would
9 have been contributed had such contributions been made at the
10 rates applicable to State policemen, plus (ii) interest
11 thereon at the effective rate for each year, compounded
12 annually, from the date of service to the date of payment.

13 Subject to the limitation in subsection (i), a State
14 policeman, conservation police officer, or investigator for
15 the Secretary of State may elect to establish eligible
16 creditable service for up to 10 years of service as a sheriff's
17 law enforcement employee under Article 7, by filing a written
18 election with the Board on or before January 31, 1993, and
19 paying to the System by January 31, 1994 an amount to be
20 determined by the Board, equal to (i) the difference between
21 the amount of employee and employer contributions transferred
22 to the System under Section 7-139.7, and the amounts that
23 would have been contributed had such contributions been made
24 at the rates applicable to State policemen, plus (ii) interest
25 thereon at the effective 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, conservation police officer, or investigator for
3 the Secretary of State may elect to establish eligible
4 creditable service for up to 5 years of service as a police
5 officer under Article 3, a policeman under Article 5, a
6 sheriff's law enforcement employee under Article 7, a member
7 of the county police department under Article 9, or a police
8 officer under Article 15 by filing a written election with the
9 Board and paying to the System an amount to be determined by
10 the Board, equal to (i) the difference between the amount of
11 employee and employer contributions transferred to the System
12 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4
13 and the amounts that would have been contributed had such
14 contributions been made at the rates applicable to State
15 policemen, plus (ii) interest thereon at the effective rate
16 for each year, compounded annually, from the date of service
17 to the date of payment.

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

1 96-745) and paying to the System an amount to be determined by
2 the Board, equal to (i) the difference between the amount of
3 employee and employer contributions transferred to the System
4 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the
5 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 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), a State
11 policeman, conservation police officer, investigator for the
12 Office of the Attorney General, an investigator for the
13 Department of Revenue, or investigator for the Secretary of
14 State may elect to establish eligible creditable service for
15 up to 5 years of service as a person employed by a
16 participating municipality to perform police duties, or law
17 enforcement officer employed on a full-time basis by a forest
18 preserve district under Article 7, a county corrections
19 officer, or a court services officer under Article 9, by
20 filing a written election with the Board within 6 months after
21 August 25, 2009 (the effective date of Public Act 96-745) and
22 paying to the System an amount to be determined by the Board,
23 equal to (i) the difference between the amount of employee and
24 employer contributions transferred to the System under
25 Sections 7-139.8 and 9-121.10 and the amounts that would have
26 been contributed had such contributions been made at the rates

1 applicable to State policemen, plus (ii) interest thereon at
2 the actuarially assumed rate for each year, compounded
3 annually, from the date of service to the date of payment.

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

22 Subject to the limitation in subsection (i), a
23 conservation police officer may elect to establish eligible
24 creditable service for up to 5 years of service as a person
25 employed by a participating municipality to perform police
26 duties under Article 7, a county corrections officer, or a

1 court services officer under Article 9 by filing a written
2 election with the Board within 6 months after July 30, 2021
3 (the effective date of Public Act 102-210) and paying to the
4 System an amount to be determined by the Board equal to (i) the
5 difference between the amount of employee and employer
6 contributions transferred to the System under Sections 7-139.8
7 and 9-121.10 and the amounts that would have been contributed
8 had such contributions been made at the rates applicable to
9 State policemen, plus (ii) interest thereon at the actuarially
10 assumed rate for each year, compounded annually, from the date
11 of service to the date of payment.

12 Notwithstanding the limitation in subsection (i), a State
13 policeman or conservation police officer may elect to convert
14 service credit earned under this Article to eligible
15 creditable service, as defined by this Section, by filing a
16 written election with the board within 6 months after July 30,
17 2021 (the effective date of Public Act 102-210) and paying to
18 the System an amount to be determined by the Board equal to (i)
19 the difference between the amount of employee contributions
20 originally paid for that service and the amounts that would
21 have been contributed had such contributions been made at the
22 rates applicable to State policemen, plus (ii) the difference
23 between the employer's normal cost of the credit prior to the
24 conversion authorized by Public Act 102-210 and the employer's
25 normal cost of the credit converted in accordance with Public
26 Act 102-210, plus (iii) 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 (i) The total amount of eligible creditable service
4 established by any person under subsections (g), (h), (j),
5 (k), (l), (l-5), ~~and~~ (o), and (q) of this Section shall not
6 exceed 12 years.

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

22 (k) Subject to the limitation in subsection (i) of this
23 Section, an alternative formula employee may elect to
24 establish eligible creditable service for periods spent as a
25 full-time law enforcement officer or full-time corrections
26 officer employed by the federal government or by a state or

1 local government located outside of Illinois, for which credit
2 is not held in any other public employee pension fund or
3 retirement system. To obtain this credit, the applicant must
4 file a written application with the Board by March 31, 1998,
5 accompanied by evidence of eligibility acceptable to the Board
6 and payment of an amount to be determined by the Board, equal
7 to (1) employee contributions for the credit being
8 established, based upon the applicant's salary on the first
9 day as an alternative formula employee after the employment
10 for which credit is being established and the rates then
11 applicable to alternative formula employees, plus (2) an
12 amount determined by the Board to be the employer's normal
13 cost of the benefits accrued for the credit being established,
14 plus (3) regular interest on the amounts in items (1) and (2)
15 from the first day as an alternative formula employee after
16 the employment for which credit is being established to the
17 date of payment.

18 (1) Subject to the limitation in subsection (i), a
19 security employee of the Department of Corrections may elect,
20 not later than July 1, 1998, to establish eligible creditable
21 service for up to 10 years of his or her service as a policeman
22 under Article 3, by filing a written election with the Board,
23 accompanied by payment of an amount to be determined by the
24 Board, equal to (i) the difference between the amount of
25 employee and employer contributions transferred to the System
26 under Section 3-110.5, and the amounts that would have been

1 contributed had such contributions been made at the rates
2 applicable to security employees of the Department of
3 Corrections, plus (ii) interest thereon at the effective rate
4 for each year, compounded annually, from the date of service
5 to the date of payment.

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

1 established to the date of payment.

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

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

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

1 credit established before the effective date of this
2 amendatory Act of the 103rd General Assembly as a State
3 highway maintenance work under this Article into eligible
4 creditable service by filing a written election with the Board
5 no later than one year after the effective date of this
6 amendatory Act of the 103rd General Assembly, accompanied by
7 payment of an amount to be determined by the Board equal to (i)
8 the difference between the amount of the employee
9 contributions actually paid for that service and the amount of
10 the employee contributions that would have been paid had the
11 employee contributions been made as a noncovered employee
12 serving in a position in which eligible creditable service, as
13 defined in this Section, may be earned, plus (ii) interest
14 thereon at the effective rate for each year, compounded
15 annually, from the date of service to the date of payment.

16 (Source: P.A. 101-610, eff. 1-1-20; 102-210, eff. 7-30-21;
17 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

18 (Text of Section from P.A. 102-856)

19 Sec. 14-110. Alternative retirement annuity.

20 (a) Any member who has withdrawn from service with not
21 less than 20 years of eligible creditable service and has
22 attained age 55, and any member who has withdrawn from service
23 with not less than 25 years of eligible creditable service and
24 has attained age 50, regardless of whether the attainment of
25 either of the specified ages occurs while the member is still

1 in service, shall be entitled to receive at the option of the
2 member, in lieu of the regular or minimum retirement annuity,
3 a retirement annuity computed as follows:

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

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

22 Such annuity shall be subject to a maximum of 75% of final
23 average compensation if retirement occurs before January 1,
24 2001 or to a maximum of 80% of final average compensation if
25 retirement occurs on or after January 1, 2001.

26 These rates shall not be applicable to any service

1 performed by a member as a covered employee which is not
2 eligible creditable service. Service as a covered employee
3 which is not eligible creditable service shall be subject to
4 the rates and provisions of Section 14-108.

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

8 (1) State policeman;

9 (2) fire fighter in the fire protection service of a
10 department;

11 (3) air pilot;

12 (4) special agent;

13 (5) investigator for the Secretary of State;

14 (6) conservation police officer;

15 (7) investigator for the Department of Revenue or the
16 Illinois Gaming Board;

17 (8) security employee of the Department of Human
18 Services;

19 (9) Central Management Services security police
20 officer;

21 (10) security employee of the Department of
22 Corrections or the Department of Juvenile Justice;

23 (11) dangerous drugs investigator;

24 (12) investigator for the Illinois State Police;

25 (13) investigator for the Office of the Attorney
26 General;

- 1 (14) controlled substance inspector;
- 2 (15) investigator for the Office of the State's
- 3 Attorneys Appellate Prosecutor;
- 4 (16) Commerce Commission police officer;
- 5 (17) arson investigator;
- 6 (18) State highway maintenance worker;
- 7 (19) security employee of the Department of Innovation
- 8 and Technology; or
- 9 (20) transferred employee.

10 A person employed in one of the positions specified in

11 this subsection is entitled to eligible creditable service for

12 service credit earned under this Article while undergoing the

13 basic police training course approved by the Illinois Law

14 Enforcement Training Standards Board, if completion of that

15 training is required of persons serving in that position. For

16 the purposes of this Code, service during the required basic

17 police training course shall be deemed performance of the

18 duties of the specified position, even though the person is

19 not a sworn peace officer at the time of the training.

20 A person under paragraph (20) is entitled to eligible

21 creditable service for service credit earned under this

22 Article on and after his or her transfer by Executive Order No.

23 2003-10, Executive Order No. 2004-2, or Executive Order No.

24 2016-1.

25 (c) For the purposes of this Section:

26 (1) The term "State policeman" includes any title or

1 position in the Illinois State Police that is held by an
2 individual employed under the Illinois State Police Act.

3 (2) The term "fire fighter in the fire protection
4 service of a department" includes all officers in such
5 fire protection service including fire chiefs and
6 assistant fire chiefs.

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

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

1 property. The term "special agent" includes any title or
2 position in the Illinois State Police that is held by an
3 individual employed under the Illinois State Police Act.

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

10 A person who became employed as an investigator for
11 the Secretary of State between January 1, 1967 and
12 December 31, 1975, and who has served as such until
13 attainment of age 60, either continuously or with a single
14 break in service of not more than 3 years duration, which
15 break terminated before January 1, 1976, shall be entitled
16 to have his retirement annuity calculated in accordance
17 with subsection (a), notwithstanding that he has less than
18 20 years of credit for such service.

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

1 Conservation Police Administrator.

2 (7) The term "investigator for the Department of
3 Revenue" means any person employed by the Department of
4 Revenue 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 The term "investigator for the Illinois Gaming Board"
9 means any person employed as such by the Illinois Gaming
10 Board and vested with such peace officer duties as render
11 the person ineligible for coverage under the Social
12 Security Act by reason of Sections 218(d)(5)(A),
13 218(d)(8)(D), and 218(1)(1) of that Act.

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

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

15 The changes made to this subdivision (c)(8) by Public
16 Act 92-14 apply to persons who retire on or after January
17 1, 2001, notwithstanding Section 1-103.1.

18 (9) "Central Management Services security police
19 officer" means any person employed by the Department of
20 Central Management Services who is vested with such law
21 enforcement duties as render him ineligible for coverage
22 under the Social Security Act by reason of Sections
23 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act.

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

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

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

22 (12) The term "investigator for the Illinois State
23 Police" means a person employed by the Illinois State
24 Police who is vested under Section 4 of the Narcotic
25 Control Division Abolition Act with such law enforcement
26 powers as render him ineligible for coverage under the

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

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

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

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

1 (16) "Commerce Commission police officer" means any
2 person employed by the Illinois Commerce Commission who is
3 vested with such law enforcement duties as render him
4 ineligible for coverage under the Social Security Act by
5 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and
6 218(1)(1) of that Act.

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

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

25 (i) A person employed on a full-time basis by the
26 Illinois Department of Transportation in the position

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

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

22 (19) The term "security employee of the Department of
23 Innovation and Technology" means a person who was a
24 security employee of the Department of Corrections or the
25 Department of Juvenile Justice, was transferred to the
26 Department of Innovation and Technology pursuant to

1 Executive Order 2016-01, and continues to perform similar
2 job functions under that Department.

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

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

18 (i) 25 years of eligible creditable service and age
19 55; or

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

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

26 (iv) beginning January 1, 1989, 25 years of eligible

1 creditable service and age 52, or 22 years of eligible
2 creditable service and age 55; or

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

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

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

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

26 (f) For purposes of calculating retirement annuities under

1 this Section, periods of service rendered after December 31,
2 1968 and before October 1, 1975 as a covered employee in the
3 position of special agent, conservation police officer, mental
4 health police officer, or investigator for the Secretary of
5 State, shall be deemed to have been service as a noncovered
6 employee, provided that the employee pays to the System prior
7 to retirement an amount equal to (1) the difference between
8 the employee contributions that would have been required for
9 such service as a noncovered employee, and the amount of
10 employee contributions actually paid, plus (2) if payment is
11 made after July 31, 1987, regular interest on the amount
12 specified in item (1) from the date of service to the date of
13 payment.

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

26 (g) A State policeman may elect, not later than January 1,

1 1990, to establish eligible creditable service for up to 10
2 years of his service as a policeman under Article 3, by filing
3 a written election with the Board, accompanied by payment of
4 an amount to be determined by the Board, equal to (i) the
5 difference between the amount of employee and employer
6 contributions transferred to the System under Section 3-110.5,
7 and the amounts that would have been contributed had such
8 contributions been made at the rates applicable to State
9 policemen, plus (ii) interest thereon at the effective rate
10 for each year, compounded annually, from the date of service
11 to the date of payment.

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

25 (h) Subject to the limitation in subsection (i), a State
26 policeman or investigator for the Secretary of State may elect

1 to establish eligible creditable service for up to 12 years of
2 his service as a policeman under Article 5, by filing a written
3 election with the Board on or before January 31, 1992, and
4 paying to the System by January 31, 1994 an amount to be
5 determined by the Board, equal to (i) the difference between
6 the amount of employee and employer contributions transferred
7 to the System under Section 5-236, and the amounts that would
8 have been contributed had such contributions been made at the
9 rates applicable to State policemen, plus (ii) interest
10 thereon at the effective rate for each year, compounded
11 annually, from the date of service to the date of payment.

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

26 Subject to the limitation in subsection (i), a State

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

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

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

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

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

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

21 Subject to the limitation in subsection (i), a
22 conservation police officer may elect to establish eligible
23 creditable service for up to 5 years of service as a person
24 employed by a participating municipality to perform police
25 duties under Article 7, a county corrections officer, or a
26 court services officer under Article 9 by filing a written

1 election with the Board within 6 months after July 30, 2021
2 (the effective date of Public Act 102-210) and paying to the
3 System an amount to be determined by the Board equal to (i) the
4 difference between the amount of employee and employer
5 contributions transferred to the System under Sections 7-139.8
6 and 9-121.10 and the amounts that would have been contributed
7 had such contributions been made at the rates applicable to
8 State policemen, plus (ii) interest thereon at the actuarially
9 assumed rate for each year, compounded annually, from the date
10 of service to the date of payment.

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

1 policemen, plus (ii) interest thereon at the actuarially
2 assumed rate for each year, compounded annually, from the date
3 of service to the date of payment.

4 Notwithstanding the limitation in subsection (i), a State
5 policeman or conservation police officer may elect to convert
6 service credit earned under this Article to eligible
7 creditable service, as defined by this Section, by filing a
8 written election with the board within 6 months after July 30,
9 2021 (the effective date of Public Act 102-210) and paying to
10 the System an amount to be determined by the Board equal to (i)
11 the 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 and the employer's
17 normal cost of the credit converted in accordance with Public
18 Act 102-210, plus (iii) interest thereon at the actuarially
19 assumed rate for each year, compounded annually, from the date
20 of service to the date of payment.

21 Notwithstanding the limitation in subsection (i), an
22 investigator for the Department of Revenue, investigator for
23 the Illinois Gaming Board, investigator for the Secretary of
24 State, or arson investigator may elect to convert service
25 credit earned under this Article to eligible creditable
26 service, as defined by this Section, by filing a written

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

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

22 (j) Subject to the limitation in subsection (i), an
23 investigator for the Office of the State's Attorneys Appellate
24 Prosecutor or a controlled substance inspector may elect to
25 establish eligible creditable service for up to 10 years of
26 his service as a policeman under Article 3 or a sheriff's law

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

11 (k) Subject to the limitation in subsection (i) of this
12 Section, an alternative formula employee may elect to
13 establish eligible creditable service for periods spent as a
14 full-time law enforcement officer or full-time corrections
15 officer employed by the federal government or by a state or
16 local government located outside of Illinois, for which credit
17 is not held in any other public employee pension fund or
18 retirement system. To obtain this credit, the applicant must
19 file a written application with the Board by March 31, 1998,
20 accompanied by evidence of eligibility acceptable to the Board
21 and payment of an amount to be determined by the Board, equal
22 to (1) employee contributions for the credit being
23 established, based upon the applicant's salary on the first
24 day as an alternative formula employee after the employment
25 for which credit is being established and the rates then
26 applicable to alternative formula employees, plus (2) an

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

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

21 (1-5) Subject to the limitation in subsection (i) of this
22 Section, a State policeman may elect to establish eligible
23 creditable service for up to 5 years of service as a full-time
24 law enforcement officer employed by the federal government or
25 by a state or local government located outside of Illinois for
26 which credit is not held in any other public employee pension

1 fund or retirement system. To obtain this credit, the
2 applicant must file a written application with the Board no
3 later than 3 years after January 1, 2020 (the effective date of
4 Public Act 101-610), accompanied by evidence of eligibility
5 acceptable to the Board and payment of an amount to be
6 determined by the Board, equal to (1) employee contributions
7 for the credit being established, based upon the applicant's
8 salary on the first day as an alternative formula employee
9 after the employment for which credit is being established and
10 the rates then applicable to alternative formula employees,
11 plus (2) an amount determined by the Board to be the employer's
12 normal cost of the benefits accrued for the credit being
13 established, plus (3) regular interest on the amounts in items
14 (1) and (2) from the first day as an alternative formula
15 employee after the employment for which credit is being
16 established to the date of payment.

17 (m) The amendatory changes to this Section made by Public
18 Act 94-696 apply only to: (1) security employees of the
19 Department of Juvenile Justice employed by the Department of
20 Corrections before June 1, 2006 (the effective date of Public
21 Act 94-696) and transferred to the Department of Juvenile
22 Justice by Public Act 94-696; and (2) persons employed by the
23 Department of Juvenile Justice on or after June 1, 2006 (the
24 effective date of Public Act 94-696) who are required by
25 subsection (b) of Section 3-2.5-15 of the Unified Code of
26 Corrections to have any bachelor's or advanced degree from an

1 accredited college or university or, in the case of persons
2 who provide vocational training, who are required to have
3 adequate knowledge in the skill for which they are providing
4 the vocational training.

5 (n) A person employed in a position under subsection (b)
6 of this Section who has purchased service credit under
7 subsection (j) of Section 14-104 or subsection (b) of Section
8 14-105 in any other capacity under this Article may convert up
9 to 5 years of that service credit into service credit covered
10 under this Section by paying to the Fund an amount equal to (1)
11 the additional employee contribution required under Section
12 14-133, plus (2) the additional employer contribution required
13 under Section 14-131, plus (3) interest on items (1) and (2) at
14 the actuarially assumed rate from the date of the service to
15 the date of payment.

16 (o) Subject to the limitation in subsection (i), a
17 conservation police officer, investigator for the Secretary of
18 State, Commerce Commission police officer, investigator for
19 the Department of Revenue or the Illinois Gaming Board, or
20 arson investigator subject to subsection (g) of Section 1-160
21 may elect to convert up to 8 years of service credit
22 established before January 1, 2020 (the effective date of
23 Public Act 101-610) as a conservation police officer,
24 investigator for the Secretary of State, Commerce Commission
25 police officer, investigator for the Department of Revenue or
26 the Illinois Gaming Board, or arson investigator under this

1 Article into eligible creditable service by filing a written
2 election with the Board no later than one year after January 1,
3 2020 (the effective date of Public Act 101-610), accompanied
4 by payment of an amount to be determined by the Board equal to
5 (i) the difference between the amount of the employee
6 contributions actually paid for that service and the amount of
7 the employee contributions that would have been paid had the
8 employee contributions been made as a noncovered employee
9 serving in a position in which eligible creditable service, as
10 defined in this Section, may be earned, plus (ii) interest
11 thereon at the effective rate for each year, compounded
12 annually, from the date of service to the date of payment.

13 (g) Subject to the limitation in subsection (i), a State
14 highway maintenance worker subject to subsection (g) of
15 Section 1-160 may elect to convert up to 8 years of service
16 credit established before the effective date of this
17 amendatory Act of the 103rd General Assembly as a State
18 highway maintenance work under this Article into eligible
19 creditable service by filing a written election with the Board
20 no later than one year after the effective date of this
21 amendatory Act of the 103rd General Assembly, accompanied by
22 payment of an amount to be determined by the Board equal to (i)
23 the difference between the amount of the employee
24 contributions actually paid for that service and the amount of
25 the employee contributions that would have been paid had the
26 employee contributions been made as a noncovered employee

1 serving in a position in which eligible creditable service, as
2 defined in this Section, may be earned, plus (ii) interest
3 thereon at the effective rate for each year, compounded
4 annually, from the date of service to the date of payment.

5 (Source: P.A. 101-610, eff. 1-1-20; 102-210, eff. 7-30-21;
6 102-538, eff. 8-20-21; 102-856, eff. 1-1-23.)

7 (Text of Section from P.A. 102-956)

8 Sec. 14-110. Alternative retirement annuity.

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

18 (i) for periods of service as a noncovered employee:
19 if retirement occurs on or after January 1, 2001, 3% of
20 final average compensation for each year of creditable
21 service; if retirement occurs before January 1, 2001, 2
22 1/4% of final average compensation for each of the first
23 10 years of creditable service, 2 1/2% for each year above
24 10 years to and including 20 years of creditable service,
25 and 2 3/4% for each year of creditable service above 20

1 years; and

2 (ii) for periods of eligible creditable service as a
3 covered employee: if retirement occurs on or after January
4 1, 2001, 2.5% of final average compensation for each year
5 of creditable service; if retirement occurs before January
6 1, 2001, 1.67% of final average compensation for each of
7 the first 10 years of such service, 1.90% for each of the
8 next 10 years of such service, 2.10% for each year of such
9 service in excess of 20 but not exceeding 30, and 2.30% for
10 each year in excess of 30.

11 Such annuity shall be subject to a maximum of 75% of final
12 average compensation if retirement occurs before January 1,
13 2001 or to a maximum of 80% of final average compensation if
14 retirement occurs on or after January 1, 2001.

15 These rates shall not be applicable to any service
16 performed by a member as a covered employee which is not
17 eligible creditable service. Service as a covered employee
18 which is not eligible creditable service shall be subject to
19 the rates and provisions of Section 14-108.

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

23 (1) State policeman;

24 (2) fire fighter in the fire protection service of a
25 department;

26 (3) air pilot;

- 1 (4) special agent;
- 2 (5) investigator for the Secretary of State;
- 3 (6) conservation police officer;
- 4 (7) investigator for the Department of Revenue or the
5 Illinois Gaming Board;
- 6 (8) security employee of the Department of Human
7 Services;
- 8 (9) Central Management Services security police
9 officer;
- 10 (10) security employee of the Department of
11 Corrections or the Department of Juvenile Justice;
- 12 (11) dangerous drugs investigator;
- 13 (12) investigator for the Illinois State Police;
- 14 (13) investigator for the Office of the Attorney
15 General;
- 16 (14) controlled substance inspector;
- 17 (15) investigator for the Office of the State's
18 Attorneys Appellate Prosecutor;
- 19 (16) Commerce Commission police officer;
- 20 (17) arson investigator;
- 21 (18) State highway maintenance worker;
- 22 (19) security employee of the Department of Innovation
23 and Technology; or
- 24 (20) transferred employee.

25 A person employed in one of the positions specified in
26 this subsection is entitled to eligible creditable service for

1 service credit earned under this Article while undergoing the
2 basic police training course approved by the Illinois Law
3 Enforcement Training Standards Board, if completion of that
4 training is required of persons serving in that position. For
5 the purposes of this Code, service during the required basic
6 police training course shall be deemed performance of the
7 duties of the specified position, even though the person is
8 not a sworn peace officer at the time of the training.

9 A person under paragraph (20) is entitled to eligible
10 creditable service for service credit earned under this
11 Article on and after his or her transfer by Executive Order No.
12 2003-10, Executive Order No. 2004-2, or Executive Order No.
13 2016-1.

14 (c) For the purposes of this Section:

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

18 (2) The term "fire fighter in the fire protection
19 service of a department" includes all officers in such
20 fire protection service including fire chiefs and
21 assistant fire chiefs.

22 (3) The term "air pilot" includes any employee whose
23 official job description on file in the Department of
24 Central Management Services, or in the department by which
25 he is employed if that department is not covered by the
26 Personnel Code, states that his principal duty is the

1 operation of aircraft, and who possesses a pilot's
2 license; however, the change in this definition made by
3 Public Act 83-842 shall not operate to exclude any
4 noncovered employee who was an "air pilot" for the
5 purposes of this Section on January 1, 1984.

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

19 (5) The term "investigator for the Secretary of State"
20 means any person employed by the Office of the Secretary
21 of State and vested with such investigative duties as
22 render him ineligible for coverage under the Social
23 Security Act by reason of Sections 218(d)(5)(A),
24 218(d)(8)(D) and 218(1)(1) of that Act.

25 A person who became employed as an investigator for
26 the Secretary of State between January 1, 1967 and

1 December 31, 1975, and who has served as such until
2 attainment of age 60, either continuously or with a single
3 break in service of not more than 3 years duration, which
4 break terminated before January 1, 1976, shall be entitled
5 to have his retirement annuity calculated in accordance
6 with subsection (a), notwithstanding that he has less than
7 20 years of credit for such service.

8 (6) The term "Conservation Police Officer" means any
9 person employed by the Division of Law Enforcement of the
10 Department of Natural Resources and vested with such law
11 enforcement duties as render him ineligible for coverage
12 under the Social Security Act by reason of Sections
13 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The
14 term "Conservation Police Officer" includes the positions
15 of Chief Conservation Police Administrator and Assistant
16 Conservation Police Administrator.

17 (7) The term "investigator for the Department of
18 Revenue" means any person employed by the Department of
19 Revenue and vested with such investigative duties as
20 render him ineligible for coverage under the Social
21 Security Act by reason of Sections 218(d)(5)(A),
22 218(d)(8)(D) and 218(1)(1) of that Act.

23 The term "investigator for the Illinois Gaming Board"
24 means any person employed as such by the Illinois Gaming
25 Board and vested with such peace officer duties as render
26 the person ineligible for coverage under the Social

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

3 (8) The term "security employee of the Department of
4 Human Services" means any person employed by the
5 Department of Human Services who (i) is employed at the
6 Chester Mental Health Center and has daily contact with
7 the residents thereof, (ii) is employed within a security
8 unit at a facility operated by the Department and has
9 daily contact with the residents of the security unit,
10 (iii) is employed at a facility operated by the Department
11 that includes a security unit and is regularly scheduled
12 to work at least 50% of his or her working hours within
13 that security unit, or (iv) is a mental health police
14 officer. "Mental health police officer" means any person
15 employed by the Department of Human Services in a position
16 pertaining to the Department's mental health and
17 developmental disabilities functions who is vested with
18 such law enforcement duties as render the person
19 ineligible for coverage under the Social Security Act by
20 reason of Sections 218(d)(5)(A), 218(d)(8)(D) and
21 218(1)(1) of that Act. "Security unit" means that portion
22 of a facility that is devoted to the care, containment,
23 and treatment of persons committed to the Department of
24 Human Services as sexually violent persons, persons unfit
25 to stand trial, or persons not guilty by reason of
26 insanity. With respect to past employment, references to

1 the Department of Human Services include its predecessor,
2 the Department of Mental Health and Developmental
3 Disabilities.

4 The changes made to this subdivision (c)(8) by Public
5 Act 92-14 apply to persons who retire on or after January
6 1, 2001, notwithstanding Section 1-103.1.

7 (9) "Central Management Services security police
8 officer" means any person employed by the Department of
9 Central Management Services who is vested with such law
10 enforcement duties as render him ineligible for coverage
11 under the Social Security Act by reason of Sections
12 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act.

13 (10) For a member who first became an employee under
14 this Article before July 1, 2005, the term "security
15 employee of the Department of Corrections or the
16 Department of Juvenile Justice" means any employee of the
17 Department of Corrections or the Department of Juvenile
18 Justice or the former Department of Personnel, and any
19 member or employee of the Prisoner Review Board, who has
20 daily contact with inmates or youth by working within a
21 correctional facility or Juvenile facility operated by the
22 Department of Juvenile Justice or who is a parole officer
23 or an employee who has direct contact with committed
24 persons in the performance of his or her job duties. For a
25 member who first becomes an employee under this Article on
26 or after July 1, 2005, the term means an employee of the

1 Department of Corrections or the Department of Juvenile
2 Justice who is any of the following: (i) officially
3 headquartered at a correctional facility or Juvenile
4 facility operated by the Department of Juvenile Justice,
5 (ii) a parole officer, (iii) a member of the apprehension
6 unit, (iv) a member of the intelligence unit, (v) a member
7 of the sort team, or (vi) an investigator.

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

11 (12) The term "investigator for the Illinois State
12 Police" means a person employed by the Illinois State
13 Police who is vested under Section 4 of the Narcotic
14 Control Division Abolition Act with such law enforcement
15 powers as render him ineligible for coverage under the
16 Social Security Act by reason of Sections 218(d)(5)(A),
17 218(d)(8)(D) and 218(1)(1) of that Act.

18 (13) "Investigator for the Office of the Attorney
19 General" means any person who is employed as such by the
20 Office of the Attorney General and is vested with such
21 investigative duties as render him ineligible for coverage
22 under the Social Security Act by reason of Sections
23 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act. For
24 the period before January 1, 1989, the term includes all
25 persons who were employed as investigators by the Office
26 of the Attorney General, without regard to social security

1 status.

2 (14) "Controlled substance inspector" means any person
3 who is employed as such by the Department of Professional
4 Regulation and is vested with such law enforcement duties
5 as 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. The term
8 "controlled substance inspector" includes the Program
9 Executive of Enforcement and the Assistant Program
10 Executive of Enforcement.

11 (15) The term "investigator for the Office of the
12 State's Attorneys Appellate Prosecutor" means a person
13 employed in that capacity on a full-time basis under the
14 authority of Section 7.06 of the State's Attorneys
15 Appellate Prosecutor's Act.

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

22 (17) "Arson investigator" means any person who is
23 employed as such by the Office of the State Fire Marshal
24 and is vested with such law enforcement duties as render
25 the person ineligible for coverage under the Social
26 Security Act by reason of Sections 218(d)(5)(A),

1 218(d)(8)(D), and 218(1)(1) of that Act. A person who was
2 employed as an arson investigator on January 1, 1995 and
3 is no longer in service but not yet receiving a retirement
4 annuity may convert his or her creditable service for
5 employment as an arson investigator into eligible
6 creditable service by paying to the System the difference
7 between the employee contributions actually paid for that
8 service and the amounts that would have been contributed
9 if the applicant were contributing at the rate applicable
10 to persons with the same social security status earning
11 eligible creditable service on the date of application.

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

14 (i) A person employed on a full-time basis by the
15 Illinois Department of Transportation in the position
16 of highway maintainer, highway maintenance lead
17 worker, highway maintenance lead/lead worker, heavy
18 construction equipment operator, power shovel
19 operator, or bridge mechanic; and whose principal
20 responsibility is to perform, on the roadway, the
21 actual maintenance necessary to keep the highways that
22 form a part of the State highway system in serviceable
23 condition for vehicular traffic.

24 (ii) A person employed on a full-time basis by the
25 Illinois State Toll Highway Authority in the position
26 of equipment operator/laborer H-4, equipment

1 operator/laborer H-6, welder H-4, welder H-6,
2 mechanical/electrical H-4, mechanical/electrical H-6,
3 water/sewer H-4, water/sewer H-6, sign maker/hanger
4 H-4, sign maker/hanger H-6, roadway lighting H-4,
5 roadway lighting H-6, structural H-4, structural H-6,
6 painter H-4, or painter H-6; and whose principal
7 responsibility is to perform, on the roadway, the
8 actual maintenance necessary to keep the Authority's
9 tollways in serviceable condition for vehicular
10 traffic.

11 (19) The term "security employee of the Department of
12 Innovation and Technology" means a person who was a
13 security employee of the Department of Corrections or the
14 Department of Juvenile Justice, was transferred to the
15 Department of Innovation and Technology pursuant to
16 Executive Order 2016-01, and continues to perform similar
17 job functions under that Department.

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

25 (d) A security employee of the Department of Corrections
26 or the Department of Juvenile Justice, a security employee of

1 the Department of Human Services who is not a mental health
2 police officer, and a security employee of the Department of
3 Innovation and Technology shall not be eligible for the
4 alternative retirement annuity provided by this Section unless
5 he or she meets the following minimum age and service
6 requirements at the time of retirement:

7 (i) 25 years of eligible creditable service and age
8 55; or

9 (ii) beginning January 1, 1987, 25 years of eligible
10 creditable service and age 54, or 24 years of eligible
11 creditable service and age 55; or

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

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

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

21 (vi) beginning January 1, 1991, 25 years of eligible
22 creditable service and age 50, or 20 years of eligible
23 creditable service and age 55.

24 Persons who have service credit under Article 16 of this
25 Code for service as a security employee of the Department of
26 Corrections or the Department of Juvenile Justice, or the

1 Department of Human Services in a position requiring
2 certification as a teacher may count such service toward
3 establishing their eligibility under the service requirements
4 of this Section; but such service may be used only for
5 establishing such eligibility, and not for the purpose of
6 increasing or calculating any benefit.

7 (e) If a member enters military service while working in a
8 position in which eligible creditable service may be earned,
9 and returns to State service in the same or another such
10 position, and fulfills in all other respects the conditions
11 prescribed in this Article for credit for military service,
12 such military service shall be credited as eligible creditable
13 service for the purposes of the retirement annuity prescribed
14 in this Section.

15 (f) For purposes of calculating retirement annuities under
16 this Section, periods of service rendered after December 31,
17 1968 and before October 1, 1975 as a covered employee in the
18 position of special agent, conservation police officer, mental
19 health police officer, or investigator for the Secretary of
20 State, shall be deemed to have been service as a noncovered
21 employee, provided that the employee pays to the System prior
22 to retirement an amount equal to (1) the difference between
23 the employee contributions that would have been required for
24 such service as a noncovered employee, and the amount of
25 employee contributions actually paid, plus (2) if payment is
26 made after July 31, 1987, regular interest on the amount

1 specified in item (1) from the date of service to the date of
2 payment.

3 For purposes of calculating retirement annuities under
4 this Section, periods of service rendered after December 31,
5 1968 and before January 1, 1982 as a covered employee in the
6 position of investigator for the Department of Revenue shall
7 be deemed to have been service as a noncovered employee,
8 provided that the employee pays to the System prior to
9 retirement an amount equal to (1) the difference between the
10 employee contributions that would have been required for such
11 service as a noncovered employee, and the amount of employee
12 contributions actually paid, plus (2) if payment is made after
13 January 1, 1990, regular interest on the amount specified in
14 item (1) from the date of service to the date of payment.

15 (g) A State policeman may elect, not later than January 1,
16 1990, to establish eligible creditable service for up to 10
17 years of his service as a policeman under Article 3, by filing
18 a written election with the Board, accompanied by payment of
19 an amount to be determined by the Board, equal to (i) the
20 difference between the amount of employee and employer
21 contributions transferred to the System under Section 3-110.5,
22 and the amounts that would have been contributed had such
23 contributions been made at the rates applicable to State
24 policemen, plus (ii) interest thereon at the effective rate
25 for each year, compounded annually, from the date of service
26 to the date of payment.

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

14 (h) Subject to the limitation in subsection (i), a State
15 policeman or investigator for the Secretary of State may elect
16 to establish eligible creditable service for up to 12 years of
17 his service as a policeman under Article 5, by filing a written
18 election with the Board on or before January 31, 1992, and
19 paying to the System by January 31, 1994 an amount to be
20 determined by the Board, equal to (i) the difference between
21 the amount of employee and employer contributions transferred
22 to the System under Section 5-236, and the amounts that would
23 have been contributed had such contributions been made at the
24 rates applicable to State policemen, plus (ii) interest
25 thereon at the effective 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, conservation police officer, or investigator for
3 the Secretary of State may elect to establish eligible
4 creditable service for up to 10 years of service as a sheriff's
5 law enforcement employee under Article 7, by filing a written
6 election with the Board on or before January 31, 1993, and
7 paying to the System by January 31, 1994 an amount to be
8 determined by the Board, equal to (i) the difference between
9 the amount of employee and employer contributions transferred
10 to the System under Section 7-139.7, and the amounts that
11 would have been contributed had such contributions been made
12 at the rates applicable to State policemen, plus (ii) interest
13 thereon at the effective rate for each year, compounded
14 annually, from the date of service to the date of payment.

15 Subject to the limitation in subsection (i), a State
16 policeman, conservation police officer, or investigator for
17 the Secretary of State may elect to establish eligible
18 creditable service for up to 5 years of service as a police
19 officer under Article 3, a policeman under Article 5, a
20 sheriff's law enforcement employee under Article 7, a member
21 of the county police department under Article 9, or a police
22 officer under Article 15 by filing a written election with the
23 Board and paying to the System an amount to be determined by
24 the Board, equal to (i) the difference between the amount of
25 employee and employer contributions transferred to the System
26 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4

1 and the amounts that would have been contributed had such
2 contributions been made at the rates applicable to State
3 policemen, plus (ii) interest thereon at the effective rate
4 for each year, compounded annually, from the date of service
5 to the date of payment.

6 Subject to the limitation in subsection (i), an
7 investigator for the Office of the Attorney General, or an
8 investigator for the Department of Revenue, may elect to
9 establish eligible creditable service for up to 5 years of
10 service as a police officer under Article 3, a policeman under
11 Article 5, a sheriff's law enforcement employee under Article
12 7, or a member of the county police department under Article 9
13 by filing a written election with the Board within 6 months
14 after August 25, 2009 (the effective date of Public Act
15 96-745) and paying to the System an amount to be determined by
16 the Board, equal to (i) the difference between the amount of
17 employee and employer contributions transferred to the System
18 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the
19 amounts that would have been contributed had such
20 contributions been made at the rates applicable to State
21 policemen, plus (ii) interest thereon at the actuarially
22 assumed rate for each year, compounded annually, from the date
23 of service to the date of payment.

24 Subject to the limitation in subsection (i), a State
25 policeman, conservation police officer, investigator for the
26 Office of the Attorney General, an investigator for the

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

18 Subject to the limitation in subsection (i), a State
19 policeman, arson investigator, or Commerce Commission police
20 officer may elect to establish eligible creditable service for
21 up to 5 years of service as a person employed by a
22 participating municipality to perform police duties under
23 Article 7, a county corrections officer, a court services
24 officer under Article 9, or a firefighter under Article 4 by
25 filing a written election with the Board within 6 months after
26 July 30, 2021 (the effective date of Public Act 102-210) and

1 paying to the System an amount to be determined by the Board
2 equal to (i) the difference between the amount of employee and
3 employer contributions transferred to the System under
4 Sections 4-108.8, 7-139.8, and 9-121.10 and the amounts that
5 would have been contributed had such contributions been made
6 at the rates applicable to State policemen, plus (ii) interest
7 thereon at the actuarially assumed rate for each year,
8 compounded annually, from the date of service to the date of
9 payment.

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

26 Notwithstanding the limitation in subsection (i), a State

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

17 (i) The total amount of eligible creditable service
18 established by any person under subsections (g), (h), (j),
19 (k), (l), (l-5), (o), ~~and~~ (p), and (q) of this Section shall
20 not exceed 12 years.

21 (j) Subject to the limitation in subsection (i), an
22 investigator for the Office of the State's Attorneys Appellate
23 Prosecutor or a controlled substance inspector may elect to
24 establish eligible creditable service for up to 10 years of
25 his service as a policeman under Article 3 or a sheriff's law
26 enforcement employee under Article 7, by filing a written

1 election with the Board, accompanied by payment of an amount
2 to be determined by the Board, equal to (1) the difference
3 between the amount of employee and employer contributions
4 transferred to the System under Section 3-110.6 or 7-139.8,
5 and the amounts that would have been contributed had such
6 contributions been made at the rates applicable to State
7 policemen, plus (2) interest thereon at the effective rate for
8 each year, compounded annually, from the date of service to
9 the date of payment.

10 (k) Subject to the limitation in subsection (i) of this
11 Section, an alternative formula employee may elect to
12 establish eligible creditable service for periods spent as a
13 full-time law enforcement officer or full-time corrections
14 officer employed by the federal government or by a state or
15 local government located outside of Illinois, for which credit
16 is not held in any other public employee pension fund or
17 retirement system. To obtain this credit, the applicant must
18 file a written application with the Board by March 31, 1998,
19 accompanied by evidence of eligibility acceptable to the Board
20 and payment of an amount to be determined by the Board, equal
21 to (1) employee contributions for the credit being
22 established, based upon the applicant's salary on the first
23 day as an alternative formula employee after the employment
24 for which credit is being established and the rates then
25 applicable to alternative formula employees, plus (2) an
26 amount determined by the Board to be the employer's normal

1 cost of the benefits accrued for the credit being established,
2 plus (3) regular interest on the amounts in items (1) and (2)
3 from the first day as an alternative formula employee after
4 the employment for which credit is being established to the
5 date of payment.

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

20 (1-5) Subject to the limitation in subsection (i) of this
21 Section, a State policeman may elect to establish eligible
22 creditable service for up to 5 years of service as a full-time
23 law enforcement officer employed by the federal government or
24 by a state or local government located outside of Illinois for
25 which credit is not held in any other public employee pension
26 fund or retirement system. To obtain this credit, the

1 applicant must file a written application with the Board no
2 later than 3 years after January 1, 2020 (the effective date of
3 Public Act 101-610), accompanied by evidence of eligibility
4 acceptable to the Board and payment of an amount to be
5 determined by the Board, equal to (1) employee contributions
6 for the credit being established, based upon the applicant's
7 salary on the first day as an alternative formula employee
8 after the employment for which credit is being established and
9 the rates then applicable to alternative formula employees,
10 plus (2) an amount determined by the Board to be the employer's
11 normal cost of the benefits accrued for the credit being
12 established, plus (3) regular interest on the amounts in items
13 (1) and (2) from the first day as an alternative formula
14 employee after the employment for which credit is being
15 established to the date of payment.

16 (m) The amendatory changes to this Section made by Public
17 Act 94-696 apply only to: (1) security employees of the
18 Department of Juvenile Justice employed by the Department of
19 Corrections before June 1, 2006 (the effective date of Public
20 Act 94-696) and transferred to the Department of Juvenile
21 Justice by Public Act 94-696; and (2) persons employed by the
22 Department of Juvenile Justice on or after June 1, 2006 (the
23 effective date of Public Act 94-696) who are required by
24 subsection (b) of Section 3-2.5-15 of the Unified Code of
25 Corrections to have any bachelor's or advanced degree from an
26 accredited college or university or, in the case of persons

1 who provide vocational training, who are required to have
2 adequate knowledge in the skill for which they are providing
3 the vocational training.

4 (n) A person employed in a position under subsection (b)
5 of this Section who has purchased service credit under
6 subsection (j) of Section 14-104 or subsection (b) of Section
7 14-105 in any other capacity under this Article may convert up
8 to 5 years of that service credit into service credit covered
9 under this Section by paying to the Fund an amount equal to (1)
10 the additional employee contribution required under Section
11 14-133, plus (2) the additional employer contribution required
12 under Section 14-131, plus (3) interest on items (1) and (2) at
13 the actuarially assumed rate from the date of the service to
14 the date of payment.

15 (o) Subject to the limitation in subsection (i), a
16 conservation police officer, investigator for the Secretary of
17 State, Commerce Commission police officer, investigator for
18 the Department of Revenue or the Illinois Gaming Board, or
19 arson investigator subject to subsection (g) of Section 1-160
20 may elect to convert up to 8 years of service credit
21 established before January 1, 2020 (the effective date of
22 Public Act 101-610) as a conservation police officer,
23 investigator for the Secretary of State, Commerce Commission
24 police officer, investigator for the Department of Revenue or
25 the Illinois Gaming Board, or arson investigator under this
26 Article into eligible creditable service by filing a written

1 election with the Board no later than one year after January 1,
2 2020 (the effective date of Public Act 101-610), accompanied
3 by payment of an amount to be determined by the Board equal to
4 (i) the difference between the amount of the employee
5 contributions actually paid for that service and the amount of
6 the employee contributions that would have been paid had the
7 employee contributions been made as a noncovered employee
8 serving in a position in which eligible creditable service, as
9 defined in this Section, may be earned, plus (ii) interest
10 thereon at the effective rate for each year, compounded
11 annually, from the date of service to the date of payment.

12 (p) Subject to the limitation in subsection (i), an
13 investigator for the Office of the Attorney General subject to
14 subsection (g) of Section 1-160 may elect to convert up to 8
15 years of service credit established before the effective date
16 of this amendatory Act of the 102nd General Assembly as an
17 investigator for the Office of the Attorney General under this
18 Article into eligible creditable service by filing a written
19 election with the Board no later than one year after the
20 effective date of this amendatory Act of the 102nd General
21 Assembly, accompanied by payment of an amount to be determined
22 by the Board equal to (i) the difference between the amount of
23 the employee contributions actually paid for that service and
24 the amount of the employee contributions that would have been
25 paid had the employee contributions been made as a noncovered
26 employee serving in a position in which eligible creditable

1 service, as defined in this Section, may be earned, plus (ii)
2 interest thereon at the effective rate for each year,
3 compounded annually, from the date of service to the date of
4 payment.

5 (g) Subject to the limitation in subsection (i), a State
6 highway maintenance worker subject to subsection (g) of
7 Section 1-160 may elect to convert up to 8 years of service
8 credit established before the effective date of this
9 amendatory Act of the 103rd General Assembly as a State
10 highway maintenance work under this Article into eligible
11 creditable service by filing a written election with the Board
12 no later than one year after the effective date of this
13 amendatory Act of the 103rd General Assembly, accompanied by
14 payment of an amount to be determined by the Board equal to (i)
15 the difference between the amount of the employee
16 contributions actually paid for that service and the amount of
17 the employee contributions that would have been paid had the
18 employee contributions been made as a noncovered employee
19 serving in a position in which eligible creditable service, as
20 defined in this Section, may be earned, plus (ii) interest
21 thereon at the effective rate for each year, compounded
22 annually, from the date of service to the date of payment.

23 (Source: P.A. 101-610, eff. 1-1-20; 102-210, eff. 7-30-21;
24 102-538, eff. 8-20-21; 102-956, eff. 5-27-22.)

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

3 (a) As used in this Section, "new benefit increase" means
4 an increase in the amount of any benefit provided under this
5 Article, or an expansion of the conditions of eligibility for
6 any benefit under this Article, that results from an amendment
7 to this Code that takes effect after June 1, 2005 (the
8 effective date of Public Act 94-4). "New benefit increase",
9 however, does not include any benefit increase resulting from
10 the changes made to Article 1 or this Article by Public Act
11 96-37, Public Act 100-23, Public Act 100-587, Public Act
12 100-611, Public Act 101-10, Public Act 101-610, Public Act
13 102-210, Public Act 102-856, Public Act 102-956, or this
14 amendatory Act of the 103rd General Assembly ~~or this~~
15 ~~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; 102-856, eff.
7 1-1-23; 102-956, eff. 5-27-22.)