



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB1469

Introduced 1/31/2023, by Rep. La Shawn K. Ford

SYNOPSIS AS INTRODUCED:

40 ILCS 5/1-160
30 ILCS 805/8.47 new

Amends the General Provisions Article of the Illinois Pension Code. Provides that a Tier 2 participant under the Cook County Article who is a deputy sheriff and a member of the Cook County Police Department is entitled to a retirement annuity upon written application if he or she has attained age 55, has at least 20 years of service credit for service in the position of deputy sheriff, and is otherwise eligible under the Cook County Article. Provides that the retirement annuity granted to such a participant shall be subject to annual increases on the January 1 following the first anniversary of the retirement annuity start date. Makes technical and combining changes to conform the changes made by Public Acts 102-719, 102-813, and 102-956. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB103 00152 RPS 45157 b

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning public employee benefits.

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

4 Section 5. The Illinois Pension Code is amended by
5 changing Section 1-160 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 (c-10) Notwithstanding any other provision of this Code to
20 the contrary, a participant under Article 9 who is (i) subject
21 to this Section, (ii) a deputy sheriff, and (iii) a member of
22 the Cook County Police Department is entitled to a retirement
23 annuity upon written application if he or she has attained age
24 55, has at least 20 years of service credit for service in the
25 position of deputy sheriff, and is otherwise eligible under
26 Article 9.

1 (d) The retirement annuity of a member or participant who
2 is retiring after attaining age 62 (age 60, with respect to
3 service under Article 12 that is subject to this Section, for a
4 member or participant under Article 12 who first becomes a
5 member or participant under Article 12 on or after January 1,
6 2022 or who makes the election under item (i) of subsection
7 (d-15) of this Section) with at least 10 years of service
8 credit shall be reduced by one-half of 1% for each full month
9 that the member's age is under age 67 (age 65, with respect to
10 service under Article 12 that is subject to this Section, for a
11 member or participant under Article 12 who first becomes a
12 member or participant under Article 12 on or after January 1,
13 2022 or who makes the election under item (i) of subsection
14 (d-15) of this Section).

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

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

25 (i) to be eligible for the reduced retirement age
26 provided in subsections (c-5) and (d-5) of this Section,

1 the eligibility for which is conditioned upon the member
2 or participant agreeing to the increases in employee
3 contributions for age and service annuities provided in
4 subsection (a-5) of Section 8-174 of this Code (for
5 service under Article 8) or subsection (a-5) of Section
6 11-170 of this Code (for service under Article 11); or

7 (ii) to not agree to item (i) of this subsection
8 (d-10), in which case the member or participant shall
9 continue to be subject to the retirement age provisions in
10 subsections (c) and (d) of this Section and the employee
11 contributions for age and service annuity as provided in
12 subsection (a) of Section 8-174 of this Code (for service
13 under Article 8) or subsection (a) of Section 11-170 of
14 this Code (for service under Article 11).

15 The election provided for in this subsection shall be made
16 between October 1, 2017 and November 15, 2017. A person
17 subject to this subsection who makes the required election
18 shall remain bound by that election. A person subject to this
19 subsection who fails for any reason to make the required
20 election within the time specified in this subsection shall be
21 deemed to have made the election under item (ii).

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

26 (i) to be eligible for the reduced retirement age

1 specified in subsections (c) and (d) of this Section, the
2 eligibility for which is conditioned upon the member or
3 participant agreeing to the increase in employee
4 contributions for service annuities specified in
5 subsection (b) of Section 12-150; or

6 (ii) to not agree to item (i) of this subsection
7 (d-15), in which case the member or participant shall not
8 be eligible for the reduced retirement age specified in
9 subsections (c) and (d) of this Section and shall not be
10 subject to the increase in employee contributions for
11 service annuities specified in subsection (b) of Section
12 12-150.

13 The election provided for in this subsection shall be made
14 between January 1, 2022 and April 1, 2022. A person subject to
15 this subsection who makes the required election shall remain
16 bound by that election. A person subject to this subsection
17 who fails for any reason to make the required election within
18 the time specified in this subsection shall be deemed to have
19 made the election under item (ii).

20 (e) Any retirement annuity or supplemental annuity shall
21 be subject to annual increases on the January 1 occurring
22 either on or after the attainment of age 67 (age 65, with
23 respect to service under Article 12 that is subject to this
24 Section, for a member or participant under Article 12 who
25 first becomes a member or participant under Article 12 on or
26 after January 1, 2022 or who makes the election under item (i)

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

16 Notwithstanding any other provision of this Code to the
17 contrary, the retirement annuity of a participant to whom
18 subsection (c-10) applies shall be subject to annual increases
19 on the January 1 following the first anniversary of the
20 annuity start date. Each annual increase shall be calculated
21 at 3% or one-half the annual unadjusted percentage increase
22 (but not less than zero) in the consumer price index-u for the
23 12 months ending with the September preceding each November 1,
24 whichever is less, of the originally granted retirement
25 annuity. If the annual unadjusted percentage change in the
26 consumer price index-u for the 12 months ending with the

1 September preceding each November 1 is zero or there is a
2 decrease, then the annuity shall not be increased.

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

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

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

1 January 1 occurring on or after the commencement of the
2 annuity if the deceased member died while receiving a
3 retirement annuity or (2) in other cases, on each January 1
4 occurring after the first anniversary of the commencement of
5 the annuity. Each annual increase shall be calculated at 3% or
6 one-half the annual unadjusted percentage increase (but not
7 less than zero) in the consumer price index-u for the 12 months
8 ending with the September preceding each November 1, whichever
9 is less, of the originally granted survivor's annuity. If the
10 annual unadjusted percentage change in the consumer price
11 index-u for the 12 months ending with the September preceding
12 each November 1 is zero or there is a decrease, then the
13 annuity shall not be increased.

14 (g) The benefits in Section 14-110 apply if the person is a
15 fire fighter in the fire protection service of a department, a
16 security employee of the Department of Corrections or the
17 Department of Juvenile Justice, or a security employee of the
18 Department of Innovation and Technology, as those terms are
19 defined in subsection (b) and subsection (c) of Section
20 14-110. A person who meets the requirements of this Section is
21 entitled to an annuity calculated under the provisions of
22 Section 14-110, in lieu of the regular or minimum retirement
23 annuity, only if the person has withdrawn from service with
24 not less than 20 years of eligible creditable service and has
25 attained age 60, regardless of whether the attainment of age
26 60 occurs while the person is still in service.

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

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

1 recalculated if recalculation is provided for under the
2 applicable Article of this Code.

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

22 (i) (Blank).

23 (j) In the case of a conflict between the provisions of
24 this Section and any other provision of this Code, the
25 provisions of this Section shall control.

26 (Source: P.A. 101-610, eff. 1-1-20; 102-16, eff. 6-17-21;

1 102-210, eff. 1-1-22; 102-263, eff. 8-6-21; 102-719, eff.
2 5-6-22.)

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

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

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

1 intended to be retroactive to January 1, 2011 (the effective
2 date of Public Act 96-889), notwithstanding the provisions of
3 Section 1-103.1 of this Code.

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

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

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

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

1 which he or she is a member or participant.

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

15 (1) (Blank).

16 (2) In Articles 8, 9, 10, 11, and 12, "highest average
17 annual salary for any 4 consecutive years within the last
18 10 years of service immediately preceding the date of
19 withdrawal".

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

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

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

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

25 A member of the Teachers' Retirement System of the State
26 of Illinois who retires on or after June 1, 2021 and for whom

1 the 2020-2021 school year is used in the calculation of the
2 member's final average salary shall use the higher of the
3 following for the purpose of determining the member's final
4 average salary:

5 (A) the amount otherwise calculated under the first
6 paragraph of this subsection; or

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

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

1 For the purposes of this Section, "consumer price index-u"
2 means the index published by the Bureau of Labor Statistics of
3 the United States Department of Labor that measures the
4 average change in prices of goods and services purchased by
5 all urban consumers, United States city average, all items,
6 1982-84 = 100. The new amount resulting from each annual
7 adjustment shall be determined by the Public Pension Division
8 of the Department of Insurance and made available to the
9 boards of the retirement systems and pension funds by November
10 1 of each year.

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

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

1 requirements of the applicable Article may elect to receive
2 the lower retirement annuity provided in subsection (d) of
3 this Section.

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

13 (c-10) Notwithstanding any other provision of this Code to
14 the contrary, a participant under Article 9 who is (i) subject
15 to this Section, (ii) a deputy sheriff, and (iii) a member of
16 the Cook County Police Department is entitled to a retirement
17 annuity upon written application if he or she has attained age
18 55, has at least 20 years of service credit for service in the
19 position of deputy sheriff, and is otherwise eligible under
20 Article 9.

21 (d) The retirement annuity of a member or participant who
22 is retiring after attaining age 62 (age 60, with respect to
23 service under Article 12 that is subject to this Section, for a
24 member or participant under Article 12 who first becomes a
25 member or participant under Article 12 on or after January 1,
26 2022 or who makes the election under item (i) of subsection

1 (d-15) of this Section) with at least 10 years of service
2 credit shall be reduced by one-half of 1% for each full month
3 that the member's age is under age 67 (age 65, with respect to
4 service under Article 12 that is subject to this Section, for a
5 member or participant under Article 12 who first becomes a
6 member or participant under Article 12 on or after January 1,
7 2022 or who makes the election under item (i) of subsection
8 (d-15) of this Section).

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

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

19 (i) to be eligible for the reduced retirement age
20 provided in subsections (c-5) and (d-5) of this Section,
21 the eligibility for which is conditioned upon the member
22 or participant agreeing to the increases in employee
23 contributions for age and service annuities provided in
24 subsection (a-5) of Section 8-174 of this Code (for
25 service under Article 8) or subsection (a-5) of Section
26 11-170 of this Code (for service under Article 11); or

1 (ii) to not agree to item (i) of this subsection
2 (d-10), in which case the member or participant shall
3 continue to be subject to the retirement age provisions in
4 subsections (c) and (d) of this Section and the employee
5 contributions for age and service annuity as provided in
6 subsection (a) of Section 8-174 of this Code (for service
7 under Article 8) or subsection (a) of Section 11-170 of
8 this Code (for service under Article 11).

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

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

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

26 (ii) to not agree to item (i) of this subsection

1 (d-15), in which case the member or participant shall not
2 be eligible for the reduced retirement age specified in
3 subsections (c) and (d) of this Section and shall not be
4 subject to the increase in employee contributions for
5 service annuities specified in subsection (b) of Section
6 12-150.

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

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

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

10 Notwithstanding any other provision of this Code to the
11 contrary, the retirement annuity of a participant to whom
12 subsection (c-10) applies shall be subject to annual increases
13 on the January 1 following the first anniversary of the
14 annuity start date. Each annual increase shall be calculated
15 at 3% or one-half the annual unadjusted percentage increase
16 (but not less than zero) in the consumer price index-u for the
17 12 months ending with the September preceding each November 1,
18 whichever is less, of the originally granted retirement
19 annuity. If the annual unadjusted percentage change in the
20 consumer price index-u for the 12 months ending with the
21 September preceding each November 1 is zero or there is a
22 decrease, then the annuity shall not be increased.

23 For the purposes of Section 1-103.1 of this Code, the
24 changes made to this Section by Public Act 102-263 are
25 applicable without regard to whether the employee was in
26 active service on or after August 6, 2021 (the effective date

1 of Public Act 102-263).

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

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

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

8 (g) The benefits in Section 14-110 apply ~~only~~ if the
9 person is ~~a State policeman,~~ a fire fighter in the fire
10 protection service of a department, ~~a conservation police~~
11 ~~officer, an investigator for the Secretary of State, an arson~~
12 ~~investigator, a Commerce Commission police officer,~~
13 ~~investigator for the Department of Revenue or the Illinois~~
14 ~~Gaming Board,~~ a security employee of the Department of
15 Corrections or the Department of Juvenile Justice, or a
16 security employee of the Department of Innovation and
17 Technology, as those terms are defined in subsection (b) and
18 subsection (c) of Section 14-110. A person who meets the
19 requirements of this Section is entitled to an annuity
20 calculated under the provisions of Section 14-110, in lieu of
21 the regular or minimum retirement annuity, only if the person
22 has withdrawn from service with not less than 20 years of
23 eligible creditable service and has attained age 60,
24 regardless of whether the attainment of age 60 occurs while
25 the person is still in service.

26 (g-5) The benefits in Section 14-110 apply if the person

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

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

1 applicable Article of this Code.

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

21 (i) (Blank).

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

25 (Source: P.A. 101-610, eff. 1-1-20; 102-16, eff. 6-17-21;
26 102-210, eff. 1-1-22; 102-263, eff. 8-6-21; 102-813, eff.

1 5-13-22.)

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

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

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

1 date of Public Act 96-889), notwithstanding the provisions of
2 Section 1-103.1 of this Code.

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

10 This Section does not apply to a person who first becomes a
11 member or participant under Article 16 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 elects under
18 subsection (c-5) of Section 1-161 to receive the benefits
19 under Section 1-161.

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

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

14 (1) (Blank).

15 (2) In Articles 8, 9, 10, 11, and 12, "highest average
16 annual salary for any 4 consecutive years within the last
17 10 years of service immediately preceding the date of
18 withdrawal".

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

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

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

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

24 A member of the Teachers' Retirement System of the State
25 of Illinois who retires on or after June 1, 2021 and for whom
26 the 2020-2021 school year is used in the calculation of the

1 member's final average salary shall use the higher of the
2 following for the purpose of determining the member's final
3 average salary:

4 (A) the amount otherwise calculated under the first
5 paragraph of this subsection; or

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

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

26 For the purposes of this Section, "consumer price index-u"

1 means the index published by the Bureau of Labor Statistics of
2 the United States Department of Labor that measures the
3 average change in prices of goods and services purchased by
4 all urban consumers, United States city average, all items,
5 1982-84 = 100. The new amount resulting from each annual
6 adjustment shall be determined by the Public Pension Division
7 of the Department of Insurance and made available to the
8 boards of the retirement systems and pension funds by November
9 1 of each year.

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

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

1 the lower retirement annuity provided in subsection (d) of
2 this Section.

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

12 (c-10) Notwithstanding any other provision of this Code to
13 the contrary, a participant under Article 9 who is (i) subject
14 to this Section, (ii) a deputy sheriff, and (iii) a member of
15 the Cook County Police Department is entitled to a retirement
16 annuity upon written application if he or she has attained age
17 55, has at least 20 years of service credit for service in the
18 position of deputy sheriff, and is otherwise eligible under
19 Article 9.

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

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

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

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

18 (i) to be eligible for the reduced retirement age
19 provided in subsections (c-5) and (d-5) of this Section,
20 the eligibility for which is conditioned upon the member
21 or participant agreeing to the increases in employee
22 contributions for age and service annuities provided in
23 subsection (a-5) of Section 8-174 of this Code (for
24 service under Article 8) or subsection (a-5) of Section
25 11-170 of this Code (for service under Article 11); or

26 (ii) to not agree to item (i) of this subsection

1 (d-10), in which case the member or participant shall
2 continue to be subject to the retirement age provisions in
3 subsections (c) and (d) of this Section and the employee
4 contributions for age and service annuity as provided in
5 subsection (a) of Section 8-174 of this Code (for service
6 under Article 8) or subsection (a) of Section 11-170 of
7 this Code (for service under Article 11).

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

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

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

25 (ii) to not agree to item (i) of this subsection
26 (d-15), in which case the member or participant shall not

1 be eligible for the reduced retirement age specified in
2 subsections (c) and (d) of this Section and shall not be
3 subject to the increase in employee contributions for
4 service annuities specified in subsection (b) of Section
5 12-150.

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

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

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

9 Notwithstanding any other provision of this Code to the
10 contrary, the retirement annuity of a participant to whom
11 subsection (c-10) applies shall be subject to annual increases
12 on the January 1 following the first anniversary of the
13 annuity start date. Each annual increase shall be calculated
14 at 3% or one-half the annual unadjusted percentage increase
15 (but not less than zero) in the consumer price index-u for the
16 12 months ending with the September preceding each November 1,
17 whichever is less, of the originally granted retirement
18 annuity. If the annual unadjusted percentage change in the
19 consumer price index-u for the 12 months ending with the
20 September preceding each November 1 is zero or there is a
21 decrease, then the annuity shall not be increased.

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

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

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

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

7 (g) The benefits in Section 14-110 apply ~~only~~ if the
8 person is ~~a State policeman,~~ a fire fighter in the fire
9 protection service of a department, ~~a conservation police~~
10 ~~officer, an investigator for the Secretary of State, an~~
11 ~~investigator for the Office of the Attorney General, an arson~~
12 ~~investigator, a Commerce Commission police officer,~~
13 ~~investigator for the Department of Revenue or the Illinois~~
14 ~~Gaming Board,~~ a security employee of the Department of
15 Corrections or the Department of Juvenile Justice, or a
16 security employee of the Department of Innovation and
17 Technology, as those terms are defined in subsection (b) and
18 subsection (c) of Section 14-110. A person who meets the
19 requirements of this Section is entitled to an annuity
20 calculated under the provisions of Section 14-110, in lieu of
21 the regular or minimum retirement annuity, only if the person
22 has withdrawn from service with not less than 20 years of
23 eligible creditable service and has attained age 60,
24 regardless of whether the attainment of age 60 occurs while
25 the person is still in service.

26 (g-5) The benefits in Section 14-110 apply if the person

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

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

1 applicable Article of this Code.

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

21 (i) (Blank).

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

25 (Source: P.A. 101-610, eff. 1-1-20; 102-16, eff. 6-17-21;
26 102-210, eff. 1-1-22; 102-263, eff. 8-6-21; 102-956, eff.

1 5-27-22.)

2 Section 90. The State Mandates Act is amended by adding
3 Section 8.47 as follows:

4 (30 ILCS 805/8.47 new)

5 Sec. 8.47. Exempt mandate. Notwithstanding Sections 6 and
6 8 of this Act, no reimbursement by the State is required for
7 the implementation of any mandate created by this amendatory
8 Act of the 103rd General Assembly.

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.