



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB0113

Introduced 1/24/2023, by Sen. Steve McClure

SYNOPSIS AS INTRODUCED:

40 ILCS 5/14-104	from Ch. 108 1/2, par. 14-104
40 ILCS 5/15-113	from Ch. 108 1/2, par. 15-113
40 ILCS 5/15-113.13 new	
40 ILCS 5/16-127	from Ch. 108 1/2, par. 16-127
40 ILCS 5/16-128	from Ch. 108 1/2, par. 16-128

Amends the State Employee, State Universities, and Downstate Teacher Articles of the Illinois Pension Code. Provides that a member may establish up to 5 years of creditable service for periods during which the participant rendered contractual services to any agency of the State, regardless of whether the services were rendered on a part-time or full-time basis if the member applies for the credit and makes a specified contribution. Provides that a member may not establish such service credit if the member has service credit in any other pension fund or retirement system under the Code during the period for which service credit is sought.

LRB103 26397 RPS 52760 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 14-104, 15-113, 16-127, and 16-128 and by
6 adding Section 15-113.13 as follows:

7 (40 ILCS 5/14-104) (from Ch. 108 1/2, par. 14-104)

8 Sec. 14-104. Service for which contributions permitted.
9 Contributions provided for in this Section shall cover the
10 period of service granted. Except as otherwise provided in
11 this Section, the contributions shall be based upon the
12 employee's compensation and contribution rate in effect on the
13 date he last became a member of the System; provided that for
14 all employment prior to January 1, 1969 the contribution rate
15 shall be that in effect for a noncovered employee on the date
16 he last became a member of the System. Except as otherwise
17 provided in this Section, contributions permitted under this
18 Section shall include regular interest from the date an
19 employee last became a member of the System to the date of
20 payment.

21 These contributions must be paid in full before retirement
22 either in a lump sum or in installment payments in accordance
23 with such rules as may be adopted by the board.

1 (a) Any member may make contributions as required in this
2 Section for any period of service, subsequent to the date of
3 establishment, but prior to the date of membership.

4 (b) Any employee who had been previously excluded from
5 membership because of age at entry and subsequently became
6 eligible may elect to make contributions as required in this
7 Section for the period of service during which he was
8 ineligible.

9 (c) An employee of the Department of Insurance who, after
10 January 1, 1944 but prior to becoming eligible for membership,
11 received salary from funds of insurance companies in the
12 process of rehabilitation, liquidation, conservation or
13 dissolution, may elect to make contributions as required in
14 this Section for such service.

15 (d) Any employee who rendered service in a State office to
16 which he was elected, or rendered service in the elective
17 office of Clerk of the Appellate Court prior to the date he
18 became a member, may make contributions for such service as
19 required in this Section. Any member who served by appointment
20 of the Governor under the Civil Administrative Code of
21 Illinois and did not participate in this System may make
22 contributions as required in this Section for such service.

23 (e) Any person employed by the United States government or
24 any instrumentality or agency thereof from January 1, 1942
25 through November 15, 1946 as the result of a transfer from
26 State service by executive order of the President of the

1 United States shall be entitled to prior service credit
2 covering the period from January 1, 1942 through December 31,
3 1943 as provided for in this Article and to membership service
4 credit for the period from January 1, 1944 through November
5 15, 1946 by making the contributions required in this Section.
6 A person so employed on January 1, 1944 but whose employment
7 began after January 1, 1942 may qualify for prior service and
8 membership service credit under the same conditions.

9 (f) An employee of the Department of Labor of the State of
10 Illinois who performed services for and under the supervision
11 of that Department prior to January 1, 1944 but who was
12 compensated for those services directly by federal funds and
13 not by a warrant of the Auditor of Public Accounts paid by the
14 State Treasurer may establish credit for such employment by
15 making the contributions required in this Section. An employee
16 of the Department of Agriculture of the State of Illinois, who
17 performed services for and under the supervision of that
18 Department prior to June 1, 1963, but was compensated for
19 those services directly by federal funds and not paid by a
20 warrant of the Auditor of Public Accounts paid by the State
21 Treasurer, and who did not contribute to any other public
22 employee retirement system for such service, may establish
23 credit for such employment by making the contributions
24 required in this Section.

25 (g) Any employee who executed a waiver of membership
26 within 60 days prior to January 1, 1944 may, at any time while

1 in the service of a department, file with the board a
2 rescission of such waiver. Upon making the contributions
3 required by this Section, the member shall be granted the
4 creditable service that would have been received if the waiver
5 had not been executed.

6 (h) Until May 1, 1990, an employee who was employed on a
7 full-time basis by a regional planning commission for at least
8 5 continuous years may establish creditable service for such
9 employment by making the contributions required under this
10 Section, provided that any credits earned by the employee in
11 the commission's retirement plan have been terminated.

12 (i) Any person who rendered full time contractual services
13 to the General Assembly as a member of a legislative staff may
14 establish service credit for up to 8 years of such services by
15 making the contributions required under this Section, provided
16 that application therefor is made not later than July 1, 1991.

17 (j) By paying the contributions otherwise required under
18 this Section, plus an amount determined by the Board to be
19 equal to the employer's normal cost of the benefit plus
20 interest, but with all of the interest calculated from the
21 date the employee last became a member of the System or
22 November 19, 1991, whichever is later, to the date of payment,
23 an employee may establish service credit for a period of up to
24 4 years spent in active military service for which he does not
25 qualify for credit under Section 14-105, provided that (1) he
26 was not dishonorably discharged from such military service,

1 and (2) the amount of service credit established by a member
2 under this subsection (j), when added to the amount of
3 military service credit granted to the member under subsection
4 (b) of Section 14-105, shall not exceed 5 years. The change in
5 the manner of calculating interest under this subsection (j)
6 made by this amendatory Act of the 92nd General Assembly
7 applies to credit purchased by an employee on or after its
8 effective date and does not entitle any person to a refund of
9 contributions or interest already paid. In compliance with
10 Section 14-152.1 of this Act concerning new benefit increases,
11 any new benefit increase as a result of the changes to this
12 subsection (j) made by Public Act 95-483 is funded through the
13 employee contributions provided for in this subsection (j).
14 Any new benefit increase as a result of the changes made to
15 this subsection (j) by Public Act 95-483 is exempt from the
16 provisions of subsection (d) of Section 14-152.1.

17 (k) An employee who was employed on a full-time basis by
18 the Illinois State's Attorneys Association Statewide Appellate
19 Assistance Service LEAA-ILEC grant project prior to the time
20 that project became the State's Attorneys Appellate Service
21 Commission, now the Office of the State's Attorneys Appellate
22 Prosecutor, an agency of State government, may establish
23 creditable service for not more than 60 months service for
24 such employment by making contributions required under this
25 Section.

26 (l) By paying the contributions otherwise required under

1 this Section, plus an amount determined by the Board to be
2 equal to the employer's normal cost of the benefit plus
3 interest, a member may establish service credit for periods of
4 less than one year spent on authorized leave of absence from
5 service, provided that (1) the period of leave began on or
6 after January 1, 1982 and (2) any credit established by the
7 member for the period of leave in any other public employee
8 retirement system has been terminated. A member may establish
9 service credit under this subsection for more than one period
10 of authorized leave, and in that case the total period of
11 service credit established by the member under this subsection
12 may exceed one year. In determining the contributions required
13 for establishing service credit under this subsection, the
14 interest shall be calculated from the beginning of the leave
15 of absence to the date of payment.

16 (1-5) By paying the contributions otherwise required under
17 this Section, plus an amount determined by the Board to be
18 equal to the employer's normal cost of the benefit plus
19 interest, a member may establish service credit for periods of
20 up to 2 years spent on authorized leave of absence from
21 service, provided that during that leave the member
22 represented or was employed as an officer or employee of a
23 statewide labor organization that represents members of this
24 System. In determining the contributions required for
25 establishing service credit under this subsection, the
26 interest shall be calculated from the beginning of the leave

1 of absence to the date of payment.

2 (m) Any person who rendered contractual services to a
3 member of the General Assembly as a worker in the member's
4 district office may establish creditable service for up to 3
5 years of those contractual services by making the
6 contributions required under this Section. The System shall
7 determine a full-time salary equivalent for the purpose of
8 calculating the required contribution. To establish credit
9 under this subsection, the applicant must apply to the System
10 by March 1, 1998.

11 (n) Any person who rendered contractual services to a
12 member of the General Assembly as a worker providing
13 constituent services to persons in the member's district may
14 establish creditable service for up to 8 years of those
15 contractual services by making the contributions required
16 under this Section. The System shall determine a full-time
17 salary equivalent for the purpose of calculating the required
18 contribution. To establish credit under this subsection, the
19 applicant must apply to the System by March 1, 1998.

20 (o) A member who participated in the Illinois Legislative
21 Staff Internship Program may establish creditable service for
22 up to one year of that participation by making the
23 contribution required under this Section. The System shall
24 determine a full-time salary equivalent for the purpose of
25 calculating the required contribution. Credit may not be
26 established under this subsection for any period for which

1 service credit is established under any other provision of
2 this Code.

3 (p) By paying the contributions otherwise required under
4 this Section, plus an amount determined by the Board to be
5 equal to the employer's normal cost of the benefit plus
6 interest, a member may establish service credit for a period
7 of up to 8 years during which he or she was employed by the
8 Visually Handicapped Managers of Illinois in a vending program
9 operated under a contractual agreement with the Department of
10 Rehabilitation Services or its successor agency.

11 This subsection (p) applies without regard to whether the
12 person was in service on or after the effective date of this
13 amendatory Act of the 94th General Assembly. In the case of a
14 person who is receiving a retirement annuity on that effective
15 date, the increase, if any, shall begin to accrue on the first
16 annuity payment date following receipt by the System of the
17 contributions required under this subsection (p).

18 (q) By paying the required contributions under this
19 Section, plus an amount determined by the Board to be equal to
20 the employer's normal cost of the benefit plus interest, an
21 employee who was laid off but returned to any State employment
22 may establish creditable service for the period of the layoff,
23 provided that (1) the applicant applies for the creditable
24 service under this subsection (q) within 6 months after July
25 27, 2010 (the effective date of Public Act 96-1320), (2) the
26 applicant does not receive credit for that period under any

1 other provision of this Code, (3) at the time of the layoff,
2 the applicant is not in an initial probationary status
3 consistent with the rules of the Department of Central
4 Management Services, and (4) the total amount of creditable
5 service established by the applicant under this subsection (q)
6 does not exceed 3 years. For service established under this
7 subsection (q), the required employee contribution shall be
8 based on the rate of compensation earned by the employee on the
9 date of returning to employment after the layoff and the
10 contribution rate then in effect, and the required interest
11 shall be calculated at the actuarially assumed rate from the
12 date of returning to employment after the layoff to the date of
13 payment. Funding for any new benefit increase, as defined in
14 Section 14-152.1 of this Act, that is created under this
15 subsection (q) will be provided by the employee contributions
16 required under this subsection (q).

17 (r) A member who participated in the University of
18 Illinois Government Public Service Internship Program (GPSI)
19 may establish creditable service for up to 2 years of that
20 participation by making the contribution required under this
21 Section, plus an amount determined by the Board to be equal to
22 the employer's normal cost of the benefit plus interest. The
23 System shall determine a full-time salary equivalent for the
24 purpose of calculating the required contribution. Credit may
25 not be established under this subsection for any period for
26 which service credit is established under any other provision

1 of this Code.

2 (s) A member who worked as a nurse under a contractual
3 agreement for the Department of Public Aid, or its successor
4 agency, the Department of Human Services, in the Client
5 Assessment Unit and was subsequently determined to be a State
6 employee by the United States Internal Revenue Service and the
7 Illinois Labor Relations Board may establish creditable
8 service for those contractual services by making the
9 contributions required under this Section. To establish credit
10 under this subsection, the applicant must apply to the System
11 by July 1, 2008.

12 The Department of Human Services shall pay an employer
13 contribution based upon an amount determined by the Board to
14 be equal to the employer's normal cost of the benefit, plus
15 interest.

16 In compliance with Section 14-152.1 added by Public Act
17 94-4, the cost of the benefits provided by Public Act 95-583
18 are offset by the required employee and employer
19 contributions.

20 (t) Any person who rendered contractual services on a
21 full-time basis to the Illinois Institute of Natural Resources
22 and the Illinois Department of Energy and Natural Resources
23 may establish creditable service for up to 4 years of those
24 contractual services by making the contributions required
25 under this Section, plus an amount determined by the Board to
26 be equal to the employer's normal cost of the benefit plus

1 interest at the actuarially assumed rate from the first day of
2 the service for which credit is being established to the date
3 of payment. To establish credit under this subsection (t), the
4 applicant must apply to the System within 6 months after July
5 27, 2010 (the effective date of Public Act 96-1320).

6 (u) By paying the required contributions under this
7 Section, plus an amount determined by the Board to be equal to
8 the employer's normal cost of the benefit, plus interest, a
9 member may establish creditable service and earnings credit
10 for periods of furlough beginning on or after July 1, 2008. To
11 receive this credit, the participant must (i) apply in writing
12 to the System before December 31, 2011 and (ii) not receive
13 compensation for the furlough period. For service established
14 under this subsection, the required employee contribution
15 shall be based on the rate of compensation earned by the
16 employee immediately following the date of the first furlough
17 day in the time period specified in this subsection (u), and
18 the required interest shall be calculated at the actuarially
19 assumed rate from the date of the furlough to the date of
20 payment.

21 (v) Any member who rendered full-time contractual services
22 to an Illinois Veterans Home operated by the Department of
23 Veterans' Affairs may establish service credit for up to 8
24 years of such services by making the contributions required
25 under this Section, plus an amount determined by the Board to
26 be equal to the employer's normal cost of the benefit, plus

1 interest at the actuarially assumed rate. To establish credit
2 under this subsection, the applicant must apply to the System
3 no later than 6 months after July 27, 2010 (the effective date
4 of Public Act 96-1320).

5 (w) Any member who rendered contractual services to a
6 department, regardless of whether the services were rendered
7 on a part-time or full-time basis, may establish service
8 credit for up to 5 years of such service by: (i) applying in
9 writing to the System; and (ii) contributing an amount
10 determined by the Board to be equal to the contributions
11 required under this Section, plus the employer's normal cost
12 of the benefit, plus interest at the actuarially assumed rate,
13 compounded annually, from the date the contractual services
14 were rendered to the date of payment. A member may not
15 establish service credit under this subsection if the member
16 has service credit in any other pension fund or retirement
17 system under this Code during the period for which service
18 credit is sought under this subsection.

19 (Source: P.A. 96-97, eff. 7-27-09; 96-718, eff. 8-25-09;
20 96-775, eff. 8-28-09; 96-961, eff. 7-2-10; 96-1000, eff.
21 7-2-10; 96-1320, eff. 7-27-10; 96-1535, eff. 3-4-11; 97-333,
22 8-12-11.)

23 (40 ILCS 5/15-113) (from Ch. 108 1/2, par. 15-113)

24 Sec. 15-113. Service. "Service": The periods defined in
25 Sections 15-113.1 through 15-113.9 and Sections 15-113.11

1 through 15-113.13 ~~15-113.12~~.

2 (Source: P.A. 100-556, eff. 12-8-17.)

3 (40 ILCS 5/15-113.13 new)

4 Sec. 15-113.13. Service for rendering contractual services
5 to an agency of the State. A participating employee may
6 establish up to 5 years of creditable service for periods
7 during which the participant rendered contractual services to
8 any agency of the State, regardless of whether the services
9 were rendered on a part-time or full-time basis. To receive
10 this credit, the participant must: (i) apply in writing to the
11 System; and (ii) contribute an amount determined by the Board
12 to be equal to the employee contributions required under
13 Section 15-157, plus the employer's normal cost of the
14 benefit, plus interest at the effective rate, compounded
15 annually, from the date the contractual services were rendered
16 to the date of payment. A participant may not establish
17 service credit under this Section if the participant has
18 service credit in any other pension fund or retirement system
19 under this Code during the period for which service credit is
20 sought under this Section.

21 (40 ILCS 5/16-127) (from Ch. 108 1/2, par. 16-127)

22 Sec. 16-127. Computation of creditable service.

23 (a) Each member shall receive regular credit for all
24 service as a teacher from the date membership begins, for

1 which satisfactory evidence is supplied and all contributions
2 have been paid.

3 (b) The following periods of service shall earn optional
4 credit and each member shall receive credit for all such
5 service for which satisfactory evidence is supplied and all
6 contributions have been paid as of the date specified:

7 (1) Prior service as a teacher.

8 (2) Service in a capacity essentially similar or
9 equivalent to that of a teacher, in the public common
10 schools in school districts in this State not included
11 within the provisions of this System, or of any other
12 State, territory, dependency or possession of the United
13 States, or in schools operated by or under the auspices of
14 the United States, or under the auspices of any agency or
15 department of any other State, and service during any
16 period of professional speech correction or special
17 education experience for a public agency within this State
18 or any other State, territory, dependency or possession of
19 the United States, and service prior to February 1, 1951
20 as a recreation worker for the Illinois Department of
21 Public Safety, for a period not exceeding the lesser of
22 2/5 of the total creditable service of the member or 10
23 years. The maximum service of 10 years which is allowable
24 under this paragraph shall be reduced by the service
25 credit which is validated by other retirement systems
26 under paragraph (i) of Section 15-113 and paragraph 1 of

1 Section 17-133. Credit granted under this paragraph may
2 not be used in determination of a retirement annuity or
3 disability benefits unless the member has at least 5 years
4 of creditable service earned subsequent to this employment
5 with one or more of the following systems: Teachers'
6 Retirement System of the State of Illinois, State
7 Universities Retirement System, and the Public School
8 Teachers' Pension and Retirement Fund of Chicago. Whenever
9 such service credit exceeds the maximum allowed for all
10 purposes of this Article, the first service rendered in
11 point of time shall be considered. The changes to this
12 subdivision (b)(2) made by Public Act 86-272 shall apply
13 not only to persons who on or after its effective date
14 (August 23, 1989) are in service as a teacher under the
15 System, but also to persons whose status as such a teacher
16 terminated prior to such effective date, whether or not
17 such person is an annuitant on that date.

18 (3) Any periods immediately following teaching
19 service, under this System or under Article 17, (or
20 immediately following service prior to February 1, 1951 as
21 a recreation worker for the Illinois Department of Public
22 Safety) spent in active service with the military forces
23 of the United States; periods spent in educational
24 programs that prepare for return to teaching sponsored by
25 the federal government following such active military
26 service; if a teacher returns to teaching service within

1 one calendar year after discharge or after the completion
2 of the educational program, a further period, not
3 exceeding one calendar year, between time spent in
4 military service or in such educational programs and the
5 return to employment as a teacher under this System; and a
6 period of up to 2 years of active military service not
7 immediately following employment as a teacher.

8 The changes to this Section and Section 16-128
9 relating to military service made by P.A. 87-794 shall
10 apply not only to persons who on or after its effective
11 date are in service as a teacher under the System, but also
12 to persons whose status as a teacher terminated prior to
13 that date, whether or not the person is an annuitant on
14 that date. In the case of an annuitant who applies for
15 credit allowable under this Section for a period of
16 military service that did not immediately follow
17 employment, and who has made the required contributions
18 for such credit, the annuity shall be recalculated to
19 include the additional service credit, with the increase
20 taking effect on the date the System received written
21 notification of the annuitant's intent to purchase the
22 credit, if payment of all the required contributions is
23 made within 60 days of such notice, or else on the first
24 annuity payment date following the date of payment of the
25 required contributions. In calculating the automatic
26 annual increase for an annuity that has been recalculated

1 under this Section, the increase attributable to the
2 additional service allowable under P.A. 87-794 shall be
3 included in the calculation of automatic annual increases
4 accruing after the effective date of the recalculation.

5 Credit for military service shall be determined as
6 follows: if entry occurs during the months of July,
7 August, or September and the member was a teacher at the
8 end of the immediately preceding school term, credit shall
9 be granted from July 1 of the year in which he or she
10 entered service; if entry occurs during the school term
11 and the teacher was in teaching service at the beginning
12 of the school term, credit shall be granted from July 1 of
13 such year. In all other cases where credit for military
14 service is allowed, credit shall be granted from the date
15 of entry into the service.

16 The total period of military service for which credit
17 is granted shall not exceed 5 years for any member unless
18 the service: (A) is validated before July 1, 1964, and (B)
19 does not extend beyond July 1, 1963. Credit for military
20 service shall be granted under this Section only if not
21 more than 5 years of the military service for which credit
22 is granted under this Section is used by the member to
23 qualify for a military retirement allotment from any
24 branch of the armed forces of the United States. The
25 changes to this subdivision (b)(3) made by Public Act
26 86-272 shall apply not only to persons who on or after its

1 effective date (August 23, 1989) are in service as a
2 teacher under the System, but also to persons whose status
3 as such a teacher terminated prior to such effective date,
4 whether or not such person is an annuitant on that date.

5 (4) Any periods served as a member of the General
6 Assembly.

7 (5) (i) Any periods for which a teacher, as defined in
8 Section 16-106, is granted a leave of absence, provided he
9 or she returns to teaching service creditable under this
10 System or the State Universities Retirement System
11 following the leave; (ii) periods during which a teacher
12 is involuntarily laid off from teaching, provided he or
13 she returns to teaching following the lay-off; (iii)
14 periods prior to July 1, 1983 during which a teacher
15 ceased covered employment due to pregnancy, provided that
16 the teacher returned to teaching service creditable under
17 this System or the State Universities Retirement System
18 following the pregnancy and submits evidence satisfactory
19 to the Board documenting that the employment ceased due to
20 pregnancy; and (iv) periods prior to July 1, 1983 during
21 which a teacher ceased covered employment for the purpose
22 of adopting an infant under 3 years of age or caring for a
23 newly adopted infant under 3 years of age, provided that
24 the teacher returned to teaching service creditable under
25 this System or the State Universities Retirement System
26 following the adoption and submits evidence satisfactory

1 to the Board documenting that the employment ceased for
2 the purpose of adopting an infant under 3 years of age or
3 caring for a newly adopted infant under 3 years of age.
4 However, total credit under this paragraph (5) may not
5 exceed 3 years.

6 Any qualified member or annuitant may apply for credit
7 under item (iii) or (iv) of this paragraph (5) without
8 regard to whether service was terminated before the
9 effective date of this amendatory Act of 1997. In the case
10 of an annuitant who establishes credit under item (iii) or
11 (iv), the annuity shall be recalculated to include the
12 additional service credit. The increase in annuity shall
13 take effect on the date the System receives written
14 notification of the annuitant's intent to purchase the
15 credit, if the required evidence is submitted and the
16 required contribution paid within 60 days of that
17 notification, otherwise on the first annuity payment date
18 following the System's receipt of the required evidence
19 and contribution. The increase in an annuity recalculated
20 under this provision shall be included in the calculation
21 of automatic annual increases in the annuity accruing
22 after the effective date of the recalculation.

23 Optional credit may be purchased under this subsection
24 (b) (5) for periods during which a teacher has been granted
25 a leave of absence pursuant to Section 24-13 of the School
26 Code. A teacher whose service under this Article

1 terminated prior to the effective date of P.A. 86-1488
2 shall be eligible to purchase such optional credit. If a
3 teacher who purchases this optional credit is already
4 receiving a retirement annuity under this Article, the
5 annuity shall be recalculated as if the annuitant had
6 applied for the leave of absence credit at the time of
7 retirement. The difference between the entitled annuity
8 and the actual annuity shall be credited to the purchase
9 of the optional credit. The remainder of the purchase cost
10 of the optional credit shall be paid on or before April 1,
11 1992.

12 The change in this paragraph made by Public Act 86-273
13 shall be applicable to teachers who retire after June 1,
14 1989, as well as to teachers who are in service on that
15 date.

16 (6) Any days of unused and uncompensated accumulated
17 sick leave earned by a teacher. The service credit granted
18 under this paragraph shall be the ratio of the number of
19 unused and uncompensated accumulated sick leave days to
20 170 days, subject to a maximum of 2 years of service
21 credit. Prior to the member's retirement, each former
22 employer shall certify to the System the number of unused
23 and uncompensated accumulated sick leave days credited to
24 the member at the time of termination of service. The
25 period of unused sick leave shall not be considered in
26 determining the effective date of retirement. A member is

1 not required to make contributions in order to obtain
2 service credit for unused sick leave.

3 Credit for sick leave shall, at retirement, be granted
4 by the System for any retiring regional or assistant
5 regional superintendent of schools at the rate of 6 days
6 per year of creditable service or portion thereof
7 established while serving as such superintendent or
8 assistant superintendent.

9 (7) Periods prior to February 1, 1987 served as an
10 employee of the Illinois Mathematics and Science Academy
11 for which credit has not been terminated under Section
12 15-113.9 of this Code.

13 (8) Service as a substitute teacher for work performed
14 prior to July 1, 1990.

15 (9) Service as a part-time teacher for work performed
16 prior to July 1, 1990.

17 (10) Up to 2 years of employment with Southern
18 Illinois University - Carbondale from September 1, 1959 to
19 August 31, 1961, or with Governors State University from
20 September 1, 1972 to August 31, 1974, for which the
21 teacher has no credit under Article 15. To receive credit
22 under this item (10), a teacher must apply in writing to
23 the Board and pay the required contributions before May 1,
24 1993 and have at least 12 years of service credit under
25 this Article.

26 (11) Up to 5 years for periods during which the

1 participant rendered contractual services to any agency of
2 the State, regardless of whether the services were
3 rendered on a part-time or full-time basis.

4 (b-1) A member may establish optional credit for up to 2
5 years of service as a teacher or administrator employed by a
6 private school recognized by the Illinois State Board of
7 Education, provided that the teacher (i) was certified under
8 the law governing the certification of teachers at the time
9 the service was rendered, (ii) applies in writing on or before
10 June 30, 2023, (iii) supplies satisfactory evidence of the
11 employment, (iv) completes at least 10 years of contributing
12 service as a teacher as defined in Section 16-106, and (v) pays
13 the contribution required in subsection (d-5) of Section
14 16-128. The member may apply for credit under this subsection
15 and pay the required contribution before completing the 10
16 years of contributing service required under item (iv), but
17 the credit may not be used until the item (iv) contributing
18 service requirement has been met.

19 (c) The service credits specified in this Section shall be
20 granted only if: (1) such service credits are not used for
21 credit in any other statutory tax-supported public employee
22 retirement system other than the federal Social Security
23 program; and (2) the member makes the required contributions
24 as specified in Section 16-128. Except as provided in
25 subsection (b-1) of this Section, the service credit shall be
26 effective as of the date the required contributions are

1 completed.

2 Any service credits granted under this Section shall
3 terminate upon cessation of membership for any cause.

4 Credit may not be granted under this Section covering any
5 period for which an age retirement or disability retirement
6 allowance has been paid.

7 Credit may not be granted under this Section for service
8 as an employee of an entity that provides substitute teaching
9 services under Section 2-3.173 of the School Code and is not a
10 school district.

11 (Source: P.A. 102-525, eff. 8-20-21.)

12 (40 ILCS 5/16-128) (from Ch. 108 1/2, par. 16-128)

13 Sec. 16-128. Creditable service - required contributions.

14 (a) In order to receive the creditable service specified
15 under subsection (b) of Section 16-127, a member is required
16 to make the following contributions: (i) an amount equal to
17 the contributions which would have been required had such
18 service been rendered as a member under this System; (ii) for
19 military service not immediately following employment and for
20 service established under subdivision (b)(10) of Section
21 16-127, an amount determined by the Board to be equal to the
22 employer's normal cost of the benefits accrued for such
23 service; and (iii) interest from the date the contributions
24 would have been due (or, in the case of a person establishing
25 credit for military service under subdivision (b)(3) of

1 Section 16-127, the date of first membership in the System, if
2 that date is later) to the date of payment, at the following
3 rate of interest, compounded annually: for periods prior to
4 July 1, 1965, regular interest; from July 1, 1965 to June 30,
5 1977, 4% per year; on and after July 1, 1977, regular interest.

6 (b) In order to receive creditable service under paragraph
7 (2) of subsection (b) of Section 16-127 for those who were not
8 members on June 30, 1963, the minimum required contribution
9 shall be \$420 per year of service together with interest at 4%
10 per year compounded annually from July 1, preceding the date
11 of membership until June 30, 1977 and at regular interest
12 compounded annually thereafter to the date of payment.

13 (c) In determining the contribution required in order to
14 receive creditable service under paragraph (3) of subsection
15 (b) of Section 16-127, the salary rate for the remainder of the
16 school term in which a member enters military service shall be
17 assumed to be equal to the member's salary rate at the time of
18 entering military service. However, for military service not
19 immediately following employment, the salary rate on the last
20 date as a participating teacher prior to such military
21 service, or on the first date as a participating teacher after
22 such military service, whichever is greater, shall be assumed
23 to be equal to the member's salary rate at the time of entering
24 military service. For each school term thereafter, the
25 member's salary rate shall be assumed to be 5% higher than the
26 salary rate in the previous school term.

1 (d) In determining the contribution required in order to
2 receive creditable service under paragraph (5) of subsection
3 (b) of Section 16-127, a member's salary rate during the
4 period for which credit is being established shall be assumed
5 to be equal to the member's last salary rate immediately
6 preceding that period.

7 (d-5) For each year of service credit to be established
8 under subsection (b-1) of Section 16-127, a member is required
9 to contribute to the System (i) the employee and employer
10 contribution that would have been required had such service
11 been rendered as a member based on the annual salary rate
12 during the first year of full-time employment as a teacher
13 under this Article following the private or parochial school
14 service, plus (ii) interest thereon at the actuarially assumed
15 rate from the date of first full-time employment as a teacher
16 under this Article following the private or parochial school
17 service to the date of payment, compounded annually, at a rate
18 determined by the Board.

19 (d-10) For service credit established under paragraph (6)
20 of subsection (b) of Section 16-127 for days granted by an
21 employer in excess of the member's normal annual sick leave
22 allotment, the employer is required to pay the normal cost of
23 benefits based upon such service credit. This subsection
24 (d-10) does not apply to sick leave granted to teachers under
25 contracts or collective bargaining agreements entered into,
26 amended, or renewed before June 1, 2005 (the effective date of

1 Public Act 94-4). The employer contributions required under
2 this subsection (d-10) shall be paid in the form of a lump sum
3 within 30 days after receipt of the bill after the teacher
4 begins receiving benefits under this Article.

5 (d-15) For service credit established under paragraph (11)
6 of subsection (b) of Section 16-127, a member is required to
7 contribute to the System the employee contributions that would
8 have been required if the service had been rendered as a member
9 based on the annual salary rate at the time of application for
10 the service credit, plus the employer's normal cost of the
11 benefit, plus regular interest thereon, compounded annually,
12 from the date the contractual services were rendered to the
13 date of payment.

14 (e) Except for contributions under subsection (d-10), the
15 contributions required under this Section may be made from the
16 date the statement for such creditable service is issued until
17 retirement date. All such required contributions must be made
18 before any retirement annuity is granted.

19 (Source: P.A. 96-546, eff. 8-17-09.)