



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1692

Introduced 2/8/2023, by Sen. Robert F. Martwick

SYNOPSIS AS INTRODUCED:

40 ILCS 5/3-110.10

40 ILCS 5/7-139.14

40 ILCS 5/14-110

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

40 ILCS 5/14-152.1

30 ILCS 805/8.47 new

Amends the Illinois Pension Code. In provisions authorizing certain persons to transfer service credit from IMRF to a downstate police pension fund, makes technical and combining changes to conform the changes made by Public Act 102-857 and Public Act 102-1061. Removes a restrictive date on the transfer of that service credit. Authorizes investigators for the Secretary of State and conservation police officers to transfer that service credit. In the State Employee Article, provides that beginning on the effective date of the amendatory Act through the end of the 60th month after the effective date of the amendatory Act, a State policeman who earns a retirement annuity equal to the limitation specified under the alternative retirement annuity provisions may elect to begin his or her retirement annuity effective on the month he or she first earned that retirement annuity at the amount so limited or the effective date of the amendatory Act, whichever is later. Provides that a State policeman who makes such an election must first pay to the System an amount equal to the increase in the present value of the future benefits resulting from the State policeman's election to retire in accordance with the provisions. Provides that a State policeman or conservation police officer may elect to convert service credit earned under the Article or, for certain types of service, elect to establish eligible creditable service under the alternative retirement annuity provisions by filing a written election with the board and paying to the System a specified amount. Provides that any benefit increase that results from the amendatory Act is excluded from the definition of "new benefit increase". Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB103 27282 RPS 53653 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 3-110.10, 14-110, 7-139.14, and 14-152.1 as
6 follows:

7 (40 ILCS 5/3-110.10)

8 (Text of Section from P.A. 102-857)

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

21 ~~A No later than 6 months after July 23, 2021 (the effective~~
22 ~~date of Public Act 102-113), a person may transfer to a fund~~
23 established under this Article creditable service accumulated

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

17 ~~No later than 6 months after the effective date of this~~
18 ~~amendatory Act of the 102nd General Assembly, a person may~~
19 ~~transfer to a fund established under this Article creditable~~
20 ~~service accumulated under Article 7 of this Code for service~~
21 ~~as a county correctional officer or as a person employed by a~~
22 ~~participating municipality to perform administrative duties~~
23 ~~related to law enforcement upon payment to the fund of an~~
24 ~~amount to be determined by the board, equal to (i) the~~
25 ~~difference between the amount of employee and employer~~
26 ~~contributions transferred to the fund under Section 7 139.14~~

1 ~~and the amounts that would have been contributed had such~~
2 ~~contributions been made at the rates applicable to an employee~~
3 ~~under this Article, plus (ii) interest thereon at the~~
4 ~~actuarially assumed rate, compounded annually, from the date~~
5 ~~of service to the date of payment.~~

6 (Source: P.A. 102-113, eff. 7-23-21; 102-857, eff. 5-13-22.)

7 (Text of Section from P.A. 102-1061)

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

20 ~~A No later than September 30, 2023,~~ a person may transfer
21 to a fund established under this Article creditable service
22 accumulated under Article 7 of this Code for service as a
23 sheriff's law enforcement employee, county correctional
24 officer, person employed by a participating municipality to
25 perform police duties, law enforcement officer employed on a

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

13 (Source: P.A. 102-113, eff. 7-23-21; 102-1061, eff. 1-1-23.)

14 (40 ILCS 5/7-139.14)

15 (Text of Section from P.A. 102-857)

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

17 (a) ~~An~~ Within 6 months after July 23, 2021 ~~(the effective~~
18 ~~date of Public Act 102-113),~~ an active member of a pension fund
19 established under Article 3 of this Code may apply for
20 transfer to that Article 3 pension fund of his or her credits
21 and creditable service accumulated in this Fund for service as
22 a sheriff's law enforcement employee, county correctional
23 officer, person employed by a participating municipality to
24 perform police duties, ~~or~~ law enforcement officer employed on
25 a full-time basis by a forest preserve district, person

1 employed by a participating municipality or instrumentality to
2 perform administrative duties related to law enforcement,
3 investigator for the Secretary of State, or conservation
4 police officer. The creditable service shall be transferred
5 only upon payment by this Fund to such Article 3 pension fund
6 of an amount equal to:

7 (1) the amounts accumulated to the credit of the
8 applicant for the service to be transferred, including
9 interest; and

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

12 (3) any interest paid by the applicant to reinstate
13 such service.

14 ~~Within 6 months after the effective date of this~~
15 ~~amendatory Act of the 102nd General Assembly, an active member~~
16 ~~of a pension fund established under Article 3 of this Code may~~
17 ~~apply for transfer to that Article 3 pension fund of his or her~~
18 ~~credits and creditable service accumulated in this Fund for~~
19 ~~service as a county correctional officer or as a person~~
20 ~~employed by a participating municipality to perform~~
21 ~~administrative duties related to law enforcement. The~~
22 ~~creditable service shall be transferred only upon payment by~~
23 ~~this Fund to such Article 3 pension fund of an amount equal to:~~

24 ~~(1) the amounts accumulated to the credit of the~~
25 ~~applicant for the service to be transferred, including~~
26 ~~interest; and~~

1 ~~(2) an amount representing employer contributions,~~
2 ~~equal to the total amount determined under item (1); and~~
3 ~~(3) any interest paid by the applicant to reinstate~~
4 ~~such service.~~

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

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

15 (Source: P.A. 102-113, eff. 7-23-21; 102-857, eff. 5-13-22.)

16 (Text of Section from P.A. 102-1061)

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

18 (a) An ~~No later than June 30, 2023,~~ an active member of a
19 pension fund established under Article 3 of this Code may
20 apply for transfer to that Article 3 pension fund of his or her
21 credits and creditable service accumulated in this Fund for
22 service as a sheriff's law enforcement employee, county
23 correctional officer, person employed by a participating
24 municipality to perform police duties, law enforcement officer
25 employed on a full-time basis by a forest preserve district,

1 ~~or~~ person employed by a participating municipality or
2 instrumentality to perform administrative duties related to
3 law enforcement, investigator for the Secretary of State, or
4 conservation police officer. The creditable service shall be
5 transferred only upon payment by this Fund to such Article 3
6 pension fund of an amount equal to:

7 (1) the amounts accumulated to the credit of the
8 applicant for the service to be transferred, including
9 interest; and

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

12 (3) any interest paid by the applicant to reinstate
13 such service.

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

16 (b) Notwithstanding any other provision of this Code, any
17 person applying to transfer service under this Section may
18 reinstate credits and creditable service terminated upon
19 receipt of a separation benefit by paying to the Fund the
20 amount of the separation benefit plus interest thereon at the
21 actuarially assumed rate of interest to the date of payment.
22 Such payment must be made within 90 ~~60~~ days after notification
23 by the Fund of the cost of such reinstatement.

24 (Source: P.A. 102-113, eff. 7-23-21; 102-1061, eff. 1-1-23.)

25 (40 ILCS 5/14-110) (from Ch. 108 1/2, par. 14-110)

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

2 Sec. 14-110. Alternative retirement annuity.

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

12 (i) for periods of service as a noncovered employee:
13 if retirement occurs on or after January 1, 2001, 3% of
14 final average compensation for each year of creditable
15 service; if retirement occurs before January 1, 2001, 2
16 1/4% of final average compensation for each of the first
17 10 years of creditable service, 2 1/2% for each year above
18 10 years to and including 20 years of creditable service,
19 and 2 3/4% for each year of creditable service above 20
20 years; and

21 (ii) for periods of eligible creditable service as a
22 covered employee: if retirement occurs on or after January
23 1, 2001, 2.5% of final average compensation for each year
24 of creditable service; if retirement occurs before January
25 1, 2001, 1.67% of final average compensation for each of
26 the first 10 years of such service, 1.90% for each of the

1 next 10 years of such service, 2.10% for each year of such
2 service in excess of 20 but not exceeding 30, and 2.30% for
3 each year in excess of 30.

4 Such annuity shall be subject to a maximum of 75% of final
5 average compensation if retirement occurs before January 1,
6 2001 or to a maximum of 80% of final average compensation if
7 retirement occurs on or after January 1, 2001.

8 These rates shall not be applicable to any service
9 performed by a member as a covered employee which is not
10 eligible creditable service. Service as a covered employee
11 which is not eligible creditable service shall be subject to
12 the rates and provisions of Section 14-108.

13 (a-5) Notwithstanding the applicable age eligibility
14 requirements of subsection (a) of this Section, beginning on
15 the effective date of this amendatory Act of the 103rd General
16 Assembly through the end of the 60th month after the effective
17 date of this amendatory Act of the 103rd General Assembly, a
18 State policeman who earns a retirement annuity equal to the
19 limitation specified under subsection (a) of this Section, may
20 elect to begin his or her retirement annuity effective on the
21 month he or she first earned that retirement annuity at the
22 amount so limited or the effective date of this amendatory Act
23 of the 103rd General Assembly, whichever is later. A State
24 policeman who elects to retire under the provisions of this
25 subsection must first pay to the System an amount equal to the
26 increase in the present value of the future benefits resulting

1 from the State policeman's election to retire in accordance
2 with this subsection.

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

6 (1) State policeman;

7 (2) fire fighter in the fire protection service of a
8 department;

9 (3) air pilot;

10 (4) special agent;

11 (5) investigator for the Secretary of State;

12 (6) conservation police officer;

13 (7) investigator for the Department of Revenue or the
14 Illinois Gaming Board;

15 (8) security employee of the Department of Human
16 Services;

17 (9) Central Management Services security police
18 officer;

19 (10) security employee of the Department of
20 Corrections or the Department of Juvenile Justice;

21 (11) dangerous drugs investigator;

22 (12) investigator for the Illinois State Police;

23 (13) investigator for the Office of the Attorney
24 General;

25 (14) controlled substance inspector;

26 (15) investigator for the Office of the State's

- 1 Attorneys Appellate Prosecutor;
- 2 (16) Commerce Commission police officer;
- 3 (17) arson investigator;
- 4 (18) State highway maintenance worker;
- 5 (19) security employee of the Department of Innovation
6 and Technology; or
- 7 (20) transferred employee.

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

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

23 (c) For the purposes of this Section:

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

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

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

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

1 individual employed under the Illinois State Police Act.

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

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

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

26 (7) The term "investigator for the Department of

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

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

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

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

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

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

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

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

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

20 (12) The term "investigator for the Illinois State
21 Police" means a person employed by the Illinois State
22 Police who is vested under Section 4 of the Narcotic
23 Control Division Abolition Act with such law enforcement
24 powers as render him ineligible for coverage under the
25 Social Security Act by reason of Sections 218(d)(5)(A),
26 218(d)(8)(D) and 218(1)(1) of that Act.

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

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

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

25 (16) "Commerce Commission police officer" means any
26 person employed by the Illinois Commerce Commission who is

1 vested with such law enforcement duties as render him
2 ineligible for coverage under the Social Security Act by
3 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and
4 218(1)(1) of that Act.

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

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

23 (i) A person employed on a full-time basis by the
24 Illinois Department of Transportation in the position
25 of highway maintainer, highway maintenance lead
26 worker, highway maintenance lead/lead worker, heavy

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

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

20 (19) The term "security employee of the Department of
21 Innovation and Technology" means a person who was a
22 security employee of the Department of Corrections or the
23 Department of Juvenile Justice, was transferred to the
24 Department of Innovation and Technology pursuant to
25 Executive Order 2016-01, and continues to perform similar
26 job functions under that Department.

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

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

16 (i) 25 years of eligible creditable service and age
17 55; or

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

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

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

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

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

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

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

24 (f) For purposes of calculating retirement annuities under
25 this Section, periods of service rendered after December 31,
26 1968 and before October 1, 1975 as a covered employee in the

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

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

24 (g) A State policeman may elect, not later than January 1,
25 1990, to establish eligible creditable service for up to 10
26 years of his service as a policeman under Article 3, by filing

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

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

23 (h) Subject to the limitation in subsection (i), a State
24 policeman or investigator for the Secretary of State may elect
25 to establish eligible creditable service for up to 12 years of
26 his service as a policeman under Article 5, by filing a written

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

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

24 Subject to the limitation in subsection (i), a State
25 policeman, conservation police officer, or investigator for
26 the Secretary of State may elect to establish eligible

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

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

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

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

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

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

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

9 Notwithstanding the limitation in subsection (i), a State
10 policeman or conservation police officer may elect to convert
11 service credit earned under this Article to eligible
12 creditable service, as defined by this Section, by filing a
13 written election with the Board ~~board within 6 months after~~
14 ~~July 30, 2021 (the effective date of Public Act 102-210)~~ and
15 paying to the System an amount to be determined by the Board
16 equal to (i) the difference between the amount of employee
17 contributions originally paid for that service and the amounts
18 that would have been contributed had such contributions been
19 made at the rates applicable to State policemen, plus (ii) the
20 difference between the employer's normal cost of the credit
21 prior to the conversion authorized by this amendatory Act of
22 the 103rd General Assembly ~~Public Act 102-210~~ and the
23 employer's normal cost of the credit converted in accordance
24 with this amendatory Act of the 103rd General Assembly ~~Public~~
25 ~~Act 102-210~~, plus (iii) interest thereon at the actuarially
26 assumed rate for each year, compounded annually, from the date

1 of service to the date of payment.

2 (i) The total amount of eligible creditable service
3 established by any person under subsections (g), (h), (j),
4 (k), (l), (1-5), and (o) of this Section shall not exceed 12
5 years.

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

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

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

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

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

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

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

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

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

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

23 (Source: P.A. 101-610, eff. 1-1-20; 102-210, eff. 7-30-21;
24 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

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

1 Sec. 14-110. Alternative retirement annuity.

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

11 (i) for periods of service as a noncovered employee:
12 if retirement occurs on or after January 1, 2001, 3% of
13 final average compensation for each year of creditable
14 service; if retirement occurs before January 1, 2001, 2
15 1/4% of final average compensation for each of the first
16 10 years of creditable service, 2 1/2% for each year above
17 10 years to and including 20 years of creditable service,
18 and 2 3/4% for each year of creditable service above 20
19 years; and

20 (ii) for periods of eligible creditable service as a
21 covered employee: if retirement occurs on or after January
22 1, 2001, 2.5% of final average compensation for each year
23 of creditable service; if retirement occurs before January
24 1, 2001, 1.67% of final average compensation for each of
25 the first 10 years of such service, 1.90% for each of the
26 next 10 years of such service, 2.10% for each year of such

1 service in excess of 20 but not exceeding 30, and 2.30% for
2 each year in excess of 30.

3 Such annuity shall be subject to a maximum of 75% of final
4 average compensation if retirement occurs before January 1,
5 2001 or to a maximum of 80% of final average compensation if
6 retirement occurs on or after January 1, 2001.

7 These rates shall not be applicable to any service
8 performed by a member as a covered employee which is not
9 eligible creditable service. Service as a covered employee
10 which is not eligible creditable service shall be subject to
11 the rates and provisions of Section 14-108.

12 (a-5) Notwithstanding the applicable age eligibility
13 requirements of subsection (a) of this Section, beginning on
14 the effective date of this amendatory Act of the 103rd General
15 Assembly through the end of the 60th month after the effective
16 date of this amendatory Act of the 103rd General Assembly, a
17 State policeman who earns a retirement annuity equal to the
18 limitation specified under subsection (a) of this Section, may
19 elect to begin his or her retirement annuity effective on the
20 month he or she first earned that retirement annuity at the
21 amount so limited or the effective date of this amendatory Act
22 of the 103rd General Assembly, whichever is later. A State
23 policeman who elects to retire under the provisions of this
24 subsection must first pay to the System an amount equal to the
25 increase in the present value of the future benefits resulting
26 from the State policeman's election to retire in accordance

1 with this subsection.

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

5 (1) State policeman;

6 (2) fire fighter in the fire protection service of a
7 department;

8 (3) air pilot;

9 (4) special agent;

10 (5) investigator for the Secretary of State;

11 (6) conservation police officer;

12 (7) investigator for the Department of Revenue or the
13 Illinois Gaming Board;

14 (8) security employee of the Department of Human
15 Services;

16 (9) Central Management Services security police
17 officer;

18 (10) security employee of the Department of
19 Corrections or the Department of Juvenile Justice;

20 (11) dangerous drugs investigator;

21 (12) investigator for the Illinois State Police;

22 (13) investigator for the Office of the Attorney
23 General;

24 (14) controlled substance inspector;

25 (15) investigator for the Office of the State's
26 Attorneys Appellate Prosecutor;

- 1 (16) Commerce Commission police officer;
- 2 (17) arson investigator;
- 3 (18) State highway maintenance worker;
- 4 (19) security employee of the Department of Innovation
5 and Technology; or
- 6 (20) transferred employee.

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

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

22 (c) For the purposes of this Section:

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

26 (2) The term "fire fighter in the fire protection

1 service of a department" includes all officers in such
2 fire protection service including fire chiefs and
3 assistant fire chiefs.

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

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

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

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

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

25 (7) The term "investigator for the Department of
26 Revenue" means any person employed by the Department of

1 Revenue and vested with such investigative duties as
2 render him ineligible for coverage under the Social
3 Security Act by reason of Sections 218(d)(5)(A),
4 218(d)(8)(D) and 218(1)(1) of that Act.

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

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

1 ineligible for coverage under the Social Security Act by
2 reason of Sections 218(d)(5)(A), 218(d)(8)(D) and
3 218(1)(1) of that Act. "Security unit" means that portion
4 of a facility that is devoted to the care, containment,
5 and treatment of persons committed to the Department of
6 Human Services as sexually violent persons, persons unfit
7 to stand trial, or persons not guilty by reason of
8 insanity. With respect to past employment, references to
9 the Department of Human Services include its predecessor,
10 the Department of Mental Health and Developmental
11 Disabilities.

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

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

21 (10) For a member who first became an employee under
22 this Article before July 1, 2005, the term "security
23 employee of the Department of Corrections or the
24 Department of Juvenile Justice" means any employee of the
25 Department of Corrections or the Department of Juvenile
26 Justice or the former Department of Personnel, and any

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

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

19 (12) The term "investigator for the Illinois State
20 Police" means a person employed by the Illinois State
21 Police who is vested under Section 4 of the Narcotic
22 Control Division Abolition Act with such law enforcement
23 powers as render him ineligible for coverage under the
24 Social Security Act by reason of Sections 218(d)(5)(A),
25 218(d)(8)(D) and 218(1)(1) of that Act.

26 (13) "Investigator for the Office of the Attorney

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

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

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

24 (16) "Commerce Commission police officer" means any
25 person employed by the Illinois Commerce Commission who is
26 vested with such law enforcement duties as render him

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

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

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

22 (i) A person employed on a full-time basis by the
23 Illinois Department of Transportation in the position
24 of highway maintainer, highway maintenance lead
25 worker, highway maintenance lead/lead worker, heavy
26 construction equipment operator, power shovel

1 operator, or bridge mechanic; and whose principal
2 responsibility is to perform, on the roadway, the
3 actual maintenance necessary to keep the highways that
4 form a part of the State highway system in serviceable
5 condition for vehicular traffic.

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

19 (19) The term "security employee of the Department of
20 Innovation and Technology" means a person who was a
21 security employee of the Department of Corrections or the
22 Department of Juvenile Justice, was transferred to the
23 Department of Innovation and Technology pursuant to
24 Executive Order 2016-01, and continues to perform similar
25 job functions under that Department.

26 (20) "Transferred employee" means an employee who was

1 transferred to the Department of Central Management
2 Services by Executive Order No. 2003-10 or Executive Order
3 No. 2004-2 or transferred to the Department of Innovation
4 and Technology by Executive Order No. 2016-1, or both, and
5 was entitled to eligible creditable service for services
6 immediately preceding the transfer.

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

15 (i) 25 years of eligible creditable service and age
16 55; or

17 (ii) beginning January 1, 1987, 25 years of eligible
18 creditable service and age 54, or 24 years of eligible
19 creditable service and age 55; or

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

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

26 (v) beginning January 1, 1990, 25 years of eligible

1 creditable service and age 51, or 21 years of eligible
2 creditable service and age 55; or

3 (vi) beginning January 1, 1991, 25 years of eligible
4 creditable service and age 50, or 20 years of eligible
5 creditable service and age 55.

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

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

23 (f) For purposes of calculating retirement annuities under
24 this Section, periods of service rendered after December 31,
25 1968 and before October 1, 1975 as a covered employee in the
26 position of special agent, conservation police officer, mental

1 health police officer, or investigator for the Secretary of
2 State, shall be deemed to have been service as a noncovered
3 employee, provided that the employee pays to the System prior
4 to retirement an amount equal to (1) the difference between
5 the employee contributions that would have been required for
6 such service as a noncovered employee, and the amount of
7 employee contributions actually paid, plus (2) if payment is
8 made after July 31, 1987, regular interest on the amount
9 specified in item (1) from the date of service to the date of
10 payment.

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

23 (g) A State policeman may elect, not later than January 1,
24 1990, to establish eligible creditable service for up to 10
25 years of his service as a policeman under Article 3, by filing
26 a written election with the Board, accompanied by payment of

1 an amount to be determined by the Board, equal to (i) the
2 difference between the amount of employee and employer
3 contributions transferred to the System under Section 3-110.5,
4 and the amounts that would have been contributed had such
5 contributions been made at the rates applicable to State
6 policemen, plus (ii) interest thereon at the effective rate
7 for each year, compounded annually, from the date of service
8 to the date of payment.

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

22 (h) Subject to the limitation in subsection (i), a State
23 policeman or investigator for the Secretary of State may elect
24 to establish eligible creditable service for up to 12 years of
25 his service as a policeman under Article 5, by filing a written
26 election with the Board on or before January 31, 1992, and

1 paying to the System by January 31, 1994 an amount to be
2 determined by the Board, equal to (i) the difference between
3 the amount of employee and employer contributions transferred
4 to the System under Section 5-236, and the amounts that would
5 have been contributed had such contributions been made at the
6 rates applicable to State policemen, plus (ii) interest
7 thereon at the effective rate for each year, compounded
8 annually, from the date of service to the date of payment.

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

23 Subject to the limitation in subsection (i), a State
24 policeman, conservation police officer, or investigator for
25 the Secretary of State may elect to establish eligible
26 creditable service for up to 5 years of service as a police

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

14 Subject to the limitation in subsection (i), an
15 investigator for the Office of the Attorney General, or an
16 investigator for the Department of Revenue, may elect to
17 establish eligible creditable service for up to 5 years of
18 service as a police officer under Article 3, a policeman under
19 Article 5, a sheriff's law enforcement employee under Article
20 7, or a member of the county police department under Article 9
21 by filing a written election with the Board within 6 months
22 after August 25, 2009 (the effective date of Public Act
23 96-745) and paying to the System an amount to be determined by
24 the Board, equal to (i) the difference between the amount of
25 employee and employer contributions transferred to the System
26 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the

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

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

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

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

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

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

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

1 Notwithstanding the limitation in subsection (i), a State
2 policeman or conservation police officer may elect to convert
3 service credit earned under this Article to eligible
4 creditable service, as defined by this Section, by filing a
5 written election with the Board ~~board within 6 months after~~
6 ~~July 30, 2021 (the effective date of Public Act 102-210)~~ and
7 paying to the System an amount to be determined by the Board
8 equal to (i) the difference between the amount of employee
9 contributions originally paid for that service and the amounts
10 that would have been contributed had such contributions been
11 made at the rates applicable to State policemen, plus (ii) the
12 difference between the employer's normal cost of the credit
13 prior to the conversion authorized by this amendatory Act of
14 the 103rd General Assembly ~~Public Act 102-210~~ and the
15 employer's normal cost of the credit converted in accordance
16 with this amendatory Act of the 103rd General Assembly ~~Public~~
17 ~~Act 102-210~~, plus (iii) interest thereon at the actuarially
18 assumed rate for each year, compounded annually, from the date
19 of service to the date of payment.

20 Notwithstanding the limitation in subsection (i), an
21 investigator for the Department of Revenue, investigator for
22 the Illinois Gaming Board, investigator for the Secretary of
23 State, or arson investigator may elect to convert service
24 credit earned under this Article to eligible creditable
25 service, as defined by this Section, by filing a written
26 election with the Board within 6 months after the effective

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

17 (i) The total amount of eligible creditable service
18 established by any person under subsections (g), (h), (j),
19 (k), (l), (1-5), and (o) of this Section shall not exceed 12
20 years.

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

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

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

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

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

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

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

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

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

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

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

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

12 (Source: P.A. 101-610, eff. 1-1-20; 102-210, eff. 7-30-21;
13 102-538, eff. 8-20-21; 102-856, eff. 1-1-23.)

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

15 Sec. 14-110. Alternative retirement annuity.

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

25 (i) for periods of service as a noncovered employee:

1 if retirement occurs on or after January 1, 2001, 3% of
2 final average compensation for each year of creditable
3 service; if retirement occurs before January 1, 2001, 2
4 1/4% of final average compensation for each of the first
5 10 years of creditable service, 2 1/2% for each year above
6 10 years to and including 20 years of creditable service,
7 and 2 3/4% for each year of creditable service above 20
8 years; and

9 (ii) for periods of eligible creditable service as a
10 covered employee: if retirement occurs on or after January
11 1, 2001, 2.5% of final average compensation for each year
12 of creditable service; if retirement occurs before January
13 1, 2001, 1.67% of final average compensation for each of
14 the first 10 years of such service, 1.90% for each of the
15 next 10 years of such service, 2.10% for each year of such
16 service in excess of 20 but not exceeding 30, and 2.30% for
17 each year in excess of 30.

18 Such annuity shall be subject to a maximum of 75% of final
19 average compensation if retirement occurs before January 1,
20 2001 or to a maximum of 80% of final average compensation if
21 retirement occurs on or after January 1, 2001.

22 These rates shall not be applicable to any service
23 performed by a member as a covered employee which is not
24 eligible creditable service. Service as a covered employee
25 which is not eligible creditable service shall be subject to
26 the rates and provisions of Section 14-108.

1 (a-5) Notwithstanding the applicable age eligibility
2 requirements of subsection (a) of this Section, beginning on
3 the effective date of this amendatory Act of the 103rd General
4 Assembly through the end of the 60th month after the effective
5 date of this amendatory Act of the 103rd General Assembly, a
6 State policeman who earns a retirement annuity equal to the
7 limitation specified under subsection (a) of this Section, may
8 elect to begin his or her retirement annuity effective on the
9 month he or she first earned that retirement annuity at the
10 amount so limited or the effective date of this amendatory Act
11 of the 103rd General Assembly, whichever is later. A State
12 policeman who elects to retire under the provisions of this
13 subsection must first pay to the System an amount equal to the
14 increase in the present value of the future benefits resulting
15 from the State policeman's election to retire in accordance
16 with this subsection.

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

20 (1) State policeman;

21 (2) fire fighter in the fire protection service of a
22 department;

23 (3) air pilot;

24 (4) special agent;

25 (5) investigator for the Secretary of State;

26 (6) conservation police officer;

1 (7) investigator for the Department of Revenue or the
2 Illinois Gaming Board;

3 (8) security employee of the Department of Human
4 Services;

5 (9) Central Management Services security police
6 officer;

7 (10) security employee of the Department of
8 Corrections or the Department of Juvenile Justice;

9 (11) dangerous drugs investigator;

10 (12) investigator for the Illinois State Police;

11 (13) investigator for the Office of the Attorney
12 General;

13 (14) controlled substance inspector;

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

16 (16) Commerce Commission police officer;

17 (17) arson investigator;

18 (18) State highway maintenance worker;

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

21 (20) transferred employee.

22 A person employed in one of the positions specified in
23 this subsection is entitled to eligible creditable service for
24 service credit earned under this Article while undergoing the
25 basic police training course approved by the Illinois Law
26 Enforcement Training Standards Board, if completion of that

1 training is required of persons serving in that position. For
2 the purposes of this Code, service during the required basic
3 police training course shall be deemed performance of the
4 duties of the specified position, even though the person is
5 not a sworn peace officer at the time of the training.

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

11 (c) For the purposes of this Section:

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

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

19 (3) The term "air pilot" includes any employee whose
20 official job description on file in the Department of
21 Central Management Services, or in the department by which
22 he is employed if that department is not covered by the
23 Personnel Code, states that his principal duty is the
24 operation of aircraft, and who possesses a pilot's
25 license; however, the change in this definition made by
26 Public Act 83-842 shall not operate to exclude any

1 noncovered employee who was an "air pilot" for the
2 purposes of this Section on January 1, 1984.

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

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

22 A person who became employed as an investigator for
23 the Secretary of State between January 1, 1967 and
24 December 31, 1975, and who has served as such until
25 attainment of age 60, either continuously or with a single
26 break in service of not more than 3 years duration, which

1 break terminated before January 1, 1976, shall be entitled
2 to have his retirement annuity calculated in accordance
3 with subsection (a), notwithstanding that he has less than
4 20 years of credit for such service.

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

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

20 The term "investigator for the Illinois Gaming Board"
21 means any person employed as such by the Illinois Gaming
22 Board and vested with such peace officer duties as render
23 the person ineligible for coverage under the Social
24 Security Act by reason of Sections 218(d)(5)(A),
25 218(d)(8)(D), and 218(1)(1) of that Act.

26 (8) The term "security employee of the Department of

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

1 The changes made to this subdivision (c)(8) by Public
2 Act 92-14 apply to persons who retire on or after January
3 1, 2001, notwithstanding Section 1-103.1.

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

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

1 facility operated by the Department of Juvenile Justice,
2 (ii) a parole officer, (iii) a member of the apprehension
3 unit, (iv) a member of the intelligence unit, (v) a member
4 of the sort team, or (vi) an investigator.

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

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

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

25 (14) "Controlled substance inspector" means any person
26 who is employed as such by the Department of Professional

1 Regulation and is vested with such law enforcement duties
2 as render him ineligible for coverage under the Social
3 Security Act by reason of Sections 218(d)(5)(A),
4 218(d)(8)(D) and 218(1)(1) of that Act. The term
5 "controlled substance inspector" includes the Program
6 Executive of Enforcement and the Assistant Program
7 Executive of Enforcement.

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

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

19 (17) "Arson investigator" means any person who is
20 employed as such by the Office of the State Fire Marshal
21 and is vested with such law enforcement duties as render
22 the person ineligible for coverage under the Social
23 Security Act by reason of Sections 218(d)(5)(A),
24 218(d)(8)(D), and 218(1)(1) of that Act. A person who was
25 employed as an arson investigator on January 1, 1995 and
26 is no longer in service but not yet receiving a retirement

1 annuity may convert his or her creditable service for
2 employment as an arson investigator into eligible
3 creditable service by paying to the System the difference
4 between the employee contributions actually paid for that
5 service and the amounts that would have been contributed
6 if the applicant were contributing at the rate applicable
7 to persons with the same social security status earning
8 eligible creditable service on the date of application.

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

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

21 (ii) A person employed on a full-time basis by the
22 Illinois State Toll Highway Authority in the position
23 of equipment operator/laborer H-4, equipment
24 operator/laborer H-6, welder H-4, welder H-6,
25 mechanical/electrical H-4, mechanical/electrical H-6,
26 water/sewer H-4, water/sewer H-6, sign maker/hanger

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

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

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

22 (d) A security employee of the Department of Corrections
23 or the Department of Juvenile Justice, a security employee of
24 the Department of Human Services who is not a mental health
25 police officer, and a security employee of the Department of
26 Innovation and Technology shall not be eligible for the

1 alternative retirement annuity provided by this Section unless
2 he or she meets the following minimum age and service
3 requirements at the time of retirement:

4 (i) 25 years of eligible creditable service and age
5 55; or

6 (ii) beginning January 1, 1987, 25 years of eligible
7 creditable service and age 54, or 24 years of eligible
8 creditable service and age 55; or

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

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

15 (v) beginning January 1, 1990, 25 years of eligible
16 creditable service and age 51, or 21 years of eligible
17 creditable service and age 55; or

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

21 Persons who have service credit under Article 16 of this
22 Code for service as a security employee of the Department of
23 Corrections or the Department of Juvenile Justice, or the
24 Department of Human Services in a position requiring
25 certification as a teacher may count such service toward
26 establishing their eligibility under the service requirements

1 of this Section; but such service may be used only for
2 establishing such eligibility, and not for the purpose of
3 increasing or calculating any benefit.

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

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

26 For purposes of calculating retirement annuities under

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

12 (g) A State policeman may elect, not later than January 1,
13 1990, to establish eligible creditable service for up to 10
14 years of his service as a policeman under Article 3, by filing
15 a written election with the Board, accompanied by payment of
16 an amount to be determined by the Board, equal to (i) the
17 difference between the amount of employee and employer
18 contributions transferred to the System under Section 3-110.5,
19 and the amounts that would have been contributed had such
20 contributions been made at the rates applicable to State
21 policemen, plus (ii) interest thereon at the effective rate
22 for each year, compounded annually, from the date of service
23 to the date of payment.

24 Subject to the limitation in subsection (i), a State
25 policeman may elect, not later than July 1, 1993, to establish
26 eligible creditable service for up to 10 years of his service

1 as a member of the County Police Department under Article 9, by
2 filing a written election with the Board, accompanied by
3 payment of an amount to be determined by the Board, equal to
4 (i) the difference between the amount of employee and employer
5 contributions transferred to the System under Section 9-121.10
6 and the amounts that would have been contributed had those
7 contributions been made at the rates applicable to State
8 policemen, plus (ii) interest thereon at the effective rate
9 for each year, compounded annually, from the date of service
10 to the date of payment.

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

24 Subject to the limitation in subsection (i), a State
25 policeman, conservation police officer, or investigator for
26 the Secretary of State may elect to establish eligible

1 creditable service for up to 10 years of service as a sheriff's
2 law enforcement employee under Article 7, by filing a written
3 election with the Board on or before January 31, 1993, and
4 paying to the System by January 31, 1994 an amount to be
5 determined by the Board, equal to (i) the difference between
6 the amount of employee and employer contributions transferred
7 to the System under Section 7-139.7, and the amounts that
8 would have been contributed had such contributions been made
9 at the rates applicable to State policemen, plus (ii) interest
10 thereon at the effective rate for each year, compounded
11 annually, from the date of service to the date of payment.

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

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

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

21 Subject to the limitation in subsection (i), a State
22 policeman, conservation police officer, investigator for the
23 Office of the Attorney General, an investigator for the
24 Department of Revenue, or investigator for the Secretary of
25 State may elect to establish eligible creditable service for
26 up to 5 years of service as a person employed by a

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

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

1 Sections 4-108.8, 7-139.8, and 9-121.10 and the amounts that
2 would have been contributed had such contributions been made
3 at the rates applicable to State policemen, plus (ii) interest
4 thereon at the actuarially assumed rate for each year,
5 compounded annually, from the date of service to the date of
6 payment.

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

23 Notwithstanding the limitation in subsection (i), a State
24 policeman or conservation police officer may elect to convert
25 service credit earned under this Article to eligible
26 creditable service, as defined by this Section, by filing a

1 written election with the Board ~~board within 6 months after~~
2 ~~July 30, 2021 (the effective date of Public Act 102-210)~~ and
3 paying to the System an amount to be determined by the Board
4 equal to (i) the difference between the amount of employee
5 contributions originally paid for that service and the amounts
6 that would have been contributed had such contributions been
7 made at the rates applicable to State policemen, plus (ii) the
8 difference between the employer's normal cost of the credit
9 prior to the conversion authorized by this amendatory Act of
10 the 103rd General Assembly ~~Public Act 102-210~~ and the
11 employer's normal cost of the credit converted in accordance
12 with this amendatory Act of the 103rd General Assembly ~~Public~~
13 ~~Act 102-210~~, plus (iii) interest thereon at the actuarially
14 assumed rate for each year, compounded annually, from the date
15 of service to the date of payment.

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

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

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

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

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

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

19 (1-5) Subject to the limitation in subsection (i) of this
20 Section, a State policeman may elect to establish eligible
21 creditable service for up to 5 years of service as a full-time
22 law enforcement officer employed by the federal government or
23 by a state or local government located outside of Illinois for
24 which credit is not held in any other public employee pension
25 fund or retirement system. To obtain this credit, the
26 applicant must file a written application with the Board ~~no~~

1 ~~later than 3 years after January 1, 2020 (the effective date of~~
2 ~~Public Act 101-610)~~, accompanied by evidence of eligibility
3 acceptable to the Board and payment of an amount to be
4 determined by the Board, equal to (1) employee contributions
5 for the credit being established, based upon the applicant's
6 salary on the first day as an alternative formula employee
7 after the employment for which credit is being established and
8 the rates then applicable to alternative formula employees,
9 plus (2) an amount determined by the Board to be the employer's
10 normal cost of the benefits accrued for the credit being
11 established, plus (3) regular interest on the amounts in items
12 (1) and (2) from the first day as an alternative formula
13 employee after the employment for which credit is being
14 established to the date of payment.

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

1 adequate knowledge in the skill for which they are providing
2 the vocational training.

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

14 (o) Subject to the limitation in subsection (i), a
15 conservation police officer, investigator for the Secretary of
16 State, Commerce Commission police officer, investigator for
17 the Department of Revenue or the Illinois Gaming Board, or
18 arson investigator subject to subsection (g) of Section 1-160
19 may elect to convert up to 8 years of service credit
20 established before January 1, 2020 (the effective date of
21 Public Act 101-610) as a conservation police officer,
22 investigator for the Secretary of State, Commerce Commission
23 police officer, investigator for the Department of Revenue or
24 the Illinois Gaming Board, or arson investigator under this
25 Article into eligible creditable service by filing a written
26 election with the Board no later than one year after January 1,

1 2020 (the effective date of Public Act 101-610), accompanied
2 by payment of an amount to be determined by the Board equal to
3 (i) the difference between the amount of the employee
4 contributions actually paid for that service and the amount of
5 the employee contributions that would have been paid had the
6 employee contributions been made as a noncovered employee
7 serving in a position in which eligible creditable service, as
8 defined in this Section, may be earned, plus (ii) interest
9 thereon at the effective rate for each year, compounded
10 annually, from the date of service to the date of payment.

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

1 interest thereon at the effective rate for each year,
2 compounded annually, from the date of service to the date of
3 payment.

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

6 (40 ILCS 5/14-152.1)

7 Sec. 14-152.1. Application and expiration of new benefit
8 increases.

9 (a) As used in this Section, "new benefit increase" means
10 an increase in the amount of any benefit provided under this
11 Article, or an expansion of the conditions of eligibility for
12 any benefit under this Article, that results from an amendment
13 to this Code that takes effect after June 1, 2005 (the
14 effective date of Public Act 94-4). "New benefit increase",
15 however, does not include any benefit increase resulting from
16 the changes made to Article 1 or this Article by Public Act
17 96-37, Public Act 100-23, Public Act 100-587, Public Act
18 100-611, Public Act 101-10, Public Act 101-610, Public Act
19 102-210, Public Act 102-856, Public Act 102-956, or this
20 amendatory Act of the 103rd General Assembly ~~this amendatory~~
21 ~~Act of the 102nd General Assembly.~~

22 (b) Notwithstanding any other provision of this Code or
23 any subsequent amendment to this Code, every new benefit
24 increase is subject to this Section and shall be deemed to be
25 granted only in conformance with and contingent upon

1 compliance with the provisions of this Section.

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

6 Every new benefit increase is contingent upon the General
7 Assembly providing the additional funding required under this
8 subsection. The Commission on Government Forecasting and
9 Accountability shall analyze whether adequate additional
10 funding has been provided for the new benefit increase and
11 shall report its analysis to the Public Pension Division of
12 the Department of Insurance. A new benefit increase created by
13 a Public Act that does not include the additional funding
14 required under this subsection is null and void. If the Public
15 Pension Division determines that the additional funding
16 provided for a new benefit increase under this subsection is
17 or has become inadequate, it may so certify to the Governor and
18 the State Comptroller and, in the absence of corrective action
19 by the General Assembly, the new benefit increase shall expire
20 at the end of the fiscal year in which the certification is
21 made.

22 (d) Every new benefit increase shall expire 5 years after
23 its effective date or on such earlier date as may be specified
24 in the language enacting the new benefit increase or provided
25 under subsection (c). This does not prevent the General
26 Assembly from extending or re-creating a new benefit increase

1 by law.

2 (e) Except as otherwise provided in the language creating
3 the new benefit increase, a new benefit increase that expires
4 under this Section continues to apply to persons who applied
5 and qualified for the affected benefit while the new benefit
6 increase was in effect and to the affected beneficiaries and
7 alternate payees of such persons, but does not apply to any
8 other person, including, without limitation, a person who
9 continues in service after the expiration date and did not
10 apply and qualify for the affected benefit while the new
11 benefit increase was in effect.

12 (Source: P.A. 101-10, eff. 6-5-19; 101-81, eff. 7-12-19;
13 101-610, eff. 1-1-20; 102-210, eff. 7-30-21; 102-856, eff.
14 1-1-23; 102-956, eff. 5-27-22.)

15 Section 90. The State Mandates Act is amended by adding
16 Section 8.47 as follows:

17 (30 ILCS 805/8.47 new)

18 Sec. 8.47. Exempt mandate. Notwithstanding Sections 6 and
19 8 of this Act, no reimbursement by the State is required for
20 the implementation of any mandate created by this amendatory
21 Act of the 103rd General Assembly.

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.