

1 AN ACT in relation to public employee benefits.

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

4 Section 5. The Illinois Pension Code is amended by  
5 changing Section 2-110 as follows:

6 (40 ILCS 5/2-110) (from Ch. 108 1/2, par. 2-110)  
7 Sec. 2-110. Service.

8 (A) "Service" means the period beginning on the day when  
9 a person first became a member, and ending on the date under  
10 consideration, excluding all intervening periods of  
11 nonmembership following resignation or expiration of any term  
12 of office.

13 (B) "Service" includes:

14 (a) Military service during war by a person who  
15 entered such service while a member, whether rendered  
16 before or after the expiration of any term of office;  
17 plus up to 2 years of military service that need not have  
18 immediately followed service as a member, and need not  
19 have been served during wartime, provided that the member  
20 (or former member who has not yet begun to receive a  
21 retirement annuity) makes contributions to the System for  
22 such service (1) at the rates provided in Section 2-126  
23 based upon the member's rate of compensation on the last  
24 date as a participant prior to such military service, or  
25 on the first date as a participant after such military  
26 service, whichever is greater, plus (2) if payment is  
27 made on or after July 1, 2004 ~~May-17-1993~~, an amount  
28 determined by the Board to be equal to the employer's  
29 normal cost of the benefits accrued for such military  
30 service, plus (3) interest at the effective rate from the  
31 date of first membership in the System to the date of

1 payment.

2 A former member who has not yet begun to receive a  
3 retirement annuity may establish military service credit  
4 as provided in this subdivision (a).

5 The amendments to this subdivision (B)(a) made by  
6 this amendatory Act of the 93rd General Assembly apply to  
7 active participants in the System and to former members  
8 who have not yet begun to receive a retirement annuity.  
9 The change in the required contribution made by this  
10 amendatory Act does not entitle any person to a refund of  
11 contributions already paid.

12 The--amendment--to--this--subdivision--(B)(a)--made--by  
13 this--amendatory--Act--of--1993--shall--apply--to--persons--who  
14 are--active--contributors--to--the--System--on--or--after  
15 November---30,---1992.---A--person--who--was--an--active  
16 contributor--to--the--System--on--November--30,--1992--but--is--no  
17 longer--an--active--contributor--may--apply--to--purchase  
18 military--credit--under--this--subdivision--(B)(a)--within--60  
19 days--after--the--effective--date--of--this--amendatory--Act--of  
20 1993;--if--the--person--is--an--annuitant,--the--resulting  
21 increase--in--annuity--shall--begin--to--accrue--on--the--first  
22 day--of--the--month--following--the--month--in--which--the  
23 required--payment--is--received--by--the--System.---The--change  
24 in--the--required--contribution--for--purchased--military  
25 credit--made--by--this--amendatory--Act--of--1993--shall--not  
26 entitle--any--person--to--a--refund--of--contributions--already  
27 paid.

28 (b) Service as a judge of a court of this State,  
29 but credit for such service is subject to the following  
30 conditions: (1) such person shall have been a member for  
31 at least 4 years and contributed to the system for  
32 service as a judge subsequent to July 8, 1947, at the  
33 rates herein provided, including interest at 2% per annum  
34 to the date of payment based on the salary in effect

1 during such service; (2) the member was not an eligible  
2 member of nor entitled to credit for such service in any  
3 other retirement system in the State maintained in whole  
4 or in part by public contributions; and (3) the last 4  
5 years of service prior to retirement on annuity was  
6 rendered while a member.

7 (c) Service as a participating employee under  
8 Articles 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16,  
9 17 or 18 of the Illinois Pension Code. Credit for such  
10 service may be established by a member and, if permitted  
11 by the credit transfer Section of the appropriate  
12 Article, by a former member who is not yet an annuitant,  
13 and is subject to the following conditions: (1) that the  
14 credits accrued under the above mentioned Articles have  
15 been transferred to this system; and (2) that the member  
16 has contributed to this system an amount equal to (i) the  
17 contribution rate in effect for participants at the date  
18 of membership in this system multiplied by the salary  
19 then in effect for members of the General Assembly for  
20 each year of service for which credit is being  
21 transferred, plus (ii) the State's share of the normal  
22 cost of benefits under this system expressed as a percent  
23 of payroll, as determined by the system's actuary as of  
24 the date of the participant's membership in this system,  
25 multiplied by the salary then in effect for members of  
26 the General Assembly, for each year of service for which  
27 credit is being transferred, plus (iii) interest on items  
28 (i) and (ii) above at 6% per annum compounded annually,  
29 from the date of membership to the date of payment by the  
30 participant, less (iv) the amount transferred to this  
31 system on behalf of the participant on account of service  
32 rendered while a participant under the above mentioned  
33 Articles.

34 (d) Service, before October 1, 1975, as an officer

1 elected by the people of Illinois, for which creditable  
2 service is required to be transferred from the State  
3 Employees' Retirement System to this system by this  
4 amendatory Act of 1975.

5 (e) Service rendered prior to January 1, 1964, as a  
6 justice of the peace or police magistrate or as a civil  
7 referee in the Municipal Court of Chicago, but credit for  
8 such service may not be granted until the member has paid  
9 to the system an amount equal to (1) the contribution  
10 rate for participants at the date of membership in this  
11 system multiplied by the salary then in effect for  
12 members of the General Assembly for each year of service  
13 for which credit is being transferred, plus (2) the  
14 State's share of the normal cost of benefits under this  
15 system expressed as a percent of payroll, as determined  
16 by the system's actuary as of the date of the  
17 participant's membership in this system, multiplied by  
18 the salary then in effect for members of the General  
19 Assembly, for each year of service for which credit is  
20 allowed, plus, (3) interest on (1) and (2) above at 6%  
21 per annum compounded annually from the date of membership  
22 to the date of payment by the member. However, a  
23 participant may not receive more than 6 years of credit  
24 for such service nor may any member receive credit under  
25 this paragraph for service for which credit has been  
26 granted in any other public pension fund or retirement  
27 system in the State.

28 (f) Service before January 16, 1981, as an officer  
29 elected by the people of Illinois, for which creditable  
30 service is transferred from the State Employees'  
31 Retirement System to this system.

32 (C) Service during any fraction of a month shall be  
33 considered as a month of service.

34 Service includes the total period of time for which a

1 participant is elected as a member or officer, even though he  
2 or she does not complete the term because of death,  
3 resignation, judicial decision, or operation of law, provided  
4 that the contributions required under this Article for such  
5 entire period of office have been made by or on behalf of the  
6 participant. In the case of a participant appointed or  
7 elected to fill a vacancy, service includes the total period  
8 from January 1 of the year in which his or her service  
9 commences to the end of the term in which the vacancy occurs,  
10 provided the participant contributes in the year of  
11 appointment an amount equal to the contributions that would  
12 have been required had the participant received salary for  
13 the entire year. The foregoing provisions relating to a  
14 participant appointed or elected to fill a vacancy shall not  
15 apply if the participant was a member of the other  
16 legislative chamber at the time of appointment or election.

17 (D) Notwithstanding the other provisions of this  
18 Section, if application to transfer or establish service  
19 credit under paragraph (c) or (e) of subsection (B) of this  
20 Section is made between January 1, 1992 and February 1, 1993,  
21 the contribution required for such credit shall be an amount  
22 equal to (1) the contribution rate in effect for participants  
23 at the date of membership in this system multiplied by the  
24 salary then in effect for members of the General Assembly for  
25 each year of service for which credit is being granted, plus  
26 (2) interest thereon at 6% per annum compounded annually,  
27 from the date of membership to the date of payment by the  
28 member, less (3) any amount transferred to this system on  
29 behalf of the member on account of such service credit.

30 (Source: P.A. 86-27; 86-1028; 87-794; 87-1265.)

31 Section 99. Effective date. This Act takes effect upon  
32 becoming law.