

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, until July 1, 2004, former member who has not yet  
21 begun to receive a retirement annuity) makes  
22 contributions to the System for such service (1) at the  
23 rates provided in Section 2-126 based upon the member's  
24 rate of compensation on the last date as a participant  
25 prior to such military service, or on the first date as a  
26 participant after such military service, whichever is  
27 greater, plus (2) if payment is made on or after May 1,  
28 1993, an amount determined by the Board to be equal to  
29 the employer's normal cost of the benefits accrued for  
30 such military service, plus (3) interest at the effective  
31 rate from the date of first membership in the System to

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

25 (b) Service as a judge of a court of this State,  
26 but credit for such service is subject to the following  
27 conditions: (1) such person shall have been a member for  
28 at least 4 years and contributed to the system for  
29 service as a judge subsequent to July 8, 1947, at the  
30 rates herein provided, including interest at 2% per annum  
31 to the date of payment based on the salary in effect  
32 during such service; (2) the member was not an eligible  
33 member of nor entitled to credit for such service in any  
34 other retirement system in the State maintained in whole

1 or in part by public contributions; and (3) the last 4  
2 years of service prior to retirement on annuity was  
3 rendered while a member.

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

31 (d) Service, before October 1, 1975, as an officer  
32 elected by the people of Illinois, for which creditable  
33 service is required to be transferred from the State  
34 Employees' Retirement System to this system by this

1           amendatory Act of 1975.

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

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

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

31           Service includes the total period of time for which a  
32 participant is elected as a member or officer, even though he  
33 or she does not complete the term because of death,  
34 resignation, judicial decision, or operation of law, provided

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

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

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

28 Section 99. Effective date. This Act takes effect upon  
29 becoming law.