



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 02/05/04, by Michael K. Smith

SYNOPSIS AS INTRODUCED:

40 ILCS 5/3-110.6	from Ch. 108 1/2, par. 3-110.6
40 ILCS 5/5-236	from Ch. 108 1/2, par. 5-236
40 ILCS 5/7-139.8	from Ch. 108 1/2, par. 7-139.8
40 ILCS 5/9-121.10	from Ch. 108 1/2, par. 9-121.10
40 ILCS 5/14-110	from Ch. 108 1/2, par. 14-110

Amends the Illinois Pension Code to allow investigators for the Office of the Attorney General to transfer credits for up to 12 years of prior service as a police officer, sheriff's law enforcement employee, or municipal conservator of the peace from certain other pension funds; requires payment of the difference in employee and employer contributions. Effective immediately.

LRB093 19393 LRD 45131 b

FISCAL NOTE ACT
MAY APPLY

PENSION IMPACT
NOTE ACT MAY
APPLY

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 changing
5 Sections 3-110.6, 5-236, 7-139.8, 9-121.10, and 14-110 as
6 follows:

7 (40 ILCS 5/3-110.6) (from Ch. 108 1/2, par. 3-110.6)

8 Sec. 3-110.6. Transfer to Article 14 System.

9 (a) Any active member of the State Employees' Retirement
10 System who is an investigator for the Office of the State's
11 Attorneys Appellate Prosecutor, an investigator for the Office
12 of the Attorney General, or a controlled substance inspector
13 may apply for transfer of some or all of his or her creditable
14 service accumulated in any police pension fund under this
15 Article to the State Employees' Retirement System in accordance
16 with Section 14-110. The creditable service shall be
17 transferred only upon payment by the police pension fund to the
18 State Employees' Retirement System of an amount equal to:

19 (1) the amounts accumulated to the credit of the
20 applicant for the service to be transferred on the books of
21 the fund on the date of transfer; and

22 (2) employer contributions in an amount equal to the
23 amount determined under subparagraph (1); and

24 (3) any interest paid by the applicant in order to
25 reinstate that service.

26 Participation in the police pension fund with respect to the
27 credits transferred shall terminate on the date of transfer.

28 (b) Any such investigator or inspector may reinstate
29 service which was terminated by receipt of a refund, by paying
30 to the police pension fund the amount of the refund with
31 interest thereon at the rate of 6% per year, compounded
32 annually, from the date of refund to the date of payment.

1 (Source: P.A. 90-32, eff. 6-27-97.)

2 (40 ILCS 5/5-236) (from Ch. 108 1/2, par. 5-236)

3 Sec. 5-236. Transfer to Article 14.

4 (a) Until January 31, 1994, any active member of the State
5 Employees' Retirement System who is a State policeman or
6 investigator for the Secretary of State may apply for transfer
7 of his creditable service accumulated under this Article to the
8 State Employees' Retirement System. At the time of the transfer
9 the Fund shall pay to the State Employees' Retirement System an
10 amount equal to:

11 (1) the amounts accumulated to the credit of the
12 applicant on the books of the Fund on the date of transfer;
13 and

14 (2) the corresponding municipality credits, including
15 interest, on the books of the Fund on the date of transfer;
16 and

17 (3) any interest paid by the applicant in order to
18 reinstate service.

19 Participation in this Fund shall terminate on the date of
20 transfer.

21 (b) Until January 31, 1994, any such State policeman or
22 investigator for the Secretary of State may reinstate service
23 that was terminated by receipt of a refund, by paying to the
24 Fund the amount of the refund with interest thereon at the rate
25 of 6% per year, compounded annually, from the date of refund to
26 the date of payment.

27 (c) Within 30 days after the effective date of this
28 amendatory Act of 1993, any active member of the State
29 Employees' Retirement System who was earning eligible
30 creditable service under subdivision (b)(12) of Section 14-110
31 on January 1, 1992 and who has at least 17 years of creditable
32 service under this Article may apply for transfer of his
33 creditable service accumulated under this Article to the State
34 Employees' Retirement System. At the time of the transfer the
35 Fund shall pay to the State Employees' Retirement System an

1 amount equal to:

2 (1) the amounts accumulated to the credit of the
3 applicant on the books of the Fund on the date of transfer;
4 and

5 (2) the corresponding municipality credits, including
6 interest, on the books of the Fund on the date of transfer.

7 Participation in this Fund shall terminate on the date of
8 transfer.

9 (d) Any active member of the State Employees' Retirement
10 System who is an investigator for the Office of the Attorney
11 General may apply for transfer of all or part of his or her
12 creditable service accumulated under this Article to the State
13 Employees' Retirement System in accordance with Section
14 14-110. At the time of the transfer the Fund shall pay to the
15 State Employees' Retirement System an amount equal to:

16 (1) the amounts accumulated to the credit of the
17 applicant for the service to be transferred on the books of
18 the Fund on the date of transfer; and

19 (2) the corresponding municipality credits, including
20 interest, on the books of the Fund on the date of transfer;
21 and

22 (3) any interest paid by the applicant in order to
23 reinstate that service credit.

24 Participation in this Fund with respect to the credits
25 transferred shall terminate on the date of transfer.

26 (e) Any such investigator for the Office of the Attorney
27 General may reinstate service that was terminated by receipt of
28 a refund, by paying to the Fund the amount of the refund plus
29 interest at the rate of 6% per year, compounded annually, from
30 the date of the refund to the date of payment.

31 (Source: P.A. 86-1488; 87-1265.)

32 (40 ILCS 5/7-139.8) (from Ch. 108 1/2, par. 7-139.8)

33 Sec. 7-139.8. Transfer to Article 14 System.

34 (a) Any active member of the State Employees' Retirement
35 System who is an investigator for the Office of the State's

1 Attorneys Appellate Prosecutor, an investigator for the Office
2 of the Attorney General, or a controlled substance inspector
3 may apply for transfer of some or all of his or her credits and
4 creditable service accumulated in this Fund for service as a
5 sheriff's law enforcement employee or service as a municipal
6 conservator of the peace certified under the Police Training
7 Act, to the State Employees' Retirement System in accordance
8 with Section 14-110. The creditable service shall be
9 transferred only upon payment by this Fund to the State
10 Employees' Retirement System of an amount equal to:

11 (1) the amounts accumulated to the credit of the
12 applicant for the service to be transferred ~~as a sheriff's~~
13 ~~law enforcement employee,~~ including interest; and

14 (2) municipality credits based on such service,
15 including interest; and

16 (3) any interest paid by the applicant to reinstate
17 such service.

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

20 (b) Any such investigator or inspector may reinstate
21 credits and creditable service terminated upon receipt of a
22 separation benefit, by paying to the Fund the amount of the
23 separation benefit plus interest thereon at the rate of 6% per
24 year to the date of payment.

25 (Source: P.A. 90-32, eff. 6-27-97.)

26 (40 ILCS 5/9-121.10) (from Ch. 108 1/2, par. 9-121.10)

27 Sec. 9-121.10. Transfer to Article 14.

28 (a) Until July 1, 1993, any active member of the State
29 Employees' Retirement System who is a State policeman may apply
30 for transfer of some or all of his creditable service as a
31 member of the County Police Department accumulated under this
32 Article to the State Employees' Retirement System. At the time
33 of the transfer the Fund shall pay to the State Employees'
34 Retirement System an amount equal to:

35 (1) the amounts accumulated to the credit of the

1 applicant on the books of the Fund on the date of transfer
2 for the service to be transferred; and

3 (2) the corresponding municipality credits, including
4 interest, on the books of the Fund on the date of transfer;
5 and

6 (3) any interest paid by the applicant in order to
7 reinstate such service.

8 Participation in this Fund with respect to the credits
9 transferred shall terminate on the date of transfer.

10 (b) Until July 1, 1993, any such State policeman may
11 reinstate credit for service as a member of the County Police
12 Department that was terminated by receipt of a refund, by
13 paying to the Fund the amount of the refund with interest
14 thereon at the rate of 6% per year, compounded annually, from
15 the date of refund to the date of payment.

16 (c) Any active member of the State Employees' Retirement
17 System who is an investigator for the Office of the Attorney
18 General may apply for transfer of some or all of his or her
19 creditable service as a member of the County Police Department
20 accumulated under this Article to the State Employees'
21 Retirement System in accordance with Section 14-110. At the
22 time of the transfer the Fund shall pay to the State Employees'
23 Retirement System an amount equal to:

24 (1) the amounts accumulated to the credit of the
25 applicant for the service to be transferred on the books of
26 the Fund on the date of transfer; and

27 (2) the corresponding municipality credits, including
28 interest, on the books of the Fund on the date of transfer;
29 and

30 (3) any interest paid by the applicant in order to
31 reinstate such service.

32 Participation in this Fund with respect to the credits
33 transferred shall terminate on the date of transfer.

34 (d) Any such investigator for the Office of the Attorney
35 General may reinstate credit for service as a member of the
36 County Police Department that was terminated by receipt of a

1 refund, by paying to the Fund the amount of the refund plus
2 interest at the rate of 6% per year, compounded annually, from
3 the date of the refund to the date of payment.

4 (Source: P.A. 87-1265.)

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

6 Sec. 14-110. Alternative retirement annuity.

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

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

24 (ii) for periods of eligible creditable service as a
25 covered employee: if retirement occurs on or after January
26 1, 2001, 2.5% of final average compensation for each year
27 of creditable service; if retirement occurs before January
28 1, 2001, 1.67% of final average compensation for each of
29 the first 10 years of such service, 1.90% for each of the
30 next 10 years of such service, 2.10% for each year of such
31 service in excess of 20 but not exceeding 30, and 2.30% for
32 each year in excess of 30.

33 Such annuity shall be subject to a maximum of 75% of final
34 average compensation if retirement occurs before January 1,
35 2001 or to a maximum of 80% of final average compensation if

1 retirement occurs on or after January 1, 2001.

2 These rates shall not be applicable to any service
3 performed by a member as a covered employee which is not
4 eligible creditable service. Service as a covered employee
5 which is not eligible creditable service shall be subject to
6 the rates and provisions of Section 14-108.

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

- 10 (1) State policeman;
- 11 (2) fire fighter in the fire protection service of a
12 department;
- 13 (3) air pilot;
- 14 (4) special agent;
- 15 (5) investigator for the Secretary of State;
- 16 (6) conservation police officer;
- 17 (7) investigator for the Department of Revenue;
- 18 (8) security employee of the Department of Human
19 Services;
- 20 (9) Central Management Services security police
21 officer;
- 22 (10) security employee of the Department of
23 Corrections;
- 24 (11) dangerous drugs investigator;
- 25 (12) investigator for the Department of State Police;
- 26 (13) investigator for the Office of the Attorney
27 General;
- 28 (14) controlled substance inspector;
- 29 (15) investigator for the Office of the State's
30 Attorneys Appellate Prosecutor;
- 31 (16) Commerce Commission police officer;
- 32 (17) arson investigator;
- 33 (18) State highway maintenance worker.

34 A person employed in one of the positions specified in this
35 subsection is entitled to eligible creditable service for
36 service credit earned under this Article while undergoing the

1 basic police training course approved by the Illinois Law
2 Enforcement Training Standards Board, if completion of that
3 training is required of persons serving in that position. For
4 the purposes of this Code, service during the required basic
5 police training course shall be deemed performance of the
6 duties of the specified position, even though the person is not
7 a sworn peace officer at the time of the training.

8 (c) For the purposes of this Section:

9 (1) The term "state policeman" includes any title or
10 position in the Department of State Police that is held by
11 an individual employed under the State Police Act.

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

16 (3) The term "air pilot" includes any employee whose
17 official job description on file in the Department of
18 Central Management Services, or in the department by which
19 he is employed if that department is not covered by the
20 Personnel Code, states that his principal duty is the
21 operation of aircraft, and who possesses a pilot's license;
22 however, the change in this definition made by this
23 amendatory Act of 1983 shall not operate to exclude any
24 noncovered employee who was an "air pilot" for the purposes
25 of this Section on January 1, 1984.

26 (4) The term "special agent" means any person who by
27 reason of employment by the Division of Narcotic Control,
28 the Bureau of Investigation or, after July 1, 1977, the
29 Division of Criminal Investigation, the Division of
30 Internal Investigation, the Division of Operations, or any
31 other Division or organizational entity in the Department
32 of State Police is vested by law with duties to maintain
33 public order, investigate violations of the criminal law of
34 this State, enforce the laws of this State, make arrests
35 and recover property. The term "special agent" includes any
36 title or position in the Department of State Police that is

1 held by an individual employed under the State Police Act.

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

8 A person who became employed as an investigator for the
9 Secretary of State between January 1, 1967 and December 31,
10 1975, and who has served as such until attainment of age
11 60, either continuously or with a single break in service
12 of not more than 3 years duration, which break terminated
13 before January 1, 1976, shall be entitled to have his
14 retirement annuity calculated in accordance with
15 subsection (a), notwithstanding that he has less than 20
16 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
27 Revenue" means any person employed by the Department of
28 Revenue and vested with such investigative duties as render
29 him ineligible for coverage under the Social Security Act
30 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and
31 218(1)(1) of that Act.

32 (8) The term "security employee of the Department of
33 Human Services" means any person employed by the Department
34 of Human Services who (i) is employed at the Chester Mental
35 Health Center and has daily contact with the residents
36 thereof, (ii) is employed within a security unit at a

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

22 The changes made to this subdivision (c)(8) by Public
23 Act 92-14 apply to persons who retire on or after January
24 1, 2001, notwithstanding Section 1-103.1.

25 (9) "Central Management Services security police
26 officer" means any person employed by the Department of
27 Central Management Services who is vested with such law
28 enforcement duties as render him ineligible for coverage
29 under the Social Security Act by reason of Sections
30 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act.

31 (10) The term "security employee of the Department of
32 Corrections" means any employee of the Department of
33 Corrections or the former Department of Personnel, and any
34 member or employee of the Prisoner Review Board, who has
35 daily contact with inmates by working within a correctional
36 facility or who is a parole officer or an employee who has

1 direct contact with committed persons in the performance of
2 his or her job duties.

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

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

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

23 (14) "Controlled substance inspector" means any person
24 who is employed as such by the Department of Professional
25 Regulation and is vested with such law enforcement duties
26 as render him ineligible for coverage under the Social
27 Security Act by reason of Sections 218(d)(5)(A),
28 218(d)(8)(D) and 218(1)(1) of that Act. The term
29 "controlled substance inspector" includes the Program
30 Executive of Enforcement and the Assistant Program
31 Executive of Enforcement.

32 (15) The term "investigator for the Office of the
33 State's Attorneys Appellate Prosecutor" means a person
34 employed in that capacity on a full time basis under the
35 authority of Section 7.06 of the State's Attorneys
36 Appellate Prosecutor's Act.

1 (16) "Commerce Commission police officer" means any
2 person employed by the Illinois Commerce Commission who is
3 vested with such law enforcement duties as render him
4 ineligible for coverage under the Social Security Act by
5 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and
6 218(1)(1) of that Act.

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

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

25 (i) A person employed on a full-time basis by the
26 Illinois Department of Transportation in the position
27 of highway maintainer, highway maintenance lead
28 worker, highway maintenance lead/lead worker, heavy
29 construction equipment operator, power shovel
30 operator, or bridge mechanic; and whose principal
31 responsibility is to perform, on the roadway, the
32 actual maintenance necessary to keep the highways that
33 form a part of the State highway system in serviceable
34 condition for vehicular traffic.

35 (ii) A person employed on a full-time basis by the
36 Illinois State Toll Highway Authority in the position

1 of equipment operator/laborer H-4, equipment
2 operator/laborer H-6, welder H-4, welder H-6,
3 mechanical/electrical H-4, mechanical/electrical H-6,
4 water/sewer H-4, water/sewer H-6, sign maker/hanger
5 H-4, sign maker/hanger H-6, roadway lighting H-4,
6 roadway lighting H-6, structural H-4, structural H-6,
7 painter H-4, or painter H-6; and whose principal
8 responsibility is to perform, on the roadway, the
9 actual maintenance necessary to keep the Authority's
10 tollways in serviceable condition for vehicular
11 traffic.

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

18 (i) 25 years of eligible creditable service and age 55;

19 or

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

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

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

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

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

35 Persons who have service credit under Article 16 of this
36 Code for service as a security employee of the Department of

1 Corrections or the Department of Human Services in a position
2 requiring certification as a teacher may count such service
3 toward establishing their eligibility under the service
4 requirements of this Section; but such service may be used only
5 for establishing such eligibility, and not for the purpose of
6 increasing or calculating any benefit.

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

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

28 For purposes of calculating retirement annuities under
29 this Section, periods of service rendered after December 31,
30 1968 and before January 1, 1982 as a covered employee in the
31 position of investigator for the Department of Revenue shall be
32 deemed to have been service as a noncovered employee, provided
33 that the employee pays to the System prior to retirement an
34 amount equal to (1) the difference between the employee
35 contributions that would have been required for such service as
36 a noncovered employee, and the amount of employee contributions

1 actually paid, plus (2) if payment is made after January 1,
2 1990, regular interest on the amount specified in item (1) from
3 the date of service to the date of payment.

4 (g) A State policeman may elect, not later than January 1,
5 1990, to establish eligible creditable service for up to 10
6 years of his service as a policeman under Article 3, by filing
7 a written election with the Board, accompanied by payment of an
8 amount to be determined by the Board, equal to (i) the
9 difference between the amount of employee and employer
10 contributions transferred to the System under Section 3-110.5,
11 and the amounts that would have been contributed had such
12 contributions been made at the rates applicable to State
13 policemen, plus (ii) interest thereon at the effective rate for
14 each year, compounded annually, from the date of service to the
15 date of payment.

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

29 (h) Subject to the limitation in subsection (i), a State
30 policeman or investigator for the Secretary of State may elect
31 to establish eligible creditable service for up to 12 years of
32 his service as a policeman under Article 5, by filing a written
33 election with the Board on or before January 31, 1992, and
34 paying to the System by January 31, 1994 an amount to be
35 determined by the Board, equal to (i) the difference between
36 the amount of employee and employer contributions transferred

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

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

20 (i) The total amount of eligible creditable service
21 established by any person under subsections (g), (h), (j), (k),
22 ~~and~~ (l), and (m) of this Section shall not exceed 12 years.

23 (j) Subject to the limitation in subsection (i), an
24 investigator for the Office of the State's Attorneys Appellate
25 Prosecutor or a controlled substance inspector may elect to
26 establish eligible creditable service for up to 10 years of his
27 service as a policeman under Article 3 or a sheriff's law
28 enforcement employee under Article 7, by filing a written
29 election with the Board, accompanied by payment of an amount to
30 be determined by the Board, equal to (1) the difference between
31 the amount of employee and employer contributions transferred
32 to the System under Section 3-110.6 or 7-139.8, and the amounts
33 that would have been contributed had such contributions been
34 made at the rates applicable to State policemen, plus (2)
35 interest thereon at the effective rate for each year,
36 compounded annually, from the date of service to the date of

1 payment.

2 (k) Subject to the limitation in subsection (i) of this
3 Section, an alternative formula employee may elect to establish
4 eligible creditable service for periods spent as a full-time
5 law enforcement officer or full-time corrections officer
6 employed by the federal government or by a state or local
7 government located outside of Illinois, for which credit is not
8 held in any other public employee pension fund or retirement
9 system. To obtain this credit, the applicant must file a
10 written application with the Board by March 31, 1998,
11 accompanied by evidence of eligibility acceptable to the Board
12 and payment of an amount to be determined by the Board, equal
13 to (1) employee contributions for the credit being established,
14 based upon the applicant's salary on the first day as an
15 alternative formula employee after the employment for which
16 credit is being established and the rates then applicable to
17 alternative formula employees, plus (2) an amount determined by
18 the Board to be the employer's normal cost of the benefits
19 accrued for the credit being established, plus (3) regular
20 interest on the amounts in items (1) and (2) from the first day
21 as an alternative formula employee after the employment for
22 which credit is being established to the date of payment.

23 (l) Subject to the limitation in subsection (i), a security
24 employee of the Department of Corrections may elect, not later
25 than July 1, 1998, to establish eligible creditable service for
26 up to 10 years of his or her service as a policeman under
27 Article 3, by filing a written election with the Board,
28 accompanied by payment of an amount to be determined by the
29 Board, equal to (i) the difference between the amount of
30 employee and employer contributions transferred to the System
31 under Section 3-110.5, and the amounts that would have been
32 contributed had such contributions been made at the rates
33 applicable to security employees of the Department of
34 Corrections, plus (ii) interest thereon at the effective rate
35 for each year, compounded annually, from the date of service to
36 the date of payment.

1 (m) Subject to the limitation in subsection (i), an
2 investigator for the Office of the Attorney General may elect
3 to establish eligible creditable service for up to 12 years of
4 service as a policeman under Article 3 or 5, as a sheriff's law
5 enforcement employee or municipal conservator of the peace
6 under Article 7, or as a member of the County Police Department
7 under Article 9, by filing a written election with the Board,
8 accompanied by payment of an amount to be determined by the
9 Board, equal to (1) the difference between the amount of
10 employee and employer contributions transferred to the System
11 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the
12 amounts that would have been contributed had those
13 contributions been made at the rates applicable to State
14 policemen, plus (2) interest thereon at the effective rate for
15 each year, compounded annually, from the date of service to the
16 date of payment.

17 (Source: P.A. 91-357, eff. 7-29-99; 91-760, eff. 1-1-01; 92-14,
18 eff. 6-28-01; 92-257, eff. 8-6-01; 92-651, eff. 7-11-02.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.