

1 AMENDMENT TO SENATE BILL 1152

2 AMENDMENT NO. _____. Amend Senate Bill 1152 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by
5 changing Section 17-134 as follows:

6 (40 ILCS 5/17-134) (from Ch. 108 1/2, par. 17-134)
7 Sec. 17-134. Contributions for leaves of absence;
8 military service; computing service. In computing service
9 for pension purposes the following periods of service shall
10 stand instead ~~in-lieu~~ of a like number of years of teaching
11 service upon payment therefor in the manner hereinafter
12 provided: (a) time spent on a leave of absence granted by the
13 employer; (b) service with teacher or labor organizations
14 based upon special leaves of absence therefor granted by an
15 Employer; (c) a maximum of 5 years spent in the military
16 service of the United States, of which up to 2 years may have
17 been served outside the pension period; (d) unused sick days
18 at termination of service to a maximum of 244 days; (e) time
19 lost due to layoff and curtailment of the school term from
20 June 6 through June 21, 1976; and (f) time spent after June
21 30, 1982 as a member of the Board of Education, if required
22 to resign from an administrative or teaching position in

1 order to qualify as a member of the Board of Education.

2 (1) For time spent on or after September 6, 1948 on
3 sabbatical leaves of absence or sick leaves, for which
4 salaries are paid, an Employer shall make payroll
5 deductions at the applicable rates in effect during such
6 periods.

7 (2) For time spent on a leave of absence granted by
8 the employer for which no salaries are paid, teachers
9 desiring credit therefor shall pay the required
10 contributions at the rates in effect during such periods
11 as though they were in teaching service. If an Employer
12 pays salary for vacations which occur during a teacher's
13 sick leave or maternity or paternity leave without
14 salary, vacation pay for which the teacher would have
15 qualified while in active service shall be considered
16 part of the teacher's total salary for pension purposes.
17 No more than 36 months of leave credit may be allowed any
18 person during the entire term of service. Sabbatical
19 leave credit shall be limited to the time the person on
20 leave without salary under an Employer's rules is allowed
21 to engage in an activity for which he receives salary or
22 compensation.

23 (3) For time spent prior to September 6, 1948, on
24 sabbatical leaves of absence or sick leaves for which
25 salaries were paid, teachers desiring service credit
26 therefor shall pay the required contributions at the
27 maximum applicable rates in effect during such periods.

28 (4) For service with teacher or labor organizations
29 authorized by special leaves of absence, for which no
30 payroll deductions are made by an Employer, teachers
31 desiring service credit therefor shall contribute to the
32 Fund upon the basis of the actual salary received from
33 such organizations at the percentage rates in effect
34 during such periods for certified positions with such

1 Employer. To the extent the actual salary exceeds the
2 regular salary, which shall be defined as the salary
3 rate, as calculated by the Board, in effect for the
4 teacher's regular position in teaching service on
5 September 1, 1983 or on the effective date of the leave
6 with the organization, whichever is later, the
7 organization shall pay to the Fund the employer's normal
8 cost as set by the Board on the increment.

9 (5) For time spent in the military service,
10 teachers entitled to and desiring credit therefor shall
11 contribute the amount required for each year of service
12 or fraction thereof at the rates in force (a) at the date
13 of appointment, or (b) on return to teaching service as a
14 regularly certified teacher, as the case may be; provided
15 such rates shall not be less than \$450 per year of
16 service. These conditions shall apply unless an Employer
17 elects to and does pay into the Fund the amount which
18 would have been due from such person had he been employed
19 as a teacher during such time. In the case of credit for
20 military service not during the pension period, the
21 teacher must also pay to the Fund an amount determined by
22 the Board to be equal to the employer's normal cost of
23 the benefits accrued from such service, plus interest
24 thereon at 5% per year, compounded annually, from the
25 date of appointment to the date of payment.

26 The changes to this Section made by Public Act
27 87-795 shall apply not only to persons who on or after
28 its effective date are in service under the Fund, but
29 also to persons whose status as a teacher terminated
30 prior to that date, whether or not the person is an
31 annuitant on that date. In the case of an annuitant who
32 applies for credit allowable under this Section for a
33 period of military service that did not immediately
34 follow employment, and who has made the required

1 contributions for such credit, the annuity shall be
2 recalculated to include the additional service credit,
3 with the increase taking effect on the date the Fund
4 received written notification of the annuitant's intent
5 to purchase the credit, if payment of all the required
6 contributions is made within 60 days of such notice, or
7 else on the first annuity payment date following the date
8 of payment of the required contributions. In calculating
9 the automatic annual increase for an annuity that has
10 been recalculated under this Section, the increase
11 attributable to the additional service allowable under
12 this amendatory Act of 1991 shall be included in the
13 calculation of automatic annual increases accruing after
14 the effective date of the recalculation.

15 The total credit for military service shall not
16 exceed 5 years, except that any teacher who on July 1,
17 1963, had validated credit for more than 5 years of
18 military service shall be entitled to the total amount of
19 such credit.

20 (6) A maximum of 244 unused sick days credited to
21 his account by an Employer on the date of termination of
22 employment. Members, upon verification of unused sick
23 days, may add this service time to total creditable
24 service.

25 (7) In all cases where time spent on leave is
26 creditable and no payroll deductions therefor are made by
27 an Employer, persons desiring service credit shall make
28 the required contributions directly to the Fund.

29 (8) For time lost without pay due to layoff and
30 curtailment of the school term from June 6 through June
31 21, 1976, as provided in item (e) of the first paragraph
32 of this Section, persons who were contributors on the
33 days immediately preceding such layoff shall receive
34 credit upon paying to the Fund a contribution based on

1 the rates of compensation and employee contributions in
2 effect at the time of such layoff, together with an
3 additional amount equal to 12.2% of the compensation
4 computed for such period of layoff, plus interest on the
5 entire amount at 5% per annum from January 1, 1978 to the
6 date of payment. If such contribution is paid, salary
7 for pension purposes for any year in which such a layoff
8 occurred shall include the compensation recognized for
9 purposes of computing that contribution.

10 (9) For time spent after June 30, 1982, as a
11 nonsalaried member of the Board of Education, if required
12 to resign from an administrative or teaching position in
13 order to qualify as a member of the Board of Education,
14 an administrator or teacher desiring credit therefor
15 shall pay the required contributions at the rates and
16 salaries in effect during such periods as though the
17 member were in service.

18 Effective September 1, 1974, the interest charged for
19 validation of service described in paragraphs (2) through (5)
20 of this Section shall be compounded annually at a rate of 5%
21 commencing one year after the termination of the leave or
22 return to service.

23 (Source: P.A. 92-599, eff. 6-28-02.)".