



Rep. Richard T. Bradley

Filed: 3/23/2006

09400HB1814ham001

LRB094 03151 AMC 57130 a

1 AMENDMENT TO HOUSE BILL 1814

2 AMENDMENT NO. _____. Amend House Bill 1814 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by
5 changing Section 14-110 and by adding Section 14-152.2 as
6 follows:

7 (40 ILCS 5/14-110) (from Ch. 108 1/2, par. 14-110)

8 (Text of Section before amendment by P.A. 94-696)

9 Sec. 14-110. Alternative retirement annuity.

10 (a) Any member who has withdrawn from service with not less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12 age 55, and any member who has withdrawn from service with not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

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

1 to and including 20 years of creditable service, and 2 3/4%
2 for each year of creditable service above 20 years; and

3 (ii) for periods of eligible creditable service as a
4 covered employee: if retirement occurs on or after January
5 1, 2001, 2.5% of final average compensation for each year
6 of creditable service; if retirement occurs before January
7 1, 2001, 1.67% of final average compensation for each of
8 the first 10 years of such service, 1.90% for each of the
9 next 10 years of such service, 2.10% for each year of such
10 service in excess of 20 but not exceeding 30, and 2.30% for
11 each year in excess of 30.

12 Such annuity shall be subject to a maximum of 75% of final
13 average compensation if retirement occurs before January 1,
14 2001 or to a maximum of 80% of final average compensation if
15 retirement occurs on or after January 1, 2001.

16 These rates shall not be applicable to any service
17 performed by a member as a covered employee which is not
18 eligible creditable service. Service as a covered employee
19 which is not eligible creditable service shall be subject to
20 the rates and provisions of Section 14-108.

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

24 (1) State policeman;

25 (2) fire fighter in the fire protection service of a
26 department;

27 (3) air pilot;

28 (4) special agent;

29 (5) investigator for the Secretary of State;

30 (6) conservation police officer;

31 (7) investigator for the Department of Revenue;

32 (8) security employee of the Department of Human
33 Services;

34 (9) Central Management Services security police

1 officer;

2 (10) security employee of the Department of
3 Corrections;

4 (11) dangerous drugs investigator;

5 (12) investigator for the Department of State Police;

6 (13) investigator for the Office of the Attorney
7 General;

8 (14) controlled substance inspector;

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

11 (16) Commerce Commission police officer;

12 (17) arson investigator;

13 (18) State highway maintenance worker;~~;~~

14 (19) automotive mechanic.

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

25 (c) For the purposes of this Section:

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

29 (2) The term "fire fighter in the fire protection
30 service of a department" includes all officers in such fire
31 protection service including fire chiefs and assistant
32 fire chiefs.

33 (3) The term "air pilot" includes any employee whose
34 official job description on file in the Department of

1 Central Management Services, or in the department by which
2 he is employed if that department is not covered by the
3 Personnel Code, states that his principal duty is the
4 operation of aircraft, and who possesses a pilot's license;
5 however, the change in this definition made by this
6 amendatory Act of 1983 shall not operate to exclude any
7 noncovered employee who was an "air pilot" for the purposes
8 of this Section on January 1, 1984.

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

21 (5) The term "investigator for the Secretary of State"
22 means any person employed by the Office of the Secretary of
23 State and vested with such investigative duties as render
24 him ineligible for coverage under the Social Security Act
25 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and
26 218(1)(1) of that Act.

27 A person who became employed as an investigator for the
28 Secretary of State between January 1, 1967 and December 31,
29 1975, and who has served as such until attainment of age
30 60, either continuously or with a single break in service
31 of not more than 3 years duration, which break terminated
32 before January 1, 1976, shall be entitled to have his
33 retirement annuity calculated in accordance with
34 subsection (a), notwithstanding that he has less than 20

1 years of credit for such service.

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

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

17 (8) The term "security employee of the Department of
18 Human Services" means any person employed by the Department
19 of Human Services who (i) is employed at the Chester Mental
20 Health Center and has daily contact with the residents
21 thereof, (ii) is employed within a security unit at a
22 facility operated by the Department and has daily contact
23 with the residents of the security unit, (iii) is employed
24 at a facility operated by the Department that includes a
25 security unit and is regularly scheduled to work at least
26 50% of his or her working hours within that security unit,
27 or (iv) is a mental health police officer. "Mental health
28 police officer" means any person employed by the Department
29 of Human Services in a position pertaining to the
30 Department's mental health and developmental disabilities
31 functions who is vested with such law enforcement duties as
32 render the person ineligible for coverage under the Social
33 Security Act by reason of Sections 218(d)(5)(A),
34 218(d)(8)(D) and 218(1)(1) of that Act. "Security unit"

1 means that portion of a facility that is devoted to the
2 care, containment, and treatment of persons committed to
3 the Department of Human Services as sexually violent
4 persons, persons unfit to stand trial, or persons not
5 guilty by reason of insanity. With respect to past
6 employment, references to the Department of Human Services
7 include its predecessor, the Department of Mental Health
8 and Developmental Disabilities.

9 The changes made to this subdivision (c)(8) by Public
10 Act 92-14 apply to persons who retire on or after January
11 1, 2001, notwithstanding Section 1-103.1.

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

18 (10) For a member who first became an employee under
19 this Article before July 1, 2005, the term "security
20 employee of the Department of Corrections" means any
21 employee of the Department of Corrections or the former
22 Department of Personnel, and any member or employee of the
23 Prisoner Review Board, who has daily contact with inmates
24 by working within a correctional facility or who is a
25 parole officer or an employee who has direct contact with
26 committed persons in the performance of his or her job
27 duties. For a member who first becomes an employee under
28 this Article on or after July 1, 2005, the term means an
29 employee of the Department of Corrections who is any of the
30 following: (i) officially headquartered at a correctional
31 facility, (ii) a parole officer, (iii) a member of the
32 apprehension unit, (iv) a member of the intelligence unit,
33 (v) a member of the sort team, or (vi) an investigator.

34 (11) The term "dangerous drugs investigator" means any

1 person who is employed as such by the Department of Human
2 Services.

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

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

20 (14) "Controlled substance inspector" means any person
21 who is employed as such by the Department of Professional
22 Regulation and is vested with such law enforcement duties
23 as render him 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. The term
26 "controlled substance inspector" includes the Program
27 Executive of Enforcement and the Assistant Program
28 Executive of Enforcement.

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

34 (16) "Commerce Commission police officer" means any

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

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

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

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

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

14 (19) The term "automotive mechanic" means a person who
15 is employed as such on a full-time basis by the Illinois
16 State Toll Highway Authority and who is assigned to
17 retrieve or repair State vehicles on State highways or
18 tollways.

19 (d) A security employee of the Department of Corrections,
20 and a security employee of the Department of Human Services who
21 is not a mental health police officer, shall not be eligible
22 for the alternative retirement annuity provided by this Section
23 unless he or she meets the following minimum age and service
24 requirements at the time of retirement:

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

26 or

27 (ii) beginning January 1, 1987, 25 years of eligible
28 creditable service and age 54, or 24 years of eligible
29 creditable service and age 55; or

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

33 (iv) beginning January 1, 1989, 25 years of eligible
34 creditable service and age 52, or 22 years of eligible

1 creditable service and age 55; or

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

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

8 Persons who have service credit under Article 16 of this
9 Code for service as a security employee of the Department of
10 Corrections or the Department of Human Services in a position
11 requiring certification as a teacher may count such service
12 toward establishing their eligibility under the service
13 requirements of this Section; but such service may be used only
14 for 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
27 position of special agent, conservation police officer, mental
28 health police officer, or investigator for the Secretary of
29 State, shall be deemed to have been service as a noncovered
30 employee, provided that the employee pays to the System prior
31 to retirement an amount equal to (1) the difference between the
32 employee contributions that would have been required for such
33 service as a noncovered employee, and the amount of employee
34 contributions actually paid, plus (2) if payment is made after

1 July 31, 1987, regular interest on the amount specified in item
2 (1) from the date of service to the date of payment.

3 For purposes of calculating retirement annuities under
4 this Section, periods of service rendered after December 31,
5 1968 and before January 1, 1982 as a covered employee in the
6 position of investigator for the Department of Revenue shall be
7 deemed to have been service as a noncovered employee, provided
8 that the employee pays to the System prior to retirement an
9 amount equal to (1) the difference between the employee
10 contributions that would have been required for such service as
11 a noncovered employee, and the amount of employee contributions
12 actually paid, plus (2) if payment is made after January 1,
13 1990, regular interest on the amount specified in item (1) from
14 the date of service to the date of payment.

15 (g) A State policeman may elect, not later than January 1,
16 1990, to establish eligible creditable service for up to 10
17 years of his service as a policeman under Article 3, by filing
18 a written election with the Board, accompanied by payment of an
19 amount to be determined by the Board, equal to (i) the
20 difference between the amount of employee and employer
21 contributions transferred to the System under Section 3-110.5,
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 effective rate for
25 each year, compounded annually, from the date of service to the
26 date of payment.

27 Subject to the limitation in subsection (i), a State
28 policeman may elect, not later than July 1, 1993, to establish
29 eligible creditable service for up to 10 years of his service
30 as a member of the County Police Department under Article 9, by
31 filing a written election with the Board, accompanied by
32 payment of an amount to be determined by the Board, equal to
33 (i) the difference between the amount of employee and employer
34 contributions transferred to the System under Section 9-121.10

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

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

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

33 (i) The total amount of eligible creditable service
34 established by any person under subsections (g), (h), (j), (k),

1 and (l) of this Section shall not exceed 12 years.

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

17 (k) Subject to the limitation in subsection (i) of this
18 Section, an alternative formula employee may elect to establish
19 eligible creditable service for periods spent as a full-time
20 law enforcement officer or full-time corrections officer
21 employed by the federal government or by a state or local
22 government located outside of Illinois, for which credit is not
23 held in any other public employee pension fund or retirement
24 system. To obtain this credit, the applicant must file a
25 written application with the Board by March 31, 1998,
26 accompanied by evidence of eligibility acceptable to the Board
27 and payment of an amount to be determined by the Board, equal
28 to (1) employee contributions for the credit being established,
29 based upon the applicant's salary on the first day as an
30 alternative formula employee after the employment for which
31 credit is being established and the rates then applicable to
32 alternative formula employees, plus (2) an amount determined by
33 the Board to be the employer's normal cost of the benefits
34 accrued for the credit being established, plus (3) regular

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

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

18 (Source: P.A. 94-4, eff. 6-1-05.)

19 (Text of Section after amendment by P.A. 94-696)

20 Sec. 14-110. Alternative retirement annuity.

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

30 (i) for periods of service as a noncovered employee: if
31 retirement occurs on or after January 1, 2001, 3% of final
32 average compensation for each year of creditable service;
33 if retirement occurs before January 1, 2001, 2 1/4% of

1 final average compensation for each of the first 10 years
2 of creditable service, 2 1/2% for each year above 10 years
3 to and including 20 years of creditable service, and 2 3/4%
4 for each year of creditable service above 20 years; and

5 (ii) for periods of eligible creditable service as a
6 covered employee: if retirement occurs on or after January
7 1, 2001, 2.5% of final average compensation for each year
8 of creditable service; if retirement occurs before January
9 1, 2001, 1.67% of final average compensation for each of
10 the first 10 years of such service, 1.90% for each of the
11 next 10 years of such service, 2.10% for each year of such
12 service in excess of 20 but not exceeding 30, and 2.30% for
13 each year in excess of 30.

14 Such annuity shall be subject to a maximum of 75% of final
15 average compensation if retirement occurs before January 1,
16 2001 or to a maximum of 80% of final average compensation if
17 retirement occurs on or after January 1, 2001.

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

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

26 (1) State policeman;

27 (2) fire fighter in the fire protection service of a
28 department;

29 (3) air pilot;

30 (4) special agent;

31 (5) investigator for the Secretary of State;

32 (6) conservation police officer;

33 (7) investigator for the Department of Revenue;

34 (8) security employee of the Department of Human

1 Services;

2 (9) Central Management Services security police
3 officer;

4 (10) security employee of the Department of
5 Corrections or the Department of Juvenile Justice;

6 (11) dangerous drugs investigator;

7 (12) investigator for the Department of State Police;

8 (13) investigator for the Office of the Attorney
9 General;

10 (14) controlled substance inspector;

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

13 (16) Commerce Commission police officer;

14 (17) arson investigator;

15 (18) State highway maintenance worker;

16 (19) automotive mechanic.

17 A person employed in one of the positions specified in this
18 subsection is entitled to eligible creditable service for
19 service credit earned under this Article while undergoing the
20 basic police training course approved by the Illinois Law
21 Enforcement Training Standards Board, if completion of that
22 training is required of persons serving in that position. For
23 the purposes of this Code, service during the required basic
24 police training course shall be deemed performance of the
25 duties of the specified position, even though the person is not
26 a sworn peace officer at the time of the training.

27 (c) For the purposes of this Section:

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

31 (2) The term "fire fighter in the fire protection
32 service of a department" includes all officers in such fire
33 protection service including fire chiefs and assistant
34 fire chiefs.

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

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

23 (5) The term "investigator for the Secretary of State"
24 means any person employed by the Office of the Secretary of
25 State and vested with such investigative duties as render
26 him ineligible for coverage under the Social Security Act
27 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and
28 218(1)(1) of that Act.

29 A person who became employed as an investigator for the
30 Secretary of State between January 1, 1967 and December 31,
31 1975, and who has served as such until attainment of age
32 60, either continuously or with a single break in service
33 of not more than 3 years duration, which break terminated
34 before January 1, 1976, shall be entitled to have his

1 retirement annuity calculated in accordance with
2 subsection (a), notwithstanding that he has less than 20
3 years of credit for such service.

4 (6) The term "Conservation Police Officer" means any
5 person employed by the Division of Law Enforcement of the
6 Department of Natural Resources and 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. The
10 term "Conservation Police Officer" includes the positions
11 of Chief Conservation Police Administrator and Assistant
12 Conservation Police Administrator.

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

19 (8) The term "security employee of the Department of
20 Human Services" means any person employed by the Department
21 of Human Services who (i) is employed at the Chester Mental
22 Health Center and has daily contact with the residents
23 thereof, (ii) is employed within a security unit at a
24 facility operated by the Department and has daily contact
25 with the residents of the security unit, (iii) is employed
26 at a facility operated by the Department that includes a
27 security unit and is regularly scheduled to work at least
28 50% of his or her working hours within that security unit,
29 or (iv) is a mental health police officer. "Mental health
30 police officer" means any person employed by the Department
31 of Human Services in a position pertaining to the
32 Department's mental health and developmental disabilities
33 functions who is vested with such law enforcement duties as
34 render the person ineligible for coverage under the Social

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

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

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

20 (10) For a member who first became an employee under
21 this Article before July 1, 2005, the term "security
22 employee of the Department of Corrections or the Department
23 of Juvenile Justice" means any employee of the Department
24 of Corrections or the Department of Juvenile Justice or the
25 former Department of Personnel, and any member or employee
26 of the Prisoner Review Board, who has daily contact with
27 inmates or youth by working within a correctional facility
28 or Juvenile facility operated by the Department of Juvenile
29 Justice or who is a parole officer or an employee who has
30 direct contact with committed persons in the performance of
31 his or her job duties. For a member who first becomes an
32 employee under this Article on or after July 1, 2005, the
33 term means an employee of the Department of Corrections or
34 the Department of Juvenile Justice who is any of the

1 following: (i) officially headquartered at a correctional
2 facility or Juvenile facility operated by the Department of
3 Juvenile Justice, (ii) a parole officer, (iii) a member of
4 the apprehension unit, (iv) a member of the intelligence
5 unit, (v) a member of the sort team, or (vi) an
6 investigator.

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

10 (12) The term "investigator for the Department of State
11 Police" means a person employed by the Department of State
12 Police who is vested under Section 4 of the Narcotic
13 Control Division Abolition Act with such law enforcement
14 powers as render him ineligible for coverage under the
15 Social Security Act by reason of Sections 218(d)(5)(A),
16 218(d)(8)(D) and 218(1)(1) of that Act.

17 (13) "Investigator for the Office of the Attorney
18 General" means any person who is employed as such by the
19 Office of the Attorney General and is vested with such
20 investigative 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. For
23 the period before January 1, 1989, the term includes all
24 persons who were employed as investigators by the Office of
25 the Attorney General, without regard to social security
26 status.

27 (14) "Controlled substance inspector" means any person
28 who is employed as such by the Department of Professional
29 Regulation and is vested with such law enforcement duties
30 as render him ineligible for coverage under the Social
31 Security Act by reason of Sections 218(d)(5)(A),
32 218(d)(8)(D) and 218(1)(1) of that Act. The term
33 "controlled substance inspector" includes the Program
34 Executive of Enforcement and the Assistant Program

1 Executive of Enforcement.

2 (15) The term "investigator for the Office of the
3 State's Attorneys Appellate Prosecutor" means a person
4 employed in that capacity on a full time basis under the
5 authority of Section 7.06 of the State's Attorneys
6 Appellate Prosecutor's Act.

7 (16) "Commerce Commission police officer" means any
8 person employed by the Illinois Commerce Commission who is
9 vested with such law enforcement duties as render him
10 ineligible for coverage under the Social Security Act by
11 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and
12 218(1)(1) of that Act.

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

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

31 (i) A person employed on a full-time basis by the
32 Illinois Department of Transportation in the position
33 of highway maintainer, highway maintenance lead
34 worker, highway maintenance lead/lead worker, heavy

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

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

21 (19) The term "automotive mechanic" means a person who
22 is employed as such on a full-time basis by the Illinois
23 State Toll Highway Authority and who is assigned to
24 retrieve or repair State vehicles on State highways or
25 tollways.

26 (d) A security employee of the Department of Corrections or
27 the Department of Juvenile Justice, and a security employee of
28 the Department of Human Services who is not a mental health
29 police officer, shall not be eligible for the alternative
30 retirement annuity provided by this Section unless he or she
31 meets the following minimum age and service requirements at the
32 time of retirement:

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

34 or

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

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

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

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

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

16 Persons who have service credit under Article 16 of this
17 Code for service as a security employee of the Department of
18 Corrections or the Department of Juvenile Justice, or the
19 Department of Human Services in a position requiring
20 certification as a teacher may count such service toward
21 establishing their eligibility under the service requirements
22 of this Section; but such service may be used only for
23 establishing such eligibility, and not for the purpose of
24 increasing or calculating any benefit.

25 (e) If a member enters military service while working in a
26 position in which eligible creditable service may be earned,
27 and returns to State service in the same or another such
28 position, and fulfills in all other respects the conditions
29 prescribed in this Article for credit for military service,
30 such military service shall be credited as eligible creditable
31 service for the purposes of the retirement annuity prescribed
32 in this Section.

33 (f) For purposes of calculating retirement annuities under
34 this Section, periods of service rendered after December 31,

1 1968 and before October 1, 1975 as a covered employee in the
2 position of special agent, conservation police officer, mental
3 health police officer, or investigator for the Secretary of
4 State, shall be deemed to have been service as a noncovered
5 employee, provided that the employee pays to the System prior
6 to 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 July 31, 1987, regular interest on the amount specified in item
11 (1) from the date of service to the date of 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 be
16 deemed to have been service as a noncovered employee, provided
17 that the employee pays to the System prior to retirement an
18 amount equal to (1) the difference between the employee
19 contributions that would have been required for such service as
20 a noncovered employee, and the amount of employee contributions
21 actually paid, plus (2) if payment is made after January 1,
22 1990, regular interest on the amount specified in item (1) from
23 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
27 a written election with the Board, accompanied by payment of an
28 amount to be determined by the Board, equal to (i) the
29 difference between the amount of employee and employer
30 contributions transferred to the System under Section 3-110.5,
31 and the amounts that would have been contributed had such
32 contributions been made at the rates applicable to State
33 policemen, plus (ii) interest thereon at the effective rate for
34 each year, compounded annually, from the date of service to the

1 date of payment.

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

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

28 Subject to the limitation in subsection (i), a State
29 policeman, conservation police officer, or investigator for
30 the Secretary of State may elect to establish eligible
31 creditable service for up to 10 years of service as a sheriff's
32 law enforcement employee under Article 7, by filing a written
33 election with the Board on or before January 31, 1993, and
34 paying to the System by January 31, 1994 an amount to be

1 determined by the Board, equal to (i) the difference between
2 the amount of employee and employer contributions transferred
3 to the System under Section 7-139.7, and the amounts that would
4 have been contributed had such contributions been made at the
5 rates applicable to State policemen, plus (ii) interest thereon
6 at the effective rate for each year, compounded annually, from
7 the date of service to the date of payment.

8 (i) The total amount of eligible creditable service
9 established by any person under subsections (g), (h), (j), (k),
10 and (l) of this Section shall not exceed 12 years.

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

26 (k) Subject to the limitation in subsection (i) of this
27 Section, an alternative formula employee may elect to establish
28 eligible creditable service for periods spent as a full-time
29 law enforcement officer or full-time corrections officer
30 employed by the federal government or by a state or local
31 government located outside of Illinois, for which credit is not
32 held in any other public employee pension fund or retirement
33 system. To obtain this credit, the applicant must file a
34 written application with the Board by March 31, 1998,

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

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

27 (m) The amendatory changes to this Section made by this
28 amendatory Act of the 94th General Assembly apply only to: (1)
29 security employees of the Department of Juvenile Justice
30 employed by the Department of Corrections before the effective
31 date of this amendatory Act of the 94th General Assembly and
32 transferred to the Department of Juvenile Justice by this
33 amendatory Act of the 94th General Assembly; and (2) persons
34 employed by the Department of Juvenile Justice on or after the

1 effective date of this amendatory Act of the 94th General
2 Assembly who are required by subsection (b) of Section 3-2.5-15
3 of the Unified Code of Corrections to have a bachelor's or
4 advanced degree from an accredited college or university with a
5 specialization in criminal justice, education, psychology,
6 social work, or a closely related social science or, in the
7 case of persons who provide vocational training, who are
8 required to have adequate knowledge in the skill for which they
9 are providing the vocational training.

10 (Source: P.A. 94-4, eff. 6-1-05; 94-696, eff. 6-1-06.)

11 (40 ILCS 5/14-152.2 new)

12 Sec. 14-152.2. New benefit increases. The General Assembly
13 finds and declares that the amendment to Section 14-110 made by
14 this amendatory Act of the 94th General Assembly that provides
15 the alternative formula to automotive mechanics employed by the
16 Illinois State Toll Highway Authority who are assigned to
17 retrieve or repair State vehicles on State highways or tollways
18 and certain sign hangers employed by the Department of
19 Transportation constitutes a new benefit increase within the
20 meaning of Section 14-152.1. This new benefit increase will
21 expire 5 years after the effective date of this amendatory Act.
22 Funding for this new benefit increase will be provided by
23 additional employee contributions under Section 14-133.

24 Section 95. No acceleration or delay. Where this Act makes
25 changes in a statute that is represented in this Act by text
26 that is not yet or no longer in effect (for example, a Section
27 represented by multiple versions), the use of that text does
28 not accelerate or delay the taking effect of (i) the changes
29 made by this Act or (ii) provisions derived from any other
30 Public Act.

31 Section 99. Effective date. This Act takes effect upon

1 becoming law.".