



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB0219

Introduced 1/19/2007, by Rep. Jim Sacia

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
40 ILCS 5/15-134.4	from Ch. 108 1/2, par. 15-134.4
30 ILCS 805/8.31 new	

Amends the Illinois Pension Code. Provides that an active member of the State Employees' Retirement System who is a State policeman, an investigator for the Secretary of State, or a conservation police officer may transfer to that System up to 5 years of his or her creditable service accumulated for service in a police capacity under certain other Articles of the Code. Requires payment of the difference in contributions, plus interest. Authorizes reinstatement of certain credits previously terminated by acceptance of a refund, upon repayment of the refund, plus interest. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB095 04369 AMC 24412 b

FISCAL NOTE ACT
MAY APPLY

PENSION IMPACT
NOTE ACT MAY
APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

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, 14-110, and
6 15-134.4 as 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 a State policeman, an investigator for the
11 Secretary of State, a conservation police officer, an
12 investigator for the Office of the State's Attorneys Appellate
13 Prosecutor, or a controlled substance inspector may apply for
14 transfer of some or all of his or her creditable service
15 accumulated in any police pension fund under this Article to
16 the State Employees' Retirement System in accordance with
17 Section 14-110. The creditable service shall be transferred
18 only upon payment by the police pension fund to the State
19 Employees' Retirement System of an amount equal to:

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

23 (2) employer contributions in an amount equal to the

1 amount determined under subparagraph (1); and
2 (3) any interest paid by the applicant in order to
3 reinstate service to be transferred.

4 Participation in the police pension fund with respect to the
5 service to be transferred shall terminate on the date of
6 transfer.

7 (b) Any person applying to transfer service under this
8 Section ~~such investigator or inspector~~ may reinstate service
9 that ~~which~~ was terminated by receipt of a refund, by paying to
10 the police pension fund the amount of the refund with interest
11 thereon at the rate of 6% per year, compounded annually, from
12 the date of refund to the date of payment.

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

14 (40 ILCS 5/5-236) (from Ch. 108 1/2, par. 5-236)

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

16 (a) ~~Until January 31, 1994,~~ Any active member of the State
17 Employees' Retirement System who is a State policeman,
18 conservation police officer, or investigator for the Secretary
19 of State may apply for transfer of some or all of his or her
20 creditable service accumulated under this Article to the State
21 Employees' Retirement System in accordance with Section
22 14-110. At the time of the transfer the Fund shall pay to the
23 State Employees' 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

1 the Fund on the date of transfer; and

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

5 (3) any interest paid by the applicant in order to
6 reinstate service to be transferred.

7 Participation in this Fund with respect to the service to be
8 transferred shall terminate on the date of transfer.

9 (b) ~~Until January 31, 1994,~~ Any such State policeman,
10 conservation police officer, or investigator for the Secretary
11 of State may reinstate service that was terminated by receipt
12 of a refund, by paying to the Fund the amount of the refund
13 with interest thereon at the rate of 6% per year, compounded
14 annually, from the date of refund to the date of payment.

15 (c) Within 30 days after the effective date of this
16 amendatory Act of 1993, any active member of the State
17 Employees' Retirement System who was earning eligible
18 creditable service under subdivision (b)(12) of Section 14-110
19 on January 1, 1992 and who has at least 17 years of creditable
20 service under this Article may apply for transfer of his
21 creditable service accumulated under this Article to the State
22 Employees' Retirement System. At the time of the transfer the
23 Fund shall pay to the State Employees' Retirement System an
24 amount equal to:

25 (1) the amounts accumulated to the credit of the
26 applicant on the books of the Fund on the date of transfer;

1 and

2 (2) the corresponding municipality credits, including
3 interest, on the books of the Fund on the date of transfer.
4 Participation in this Fund shall terminate on the date of
5 transfer.

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

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

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

9 (a) Any active member of the State Employees' Retirement
10 System who is a State policeman, an investigator for the
11 Secretary of State, a conservation police officer, an
12 investigator for the Office of the State's Attorneys Appellate
13 Prosecutor, or a controlled substance inspector may apply for
14 transfer of some or all of his or her credits and creditable
15 service accumulated in this Fund for service as a sheriff's law
16 enforcement employee to the State Employees' Retirement System
17 in accordance with Section 14-110. The creditable service shall
18 be transferred only upon payment by this Fund to the State
19 Employees' Retirement System of an amount equal to:

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

23 (2) municipality credits based on such service,
24 including interest; and

25 (3) any interest paid by the applicant to reinstate

1 such service.

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

4 (b) Any person applying to transfer service under this
5 Section ~~such investigator or inspector~~ may reinstate credits
6 and creditable service terminated upon receipt of a separation
7 benefit, by paying to the Fund the amount of the separation
8 benefit plus interest thereon at the rate of 6% per year to the
9 date of payment.

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

11 (40 ILCS 5/9-121.10) (from Ch. 108 1/2, par. 9-121.10)

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

13 (a) ~~Until July 1, 1993,~~ Any active member of the State
14 Employees' Retirement System who is a State policeman,
15 investigator for the Secretary of State, or conservation police
16 officer may apply for transfer of some or all of his creditable
17 service as a member of the County Police Department accumulated
18 under this Article to the State Employees' Retirement System in
19 accordance with Section 14-110. At the time of the transfer the
20 Fund shall pay to the State Employees' Retirement System an
21 amount equal to:

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

25 (2) the corresponding municipality credits, including

1 interest, on the books of the Fund on the date of transfer;
2 and

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

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

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

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

15 (40 ILCS 5/14-110) (from Ch. 108 1/2, par. 14-110)
16 Sec. 14-110. Alternative retirement annuity.

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

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

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

18 Such annuity shall be subject to a maximum of 75% of final
19 average compensation if retirement occurs before January 1,
20 2001 or to a maximum of 80% of final average compensation if
21 retirement occurs on or after January 1, 2001.

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

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

4 (1) State policeman;

5 (2) fire fighter in the fire protection service of a
6 department;

7 (3) air pilot;

8 (4) special agent;

9 (5) investigator for the Secretary of State;

10 (6) conservation police officer;

11 (7) investigator for the Department of Revenue;

12 (8) security employee of the Department of Human
13 Services;

14 (9) Central Management Services security police
15 officer;

16 (10) security employee of the Department of
17 Corrections or the Department of Juvenile Justice;

18 (11) dangerous drugs investigator;

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

20 (13) investigator for the Office of the Attorney
21 General;

22 (14) controlled substance inspector;

23 (15) investigator for the Office of the State's
24 Attorneys Appellate Prosecutor;

25 (16) Commerce Commission police officer;

26 (17) arson investigator;

1 (18) State highway maintenance worker.

2 A person employed in one of the positions specified in this
3 subsection is entitled to eligible creditable service for
4 service credit earned under this Article while undergoing the
5 basic police training course approved by the Illinois Law
6 Enforcement Training Standards Board, if completion of that
7 training is required of persons serving in that position. For
8 the purposes of this Code, service during the required basic
9 police training course shall be deemed performance of the
10 duties of the specified position, even though the person is not
11 a sworn peace officer at the time of the training.

12 (c) For the purposes of this Section:

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

16 (2) The term "fire fighter in the fire protection
17 service of a department" includes all officers in such fire
18 protection service including fire chiefs and assistant
19 fire chiefs.

20 (3) The term "air pilot" includes any employee whose
21 official job description on file in the Department of
22 Central Management Services, or in the department by which
23 he is employed if that department is not covered by the
24 Personnel Code, states that his principal duty is the
25 operation of aircraft, and who possesses a pilot's license;
26 however, the change in this definition made by this

1 amendatory Act of 1983 shall not operate to exclude any
2 noncovered employee who was an "air pilot" for the purposes
3 of this Section on January 1, 1984.

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

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

22 A person who became employed as an investigator for the
23 Secretary of State between January 1, 1967 and December 31,
24 1975, and who has served as such until attainment of age
25 60, either continuously or with a single break in service
26 of not more than 3 years duration, which break terminated

1 before January 1, 1976, shall be entitled to have his
2 retirement annuity calculated in accordance with
3 subsection (a), notwithstanding that he has less than 20
4 years of credit for such service.

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

14 (7) The term "investigator for the Department of
15 Revenue" means any person employed by the Department of
16 Revenue and vested with such investigative duties as render
17 him ineligible for coverage under the Social Security Act
18 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and
19 218(1)(1) of that Act.

20 (8) The term "security employee of the Department of
21 Human Services" means any person employed by the Department
22 of Human Services who (i) is employed at the Chester Mental
23 Health Center and has daily contact with the residents
24 thereof, (ii) is employed within a security unit at a
25 facility operated by the Department and has daily contact
26 with the residents of the security unit, (iii) is employed

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

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

23 (9) "Central Management Services security police
24 officer" means any person employed by the Department of
25 Central Management Services who is vested with such law
26 enforcement duties as render him ineligible for coverage

1 under the Social Security Act by reason of Sections
2 218(d) (5) (A), 218(d) (8) (D) and 218(1) (1) of that Act.

3 (10) For a member who first became an employee under
4 this Article before July 1, 2005, the term "security
5 employee of the Department of Corrections or the Department
6 of Juvenile Justice" means any employee of the Department
7 of Corrections or the Department of Juvenile Justice or the
8 former Department of Personnel, and any member or employee
9 of the Prisoner Review Board, who has daily contact with
10 inmates or youth by working within a correctional facility
11 or Juvenile facility operated by the Department of Juvenile
12 Justice or who is a parole officer or an employee who has
13 direct contact with committed persons in the performance of
14 his or her job duties. For a member who first becomes an
15 employee under this Article on or after July 1, 2005, the
16 term means an employee of the Department of Corrections or
17 the Department of Juvenile Justice who is any of the
18 following: (i) officially headquartered at a correctional
19 facility or Juvenile facility operated by the Department of
20 Juvenile Justice, (ii) a parole officer, (iii) a member of
21 the apprehension unit, (iv) a member of the intelligence
22 unit, (v) a member of the sort team, or (vi) an
23 investigator.

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

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

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

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

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

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

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

1 eligible creditable service on the date of application.

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

4 (i) A person employed on a full-time basis by the
5 Illinois Department of Transportation in the position
6 of highway maintainer, highway maintenance lead
7 worker, highway maintenance lead/lead worker, heavy
8 construction equipment operator, power shovel
9 operator, or bridge mechanic; and whose principal
10 responsibility is to perform, on the roadway, the
11 actual maintenance necessary to keep the highways that
12 form a part of the State highway system in serviceable
13 condition for vehicular traffic.

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

1 (d) A security employee of the Department of Corrections or
2 the Department of Juvenile Justice, and a security employee of
3 the Department of Human Services who is not a mental health
4 police officer, shall not be eligible for the alternative
5 retirement annuity provided by this Section unless he or she
6 meets the following minimum age and service requirements at the
7 time of retirement:

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

9 or

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

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

16 (iv) beginning January 1, 1989, 25 years of eligible
17 creditable service and age 52, or 22 years of eligible
18 creditable service and age 55; or

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

22 (vi) beginning January 1, 1991, 25 years of eligible
23 creditable service and age 50, or 20 years of eligible
24 creditable service and age 55.

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

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

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

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

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

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

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

15 Subject to the limitation in subsection (i), a State
16 policeman, conservation police officer, or investigator for
17 the Secretary of State may elect to establish eligible
18 creditable service for up to 5 years of service as a police
19 officer under Article 3, a policeman under Article 5, a
20 sheriff's law enforcement employee under Article 7, a member of
21 the county police department under Article 9, or a police
22 officer under Article 15 by filing a written election with the
23 Board and paying to the System an amount to be determined by
24 the Board, equal to (i) the difference between the amount of
25 employee and employer contributions transferred to the System
26 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4

1 and the amounts that would have been contributed had such
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 (i) The total amount of eligible creditable service
7 established by any person under subsections (g), (h), (j), (k),
8 and (l) of this Section shall not exceed 12 years.

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

24 (k) Subject to the limitation in subsection (i) of this
25 Section, an alternative formula employee may elect to establish
26 eligible creditable service for periods spent as a full-time

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

19 (1) Subject to the limitation in subsection (i), a security
20 employee of the Department of Corrections may elect, not later
21 than July 1, 1998, to establish eligible creditable service for
22 up to 10 years of his or her service as a policeman under
23 Article 3, by filing a written election with the Board,
24 accompanied by payment of an amount to be determined by the
25 Board, equal to (i) the difference between the amount of
26 employee and employer contributions transferred to the System

1 under Section 3-110.5, and the amounts that would have been
2 contributed had such contributions been made at the rates
3 applicable to security employees of the Department of
4 Corrections, plus (ii) interest thereon at the effective rate
5 for each year, compounded annually, from the date of service to
6 the date of payment.

7 (m) The amendatory changes to this Section made by this
8 amendatory Act of the 94th General Assembly apply only to: (1)
9 security employees of the Department of Juvenile Justice
10 employed by the Department of Corrections before the effective
11 date of this amendatory Act of the 94th General Assembly and
12 transferred to the Department of Juvenile Justice by this
13 amendatory Act of the 94th General Assembly; and (2) persons
14 employed by the Department of Juvenile Justice on or after the
15 effective date of this amendatory Act of the 94th General
16 Assembly who are required by subsection (b) of Section 3-2.5-15
17 of the Unified Code of Corrections to have a bachelor's or
18 advanced degree from an accredited college or university with a
19 specialization in criminal justice, education, psychology,
20 social work, or a closely related social science or, in the
21 case of persons who provide vocational training, who are
22 required to have adequate knowledge in the skill for which they
23 are providing the vocational training.

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

25 (40 ILCS 5/15-134.4) (from Ch. 108 1/2, par. 15-134.4)

1 Sec. 15-134.4. Transfer of creditable service to the
2 Article 5 Pension Fund or Article 14 System.

3 (a) An active member of the Pension Fund established under
4 Article 5 of this Code may apply, not later than January 1,
5 1990, to transfer his or her credits and creditable service
6 accumulated under this System for service with the City
7 Colleges of Chicago teaching in the Criminal Justice Program,
8 to the Article 5 Fund. Such credits and creditable service
9 shall be transferred forthwith.

10 Payment by this System to the Article 5 Fund shall be made
11 at the same time and shall consist of:

12 (1) the amounts credited to the applicant for such
13 service through employee contributions, including
14 interest, as of the date of transfer; and

15 (2) employer contributions equal in amount to the
16 accumulated employee contributions as determined in item
17 (1).

18 Participation in this System with respect to such credits shall
19 terminate on the date of transfer.

20 (b) Any active member of the State Employees' Retirement
21 System who is a State policeman, an investigator for the
22 Secretary of State, or a conservation police officer may apply
23 for transfer of some or all of his or her creditable service
24 accumulated in this System for service as a police officer to
25 the State Employees' Retirement System in accordance with
26 Section 14-110. The creditable service shall be transferred

1 only upon payment by this System to the State Employees'
2 Retirement System of an amount equal to:

3 (1) the amounts accumulated to the credit of the
4 applicant for the service to be transferred, including
5 interest, as of the date of transfer; and

6 (2) employer contributions equal in amount to the
7 accumulated employee contributions as determined in item
8 (1); and

9 (3) any interest paid by the applicant to reinstate
10 such service.

11 Participation in this System as to any credits transferred
12 under this Section shall terminate on the date of transfer.

13 (c) Any person applying to transfer service under
14 subsection (b) may reinstate credits and creditable service
15 terminated upon receipt of a refund by paying to the System the
16 amount of the refund plus interest thereon at the rate of 6%
17 per year from the date of the refund to the date of payment.

18 (Source: P.A. 86-273; 86-1028.)

19 Section 90. The State Mandates Act is amended by adding
20 Section 8.31 as follows:

21 (30 ILCS 805/8.31 new)

22 Sec. 8.31. Exempt mandate. Notwithstanding Sections 6 and 8
23 of this Act, no reimbursement by the State is required for the
24 implementation of any mandate created by this amendatory Act of

1 the 95th General Assembly.

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.