

1 AN ACT concerning 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 3-109, 7-139, and 14-104 as follows:

6 (40 ILCS 5/3-109) (from Ch. 108 1/2, par. 3-109)
7 Sec. 3-109. Persons excluded.

8 (a) The following persons shall not be eligible to
9 participate in a fund created under this Article:

10 (1) part-time police officers, special police
11 officers, night watchmen, temporary employees, traffic
12 guards or so-called auxiliary police officers specially
13 appointed to aid or direct traffic at or near schools or
14 public functions, or to aid in civil defense, municipal
15 parking lot attendants, clerks or other civilian employees
16 of a police department who perform clerical duties
17 exclusively;

18 (2) any police officer who fails to pay the
19 contributions required under Section 3-125.1, computed (i)
20 for funds established prior to August 5, 1963, from the
21 date the municipality established the fund or the date of a
22 police officer's first appointment (including an
23 appointment on probation), whichever is later, or (ii) for

1 funds established after August 5, 1963, from the date, as
2 determined from the statistics or census provided in
3 Section 3-103, the municipality became subject to this
4 Article by attaining the minimum population or by
5 referendum, or the date of a police officer's first
6 appointment (including an appointment on probation),
7 whichever is later, and continuing during his or her entire
8 service as a police officer; and

9 (3) any person who has elected under Section 3-109.1 to
10 participate in the Illinois Municipal Retirement Fund
11 rather than in a fund established under this Article,
12 without regard to whether the person continues to be
13 employed as chief of police or is employed in some other
14 rank or capacity within the police department, unless the
15 person has lawfully rescinded that election.

16 (b) A police officer who is reappointed shall, before being
17 declared eligible to participate in the pension fund, repay to
18 the fund as required by Section 3-124 any refund received
19 thereunder.

20 (c) Any person otherwise qualified to participate who was
21 excluded from participation by reason of the age restriction
22 removed by Public Act 79-1165 may elect to participate by
23 making a written application to the Board before January 1,
24 1990. Persons so electing shall begin participation on the
25 first day of the month following the date of application. Such
26 persons may also elect to establish creditable service for

1 periods of employment as a police officer during which they did
2 not participate by paying into the police pension fund, before
3 January 1, 1990, the amount that the person would have
4 contributed had deductions from salary been made for such
5 purpose at the time such service was rendered, together with
6 interest thereon at 6% per annum from the time such service was
7 rendered until the date the payment is made.

8 (d) A person otherwise qualified to participate who was
9 excluded from participation by reason of the fitness
10 requirement removed by this amendatory Act of 1995 may elect to
11 participate by making a written application to the Board before
12 July 1, 1996. Persons so electing shall begin participation on
13 the first day of the month following the month in which the
14 application is received by the Board. These persons may also
15 elect to establish creditable service for periods of employment
16 as a police officer during which they did not participate by
17 paying into the police pension fund, before January 1, 1997,
18 the amount that the person would have contributed had
19 deductions from salary been made for this purpose at the time
20 the service was rendered, together with interest thereon at 6%
21 per annum, compounded annually, from the time the service was
22 rendered until the date of payment.

23 (e) A person employed by the Village of Shiloh who is
24 otherwise qualified to participate and was excluded from
25 participation by reason of his or her failure to make written
26 application to the Board within 3 months after receiving his or

1 her first appointment or reappointment as required under
2 Section 3-106 may elect to participate by making a written
3 application to the Board before July 1, 2008. Persons so
4 electing shall begin participation on the first day of the
5 month following the month in which the application is received
6 by the Board. These persons may also elect to establish
7 creditable service for periods of employment as a police
8 officer during which they did not participate by paying into
9 the police pension fund, before January 1, 2009, the amount
10 that the person would have contributed had deductions from
11 salary been made for this purpose at the time the service was
12 rendered, together with interest thereon at 6% per annum,
13 compounded annually, from the time the service was rendered
14 until the date of payment. The Village of Shiloh must pay to
15 the System the corresponding employer contributions, plus
16 interest.

17 (Source: P.A. 89-52, eff. 6-30-95; 90-460, eff. 8-17-97.)

18 (40 ILCS 5/7-139) (from Ch. 108 1/2, par. 7-139)

19 Sec. 7-139. Credits and creditable service to employees.

20 (a) Each participating employee shall be granted credits
21 and creditable service, for purposes of determining the amount
22 of any annuity or benefit to which he or a beneficiary is
23 entitled, as follows:

24 1. For prior service: Each participating employee who
25 is an employee of a participating municipality or

1 participating instrumentality on the effective date shall
2 be granted creditable service, but no credits under
3 paragraph 2 of this subsection (a), for periods of prior
4 service for which credit has not been received under any
5 other pension fund or retirement system established under
6 this Code, as follows:

7 If the effective date of participation for the
8 participating municipality or participating
9 instrumentality is on or before January 1, 1998, creditable
10 service shall be granted for the entire period of prior
11 service with that employer without any employee
12 contribution.

13 If the effective date of participation for the
14 participating municipality or participating
15 instrumentality is after January 1, 1998, creditable
16 service shall be granted for the last 20% of the period of
17 prior service with that employer, but no more than 5 years,
18 without any employee contribution. A participating
19 employee may establish creditable service for the
20 remainder of the period of prior service with that employer
21 by making an application in writing, accompanied by payment
22 of an employee contribution in an amount determined by the
23 Fund, based on the employee contribution rates in effect at
24 the time of application for the creditable service and the
25 employee's salary rate on the effective date of
26 participation for that employer, plus interest at the

1 effective rate from the date of the prior service to the
2 date of payment. Application for this creditable service
3 may be made at any time while the employee is still in
4 service.

5 A municipality that (i) has at least 35 employees; (ii)
6 is located in a county with at least 2,000,000 inhabitants;
7 and (iii) maintains an independent defined benefit pension
8 plan for the benefit of its eligible employees may restrict
9 creditable service in whole or in part for periods of prior
10 service with the employer if the governing body of the
11 municipality adopts an irrevocable resolution to restrict
12 that creditable service and files the resolution with the
13 board before the municipality's effective date of
14 participation.

15 Any person who has withdrawn from the service of a
16 participating municipality or participating
17 instrumentality prior to the effective date, who reenters
18 the service of the same municipality or participating
19 instrumentality after the effective date and becomes a
20 participating employee is entitled to creditable service
21 for prior service as otherwise provided in this subdivision
22 (a)(1) only if he or she renders 2 years of service as a
23 participating employee after the effective date.
24 Application for such service must be made while in a
25 participating status. The salary rate to be used in the
26 calculation of the required employee contribution, if any,

1 shall be the employee's salary rate at the time of first
2 reentering service with the employer after the employer's
3 effective date of participation.

4 2. For current service, each participating employee
5 shall be credited with:

6 a. Additional credits of amounts equal to each
7 payment of additional contributions received from him
8 under Section 7-173, as of the date the corresponding
9 payment of earnings is payable to him.

10 b. Normal credits of amounts equal to each payment
11 of normal contributions received from him, as of the
12 date the corresponding payment of earnings is payable
13 to him, and normal contributions made for the purpose
14 of establishing out-of-state service credits as
15 permitted under the conditions set forth in paragraph 6
16 of this subsection (a).

17 c. Municipality credits in an amount equal to 1.4
18 times the normal credits, except those established by
19 out-of-state service credits, as of the date of
20 computation of any benefit if these credits would
21 increase the benefit.

22 d. Survivor credits equal to each payment of
23 survivor contributions received from the participating
24 employee as of the date the corresponding payment of
25 earnings is payable, and survivor contributions made
26 for the purpose of establishing out-of-state service

1 credits.

2 3. For periods of temporary and total and permanent
3 disability benefits, each employee receiving disability
4 benefits shall be granted creditable service for the period
5 during which disability benefits are payable. Normal and
6 survivor credits, based upon the rate of earnings applied
7 for disability benefits, shall also be granted if such
8 credits would result in a higher benefit to any such
9 employee or his beneficiary.

10 4. For authorized leave of absence without pay: A
11 participating employee shall be granted credits and
12 creditable service for periods of authorized leave of
13 absence without pay under the following conditions:

14 a. An application for credits and creditable
15 service is submitted to the board while the employee is
16 in a status of active employment, and within 2 years
17 after termination of the leave of absence period for
18 which credits and creditable service are sought.

19 b. Not more than 12 complete months of creditable
20 service for authorized leave of absence without pay
21 shall be counted for purposes of determining any
22 benefits payable under this Article.

23 c. Credits and creditable service shall be granted
24 for leave of absence only if such leave is approved by
25 the governing body of the municipality, including
26 approval of the estimated cost thereof to the

1 municipality as determined by the fund, and employee
2 contributions, plus interest at the effective rate
3 applicable for each year from the end of the period of
4 leave to date of payment, have been paid to the fund in
5 accordance with Section 7-173. The contributions shall
6 be computed upon the assumption earnings continued
7 during the period of leave at the rate in effect when
8 the leave began.

9 d. Benefits under the provisions of Sections
10 7-141, 7-146, 7-150 and 7-163 shall become payable to
11 employees on authorized leave of absence, or their
12 designated beneficiary, only if such leave of absence
13 is creditable hereunder, and if the employee has at
14 least one year of creditable service other than the
15 service granted for leave of absence. Any employee
16 contributions due may be deducted from any benefits
17 payable.

18 e. No credits or creditable service shall be
19 allowed for leave of absence without pay during any
20 period of prior service.

21 5. For military service: The governing body of a
22 municipality or participating instrumentality may elect to
23 allow creditable service to participating employees who
24 leave their employment to serve in the armed forces of the
25 United States for all periods of such service, provided
26 that the person returns to active employment within 90 days

1 after completion of full time active duty, but no
2 creditable service shall be allowed such person for any
3 period that can be used in the computation of a pension or
4 any other pay or benefit, other than pay for active duty,
5 for service in any branch of the armed forces of the United
6 States. If necessary to the computation of any benefit, the
7 board shall establish municipality credits for
8 participating employees under this paragraph on the
9 assumption that the employee received earnings at the rate
10 received at the time he left the employment to enter the
11 armed forces. A participating employee in the armed forces
12 shall not be considered an employee during such period of
13 service and no additional death and no disability benefits
14 are payable for death or disability during such period.

15 Any participating employee who left his employment
16 with a municipality or participating instrumentality to
17 serve in the armed forces of the United States and who
18 again became a participating employee within 90 days after
19 completion of full time active duty by entering the service
20 of a different municipality or participating
21 instrumentality, which has elected to allow creditable
22 service for periods of military service under the preceding
23 paragraph, shall also be allowed creditable service for his
24 period of military service on the same terms that would
25 apply if he had been employed, before entering military
26 service, by the municipality or instrumentality which

1 employed him after he left the military service and the
2 employer costs arising in relation to such grant of
3 creditable service shall be charged to and paid by that
4 municipality or instrumentality.

5 Notwithstanding the foregoing, any participating
6 employee shall be entitled to creditable service as
7 required by any federal law relating to re-employment
8 rights of persons who served in the United States Armed
9 Services. Such creditable service shall be granted upon
10 payment by the member of an amount equal to the employee
11 contributions which would have been required had the
12 employee continued in service at the same rate of earnings
13 during the military leave period, plus interest at the
14 effective rate.

15 5.1. In addition to any creditable service established
16 under paragraph 5 of this subsection (a), creditable
17 service may be granted for up to 48 ~~24~~ months of service in
18 the armed forces of the United States.

19 In order to receive creditable service for military
20 service under this paragraph 5.1, a participating employee
21 must (1) apply to the Fund in writing and provide evidence
22 of the military service that is satisfactory to the Board;
23 (2) obtain the written approval of the current employer;
24 and (3) make contributions to the Fund equal to (i) the
25 employee contributions that would have been required had
26 the service been rendered as a member, plus (ii) an amount

1 determined by the board to be equal to the employer's
2 normal cost of the benefits accrued for that military
3 service, plus (iii) interest on items (i) and (ii) from the
4 date of first membership in the Fund to the date of
5 payment. If payment is made during the 6-month period that
6 begins 3 months after the effective date of this amendatory
7 Act of 1997, the required interest shall be at the rate of
8 2.5% per year, compounded annually; otherwise, the
9 required interest shall be calculated at the regular
10 interest rate.

11 The changes made to this paragraph 5.1 by this
12 amendatory Act of the 95th General Assembly apply only to
13 participating employees in service on or after its
14 effective date.

15 6. For out-of-state service: Creditable service shall
16 be granted for service rendered to an out-of-state local
17 governmental body under the following conditions: The
18 employee had participated and has irrevocably forfeited
19 all rights to benefits in the out-of-state public employees
20 pension system; the governing body of his participating
21 municipality or instrumentality authorizes the employee to
22 establish such service; the employee has 2 years current
23 service with this municipality or participating
24 instrumentality; the employee makes a payment of
25 contributions, which shall be computed at 8% (normal) plus
26 2% (survivor) times length of service purchased times the

1 average rate of earnings for the first 2 years of service
2 with the municipality or participating instrumentality
3 whose governing body authorizes the service established
4 plus interest at the effective rate on the date such
5 credits are established, payable from the date the employee
6 completes the required 2 years of current service to date
7 of payment. In no case shall more than 120 months of
8 creditable service be granted under this provision.

9 7. For retroactive service: Any employee who could have
10 but did not elect to become a participating employee, or
11 who should have been a participant in the Municipal Public
12 Utilities Annuity and Benefit Fund before that fund was
13 superseded, may receive creditable service for the period
14 of service not to exceed 50 months; however, a current or
15 former elected or appointed official of a participating
16 municipality may establish credit under this paragraph 7
17 for more than 50 months of service as an official of that
18 municipality, if the excess over 50 months is approved by
19 resolution of the governing body of the affected
20 municipality filed with the Fund before January 1, 2002.

21 Any employee who is a participating employee on or
22 after September 24, 1981 and who was excluded from
23 participation by the age restrictions removed by Public Act
24 82-596 may receive creditable service for the period, on or
25 after January 1, 1979, excluded by the age restriction and,
26 in addition, if the governing body of the participating

1 municipality or participating instrumentality elects to
2 allow creditable service for all employees excluded by the
3 age restriction prior to January 1, 1979, for service
4 during the period prior to that date excluded by the age
5 restriction. Any employee who was excluded from
6 participation by the age restriction removed by Public Act
7 82-596 and who is not a participating employee on or after
8 September 24, 1981 may receive creditable service for
9 service after January 1, 1979. Creditable service under
10 this paragraph shall be granted upon payment of the
11 employee contributions which would have been required had
12 he participated, with interest at the effective rate for
13 each year from the end of the period of service established
14 to date of payment.

15 8. For accumulated unused sick leave: A participating
16 employee who is applying for a retirement annuity shall be
17 entitled to creditable service for that portion of the
18 employee's accumulated unused sick leave for which payment
19 is not received, as follows:

20 a. Sick leave days shall be limited to those
21 accumulated under a sick leave plan established by a
22 participating municipality or participating
23 instrumentality which is available to all employees or
24 a class of employees.

25 b. Only sick leave days accumulated with a
26 participating municipality or participating

1 instrumentality with which the employee was in service
2 within 60 days of the effective date of his retirement
3 annuity shall be credited; If the employee was in
4 service with more than one employer during this period
5 only the sick leave days with the employer with which
6 the employee has the greatest number of unpaid sick
7 leave days shall be considered.

8 c. The creditable service granted shall be
9 considered solely for the purpose of computing the
10 amount of the retirement annuity and shall not be used
11 to establish any minimum service period required by any
12 provision of the Illinois Pension Code, the effective
13 date of the retirement annuity, or the final rate of
14 earnings.

15 d. The creditable service shall be at the rate of
16 1/20 of a month for each full sick day, provided that
17 no more than 12 months may be credited under this
18 subdivision 8.

19 e. Employee contributions shall not be required
20 for creditable service under this subdivision 8.

21 f. Each participating municipality and
22 participating instrumentality with which an employee
23 has service within 60 days of the effective date of his
24 retirement annuity shall certify to the board the
25 number of accumulated unpaid sick leave days credited
26 to the employee at the time of termination of service.

1 9. For service transferred from another system:
2 Credits and creditable service shall be granted for service
3 under Article 3, 4, 5, 14 or 16 of this Act, to any active
4 member of this Fund, and to any inactive member who has
5 been a county sheriff, upon transfer of such credits
6 pursuant to Section 3-110.3, 4-108.3, 5-235, 14-105.6 or
7 16-131.4, and payment by the member of the amount by which
8 (1) the employer and employee contributions that would have
9 been required if he had participated in this Fund as a
10 sheriff's law enforcement employee during the period for
11 which credit is being transferred, plus interest thereon at
12 the effective rate for each year, compounded annually, from
13 the date of termination of the service for which credit is
14 being transferred to the date of payment, exceeds (2) the
15 amount actually transferred to the Fund. Such transferred
16 service shall be deemed to be service as a sheriff's law
17 enforcement employee for the purposes of Section 7-142.1.

18 10. For service transferred from an Article 3 system
19 under Section 3-110.8: Credits and creditable service
20 shall be granted for service under Article 3 of this Act as
21 provided in Section 3-110.8, to any active member of this
22 Fund upon transfer of such credits pursuant to Section
23 3-110.8. If the amount by which (1) the employer and
24 employee contributions that would have been required if he
25 had participated in this Fund during the period for which
26 credit is being transferred, plus interest thereon at the

1 effective rate for each year, compounded annually, from the
2 date of termination of the service for which credit is
3 being transferred to the date of payment, exceeds (2) the
4 amount actually transferred to the Fund, then the amount of
5 creditable service established under this paragraph 10
6 shall be reduced by a corresponding amount in accordance
7 with the rules and procedures established under this
8 paragraph 10.

9 The board shall establish by rule the manner of making
10 the calculation required under this paragraph 10, taking
11 into account the appropriate actuarial assumptions; the
12 member's service, age, and salary history; the level of
13 funding of the employer; and any other factors that the
14 board determines to be relevant.

15 (b) Creditable service - amount:

16 1. One month of creditable service shall be allowed for
17 each month for which a participating employee made
18 contributions as required under Section 7-173, or for which
19 creditable service is otherwise granted hereunder. Not
20 more than 1 month of service shall be credited and counted
21 for 1 calendar month, and not more than 1 year of service
22 shall be credited and counted for any calendar year. A
23 calendar month means a nominal month beginning on the first
24 day thereof, and a calendar year means a year beginning
25 January 1 and ending December 31.

26 2. A seasonal employee shall be given 12 months of

1 creditable service if he renders the number of months of
2 service normally required by the position in a 12-month
3 period and he remains in service for the entire 12-month
4 period. Otherwise a fractional year of service in the
5 number of months of service rendered shall be credited.

6 3. An intermittent employee shall be given creditable
7 service for only those months in which a contribution is
8 made under Section 7-173.

9 (c) No application for correction of credits or creditable
10 service shall be considered unless the board receives an
11 application for correction while (1) the applicant is a
12 participating employee and in active employment with a
13 participating municipality or instrumentality, or (2) while
14 the applicant is actively participating in a pension fund or
15 retirement system which is a participating system under the
16 Retirement Systems Reciprocal Act. A participating employee or
17 other applicant shall not be entitled to credits or creditable
18 service unless the required employee contributions are made in
19 a lump sum or in installments made in accordance with board
20 rule.

21 (d) Upon the granting of a retirement, surviving spouse or
22 child annuity, a death benefit or a separation benefit, on
23 account of any employee, all individual accumulated credits
24 shall thereupon terminate. Upon the withdrawal of additional
25 contributions, the credits applicable thereto shall thereupon
26 terminate. Terminated credits shall not be applied to increase

1 the benefits any remaining employee would otherwise receive
2 under this Article.

3 (Source: P.A. 93-933, eff. 8-13-04; 94-356, eff. 7-29-05.)

4 (40 ILCS 5/14-104) (from Ch. 108 1/2, par. 14-104)

5 Sec. 14-104. Service for which contributions permitted.
6 Contributions provided for in this Section shall cover the
7 period of service granted. Except as otherwise provided in this
8 Section, the contributions shall be based upon the employee's
9 compensation and contribution rate in effect on the date he
10 last became a member of the System; provided that for all
11 employment prior to January 1, 1969 the contribution rate shall
12 be that in effect for a noncovered employee on the date he last
13 became a member of the System. Except as otherwise provided in
14 this Section, contributions permitted under this Section shall
15 include regular interest from the date an employee last became
16 a member of the System to the date of payment.

17 These contributions must be paid in full before retirement
18 either in a lump sum or in installment payments in accordance
19 with such rules as may be adopted by the board.

20 (a) Any member may make contributions as required in this
21 Section for any period of service, subsequent to the date of
22 establishment, but prior to the date of membership.

23 (b) Any employee who had been previously excluded from
24 membership because of age at entry and subsequently became
25 eligible may elect to make contributions as required in this

1 Section for the period of service during which he was
2 ineligible.

3 (c) An employee of the Department of Insurance who, after
4 January 1, 1944 but prior to becoming eligible for membership,
5 received salary from funds of insurance companies in the
6 process of rehabilitation, liquidation, conservation or
7 dissolution, may elect to make contributions as required in
8 this Section for such service.

9 (d) Any employee who rendered service in a State office to
10 which he was elected, or rendered service in the elective
11 office of Clerk of the Appellate Court prior to the date he
12 became a member, may make contributions for such service as
13 required in this Section. Any member who served by appointment
14 of the Governor under the Civil Administrative Code of Illinois
15 and did not participate in this System may make contributions
16 as required in this Section for such service.

17 (e) Any person employed by the United States government or
18 any instrumentality or agency thereof from January 1, 1942
19 through November 15, 1946 as the result of a transfer from
20 State service by executive order of the President of the United
21 States shall be entitled to prior service credit covering the
22 period from January 1, 1942 through December 31, 1943 as
23 provided for in this Article and to membership service credit
24 for the period from January 1, 1944 through November 15, 1946
25 by making the contributions required in this Section. A person
26 so employed on January 1, 1944 but whose employment began after

1 January 1, 1942 may qualify for prior service and membership
2 service credit under the same conditions.

3 (f) An employee of the Department of Labor of the State of
4 Illinois who performed services for and under the supervision
5 of that Department prior to January 1, 1944 but who was
6 compensated for those services directly by federal funds and
7 not by a warrant of the Auditor of Public Accounts paid by the
8 State Treasurer may establish credit for such employment by
9 making the contributions required in this Section. An employee
10 of the Department of Agriculture of the State of Illinois, who
11 performed services for and under the supervision of that
12 Department prior to June 1, 1963, but was compensated for those
13 services directly by federal funds and not paid by a warrant of
14 the Auditor of Public Accounts paid by the State Treasurer, and
15 who did not contribute to any other public employee retirement
16 system for such service, may establish credit for such
17 employment by making the contributions required in this
18 Section.

19 (g) Any employee who executed a waiver of membership within
20 60 days prior to January 1, 1944 may, at any time while in the
21 service of a department, file with the board a rescission of
22 such waiver. Upon making the contributions required by this
23 Section, the member shall be granted the creditable service
24 that would have been received if the waiver had not been
25 executed.

26 (h) Until May 1, 1990, an employee who was employed on a

1 full-time basis by a regional planning commission for at least
2 5 continuous years may establish creditable service for such
3 employment by making the contributions required under this
4 Section, provided that any credits earned by the employee in
5 the commission's retirement plan have been terminated.

6 (i) Any person who rendered full time contractual services
7 to the General Assembly as a member of a legislative staff may
8 establish service credit for up to 8 years of such services by
9 making the contributions required under this Section, provided
10 that application therefor is made not later than July 1, 1991.

11 (j) By paying the contributions otherwise required under
12 this Section, plus an amount determined by the Board to be
13 equal to the employer's normal cost of the benefit plus
14 interest, but with all of the interest calculated from the date
15 the employee last became a member of the System or November 19,
16 1991, whichever is later, to the date of payment, an employee
17 may establish service credit for a period of up to 4 ~~2~~ years
18 spent in active military service for which he does not qualify
19 for credit under Section 14-105, provided that (1) he was not
20 dishonorably discharged from such military service, and (2) the
21 amount of service credit established by a member under this
22 subsection (j), when added to the amount of military service
23 credit granted to the member under subsection (b) of Section
24 14-105, shall not exceed 5 years. The change in the manner of
25 calculating interest under this subsection (j) made by this
26 amendatory Act of the 92nd General Assembly applies to credit

1 purchased by an employee on or after its effective date and
2 does not entitle any person to a refund of contributions or
3 interest already paid. In compliance with Section 14-152.1 of
4 this Act concerning new benefit increases, any new benefit
5 increase as a result of the changes to this subsection (j) made
6 by this amendatory Act of the 95th General Assembly is funded
7 through the employee contributions provided for in this
8 subsection (j). Any new benefit increase as a result of the
9 changes made to this subsection (j) by this amendatory Act of
10 the 95th General Assembly is exempt from the provisions of
11 subsection (d) of Section 14-152.1.

12 (k) An employee who was employed on a full-time basis by
13 the Illinois State's Attorneys Association Statewide Appellate
14 Assistance Service LEAA-ILEC grant project prior to the time
15 that project became the State's Attorneys Appellate Service
16 Commission, now the Office of the State's Attorneys Appellate
17 Prosecutor, an agency of State government, may establish
18 creditable service for not more than 60 months service for such
19 employment by making contributions required under this
20 Section.

21 (l) By paying the contributions otherwise required under
22 this Section, plus an amount determined by the Board to be
23 equal to the employer's normal cost of the benefit plus
24 interest, a member may establish service credit for periods of
25 less than one year spent on authorized leave of absence from
26 service, provided that (1) the period of leave began on or

1 after January 1, 1982 and (2) any credit established by the
2 member for the period of leave in any other public employee
3 retirement system has been terminated. A member may establish
4 service credit under this subsection for more than one period
5 of authorized leave, and in that case the total period of
6 service credit established by the member under this subsection
7 may exceed one year. In determining the contributions required
8 for establishing service credit under this subsection, the
9 interest shall be calculated from the beginning of the leave of
10 absence to the date of payment.

11 (m) Any person who rendered contractual services to a
12 member of the General Assembly as a worker in the member's
13 district office may establish creditable service for up to 3
14 years of those contractual services by making the contributions
15 required under this Section. The System shall determine a
16 full-time salary equivalent for the purpose of calculating the
17 required contribution. To establish credit under this
18 subsection, the applicant must apply to the System by March 1,
19 1998.

20 (n) Any person who rendered contractual services to a
21 member of the General Assembly as a worker providing
22 constituent services to persons in the member's district may
23 establish creditable service for up to 8 years of those
24 contractual services by making the contributions required
25 under this Section. The System shall determine a full-time
26 salary equivalent for the purpose of calculating the required

1 contribution. To establish credit under this subsection, the
2 applicant must apply to the System by March 1, 1998.

3 (o) A member who participated in the Illinois Legislative
4 Staff Internship Program may establish creditable service for
5 up to one year of that participation by making the contribution
6 required under this Section. The System shall determine a
7 full-time salary equivalent for the purpose of calculating the
8 required contribution. Credit may not be established under this
9 subsection for any period for which service credit is
10 established under any other provision of this Code.

11 (p) By paying the contributions otherwise required under
12 this Section, plus an amount determined by the Board to be
13 equal to the employer's normal cost of the benefit plus
14 interest, a member may establish service credit for a period of
15 up to 8 years during which he or she was employed by the
16 Visually Handicapped Managers of Illinois in a vending program
17 operated under a contractual agreement with the Department of
18 Rehabilitation Services or its successor agency.

19 This subsection (p) applies without regard to whether the
20 person was in service on or after the effective date of this
21 amendatory Act of the 94th General Assembly. In the case of a
22 person who is receiving a retirement annuity on that effective
23 date, the increase, if any, shall begin to accrue on the first
24 annuity payment date following receipt by the System of the
25 contributions required under this subsection (p).

26 (q) By paying the required contributions under this

1 Section, plus an amount determined by the Board to be equal to
2 the employer's normal cost of the benefit plus interest, an
3 employee who was laid off but returned to State employment
4 under circumstances in which the employee is considered to have
5 been in continuous service for purposes of determining
6 seniority may establish creditable service for the period of
7 the layoff, provided that (1) the applicant applies for the
8 creditable service under this subsection (q) within 6 months
9 after the effective date of this amendatory Act of the 94th
10 General Assembly, (2) the applicant does not receive credit for
11 that period under any other provision of this Code, (3) at the
12 time of the layoff, the applicant is not in an initial
13 probationary status consistent with the rules of the Department
14 of Central Management Services, and (4) the total amount of
15 creditable service established by the applicant under this
16 subsection (q) does not exceed 3 years. For service established
17 under this subsection (q), the required employee contribution
18 shall be based on the rate of compensation earned by the
19 employee on the date of returning to employment after the
20 layoff and the contribution rate then in effect, and the
21 required interest shall be calculated from the date of
22 returning to employment after the layoff to the date of
23 payment.

24 (Source: P.A. 94-612, eff. 8-18-05; 94-1111, eff. 2-27-07.)

25 Section 90. The State Mandates Act is amended by adding

1 Section 8.31 as follows:

2 (30 ILCS 805/8.31 new)

3 Sec. 8.31. Exempt mandate. Notwithstanding Sections 6 and 8
4 of this Act, no reimbursement by the State is required for the
5 implementation of any mandate created by this amendatory Act of
6 the 95th General Assembly.

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.