



Rep. Daniel V. Beiser

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LRB095 17984 AMC 49135 a

1 AMENDMENT TO HOUSE BILL 5197

2 AMENDMENT NO. _____. Amend House Bill 5197 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by
5 changing Sections 3-110.6, 3-110.8, 5-236, 7-139.8, 7-139.11,
6 9-121.10, 14-110, and 15-134.4 and by renumbering and changing
7 Section 3-110.9 as added by Public Act 95-530 and Section
8 7-139.12 as added by Public Act 95-530 as follows:

9 (40 ILCS 5/3-110.6) (from Ch. 108 1/2, par. 3-110.6)

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

11 (a) Any active member of the State Employees' Retirement
12 System who is a State policeman, an investigator for the
13 Secretary of State, a conservation police officer, an
14 investigator for the Office of the Attorney General, an
15 investigator for the Office of the State's Attorneys Appellate
16 Prosecutor, or a controlled substance inspector may apply for

1 transfer of some or all of his or her creditable service
2 accumulated in any police pension fund under this Article to
3 the State Employees' Retirement System in accordance with
4 Section 14-110. The creditable service shall be transferred
5 only upon payment by the police pension fund to the State
6 Employees' Retirement System of an amount equal to:

7 (1) the amounts accumulated to the credit of the
8 applicant for the service to be transferred on the books of
9 the fund on the date of transfer; and

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

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

14 Participation in the police pension fund with respect to the
15 service to be transferred shall terminate on the date of
16 transfer.

17 (b) Any person applying to transfer service under this
18 Section may reinstate service that was terminated by receipt of
19 a refund, by paying to the police pension fund the amount of
20 the refund with interest thereon at the actuarially assumed
21 rate ~~of 6% per year~~, compounded annually, from the date of
22 refund to the date of payment.

23 (Source: P.A. 95-530, eff. 8-28-07.)

24 (40 ILCS 5/3-110.8)

25 Sec. 3-110.8. Transfer to IMRF.

1 (a) Until January 1, 2009 ~~2008~~, any active member of the
2 Illinois Municipal Retirement Fund may apply to transfer up to
3 ~~who has less than~~ 8 years of creditable service in a police
4 pension fund under this Article, ~~may apply for transfer of his~~
5 ~~or her creditable service accumulated in that fund~~ to the
6 Illinois Municipal Retirement Fund. The creditable service
7 shall be transferred upon payment by the police pension fund to
8 the Illinois Municipal Retirement Fund of an amount equal to:

9 (1) the amounts accumulated to the credit of the
10 applicant on the books of the fund on the date of transfer;
11 and

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

14 (3) any interest paid by the applicant in order to
15 reinstate service.

16 Creditable service transferred to the Illinois Municipal
17 Retirement Fund under this Section shall terminate on the date
18 of the transfer. ~~Participation in this Fund shall terminate on~~
19 ~~the date of transfer.~~

20 (b) Until January 1, 2009 ~~2008~~, any active member of the
21 Illinois Municipal Retirement Fund ~~member under subsection (a)~~
22 may reinstate all or any portion of his or her service that
23 ~~which~~ was terminated by receipt of a refund, by payment to the
24 police pension fund of the amount of the refund with interest
25 thereon at the actuarially assumed rate ~~of 6% per year,~~
26 compounded annually, from the date of refund to the date of

1 payment.

2 (Source: P.A. 94-356, eff. 7-29-05; 95-530, eff. 8-28-07.)

3 (40 ILCS 5/3-110.10)

4 Sec. 3-110.10 ~~3-110.9~~. Transfer from Article 7. Until
5 January 1, 2009 ~~2008~~, a person may transfer to a fund
6 established under this Article up to 8 years of creditable
7 service accumulated under Article 7 of this Code upon payment
8 to the fund of an amount to be determined by the board, equal
9 to (i) the difference between the amount of employee and
10 employer contributions transferred to the fund under Section
11 7-139.11 and the amounts that would have been contributed had
12 such contributions been made at the rates applicable to an
13 employee under this Article, plus (ii) interest thereon at the
14 actuarially assumed ~~effective~~ rate ~~for each year~~, compounded
15 annually, from the date of service to the date of payment.

16 (Source: P.A. 95-530, eff. 8-28-07; revised 12-6-07.)

17 (40 ILCS 5/5-236) (from Ch. 108 1/2, par. 5-236)

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

19 (a) Any active member of the State Employees' Retirement
20 System who is a State policeman, conservation police officer,
21 an investigator for the Office of the Attorney General, or
22 investigator for the Secretary of State may apply for transfer
23 of some or all of his or her creditable service accumulated
24 under this Article to the State Employees' Retirement System in

1 accordance with Section 14-110. At the time of the transfer the
2 Fund shall pay to the State Employees' Retirement System an
3 amount equal to:

4 (1) the amounts accumulated to the credit of the
5 applicant for the service to be transferred on the books of
6 the Fund on the date of transfer; and

7 (2) the corresponding municipality credits, including
8 interest, on the books of the Fund on the date of transfer;
9 and

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

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

14 (b) Any such State policeman, conservation police officer,
15 or investigator for the Secretary of State may reinstate
16 service that was terminated by receipt of a refund, by paying
17 to the Fund the amount of the refund with interest thereon at
18 the actuarially assumed rate ~~of 6% per year~~, compounded
19 annually, from the date of refund to the date of payment.

20 (c) Within 30 days after the effective date of this
21 amendatory Act of 1993, any active member of the State
22 Employees' Retirement System who was earning eligible
23 creditable service under subdivision (b)(12) of Section 14-110
24 on January 1, 1992 and who has at least 17 years of creditable
25 service under this Article may apply for transfer of his
26 creditable service accumulated under this Article to the State

1 Employees' Retirement System. At the time of the transfer the
2 Fund shall pay to the State Employees' Retirement System an
3 amount equal to:

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

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

9 Participation in this Fund shall terminate on the date of
10 transfer.

11 (Source: P.A. 95-530, eff. 8-28-07.)

12 (40 ILCS 5/7-139.8) (from Ch. 108 1/2, par. 7-139.8)

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

14 (a) Any active member of the State Employees' Retirement
15 System who is a State policeman, an investigator for the
16 Secretary of State, a conservation police officer, an
17 investigator for the Office of the Attorney General, an
18 investigator for the Office of the State's Attorneys Appellate
19 Prosecutor, or a controlled substance inspector may apply for
20 transfer of some or all of his or her credits and creditable
21 service accumulated in this Fund for service as a sheriff's law
22 enforcement employee, person employed by a participating
23 municipality to perform police duties, or law enforcement
24 officer employed on a full-time basis by a forest preserve
25 district to the State Employees' Retirement System in

1 accordance with Section 14-110. The creditable service shall be
2 transferred only upon payment by this Fund to the State
3 Employees' Retirement System of an amount equal to:

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

7 (2) municipality credits based on such service,
8 including interest; and

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

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

13 (b) Any person applying to transfer service under this
14 Section may reinstate credits and creditable service
15 terminated upon receipt of a separation benefit, by paying to
16 the Fund the amount of the separation benefit plus interest
17 thereon at the actuarially assumed rate ~~of 6% per year~~ to the
18 date of payment.

19 (Source: P.A. 95-530, eff. 8-28-07.)

20 (40 ILCS 5/7-139.11)

21 Sec. 7-139.11. Transfer to Article 3 pension fund.

22 (a) Until January 1, 2009 ~~2008~~, a person who has become an
23 active participant in a police pension fund established under
24 Article 3 of this Code may transfer ~~who has~~ less than 8 years
25 of creditable service under this Article ~~and who has become an~~

1 ~~active participant in a police pension fund established under~~
2 ~~Article 3 of this Code may apply for transfer~~ to that Article 3
3 fund ~~of his or her creditable service accumulated under this~~
4 ~~Article~~. At the time of the transfer the Fund shall pay to the
5 police pension fund an amount equal to:

6 (1) the amounts accumulated to the credit of the
7 applicant under this Article, including interest; and

8 (2) the municipality credits based on that service,
9 including interest; and

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

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

14 (b) An active member of a pension fund established under
15 Article 3 of this Code may reinstate creditable service under
16 this Article that was terminated by receipt of a refund, by
17 paying to the Fund the amount of the refund plus interest
18 thereon at the actuarially assumed rate ~~of 6% per year,~~
19 compounded annually, from the date of refund to the date of
20 payment.

21 (Source: P.A. 94-356, eff. 7-29-05; 95-530, eff. 8-28-07.)

22 (40 ILCS 5/7-139.13)

23 Sec. 7-139.13 ~~7-139.12~~. Transfer from Article 3.
24 Notwithstanding subdivision (a)10 of Section 7-139, from the
25 effective date of this amendatory Act of the 95th General

1 Assembly until ~~Until~~ January 1, 2009 ~~2008~~, a person may
2 transfer to the Illinois Municipal Retirement System ~~Systems~~ up
3 to 8 years of creditable service accumulated under Article 3 of
4 this Code. To establish creditable service under this Section,
5 a person may elect to do either of the following:

6 (A) Pay ~~upon payment~~ to the Fund ~~of~~ an amount to be
7 determined by the board, equal to (i) the difference
8 between the amount of employee and employer contributions
9 transferred to the Fund under Section 3-110.8 and the
10 amounts that would have been contributed had such
11 contributions been made at the rates applicable to an
12 employee under this Article, plus (ii) interest thereon at
13 the actuarially assumed ~~effective~~ rate ~~for each year~~,
14 compounded annually, from the date of service to the date
15 of payment.

16 (B) Have the amount of his or her creditable service
17 established under this Section reduced by an amount
18 corresponding to the amount by which (i) the employer and
19 employee contributions that would have been required if he
20 had participated in this Fund during the period for which
21 credit is being transferred, plus interest thereon at the
22 actuarially assumed rate, compounded annually, from the
23 date of termination of the service for which credit is
24 being transferred to the date of payment, exceeds (ii) the
25 amount actually transferred to the Fund.

26 (Source: P.A. 95-530, eff. 8-28-07; revised 12-6-07.)

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

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

3 (a) Any active member of the State Employees' Retirement
4 System who is a State policeman, investigator for the Office of
5 the Attorney General, investigator for the Secretary of State,
6 or conservation police officer may apply for transfer of some
7 or all of his creditable service as a member of the County
8 Police Department, a county corrections officer, or a court
9 services officer accumulated under this Article to the State
10 Employees' Retirement System in accordance with Section
11 14-110. At the time of the transfer the Fund shall pay to the
12 State Employees' Retirement System an amount equal to:

13 (1) the amounts accumulated to the credit of the
14 applicant on the books of the Fund on the date of transfer
15 for the service to be transferred; and

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

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

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

23 (b) Any person applying to transfer service under this
24 Section may reinstate credit for service as a member of the
25 County Police Department that was terminated by receipt of a

1 refund, by paying to the Fund the amount of the refund with
2 interest thereon at the actuarially assumed rate ~~of 6% per~~
3 ~~year~~, compounded annually, from the date of refund to the date
4 of payment.

5 (Source: P.A. 95-530, eff. 8-28-07.)

6 (40 ILCS 5/14-110) (from Ch. 108 1/2, par. 14-110)

7 Sec. 14-110. Alternative retirement annuity.

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

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

25 (ii) for periods of eligible creditable service as a

1 covered employee: if retirement occurs on or after January
2 1, 2001, 2.5% of final average compensation for each year
3 of creditable service; if retirement occurs before January
4 1, 2001, 1.67% of final average compensation for each of
5 the first 10 years of such service, 1.90% for each of the
6 next 10 years of such service, 2.10% for each year of such
7 service in excess of 20 but not exceeding 30, and 2.30% for
8 each year in excess of 30.

9 Such annuity shall be subject to a maximum of 75% of final
10 average compensation if retirement occurs before January 1,
11 2001 or to a maximum of 80% of final average compensation if
12 retirement occurs on or after January 1, 2001.

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

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

21 (1) State policeman;

22 (2) fire fighter in the fire protection service of a
23 department;

24 (3) air pilot;

25 (4) special agent;

26 (5) investigator for the Secretary of State;

- 1 (6) conservation police officer;
- 2 (7) investigator for the Department of Revenue;
- 3 (8) security employee of the Department of Human
4 Services;
- 5 (9) Central Management Services security police
6 officer;
- 7 (10) security employee of the Department of
8 Corrections or the Department of Juvenile Justice;
- 9 (11) dangerous drugs investigator;
- 10 (12) investigator for the Department of State Police;
- 11 (13) investigator for the Office of the Attorney
12 General;
- 13 (14) controlled substance inspector;
- 14 (15) investigator for the Office of the State's
15 Attorneys Appellate Prosecutor;
- 16 (16) Commerce Commission police officer;
- 17 (17) arson investigator;
- 18 (18) State highway maintenance worker.

19 A person employed in one of the positions specified in this
20 subsection is entitled to eligible creditable service for
21 service credit earned under this Article while undergoing the
22 basic police training course approved by the Illinois Law
23 Enforcement Training Standards Board, if completion of that
24 training is required of persons serving in that position. For
25 the purposes of this Code, service during the required basic
26 police training course shall be deemed performance of the

1 duties of the specified position, even though the person is not
2 a sworn peace officer at the time of the training.

3 (c) For the purposes of this Section:

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

7 (2) The term "fire fighter in the fire protection
8 service of a department" includes all officers in such fire
9 protection service including fire chiefs and assistant
10 fire chiefs.

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

21 (4) The term "special agent" means any person who by
22 reason of employment by the Division of Narcotic Control,
23 the Bureau of Investigation or, after July 1, 1977, the
24 Division of Criminal Investigation, the Division of
25 Internal Investigation, the Division of Operations, or any
26 other Division or organizational entity in the Department

1 of State Police is vested by law with duties to maintain
2 public order, investigate violations of the criminal law of
3 this State, enforce the laws of this State, make arrests
4 and recover property. The term "special agent" includes any
5 title or position in the Department of State Police that is
6 held by an individual employed under the State Police Act.

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

13 A person who became employed as an investigator for the
14 Secretary of State between January 1, 1967 and December 31,
15 1975, and who has served as such until attainment of age
16 60, either continuously or with a single break in service
17 of not more than 3 years duration, which break terminated
18 before January 1, 1976, shall be entitled to have his
19 retirement annuity calculated in accordance with
20 subsection (a), notwithstanding that he has less than 20
21 years of credit for such service.

22 (6) The term "Conservation Police Officer" means any
23 person employed by the Division of Law Enforcement of the
24 Department of Natural Resources and vested with such law
25 enforcement duties as render him ineligible for coverage
26 under the Social Security Act by reason of Sections

1 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The
2 term "Conservation Police Officer" includes the positions
3 of Chief Conservation Police Administrator and Assistant
4 Conservation Police Administrator.

5 (7) The term "investigator for the Department of
6 Revenue" means any person employed by the Department of
7 Revenue and vested with such investigative duties as render
8 him ineligible for coverage under the Social Security Act
9 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and
10 218(1)(1) of that Act.

11 (8) The term "security employee of the Department of
12 Human Services" means any person employed by the Department
13 of Human Services who (i) is employed at the Chester Mental
14 Health Center and has daily contact with the residents
15 thereof, (ii) is employed within a security unit at a
16 facility operated by the Department and has daily contact
17 with the residents of the security unit, (iii) is employed
18 at a facility operated by the Department that includes a
19 security unit and is regularly scheduled to work at least
20 50% of his or her working hours within that security unit,
21 or (iv) is a mental health police officer. "Mental health
22 police officer" means any person employed by the Department
23 of Human Services in a position pertaining to the
24 Department's mental health and developmental disabilities
25 functions who is vested with such law enforcement duties as
26 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

1 inmates or youth by working within a correctional facility
2 or Juvenile facility operated by the Department of Juvenile
3 Justice or who is a parole officer or an employee who has
4 direct contact with committed persons in the performance of
5 his or her job duties. For a member who first becomes an
6 employee under this Article on or after July 1, 2005, the
7 term means an employee of the Department of Corrections or
8 the Department of Juvenile Justice who is any of the
9 following: (i) officially headquartered at a correctional
10 facility or Juvenile facility operated by the Department of
11 Juvenile Justice, (ii) a parole officer, (iii) a member of
12 the apprehension unit, (iv) a member of the intelligence
13 unit, (v) a member of the sort team, or (vi) an
14 investigator.

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

18 (12) The term "investigator for the Department of State
19 Police" means a person employed by the Department of State
20 Police who is vested under Section 4 of the Narcotic
21 Control Division Abolition Act with such law enforcement
22 powers as render him ineligible for coverage under the
23 Social Security Act by reason of Sections 218(d)(5)(A),
24 218(d)(8)(D) and 218(1)(1) of that Act.

25 (13) "Investigator for the Office of the Attorney
26 General" means any person who is employed as such by the

1 Office of the Attorney General and is vested with such
2 investigative duties as render him ineligible for coverage
3 under the Social Security Act by reason of Sections
4 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act. For
5 the period before January 1, 1989, the term includes all
6 persons who were employed as investigators by the Office of
7 the Attorney General, without regard to social security
8 status.

9 (14) "Controlled substance inspector" means any person
10 who is employed as such by the Department of Professional
11 Regulation and is vested with such law enforcement duties
12 as render him ineligible for coverage under the Social
13 Security Act by reason of Sections 218(d)(5)(A),
14 218(d)(8)(D) and 218(1)(1) of that Act. The term
15 "controlled substance inspector" includes the Program
16 Executive of Enforcement and the Assistant Program
17 Executive of Enforcement.

18 (15) The term "investigator for the Office of the
19 State's Attorneys Appellate Prosecutor" means a person
20 employed in that capacity on a full time basis under the
21 authority of Section 7.06 of the State's Attorneys
22 Appellate Prosecutor's Act.

23 (16) "Commerce Commission police officer" means any
24 person employed by the Illinois Commerce Commission who is
25 vested with such law enforcement duties as render him
26 ineligible for coverage under the Social Security Act by

1 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and
2 218(1)(1) of that Act.

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

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

21 (i) A person employed on a full-time basis by the
22 Illinois Department of Transportation in the position
23 of highway maintainer, highway maintenance lead
24 worker, highway maintenance lead/lead worker, heavy
25 construction equipment operator, power shovel
26 operator, or bridge mechanic; and whose principal

1 responsibility is to perform, on the roadway, the
2 actual maintenance necessary to keep the highways that
3 form a part of the State highway system in serviceable
4 condition for vehicular traffic.

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

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

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

26 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,

1 and returns to State service in the same or another such
2 position, and fulfills in all other respects the conditions
3 prescribed in this Article for credit for military service,
4 such military service shall be credited as eligible creditable
5 service for the purposes of the retirement annuity prescribed
6 in this Section.

7 (f) For purposes of calculating retirement annuities under
8 this Section, periods of service rendered after December 31,
9 1968 and before October 1, 1975 as a covered employee in the
10 position of special agent, conservation police officer, mental
11 health police officer, or investigator for the Secretary of
12 State, shall be deemed to have been service as a noncovered
13 employee, provided that the employee pays to the System prior
14 to retirement an amount equal to (1) the difference between the
15 employee contributions that would have been required for such
16 service as a noncovered employee, and the amount of employee
17 contributions actually paid, plus (2) if payment is made after
18 July 31, 1987, regular interest on the amount specified in item
19 (1) from the date of service to the date of payment.

20 For purposes of calculating retirement annuities under
21 this Section, periods of service rendered after December 31,
22 1968 and before January 1, 1982 as a covered employee in the
23 position of investigator for the Department of Revenue shall be
24 deemed to have been service as a noncovered employee, provided
25 that the employee pays to the System prior to retirement an
26 amount equal to (1) the difference between the employee

1 contributions that would have been required for such service as
2 a noncovered employee, and the amount of employee contributions
3 actually paid, plus (2) if payment is made after January 1,
4 1990, regular interest on the amount specified in item (1) from
5 the date of service to the date of payment.

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

18 Subject to the limitation in subsection (i), a State
19 policeman may elect, not later than July 1, 1993, to establish
20 eligible creditable service for up to 10 years of his service
21 as a member of the County Police Department under Article 9, by
22 filing a written election with the Board, accompanied by
23 payment of an amount to be determined by the Board, equal to
24 (i) the difference between the amount of employee and employer
25 contributions transferred to the System under Section 9-121.10
26 and the amounts that would have been contributed had those

1 contributions been made at the rates applicable to State
2 policemen, plus (ii) interest thereon at the effective rate for
3 each year, compounded annually, from the date of service to the
4 date of payment.

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

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

7 Subject to the limitation in subsection (i), a State
8 policeman, conservation police officer, investigator for the
9 Office of the Attorney General, or investigator for the
10 Secretary of State may elect to establish eligible creditable
11 service for up to 5 years of service as a police officer under
12 Article 3, a policeman under Article 5, a sheriff's law
13 enforcement employee, a person employed by a participating
14 municipality to perform police duties, or law enforcement
15 officer employed on a full-time basis by a forest preserve
16 district under Article 7, a member of the county police
17 department, a county corrections officer, or a court services
18 officer under Article 9, or a police officer under Article 15
19 by filing a written election with the Board and paying to the
20 System an amount to be determined by the Board, equal to (i)
21 the difference between the amount of employee and employer
22 contributions transferred to the System under Section 3-110.6,
23 5-236, 7-139.8, 9-121.10, or 15-134.4 and the amounts that
24 would have been contributed had such contributions been made at
25 the rates applicable to State policemen, plus (ii) interest
26 thereon at the actuarially assumed ~~effective~~ rate ~~for each~~

1 ~~year~~, compounded annually, from the date of service to the date
2 of payment.

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

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

21 (k) Subject to the limitation in subsection (i) of this
22 Section, an alternative formula employee may elect to establish
23 eligible creditable service for periods spent as a full-time
24 law enforcement officer or full-time corrections officer
25 employed by the federal government or by a state or local
26 government located outside of Illinois, for which credit is not

1 held in any other public employee pension fund or retirement
2 system. To obtain this credit, the applicant must file a
3 written application with the Board by March 31, 1998,
4 accompanied by evidence of eligibility acceptable to the Board
5 and payment of an amount to be determined by the Board, equal
6 to (1) employee contributions for the credit being established,
7 based upon the applicant's salary on the first day as an
8 alternative formula employee after the employment for which
9 credit is being established and the rates then applicable to
10 alternative formula employees, plus (2) an amount determined by
11 the Board to be the employer's normal cost of the benefits
12 accrued for the credit being established, plus (3) regular
13 interest on the amounts in items (1) and (2) from the first day
14 as an alternative formula employee after the employment for
15 which credit is being established to the date of payment.

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

1 Corrections, plus (ii) interest thereon at the effective rate
2 for each year, compounded annually, from the date of service to
3 the date of payment.

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

21 (n) A person employed in a position under subsection (b) of
22 this Section who has purchased service credit under subsection
23 (j) of Section 14-104 or subsection (b) of Section 14-105 in
24 any other capacity under this Article may convert up to 5 years
25 of that service credit into service credit covered under this
26 Section by paying to the Fund an amount equal to (1) the

1 additional employee contribution required under Section
2 14-133, plus (2) the additional employer contribution required
3 under Section 14-131, plus (3) interest on items (1) and (2) at
4 the actuarially assumed rate from the date of the service to
5 the date of payment.

6 (Source: P.A. 94-4, eff. 6-1-05; 94-696, eff. 6-1-06; 95-530,
7 eff. 8-28-07.)

8 (40 ILCS 5/15-134.4) (from Ch. 108 1/2, par. 15-134.4)

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

11 (a) An active member of the Pension Fund established under
12 Article 5 of this Code may apply, not later than January 1,
13 1990, to transfer his or her credits and creditable service
14 accumulated under this System for service with the City
15 Colleges of Chicago teaching in the Criminal Justice Program,
16 to the Article 5 Fund. Such credits and creditable service
17 shall be transferred forthwith.

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

20 (1) the amounts credited to the applicant for such
21 service through employee contributions, including
22 interest, as of the date of transfer; and

23 (2) employer contributions equal in amount to the
24 accumulated employee contributions as determined in item
25 (1).

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

3 (b) Any active member of the State Employees' Retirement
4 System who is a State policeman, an investigator for the Office
5 of the Attorney General, an investigator for the Secretary of
6 State, or a conservation police officer may apply for transfer
7 of some or all of his or her creditable service accumulated in
8 this System for service as a police officer to the State
9 Employees' Retirement System in accordance with Section
10 14-110. The creditable service shall be transferred only upon
11 payment by this System to the State Employees' Retirement
12 System of an amount equal to:

13 (1) the amounts accumulated to the credit of the
14 applicant for the service to be transferred, including
15 interest, as of the date of transfer; and

16 (2) employer contributions equal in amount to the
17 accumulated employee contributions as determined in item
18 (1); and

19 (3) any interest paid by the applicant to reinstate
20 such service.

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

23 (c) Any person applying to transfer service under
24 subsection (b) may reinstate credits and creditable service
25 terminated upon receipt of a refund by paying to the System the
26 amount of the refund plus interest thereon at the actuarially

1 assumed rate ~~of 6% per year~~ from the date of the refund to the
2 date of payment.

3 (Source: P.A. 95-530, eff. 8-28-07.)

4 Section 90. The State Mandates Act is amended by adding
5 Section 8.32 as follows:

6 (30 ILCS 805/8.32 new)

7 Sec. 8.32. Exempt mandate. Notwithstanding Sections 6 and 8
8 of this Act, no reimbursement by the State is required for the
9 implementation of any mandate created by this amendatory Act of
10 the 95th General Assembly.

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.".