

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 3-110.6, 3-110.8, 3-125, 5-236, 7-139.8, 7-139.11,
6 9-121.10, 14-110, and 15-134.4 and by adding Sections 3-110.9
7 and 7-138.12 as follows:

8 (40 ILCS 5/3-110.6) (from Ch. 108 1/2, par. 3-110.6)

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

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

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

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

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

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

8 (b) Any person applying to transfer service under this
9 Section ~~such investigator or inspector~~ may reinstate service
10 that ~~which~~ was terminated by receipt of a refund, by paying to
11 the police pension 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. 90-32, eff. 6-27-97.)

15 (40 ILCS 5/3-110.8)

16 Sec. 3-110.8. Transfer to IMRF.

17 (a) Until January 1, 2008 ~~2006~~, any active member of the
18 Illinois Municipal Retirement Fund who has less than 8 years of
19 creditable service in a police pension fund under this Article,
20 may apply for transfer of his or her creditable service
21 accumulated in that fund to the Illinois Municipal Retirement
22 Fund. The creditable service shall be transferred upon payment
23 by the police pension fund to the Illinois Municipal Retirement
24 Fund of an amount equal to:

25 (1) the amounts accumulated to the credit of the

1 applicant on the books of the fund on the date of transfer;
2 and

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

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

7 Participation in this Fund shall terminate on the date of
8 transfer.

9 (b) Until January 1, 2008 ~~2006~~, any member under subsection
10 (a) may reinstate service which was terminated by receipt of a
11 refund, by payment to the police pension fund of the amount of
12 the refund with interest thereon at the rate of 6% per year,
13 compounded annually, from the date of refund to the date of
14 payment.

15 (Source: P.A. 94-356, eff. 7-29-05.)

16 (40 ILCS 5/3-110.9 new)

17 Sec. 3-110.9. Transfer from Article 7. Until January 1,
18 2008, a person may transfer to a fund established under this
19 Article up to 8 years of creditable service accumulated under
20 Article 7 of this Code upon payment to the fund of an amount to
21 be determined by the board, equal to (i) the difference between
22 the amount of employee and employer contributions transferred
23 to the fund under Section 7-139.11 and the amounts that would
24 have been contributed had such contributions been made at the
25 rates applicable to an employee under this Article, plus (ii)

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

4 (40 ILCS 5/3-125) (from Ch. 108 1/2, par. 3-125)

5 Sec. 3-125. Financing. The city council or the board of
6 trustees of the municipality shall annually levy a tax upon all
7 the taxable property of the municipality at the rate on the
8 dollar which will produce an amount which, when added to the
9 deductions from the salaries or wages of police officers, and
10 revenues available from other sources, will equal a sum
11 sufficient to meet the annual requirements of the police
12 pension fund. The annual requirements to be provided by such
13 tax levy are equal to (1) the normal cost of the pension fund
14 for the year involved, plus (2) the amount necessary to
15 amortize the fund's unfunded accrued liabilities as provided in
16 Section 3-127. The tax shall be levied and collected in the
17 same manner as the general taxes of the municipality, and in
18 addition to all other taxes now or hereafter authorized to be
19 levied upon all property within the municipality, and shall be
20 in addition to the amount authorized to be levied for general
21 purposes as provided by Section 8-3-1 of the Illinois Municipal
22 Code, approved May 29, 1961, as amended. The tax shall be
23 forwarded directly to the treasurer of the board within 30
24 business days after receipt by the county.

25 The police pension fund shall consist of the following

1 moneys which shall be set apart by the treasurer of the
2 municipality:

3 (1) All moneys derived from the taxes levied hereunder;

4 (2) Contributions by police officers under Section
5 3-125.1;

6 (3) All moneys accumulated by the municipality under any
7 previous legislation establishing a fund for the benefit of
8 disabled or retired police officers;

9 (4) Donations, gifts or other transfers authorized by this
10 Article.

11 (Source: P.A. 83-1440.)

12 (40 ILCS 5/5-236) (from Ch. 108 1/2, par. 5-236)

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

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

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

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

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

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

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

26 (2) the corresponding municipality credits, including

1 interest, on the books of the Fund on the date of transfer.
2 Participation in this Fund shall terminate on the date of
3 transfer.

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

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

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

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

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

21 (2) municipality credits based on such service,
22 including interest; and

23 (3) any interest paid by the applicant to reinstate
24 such service.

25 Participation in this Fund as to any credits transferred under

1 this Section shall terminate on the date of transfer.

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

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

9 (40 ILCS 5/7-139.11)

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

11 (a) Until January 1, 2008 ~~2006~~, a person who has less than
12 8 years of creditable service under this Article and who has
13 become an active participant in a police pension fund
14 established under Article 3 of this Code may apply for transfer
15 to that Article 3 fund of his or her creditable service
16 accumulated under this Article. At the time of the transfer the
17 Fund shall pay to the police pension fund an amount equal to:

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

20 (2) the municipality credits based on that service,
21 including interest; and

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

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

1 (b) An active member of a pension fund established under
2 Article 3 of this Code may reinstate creditable service under
3 this Article that was terminated by receipt of a refund, by
4 paying to the Fund the amount of the refund plus interest
5 thereon at the rate of 6% per year, compounded annually, from
6 the date of refund to the date of payment.

7 (Source: P.A. 94-356, eff. 7-29-05.)

8 (40 ILCS 5/7-139.12 new)

9 Sec. 7-139.12. Transfer from Article 3. Until January 1,
10 2008, a person may transfer to the Illinois Municipal
11 Retirement Systems up to 8 years of creditable service
12 accumulated under Article 3 of this Code upon payment to the
13 Fund of an amount to be determined by the board, equal to (i)
14 the difference between the amount of employee and employer
15 contributions transferred to the Fund under Section 3-110.8 and
16 the amounts that would have been contributed had such
17 contributions been made at the rates applicable to an employee
18 under this Article, plus (ii) interest thereon at the effective
19 rate for each year, compounded annually, from the date of
20 service to the date of payment.

21 (40 ILCS 5/9-121.10) (from Ch. 108 1/2, par. 9-121.10)

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

23 (a) ~~Until July 1, 1993,~~ Any active member of the State
24 Employees' Retirement System who is a State policeman,

1 investigator for the Secretary of State, or conservation police
2 officer may apply for transfer of some or all of his creditable
3 service as a member of the County Police Department accumulated
4 under this Article to the State Employees' Retirement System in
5 accordance with Section 14-110. At the time of the transfer the
6 Fund shall pay to the State Employees' Retirement System an
7 amount equal to:

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

11 (2) the corresponding municipality credits, including
12 interest, on the books of the Fund on the date of transfer;
13 and

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

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

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

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

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

2 Sec. 14-110. Alternative retirement annuity.

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

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

20 (ii) for periods of eligible creditable service as a
21 covered employee: if retirement occurs on or after January
22 1, 2001, 2.5% of final average compensation for each year
23 of creditable service; if retirement occurs before January
24 1, 2001, 1.67% of final average compensation for each of
25 the first 10 years of such service, 1.90% for each of the
26 next 10 years of such service, 2.10% for each year of such

1 service in excess of 20 but not exceeding 30, and 2.30% for
2 each year in excess of 30.

3 Such annuity shall be subject to a maximum of 75% of final
4 average compensation if retirement occurs before January 1,
5 2001 or to a maximum of 80% of final average compensation if
6 retirement occurs on or after January 1, 2001.

7 These rates shall not be applicable to any service
8 performed by a member as a covered employee which is not
9 eligible creditable service. Service as a covered employee
10 which is not eligible creditable service shall be subject to
11 the rates and provisions of Section 14-108.

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

15 (1) State policeman;

16 (2) fire fighter in the fire protection service of a
17 department;

18 (3) air pilot;

19 (4) special agent;

20 (5) investigator for the Secretary of State;

21 (6) conservation police officer;

22 (7) investigator for the Department of Revenue;

23 (8) security employee of the Department of Human
24 Services;

25 (9) Central Management Services security police
26 officer;

1 (10) security employee of the Department of
2 Corrections or the Department of Juvenile Justice;

3 (11) dangerous drugs investigator;

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

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

7 (14) controlled substance inspector;

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

10 (16) Commerce Commission police officer;

11 (17) arson investigator;

12 (18) State highway maintenance worker.

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

23 (c) For the purposes of this Section:

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

1 (2) The term "fire fighter in the fire protection
2 service of a department" includes all officers in such fire
3 protection service including fire chiefs and assistant
4 fire chiefs.

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

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

1 (5) The term "investigator for the Secretary of State"
2 means any person employed by the Office of the Secretary of
3 State and vested with such investigative duties as render
4 him ineligible for coverage under the Social Security Act
5 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and
6 218(1)(1) of that Act.

7 A person who became employed as an investigator for the
8 Secretary of State between January 1, 1967 and December 31,
9 1975, and who has served as such until attainment of age
10 60, either continuously or with a single break in service
11 of not more than 3 years duration, which break terminated
12 before January 1, 1976, shall be entitled to have his
13 retirement annuity calculated in accordance with
14 subsection (a), notwithstanding that he has less than 20
15 years of credit for such service.

16 (6) The term "Conservation Police Officer" means any
17 person employed by the Division of Law Enforcement of the
18 Department of Natural Resources and vested with such law
19 enforcement duties as render him ineligible for coverage
20 under the Social Security Act by reason of Sections
21 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The
22 term "Conservation Police Officer" includes the positions
23 of Chief Conservation Police Administrator and Assistant
24 Conservation Police Administrator.

25 (7) The term "investigator for the Department of
26 Revenue" means any person employed by the Department of

1 Revenue and vested with such investigative duties as render
2 him ineligible for coverage under the Social Security Act
3 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and
4 218(1)(1) of that Act.

5 (8) The term "security employee of the Department of
6 Human Services" means any person employed by the Department
7 of Human Services who (i) is employed at the Chester Mental
8 Health Center and has daily contact with the residents
9 thereof, (ii) is employed within a security unit at a
10 facility operated by the Department and has daily contact
11 with the residents of the security unit, (iii) is employed
12 at a facility operated by the Department that includes a
13 security unit and is regularly scheduled to work at least
14 50% of his or her working hours within that security unit,
15 or (iv) is a mental health police officer. "Mental health
16 police officer" means any person employed by the Department
17 of Human Services in a position pertaining to the
18 Department's mental health and developmental disabilities
19 functions who is vested with such law enforcement duties as
20 render the person ineligible for coverage under the Social
21 Security Act by reason of Sections 218(d)(5)(A),
22 218(d)(8)(D) and 218(1)(1) of that Act. "Security unit"
23 means that portion of a facility that is devoted to the
24 care, containment, and treatment of persons committed to
25 the Department of Human Services as sexually violent
26 persons, persons unfit to stand trial, or persons not

1 guilty by reason of insanity. With respect to past
2 employment, references to the Department of Human Services
3 include its predecessor, the Department of Mental Health
4 and Developmental Disabilities.

5 The changes made to this subdivision (c)(8) by Public
6 Act 92-14 apply to persons who retire on or after January
7 1, 2001, notwithstanding Section 1-103.1.

8 (9) "Central Management Services security police
9 officer" means any person employed by the Department of
10 Central Management Services who is vested with such law
11 enforcement 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.

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

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

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

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

19 (13) "Investigator for the Office of the Attorney
20 General" means any person who is employed as such by the
21 Office of the Attorney General and is vested with such
22 investigative duties as render him ineligible for coverage
23 under the Social Security Act by reason of Sections
24 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act. For
25 the period before January 1, 1989, the term includes all
26 persons who were employed as investigators by the Office of

1 the Attorney General, without regard to social security
2 status.

3 (14) "Controlled substance inspector" means any person
4 who is employed as such by the Department of Professional
5 Regulation and is vested with such law enforcement duties
6 as render him 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. The term
9 "controlled substance inspector" includes the Program
10 Executive of Enforcement and the Assistant Program
11 Executive of Enforcement.

12 (15) The term "investigator for the Office of the
13 State's Attorneys Appellate Prosecutor" means a person
14 employed in that capacity on a full time basis under the
15 authority of Section 7.06 of the State's Attorneys
16 Appellate Prosecutor's Act.

17 (16) "Commerce Commission police officer" means any
18 person employed by the Illinois Commerce Commission who is
19 vested with such law enforcement duties as render him
20 ineligible for coverage under the Social Security Act by
21 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and
22 218(1)(1) of that Act.

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

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

15 (i) A person employed on a full-time basis by the
16 Illinois Department of Transportation in the position
17 of highway maintainer, highway maintenance lead
18 worker, highway maintenance lead/lead worker, heavy
19 construction equipment operator, power shovel
20 operator, or bridge mechanic; and whose principal
21 responsibility is to perform, on the roadway, the
22 actual maintenance necessary to keep the highways that
23 form a part of the State highway system in serviceable
24 condition for vehicular traffic.

25 (ii) A person employed on a full-time basis by the
26 Illinois State Toll Highway Authority in the position

1 of equipment operator/laborer H-4, equipment
2 operator/laborer H-6, welder H-4, welder H-6,
3 mechanical/electrical H-4, mechanical/electrical H-6,
4 water/sewer H-4, water/sewer H-6, sign maker/hanger
5 H-4, sign maker/hanger H-6, roadway lighting H-4,
6 roadway lighting H-6, structural H-4, structural H-6,
7 painter H-4, or painter H-6; and whose principal
8 responsibility is to perform, on the roadway, the
9 actual maintenance necessary to keep the Authority's
10 tollways in serviceable condition for vehicular
11 traffic.

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

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

20 or

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

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

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

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

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

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

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

1 (f) For purposes of calculating retirement annuities under
2 this Section, periods of service rendered after December 31,
3 1968 and before October 1, 1975 as a covered employee in the
4 position of special agent, conservation police officer, mental
5 health police officer, or investigator for the Secretary of
6 State, shall be deemed to have been service as a noncovered
7 employee, provided that the employee pays to the System prior
8 to retirement an amount equal to (1) the difference between the
9 employee contributions that would have been required for such
10 service as a noncovered employee, and the amount of employee
11 contributions actually paid, plus (2) if payment is made after
12 July 31, 1987, regular interest on the amount specified in item
13 (1) from the date of service to the date of payment.

14 For purposes of calculating retirement annuities under
15 this Section, periods of service rendered after December 31,
16 1968 and before January 1, 1982 as a covered employee in the
17 position of investigator for the Department of Revenue shall be
18 deemed to have been service as a noncovered employee, provided
19 that the employee pays to the System prior to retirement an
20 amount equal to (1) the difference between the employee
21 contributions that would have been required for such service as
22 a noncovered employee, and the amount of employee contributions
23 actually paid, plus (2) if payment is made after January 1,
24 1990, regular interest on the amount specified in item (1) from
25 the date of service to the date of payment.

26 (g) A State policeman may elect, not later than January 1,

1 1990, to establish eligible creditable service for up to 10
2 years of his service as a policeman under Article 3, by filing
3 a written election with the Board, accompanied by payment of an
4 amount to be determined by the Board, equal to (i) the
5 difference between the amount of employee and employer
6 contributions transferred to the System under Section 3-110.5,
7 and the amounts that would have been contributed had such
8 contributions been made at the rates applicable to State
9 policemen, plus (ii) interest thereon at the effective rate for
10 each year, compounded annually, from the date of service to the
11 date of payment.

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

25 (h) Subject to the limitation in subsection (i), a State
26 policeman or investigator for the Secretary of State may elect

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

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

26 Subject to the limitation in subsection (i), a State

1 policeman, conservation police officer, or investigator for
2 the Secretary of State may elect to establish eligible
3 creditable service for up to 5 years of service as a police
4 officer under Article 3, a policeman under Article 5, a
5 sheriff's law enforcement employee under Article 7, a member of
6 the county police department under Article 9, or a police
7 officer under Article 15 by filing a written election with the
8 Board and paying to the System an amount to be determined by
9 the Board, equal to (i) the difference between the amount of
10 employee and employer contributions transferred to the System
11 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4
12 and the amounts that would have been contributed had such
13 contributions been made at the rates applicable to State
14 policemen, plus (ii) interest thereon at the effective rate for
15 each year, compounded annually, from the date of service to the
16 date of payment.

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

20 (j) Subject to the limitation in subsection (i), an
21 investigator for the Office of the State's Attorneys Appellate
22 Prosecutor or a controlled substance inspector may elect to
23 establish eligible creditable service for up to 10 years of his
24 service as a policeman under Article 3 or a sheriff's law
25 enforcement employee under Article 7, by filing a written
26 election with the Board, accompanied by payment of an amount to

1 be determined by the Board, equal to (1) the difference between
2 the amount of employee and employer contributions transferred
3 to the System under Section 3-110.6 or 7-139.8, and the amounts
4 that would have been contributed had such contributions been
5 made at the rates applicable to State policemen, plus (2)
6 interest thereon at the effective rate for each year,
7 compounded annually, from the date of service to the date of
8 payment.

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

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

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

18 (m) The amendatory changes to this Section made by this
19 amendatory Act of the 94th General Assembly apply only to: (1)
20 security employees of the Department of Juvenile Justice
21 employed by the Department of Corrections before the effective
22 date of this amendatory Act of the 94th General Assembly and
23 transferred to the Department of Juvenile Justice by this
24 amendatory Act of the 94th General Assembly; and (2) persons
25 employed by the Department of Juvenile Justice on or after the
26 effective date of this amendatory Act of the 94th General

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

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

10 (40 ILCS 5/15-134.4) (from Ch. 108 1/2, par. 15-134.4)

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

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

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

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

25 (2) employer contributions equal in amount to the

1 accumulated employee contributions as determined in item
2 (1).

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

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

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

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

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

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

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

1 amount of the refund plus interest thereon at the rate of 6%
2 per year from the date of the refund to the date of payment.

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

4 Section 90. The State Mandates Act is amended by adding
5 Section 8.31 as follows:

6 (30 ILCS 805/8.31 new)

7 Sec. 8.31. 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.