

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 7-109.3 and 7-142.1 as follows:

6 (40 ILCS 5/7-109.3) (from Ch. 108 1/2, par. 7-109.3)

7 Sec. 7-109.3. "Sheriff's Law Enforcement Employees".

8 (a) "Sheriff's law enforcement employee" or "SLEP" means:

9 (1) A county sheriff and all deputies, other than  
10 special deputies, employed on a full time basis in the  
11 office of the sheriff.

12 (2) A person who has elected to participate in this  
13 Fund under Section 3-109.1 of this Code, and who is  
14 employed by a participating municipality to perform police  
15 duties.

16 (3) A law enforcement officer employed on a full time  
17 basis by a Forest Preserve District, provided that such  
18 officer shall be deemed a "sheriff's law enforcement  
19 employee" for the purposes of this Article, and service in  
20 that capacity shall be deemed to be service as a sheriff's  
21 law enforcement employee, only if the board of  
22 commissioners of the District have so elected by adoption  
23 of an affirmative resolution. Such election, once made, may

1 not be rescinded.

2 (4) A person not eligible to participate in a fund  
3 established under Article 3 of this Code who is employed on  
4 a full-time basis by a participating municipality or  
5 participating instrumentality to perform police duties at  
6 an airport, but only if the governing authority of the  
7 employer has approved sheriff's law enforcement employee  
8 status for its airport police employees by adoption of an  
9 affirmative resolution. Such approval, once given, may not  
10 be rescinded.

11 (5) A person who is employed on a full-time basis by a  
12 participating municipality as a county probation officer,  
13 as defined in the Probation and Probation Officers Act.

14 (b) An employee who is a sheriff's law enforcement employee  
15 and is granted military leave or authorized leave of absence  
16 shall receive service credit in that capacity. Sheriff's law  
17 enforcement employees shall not be entitled to out-of-State  
18 service credit under Section 7-139.

19 (Source: P.A. 92-16, eff. 6-28-01.)

20 (40 ILCS 5/7-142.1) (from Ch. 108 1/2, par. 7-142.1)

21 Sec. 7-142.1. Sheriff's law enforcement employees.

22 (a) In lieu of the retirement annuity provided by  
23 subparagraph 1 of paragraph (a) of Section 7-142:

24 Any sheriff's law enforcement employee who has 20 or more  
25 years of service in that capacity and who terminates service

1 prior to January 1, 1988 shall be entitled at his option to  
2 receive a monthly retirement annuity for his service as a  
3 sheriff's law enforcement employee computed by multiplying 2%  
4 for each year of such service up to 10 years, 2 1/4% for each  
5 year of such service above 10 years and up to 20 years, and 2  
6 1/2% for each year of such service above 20 years, by his  
7 annual final rate of earnings and dividing by 12.

8 Any sheriff's law enforcement employee who has 20 or more  
9 years of service in that capacity and who terminates service on  
10 or after January 1, 1988 and before July 1, 2004 shall be  
11 entitled at his option to receive a monthly retirement annuity  
12 for his service as a sheriff's law enforcement employee  
13 computed by multiplying 2.5% for each year of such service up  
14 to 20 years, 2% for each year of such service above 20 years  
15 and up to 30 years, and 1% for each year of such service above  
16 30 years, by his annual final rate of earnings and dividing by  
17 12.

18 Any sheriff's law enforcement employee who has 20 or more  
19 years of service in that capacity and who terminates service on  
20 or after July 1, 2004 shall be entitled at his or her option to  
21 receive a monthly retirement annuity for service as a sheriff's  
22 law enforcement employee computed by multiplying 2.5% for each  
23 year of such service by his annual final rate of earnings and  
24 dividing by 12.

25 If a sheriff's law enforcement employee has service in any  
26 other capacity, his retirement annuity for service as a

1 sheriff's law enforcement employee may be computed under this  
2 Section and the retirement annuity for his other service under  
3 Section 7-142.

4 In no case shall the total monthly retirement annuity for  
5 persons who retire before July 1, 2004 exceed 75% of the  
6 monthly final rate of earnings. In no case shall the total  
7 monthly retirement annuity for persons who retire on or after  
8 July 1, 2004 exceed 80% of the monthly final rate of earnings.

9 (b) Whenever continued group insurance coverage is elected  
10 in accordance with the provisions of Section 367h of the  
11 Illinois Insurance Code, as now or hereafter amended, the total  
12 monthly premium for such continued group insurance coverage or  
13 such portion thereof as is not paid by the municipality shall,  
14 upon request of the person electing such continued group  
15 insurance coverage, be deducted from any monthly pension  
16 benefit otherwise payable to such person pursuant to this  
17 Section, to be remitted by the Fund to the insurance company or  
18 other entity providing the group insurance coverage.

19 (b-5) In addition to any service converted under subsection  
20 (c), a sheriff's law enforcement employee who is employed as a  
21 county probation officer may convert his or her non-SLEP  
22 service credits for previous employment as a county probation  
23 officer into service as a sheriff's law enforcement employee by  
24 paying to the Fund an amount equal to the additional  
25 contribution required under Section 7-173.1, plus interest at  
26 the prescribed rate from the date of the service to the date of

1 payment. The conversion may only occur within 5 years after the  
2 effective date of this amendatory Act of the 95th General  
3 Assembly.

4 (c) A sheriff's law enforcement employee who has service in  
5 any other capacity may convert up to 10 years of that service  
6 into service as a sheriff's law enforcement employee by paying  
7 to the Fund an amount equal to (1) the additional employee  
8 contribution required under Section 7-173.1, plus (2) the  
9 additional employer contribution required under Section 7-172,  
10 plus (3) interest on items (1) and (2) at the prescribed rate  
11 from the date of the service to the date of payment.

12 (d) The changes to subsections (a) and (b) of this Section  
13 made by this amendatory Act of the 94th General Assembly apply  
14 only to persons in service on or after July 1, 2004. In the  
15 case of such a person who begins to receive a retirement  
16 annuity before the effective date of this amendatory Act of the  
17 94th General Assembly, the annuity shall be recalculated  
18 prospectively to reflect those changes, with the resulting  
19 increase beginning to accrue on the first annuity payment date  
20 following the effective date of this amendatory Act.

21 (Source: P.A. 94-712, eff. 6-1-06.)

22 Section 99. Effective date. This Act takes effect upon  
23 becoming law.