



Sen. Mike Jacobs

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LRB095 05154 AMC 34323 a

1 AMENDMENT TO SENATE BILL 488

2 AMENDMENT NO. _____. Amend Senate Bill 488 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by
5 changing 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

1 basis by a Forest Preserve District, provided that such
2 officer shall be deemed a "sheriff's law enforcement
3 employee" for the purposes of this Article, and service in
4 that capacity shall be deemed to be service as a sheriff's
5 law enforcement employee, only if the board of
6 commissioners of the District have so elected by adoption
7 of an affirmative resolution. Such election, once made, may
8 not be rescinded.

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17 be rescinded.

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

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

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

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

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

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

5 Any sheriff's law enforcement employee who has 20 or more
6 years of service in that capacity and who terminates service
7 prior to January 1, 1988 shall be entitled at his option to
8 receive a monthly retirement annuity for his service as a
9 sheriff's law enforcement employee computed by multiplying 2%
10 for each year of such service up to 10 years, 2 1/4% for each
11 year of such service above 10 years and up to 20 years, and 2
12 1/2% for each year of such service above 20 years, by his
13 annual final rate of earnings and dividing by 12.

14 Any sheriff's law enforcement employee who has 20 or more
15 years of service in that capacity and who terminates service on
16 or after January 1, 1988 and before July 1, 2004 shall be
17 entitled at his option to receive a monthly retirement annuity
18 for his service as a sheriff's law enforcement employee
19 computed by multiplying 2.5% for each year of such service up
20 to 20 years, 2% for each year of such service above 20 years
21 and up to 30 years, and 1% for each year of such service above
22 30 years, by his annual final rate of earnings and dividing by
23 12.

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

1 or after July 1, 2004 shall be entitled at his or her option to
2 receive a monthly retirement annuity for service as a sheriff's
3 law enforcement employee computed by multiplying 2.5% for each
4 year of such service by his annual final rate of earnings and
5 dividing by 12.

6 If a sheriff's law enforcement employee has service in any
7 other capacity, his retirement annuity for service as a
8 sheriff's law enforcement employee may be computed under this
9 Section and the retirement annuity for his other service under
10 Section 7-142.

11 In no case shall the total monthly retirement annuity for
12 persons who retire before July 1, 2004 exceed 75% of the
13 monthly final rate of earnings. In no case shall the total
14 monthly retirement annuity for persons who retire on or after
15 July 1, 2004 exceed 80% of the monthly final rate of earnings.

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

26 (b-5) In addition to any service converted under subsection

1 (c), a sheriff's law enforcement employee who is employed as a
2 county probation officer may convert his or her non-SLEP
3 service credits for previous employment as a county probation
4 officer into service as a sheriff's law enforcement employee by
5 paying to the Fund an amount equal to the additional
6 contribution required under Section 7-173.1, plus interest at
7 the prescribed rate from the date of the service to the date of
8 payment. The conversion may only occur within 5 years after the
9 effective date of this amendatory Act of the 95th General
10 Assembly.

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

19 (d) The changes to subsections (a) and (b) of this Section
20 made by this amendatory Act of the 94th General Assembly apply
21 only to persons in service on or after July 1, 2004. In the
22 case of such a person who begins to receive a retirement
23 annuity before the effective date of this amendatory Act of the
24 94th General Assembly, the annuity shall be recalculated
25 prospectively to reflect those changes, with the resulting
26 increase beginning to accrue on the first annuity payment date

1 following the effective date of this amendatory Act.

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

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