

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, 5-236, 7-139.8, 9-121.10, and 14-110 as
6 follows:

7 (40 ILCS 5/3-110.6) (from Ch. 108 1/2, par. 3-110.6)

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

9 (a) Any active member of the State Employees' Retirement
10 System who is a State policeman, an investigator for the
11 Secretary of State, a conservation police officer, an
12 investigator for the Office of the Attorney General, 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 may reinstate service that was terminated by receipt of
10 a refund, by paying to the police pension fund the amount of
11 the refund with interest thereon at the actuarially assumed
12 rate of interest ~~rate of 6% per year~~, compounded annually, from
13 the date of refund to the date of payment.

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

15 (40 ILCS 5/5-236) (from Ch. 108 1/2, par. 5-236)

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

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

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

4 (2) the corresponding municipality credits, including
5 interest, on the books of the Fund on the date of transfer;
6 and

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

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

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

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

1 amount equal to:

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

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

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

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

10 (40 ILCS 5/7-139.8) (from Ch. 108 1/2, par. 7-139.8)

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

12 (a) Any active member of the State Employees' Retirement
13 System who is a State policeman, an investigator for the
14 Secretary of State, a conservation police officer, an
15 investigator for the Office of the Attorney General, an
16 investigator for the Office of the State's Attorneys Appellate
17 Prosecutor, or a controlled substance inspector may apply for
18 transfer of some or all of his or her credits and creditable
19 service accumulated in this Fund for service as a sheriff's law
20 enforcement employee, person employed by a participating
21 municipality to perform police duties, or law enforcement
22 officer employed on a full-time basis by a forest preserve
23 district to the State Employees' Retirement System in
24 accordance with Section 14-110. The creditable service shall be
25 transferred only upon payment by this Fund to the State

1 Employees' Retirement System of an amount equal to:

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

5 (2) municipality credits based on such service,
6 including interest; and

7 (3) any interest paid by the applicant to reinstate
8 such service.

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

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

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

18 (40 ILCS 5/9-121.10) (from Ch. 108 1/2, par. 9-121.10)

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

20 (a) Any active member of the State Employees' Retirement
21 System who is a State policeman, investigator for the Office of
22 the Attorney General, investigator for the Secretary of State,
23 or conservation police officer may apply for transfer of some
24 or all of his creditable service as a member of the County
25 Police Department, a county corrections officer, or a court

1 services officer accumulated under this Article to the State
2 Employees' Retirement System in accordance with Section
3 14-110. At the time of the transfer the Fund shall pay to the
4 State Employees' Retirement System an amount equal to:

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

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

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

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

15 (b) Any person applying to transfer service under this
16 Section may reinstate credit for service as a member of the
17 County Police Department that was terminated by receipt of a
18 refund, by paying to the Fund the amount of the refund with
19 interest thereon at the actuarially assumed rate of interest
20 ~~rate of 6% per year~~, compounded annually, from the date of
21 refund to the date of payment.

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

23 (40 ILCS 5/14-110) (from Ch. 108 1/2, par. 14-110)
24 Sec. 14-110. Alternative retirement annuity.

25 (a) Any member who has withdrawn from service with not less

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

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

17 (ii) for periods of eligible creditable service as a
18 covered employee: if retirement occurs on or after January
19 1, 2001, 2.5% of final average compensation for each year
20 of creditable service; if retirement occurs before January
21 1, 2001, 1.67% of final average compensation for each of
22 the first 10 years of such service, 1.90% for each of the
23 next 10 years of such service, 2.10% for each year of such
24 service in excess of 20 but not exceeding 30, and 2.30% for
25 each year in excess of 30.

26 Such annuity shall be subject to a maximum of 75% of final

1 average compensation if retirement occurs before January 1,
2 2001 or to a maximum of 80% of final average compensation if
3 retirement occurs on or after January 1, 2001.

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

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

12 (1) State policeman;

13 (2) fire fighter in the fire protection service of a
14 department;

15 (3) air pilot;

16 (4) special agent;

17 (5) investigator for the Secretary of State;

18 (6) conservation police officer;

19 (7) investigator for the Department of Revenue;

20 (8) security employee of the Department of Human
21 Services;

22 (9) Central Management Services security police
23 officer;

24 (10) security employee of the Department of
25 Corrections or the Department of Juvenile Justice;

26 (11) dangerous drugs investigator;

- 1 (12) investigator for the Department of State Police;
- 2 (13) investigator for the Office of the Attorney
- 3 General;
- 4 (14) controlled substance inspector;
- 5 (15) investigator for the Office of the State's
- 6 Attorneys Appellate Prosecutor;
- 7 (16) Commerce Commission police officer;
- 8 (17) arson investigator;
- 9 (18) State highway maintenance worker.

10 A person employed in one of the positions specified in this

11 subsection is entitled to eligible creditable service for

12 service credit earned under this Article while undergoing the

13 basic police training course approved by the Illinois Law

14 Enforcement Training Standards Board, if completion of that

15 training is required of persons serving in that position. For

16 the purposes of this Code, service during the required basic

17 police training course shall be deemed performance of the

18 duties of the specified position, even though the person is not

19 a sworn peace officer at the time of the training.

20 (c) For the purposes of this Section:

21 (1) The term "state policeman" includes any title or

22 position in the Department of State Police that is held by

23 an individual employed under the State Police Act.

24 (2) The term "fire fighter in the fire protection

25 service of a department" includes all officers in such fire

26 protection service including fire chiefs and assistant

1 fire chiefs.

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

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

24 (5) The term "investigator for the Secretary of State"
25 means any person employed by the Office of the Secretary of
26 State and vested with such investigative duties as render

1 him ineligible for coverage under the Social Security Act
2 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and
3 218(1)(1) of that Act.

4 A person who became employed as an investigator for the
5 Secretary of State between January 1, 1967 and December 31,
6 1975, and who has served as such until attainment of age
7 60, either continuously or with a single break in service
8 of not more than 3 years duration, which break terminated
9 before January 1, 1976, shall be entitled to have his
10 retirement annuity calculated in accordance with
11 subsection (a), notwithstanding that he has less than 20
12 years of credit for such service.

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

22 (7) The term "investigator for the Department of
23 Revenue" means any person employed by the Department of
24 Revenue and vested with such investigative duties as render
25 him ineligible for coverage under the Social Security Act
26 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and

1 218(1)(1) of that Act.

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

1 and Developmental Disabilities.

2 The changes made to this subdivision (c)(8) by Public
3 Act 92-14 apply to persons who retire on or after January
4 1, 2001, notwithstanding Section 1-103.1.

5 (9) "Central Management Services security police
6 officer" means any person employed by the Department of
7 Central Management Services who is vested with such law
8 enforcement duties as render him ineligible for coverage
9 under the Social Security Act by reason of Sections
10 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act.

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

1 facility or Juvenile facility operated by the Department of
2 Juvenile Justice, (ii) a parole officer, (iii) a member of
3 the apprehension unit, (iv) a member of the intelligence
4 unit, (v) a member of the sort team, or (vi) an
5 investigator.

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

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

16 (13) "Investigator for the Office of the Attorney
17 General" means any person who is employed as such by the
18 Office of the Attorney General and is vested with such
19 investigative 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. For
22 the period before January 1, 1989, the term includes all
23 persons who were employed as investigators by the Office of
24 the Attorney General, without regard to social security
25 status.

26 (14) "Controlled substance inspector" means any person

1 who is employed as such by the Department of Professional
2 Regulation and is vested with such law enforcement duties
3 as render him ineligible for coverage under the Social
4 Security Act by reason of Sections 218(d)(5)(A),
5 218(d)(8)(D) and 218(1)(1) of that Act. The term
6 "controlled substance inspector" includes the Program
7 Executive of Enforcement and the Assistant Program
8 Executive of Enforcement.

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

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

20 (17) "Arson investigator" means any person who is
21 employed as such by the Office of the State Fire Marshal
22 and is vested with such law enforcement duties as render
23 the person ineligible for coverage under the Social
24 Security Act by reason of Sections 218(d)(5)(A),
25 218(d)(8)(D), and 218(1)(1) of that Act. A person who was
26 employed as an arson investigator on January 1, 1995 and is

1 no longer in service but not yet receiving a retirement
2 annuity may convert his or her creditable service for
3 employment as an arson investigator into eligible
4 creditable service by paying to the System the difference
5 between the employee contributions actually paid for that
6 service and the amounts that would have been contributed if
7 the applicant were contributing at the rate applicable to
8 persons with the same social security status earning
9 eligible creditable service on the date of application.

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

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

22 (ii) A person employed on a full-time basis by the
23 Illinois State Toll Highway Authority in the position
24 of equipment operator/laborer H-4, equipment
25 operator/laborer H-6, welder H-4, welder H-6,
26 mechanical/electrical H-4, mechanical/electrical H-6,

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

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

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

17 or

18 (ii) beginning January 1, 1987, 25 years of eligible
19 creditable service and age 54, or 24 years of eligible
20 creditable service and age 55; or

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

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

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

4 (vi) beginning January 1, 1991, 25 years of eligible
5 creditable service and age 50, or 20 years of eligible
6 creditable service and age 55.

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

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

24 (f) For purposes of calculating retirement annuities under
25 this Section, periods of service rendered after December 31,
26 1968 and before October 1, 1975 as a covered employee in the

1 position of special agent, conservation police officer, mental
2 health police officer, or investigator for the Secretary of
3 State, shall be deemed to have been service as a noncovered
4 employee, provided that the employee pays to the System prior
5 to retirement an amount equal to (1) the difference between the
6 employee contributions that would have been required for such
7 service as a noncovered employee, and the amount of employee
8 contributions actually paid, plus (2) if payment is made after
9 July 31, 1987, regular interest on the amount specified in item
10 (1) from the date of service to the date of payment.

11 For purposes of calculating retirement annuities under
12 this Section, periods of service rendered after December 31,
13 1968 and before January 1, 1982 as a covered employee in the
14 position of investigator for the Department of Revenue shall be
15 deemed to have been service as a noncovered employee, provided
16 that the employee pays to the System prior to retirement an
17 amount equal to (1) the difference between the employee
18 contributions that would have been required for such service as
19 a noncovered employee, and the amount of employee contributions
20 actually paid, plus (2) if payment is made after January 1,
21 1990, regular interest on the amount specified in item (1) from
22 the date of service to the date of payment.

23 (g) A State policeman may elect, not later than January 1,
24 1990, to establish eligible creditable service for up to 10
25 years of his service as a policeman under Article 3, by filing
26 a written election with the Board, accompanied by payment of an

1 amount to be determined by the Board, equal to (i) the
2 difference between the amount of employee and employer
3 contributions transferred to the System under Section 3-110.5,
4 and the amounts that would have been contributed had such
5 contributions been made at the rates applicable to State
6 policemen, plus (ii) interest thereon at the effective rate for
7 each year, compounded annually, from the date of service to the
8 date of payment.

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

22 (h) Subject to the limitation in subsection (i), a State
23 policeman or investigator for the Secretary of State may elect
24 to establish eligible creditable service for up to 12 years of
25 his service as a policeman under Article 5, by filing a written
26 election with the Board on or before January 31, 1992, and

1 paying to the System by January 31, 1994 an amount to be
2 determined by the Board, equal to (i) the difference between
3 the amount of employee and employer contributions transferred
4 to the System under Section 5-236, and the amounts that would
5 have been contributed had such contributions been made at the
6 rates applicable to State policemen, plus (ii) interest thereon
7 at the effective rate for each year, compounded annually, from
8 the date of service to the date of payment.

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

23 Subject to the limitation in subsection (i), a State
24 policeman, conservation police officer, or investigator for
25 the Secretary of State may elect to establish eligible
26 creditable service for up to 5 years of service as a police

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

14 Subject to the limitation in subsection (i), an
15 investigator for the Office of the Attorney General may elect
16 to establish eligible creditable service for up to 5 years of
17 service as a police officer under Article 3, a policeman under
18 Article 5, a sheriff's law enforcement employee under Article
19 7, or a member of the county police department under Article 9
20 by filing a written election with the Board within 6 months
21 after the effective date of this amendatory Act of the 96th
22 General Assembly and paying to the System an amount to be
23 determined by the Board, equal to (i) the difference between
24 the amount of employee and employer contributions transferred
25 to the System under Section 3-110.6, 5-236, 7-139.8, or
26 9-121.10 and the amounts that would have been contributed had

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

5 Subject to the limitation in subsection (i), a State
6 policeman, conservation police officer, investigator for the
7 Office of the Attorney General, or investigator for the
8 Secretary of State may elect to establish eligible creditable
9 service for up to 5 years of service as a person employed by a
10 participating municipality to perform police duties, or law
11 enforcement officer employed on a full-time basis by a forest
12 preserve district under Article 7, a county corrections
13 officer, or a court services officer under Article 9, by filing
14 a written election with the Board within 6 months after the
15 effective date of this amendatory Act of the 96th General
16 Assembly and paying to the System an amount to be determined by
17 the Board, equal to (i) the difference between the amount of
18 employee and employer contributions transferred to the System
19 under Sections 7-139.8 and 9-121.10 and the amounts that would
20 have been contributed had such contributions been made at the
21 rates applicable to State policemen, plus (ii) interest thereon
22 at the actuarially assumed rate for each year, compounded
23 annually, from the date of service to the date of payment.

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

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

16 (k) Subject to the limitation in subsection (i) of this
17 Section, an alternative formula employee may elect to establish
18 eligible creditable service for periods spent as a full-time
19 law enforcement officer or full-time corrections officer
20 employed by the federal government or by a state or local
21 government located outside of Illinois, for which credit is not
22 held in any other public employee pension fund or retirement
23 system. To obtain this credit, the applicant must file a
24 written application with the Board by March 31, 1998,
25 accompanied by evidence of eligibility acceptable to the Board
26 and payment of an amount to be determined by the Board, equal

1 to (1) employee contributions for the credit being established,
2 based upon the applicant's salary on the first day as an
3 alternative formula employee after the employment for which
4 credit is being established and the rates then applicable to
5 alternative formula employees, plus (2) an amount determined by
6 the Board to be the employer's normal cost of the benefits
7 accrued for the credit being established, plus (3) regular
8 interest on the amounts in items (1) and (2) from the first day
9 as an alternative formula employee after the employment for
10 which credit is being established to the date of payment.

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

25 (m) The amendatory changes to this Section made by this
26 amendatory Act of the 94th General Assembly apply only to: (1)

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

16 (n) A person employed in a position under subsection (b) of
17 this Section who has purchased service credit under subsection
18 (j) of Section 14-104 or subsection (b) of Section 14-105 in
19 any other capacity under this Article may convert up to 5 years
20 of that service credit into service credit covered under this
21 Section by paying to the Fund an amount equal to (1) the
22 additional employee contribution required under Section
23 14-133, plus (2) the additional employer contribution required
24 under Section 14-131, plus (3) interest on items (1) and (2) at
25 the actuarially assumed rate from the date of the service to
26 the date of payment.

1 (Source: P.A. 94-4, eff. 6-1-05; 94-696, eff. 6-1-06; 95-530,
2 eff. 8-28-07; 95-1036, eff. 2-17-09.)

3 Section 90. The State Mandates Act is amended by adding
4 Section 8.33 as follows:

5 (30 ILCS 805/8.33 new)

6 Sec. 8.33. Exempt mandate. Notwithstanding Sections 6 and 8
7 of this Act, no reimbursement by the State is required for the
8 implementation of any mandate created by this amendatory Act of
9 the 96th General Assembly.

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