



Rep. Daniel V. Beiser

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LRB096 04706 AMC 22924 a

1 AMENDMENT TO HOUSE BILL 519

2 AMENDMENT NO. _____. Amend House Bill 519, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Pension Code is amended by
6 changing Sections 3-110.6, 5-236, 7-139.8, 9-121.10, 14-110,
7 and 15-134.4 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 Attorney General, an
14 investigator for the Office of the State's Attorneys Appellate
15 Prosecutor, or a controlled substance inspector may apply for
16 transfer of some or all of his or her creditable service

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

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

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

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

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

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

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

23 (40 ILCS 5/5-236) (from Ch. 108 1/2, par. 5-236)

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

25 (a) Any active member of the State Employees' Retirement

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

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

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

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

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

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

26 (c) Within 30 days after the effective date of this

1 amendatory Act of 1993, any active member of the State
2 Employees' Retirement System who was earning eligible
3 creditable service under subdivision (b)(12) of Section 14-110
4 on January 1, 1992 and who has at least 17 years of creditable
5 service under this Article may apply for transfer of his
6 creditable service accumulated under this Article to the State
7 Employees' Retirement System. At the time of the transfer the
8 Fund shall pay to the State Employees' Retirement System an
9 amount equal to:

- 10 (1) the amounts accumulated to the credit of the
11 applicant on the books of the Fund on the date of transfer;
12 and
13 (2) the corresponding municipality credits, including
14 interest, on the books of the Fund on the date of transfer.
15 Participation in this Fund shall terminate on the date of
16 transfer.

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

18 (40 ILCS 5/7-139.8) (from Ch. 108 1/2, par. 7-139.8)

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

20 (a) Any active member of the State Employees' Retirement
21 System who is a State policeman, an investigator for the
22 Secretary of State, a conservation police officer, an
23 investigator for the Office of the Attorney General, an
24 investigator for the Office of the State's Attorneys Appellate
25 Prosecutor, or a controlled substance inspector may apply for

1 transfer of some or all of his or her credits and creditable
2 service accumulated in this Fund for service as a sheriff's law
3 enforcement employee, person employed by a participating
4 municipality to perform police duties, or law enforcement
5 officer employed on a full-time basis by a forest preserve
6 district to the State Employees' Retirement System in
7 accordance with Section 14-110. The creditable service shall be
8 transferred only upon payment by this Fund to the State
9 Employees' Retirement System of an amount equal to:

10 (1) the amounts accumulated to the credit of the
11 applicant for the service to be transferred, including
12 interest; and

13 (2) municipality credits based on such service,
14 including interest; and

15 (3) any interest paid by the applicant to reinstate
16 such service.

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

19 (b) Any person applying to transfer service under this
20 Section may reinstate credits and creditable service
21 terminated upon receipt of a separation benefit, by paying to
22 the Fund the amount of the separation benefit plus interest
23 thereon at the actuarially assumed rate of interest ~~rate of 6%~~
24 ~~per year~~ to the date of payment.

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

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

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

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

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

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

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

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

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

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

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

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

6 Sec. 14-110. Alternative retirement annuity.

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

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

24 (ii) for periods of eligible creditable service as a
25 covered employee: if retirement occurs on or after January

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

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

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

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

20 (1) State policeman;

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

23 (3) air pilot;

24 (4) special agent;

25 (5) investigator for the Secretary of State;

26 (6) conservation police officer;

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

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

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

2 (c) For the purposes of this Section:

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

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

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

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

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

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

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

21 (6) The term "Conservation Police Officer" means any
22 person employed by the Division of Law Enforcement of the
23 Department of Natural Resources and vested with such law
24 enforcement duties as render him ineligible for coverage
25 under the Social Security Act by reason of Sections
26 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The

1 term "Conservation Police Officer" includes the positions
2 of Chief Conservation Police Administrator and Assistant
3 Conservation Police Administrator.

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

10 (8) The term "security employee of the Department of
11 Human Services" means any person employed by the Department
12 of Human Services who (i) is employed at the Chester Mental
13 Health Center and has daily contact with the residents
14 thereof, (ii) is employed within a security unit at a
15 facility operated by the Department and has daily contact
16 with the residents of the security unit, (iii) is employed
17 at a facility operated by the Department that includes a
18 security unit and is regularly scheduled to work at least
19 50% of his or her working hours within that security unit,
20 or (iv) is a mental health police officer. "Mental health
21 police officer" means any person employed by the Department
22 of Human Services in a position pertaining to the
23 Department's mental health and developmental disabilities
24 functions who is vested with such law enforcement duties as
25 render the person ineligible for coverage under the Social
26 Security Act by reason of Sections 218(d)(5)(A),

1 218(d)(8)(D) and 218(1)(1) of that Act. "Security unit"
2 means that portion of a facility that is devoted to the
3 care, containment, and treatment of persons committed to
4 the Department of Human Services as sexually violent
5 persons, persons unfit to stand trial, or persons not
6 guilty by reason of insanity. With respect to past
7 employment, references to the Department of Human Services
8 include its predecessor, the Department of Mental Health
9 and Developmental Disabilities.

10 The changes made to this subdivision (c)(8) by Public
11 Act 92-14 apply to persons who retire on or after January
12 1, 2001, notwithstanding Section 1-103.1.

13 (9) "Central Management Services security police
14 officer" means any person employed by the Department of
15 Central Management Services who is 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.

19 (10) For a member who first became an employee under
20 this Article before July 1, 2005, the term "security
21 employee of the Department of Corrections or the Department
22 of Juvenile Justice" means any employee of the Department
23 of Corrections or the Department of Juvenile Justice or the
24 former Department of Personnel, and any member or employee
25 of the Prisoner Review Board, who has daily contact with
26 inmates or youth by working within a correctional facility

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

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

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

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

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

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

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

22 (16) "Commerce Commission police officer" means any
23 person employed by the Illinois Commerce Commission who is
24 vested with such law enforcement duties as render him
25 ineligible for coverage under the Social Security Act by
26 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and

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

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

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

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

1 actual maintenance necessary to keep the highways that
2 form a part of the State highway system in serviceable
3 condition for vehicular traffic.

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

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

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

25 or

26 (ii) beginning January 1, 1987, 25 years of eligible

1 creditable service and age 54, or 24 years of eligible
2 creditable service and age 55; or

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

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

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

12 (vi) beginning January 1, 1991, 25 years of eligible
13 creditable service and age 50, or 20 years of eligible
14 creditable service and age 55.

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

24 (e) If a member enters military service while working in a
25 position in which eligible creditable service may be earned,
26 and returns to State service in the same or another such

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

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

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

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

5 (g) A State policeman may elect, not later than January 1,
6 1990, to establish eligible creditable service for up to 10
7 years of his service as a policeman under Article 3, by filing
8 a written election with the Board, accompanied by payment of an
9 amount to be determined by the Board, equal to (i) the
10 difference between the amount of employee and employer
11 contributions transferred to the System under Section 3-110.5,
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 Subject to the limitation in subsection (i), a State
18 policeman may elect, not later than July 1, 1993, to establish
19 eligible creditable service for up to 10 years of his service
20 as a member of the County Police Department under Article 9, by
21 filing a written election with the Board, accompanied by
22 payment of an amount to be determined by the Board, equal to
23 (i) the difference between the amount of employee and employer
24 contributions transferred to the System under Section 9-121.10
25 and the amounts that would have been contributed had those
26 contributions been made at the rates applicable to State

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

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

17 Subject to the limitation in subsection (i), a State
18 policeman, conservation police officer, or investigator for
19 the Secretary of State may elect to establish eligible
20 creditable service for up to 10 years of service as a sheriff's
21 law enforcement employee under Article 7, by filing a written
22 election with the Board on or before January 31, 1993, and
23 paying to the System by January 31, 1994 an amount to be
24 determined by the Board, equal to (i) the difference between
25 the amount of employee and employer contributions transferred
26 to the System under Section 7-139.7, and the amounts that would

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

5 Subject to the limitation in subsection (i), a State
6 policeman, conservation police officer, or investigator for
7 the Secretary of State may elect to establish eligible
8 creditable service for up to 5 years of service as a police
9 officer under Article 3, a policeman under Article 5, a
10 sheriff's law enforcement employee under Article 7, a member of
11 the county police department under Article 9, or a police
12 officer under Article 15 by filing a written election with the
13 Board and paying to the System an amount to be determined by
14 the Board, equal to (i) the difference between the amount of
15 employee and employer contributions transferred to the System
16 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4
17 and the amounts that would have been contributed had such
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 Subject to the limitation in subsection (i), an
23 investigator for the Office of the Attorney General may elect
24 to establish eligible creditable service for up to 5 years of
25 service as a police officer under Article 3, a policeman under
26 Article 5, a sheriff's law enforcement employee under Article

1 7, or a member of the county police department under Article 9
2 by filing a written election with the Board within 6 months
3 after the effective date of this amendatory Act of 96th General
4 Assembly and paying to the System an amount to be determined by
5 the Board, equal to (i) the difference between the amount of
6 employee and employer contributions transferred to the System
7 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the
8 amounts that would have been contributed had such contributions
9 been made at the rates applicable to State policemen, plus (ii)
10 interest thereon at the actuarially assumed rate for each year,
11 compounded annually, from the date of service to the date of
12 payment.

13 Subject to the limitation in subsection (i), a State
14 policeman, conservation police officer, investigator for the
15 Office of the Attorney General, or investigator for the
16 Secretary of State may elect to establish eligible creditable
17 service for up to 5 years of service as a person employed by a
18 participating municipality to perform police duties, or law
19 enforcement officer employed on a full-time basis by a forest
20 preserve district under Article 7, a county corrections
21 officer, or a court services officer under Article 9, by filing
22 a written election with the Board within 6 months after the
23 effective date of this amendatory Act of 96th General Assembly
24 and paying to the System an amount to be determined by the
25 Board, equal to (i) the difference between the amount of
26 employee and employer contributions transferred to the System

1 under Sections 7-139.8 and 9-121.10 and the amounts that would
2 have been contributed had such contributions been made at the
3 rates applicable to State policemen, plus (ii) interest thereon
4 at the actuarially assumed rate for each year, compounded
5 annually, from the date of service to the date of payment.

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

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

24 (k) Subject to the limitation in subsection (i) of this
25 Section, an alternative formula employee may elect to establish
26 eligible creditable service for periods spent as a full-time

1 law enforcement officer or full-time corrections officer
2 employed by the federal government or by a state or local
3 government located outside of Illinois, for which credit is not
4 held in any other public employee pension fund or retirement
5 system. To obtain this credit, the applicant must file a
6 written application with the Board by March 31, 1998,
7 accompanied by evidence of eligibility acceptable to the Board
8 and payment of an amount to be determined by the Board, equal
9 to (1) employee contributions for the credit being established,
10 based upon the applicant's salary on the first day as an
11 alternative formula employee after the employment for which
12 credit is being established and the rates then applicable to
13 alternative formula employees, plus (2) an amount determined by
14 the Board to be the employer's normal cost of the benefits
15 accrued for the credit being established, plus (3) regular
16 interest on the amounts in items (1) and (2) from the first day
17 as an alternative formula employee after the employment for
18 which credit is being established to the date of payment.

19 (1) Subject to the limitation in subsection (i), a security
20 employee of the Department of Corrections may elect, not later
21 than July 1, 1998, to establish eligible creditable service for
22 up to 10 years of his or her service as a policeman under
23 Article 3, by filing a written election with the Board,
24 accompanied by payment of an amount to be determined by the
25 Board, equal to (i) the difference between the amount of
26 employee and employer contributions transferred to the System

1 under Section 3-110.5, and the amounts that would have been
2 contributed had such contributions been made at the rates
3 applicable to security employees of the Department of
4 Corrections, plus (ii) interest thereon at the effective rate
5 for each year, compounded annually, from the date of service to
6 the date of payment.

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

24 (n) A person employed in a position under subsection (b) of
25 this Section who has purchased service credit under subsection
26 (j) of Section 14-104 or subsection (b) of Section 14-105 in

1 any other capacity under this Article may convert up to 5 years
2 of that service credit into service credit covered under this
3 Section by paying to the Fund an amount equal to (1) the
4 additional employee contribution required under Section
5 14-133, plus (2) the additional employer contribution required
6 under Section 14-131, plus (3) interest on items (1) and (2) at
7 the actuarially assumed rate from the date of the service to
8 the date of payment.

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

11 Section 90. The State Mandates Act is amended by adding
12 Section 8.33 as follows:

13 (30 ILCS 805/8.33 new)

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

18 Section 99. Effective date. This Act takes effect upon
19 becoming law."