

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 Department of Revenue, an investigator for  
14 the Office of the State's Attorneys Appellate Prosecutor, or a  
15 controlled substance inspector may apply for transfer of some  
16 or all of his or her creditable service accumulated in any  
17 police pension fund under this Article to the State Employees'  
18 Retirement System in accordance with Section 14-110. The  
19 creditable service shall be transferred only upon payment by  
20 the police pension fund to the State Employees' Retirement  
21 System of 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

- 1 the fund on the date of transfer; and
- 2 (2) employer contributions in an amount equal to the
- 3 amount determined under subparagraph (1); and
- 4 (3) any interest paid by the applicant in order to
- 5 reinstate service to be transferred.

6 Participation in the police pension fund with respect to the

7 service to be transferred shall terminate on the date of

8 transfer.

9 (b) Any person applying to transfer service under this

10 Section may reinstate service that was terminated by receipt of

11 a refund, by paying to the police pension fund the amount of

12 the refund with interest thereon at the actuarially assumed

13 rate of interest ~~rate of 6% per year~~, compounded annually, from

14 the date of refund to the date of payment.

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

16 (40 ILCS 5/5-236) (from Ch. 108 1/2, par. 5-236)

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

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

19 System who is a State policeman, conservation police officer,

20 an investigator for the Office of the Attorney General, an

21 investigator for the Department of Revenue, or investigator for

22 the Secretary of State may apply for transfer of some or all of

23 his or her creditable service accumulated under this Article to

24 the State Employees' Retirement System in accordance with

25 Section 14-110. At the time of the transfer the Fund shall pay

1 to the State Employees' Retirement System an amount equal to:

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

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

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

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

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

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

1 Fund shall pay to the State Employees' Retirement System an  
2 amount equal to:

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

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

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

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

11 (40 ILCS 5/7-139.8) (from Ch. 108 1/2, par. 7-139.8)

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

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

1 14-110. The creditable service shall be transferred only upon  
2 payment by this Fund to the State Employees' Retirement System  
3 of an amount equal to:

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

7 (2) municipality credits based on such service,  
8 including interest; and

9 (3) any interest paid by the applicant to reinstate  
10 such service.

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

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

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

20 (40 ILCS 5/9-121.10) (from Ch. 108 1/2, par. 9-121.10)

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

22 (a) Any active member of the State Employees' Retirement  
23 System who is a State policeman, investigator for the Office of  
24 the Attorney General, an investigator for the Department of  
25 Revenue, investigator for the Secretary of State, or

1 conservation police officer may apply for transfer of some or  
2 all of his creditable service as a member of the County Police  
3 Department, a county corrections officer, or a court services  
4 officer accumulated under this Article to the State Employees'  
5 Retirement System in accordance with Section 14-110. At the  
6 time of the transfer the Fund shall pay to the State Employees'  
7 Retirement System an 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 may reinstate credit for service as a member of the  
20 County Police Department that was terminated by receipt of a  
21 refund, by paying to the Fund the amount of the refund with  
22 interest thereon at the actuarially assumed rate of interest  
23 ~~rate of 6% per year~~, compounded annually, from the date of  
24 refund to the date of payment.

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

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 Subject to the limitation in subsection (i), an  
18 investigator for the Office of the Attorney General, or an  
19 investigator for the Department of Revenue, may elect to  
20 establish eligible creditable service for up to 5 years of  
21 service as a police officer under Article 3, a policeman under  
22 Article 5, a sheriff's law enforcement employee under Article  
23 7, or a member of the county police department under Article 9  
24 by filing a written election with the Board within 6 months  
25 after the effective date of this amendatory Act of the 96th  
26 General Assembly and paying to the System an amount to be

1 determined by the Board, equal to (i) the difference between  
2 the amount of employee and employer contributions transferred  
3 to the System under Section 3-110.6, 5-236, 7-139.8, or  
4 9-121.10 and the amounts that would have been contributed had  
5 such contributions been made at the rates applicable to State  
6 policemen, plus (ii) interest thereon at the actuarially  
7 assumed rate for each year, compounded annually, from the date  
8 of service to the date of payment.

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

1 the actuarially assumed rate for each year, compounded  
2 annually, from the date of service to the date of payment.

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

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

21 (k) Subject to the limitation in subsection (i) of this  
22 Section, an alternative formula employee may elect to establish  
23 eligible creditable service for periods spent as a full-time  
24 law enforcement officer or full-time corrections officer  
25 employed by the federal government or by a state or local  
26 government located outside of Illinois, for which credit is not



1 held in any other public employee pension fund or retirement  
2 system. To obtain this credit, the applicant must file a  
3 written application with the Board by March 31, 1998,  
4 accompanied by evidence of eligibility acceptable to the Board  
5 and payment of an amount to be determined by the Board, equal  
6 to (1) employee contributions for the credit being established,  
7 based upon the applicant's salary on the first day as an  
8 alternative formula employee after the employment for which  
9 credit is being established and the rates then applicable to  
10 alternative formula employees, plus (2) an amount determined by  
11 the Board to be the employer's normal cost of the benefits  
12 accrued for the credit being established, plus (3) regular  
13 interest on the amounts in items (1) and (2) from the first day  
14 as an alternative formula employee after the employment for  
15 which credit is being established to the date of payment.

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

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

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

21 (n) A person employed in a position under subsection (b) of  
22 this Section who has purchased service credit under subsection  
23 (j) of Section 14-104 or subsection (b) of Section 14-105 in  
24 any other capacity under this Article may convert up to 5 years  
25 of that service credit into service credit covered under this  
26 Section by paying to the Fund an amount equal to (1) the

1 additional employee contribution required under Section  
2 14-133, plus (2) the additional employer contribution required  
3 under Section 14-131, plus (3) interest on items (1) and (2) at  
4 the actuarially assumed rate from the date of the service to  
5 the date of payment.

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

8 Section 90. The State Mandates Act is amended by adding  
9 Section 8.33 as follows:

10 (30 ILCS 805/8.33 new)

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

15 Section 99. Effective date. This Act takes effect upon  
16 becoming law.