



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB2613

Introduced 2/20/2009, by Rep. Jay C. Hoffman

SYNOPSIS AS INTRODUCED:

40 ILCS 5/7-109.3
40 ILCS 5/7-142.1

from Ch. 108 1/2, par. 7-109.3
from Ch. 108 1/2, par. 7-142.1

Amends the IMRF Article of the Illinois Pension Code. Makes county probation officers eligible for the sheriff's law enforcement employee (SLEP) formula. Allows these probation officers to convert non-SLEP service as a probation officer into SLEP credit by paying the difference in employee contributions plus interest. Provides that the conversion may only occur within 5 years after the effective date of the amendatory Act. Effective immediately.

LRB096 09371 AMC 19528 b

FISCAL NOTE ACT
MAY APPLY

PENSION IMPACT
NOTE ACT MAY
APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning public employee benefits.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Pension Code is amended by changing
5 Sections 7-109.3 and 7-142.1 as follows:

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

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

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

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

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

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

1 not be rescinded.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 payment. The conversion may only occur within 5 years after the
2 effective date of this amendatory Act of the 96th General
3 Assembly.

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

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

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

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