



Sen. Larry K. Bomke

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09600HB4644sam001

LRB096 14771 AMC 40757 a

1 AMENDMENT TO HOUSE BILL 4644

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4644 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by  
5 changing Sections 14-104 and 15-113.11 as follows:

6 (40 ILCS 5/14-104) (from Ch. 108 1/2, par. 14-104)

7 Sec. 14-104. Service for which contributions permitted.  
8 Contributions provided for in this Section shall cover the  
9 period of service granted. Except as otherwise provided in this  
10 Section, the contributions shall be based upon the employee's  
11 compensation and contribution rate in effect on the date he  
12 last became a member of the System; provided that for all  
13 employment prior to January 1, 1969 the contribution rate shall  
14 be that in effect for a noncovered employee on the date he last  
15 became a member of the System. Except as otherwise provided in  
16 this Section, contributions permitted under this Section shall

1 include regular interest from the date an employee last became  
2 a member of the System to the date of payment.

3 These contributions must be paid in full before retirement  
4 either in a lump sum or in installment payments in accordance  
5 with such rules as may be adopted by the board.

6 (a) Any member may make contributions as required in this  
7 Section for any period of service, subsequent to the date of  
8 establishment, but prior to the date of membership.

9 (b) Any employee who had been previously excluded from  
10 membership because of age at entry and subsequently became  
11 eligible may elect to make contributions as required in this  
12 Section for the period of service during which he was  
13 ineligible.

14 (c) An employee of the Department of Insurance who, after  
15 January 1, 1944 but prior to becoming eligible for membership,  
16 received salary from funds of insurance companies in the  
17 process of rehabilitation, liquidation, conservation or  
18 dissolution, may elect to make contributions as required in  
19 this Section for such service.

20 (d) Any employee who rendered service in a State office to  
21 which he was elected, or rendered service in the elective  
22 office of Clerk of the Appellate Court prior to the date he  
23 became a member, may make contributions for such service as  
24 required in this Section. Any member who served by appointment  
25 of the Governor under the Civil Administrative Code of Illinois  
26 and did not participate in this System may make contributions

1 as required in this Section for such service.

2 (e) Any person employed by the United States government or  
3 any instrumentality or agency thereof from January 1, 1942  
4 through November 15, 1946 as the result of a transfer from  
5 State service by executive order of the President of the United  
6 States shall be entitled to prior service credit covering the  
7 period from January 1, 1942 through December 31, 1943 as  
8 provided for in this Article and to membership service credit  
9 for the period from January 1, 1944 through November 15, 1946  
10 by making the contributions required in this Section. A person  
11 so employed on January 1, 1944 but whose employment began after  
12 January 1, 1942 may qualify for prior service and membership  
13 service credit under the same conditions.

14 (f) An employee of the Department of Labor of the State of  
15 Illinois who performed services for and under the supervision  
16 of that Department prior to January 1, 1944 but who was  
17 compensated for those services directly by federal funds and  
18 not by a warrant of the Auditor of Public Accounts paid by the  
19 State Treasurer may establish credit for such employment by  
20 making the contributions required in this Section. An employee  
21 of the Department of Agriculture of the State of Illinois, who  
22 performed services for and under the supervision of that  
23 Department prior to June 1, 1963, but was compensated for those  
24 services directly by federal funds and not paid by a warrant of  
25 the Auditor of Public Accounts paid by the State Treasurer, and  
26 who did not contribute to any other public employee retirement

1 system for such service, may establish credit for such  
2 employment by making the contributions required in this  
3 Section.

4 (g) Any employee who executed a waiver of membership within  
5 60 days prior to January 1, 1944 may, at any time while in the  
6 service of a department, file with the board a rescission of  
7 such waiver. Upon making the contributions required by this  
8 Section, the member shall be granted the creditable service  
9 that would have been received if the waiver had not been  
10 executed.

11 (h) Until May 1, 1990, an employee who was employed on a  
12 full-time basis by a regional planning commission for at least  
13 5 continuous years may establish creditable service for such  
14 employment by making the contributions required under this  
15 Section, provided that any credits earned by the employee in  
16 the commission's retirement plan have been terminated.

17 (i) Any person who rendered full time contractual services  
18 to the General Assembly as a member of a legislative staff may  
19 establish service credit for up to 8 years of such services by  
20 making the contributions required under this Section, provided  
21 that application therefor is made not later than July 1, 1991.

22 (j) By paying the contributions otherwise required under  
23 this Section, plus an amount determined by the Board to be  
24 equal to the employer's normal cost of the benefit plus  
25 interest, but with all of the interest calculated from the date  
26 the employee last became a member of the System or November 19,

1 1991, whichever is later, to the date of payment, an employee  
2 may establish service credit for a period of up to 4 years  
3 spent in active military service for which he does not qualify  
4 for credit under Section 14-105, provided that (1) he was not  
5 dishonorably discharged from such military service, and (2) the  
6 amount of service credit established by a member under this  
7 subsection (j), when added to the amount of military service  
8 credit granted to the member under subsection (b) of Section  
9 14-105, shall not exceed 5 years. The change in the manner of  
10 calculating interest under this subsection (j) made by this  
11 amendatory Act of the 92nd General Assembly applies to credit  
12 purchased by an employee on or after its effective date and  
13 does not entitle any person to a refund of contributions or  
14 interest already paid. In compliance with Section 14-152.1 of  
15 this Act concerning new benefit increases, any new benefit  
16 increase as a result of the changes to this subsection (j) made  
17 by Public Act 95-483 is funded through the employee  
18 contributions provided for in this subsection (j). Any new  
19 benefit increase as a result of the changes made to this  
20 subsection (j) by Public Act 95-483 is exempt from the  
21 provisions of subsection (d) of Section 14-152.1.

22 (k) An employee who was employed on a full-time basis by  
23 the Illinois State's Attorneys Association Statewide Appellate  
24 Assistance Service LEAA-ILEC grant project prior to the time  
25 that project became the State's Attorneys Appellate Service  
26 Commission, now the Office of the State's Attorneys Appellate

1 Prosecutor, an agency of State government, may establish  
2 creditable service for not more than 60 months service for such  
3 employment by making contributions required under this  
4 Section.

5 (1) By paying the contributions otherwise required under  
6 this Section, plus an amount determined by the Board to be  
7 equal to the employer's normal cost of the benefit plus  
8 interest, a member may establish service credit for periods of  
9 less than one year spent on authorized leave of absence from  
10 service, provided that (1) the period of leave began on or  
11 after January 1, 1982 and (2) any credit established by the  
12 member for the period of leave in any other public employee  
13 retirement system has been terminated. A member may establish  
14 service credit under this subsection for more than one period  
15 of authorized leave, and in that case the total period of  
16 service credit established by the member under this subsection  
17 may exceed one year. In determining the contributions required  
18 for establishing service credit under this subsection, the  
19 interest shall be calculated from the beginning of the leave of  
20 absence to the date of payment.

21 (1-5) By paying the contributions otherwise required under  
22 this Section, plus an amount determined by the Board to be  
23 equal to the employer's normal cost of the benefit plus  
24 interest, a member may establish service credit for periods of  
25 up to 2 years spent on authorized leave of absence from  
26 service, provided that during that leave the member represented

1 or was employed as an officer or employee of a statewide labor  
2 organization that represents members of this System. In  
3 determining the contributions required for establishing  
4 service credit under this subsection, the interest shall be  
5 calculated from the beginning of the leave of absence to the  
6 date of payment.

7 (m) Any person who rendered contractual services to a  
8 member of the General Assembly as a worker in the member's  
9 district office may establish creditable service for up to 3  
10 years of those contractual services by making the contributions  
11 required under this Section. The System shall determine a  
12 full-time salary equivalent for the purpose of calculating the  
13 required contribution. To establish credit under this  
14 subsection, the applicant must apply to the System by March 1,  
15 1998.

16 (n) Any person who rendered contractual services to a  
17 member of the General Assembly as a worker providing  
18 constituent services to persons in the member's district may  
19 establish creditable service for up to 8 years of those  
20 contractual services by making the contributions required  
21 under this Section. The System shall determine a full-time  
22 salary equivalent for the purpose of calculating the required  
23 contribution. To establish credit under this subsection, the  
24 applicant must apply to the System by March 1, 1998.

25 (o) A member who participated in the Illinois Legislative  
26 Staff Internship Program may establish creditable service for

1 up to one year of that participation by making the contribution  
2 required under this Section. The System shall determine a  
3 full-time salary equivalent for the purpose of calculating the  
4 required contribution. Credit may not be established under this  
5 subsection for any period for which service credit is  
6 established under any other provision of this Code.

7 (p) By paying the contributions otherwise required under  
8 this Section, plus an amount determined by the Board to be  
9 equal to the employer's normal cost of the benefit plus  
10 interest, a member may establish service credit for a period of  
11 up to 8 years during which he or she was employed by the  
12 Visually Handicapped Managers of Illinois in a vending program  
13 operated under a contractual agreement with the Department of  
14 Rehabilitation Services or its successor agency.

15 This subsection (p) applies without regard to whether the  
16 person was in service on or after the effective date of this  
17 amendatory Act of the 94th General Assembly. In the case of a  
18 person who is receiving a retirement annuity on that effective  
19 date, the increase, if any, shall begin to accrue on the first  
20 annuity payment date following receipt by the System of the  
21 contributions required under this subsection (p).

22 (q) By paying the required contributions under this  
23 Section, plus an amount determined by the Board to be equal to  
24 the employer's normal cost of the benefit plus interest, an  
25 employee who was laid off but returned to State employment  
26 under circumstances in which the employee is considered to have



1     been in continuous service for purposes of determining  
2     seniority may establish creditable service for the period of  
3     the layoff, provided that (1) the applicant applies for the  
4     creditable service under this subsection (q) within 6 months  
5     after the effective date of this amendatory Act of the 94th  
6     General Assembly, (2) the applicant does not receive credit for  
7     that period under any other provision of this Code, (3) at the  
8     time of the layoff, the applicant is not in an initial  
9     probationary status consistent with the rules of the Department  
10    of Central Management Services, and (4) the total amount of  
11    creditable service established by the applicant under this  
12    subsection (q) does not exceed 3 years. For service established  
13    under this subsection (q), the required employee contribution  
14    shall be based on the rate of compensation earned by the  
15    employee on the date of returning to employment after the  
16    layoff and the contribution rate then in effect, and the  
17    required interest shall be calculated from the date of  
18    returning to employment after the layoff to the date of  
19    payment.

20       (r) A member who participated in the University of Illinois  
21    Government Public Service Internship Program (GPSI) may  
22    establish creditable service for up to 2 years of that  
23    participation by making the contribution required under this  
24    Section, plus an amount determined by the Board to be equal to  
25    the employer's normal cost of the benefit plus interest. The  
26    System shall determine a full-time salary equivalent for the

1 purpose of calculating the required contribution. Credit may  
2 not be established under this subsection for any period for  
3 which service credit is established under any other provision  
4 of this Code.

5 (s) A member who worked as a nurse under a contractual  
6 agreement for the Department of Public Aid, or its successor  
7 agency, the Department of Human Services, in the Client  
8 Assessment Unit and was subsequently determined to be a State  
9 employee by the United States Internal Revenue Service and the  
10 Illinois Labor Relations Board may establish creditable  
11 service for those contractual services by making the  
12 contributions required under this Section. To establish credit  
13 under this subsection, the applicant must apply to the System  
14 by July 1, 2008.

15 The Department of Human Services shall pay an employer  
16 contribution based upon an amount determined by the Board to be  
17 equal to the employer's normal cost of the benefit, plus  
18 interest.

19 In compliance with Section 14-152.1 added by Public Act  
20 94-4, the cost of the benefits provided by Public Act 95-583  
21 are offset by the required employee and employer contributions.

22 (t) Any person who rendered contractual services on a  
23 full-time basis to the Illinois Institute of Natural Resources  
24 and the Illinois Department of Energy and Natural Resources may  
25 establish creditable service for up to 4 years of those  
26 contractual services by making the contributions required

1 under this Section, plus an amount determined by the Board to  
2 be equal to the employer's normal cost of the benefit plus  
3 interest at the actuarially assumed rate from the first day of  
4 the service for which credit is being established to the date  
5 of payment. To establish credit under this subsection (t), the  
6 applicant must apply to the System within 6 months after August  
7 28, 2009 (the effective date of Public Act 96-775) ~~this~~  
8 ~~amendatory Act of the 96th General Assembly.~~

9 (u) ~~(t)~~ A member may establish creditable service and  
10 earnings credit for a period of voluntary or involuntary  
11 furlough, not exceeding 5 days, beginning on or after July 1,  
12 2008 and ending on or before June 30, 2009, that is utilized as  
13 a means of addressing a State fiscal emergency. To receive this  
14 credit, the member must apply in writing to the System before  
15 July 1, 2012, and make contributions required under this  
16 Section, plus an amount determined by the Board to be equal to  
17 the employer's normal cost of the benefit, plus interest at the  
18 actuarially assumed rate.

19 A member may establish creditable service and earnings  
20 credit for a period of voluntary or involuntary furlough, not  
21 exceeding 24 days, beginning on or after July 1, 2009 and  
22 ending on or before June 30, 2011, that is utilized as a means  
23 of addressing a State fiscal emergency. To receive this credit,  
24 the member must, before December 31, 2011, (i) apply in writing  
25 to the System and (ii) make the contributions required under  
26 this Section, plus an amount determined by the Board to be

1 equal to the employer's normal cost of the benefit, plus  
2 interest at the actuarially assumed rate.

3 (v) ~~(t)~~ Any member who rendered full-time contractual  
4 services to an Illinois Veterans Home operated by the  
5 Department of Veterans' Affairs may establish service credit  
6 for up to 8 years of such services by making the contributions  
7 required under this Section, plus an amount determined by the  
8 Board to be equal to the employer's normal cost of the benefit,  
9 plus interest at the actuarially assumed rate. To establish  
10 credit under this subsection, the applicant must apply to the  
11 System no later than 6 months after July 27, 2009 (the  
12 effective date of Public Act 96-97) ~~this amendatory Act of the~~  
13 ~~96th General Assembly.~~

14 (Source: P.A. 95-483, eff. 8-28-07; 95-583, eff. 8-31-07;  
15 95-652, eff. 10-11-07; 95-876, eff. 8-21-08; 96-97, eff.  
16 7-27-09; 96-718, eff. 8-25-09; 96-775, eff. 8-28-09; revised  
17 9-9-09.)

18 (40 ILCS 5/15-113.11 new)

19 Sec. 15-113.11. Service for periods of voluntary or  
20 involuntary furlough. A participant may establish creditable  
21 service and earnings credit for periods of furlough beginning  
22 on or after July 1, 2009 and ending on or before June 30, 2011.  
23 To receive this credit, the participant must (i) apply in  
24 writing to the System before December 31, 2011; (ii) not  
25 receive compensation from an employer for any furlough period;

1 and (iii) make employee contributions required under Section  
2 15-157 based on the rate of basic compensation during the  
3 periods of furlough, plus an amount determined by the Board to  
4 be equal to the employer's normal cost of the benefit, plus  
5 compounded interest at the actuarially assumed rate from the  
6 date of voluntary or involuntary furlough to the date of  
7 payment. The participant shall provide, at the time of  
8 application, written certification from the employer providing  
9 the total number of furlough days a participant has been  
10 required to take.

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