

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 5-234 and by adding Section 6-229 as follows:

6 (40 ILCS 5/5-234) (from Ch. 108 1/2, par. 5-234)

7 Sec. 5-234. Transfer of credits.

8 (a) Any police officer who has at least 10 years of  
9 creditable service in the Fund may transfer to this Fund  
10 credits and creditable service accumulated under any other  
11 pension fund or retirement system established under Article 8  
12 or 12 of this Code, by making application and paying to the  
13 Fund before January 1, 1990 the amount by which the employee  
14 contributions that would have been required if he had  
15 participated in this Fund during the period for which credit is  
16 being transferred, plus interest, exceeds the amount actually  
17 transferred from such other fund or system to this Fund under  
18 item (1) of Section 8-226.5 or item (1) of Section 12-127.5.

19 (b) Any police officer who has at least 10 years of  
20 creditable service in the Fund may transfer to this Fund up to  
21 48 months of creditable service accumulated under Article 9 of  
22 this Code as a correctional officer with the county department  
23 of corrections prior to January 1, 1994, by making application

1 to the Fund within 6 months after the effective date of this  
2 amendatory Act of the 96th General Assembly and by paying to  
3 the Fund an amount to be determined by the Board, equal to (i)  
4 the difference between the amount of employee and employer  
5 contributions transferred to the Fund under Section 9-121.17  
6 and the amounts that would have been contributed had such  
7 contributions been made at the rates applicable to members of  
8 this Fund, plus (ii) interest thereon at the actuarially  
9 assumed rate for each year, compounded annually, from the date  
10 of service to the date of payment.

11 (c) A policeman may transfer to this Fund up to 10 years of  
12 credits and creditable service accumulated under the pension  
13 fund established under Article 6 of this Code, by making  
14 written application to the Fund within 6 months after the  
15 effective date of this amendatory Act of the 96th General  
16 Assembly. For the transfer to be effective, the policeman must  
17 pay to the Fund before withdrawal from service the amount, if  
18 any, by which the employee contributions that would have been  
19 required if he or she had participated in this Fund during the  
20 period for which credit is being transferred, plus interest,  
21 exceeds the amount actually transferred from the Article 6 fund  
22 to this Fund under Section 6-229.

23 (Source: P.A. 96-727, eff. 8-25-09.)

24 (40 ILCS 5/6-229 new)

25 Sec. 6-229. Transfer of creditable service to Article 5

1 fund.

2 (a) Any policeman, as defined in Section 5-109 of this  
3 Code, who is a participant in the pension fund established  
4 under Article 5 of this Code may apply for transfer of up to 10  
5 years of his or her credits and creditable service accumulated  
6 in this Fund to that Article 5 fund, if he or she applies to  
7 transfer those credits and creditable service within 6 months  
8 of the effective date of this amendatory Act of the 96th  
9 General Assembly. Such creditable service shall be transferred  
10 forthwith. Payment by this Fund to the Article 5 fund shall be  
11 made at the same time and shall consist of:

12 (1) the amounts accumulated to the credit of the  
13 applicant, including interest, on the books of the Fund on  
14 the date of transfer, but excluding any additional or  
15 optional credits, which credits shall be refunded to the  
16 applicant; and

17 (2) municipality credits computed and credited under  
18 this Article, including interest, on the books of the Fund  
19 on the date the member terminated service under the Fund.

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

22 (b) Any such elected policeman may reinstate credits and  
23 creditable service terminated upon receipt of a separation  
24 benefit, by payment to the Fund of the amount of the separation  
25 benefit plus interest thereon to the date of payment.

1 Section 90. The State Mandates Act is amended by adding  
2 Section 8.34 as follows:

3 (30 ILCS 805/8.34 new)

4 Sec. 8.34. Exempt mandate. Notwithstanding Sections 6 and 8  
5 of this Act, no reimbursement by the State is required for the  
6 implementation of any mandate created by this amendatory Act of  
7 the 96th General Assembly.

8 Section 99. Effective date. This Act takes effect upon  
9 becoming law.