



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

SB2808

Introduced 1/28/2010, by Sen. Don Harmon

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/14-110 from Ch. 108 1/2, par. 14-110  
40 ILCS 5/14-131.1 new  
40 ILCS 5/14-152.2

Amends the State Employee Article of the Illinois Pension Code. Provides the alternative (State police) retirement formula for certain tollway employees, automotive mechanics, mechanic/autobody technicians, automotive attendants, sign hangers, and sign hanger foremen. In provisions concerning the alternative retirement formula, makes changes to reflect obsolete job designations of the Illinois State Toll Highway Authority. Requires the Illinois State Toll Highway Authority to make contributions to the System of amounts that will be sufficient to meet the cost of any additional liability created by the amendatory Act for its employees. Includes language in compliance with the new benefit increase provisions. Effective immediately.

LRB096 18972 AMC 34360 b

FISCAL NOTE ACT  
MAY APPLY

PENSION IMPACT  
NOTE ACT MAY  
APPLY

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 14-110 and 14-152.2 and adding Section 14-131.1 as  
6 follows:

7 (40 ILCS 5/14-110) (from Ch. 108 1/2, par. 14-110)

8 Sec. 14-110. Alternative retirement annuity.

9 (a) Any member who has withdrawn from service with not less  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11 age 55, and any member who has withdrawn from service with not  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

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

1 to and including 20 years of creditable service, and 2 3/4%  
2 for each year of creditable service above 20 years; and

3 (ii) for periods of eligible creditable service as a  
4 covered employee: if retirement occurs on or after January  
5 1, 2001, 2.5% of final average compensation for each year  
6 of creditable service; if retirement occurs before January  
7 1, 2001, 1.67% of final average compensation for each of  
8 the first 10 years of such service, 1.90% for each of the  
9 next 10 years of such service, 2.10% for each year of such  
10 service in excess of 20 but not exceeding 30, and 2.30% for  
11 each year in excess of 30.

12 Such annuity shall be subject to a maximum of 75% of final  
13 average compensation if retirement occurs before January 1,  
14 2001 or to a maximum of 80% of final average compensation if  
15 retirement occurs on or after January 1, 2001.

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

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

24 (1) State policeman;

25 (2) fire fighter in the fire protection service of a  
26 department;

- 1 (3) air pilot;
- 2 (4) special agent;
- 3 (5) investigator for the Secretary of State;
- 4 (6) conservation police officer;
- 5 (7) investigator for the Department of Revenue or the
- 6 Illinois Gaming Board;
- 7 (8) security employee of the Department of Human
- 8 Services;
- 9 (9) Central Management Services security police
- 10 officer;
- 11 (10) security employee of the Department of
- 12 Corrections or the Department of Juvenile Justice;
- 13 (11) dangerous drugs investigator;
- 14 (12) investigator for the Department of State Police;
- 15 (13) investigator for the Office of the Attorney
- 16 General;
- 17 (14) controlled substance inspector;
- 18 (15) investigator for the Office of the State's
- 19 Attorneys Appellate Prosecutor;
- 20 (16) Commerce Commission police officer;
- 21 (17) arson investigator;
- 22 (18) State highway maintenance worker;
- 23 (19) tollway employee;
- 24 (20) automotive mechanic;
- 25 (21) mechanic/autobody technician;
- 26 (22) automotive attendant.

1           A person employed in one of the positions specified in this  
2 subsection is entitled to eligible creditable service for  
3 service credit earned under this Article while undergoing the  
4 basic police training course approved by the Illinois Law  
5 Enforcement Training Standards Board, if completion of that  
6 training is required of persons serving in that position. For  
7 the purposes of this Code, service during the required basic  
8 police training course shall be deemed performance of the  
9 duties of the specified position, even though the person is not  
10 a sworn peace officer at the time of the training.

11           (c) For the purposes of this Section:

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

15           (2) The term "fire fighter in the fire protection  
16 service of a department" includes all officers in such fire  
17 protection service including fire chiefs and assistant  
18 fire chiefs.

19           (3) The term "air pilot" includes any employee whose  
20 official job description on file in the Department of  
21 Central Management Services, or in the department by which  
22 he is employed if that department is not covered by the  
23 Personnel Code, states that his principal duty is the  
24 operation of aircraft, and who possesses a pilot's license;  
25 however, the change in this definition made by this  
26 amendatory Act of 1983 shall not operate to exclude any

1 noncovered employee who was an "air pilot" for the purposes  
2 of this Section on January 1, 1984.

3 (4) The term "special agent" means any person who by  
4 reason of employment by the Division of Narcotic Control,  
5 the Bureau of Investigation or, after July 1, 1977, the  
6 Division of Criminal Investigation, the Division of  
7 Internal Investigation, the Division of Operations, or any  
8 other Division or organizational entity in the Department  
9 of State Police is vested by law with duties to maintain  
10 public order, investigate violations of the criminal law of  
11 this State, enforce the laws of this State, make arrests  
12 and recover property. The term "special agent" includes any  
13 title or position in the Department of State Police that is  
14 held by an individual employed under the State Police Act.

15 (5) The term "investigator for the Secretary of State"  
16 means any person employed by the Office of the Secretary of  
17 State and vested with such investigative duties as render  
18 him ineligible for coverage under the Social Security Act  
19 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and  
20 218(1)(1) of that Act.

21 A person who became employed as an investigator for the  
22 Secretary of State between January 1, 1967 and December 31,  
23 1975, and who has served as such until attainment of age  
24 60, either continuously or with a single break in service  
25 of not more than 3 years duration, which break terminated  
26 before January 1, 1976, shall be entitled to have his

1 retirement annuity calculated in accordance with  
2 subsection (a), notwithstanding that he has less than 20  
3 years of credit for such service.

4 (6) The term "Conservation Police Officer" means any  
5 person employed by the Division of Law Enforcement of the  
6 Department of Natural Resources and vested with such law  
7 enforcement duties as render him ineligible for coverage  
8 under the Social Security Act by reason of Sections  
9 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The  
10 term "Conservation Police Officer" includes the positions  
11 of Chief Conservation Police Administrator and Assistant  
12 Conservation Police Administrator.

13 (7) The term "investigator for the Department of  
14 Revenue" means any person employed by the Department of  
15 Revenue and vested with such investigative duties as render  
16 him ineligible for coverage under the Social Security Act  
17 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and  
18 218(1)(1) of that Act.

19 The term "investigator for the Illinois Gaming Board"  
20 means any person employed as such by the Illinois Gaming  
21 Board and vested with such peace officer duties as render  
22 the person ineligible for coverage under the Social  
23 Security Act by reason of Sections 218(d)(5)(A),  
24 218(d)(8)(D), and 218(1)(1) of that Act.

25 (8) The term "security employee of the Department of  
26 Human Services" means any person employed by the Department

1 of Human Services who (i) is employed at the Chester Mental  
2 Health Center and has daily contact with the residents  
3 thereof, (ii) is employed within a security unit at a  
4 facility operated by the Department and has daily contact  
5 with the residents of the security unit, (iii) is employed  
6 at a facility operated by the Department that includes a  
7 security unit and is regularly scheduled to work at least  
8 50% of his or her working hours within that security unit,  
9 or (iv) is a mental health police officer. "Mental health  
10 police officer" means any person employed by the Department  
11 of Human Services in a position pertaining to the  
12 Department's mental health and developmental disabilities  
13 functions who is vested with such law enforcement duties as  
14 render the person ineligible for coverage under the Social  
15 Security Act by reason of Sections 218(d)(5)(A),  
16 218(d)(8)(D) and 218(1)(1) of that Act. "Security unit"  
17 means that portion of a facility that is devoted to the  
18 care, containment, and treatment of persons committed to  
19 the Department of Human Services as sexually violent  
20 persons, persons unfit to stand trial, or persons not  
21 guilty by reason of insanity. With respect to past  
22 employment, references to the Department of Human Services  
23 include its predecessor, the Department of Mental Health  
24 and Developmental Disabilities.

25 The changes made to this subdivision (c)(8) by Public  
26 Act 92-14 apply to persons who retire on or after January



1 1, 2001, notwithstanding Section 1-103.1.

2 (9) "Central Management Services security police  
3 officer" means any person employed by the Department of  
4 Central Management Services who is vested with such law  
5 enforcement duties as render him ineligible for coverage  
6 under the Social Security Act by reason of Sections  
7 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act.

8 (10) For a member who first became an employee under  
9 this Article before July 1, 2005, the term "security  
10 employee of the Department of Corrections or the Department  
11 of Juvenile Justice" means any employee of the Department  
12 of Corrections or the Department of Juvenile Justice or the  
13 former Department of Personnel, and any member or employee  
14 of the Prisoner Review Board, who has daily contact with  
15 inmates or youth by working within a correctional facility  
16 or Juvenile facility operated by the Department of Juvenile  
17 Justice or who is a parole officer or an employee who has  
18 direct contact with committed persons in the performance of  
19 his or her job duties. For a member who first becomes an  
20 employee under this Article on or after July 1, 2005, the  
21 term means an employee of the Department of Corrections or  
22 the Department of Juvenile Justice who is any of the  
23 following: (i) officially headquartered at a correctional  
24 facility or Juvenile facility operated by the Department of  
25 Juvenile Justice, (ii) a parole officer, (iii) a member of  
26 the apprehension unit, (iv) a member of the intelligence

1 unit, (v) a member of the sort team, or (vi) an  
2 investigator.

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

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

13 (13) "Investigator for the Office of the Attorney  
14 General" means any person who is employed as such by the  
15 Office of the Attorney General and is vested with such  
16 investigative 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. For  
19 the period before January 1, 1989, the term includes all  
20 persons who were employed as investigators by the Office of  
21 the Attorney General, without regard to social security  
22 status.

23 (14) "Controlled substance inspector" means any person  
24 who is employed as such by the Department of Professional  
25 Regulation and is vested with such law enforcement duties  
26 as render him 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. The term  
3 "controlled substance inspector" includes the Program  
4 Executive of Enforcement and the Assistant Program  
5 Executive of Enforcement.

6 (15) The term "investigator for the Office of the  
7 State's Attorneys Appellate Prosecutor" means a person  
8 employed in that capacity on a full time basis under the  
9 authority of Section 7.06 of the State's Attorneys  
10 Appellate Prosecutor's Act.

11 (16) "Commerce Commission police officer" means any  
12 person employed by the Illinois Commerce Commission who is  
13 vested with such law enforcement duties as render him  
14 ineligible for coverage under the Social Security Act by  
15 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and  
16 218(1)(1) of that Act.

17 (17) "Arson investigator" means any person who is  
18 employed as such by the Office of the State Fire Marshal  
19 and is vested with such law enforcement duties as render  
20 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. A person who was  
23 employed as an arson investigator on January 1, 1995 and is  
24 no longer in service but not yet receiving a retirement  
25 annuity may convert his or her creditable service for  
26 employment as an arson investigator into eligible

1           creditable service by paying to the System the difference  
2           between the employee contributions actually paid for that  
3           service and the amounts that would have been contributed if  
4           the applicant were contributing at the rate applicable to  
5           persons with the same social security status earning  
6           eligible creditable service on the date of application.

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

9                   (i) A person employed on a full-time basis by the  
10                   Illinois Department of Transportation in the position  
11                   of highway maintainer, highway maintenance lead  
12                   worker, highway maintenance lead/lead worker, heavy  
13                   construction equipment operator, power shovel  
14                   operator, sign hanger, sign hanger foreman, or bridge  
15                   mechanic; and whose principal responsibility is to  
16                   perform, on the roadway, the actual maintenance  
17                   necessary to keep the highways that form a part of the  
18                   State highway system in serviceable condition for  
19                   vehicular traffic.

20                   (ii) A person employed on a full-time basis by the  
21                   Illinois State Toll Highway Authority in the position  
22                   of equipment operator/laborer, equipment  
23                   operator/laborer H-4, equipment operator/laborer H-6,  
24                   welder, welder H-4, welder H-6, mechanical/electrical,  
25                   mechanical/electrical H-4, mechanical/electrical H-6,  
26                   water/sewer, water/sewer H-4, water/sewer H-6, sign

1           maker/hanger, sign maker/hanger H-4, sign maker/hanger  
2           H-6, roadway lighting, roadway lighting H-4, roadway  
3           lighting H-6, structural, structural H-4, structural  
4           H-6, painter, painter H-4, or painter H-6; and whose  
5           principal responsibility is to perform, on the  
6           roadway, the actual maintenance necessary to keep the  
7           Authority's tollways in serviceable condition for  
8           vehicular traffic.

9           (19) The term "tollway employee" means a person  
10          employed by the Illinois State Toll Highway Authority as a  
11          lane walker, senior lane walker, toll collector, senior  
12          toll collector, money room truck driver, custodian II,  
13          custodian III, custodian supervisor, custodian manager,  
14          maintenance manager, maintenance supervisor, plaza  
15          manager, plaza supervisor, sign shop manager, sign shop  
16          supervisor, building maintenance manager, or roadway  
17          electric manager.

18          (20) The term "automotive mechanic" means a person  
19          employed as such on a full-time basis by the Illinois  
20          Department of Transportation, Department of Central  
21          Management Services, Illinois Department of Agriculture,  
22          or Illinois State Toll Highway Authority and who is  
23          assigned to retrieve or repair State vehicles on State  
24          highways or tollways.

25          (21) The term "mechanic/autobody technician" means a  
26          person who is employed as such on a full-time basis by the

1 Illinois State Toll Highway Authority and who is assigned  
2 to retrieve or repair State vehicles on State highways or  
3 tollways.

4 (22) The term "automotive attendant" means a person who  
5 is employed as such on a full-time basis by the Illinois  
6 State Toll Highway Authority and who is assigned to  
7 retrieve or repair State vehicles on State highways or  
8 tollways.

9 (d) A security employee of the Department of Corrections or  
10 the Department of Juvenile Justice, and a security employee of  
11 the Department of Human Services who is not a mental health  
12 police officer, shall not be eligible for the alternative  
13 retirement annuity provided by this Section unless he or she  
14 meets the following minimum age and service requirements at the  
15 time of retirement:

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

17 or

18 (ii) beginning January 1, 1987, 25 years of eligible  
19 creditable service and age 54, or 24 years of eligible  
20 creditable service and age 55; or

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

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

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

4           (vi) beginning January 1, 1991, 25 years of eligible  
5           creditable service and age 50, or 20 years of eligible  
6           creditable service and age 55.

7           Persons who have service credit under Article 16 of this  
8           Code for service as a security employee of the Department of  
9           Corrections or the Department of Juvenile Justice, or the  
10          Department of Human Services in a position requiring  
11          certification as a teacher may count such service toward  
12          establishing their eligibility under the service requirements  
13          of this Section; but such service may be used only for  
14          establishing such eligibility, and not for the purpose of  
15          increasing or calculating any benefit.

16          (e) If a member enters military service while working in a  
17          position in which eligible creditable service may be earned,  
18          and returns to State service in the same or another such  
19          position, and fulfills in all other respects the conditions  
20          prescribed in this Article for credit for military service,  
21          such military service shall be credited as eligible creditable  
22          service for the purposes of the retirement annuity prescribed  
23          in this Section.

24          (f) For purposes of calculating retirement annuities under  
25          this Section, periods of service rendered after December 31,  
26          1968 and before October 1, 1975 as a covered employee in the

1 position of special agent, conservation police officer, mental  
2 health police officer, or investigator for the Secretary of  
3 State, shall be deemed to have been service as a noncovered  
4 employee, provided that the employee pays to the System prior  
5 to retirement an amount equal to (1) the difference between the  
6 employee contributions that would have been required for such  
7 service as a noncovered employee, and the amount of employee  
8 contributions actually paid, plus (2) if payment is made after  
9 July 31, 1987, regular interest on the amount specified in item  
10 (1) from the date of service to the date of payment.

11 For purposes of calculating retirement annuities under  
12 this Section, periods of service rendered after December 31,  
13 1968 and before January 1, 1982 as a covered employee in the  
14 position of investigator for the Department of Revenue shall be  
15 deemed to have been service as a noncovered employee, provided  
16 that the employee pays to the System prior to retirement an  
17 amount equal to (1) the difference between the employee  
18 contributions that would have been required for such service as  
19 a noncovered employee, and the amount of employee contributions  
20 actually paid, plus (2) if payment is made after January 1,  
21 1990, regular interest on the amount specified in item (1) from  
22 the date of service to the date of payment.

23 (g) A State policeman may elect, not later than January 1,  
24 1990, to establish eligible creditable service for up to 10  
25 years of his service as a policeman under Article 3, by filing  
26 a written election with the Board, accompanied by payment of an



1 amount to be determined by the Board, equal to (i) the  
2 difference between the amount of employee and employer  
3 contributions transferred to the System under Section 3-110.5,  
4 and the amounts that would have been contributed had such  
5 contributions been made at the rates applicable to State  
6 policemen, plus (ii) interest thereon at the effective rate for  
7 each year, compounded annually, from the date of service to the  
8 date of payment.

9 Subject to the limitation in subsection (i), a State  
10 policeman may elect, not later than July 1, 1993, to establish  
11 eligible creditable service for up to 10 years of his service  
12 as a member of the County Police Department under Article 9, by  
13 filing a written election with the Board, accompanied by  
14 payment of an amount to be determined by the Board, equal to  
15 (i) the difference between the amount of employee and employer  
16 contributions transferred to the System under Section 9-121.10  
17 and the amounts that would have been contributed had those  
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 (h) Subject to the limitation in subsection (i), a State  
23 policeman or investigator for the Secretary of State may elect  
24 to establish eligible creditable service for up to 12 years of  
25 his service as a policeman under Article 5, by filing a written  
26 election with the Board on or before January 31, 1992, and

1 paying to the System by January 31, 1994 an amount to be  
2 determined by the Board, equal to (i) the difference between  
3 the amount of employee and employer contributions transferred  
4 to the System under Section 5-236, and the amounts that would  
5 have been contributed had such contributions been made at the  
6 rates applicable to State policemen, plus (ii) interest thereon  
7 at the effective rate for each year, compounded annually, from  
8 the date of service to the date of payment.

9 Subject to the limitation in subsection (i), a State  
10 policeman, conservation police officer, or investigator for  
11 the Secretary of State may elect to establish eligible  
12 creditable service for up to 10 years of service as a sheriff's  
13 law enforcement employee under Article 7, by filing a written  
14 election with the Board on or before January 31, 1993, and  
15 paying to the System by January 31, 1994 an amount to be  
16 determined by the Board, equal to (i) the difference between  
17 the amount of employee and employer contributions transferred  
18 to the System under Section 7-139.7, and the amounts that would  
19 have been contributed had such contributions been made at the  
20 rates applicable to State policemen, plus (ii) interest thereon  
21 at the effective rate for each year, compounded annually, from  
22 the date of service to the date of payment.

23 Subject to the limitation in subsection (i), a State  
24 policeman, conservation police officer, or investigator for  
25 the Secretary of State may elect to establish eligible  
26 creditable service for up to 5 years of service as a police

1 officer under Article 3, a policeman under Article 5, a  
2 sheriff's law enforcement employee under Article 7, a member of  
3 the county police department under Article 9, or a police  
4 officer under Article 15 by filing a written election with the  
5 Board and paying to the System an amount to be determined by  
6 the Board, equal to (i) the difference between the amount of  
7 employee and employer contributions transferred to the System  
8 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4  
9 and the amounts that would have been contributed had such  
10 contributions been made at the rates applicable to State  
11 policemen, plus (ii) interest thereon at the effective rate for  
12 each year, compounded annually, from the date of service to the  
13 date of payment.

14 Subject to the limitation in subsection (i), an  
15 investigator for the Office of the Attorney General, or an  
16 investigator for the Department of Revenue, may elect to  
17 establish eligible creditable service for up to 5 years of  
18 service as a police officer under Article 3, a policeman under  
19 Article 5, a sheriff's law enforcement employee under Article  
20 7, or a member of the county police department under Article 9  
21 by filing a written election with the Board within 6 months  
22 after August 25, 2009 (the effective date of Public Act 96-745)  
23 ~~this amendatory Act of the 96th General Assembly~~ and paying to  
24 the System an amount to be determined by the Board, equal to  
25 (i) the difference between the amount of employee and employer  
26 contributions transferred to the System under Section 3-110.6,

1 5-236, 7-139.8, or 9-121.10 and the amounts that would have  
2 been contributed had such contributions been made at the rates  
3 applicable to State policemen, plus (ii) interest thereon at  
4 the actuarially assumed rate for each year, compounded  
5 annually, from the date of service to the date of payment.

6 Subject to the limitation in subsection (i), a State  
7 policeman, conservation police officer, investigator for the  
8 Office of the Attorney General, an investigator for the  
9 Department of Revenue, or investigator for the Secretary of  
10 State may elect to establish eligible creditable service for up  
11 to 5 years of service as a person employed by a participating  
12 municipality to perform police duties, or law enforcement  
13 officer employed on a full-time basis by a forest preserve  
14 district under Article 7, a county corrections officer, or a  
15 court services officer under Article 9, by filing a written  
16 election with the Board within 6 months after August 25, 2009  
17 (the effective date of Public Act 96-745) ~~this amendatory Act~~  
18 ~~of the 96th General Assembly~~ and paying to the System an amount  
19 to be determined by the Board, equal to (i) the difference  
20 between the amount of employee and employer contributions  
21 transferred to the System under Sections 7-139.8 and 9-121.10  
22 and the amounts that would have been contributed had such  
23 contributions been made at the rates applicable to State  
24 policemen, plus (ii) interest thereon at the actuarially  
25 assumed rate for each year, compounded annually, from the date  
26 of service to the date of payment.

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

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

19           (k) Subject to the limitation in subsection (i) of this  
20 Section, an alternative formula employee may elect to establish  
21 eligible creditable service for periods spent as a full-time  
22 law enforcement officer or full-time corrections officer  
23 employed by the federal government or by a state or local  
24 government located outside of Illinois, for which credit is not  
25 held in any other public employee pension fund or retirement  
26 system. To obtain this credit, the applicant must file a

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

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

1 the date of payment.

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

19 (n) A person employed in a position under subsection (b) of  
20 this Section who has purchased service credit under subsection  
21 (j) of Section 14-104 or subsection (b) of Section 14-105 in  
22 any other capacity under this Article may convert up to 5 years  
23 of that service credit into service credit covered under this  
24 Section by paying to the Fund an amount equal to (1) the  
25 additional employee contribution required under Section  
26 14-133, plus (2) the additional employer contribution required

1 under Section 14-131, plus (3) interest on items (1) and (2) at  
2 the actuarially assumed rate from the date of the service to  
3 the date of payment.

4 (Source: P.A. 95-530, eff. 8-28-07; 95-1036, eff. 2-17-09;  
5 96-37, eff. 7-13-09; 96-745, eff. 8-25-09; revised 10-1-09.)

6 (40 ILCS 5/14-131.1 new)

7 Sec. 14-131.1. Contributions by the Illinois State Toll  
8 Highway Authority. The Illinois State Toll Highway Authority  
9 must make contributions to the System of amounts that will be  
10 sufficient to meet the cost of any additional liability created  
11 by this amendatory Act of the 96th General Assembly for its  
12 employees. The Board shall determine the total amount of the  
13 contributions required on the basis of actuarial tables and  
14 other assumptions adopted by the Board and shall certify the  
15 amount of the required contributions to the Governor and the  
16 Illinois State Toll Highway Authority on or before November 15,  
17 2009. The contributions required under this Section may be  
18 amortized over a period of not more than 10 years as a level  
19 dollar amount in a manner consistent with rules adopted by the  
20 Board.

21 (40 ILCS 5/14-152.2)

22 Sec. 14-152.2. New benefit increases.

23 (a) The General Assembly finds and declares that the  
24 amendment to Section 14-104 made by this amendatory Act of the



1 95th General Assembly that allows members to establish  
2 creditable service for certain participation in the University  
3 of Illinois Government Public Service Internship Program  
4 (GPSI) constitutes a new benefit increase within the meaning of  
5 Section 14-152.1. Funding for this new benefit increase will be  
6 provided by additional employee contributions under subsection  
7 (r) of Section 14-104.

8 (b) The General Assembly finds and declares that the  
9 amendment to Section 14-110 made by this amendatory Act of the  
10 96th General Assembly that adds certain groups of employees to  
11 the alternative formula constitutes a new benefit increase  
12 within the meaning of Section 14-152.1. This new benefit  
13 increase will expire 5 years after the effective date of this  
14 amendatory Act. Funding for this new benefit increase will be  
15 provided by annual contributions from the Illinois State Toll  
16 Highway Authority (for employees of the Illinois State Toll  
17 Highway Authority), increased employee contributions and  
18 increased State contributions, beginning in FY 2010, per the  
19 funding plan contained in subsection (e) of Section 14-131.

20 (Source: P.A. 95-652, eff. 10-11-07.)

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