



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

SB3119

Introduced 2/19/2016, by Sen. Don Harmon

#### SYNOPSIS AS INTRODUCED:

20 ILCS 415/4d

from Ch. 127, par. 63b104d

40 ILCS 5/14-110

from Ch. 108 1/2, par. 14-110

730 ILCS 5/3-2.5-15

Amends the Personnel Code. Provides that all positions within the Department of Juvenile Justice that are required to have a bachelor's or advanced degree from an accredited college or university or, in the case of persons who provide vocational training, that are required to have adequate knowledge in the skill for which they are providing the vocational training are exempt from jurisdiction B. These provisions are inoperative after January 1, 2021. Amends the Unified Code of Corrections. Deletes a provision that provides that Department of Juvenile Justice personnel who are hired by the Department and who participate or assist in the rehabilitative and vocational training of delinquent youths, supervise the daily activities involving direct and continuing responsibility for the youth's security, welfare, and development, or participate in the personal rehabilitation of delinquent youth by training, supervising, and assisting lower level personnel who perform these duties must have a specialization in criminal justice, education, psychology, social work, or a closely related social science or 2 years of experience. Amends the Illinois Pension Code to make conforming changes. Effective immediately.

LRB099 19663 RLC 44060 b

FISCAL NOTE ACT  
MAY APPLY

PENSION IMPACT  
NOTE ACT MAY  
APPLY

1 AN ACT concerning the Department of Juvenile Justice.

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

4 Section 5. The Personnel Code is amended by changing  
5 Section 4d as follows:

6 (20 ILCS 415/4d) (from Ch. 127, par. 63b104d)

7 Sec. 4d. Partial exemptions. The following positions in  
8 State service are exempt from jurisdictions A, B, and C to the  
9 extent stated for each, unless those jurisdictions are extended  
10 as provided in this Act:

11 (1) In each department, board or commission that now  
12 maintains or may hereafter maintain a major administrative  
13 division, service or office in both Sangamon County and  
14 Cook County, 2 private secretaries for the director or  
15 chairman thereof, one located in the Cook County office and  
16 the other located in the Sangamon County office, shall be  
17 exempt from jurisdiction B; in all other departments,  
18 boards and commissions one private secretary for the  
19 director or chairman thereof shall be exempt from  
20 jurisdiction B. In all departments, boards and commissions  
21 one confidential assistant for the director or chairman  
22 thereof shall be exempt from jurisdiction B. This paragraph  
23 is subject to such modifications or waiver of the

1 exemptions as may be necessary to assure the continuity of  
2 federal contributions in those agencies supported in whole  
3 or in part by federal funds.

4 (2) The resident administrative head of each State  
5 charitable, penal and correctional institution, the  
6 chaplains thereof, and all member, patient and inmate  
7 employees are exempt from jurisdiction B.

8 (3) The Civil Service Commission, upon written  
9 recommendation of the Director of Central Management  
10 Services, shall exempt from jurisdiction B other positions  
11 which, in the judgment of the Commission, involve either  
12 principal administrative responsibility for the  
13 determination of policy or principal administrative  
14 responsibility for the way in which policies are carried  
15 out, except positions in agencies which receive federal  
16 funds if such exemption is inconsistent with federal  
17 requirements, and except positions in agencies supported  
18 in whole by federal funds.

19 (4) All beauticians and teachers of beauty culture and  
20 teachers of barbering, and all positions heretofore paid  
21 under Section 1.22 of "An Act to standardize position  
22 titles and salary rates", approved June 30, 1943, as  
23 amended, shall be exempt from jurisdiction B.

24 (5) Licensed attorneys in positions as legal or  
25 technical advisors; positions in the Department of Natural  
26 Resources requiring incumbents to be either a registered

1 professional engineer or to hold a bachelor's degree in  
2 engineering from a recognized college or university;  
3 licensed physicians in positions of medical administrator  
4 or physician or physician specialist (including  
5 psychiatrists); all positions within the Department of  
6 Juvenile Justice requiring licensure by the State Board of  
7 Education under Article 21B of the School Code; from the  
8 effective date of this amendatory Act of the 99th General  
9 Assembly until January 1, 2017, all positions within the  
10 Illinois School for the Deaf and the Illinois School for  
11 the Visually Impaired requiring licensure by the State  
12 Board of Education under Article 21B of the School Code;  
13 and registered nurses (except those registered nurses  
14 employed by the Department of Public Health); except those  
15 in positions in agencies which receive federal funds if  
16 such exemption is inconsistent with federal requirements  
17 and except those in positions in agencies supported in  
18 whole by federal funds, are exempt from jurisdiction B only  
19 to the extent that the requirements of Section 8b.1, 8b.3  
20 and 8b.5 of this Code need not be met.

21 (6) All positions established outside the geographical  
22 limits of the State of Illinois to which appointments of  
23 other than Illinois citizens may be made are exempt from  
24 jurisdiction B.

25 (7) Staff attorneys reporting directly to individual  
26 Commissioners of the Illinois Workers' Compensation

1 Commission are exempt from jurisdiction B.

2 (8) Twenty-one senior public service administrator  
3 positions within the Department of Healthcare and Family  
4 Services, as set forth in this paragraph (8), requiring the  
5 specific knowledge of healthcare administration,  
6 healthcare finance, healthcare data analytics, or  
7 information technology described are exempt from  
8 jurisdiction B only to the extent that the requirements of  
9 Sections 8b.1, 8b.3, and 8b.5 of this Code need not be met.  
10 The General Assembly finds that these positions are all  
11 senior policy makers and have spokesperson authority for  
12 the Director of the Department of Healthcare and Family  
13 Services. When filling positions so designated, the  
14 Director of Healthcare and Family Services shall cause a  
15 position description to be published which allots points to  
16 various qualifications desired. After scoring qualified  
17 applications, the Director shall add Veteran's Preference  
18 points as enumerated in Section 8b.7 of this Code. The  
19 following are the minimum qualifications for the senior  
20 public service administrator positions provided for in  
21 this paragraph (8):

22 (A) HEALTHCARE ADMINISTRATION.

23 Medical Director: Licensed Medical Doctor in  
24 good standing; experience in healthcare payment  
25 systems, pay for performance initiatives, medical  
26 necessity criteria or federal or State quality

1 improvement programs; preferred experience serving  
2 Medicaid patients or experience in population  
3 health programs with a large provider, health  
4 insurer, government agency, or research  
5 institution.

6 Chief, Bureau of Quality Management: Advanced  
7 degree in health policy or health professional  
8 field preferred; at least 3 years experience in  
9 implementing or managing healthcare quality  
10 improvement initiatives in a clinical setting.

11 Quality Management Bureau: Manager, Care  
12 Coordination/Managed Care Quality: Clinical degree  
13 or advanced degree in relevant field required;  
14 experience in the field of managed care quality  
15 improvement, with knowledge of HEDIS measurements,  
16 coding, and related data definitions.

17 Quality Management Bureau: Manager, Primary  
18 Care Provider Quality and Practice Development:  
19 Clinical degree or advanced degree in relevant  
20 field required; experience in practice  
21 administration in the primary care setting with a  
22 provider or a provider association or an  
23 accrediting body; knowledge of practice standards  
24 for medical homes and best evidence based  
25 standards of care for primary care.

26 Director of Care Coordination Contracts and

1 Compliance: Bachelor's degree required; multi-year  
2 experience in negotiating managed care contracts,  
3 preferably on behalf of a payer; experience with  
4 health care contract compliance.

5 Manager, Long Term Care Policy: Bachelor's  
6 degree required; social work, gerontology, or  
7 social service degree preferred; knowledge of  
8 Olmstead and other relevant court decisions  
9 required; experience working with diverse long  
10 term care populations and service systems, federal  
11 initiatives to create long term care community  
12 options, and home and community-based waiver  
13 services required. The General Assembly finds that  
14 this position is necessary for the timely and  
15 effective implementation of this amendatory Act of  
16 the 97th General Assembly.

17 Manager, Behavioral Health Programs: Clinical  
18 license or Advanced degree required, preferably in  
19 psychology, social work, or relevant field;  
20 knowledge of medical necessity criteria and  
21 governmental policies and regulations governing  
22 the provision of mental health services to  
23 Medicaid populations, including children and  
24 adults, in community and institutional settings of  
25 care. The General Assembly finds that this  
26 position is necessary for the timely and effective

1 implementation of this amendatory Act of the 97th  
2 General Assembly.

3 Manager, Office of Accountable Care Entity  
4 Development: Bachelor's degree required, clinical  
5 degree or advanced degree in relevant field  
6 preferred; experience in developing integrated  
7 delivery systems, including knowledge of health  
8 homes and evidence-based standards of care  
9 delivery; multi-year experience in health care or  
10 public health management; knowledge of federal ACO  
11 or other similar delivery system requirements and  
12 strategies for improving health care delivery.

13 Manager of Federal Regulatory Compliance:  
14 Bachelor's degree required, advanced degree  
15 preferred, in healthcare management or relevant  
16 field; experience in healthcare administration or  
17 Medicaid State Plan amendments preferred;  
18 experience interpreting federal rules; experience  
19 with either federal health care agency or with a  
20 State agency in working with federal regulations.

21 Manager, Office of Medical Project Management:  
22 Bachelor's degree required, project management  
23 certification preferred; multi-year experience in  
24 project management and developing business analyst  
25 skills; leadership skills to manage multiple and  
26 complex projects.



1           Manager of Medicare/Medicaid Coordination:  
2           Bachelor's degree required, knowledge and  
3           experience with Medicare Advantage rules and  
4           regulations, knowledge of Medicaid laws and  
5           policies; experience with contract drafting  
6           preferred.

7           Chief, Bureau of Eligibility Integrity:  
8           Bachelor's degree required, advanced degree in  
9           public administration or business administration  
10          preferred; experience equivalent to 4 years of  
11          administration in a public or business  
12          organization required; experience with managing  
13          contract compliance required; knowledge of  
14          Medicaid eligibility laws and policy preferred;  
15          supervisory experience preferred. The General  
16          Assembly finds that this position is necessary for  
17          the timely and effective implementation of this  
18          amendatory Act of the 97th General Assembly.

19          (B) HEALTHCARE FINANCE.

20          Director of Care Coordination Rate and  
21          Finance: MBA, CPA, or Actuarial degree required;  
22          experience in managed care rate setting,  
23          including, but not limited to, baseline costs and  
24          growth trends; knowledge and experience with  
25          Medical Loss Ratio standards and measurements.

26          Director of Encounter Data Program: Bachelor's

1 degree required, advanced degree preferred,  
2 preferably in health care, business, or  
3 information systems; at least 2 years healthcare  
4 or other similar data reporting experience,  
5 including, but not limited to, data definitions,  
6 submission, and editing; background in HIPAA  
7 transactions relevant to encounter data  
8 submission; experience with large provider, health  
9 insurer, government agency, or research  
10 institution or other knowledge of healthcare  
11 claims systems.

12 Manager of Medical Finance, Division of  
13 Finance: Requires relevant advanced degree or  
14 certification in relevant field, such as Certified  
15 Public Accountant; coursework in business or  
16 public administration, accounting, finance, data  
17 analysis, or statistics preferred; experience in  
18 control systems and GAAP; financial management  
19 experience in a healthcare or government entity  
20 utilizing Medicaid funding.

21 (C) HEALTHCARE DATA ANALYTICS.

22 Data Quality Assurance Manager: Bachelor's  
23 degree required, advanced degree preferred,  
24 preferably in business, information systems, or  
25 epidemiology; at least 3 years of extensive  
26 healthcare data reporting experience with a large

1 provider, health insurer, government agency, or  
2 research institution; previous data quality  
3 assurance role or formal data quality assurance  
4 training.

5 Data Analytics Unit Manager: Bachelor's degree  
6 required, advanced degree preferred, in  
7 information systems, applied mathematics, or  
8 another field with a strong analytics component;  
9 extensive healthcare data reporting experience  
10 with a large provider, health insurer, government  
11 agency, or research institution; experience as a  
12 business analyst interfacing between business and  
13 information technology departments; in-depth  
14 knowledge of health insurance coding and evolving  
15 healthcare quality metrics; working knowledge of  
16 SQL and/or SAS.

17 Data Analytics Platform Manager: Bachelor's  
18 degree required, advanced degree preferred,  
19 preferably in business or information systems;  
20 extensive healthcare data reporting experience  
21 with a large provider, health insurer, government  
22 agency, or research institution; previous  
23 experience working on a health insurance data  
24 analytics platform; experience managing contracts  
25 and vendors preferred.

26 (D) HEALTHCARE INFORMATION TECHNOLOGY.

1           Manager of MMIS Claims Unit: Bachelor's degree  
2           required, with preferred coursework in business,  
3           public administration, information systems;  
4           experience equivalent to 4 years of administration  
5           in a public or business organization; working  
6           knowledge with design and implementation of  
7           technical solutions to medical claims payment  
8           systems; extensive technical writing experience,  
9           including, but not limited to, the development of  
10          RFPs, APDs, feasibility studies, and related  
11          documents; thorough knowledge of IT system design,  
12          commercial off the shelf software packages and  
13          hardware components.

14          Assistant Bureau Chief, Office of Information  
15          Systems: Bachelor's degree required, with  
16          preferred coursework in business, public  
17          administration, information systems; experience  
18          equivalent to 5 years of administration in a public  
19          or private business organization; extensive  
20          technical writing experience, including, but not  
21          limited to, the development of RFPs, APDs,  
22          feasibility studies and related documents;  
23          extensive healthcare technology experience with a  
24          large provider, health insurer, government agency,  
25          or research institution; experience as a business  
26          analyst interfacing between business and

1 information technology departments; thorough  
2 knowledge of IT system design, commercial off the  
3 shelf software packages and hardware components.

4 Technical System Architect: Bachelor's degree  
5 required, with preferred coursework in computer  
6 science or information technology; prior  
7 experience equivalent to 5 years of computer  
8 science or IT administration in a public or  
9 business organization; extensive healthcare  
10 technology experience with a large provider,  
11 health insurer, government agency, or research  
12 institution; experience as a business analyst  
13 interfacing between business and information  
14 technology departments.

15 The provisions of this paragraph (8), other than this  
16 sentence, are inoperative after January 1, 2014.

17 (9) All positions within the Department of Juvenile  
18 Justice that are required by subsection (b) of Section  
19 3-2.5-15 of the Unified Code of Corrections to have a  
20 bachelor's or advanced degree from an accredited college or  
21 university or, in the case of persons who provide  
22 vocational training, that are required to have adequate  
23 knowledge in the skill for which they are providing the  
24 vocational training are exempt from jurisdiction B. The  
25 provisions of this paragraph (9), other than this sentence,  
26 are inoperative after January 1, 2021.

1 (Source: P.A. 98-104, eff. 7-22-13; 98-1146, eff. 12-30-14;  
2 99-45, eff. 7-15-15.)

3 Section 10. The Illinois Pension Code is amended by  
4 changing Section 14-110 as follows:

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

6 (Text of Section WITHOUT the changes made by P.A. 98-599,  
7 which has been held unconstitutional)

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  
24 to and including 20 years of creditable service, and 2 3/4%

1 for each year of creditable service above 20 years; and

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

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

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

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

23 (1) State policeman;

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

26 (3) air pilot;

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

22 A person employed in one of the positions specified in this  
23 subsection is entitled to eligible creditable service for  
24 service credit earned under this Article while undergoing the  
25 basic police training course approved by the Illinois Law  
26 Enforcement Training Standards Board, if completion of that



1 training is required of persons serving in that position. For  
2 the purposes of this Code, service during the required basic  
3 police training course shall be deemed performance of the  
4 duties of the specified position, even though the person is not  
5 a sworn peace officer at the time of the training.

6 (c) For the purposes of this Section:

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

10 (2) The term "fire fighter in the fire protection  
11 service of a department" includes all officers in such fire  
12 protection service including fire chiefs and assistant  
13 fire chiefs.

14 (3) The term "air pilot" includes any employee whose  
15 official job description on file in the Department of  
16 Central Management Services, or in the department by which  
17 he is employed if that department is not covered by the  
18 Personnel Code, states that his principal duty is the  
19 operation of aircraft, and who possesses a pilot's license;  
20 however, the change in this definition made by this  
21 amendatory Act of 1983 shall not operate to exclude any  
22 noncovered employee who was an "air pilot" for the purposes  
23 of this Section on January 1, 1984.

24 (4) The term "special agent" means any person who by  
25 reason of employment by the Division of Narcotic Control,  
26 the Bureau of Investigation or, after July 1, 1977, the

1 Division of Criminal Investigation, the Division of  
2 Internal Investigation, the Division of Operations, or any  
3 other Division or organizational entity in the Department  
4 of State Police is vested by law with duties to maintain  
5 public order, investigate violations of the criminal law of  
6 this State, enforce the laws of this State, make arrests  
7 and recover property. The term "special agent" includes any  
8 title or position in the Department of State Police that is  
9 held by an individual employed under the State Police Act.

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

16 A person who became employed as an investigator for the  
17 Secretary of State between January 1, 1967 and December 31,  
18 1975, and who has served as such until attainment of age  
19 60, either continuously or with a single break in service  
20 of not more than 3 years duration, which break terminated  
21 before January 1, 1976, shall be entitled to have his  
22 retirement annuity calculated in accordance with  
23 subsection (a), notwithstanding that he has less than 20  
24 years of credit for such service.

25 (6) The term "Conservation Police Officer" means any  
26 person employed by the Division of Law Enforcement of the

1 Department of Natural Resources and vested with such law  
2 enforcement duties as render him ineligible for coverage  
3 under the Social Security Act by reason of Sections  
4 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The  
5 term "Conservation Police Officer" includes the positions  
6 of Chief Conservation Police Administrator and Assistant  
7 Conservation Police Administrator.

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

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

20 (8) The term "security employee of the Department of  
21 Human Services" means any person employed by the Department  
22 of Human Services who (i) is employed at the Chester Mental  
23 Health Center and has daily contact with the residents  
24 thereof, (ii) is employed within a security unit at a  
25 facility operated by the Department and has daily contact  
26 with the residents of the security unit, (iii) is employed

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

20 The changes made to this subdivision (c)(8) by Public  
21 Act 92-14 apply to persons who retire on or after January  
22 1, 2001, notwithstanding Section 1-103.1.

23 (9) "Central Management Services security police  
24 officer" means any person employed by the Department of  
25 Central Management Services who is vested with such law  
26 enforcement duties as render him ineligible for coverage

1 under the Social Security Act by reason of Sections  
2 218(d) (5) (A), 218(d) (8) (D) and 218(1) (1) of that Act.

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

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

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

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

18           (14) "Controlled substance inspector" means any person  
19 who is employed as such by the Department of Professional  
20 Regulation and is vested with such law enforcement duties  
21 as render him ineligible for coverage under the Social  
22 Security Act by reason of Sections 218(d)(5)(A),  
23 218(d)(8)(D) and 218(1)(1) of that Act. The term  
24 "controlled substance inspector" includes the Program  
25 Executive of Enforcement and the Assistant Program  
26 Executive of Enforcement.

1           (15) The term "investigator for the Office of the  
2 State's Attorneys Appellate Prosecutor" means a person  
3 employed in that capacity on a full time basis under the  
4 authority of Section 7.06 of the State's Attorneys  
5 Appellate Prosecutor's Act.

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

12           (17) "Arson investigator" means any person who is  
13 employed as such by the Office of the State Fire Marshal  
14 and is vested with such law enforcement duties as render  
15 the person ineligible for coverage under the Social  
16 Security Act by reason of Sections 218(d)(5)(A),  
17 218(d)(8)(D), and 218(1)(1) of that Act. A person who was  
18 employed as an arson investigator on January 1, 1995 and is  
19 no longer in service but not yet receiving a retirement  
20 annuity may convert his or her creditable service for  
21 employment as an arson investigator into eligible  
22 creditable service by paying to the System the difference  
23 between the employee contributions actually paid for that  
24 service and the amounts that would have been contributed if  
25 the applicant were contributing at the rate applicable to  
26 persons with the same social security status earning

1 eligible creditable service on the date of application.

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

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

14 (ii) A person employed on a full-time basis by the  
15 Illinois State Toll Highway Authority in the position  
16 of equipment operator/laborer H-4, equipment  
17 operator/laborer H-6, welder H-4, welder H-6,  
18 mechanical/electrical H-4, mechanical/electrical H-6,  
19 water/sewer H-4, water/sewer H-6, sign maker/hanger  
20 H-4, sign maker/hanger H-6, roadway lighting H-4,  
21 roadway lighting H-6, structural H-4, structural H-6,  
22 painter H-4, or painter H-6; and whose principal  
23 responsibility is to perform, on the roadway, the  
24 actual maintenance necessary to keep the Authority's  
25 tollways in serviceable condition for vehicular  
26 traffic.



1 (d) A security employee of the Department of Corrections or  
2 the Department of Juvenile Justice, and a security employee of  
3 the Department of Human Services who is not a mental health  
4 police officer, shall not be eligible for the alternative  
5 retirement annuity provided by this Section unless he or she  
6 meets the following minimum age and service requirements at the  
7 time of retirement:

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

9 or

10 (ii) beginning January 1, 1987, 25 years of eligible  
11 creditable service and age 54, or 24 years of eligible  
12 creditable service and age 55; or

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

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

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

22 (vi) beginning January 1, 1991, 25 years of eligible  
23 creditable service and age 50, or 20 years of eligible  
24 creditable service and age 55.

25 Persons who have service credit under Article 16 of this  
26 Code for service as a security employee of the Department of

1 Corrections or the Department of Juvenile Justice, or the  
2 Department of Human Services in a position requiring  
3 certification as a teacher may count such service toward  
4 establishing their eligibility under the service requirements  
5 of this Section; but such service may be used only for  
6 establishing such eligibility, and not for the purpose of  
7 increasing or calculating any benefit.

8 (e) If a member enters military service while working in a  
9 position in which eligible creditable service may be earned,  
10 and returns to State service in the same or another such  
11 position, and fulfills in all other respects the conditions  
12 prescribed in this Article for credit for military service,  
13 such military service shall be credited as eligible creditable  
14 service for the purposes of the retirement annuity prescribed  
15 in this Section.

16 (f) For purposes of calculating retirement annuities under  
17 this Section, periods of service rendered after December 31,  
18 1968 and before October 1, 1975 as a covered employee in the  
19 position of special agent, conservation police officer, mental  
20 health police officer, or investigator for the Secretary of  
21 State, shall be deemed to have been service as a noncovered  
22 employee, provided that the employee pays to the System prior  
23 to retirement an amount equal to (1) the difference between the  
24 employee contributions that would have been required for such  
25 service as a noncovered employee, and the amount of employee  
26 contributions actually paid, plus (2) if payment is made after

1 July 31, 1987, regular interest on the amount specified in item  
2 (1) from the date of service to the date of payment.

3 For purposes of calculating retirement annuities under  
4 this Section, periods of service rendered after December 31,  
5 1968 and before January 1, 1982 as a covered employee in the  
6 position of investigator for the Department of Revenue shall be  
7 deemed to have been service as a noncovered employee, provided  
8 that the employee pays to the System prior to retirement an  
9 amount equal to (1) the difference between the employee  
10 contributions that would have been required for such service as  
11 a noncovered employee, and the amount of employee contributions  
12 actually paid, plus (2) if payment is made after January 1,  
13 1990, regular interest on the amount specified in item (1) from  
14 the date of service to the date of payment.

15 (g) A State policeman may elect, not later than January 1,  
16 1990, to establish eligible creditable service for up to 10  
17 years of his service as a policeman under Article 3, by filing  
18 a written election with the Board, accompanied by payment of an  
19 amount to be determined by the Board, equal to (i) the  
20 difference between the amount of employee and employer  
21 contributions transferred to the System under Section 3-110.5,  
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 effective rate for  
25 each year, compounded annually, from the date of service to the  
26 date of payment.

1           Subject to the limitation in subsection (i), a State  
2 policeman may elect, not later than July 1, 1993, to establish  
3 eligible creditable service for up to 10 years of his service  
4 as a member of the County Police Department under Article 9, by  
5 filing a written election with the Board, accompanied by  
6 payment of an amount to be determined by the Board, equal to  
7 (i) the difference between the amount of employee and employer  
8 contributions transferred to the System under Section 9-121.10  
9 and the amounts that would have been contributed had those  
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           (h) Subject to the limitation in subsection (i), a State  
15 policeman or investigator for the Secretary of State may elect  
16 to establish eligible creditable service for up to 12 years of  
17 his service as a policeman under Article 5, by filing a written  
18 election with the Board on or before January 31, 1992, and  
19 paying to the System by January 31, 1994 an amount to be  
20 determined by the Board, equal to (i) the difference between  
21 the amount of employee and employer contributions transferred  
22 to the System under Section 5-236, and the amounts that would  
23 have been contributed had such contributions been made at the  
24 rates applicable to State policemen, plus (ii) interest thereon  
25 at the effective rate for each year, compounded annually, from  
26 the date of service to the date of payment.

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

15           Subject to the limitation in subsection (i), a State  
16 policeman, conservation police officer, or investigator for  
17 the Secretary of State may elect to establish eligible  
18 creditable service for up to 5 years of service as a police  
19 officer under Article 3, a policeman under Article 5, a  
20 sheriff's law enforcement employee under Article 7, a member of  
21 the county police department under Article 9, or a police  
22 officer under Article 15 by filing a written election with the  
23 Board and paying to the System an amount to be determined by  
24 the Board, equal to (i) the difference between the amount of  
25 employee and employer contributions transferred to the System  
26 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4

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

6 Subject to the limitation in subsection (i), an  
7 investigator for the Office of the Attorney General, or an  
8 investigator for the Department of Revenue, may elect to  
9 establish eligible creditable service for up to 5 years of  
10 service as a police officer under Article 3, a policeman under  
11 Article 5, a sheriff's law enforcement employee under Article  
12 7, or a member of the county police department under Article 9  
13 by filing a written election with the Board within 6 months  
14 after August 25, 2009 (the effective date of Public Act 96-745)  
15 and paying to the System an amount to be determined by the  
16 Board, equal to (i) the difference between the amount of  
17 employee and employer contributions transferred to the System  
18 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the  
19 amounts that would have been contributed had such contributions  
20 been made at the rates applicable to State policemen, plus (ii)  
21 interest thereon at the actuarially assumed rate for each year,  
22 compounded annually, from the date of service to the date of  
23 payment.

24 Subject to the limitation in subsection (i), a State  
25 policeman, conservation police officer, investigator for the  
26 Office of the Attorney General, an investigator for the

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

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

21 (j) Subject to the limitation in subsection (i), an  
22 investigator for the Office of the State's Attorneys Appellate  
23 Prosecutor or a controlled substance inspector may elect to  
24 establish eligible creditable service for up to 10 years of his  
25 service as a policeman under Article 3 or a sheriff's law  
26 enforcement employee under Article 7, by filing a written

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

10 (k) Subject to the limitation in subsection (i) of this  
11 Section, an alternative formula employee may elect to establish  
12 eligible creditable service for periods spent as a full-time  
13 law enforcement officer or full-time corrections officer  
14 employed by the federal government or by a state or local  
15 government located outside of Illinois, for which credit is not  
16 held in any other public employee pension fund or retirement  
17 system. To obtain this credit, the applicant must file a  
18 written application with the Board by March 31, 1998,  
19 accompanied by evidence of eligibility acceptable to the Board  
20 and payment of an amount to be determined by the Board, equal  
21 to (1) employee contributions for the credit being established,  
22 based upon the applicant's salary on the first day as an  
23 alternative formula employee after the employment for which  
24 credit is being established and the rates then applicable to  
25 alternative formula employees, plus (2) an amount determined by  
26 the Board to be the employer's normal cost of the benefits



1 accrued for the credit being established, plus (3) regular  
2 interest on the amounts in items (1) and (2) from the first day  
3 as an alternative formula employee after the employment for  
4 which credit is being established to the date of payment.

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

19 (m) The amendatory changes to this Section made by this  
20 amendatory Act of the 94th General Assembly apply only to: (1)  
21 security employees of the Department of Juvenile Justice  
22 employed by the Department of Corrections before the effective  
23 date of this amendatory Act of the 94th General Assembly and  
24 transferred to the Department of Juvenile Justice by this  
25 amendatory Act of the 94th General Assembly; and (2) persons  
26 employed by the Department of Juvenile Justice on or after the

1 effective date of this amendatory Act of the 94th General  
2 Assembly who are required by subsection (b) of Section 3-2.5-15  
3 of the Unified Code of Corrections to have a bachelor's or  
4 advanced degree from an accredited college or university ~~with a~~  
5 ~~specialization in criminal justice, education, psychology,~~  
6 ~~social work, or a closely related social science~~ or, in the  
7 case of persons who provide vocational training, who are  
8 required to have adequate knowledge in the skill for which they  
9 are providing the vocational training.

10 (n) A person employed in a position under subsection (b) of  
11 this Section who has purchased service credit under subsection  
12 (j) of Section 14-104 or subsection (b) of Section 14-105 in  
13 any other capacity under this Article may convert up to 5 years  
14 of that service credit into service credit covered under this  
15 Section by paying to the Fund an amount equal to (1) the  
16 additional employee contribution required under Section  
17 14-133, plus (2) the additional employer contribution required  
18 under Section 14-131, plus (3) interest on items (1) and (2) at  
19 the actuarially assumed rate from the date of the service to  
20 the date of payment.

21 (Source: P.A. 95-530, eff. 8-28-07; 95-1036, eff. 2-17-09;  
22 96-37, eff. 7-13-09; 96-745, eff. 8-25-09; 96-1000, eff.  
23 7-2-10.)

24 Section 15. The Unified Code of Corrections is amended by  
25 changing Section 3-2.5-15 as follows:

1 (730 ILCS 5/3-2.5-15)

2 Sec. 3-2.5-15. Department of Juvenile Justice; assumption  
3 of duties of the Juvenile Division.

4 (a) The Department of Juvenile Justice shall assume the  
5 rights, powers, duties, and responsibilities of the Juvenile  
6 Division of the Department of Corrections. Personnel, books,  
7 records, property, and unencumbered appropriations pertaining  
8 to the Juvenile Division of the Department of Corrections shall  
9 be transferred to the Department of Juvenile Justice on the  
10 effective date of this amendatory Act of the 94th General  
11 Assembly. Any rights of employees or the State under the  
12 Personnel Code or any other contract or plan shall be  
13 unaffected by this transfer.

14 (b) Department of Juvenile Justice personnel who are hired  
15 by the Department on or after the effective date of this  
16 amendatory Act of the 94th General Assembly and who participate  
17 or assist in the rehabilitative and vocational training of  
18 delinquent youths, supervise the daily activities involving  
19 direct and continuing responsibility for the youth's security,  
20 welfare and development, or participate in the personal  
21 rehabilitation of delinquent youth by training, supervising,  
22 and assisting lower level personnel who perform these duties  
23 must be over the age of 21 and have a bachelor's or advanced  
24 degree from an accredited college or university ~~with a~~  
25 ~~specialization in criminal justice, education, psychology,~~

1 ~~social work, or a closely related social science or other~~  
2 ~~bachelor's or advanced degree with at least 2 years experience~~  
3 ~~in the field of juvenile matters.~~ This requirement shall not  
4 apply to security, clerical, food service, and maintenance  
5 staff that do not have direct and regular contact with youth.  
6 The degree requirements specified in this subsection (b) are  
7 not required of persons who provide vocational training and who  
8 have adequate knowledge in the skill for which they are  
9 providing the vocational training.

10 (c) Subsection (b) of this Section does not apply to  
11 personnel transferred to the Department of Juvenile Justice on  
12 the effective date of this amendatory Act of the 94th General  
13 Assembly.

14 (d) The Department shall be under the direction of the  
15 Director of Juvenile Justice as provided in this Code.

16 (e) The Director shall organize divisions within the  
17 Department and shall assign functions, powers, duties, and  
18 personnel as required by law. The Director may create other  
19 divisions and may assign other functions, powers, duties, and  
20 personnel as may be necessary or desirable to carry out the  
21 functions and responsibilities vested by law in the Department.  
22 The Director may, with the approval of the Office of the  
23 Governor, assign to and share functions, powers, duties, and  
24 personnel with other State agencies such that administrative  
25 services and administrative facilities are provided by a shared  
26 administrative service center. Where possible, shared services

1 which impact youth should be done with child-serving agencies.  
2 These administrative services may include, but are not limited  
3 to, all of the following functions: budgeting, accounting  
4 related functions, auditing, human resources, legal,  
5 procurement, training, data collection and analysis,  
6 information technology, internal investigations, intelligence,  
7 legislative services, emergency response capability, statewide  
8 transportation services, and general office support.

9 (f) The Department of Juvenile Justice may enter into  
10 intergovernmental cooperation agreements under which minors  
11 adjudicated delinquent and committed to the Department of  
12 Juvenile Justice may participate in county juvenile impact  
13 incarceration programs established under Section 3-6039 of the  
14 Counties Code.

15 (g) The Department of Juvenile Justice must comply with the  
16 ethnic and racial background data collection procedures  
17 provided in Section 4.5 of the Criminal Identification Act.

18 (Source: P.A. 98-528, eff. 1-1-15; 98-689, eff. 1-1-15.)

19 Section 99. Effective date. This Act takes effect upon  
20 becoming law.