

1 AN ACT in relation to 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  
5 changing Section 8-243.2 as follows:

6 (40 ILCS 5/8-243.2) (from Ch. 108 1/2, par. 8-243.2)  
7 Sec. 8-243.2. Alternative annuity for city officers.

8 (a) For the purposes of this Section and Sections  
9 8-243.1 and 8-243.3, "city officer" means the city clerk, the  
10 city treasurer, or an alderman of the city elected by vote of  
11 the people, while serving in that capacity or as provided in  
12 subsection (f), who has elected to participate in the Fund.

13 (b) Any elected city officer, while serving in that  
14 capacity or as provided in subsection (f), may elect to  
15 establish alternative credits for an alternative annuity by  
16 electing in writing to make additional optional  
17 contributions in accordance with this Section and the  
18 procedures established by the board. Such elected city  
19 officer may discontinue making the additional optional  
20 contributions by notifying the Fund in writing in accordance  
21 with this Section and procedures established by the board.

22 Additional optional contributions for the alternative  
23 annuity shall be as follows:

24 (1) For service after the option is elected, an  
25 additional contribution of 3% of salary shall be  
26 contributed to the Fund on the same basis and under the  
27 same conditions as contributions required under Sections  
28 8-174 and 8-182.

29 (2) For service before the option is elected, an  
30 additional contribution of 3% of the salary for the  
31 applicable period of service, plus interest at the

1 effective rate from the date of service to the date of  
2 payment. All payments for past service must be paid in  
3 full before credit is given. No additional optional  
4 contributions may be made for any period of service for  
5 which credit has been previously forfeited by acceptance  
6 of a refund, unless the refund is repaid in full with  
7 interest at the effective rate from the date of refund to  
8 the date of repayment.

9 (c) In lieu of the retirement annuity otherwise payable  
10 under this Article, any city officer elected by vote of the  
11 people who (1) has elected to participate in the Fund and  
12 make additional optional contributions in accordance with  
13 this Section, and (2) has attained age 55 60 with at least 10  
14 years of service credit, or has attained age 60 65 with at  
15 least 8 years of service credit, may elect to have his  
16 retirement annuity computed as follows: 3% of the  
17 participant's salary at the time of termination of service  
18 for each of the first 8 years of service credit, plus 4% of  
19 such salary for each of the next 4 years of service credit,  
20 plus 5% of such salary for each year of service credit in  
21 excess of 12 years, subject to a maximum of 80% of such  
22 salary. To the extent such elected city officer has made  
23 additional optional contributions with respect to only a  
24 portion of his years of service credit, his retirement  
25 annuity will first be determined in accordance with this  
26 Section to the extent such additional optional contributions  
27 were made, and then in accordance with the remaining Sections  
28 of this Article to the extent of years of service credit with  
29 respect to which additional optional contributions were not  
30 made.

31 (d) In lieu of the disability benefits otherwise payable  
32 under this Article, any city officer elected by vote of the  
33 people who (1) has elected to participate in the Fund, and  
34 (2) has become permanently disabled and as a consequence is

1 unable to perform the duties of his office, and (3) was  
2 making optional contributions in accordance with this Section  
3 at the time the disability was incurred, may elect to receive  
4 a disability annuity calculated in accordance with the  
5 formula in subsection (c). For the purposes of this  
6 subsection, such elected city officer shall be considered  
7 permanently disabled only if: (i) disability occurs while in  
8 service as an elected city officer and is of such a nature as  
9 to prevent him from reasonably performing the duties of his  
10 office at the time; and (ii) the board has received a written  
11 certification by at least 2 licensed physicians appointed by  
12 it stating that such officer is disabled and that the  
13 disability is likely to be permanent.

14 (e) Refunds of additional optional contributions shall  
15 be made on the same basis and under the same conditions as  
16 provided under Sections 8-168, 8-170 and 8-171. Interest  
17 shall be credited at the effective rate on the same basis and  
18 under the same conditions as for other contributions.  
19 Optional contributions shall be accounted for in a separate  
20 Elected City Officer Optional Contribution Reserve. Optional  
21 contributions under this Section shall be included in the  
22 amount of employee contributions used to compute the tax levy  
23 under Section 8-173.

24 (f) The effective date of this plan of optional  
25 alternative benefits and contributions shall be July 1, 1990,  
26 or the date upon which approval is received from the U.S.  
27 Internal Revenue Service, whichever is later.

28 The plan of optional alternative benefits and  
29 contributions shall not be available to any former city  
30 officer or employee receiving an annuity from the Fund on the  
31 effective date of the plan, unless he re-enters service as an  
32 elected city officer and renders at least 3 years of  
33 additional service after the date of re-entry. However, a  
34 person who holds office as a city officer on June 1, 1995

1 ~~April--30,--1991~~ may elect to participate in the plan, to  
2 transfer credits into the Fund from other Articles of this  
3 Code, and to make the contributions required for prior  
4 service, until 30 days after the effective date of this  
5 amendatory Act of the 92nd General Assembly ~~the plan takes~~  
6 ~~effect~~, notwithstanding the ending of his term of office  
7 prior to that effective date; in the event that the person is  
8 already receiving an annuity from this Fund or any other  
9 Article of this Code at the time of making this election, the  
10 annuity shall be recalculated to include any increase  
11 resulting from participation in the plan, with such increase  
12 taking effect on the effective date of the election plan.  
13 (Source: P.A. 86-1488; 87-794.)

14 Section 90. The State Mandates Act is amended by adding  
15 Section 8.25 as follows:

16 (30 ILCS 805/8.25 new)  
17 Sec. 8.25. Exempt mandate. Notwithstanding Sections 6  
18 and 8 of this Act, no reimbursement by the State is required  
19 for the implementation of any mandate created by this  
20 amendatory Act of the 92nd General Assembly.

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