

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 14-104 as follows:

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

7 Sec. 14-104. Service for which contributions are
8 permitted. Creditable service shall be granted under this
9 Section for the types of service specified, upon application
10 in writing and payment of the contributions provided for in
11 this Section covering shall cover the period of service to be
12 granted. Except as otherwise provided in this Section, the
13 contributions shall be based upon the applicant's employee's
14 compensation and the contribution rate applicable to the kind
15 of service credit to be granted, in effect on the date the
16 applicant he last became a member of the System; ~~provided~~
17 ~~that~~ for all employment prior to January 1, 1969, the
18 contribution rate shall be that in effect for a noncovered
19 ~~employee on-the-date-he-last-became-a-member-of--the--System.~~
20 Except as otherwise provided in this Section, contributions
21 permitted under this Section shall include regular interest
22 from the date the applicant ~~an-employee~~ last became a member
23 of the System to the date of payment.

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

27 A member of this System who is an active contributor to a
28 participating system as defined in Article 20 shall be deemed
29 an employee for the purposes of this Section.

30 (a) Any member may make contributions as required in
31 this Section for any period of service, subsequent to the

1 date of establishment, but prior to the date of membership.

2 (b) Any employee who had been previously excluded from
3 membership because of age at entry and subsequently became
4 eligible may elect to make contributions as required in this
5 Section for the period of service during which he or she was
6 ineligible.

7 (c) An employee of the Department of Insurance who,
8 after January 1, 1944 but prior to becoming eligible for
9 membership, received salary from funds of insurance companies
10 in the process of rehabilitation, liquidation, conservation
11 or dissolution, may elect to make contributions as required
12 in this Section for such service.

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

22 (e) Any person employed by the United States government
23 or any instrumentality or agency thereof from January 1, 1942
24 through November 15, 1946 as the result of a transfer from
25 State service by executive order of the President of the
26 United States shall be entitled to prior service credit
27 covering the period from January 1, 1942 through December 31,
28 1943 as provided for in this Article and to membership
29 service credit for the period from January 1, 1944 through
30 November 15, 1946 by making the contributions required in
31 this Section. A person so employed on January 1, 1944 but
32 whose employment began after January 1, 1942 may qualify for
33 prior service and membership service credit under the same
34 conditions.

1 (f) An employee of the Department of Labor of the State
2 of Illinois who performed services for and under the
3 supervision of that Department prior to January 1, 1944 but
4 who was compensated for those services directly by federal
5 funds and not by a warrant of the Auditor of Public Accounts
6 paid by the State Treasurer may establish credit for such
7 employment by making the contributions required in this
8 Section. An employee of the Department of Agriculture of the
9 State of Illinois, who performed services for and under the
10 supervision of that Department prior to June 1, 1963, but was
11 compensated for those services directly by federal funds and
12 not paid by a warrant of the Auditor of Public Accounts paid
13 by the State Treasurer, and who did not contribute to any
14 other public employee retirement system for such service, may
15 establish credit for such employment by making the
16 contributions required in this Section.

17 (g) Any employee who executed a waiver of membership
18 within 60 days prior to January 1, 1944 may, at any time
19 while in the service of a department, file with the board a
20 rescission of such waiver. Upon making the contributions
21 required by this Section, the member shall be granted the
22 creditable service that would have been received if the
23 waiver had not been executed.

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

31 (i) Any person who rendered full time contractual
32 services to the General Assembly as a member of a legislative
33 staff may establish service credit for up to 8 years of such
34 services by making the contributions required under this

1 Section, provided that application therefor is made not later
2 than July 1, 1991.

3 (j) By paying the contributions otherwise required under
4 this Section, plus an amount determined by the Board to be
5 equal to the employer's normal cost of the benefit plus
6 interest, an employee may establish service credit for a
7 period of up to 2 years spent in active military service for
8 which he or she does not qualify for credit under Section
9 14-105, provided that (1) the employee he was not
10 dishonorably discharged from such military service, and (2)
11 the amount of service credit established by the employee a
12 ~~member~~ under this subsection (j), when added to the amount of
13 military service credit granted to the employee member under
14 subsection (b) of Section 14-105, shall not exceed 5 years.

15 (k) An employee who was employed on a full-time basis by
16 the Illinois State's Attorneys Association Statewide
17 Appellate Assistance Service LEAA-ILEC grant project prior to
18 the time that project became the State's Attorneys Appellate
19 Service Commission, now the Office of the State's Attorneys
20 Appellate Prosecutor, an agency of State government, may
21 establish creditable service for not more than 60 months
22 service for such employment by making contributions required
23 under this Section.

24 (l) By paying the contributions otherwise required under
25 this Section, plus an amount determined by the Board to be
26 equal to the employer's normal cost of the benefit plus
27 interest, a member may establish service credit for periods
28 of up to 2 years ~~less-than-one-year~~ spent on authorized leave
29 of absence from service, provided that ~~(1)--the--period--of~~
30 ~~leave--began--on--or--after-January-17-1982-and-(2)~~ any credit
31 established by the member for the period of leave in any
32 other public employee retirement system has been terminated.
33 A member may establish service credit under this subsection
34 for more than one period of authorized leave, and in that

1 case the total period of service credit established by the
2 member under this subsection may exceed 2 years one-year.
3 In determining the contributions required for establishing
4 service credit under this subsection, the interest shall be
5 calculated from the beginning of the leave of absence to the
6 date of payment.

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

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

25 (o) A member who participated in the Illinois
26 Legislative Staff Internship Program may establish creditable
27 service for up to one year of that participation by making
28 the contribution required under this Section. The System
29 shall determine a full-time salary equivalent for the purpose
30 of calculating the required contribution. Credit may not be
31 established under this subsection for any period for which
32 service credit is established under any other provision of
33 this Code.

34 (Source: P.A. 90-32, eff. 6-27-97; 90-448, eff. 8-16-97;

1 90-511, eff. 8-22-97; 90-655, eff. 7-30-98; 90-766, eff.
2 8-14-98.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.