

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 Sections 9-121.14 and 9-121.16 and changing Sections
6 9-163 and 9-219 as follows:

7 (40 ILCS 5/9-121.14 new)

8 Sec. 9-121.14. Benefit processors. An employee with at
9 least 5 years of creditable service under this Article may
10 purchase service credit for annuity purposes for up to 5
11 years of time spent working as a benefits processor for a
12 firm under contract with the Fund, by paying to the Fund
13 before July 1, 2002 an amount equal to 8.5% of the salary
14 received for that work or, if that salary is not
15 determinable, 8.5% of the employee's annual salary rate on
16 the first day of service in the Fund for each year of service
17 credit established under this Section. The employee may not
18 make optional contributions under Section 9-121.6 or 9-179.3
19 for periods of credit established under this Section.

20 (40 ILCS 5/9-121.16 new)

21 Sec. 9-121.16. Contractual service to the Retirement
22 Board. A person who has rendered continuous contractual
23 services (other than legal services) to the Retirement Board
24 for a period of at least 5 years may establish creditable
25 service in the Fund for up to 10 years of those services by
26 making written application to the Board before July 1, 2002
27 and paying to the Fund an amount to be determined by the
28 Board, equal to the employee contributions that would have
29 been required if those services had been performed as an
30 employee.

1 For the purposes of calculating the required payment, the
2 Board may determine the applicable salary equivalent based on
3 the compensation received by the person for performing those
4 contractual services. The salary equivalent calculated under
5 this Section shall not be used for determining final average
6 salary under Section 9-134 or any other provisions of this
7 Code.

8 A person may not make optional contributions under
9 Section 9-121.6 or 9-179.3 for periods of credit established
10 under this Section.

11 (40 ILCS 5/9-163) (from Ch. 108 1/2, par. 9-163)

12 Sec. 9-163. Restoration of rights. An employee who has
13 withdrawn as a refund the amounts credited for annuity
14 purposes, and who re-enters service and serves for periods
15 comprising at least 2 years after the date of the last refund
16 paid to him, may have his annuity rights restored by making
17 application to the board in writing for the privilege of
18 reinstating such rights and by compliance with the following
19 provisions:

20 (a) The employee shall repay in full to the fund
21 while in service all refunds received, together with
22 interest at the effective rate from the application date
23 of such refund or refunds to the date of repayment.

24 (b) If payment is not made in a single sum, the
25 repayment may be made in installments by deductions from
26 salary or otherwise in such amounts as the employee may
27 elect to pay, with interest at the effective rate
28 accruing on unpaid balances.

29 (c) If the employee withdraws from service or dies
30 in service before full repayment is made, or during the
31 required return to service, the amounts repaid, including
32 interest repaid but without further interest, shall be
33 refunded in accordance with the refund provisions of this

1 Article.

2 For an employee who applies to the Fund to reinstate
3 credit and repay a refund between January 1, 1993 and March
4 1, 1993, the 2 year minimum period of subsequent service
5 required under item (a) shall be instead a period of 6
6 months.

7 A person who establishes service credit under Section
8 9-121.16 may, at the same time, reinstate credit in this Fund
9 and repay a refund without a return to service,
10 notwithstanding the other provisions of this Section.

11 (Source: P.A. 87-1265.)

12 (40 ILCS 5/9-219) (from Ch. 108 1/2, par. 9-219)
13 Sec. 9-219. Computation of service.

14 (1) In computing the term of service of an employee
15 prior to the effective date, the entire period beginning on
16 the date he was first appointed and ending on the day before
17 the effective date, except any intervening period during
18 which he was separated by withdrawal from service, shall be
19 counted for all purposes of this Article.

20 (2) In computing the term of service of any employee on
21 or after the effective date, the following periods of time
22 shall be counted as periods of service for age and service,
23 widow's and child's annuity purposes:

24 (a) The time during which he performed the duties
25 of his position.

26 (b) Vacations, leaves of absence with whole or part
27 pay, and leaves of absence without pay not longer than 90
28 days.

29 (c) For an employee who is a member of a county
30 police department or a correctional officer with the
31 county department of corrections, approved leaves of
32 absence without pay during which the employee serves as a
33 full-time officer or employee head of an employee

1 association, the membership of which consists of other
2 participants in the Fund police-officers, provided that
3 the employee contributes to the Fund (1) the amount that
4 he would have contributed had he remained an active
5 employee member--of--the--county--police--department in the
6 position he occupied at the time the leave of absence was
7 granted, (2) an amount calculated by the Board
8 representing employer contributions, and (3) regular
9 interest thereon from the date of service to the date of
10 payment. However, if the employee's application to
11 establish credit under this subsection is received by the
12 Fund on or after July 1, 2001 and before July 1, 2002,
13 the amount representing employer contributions specified
14 in item (2) shall be waived.

15 For a former member of a county police department
16 who has received a refund under Section 9-164, periods
17 during which the employee serves as head of an employee
18 association, the membership of which consists of other
19 police officers, provided that the employee contributes
20 to the Fund (1) the amount that he would have contributed
21 had he remained an active member of the county police
22 department in the position he occupied at the time he
23 left service, (2) an amount calculated by the Board
24 representing employer contributions, and (3) regular
25 interest thereon from the date of service to the date of
26 payment. However, if the former member of the county
27 police department retires on or after January 1, 1993 but
28 no later than March 1, 1993, the amount representing
29 employer contributions specified in item (2) shall be
30 waived.

31 (d) Any period of disability for which he received
32 disability benefit or whole or part pay.

33 (e) Accumulated vacation or other time for which an
34 employee who retires on or after November 1, 1990

1 receives a lump sum payment at the time of retirement,
2 provided that contributions were made to the fund at the
3 time such lump sum payment was received. The service
4 granted for the lump sum payment shall not change the
5 employee's date of withdrawal for computing the effective
6 date of the annuity.

7 (f) An employee may receive service credit for
8 annuity purposes for accumulated sick leave as of the
9 date of the employee's withdrawal from service, not to
10 exceed a total of 180 days, provided that the amount of
11 such accumulated sick leave is certified by the County
12 Comptroller to the Board and the employee pays an amount
13 equal to 8.5% (9% for members of the County Police
14 Department who are eligible to receive an annuity under
15 Section 9-128.1) of the amount that would have been paid
16 had such accumulated sick leave been paid at the
17 employee's final rate of salary. Such payment shall be
18 made within 30 days after the date of withdrawal and
19 prior to receipt of the first annuity check. The service
20 credit granted for such accumulated sick leave shall not
21 change the employee's date of withdrawal for the purpose
22 of computing the effective date of the annuity.

23 (3) In computing the term of service of an employee on
24 or after the effective date for ordinary disability benefit
25 purposes, the following periods of time shall be counted as
26 periods of service:

27 (a) Unless otherwise specified in Section 9-157,
28 the time during which he performed the duties of his
29 position.

30 (b) Paid vacations and leaves of absence with whole
31 or part pay.

32 (c) Any period for which he received duty
33 disability benefit.

34 (d) Any period of disability for which he received

1 whole or part pay.

2 (4) For an employee who on January 1, 1958, was
3 transferred by Act of the 70th General Assembly from his
4 position in a department of welfare of any city located in
5 the county in which this Article is in force and effect to a
6 similar position in a department of such county, service
7 shall also be credited for ordinary disability benefit and
8 child's annuity for such period of department of welfare
9 service during which period he was a contributor to a
10 statutory annuity and benefit fund in such city and for which
11 purposes service credit would otherwise not be credited by
12 virtue of such involuntary transfer.

13 (5) An employee described in subsection (e) of Section
14 9-108 shall receive credit for child's annuity and ordinary
15 disability benefit for the period of time for which he was
16 credited with service in the fund from which he was
17 involuntarily separated through class or group transfer;
18 provided, that no such credit shall be allowed to the extent
19 that it results in a duplication of credits or benefits, and
20 neither shall such credit be allowed to the extent that it
21 was or may be forfeited by the application for and acceptance
22 of a refund from the fund from which the employee was
23 transferred.

24 (6) Overtime or extra service shall not be included in
25 computing service. Not more than 1 year of service shall be
26 allowed for service rendered during any calendar year.

27 (Source: P.A. 86-1488; 87-794; 87-1265.)

28 Section 90. The State Mandates Act is amended by adding
29 Section 8.25 as follows:

30 (30 ILCS 805/8.25 new)

31 Sec. 8.25. Exempt mandate. Notwithstanding Sections 6
32 and 8 of this Act, no reimbursement by the State is required

1 for the implementation of any mandate created by this
2 amendatory Act of the 92nd General Assembly.

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