

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 9-121.6 as follows:

6 (40 ILCS 5/9-121.6) (from Ch. 108 1/2, par. 9-121.6)

7 Sec. 9-121.6. Alternative annuity for county officers.

8 (a) Any county officer elected by vote of the people may
9 elect to establish alternative credits for an alternative
10 annuity by electing in writing to make additional optional
11 contributions in accordance with this Section and procedures
12 established by the board. Such elected county officer may
13 discontinue making the additional optional contributions by
14 notifying the Fund in writing in accordance with this Section
15 and procedures established by the board.

16 Additional optional contributions for the alternative
17 annuity shall be as follows:

18 (1) For service after the option is elected, an
19 additional contribution of 3% of salary shall be contributed
20 to the Fund on the same basis and under the same conditions
21 as contributions required under Sections 9-170 and 9-176.

22 (2) For service before the option is elected, an
23 additional contribution of 3% of the salary for the
24 applicable period of service, plus interest at the effective
25 rate from the date of service to the date of payment. All
26 payments for past service must be paid in full before credit
27 is given. No additional optional contributions may be made
28 for any period of service for which credit has been
29 previously forfeited by acceptance of a refund, unless the
30 refund is repaid in full with interest at the effective rate
31 from the date of refund to the date of repayment.

1 (b) In lieu of the retirement annuity otherwise payable
2 under this Article, any county officer elected by vote of the
3 people who ~~(1)~~ has elected to participate in the Fund and
4 make additional optional contributions in accordance with
5 this Section, and withdraws from service either (1) before
6 November 30, 2000 having ~~(2)~~-has attained age 60 with at
7 least 10 years of service credit, or has-attained age 65 with
8 at least 8 years of service credit or (2) on or after
9 November 30, 2000 having attained age 55 with at least 10
10 years of service credit or age 60 with at least 8 years of
11 service credit, may elect to have his retirement annuity
12 computed as follows: 3% of the participant's salary at the
13 time of termination of service for each of the first 8 years
14 of service credit, plus 4% of such salary for each of the
15 next 4 years of service credit, plus 5% of such salary for
16 each year of service credit in excess of 12 years, subject to
17 a maximum of 80% of such salary. To the extent such elected
18 county officer has made additional optional contributions
19 with respect to only a portion of his years of service
20 credit, his retirement annuity will first be determined in
21 accordance with this Section to the extent such additional
22 optional contributions were made, and then in accordance with
23 the remaining Sections of this Article to the extent of years
24 of service credit with respect to which additional optional
25 contributions were not made.

26 (c) In lieu of the disability benefits otherwise payable
27 under this Article, any county officer elected by vote of the
28 people who (1) has elected to participate in the Fund, and
29 (2) has become permanently disabled and as a consequence is
30 unable to perform the duties of his office, and (3) was
31 making optional contributions in accordance with this Section
32 at the time the disability was incurred, may elect to receive
33 a disability annuity calculated in accordance with the
34 formula in subsection (b). For the purposes of this

1 subsection, such elected county officer shall be considered
2 permanently disabled only if: (i) disability occurs while in
3 service as an elected county officer and is of such a nature
4 as to prevent him from reasonably performing the duties of
5 his office at the time; and (ii) the board has received a
6 written certification by at least 2 licensed physicians
7 appointed by it stating that such officer is disabled and
8 that the disability is likely to be permanent.

9 (d) Refunds of additional optional contributions shall
10 be made on the same basis and under the same conditions as
11 provided under Section 9-164, 9-166 and 9-167. Interest shall
12 be credited at the effective rate on the same basis and under
13 the same conditions as for other contributions. Optional
14 contributions shall be accounted for in a separate Elected
15 County Officer Optional Contribution Reserve. Optional
16 contributions under this Section shall be included in the
17 amount of employee contributions used to compute the tax levy
18 under Section 9-169.

19 (e) The effective date of this plan of optional
20 alternative benefits and contributions shall be January 1,
21 1988, or the date upon which approval is received from the
22 U.S. Internal Revenue Service, whichever is later. The plan
23 of optional alternative benefits and contributions shall not
24 be available to any former county officer or employee
25 receiving an annuity from the Fund on the effective date of
26 the plan, unless he re-enters service as an elected county
27 officer and renders at least 3 years of additional service
28 after the date of re-entry.

29 (Source: P.A. 85-964.)

30 Section 90. The State Mandates Act is amended by adding
31 Section 8.25 as follows:

32 (30 ILCS 805/8.25 new)

1 Sec. 8.25. Exempt mandate. Notwithstanding Sections 6
2 and 8 of this Act, no reimbursement by the State is required
3 for the implementation of any mandate created by this
4 amendatory Act of the 92nd General Assembly.

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.