

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 18-112 as follows:

6 (40 ILCS 5/18-112) (from Ch. 108 1/2, par. 18-112)

7 Sec. 18-112. Service. "Service": The period beginning
8 on the day a person first became a judge, whether prior or
9 subsequent to the effective date, and ending on the date
10 under consideration, excluding all intervening periods during
11 which he or she was not a judge following resignation or
12 expiration of any term of election or appointment.

13 Service also includes the following:

14 (a) Any period prior to January 1, 1964 during which a
15 judge served as a justice of the peace, police magistrate or
16 master in chancery, or as a civil referee, commissioner or
17 trial assistant to the chief judge in the Municipal Court of
18 Chicago, or performed judicial duties as an assistant to the
19 judge of the Probate Court of Cook County. A judge shall be
20 entitled to credit for all or as much as the judge may desire
21 of such service, not exceeding 8 years, upon payment of the
22 participant's contribution covering such service at the
23 contribution rates in effect on July 1, 1969, together with
24 interest at 4% per annum compounded annually, from the dates
25 the service was rendered to the date of payment, provided
26 credit for such service had not been granted in any public
27 pension fund or retirement system in the State. The required
28 contributions shall be based upon the rate of salary in
29 effect for the judge on the date he or she entered the system
30 or on January 1, 1964, whichever is later.

31 (b) Service rendered after January 1, 1964, as a

1 holdover magistrate or master in chancery of the Circuit
2 Court. A judge shall be entitled to credit for any period of
3 such service, not exceeding a total of 8 years, together with
4 the period of service taken into account in paragraph (a).
5 Service credit under this paragraph is subject to the same
6 contribution requirements and other limitations that are
7 prescribed for service credit under paragraph (a).

8 (c) Any period that a participant served as a member of
9 the General Assembly, subject to the following conditions:

10 (1) He or she has been a participant in this system
11 for at least 4 years and has contributed to the system
12 for service rendered as a member of the General Assembly
13 subsequent to November 1, 1941, at the contribution rates
14 in effect for a judge on the date of becoming a
15 participant, including interest at 3% per annum
16 compounded annually from the date such service was
17 rendered to the date of payment, based on the salary in
18 effect during such period of service; and

19 (2) The participant is not entitled to credit for
20 such service in any other public retirement system in the
21 State.

22 (d) Any period a participant served as a judge or
23 commissioner of the Court of Claims of this State after
24 November 1, 1941, provided he or she contributes to the
25 system at the contribution rates in effect on the date of
26 becoming a participant, based on salary received during such
27 service, including interest at 3% per annum compounded
28 annually from the date such service was rendered to the date
29 of payment.

30 (e) Any period that a participant served as State's
31 Attorney or Public Defender of any county of this State,
32 subject to the following conditions: (1) such service was not
33 credited under any public pension fund or retirement system;
34 (2) the maximum service to be credited in this system shall

1 be 8 years; (3) the participant must have at least 6 years of
2 service as a judge and as a participant of this system; and
3 (4) the participant has made contributions to the system for
4 such service at the contribution rates in effect on the date
5 of becoming a participant in this system based upon the
6 salary of the judge on such date, including interest at 4%
7 per annum compounded annually from such date to the date of
8 payment.

9 A judge who terminated service before January 26, 1988
10 and whose retirement annuity began after January 1, 1988 may
11 establish credit for service as a Public Defender in
12 accordance with the other provisions of this subsection by
13 making application and paying the required contributions to
14 the Board not later than 30 days after August 23, 1989. In
15 such cases, the Board shall recalculate the retirement
16 annuity, effective on the first day of the next calendar
17 month beginning at least 30 days after the application is
18 received.

19 (e-1) Any period of full-time employment by the federal
20 government for which the participant does not qualify for
21 credit under any other provision of this Article, subject to
22 the following conditions: (1) any credit that the participant
23 received for that employment in any other public employee
24 pension fund or retirement system has been terminated or
25 relinquished; (2) the maximum period of service that may be
26 credited under this subsection is 3 years; (3) the
27 participant must have at least 8 years of service as a judge
28 and as a participant of this System; and (4) the participant
29 must make contributions to the System for the service to be
30 established, at the contribution rate in effect for judges on
31 the date of becoming a participant in this System, based upon
32 the salary of the judge on that date, and including interest
33 at 4% per annum compounded annually from that date to the
34 date of payment.

1 (f) Any period as a participating policeman, employee or
2 teacher under Article 5, 14 or 16 of this Code, subject to
3 the following conditions: (1) the credits accrued under
4 Article 5, 14 or 16 have been transferred to this system; and
5 (2) the participant has contributed to the system an amount
6 equal to (A) contributions at the rate in effect for
7 participants at the date of membership in this system based
8 upon the salary of the judge on such date, (B) the employer's
9 share of the normal cost under this system for each year that
10 credit is being established, based on the salary in effect at
11 the date of membership in this system, and (C) interest at 6%
12 per annum, compounded annually, from the date of membership
13 to the date of payment; less (D) the amount transferred on
14 behalf of the participant from Article 5, 14 or 16.

15 (g) Any period that a participant served as the
16 Administrative Director of the Circuit Court of Cook County,
17 as Executive Director of the Home Rule Commission, as
18 assistant corporation counsel in the Chicago Law Department,
19 or as an employee of the Cook County Treasurer, subject to
20 the following conditions: (1) the maximum amount of such
21 service which may be credited is 10 years; (2) in order to
22 qualify for such credit in this system, a judge must have at
23 least 6 years of service as a judge and participant of this
24 system; (3) the last 6 years of service credited in this
25 system shall be as a judge and a participant in this system;
26 (4) credits accrued to the participant under any other public
27 pension fund or public retirement system in the State, if
28 any, by reason of the service to be established under this
29 paragraph (g) has been transferred to this system; and (5)
30 the participant has contributed to this system the amount, if
31 any, by which the amount transferred pursuant to subdivision
32 (4) of this paragraph, if any, is less than the amount which
33 the participant would have contributed to the system during
34 the period of time being counted as service under this

1 paragraph had the participant been a judge participating in
2 this system during that time, based on the rate of
3 contribution in effect and the salary earned by the
4 participant on the date he or she became a participant, with
5 interest accruing on such deficiency at a rate of 5% per
6 annum from the date he or she became a participant through
7 the date on which such deficiency is paid.

8 (h) Any period that a participant served as a full-time
9 attorney employed by the Chicago Transit Authority created by
10 the Metropolitan Transit Authority Act, subject to the
11 following conditions: (1) any credit received for such
12 service in the pension fund established under Section 22-101
13 has been terminated; (2) the maximum amount of such service
14 to be credited in this system shall be 10 years; (3) the
15 participant must have at least 6 years of service as a judge
16 and as a participant of this system; and (4) the participant
17 has made contributions to the system for such service at the
18 contribution rates in effect on the date of becoming a
19 participant in this system based upon the salary of the judge
20 on such date, including interest at 5% per annum compounded
21 annually from such date to the date of payment.

22 (i) Any period during which a participant received
23 temporary total disability benefit payments, as provided in
24 Section 18-126.1.

25 Service during a fraction of a month shall be considered
26 a month of service, but no more than one month of service
27 shall be credited for all service during any calendar month.

28 (Source: P.A. 86-272; 86-273; 86-1028; 87-1265.)

29 Section 99. Effective date. This Act takes effect upon
30 becoming law.