

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 17-116 as follows:

6 (40 ILCS 5/17-116) (from Ch. 108 1/2, par. 17-116)

7 Sec. 17-116. Service retirement pension.

8 (a) Each teacher having 20 years of service upon
9 attainment of age 55, or who thereafter attains age 55 shall
10 be entitled to a service retirement pension upon or after
11 attainment of age 55; and each teacher in service on or after
12 July 1, 1971, with 5 or more but less than 20 years of
13 service shall be entitled to receive a service retirement
14 pension upon or after attainment of age 62.

15 (b) The service retirement pension for a teacher who
16 retires on or after June 25, 1971, at age 60 or over, shall
17 be calculated as follows:

18 (1) For creditable service earned before July 1,
19 1998 that has not been augmented under Section 17-119.1:
20 1.67% for each of the first 10 years of service; 1.90%
21 for each of the next 10 years of service; 2.10% for each
22 year of service in excess of 20 but not exceeding 30; and
23 2.30% for each year of service in excess of 30, based
24 upon average salary as herein defined.

25 (2) For creditable service earned on or after July
26 1, 1998 by a member who has at least 30 years of
27 creditable service on July 1, 1998 and who does not elect
28 to augment service under Section 17-119.1: 2.3% of
29 average salary for each year of creditable service earned
30 on or after July 1, 1998.

31 (3) For all other creditable service: 2.2% of

1 average salary for each year of creditable service.

2 (c) When computing such service retirement pensions, the
3 following conditions shall apply:

4 1. Average salary shall consist of the average
5 annual rate of salary for the 4 consecutive years of
6 validated service within the last 10 years of service
7 when such average annual rate was highest. In the
8 determination of average salary for retirement allowance
9 purposes, for members who commenced employment after
10 August 31, 1979, that part of the salary for any year
11 shall be excluded which exceeds the annual full-time
12 salary rate for the preceding year by more than 20%. In
13 the case of a member who commenced employment before
14 August 31, 1979 and who receives salary during any year
15 after September 1, 1983 which exceeds the annual full
16 time salary rate for the preceding year by more than 20%,
17 an Employer and other employers of eligible contributors
18 as defined in Section 17-106 shall pay to the Fund an
19 amount equal to the present value of the additional
20 service retirement pension resulting from such excess
21 salary. The present value of the additional service
22 retirement pension shall be computed by the Board on the
23 basis of actuarial tables adopted by the Board. If a
24 member elects to receive a pension from this Fund
25 provided by Section 20-121, his salary under the State
26 Universities Retirement System and the Teachers'
27 Retirement System of the State of Illinois shall be
28 considered in determining such average salary. Amounts
29 paid after the effective date of this amendatory Act of
30 1991 for unused vacation time earned after that effective
31 date shall not under any circumstances be included in the
32 calculation of average salary or the annual rate of
33 salary for the purposes of this Article.

34 2. Proportionate credit shall be given for

1 validated service of less than one year.

2 3. For retirement at age 60 or over the pension
3 shall be payable at the full rate.

4 4. For separation from service below age 60 to a
5 minimum age of 55, the pension shall be discounted at the
6 rate of 1/2 of one per cent for each month that the age
7 of the contributor is less than 60, but a teacher may
8 elect to defer the effective date of pension in order to
9 eliminate or reduce this discount. This discount shall
10 not be applicable to any participant who has at least 34
11 years of service or a retirement pension of at least
12 74.6% of average salary on the date the retirement
13 annuity begins.

14 5. No additional pension shall be granted for
15 service exceeding 45 years. Beginning June 26, 1971 and
16 until January 1, 2002 no pension shall exceed the greater
17 of \$1,500 per month or 75% of average salary as herein
18 defined. Beginning January 1, 2002, no pension shall
19 exceed 80% of average salary as herein defined.

20 6. Service retirement pensions shall begin on the
21 effective date of resignation, retirement, the day
22 following the close of the payroll period for which
23 service credit was validated, or the time the person
24 resigning or retiring attains age 55, or on a date
25 elected by the teacher, whichever shall be latest.

26 7. A member who is eligible to receive a retirement
27 pension of at least 74.6% of average salary and will
28 attain age 55 on or before December 31 during the year
29 which commences on July 1 shall be deemed to attain age
30 55 on the preceding June 1.

31 8. A member retiring after the effective date of
32 this amendatory Act of 1998 shall receive a pension equal
33 to 75% of average salary if the member is qualified to
34 receive a retirement pension equal to at least 74.6% of

1 average salary under this Article or as proportional
2 annuities under Article 20 of this Code.

3 (Source: P.A. 90-566, eff. 1-2-98; 90-582, eff. 5-27-98.)

4 Section 90. The State Mandates Act is amended by adding
5 Section 8.25 as follows:

6 (30 ILCS 805/8.25 new)

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

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.