

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 16-106 as follows:

6 (40 ILCS 5/16-106) (from Ch. 108 1/2, par. 16-106)

7 Sec. 16-106. Teacher. "Teacher": The following
8 individuals, provided that, for employment prior to July 1,
9 1990, they are employed on a full-time basis, or if not
10 full-time, on a permanent and continuous basis in a position
11 in which services are expected to be rendered for at least
12 one school term:

13 (1) Any educational, administrative, professional
14 or other staff employed in the public common schools
15 included within this system in a position requiring
16 certification under the law governing the certification
17 of teachers;

18 (2) Any educational, administrative, professional
19 or other staff employed in any facility of the Department
20 of Children and Family Services or the Department of
21 Human Services, in a position requiring certification
22 under the law governing the certification of teachers,
23 and any person who (i) works in such a position for the
24 Department of Corrections, (ii) was a member of this
25 System on May 31, 1987, and (iii) did not elect to become
26 a member of the State Employees' Retirement System
27 pursuant to Section 14-108.2 of this Code;

28 (3) Any regional superintendent of schools,
29 assistant regional superintendent of schools, State
30 Superintendent of Education; any person employed by the
31 State Board of Education as an executive; any executive

1 of the boards engaged in the service of public common
2 school education in school districts covered under this
3 system of which the State Superintendent of Education is
4 an ex-officio member;

5 (4) Any employee of a school board association
6 operating in compliance with Article 23 of the School
7 Code who is certificated under the law governing the
8 certification of teachers;

9 (5) Any person employed by the retirement system
10 who:

11 (i) was an employee of and a participant in
12 the system on the effective date of this amendatory
13 Act of the 92nd General Assembly, or

14 (ii) becomes an employee of the system on or
15 after the effective date of this amendatory Act of
16 the 92nd General Assembly; as-an-executive,-and-any
17 person-employed-by-the-retirement-system-who-is
18 certificated-under-the-law-governing-the
19 certification-of-teachers;

20 (6) Any educational, administrative, professional
21 or other staff employed by and under the supervision and
22 control of a regional superintendent of schools, provided
23 such employment position requires the person to be
24 certificated under the law governing the certification of
25 teachers and is in an educational program serving 2 or
26 more districts in accordance with a joint agreement
27 authorized by the School Code or by federal legislation;

28 (7) Any educational, administrative, professional
29 or other staff employed in an educational program
30 serving 2 or more school districts in accordance with a
31 joint agreement authorized by the School Code or by
32 federal legislation and in a position requiring
33 certification under the laws governing the certification
34 of teachers;

1 (8) Any officer or employee of a statewide teacher
2 organization or officer of a national teacher
3 organization who is certified under the law governing
4 certification of teachers, provided: (i) the individual
5 had previously established creditable service under this
6 Article, (ii) the individual files with the system an
7 irrevocable election to become a member, and (iii) the
8 individual does not receive credit for such service under
9 any other Article of this Code;

10 (9) Any educational, administrative, professional,
11 or other staff employed in a charter school operating in
12 compliance with the Charter Schools Law who is
13 certificated under the law governing the certification of
14 teachers.

15 An annuitant receiving a retirement annuity under this
16 Article or under Article 17 of this Code who is temporarily
17 employed by a board of education or other employer not
18 exceeding that permitted under Section 16-118 is not a
19 "teacher" for purposes of this Article. A person who has
20 received a single-sum retirement benefit under Section
21 16-136.4 of this Article is not a "teacher" for purposes of
22 this Article.

23 (Source: P.A. 89-450, eff. 4-10-96; 89-507, eff. 7-1-97;
24 90-14, eff. 7-1-97; 90-448, eff. 8-16-97.)

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.