



## 103RD GENERAL ASSEMBLY

### State of Illinois

### 2023 and 2024

### SB3708

Introduced 2/9/2024, by Sen. Christopher Belt

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/1-160

40 ILCS 5/14-110

40 ILCS 5/14-152.1

from Ch. 108 1/2, par. 14-110

Amends the General Provisions and State Employee Articles of the Illinois Pension Code. Provides that, with regard to persons subject to the Tier 2 provisions, a security employee of the Department of Human Services, a security employee of the Department of Corrections or the Department of Juvenile Justice, or an investigator for the Department of the Lottery is entitled to an annuity calculated under the alternative retirement annuity provisions, in lieu of the regular or minimum retirement annuity, only if the person has withdrawn from service with not less than 20 years of eligible creditable service and has attained age 55, regardless of whether the attainment of age 55 occurs while the person is still in service. Authorizes an investigator for the Department of the Lottery to establish eligible creditable service under the alternative retirement annuity provisions. Provides that a security employee of the Department of Human Services subject to the Tier 2 provisions may convert up to 13 years of service credit established before the effective date of the amendatory Act as a security employee of the Department of Human Services into eligible creditable service by filing a written election with the Board, accompanied by a specified payment. Provides that a specified educational requirement for persons employed by the Department of Juvenile Justice shall no longer determine the eligibility to earn eligible creditable service under the alternative retirement annuity provisions, and authorizes the conversion of service credit to eligible creditable service. Excludes a benefit increase resulting from the amendatory Act from the definition of "new benefit increase". Effective January 1, 2025.

LRB103 39486 RPS 69682 b

1 AN ACT concerning 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 1-160, 14-110, and 14-152.1 as follows:

6 (40 ILCS 5/1-160)

7 (Text of Section from P.A. 102-719)

8 Sec. 1-160. Provisions applicable to new hires.

9 (a) The provisions of this Section apply to a person who,  
10 on or after January 1, 2011, first becomes a member or a  
11 participant under any reciprocal retirement system or pension  
12 fund established under this Code, other than a retirement  
13 system or pension fund established under Article 2, 3, 4, 5, 6,  
14 7, 15, or 18 of this Code, notwithstanding any other provision  
15 of this Code to the contrary, but do not apply to any  
16 self-managed plan established under this Code or to any  
17 participant of the retirement plan established under Section  
18 22-101; except that this Section applies to a person who  
19 elected to establish alternative credits by electing in  
20 writing after January 1, 2011, but before August 8, 2011,  
21 under Section 7-145.1 of this Code. Notwithstanding anything  
22 to the contrary in this Section, for purposes of this Section,  
23 a person who is a Tier 1 regular employee as defined in Section

1 7-109.4 of this Code or who participated in a retirement  
2 system under Article 15 prior to January 1, 2011 shall be  
3 deemed a person who first became a member or participant prior  
4 to January 1, 2011 under any retirement system or pension fund  
5 subject to this Section. The changes made to this Section by  
6 Public Act 98-596 are a clarification of existing law and are  
7 intended to be retroactive to January 1, 2011 (the effective  
8 date of Public Act 96-889), notwithstanding the provisions of  
9 Section 1-103.1 of this Code.

10 This Section does not apply to a person who first becomes a  
11 noncovered employee under Article 14 on or after the  
12 implementation date of the plan created under Section 1-161  
13 for that Article, unless that person elects under subsection  
14 (b) of Section 1-161 to instead receive the benefits provided  
15 under this Section and the applicable provisions of that  
16 Article.

17 This Section does not apply to a person who first becomes a  
18 member or participant under Article 16 on or after the  
19 implementation date of the plan created under Section 1-161  
20 for that Article, unless that person elects under subsection  
21 (b) of Section 1-161 to instead receive the benefits provided  
22 under this Section and the applicable provisions of that  
23 Article.

24 This Section does not apply to a person who elects under  
25 subsection (c-5) of Section 1-161 to receive the benefits  
26 under Section 1-161.

1           This Section does not apply to a person who first becomes a  
2 member or participant of an affected pension fund on or after 6  
3 months after the resolution or ordinance date, as defined in  
4 Section 1-162, unless that person elects under subsection (c)  
5 of Section 1-162 to receive the benefits provided under this  
6 Section and the applicable provisions of the Article under  
7 which he or she is a member or participant.

8           (b) "Final average salary" means, except as otherwise  
9 provided in this subsection, the average monthly (or annual)  
10 salary obtained by dividing the total salary or earnings  
11 calculated under the Article applicable to the member or  
12 participant during the 96 consecutive months (or 8 consecutive  
13 years) of service within the last 120 months (or 10 years) of  
14 service in which the total salary or earnings calculated under  
15 the applicable Article was the highest by the number of months  
16 (or years) of service in that period. For the purposes of a  
17 person who first becomes a member or participant of any  
18 retirement system or pension fund to which this Section  
19 applies on or after January 1, 2011, in this Code, "final  
20 average salary" shall be substituted for the following:

21           (1) (Blank).

22           (2) In Articles 8, 9, 10, 11, and 12, "highest average  
23 annual salary for any 4 consecutive years within the last  
24 10 years of service immediately preceding the date of  
25 withdrawal".

26           (3) In Article 13, "average final salary".

1 (4) In Article 14, "final average compensation".

2 (5) In Article 17, "average salary".

3 (6) In Section 22-207, "wages or salary received by  
4 him at the date of retirement or discharge".

5 A member of the Teachers' Retirement System of the State  
6 of Illinois who retires on or after June 1, 2021 and for whom  
7 the 2020-2021 school year is used in the calculation of the  
8 member's final average salary shall use the higher of the  
9 following for the purpose of determining the member's final  
10 average salary:

11 (A) the amount otherwise calculated under the first  
12 paragraph of this subsection; or

13 (B) an amount calculated by the Teachers' Retirement  
14 System of the State of Illinois using the average of the  
15 monthly (or annual) salary obtained by dividing the total  
16 salary or earnings calculated under Article 16 applicable  
17 to the member or participant during the 96 months (or 8  
18 years) of service within the last 120 months (or 10 years)  
19 of service in which the total salary or earnings  
20 calculated under the Article was the highest by the number  
21 of months (or years) of service in that period.

22 (b-5) Beginning on January 1, 2011, for all purposes under  
23 this Code (including without limitation the calculation of  
24 benefits and employee contributions), the annual earnings,  
25 salary, or wages (based on the plan year) of a member or  
26 participant to whom this Section applies shall not exceed

1 \$106,800; however, that amount shall annually thereafter be  
2 increased by the lesser of (i) 3% of that amount, including all  
3 previous adjustments, or (ii) one-half the annual unadjusted  
4 percentage increase (but not less than zero) in the consumer  
5 price index-u for the 12 months ending with the September  
6 preceding each November 1, including all previous adjustments.

7 For the purposes of this Section, "consumer price index-u"  
8 means the index published by the Bureau of Labor Statistics of  
9 the United States Department of Labor that measures the  
10 average change in prices of goods and services purchased by  
11 all urban consumers, United States city average, all items,  
12 1982-84 = 100. The new amount resulting from each annual  
13 adjustment shall be determined by the Public Pension Division  
14 of the Department of Insurance and made available to the  
15 boards of the retirement systems and pension funds by November  
16 1 of each year.

17 (b-10) Beginning on January 1, 2024, for all purposes  
18 under this Code (including, without limitation, the  
19 calculation of benefits and employee contributions), the  
20 annual earnings, salary, or wages (based on the plan year) of a  
21 member or participant under Article 9 to whom this Section  
22 applies shall include an annual earnings, salary, or wage cap  
23 that tracks the Social Security wage base. Maximum annual  
24 earnings, wages, or salary shall be the annual contribution  
25 and benefit base established for the applicable year by the  
26 Commissioner of the Social Security Administration under the

1 federal Social Security Act.

2       However, in no event shall the annual earnings, salary, or  
3 wages for the purposes of this Article and Article 9 exceed any  
4 limitation imposed on annual earnings, salary, or wages under  
5 Section 1-117. Under no circumstances shall the maximum amount  
6 of annual earnings, salary, or wages be greater than the  
7 amount set forth in this subsection (b-10) as a result of  
8 reciprocal service or any provisions regarding reciprocal  
9 services, nor shall the Fund under Article 9 be required to pay  
10 any refund as a result of the application of this maximum  
11 annual earnings, salary, and wage cap.

12       Nothing in this subsection (b-10) shall cause or otherwise  
13 result in any retroactive adjustment of any employee  
14 contributions. Nothing in this subsection (b-10) shall cause  
15 or otherwise result in any retroactive adjustment of  
16 disability or other payments made between January 1, 2011 and  
17 January 1, 2024.

18       (c) A member or participant is entitled to a retirement  
19 annuity upon written application if he or she has attained age  
20 67 (age 65, with respect to service under Article 12 that is  
21 subject to this Section, for a member or participant under  
22 Article 12 who first becomes a member or participant under  
23 Article 12 on or after January 1, 2022 or who makes the  
24 election under item (i) of subsection (d-15) of this Section)  
25 and has at least 10 years of service credit and is otherwise  
26 eligible under the requirements of the applicable Article.

1           A member or participant who has attained age 62 (age 60,  
2 with respect to service under Article 12 that is subject to  
3 this Section, for a member or participant under Article 12 who  
4 first becomes a member or participant under Article 12 on or  
5 after January 1, 2022 or who makes the election under item (i)  
6 of subsection (d-15) of this Section) and has at least 10 years  
7 of service credit and is otherwise eligible under the  
8 requirements of the applicable Article may elect to receive  
9 the lower retirement annuity provided in subsection (d) of  
10 this Section.

11           (c-5) A person who first becomes a member or a participant  
12 subject to this Section on or after July 6, 2017 (the effective  
13 date of Public Act 100-23), notwithstanding any other  
14 provision of this Code to the contrary, is entitled to a  
15 retirement annuity under Article 8 or Article 11 upon written  
16 application if he or she has attained age 65 and has at least  
17 10 years of service credit and is otherwise eligible under the  
18 requirements of Article 8 or Article 11 of this Code,  
19 whichever is applicable.

20           (d) The retirement annuity of a member or participant who  
21 is retiring after attaining age 62 (age 60, with respect to  
22 service under Article 12 that is subject to this Section, for a  
23 member or participant under Article 12 who first becomes a  
24 member or participant under Article 12 on or after January 1,  
25 2022 or who makes the election under item (i) of subsection  
26 (d-15) of this Section) with at least 10 years of service



1 credit shall be reduced by one-half of 1% for each full month  
2 that the member's age is under age 67 (age 65, with respect to  
3 service under Article 12 that is subject to this Section, for a  
4 member or participant under Article 12 who first becomes a  
5 member or participant under Article 12 on or after January 1,  
6 2022 or who makes the election under item (i) of subsection  
7 (d-15) of this Section).

8 (d-5) The retirement annuity payable under Article 8 or  
9 Article 11 to an eligible person subject to subsection (c-5)  
10 of this Section who is retiring at age 60 with at least 10  
11 years of service credit shall be reduced by one-half of 1% for  
12 each full month that the member's age is under age 65.

13 (d-10) Each person who first became a member or  
14 participant under Article 8 or Article 11 of this Code on or  
15 after January 1, 2011 and prior to July 6, 2017 (the effective  
16 date of Public Act 100-23) shall make an irrevocable election  
17 either:

18 (i) to be eligible for the reduced retirement age  
19 provided in subsections (c-5) and (d-5) of this Section,  
20 the eligibility for which is conditioned upon the member  
21 or participant agreeing to the increases in employee  
22 contributions for age and service annuities provided in  
23 subsection (a-5) of Section 8-174 of this Code (for  
24 service under Article 8) or subsection (a-5) of Section  
25 11-170 of this Code (for service under Article 11); or

26 (ii) to not agree to item (i) of this subsection

1 (d-10), in which case the member or participant shall  
2 continue to be subject to the retirement age provisions in  
3 subsections (c) and (d) of this Section and the employee  
4 contributions for age and service annuity as provided in  
5 subsection (a) of Section 8-174 of this Code (for service  
6 under Article 8) or subsection (a) of Section 11-170 of  
7 this Code (for service under Article 11).

8 The election provided for in this subsection shall be made  
9 between October 1, 2017 and November 15, 2017. A person  
10 subject to this subsection who makes the required election  
11 shall remain bound by that election. A person subject to this  
12 subsection who fails for any reason to make the required  
13 election within the time specified in this subsection shall be  
14 deemed to have made the election under item (ii).

15 (d-15) Each person who first becomes a member or  
16 participant under Article 12 on or after January 1, 2011 and  
17 prior to January 1, 2022 shall make an irrevocable election  
18 either:

19 (i) to be eligible for the reduced retirement age  
20 specified in subsections (c) and (d) of this Section, the  
21 eligibility for which is conditioned upon the member or  
22 participant agreeing to the increase in employee  
23 contributions for service annuities specified in  
24 subsection (b) of Section 12-150; or

25 (ii) to not agree to item (i) of this subsection  
26 (d-15), in which case the member or participant shall not

1 be eligible for the reduced retirement age specified in  
2 subsections (c) and (d) of this Section and shall not be  
3 subject to the increase in employee contributions for  
4 service annuities specified in subsection (b) of Section  
5 12-150.

6 The election provided for in this subsection shall be made  
7 between January 1, 2022 and April 1, 2022. A person subject to  
8 this subsection who makes the required election shall remain  
9 bound by that election. A person subject to this subsection  
10 who fails for any reason to make the required election within  
11 the time specified in this subsection shall be deemed to have  
12 made the election under item (ii).

13 (e) Any retirement annuity or supplemental annuity shall  
14 be subject to annual increases on the January 1 occurring  
15 either on or after the attainment of age 67 (age 65, with  
16 respect to service under Article 12 that is subject to this  
17 Section, for a member or participant under Article 12 who  
18 first becomes a member or participant under Article 12 on or  
19 after January 1, 2022 or who makes the election under item (i)  
20 of subsection (d-15); and beginning on July 6, 2017 (the  
21 effective date of Public Act 100-23), age 65 with respect to  
22 service under Article 8 or Article 11 for eligible persons  
23 who: (i) are subject to subsection (c-5) of this Section; or  
24 (ii) made the election under item (i) of subsection (d-10) of  
25 this Section) or the first anniversary of the annuity start  
26 date, whichever is later. Each annual increase shall be

1 calculated at 3% or one-half the annual unadjusted percentage  
2 increase (but not less than zero) in the consumer price  
3 index-u for the 12 months ending with the September preceding  
4 each November 1, whichever is less, of the originally granted  
5 retirement annuity. If the annual unadjusted percentage change  
6 in the consumer price index-u for the 12 months ending with the  
7 September preceding each November 1 is zero or there is a  
8 decrease, then the annuity shall not be increased.

9 For the purposes of Section 1-103.1 of this Code, the  
10 changes made to this Section by Public Act 102-263 are  
11 applicable without regard to whether the employee was in  
12 active service on or after August 6, 2021 (the effective date  
13 of Public Act 102-263).

14 For the purposes of Section 1-103.1 of this Code, the  
15 changes made to this Section by Public Act 100-23 are  
16 applicable without regard to whether the employee was in  
17 active service on or after July 6, 2017 (the effective date of  
18 Public Act 100-23).

19 (f) The initial survivor's or widow's annuity of an  
20 otherwise eligible survivor or widow of a retired member or  
21 participant who first became a member or participant on or  
22 after January 1, 2011 shall be in the amount of 66 2/3% of the  
23 retired member's or participant's retirement annuity at the  
24 date of death. In the case of the death of a member or  
25 participant who has not retired and who first became a member  
26 or participant on or after January 1, 2011, eligibility for a

1 survivor's or widow's annuity shall be determined by the  
2 applicable Article of this Code. The initial benefit shall be  
3 66 2/3% of the earned annuity without a reduction due to age. A  
4 child's annuity of an otherwise eligible child shall be in the  
5 amount prescribed under each Article if applicable. Any  
6 survivor's or widow's annuity shall be increased (1) on each  
7 January 1 occurring on or after the commencement of the  
8 annuity if the deceased member died while receiving a  
9 retirement annuity or (2) in other cases, on each January 1  
10 occurring after the first anniversary of the commencement of  
11 the annuity. Each annual increase shall be calculated at 3% or  
12 one-half the annual unadjusted percentage increase (but not  
13 less than zero) in the consumer price index-u for the 12 months  
14 ending with the September preceding each November 1, whichever  
15 is less, of the originally granted survivor's annuity. If the  
16 annual unadjusted percentage change in the consumer price  
17 index-u for the 12 months ending with the September preceding  
18 each November 1 is zero or there is a decrease, then the  
19 annuity shall not be increased.

20 (g) The benefits in Section 14-110 apply if the person is a  
21 fire fighter in the fire protection service of a department,~~a~~  
22 ~~security employee of the Department of Corrections or the~~  
23 ~~Department of Juvenile Justice,~~ or a security employee of the  
24 Department of Innovation and Technology, as those terms are  
25 defined in subsection (b) and subsection (c) of Section  
26 14-110. A person who meets the requirements of this Section is

1 entitled to an annuity calculated under the provisions of  
2 Section 14-110, in lieu of the regular or minimum retirement  
3 annuity, only if the person has withdrawn from service with  
4 not less than 20 years of eligible creditable service and has  
5 attained age 60, regardless of whether the attainment of age  
6 60 occurs while the person is still in service.

7 (g-1) The benefits in Section 14-110 apply if the person  
8 is a security employee of the Department of Human Services, a  
9 security employee of the Department of Corrections or the  
10 Department of Juvenile Justice, or an investigator for the  
11 Department of the Lottery, as those terms are defined in  
12 subsection (b) and subsection (c) of Section 14-110. A person  
13 who meets the requirements of this Section is entitled to an  
14 annuity calculated under the provisions of Section 14-110, in  
15 lieu of the regular or minimum retirement annuity, only if the  
16 person has withdrawn from service with not less than 20 years  
17 of eligible creditable service and has attained age 55,  
18 regardless of whether the attainment of age 55 occurs while  
19 the person is still in service.

20 (g-5) The benefits in Section 14-110 apply if the person  
21 is a State policeman, investigator for the Secretary of State,  
22 conservation police officer, investigator for the Department  
23 of Revenue or the Illinois Gaming Board, investigator for the  
24 Office of the Attorney General, Commerce Commission police  
25 officer, or arson investigator, as those terms are defined in  
26 subsection (b) and subsection (c) of Section 14-110. A person

1 who meets the requirements of this Section is entitled to an  
2 annuity calculated under the provisions of Section 14-110, in  
3 lieu of the regular or minimum retirement annuity, only if the  
4 person has withdrawn from service with not less than 20 years  
5 of eligible creditable service and has attained age 55,  
6 regardless of whether the attainment of age 55 occurs while  
7 the person is still in service.

8 (h) If a person who first becomes a member or a participant  
9 of a retirement system or pension fund subject to this Section  
10 on or after January 1, 2011 is receiving a retirement annuity  
11 or retirement pension under that system or fund and becomes a  
12 member or participant under any other system or fund created  
13 by this Code and is employed on a full-time basis, except for  
14 those members or participants exempted from the provisions of  
15 this Section under subsection (a) of this Section, then the  
16 person's retirement annuity or retirement pension under that  
17 system or fund shall be suspended during that employment. Upon  
18 termination of that employment, the person's retirement  
19 annuity or retirement pension payments shall resume and be  
20 recalculated if recalculation is provided for under the  
21 applicable Article of this Code.

22 If a person who first becomes a member of a retirement  
23 system or pension fund subject to this Section on or after  
24 January 1, 2012 and is receiving a retirement annuity or  
25 retirement pension under that system or fund and accepts on a  
26 contractual basis a position to provide services to a

1 governmental entity from which he or she has retired, then  
2 that person's annuity or retirement pension earned as an  
3 active employee of the employer shall be suspended during that  
4 contractual service. A person receiving an annuity or  
5 retirement pension under this Code shall notify the pension  
6 fund or retirement system from which he or she is receiving an  
7 annuity or retirement pension, as well as his or her  
8 contractual employer, of his or her retirement status before  
9 accepting contractual employment. A person who fails to submit  
10 such notification shall be guilty of a Class A misdemeanor and  
11 required to pay a fine of \$1,000. Upon termination of that  
12 contractual employment, the person's retirement annuity or  
13 retirement pension payments shall resume and, if appropriate,  
14 be recalculated under the applicable provisions of this Code.

15 (i) (Blank).

16 (j) In the case of a conflict between the provisions of  
17 this Section and any other provision of this Code, the  
18 provisions of this Section shall control.

19 (Source: P.A. 101-610, eff. 1-1-20; 102-16, eff. 6-17-21;  
20 102-210, eff. 1-1-22; 102-263, eff. 8-6-21; 102-719, eff.  
21 5-6-22.)

22 (Text of Section from P.A. 102-813)

23 Sec. 1-160. Provisions applicable to new hires.

24 (a) The provisions of this Section apply to a person who,  
25 on or after January 1, 2011, first becomes a member or a



1 participant under any reciprocal retirement system or pension  
2 fund established under this Code, other than a retirement  
3 system or pension fund established under Article 2, 3, 4, 5, 6,  
4 7, 15, or 18 of this Code, notwithstanding any other provision  
5 of this Code to the contrary, but do not apply to any  
6 self-managed plan established under this Code or to any  
7 participant of the retirement plan established under Section  
8 22-101; except that this Section applies to a person who  
9 elected to establish alternative credits by electing in  
10 writing after January 1, 2011, but before August 8, 2011,  
11 under Section 7-145.1 of this Code. Notwithstanding anything  
12 to the contrary in this Section, for purposes of this Section,  
13 a person who is a Tier 1 regular employee as defined in Section  
14 7-109.4 of this Code or who participated in a retirement  
15 system under Article 15 prior to January 1, 2011 shall be  
16 deemed a person who first became a member or participant prior  
17 to January 1, 2011 under any retirement system or pension fund  
18 subject to this Section. The changes made to this Section by  
19 Public Act 98-596 are a clarification of existing law and are  
20 intended to be retroactive to January 1, 2011 (the effective  
21 date of Public Act 96-889), notwithstanding the provisions of  
22 Section 1-103.1 of this Code.

23 This Section does not apply to a person who first becomes a  
24 noncovered employee under Article 14 on or after the  
25 implementation date of the plan created under Section 1-161  
26 for that Article, unless that person elects under subsection

1 (b) of Section 1-161 to instead receive the benefits provided  
2 under this Section and the applicable provisions of that  
3 Article.

4 This Section does not apply to a person who first becomes a  
5 member or participant under Article 16 on or after the  
6 implementation date of the plan created under Section 1-161  
7 for that Article, unless that person elects under subsection  
8 (b) of Section 1-161 to instead receive the benefits provided  
9 under this Section and the applicable provisions of that  
10 Article.

11 This Section does not apply to a person who elects under  
12 subsection (c-5) of Section 1-161 to receive the benefits  
13 under Section 1-161.

14 This Section does not apply to a person who first becomes a  
15 member or participant of an affected pension fund on or after 6  
16 months after the resolution or ordinance date, as defined in  
17 Section 1-162, unless that person elects under subsection (c)  
18 of Section 1-162 to receive the benefits provided under this  
19 Section and the applicable provisions of the Article under  
20 which he or she is a member or participant.

21 (b) "Final average salary" means, except as otherwise  
22 provided in this subsection, the average monthly (or annual)  
23 salary obtained by dividing the total salary or earnings  
24 calculated under the Article applicable to the member or  
25 participant during the 96 consecutive months (or 8 consecutive  
26 years) of service within the last 120 months (or 10 years) of

1 service in which the total salary or earnings calculated under  
2 the applicable Article was the highest by the number of months  
3 (or years) of service in that period. For the purposes of a  
4 person who first becomes a member or participant of any  
5 retirement system or pension fund to which this Section  
6 applies on or after January 1, 2011, in this Code, "final  
7 average salary" shall be substituted for the following:

8 (1) (Blank).

9 (2) In Articles 8, 9, 10, 11, and 12, "highest average  
10 annual salary for any 4 consecutive years within the last  
11 10 years of service immediately preceding the date of  
12 withdrawal".

13 (3) In Article 13, "average final salary".

14 (4) In Article 14, "final average compensation".

15 (5) In Article 17, "average salary".

16 (6) In Section 22-207, "wages or salary received by  
17 him at the date of retirement or discharge".

18 A member of the Teachers' Retirement System of the State  
19 of Illinois who retires on or after June 1, 2021 and for whom  
20 the 2020-2021 school year is used in the calculation of the  
21 member's final average salary shall use the higher of the  
22 following for the purpose of determining the member's final  
23 average salary:

24 (A) the amount otherwise calculated under the first  
25 paragraph of this subsection; or

26 (B) an amount calculated by the Teachers' Retirement

1 System of the State of Illinois using the average of the  
2 monthly (or annual) salary obtained by dividing the total  
3 salary or earnings calculated under Article 16 applicable  
4 to the member or participant during the 96 months (or 8  
5 years) of service within the last 120 months (or 10 years)  
6 of service in which the total salary or earnings  
7 calculated under the Article was the highest by the number  
8 of months (or years) of service in that period.

9 (b-5) Beginning on January 1, 2011, for all purposes under  
10 this Code (including without limitation the calculation of  
11 benefits and employee contributions), the annual earnings,  
12 salary, or wages (based on the plan year) of a member or  
13 participant to whom this Section applies shall not exceed  
14 \$106,800; however, that amount shall annually thereafter be  
15 increased by the lesser of (i) 3% of that amount, including all  
16 previous adjustments, or (ii) one-half the annual unadjusted  
17 percentage increase (but not less than zero) in the consumer  
18 price index-u for the 12 months ending with the September  
19 preceding each November 1, including all previous adjustments.

20 For the purposes of this Section, "consumer price index-u"  
21 means the index published by the Bureau of Labor Statistics of  
22 the United States Department of Labor that measures the  
23 average change in prices of goods and services purchased by  
24 all urban consumers, United States city average, all items,  
25 1982-84 = 100. The new amount resulting from each annual  
26 adjustment shall be determined by the Public Pension Division

1 of the Department of Insurance and made available to the  
2 boards of the retirement systems and pension funds by November  
3 1 of each year.

4 (b-10) Beginning on January 1, 2024, for all purposes  
5 under this Code (including, without limitation, the  
6 calculation of benefits and employee contributions), the  
7 annual earnings, salary, or wages (based on the plan year) of a  
8 member or participant under Article 9 to whom this Section  
9 applies shall include an annual earnings, salary, or wage cap  
10 that tracks the Social Security wage base. Maximum annual  
11 earnings, wages, or salary shall be the annual contribution  
12 and benefit base established for the applicable year by the  
13 Commissioner of the Social Security Administration under the  
14 federal Social Security Act.

15 However, in no event shall the annual earnings, salary, or  
16 wages for the purposes of this Article and Article 9 exceed any  
17 limitation imposed on annual earnings, salary, or wages under  
18 Section 1-117. Under no circumstances shall the maximum amount  
19 of annual earnings, salary, or wages be greater than the  
20 amount set forth in this subsection (b-10) as a result of  
21 reciprocal service or any provisions regarding reciprocal  
22 services, nor shall the Fund under Article 9 be required to pay  
23 any refund as a result of the application of this maximum  
24 annual earnings, salary, and wage cap.

25 Nothing in this subsection (b-10) shall cause or otherwise  
26 result in any retroactive adjustment of any employee

1 contributions. Nothing in this subsection (b-10) shall cause  
2 or otherwise result in any retroactive adjustment of  
3 disability or other payments made between January 1, 2011 and  
4 January 1, 2024.

5 (c) A member or participant is entitled to a retirement  
6 annuity upon written application if he or she has attained age  
7 67 (age 65, with respect to service under Article 12 that is  
8 subject to this Section, for a member or participant under  
9 Article 12 who first becomes a member or participant under  
10 Article 12 on or after January 1, 2022 or who makes the  
11 election under item (i) of subsection (d-15) of this Section)  
12 and has at least 10 years of service credit and is otherwise  
13 eligible under the requirements of the applicable Article.

14 A member or participant who has attained age 62 (age 60,  
15 with respect to service under Article 12 that is subject to  
16 this Section, for a member or participant under Article 12 who  
17 first becomes a member or participant under Article 12 on or  
18 after January 1, 2022 or who makes the election under item (i)  
19 of subsection (d-15) of this Section) and has at least 10 years  
20 of service credit and is otherwise eligible under the  
21 requirements of the applicable Article may elect to receive  
22 the lower retirement annuity provided in subsection (d) of  
23 this Section.

24 (c-5) A person who first becomes a member or a participant  
25 subject to this Section on or after July 6, 2017 (the effective  
26 date of Public Act 100-23), notwithstanding any other

1 provision of this Code to the contrary, is entitled to a  
2 retirement annuity under Article 8 or Article 11 upon written  
3 application if he or she has attained age 65 and has at least  
4 10 years of service credit and is otherwise eligible under the  
5 requirements of Article 8 or Article 11 of this Code,  
6 whichever is applicable.

7 (d) The retirement annuity of a member or participant who  
8 is retiring after attaining age 62 (age 60, with respect to  
9 service under Article 12 that is subject to this Section, for a  
10 member or participant under Article 12 who first becomes a  
11 member or participant under Article 12 on or after January 1,  
12 2022 or who makes the election under item (i) of subsection  
13 (d-15) of this Section) with at least 10 years of service  
14 credit shall be reduced by one-half of 1% for each full month  
15 that the member's age is under age 67 (age 65, with respect to  
16 service under Article 12 that is subject to this Section, for a  
17 member or participant under Article 12 who first becomes a  
18 member or participant under Article 12 on or after January 1,  
19 2022 or who makes the election under item (i) of subsection  
20 (d-15) of this Section).

21 (d-5) The retirement annuity payable under Article 8 or  
22 Article 11 to an eligible person subject to subsection (c-5)  
23 of this Section who is retiring at age 60 with at least 10  
24 years of service credit shall be reduced by one-half of 1% for  
25 each full month that the member's age is under age 65.

26 (d-10) Each person who first became a member or

1 participant under Article 8 or Article 11 of this Code on or  
2 after January 1, 2011 and prior to July 6, 2017 (the effective  
3 date of Public Act 100-23) shall make an irrevocable election  
4 either:

5 (i) to be eligible for the reduced retirement age  
6 provided in subsections (c-5) and (d-5) of this Section,  
7 the eligibility for which is conditioned upon the member  
8 or participant agreeing to the increases in employee  
9 contributions for age and service annuities provided in  
10 subsection (a-5) of Section 8-174 of this Code (for  
11 service under Article 8) or subsection (a-5) of Section  
12 11-170 of this Code (for service under Article 11); or

13 (ii) to not agree to item (i) of this subsection  
14 (d-10), in which case the member or participant shall  
15 continue to be subject to the retirement age provisions in  
16 subsections (c) and (d) of this Section and the employee  
17 contributions for age and service annuity as provided in  
18 subsection (a) of Section 8-174 of this Code (for service  
19 under Article 8) or subsection (a) of Section 11-170 of  
20 this Code (for service under Article 11).

21 The election provided for in this subsection shall be made  
22 between October 1, 2017 and November 15, 2017. A person  
23 subject to this subsection who makes the required election  
24 shall remain bound by that election. A person subject to this  
25 subsection who fails for any reason to make the required  
26 election within the time specified in this subsection shall be



1 deemed to have made the election under item (ii).

2 (d-15) Each person who first becomes a member or  
3 participant under Article 12 on or after January 1, 2011 and  
4 prior to January 1, 2022 shall make an irrevocable election  
5 either:

6 (i) to be eligible for the reduced retirement age  
7 specified in subsections (c) and (d) of this Section, the  
8 eligibility for which is conditioned upon the member or  
9 participant agreeing to the increase in employee  
10 contributions for service annuities specified in  
11 subsection (b) of Section 12-150; or

12 (ii) to not agree to item (i) of this subsection  
13 (d-15), in which case the member or participant shall not  
14 be eligible for the reduced retirement age specified in  
15 subsections (c) and (d) of this Section and shall not be  
16 subject to the increase in employee contributions for  
17 service annuities specified in subsection (b) of Section  
18 12-150.

19 The election provided for in this subsection shall be made  
20 between January 1, 2022 and April 1, 2022. A person subject to  
21 this subsection who makes the required election shall remain  
22 bound by that election. A person subject to this subsection  
23 who fails for any reason to make the required election within  
24 the time specified in this subsection shall be deemed to have  
25 made the election under item (ii).

26 (e) Any retirement annuity or supplemental annuity shall

1 be subject to annual increases on the January 1 occurring  
2 either on or after the attainment of age 67 (age 65, with  
3 respect to service under Article 12 that is subject to this  
4 Section, for a member or participant under Article 12 who  
5 first becomes a member or participant under Article 12 on or  
6 after January 1, 2022 or who makes the election under item (i)  
7 of subsection (d-15); and beginning on July 6, 2017 (the  
8 effective date of Public Act 100-23), age 65 with respect to  
9 service under Article 8 or Article 11 for eligible persons  
10 who: (i) are subject to subsection (c-5) of this Section; or  
11 (ii) made the election under item (i) of subsection (d-10) of  
12 this Section) or the first anniversary of the annuity start  
13 date, whichever is later. Each annual increase shall be  
14 calculated at 3% or one-half the annual unadjusted percentage  
15 increase (but not less than zero) in the consumer price  
16 index-u for the 12 months ending with the September preceding  
17 each November 1, whichever is less, of the originally granted  
18 retirement annuity. If the annual unadjusted percentage change  
19 in the consumer price index-u for the 12 months ending with the  
20 September preceding each November 1 is zero or there is a  
21 decrease, then the annuity shall not be increased.

22 For the purposes of Section 1-103.1 of this Code, the  
23 changes made to this Section by Public Act 102-263 are  
24 applicable without regard to whether the employee was in  
25 active service on or after August 6, 2021 (the effective date  
26 of Public Act 102-263).

1 For the purposes of Section 1-103.1 of this Code, the  
2 changes made to this Section by Public Act 100-23 are  
3 applicable without regard to whether the employee was in  
4 active service on or after July 6, 2017 (the effective date of  
5 Public Act 100-23).

6 (f) The initial survivor's or widow's annuity of an  
7 otherwise eligible survivor or widow of a retired member or  
8 participant who first became a member or participant on or  
9 after January 1, 2011 shall be in the amount of 66 2/3% of the  
10 retired member's or participant's retirement annuity at the  
11 date of death. In the case of the death of a member or  
12 participant who has not retired and who first became a member  
13 or participant on or after January 1, 2011, eligibility for a  
14 survivor's or widow's annuity shall be determined by the  
15 applicable Article of this Code. The initial benefit shall be  
16 66 2/3% of the earned annuity without a reduction due to age. A  
17 child's annuity of an otherwise eligible child shall be in the  
18 amount prescribed under each Article if applicable. Any  
19 survivor's or widow's annuity shall be increased (1) on each  
20 January 1 occurring on or after the commencement of the  
21 annuity if the deceased member died while receiving a  
22 retirement annuity or (2) in other cases, on each January 1  
23 occurring after the first anniversary of the commencement of  
24 the annuity. Each annual increase shall be calculated at 3% or  
25 one-half the annual unadjusted percentage increase (but not  
26 less than zero) in the consumer price index-u for the 12 months

1 ending with the September preceding each November 1, whichever  
2 is less, of the originally granted survivor's annuity. If the  
3 annual unadjusted percentage change in the consumer price  
4 index-u for the 12 months ending with the September preceding  
5 each November 1 is zero or there is a decrease, then the  
6 annuity shall not be increased.

7 (g) The benefits in Section 14-110 apply ~~only~~ if the  
8 person is a State policeman, a fire fighter in the fire  
9 protection service of a department, a conservation police  
10 officer, an investigator for the Secretary of State, an arson  
11 investigator, a Commerce Commission police officer,  
12 investigator for the Department of Revenue or the Illinois  
13 Gaming Board, ~~a security employee of the Department of~~  
14 ~~Corrections or the Department of Juvenile Justice,~~ or a  
15 security employee of the Department of Innovation and  
16 Technology, as those terms are defined in subsection (b) and  
17 subsection (c) of Section 14-110. A person who meets the  
18 requirements of this Section is entitled to an annuity  
19 calculated under the provisions of Section 14-110, in lieu of  
20 the regular or minimum retirement annuity, only if the person  
21 has withdrawn from service with not less than 20 years of  
22 eligible creditable service and has attained age 60,  
23 regardless of whether the attainment of age 60 occurs while  
24 the person is still in service.

25 (g-1) The benefits in Section 14-110 apply if the person  
26 is a security employee of the Department of Human Services, a

1 security employee of the Department of Corrections or the  
2 Department of Juvenile Justice, or an investigator for the  
3 Department of the Lottery, as those terms are defined in  
4 subsection (b) and subsection (c) of Section 14-110. A person  
5 who meets the requirements of this Section is entitled to an  
6 annuity calculated under the provisions of Section 14-110, in  
7 lieu of the regular or minimum retirement annuity, only if the  
8 person has withdrawn from service with not less than 20 years  
9 of eligible creditable service and has attained age 55,  
10 regardless of whether the attainment of age 55 occurs while  
11 the person is still in service.

12 (h) If a person who first becomes a member or a participant  
13 of a retirement system or pension fund subject to this Section  
14 on or after January 1, 2011 is receiving a retirement annuity  
15 or retirement pension under that system or fund and becomes a  
16 member or participant under any other system or fund created  
17 by this Code and is employed on a full-time basis, except for  
18 those members or participants exempted from the provisions of  
19 this Section under subsection (a) of this Section, then the  
20 person's retirement annuity or retirement pension under that  
21 system or fund shall be suspended during that employment. Upon  
22 termination of that employment, the person's retirement  
23 annuity or retirement pension payments shall resume and be  
24 recalculated if recalculation is provided for under the  
25 applicable Article of this Code.

26 If a person who first becomes a member of a retirement

1 system or pension fund subject to this Section on or after  
2 January 1, 2012 and is receiving a retirement annuity or  
3 retirement pension under that system or fund and accepts on a  
4 contractual basis a position to provide services to a  
5 governmental entity from which he or she has retired, then  
6 that person's annuity or retirement pension earned as an  
7 active employee of the employer shall be suspended during that  
8 contractual service. A person receiving an annuity or  
9 retirement pension under this Code shall notify the pension  
10 fund or retirement system from which he or she is receiving an  
11 annuity or retirement pension, as well as his or her  
12 contractual employer, of his or her retirement status before  
13 accepting contractual employment. A person who fails to submit  
14 such notification shall be guilty of a Class A misdemeanor and  
15 required to pay a fine of \$1,000. Upon termination of that  
16 contractual employment, the person's retirement annuity or  
17 retirement pension payments shall resume and, if appropriate,  
18 be recalculated under the applicable provisions of this Code.

19 (i) (Blank).

20 (j) In the case of a conflict between the provisions of  
21 this Section and any other provision of this Code, the  
22 provisions of this Section shall control.

23 (Source: P.A. 101-610, eff. 1-1-20; 102-16, eff. 6-17-21;  
24 102-210, eff. 1-1-22; 102-263, eff. 8-6-21; 102-813, eff.  
25 5-13-22.)

1 (Text of Section from P.A. 102-956)

2 Sec. 1-160. Provisions applicable to new hires.

3 (a) The provisions of this Section apply to a person who,  
4 on or after January 1, 2011, first becomes a member or a  
5 participant under any reciprocal retirement system or pension  
6 fund established under this Code, other than a retirement  
7 system or pension fund established under Article 2, 3, 4, 5, 6,  
8 7, 15, or 18 of this Code, notwithstanding any other provision  
9 of this Code to the contrary, but do not apply to any  
10 self-managed plan established under this Code or to any  
11 participant of the retirement plan established under Section  
12 22-101; except that this Section applies to a person who  
13 elected to establish alternative credits by electing in  
14 writing after January 1, 2011, but before August 8, 2011,  
15 under Section 7-145.1 of this Code. Notwithstanding anything  
16 to the contrary in this Section, for purposes of this Section,  
17 a person who is a Tier 1 regular employee as defined in Section  
18 7-109.4 of this Code or who participated in a retirement  
19 system under Article 15 prior to January 1, 2011 shall be  
20 deemed a person who first became a member or participant prior  
21 to January 1, 2011 under any retirement system or pension fund  
22 subject to this Section. The changes made to this Section by  
23 Public Act 98-596 are a clarification of existing law and are  
24 intended to be retroactive to January 1, 2011 (the effective  
25 date of Public Act 96-889), notwithstanding the provisions of  
26 Section 1-103.1 of this Code.

1           This Section does not apply to a person who first becomes a  
2 noncovered employee under Article 14 on or after the  
3 implementation date of the plan created under Section 1-161  
4 for that Article, unless that person elects under subsection  
5 (b) of Section 1-161 to instead receive the benefits provided  
6 under this Section and the applicable provisions of that  
7 Article.

8           This Section does not apply to a person who first becomes a  
9 member or participant under Article 16 on or after the  
10 implementation date of the plan created under Section 1-161  
11 for that Article, unless that person elects under subsection  
12 (b) of Section 1-161 to instead receive the benefits provided  
13 under this Section and the applicable provisions of that  
14 Article.

15           This Section does not apply to a person who elects under  
16 subsection (c-5) of Section 1-161 to receive the benefits  
17 under Section 1-161.

18           This Section does not apply to a person who first becomes a  
19 member or participant of an affected pension fund on or after 6  
20 months after the resolution or ordinance date, as defined in  
21 Section 1-162, unless that person elects under subsection (c)  
22 of Section 1-162 to receive the benefits provided under this  
23 Section and the applicable provisions of the Article under  
24 which he or she is a member or participant.

25           (b) "Final average salary" means, except as otherwise  
26 provided in this subsection, the average monthly (or annual)



1 salary obtained by dividing the total salary or earnings  
2 calculated under the Article applicable to the member or  
3 participant during the 96 consecutive months (or 8 consecutive  
4 years) of service within the last 120 months (or 10 years) of  
5 service in which the total salary or earnings calculated under  
6 the applicable Article was the highest by the number of months  
7 (or years) of service in that period. For the purposes of a  
8 person who first becomes a member or participant of any  
9 retirement system or pension fund to which this Section  
10 applies on or after January 1, 2011, in this Code, "final  
11 average salary" shall be substituted for the following:

12 (1) (Blank).

13 (2) In Articles 8, 9, 10, 11, and 12, "highest average  
14 annual salary for any 4 consecutive years within the last  
15 10 years of service immediately preceding the date of  
16 withdrawal".

17 (3) In Article 13, "average final salary".

18 (4) In Article 14, "final average compensation".

19 (5) In Article 17, "average salary".

20 (6) In Section 22-207, "wages or salary received by  
21 him at the date of retirement or discharge".

22 A member of the Teachers' Retirement System of the State  
23 of Illinois who retires on or after June 1, 2021 and for whom  
24 the 2020-2021 school year is used in the calculation of the  
25 member's final average salary shall use the higher of the  
26 following for the purpose of determining the member's final

1 average salary:

2 (A) the amount otherwise calculated under the first  
3 paragraph of this subsection; or

4 (B) an amount calculated by the Teachers' Retirement  
5 System of the State of Illinois using the average of the  
6 monthly (or annual) salary obtained by dividing the total  
7 salary or earnings calculated under Article 16 applicable  
8 to the member or participant during the 96 months (or 8  
9 years) of service within the last 120 months (or 10 years)  
10 of service in which the total salary or earnings  
11 calculated under the Article was the highest by the number  
12 of months (or years) of service in that period.

13 (b-5) Beginning on January 1, 2011, for all purposes under  
14 this Code (including without limitation the calculation of  
15 benefits and employee contributions), the annual earnings,  
16 salary, or wages (based on the plan year) of a member or  
17 participant to whom this Section applies shall not exceed  
18 \$106,800; however, that amount shall annually thereafter be  
19 increased by the lesser of (i) 3% of that amount, including all  
20 previous adjustments, or (ii) one-half the annual unadjusted  
21 percentage increase (but not less than zero) in the consumer  
22 price index-u for the 12 months ending with the September  
23 preceding each November 1, including all previous adjustments.

24 For the purposes of this Section, "consumer price index-u"  
25 means the index published by the Bureau of Labor Statistics of  
26 the United States Department of Labor that measures the

1 average change in prices of goods and services purchased by  
2 all urban consumers, United States city average, all items,  
3 1982-84 = 100. The new amount resulting from each annual  
4 adjustment shall be determined by the Public Pension Division  
5 of the Department of Insurance and made available to the  
6 boards of the retirement systems and pension funds by November  
7 1 of each year.

8 (b-10) Beginning on January 1, 2024, for all purposes  
9 under this Code (including, without limitation, the  
10 calculation of benefits and employee contributions), the  
11 annual earnings, salary, or wages (based on the plan year) of a  
12 member or participant under Article 9 to whom this Section  
13 applies shall include an annual earnings, salary, or wage cap  
14 that tracks the Social Security wage base. Maximum annual  
15 earnings, wages, or salary shall be the annual contribution  
16 and benefit base established for the applicable year by the  
17 Commissioner of the Social Security Administration under the  
18 federal Social Security Act.

19 However, in no event shall the annual earnings, salary, or  
20 wages for the purposes of this Article and Article 9 exceed any  
21 limitation imposed on annual earnings, salary, or wages under  
22 Section 1-117. Under no circumstances shall the maximum amount  
23 of annual earnings, salary, or wages be greater than the  
24 amount set forth in this subsection (b-10) as a result of  
25 reciprocal service or any provisions regarding reciprocal  
26 services, nor shall the Fund under Article 9 be required to pay

1 any refund as a result of the application of this maximum  
2 annual earnings, salary, and wage cap.

3 Nothing in this subsection (b-10) shall cause or otherwise  
4 result in any retroactive adjustment of any employee  
5 contributions. Nothing in this subsection (b-10) shall cause  
6 or otherwise result in any retroactive adjustment of  
7 disability or other payments made between January 1, 2011 and  
8 January 1, 2024.

9 (c) A member or participant is entitled to a retirement  
10 annuity upon written application if he or she has attained age  
11 67 (age 65, with respect to service under Article 12 that is  
12 subject to this Section, for a member or participant under  
13 Article 12 who first becomes a member or participant under  
14 Article 12 on or after January 1, 2022 or who makes the  
15 election under item (i) of subsection (d-15) of this Section)  
16 and has at least 10 years of service credit and is otherwise  
17 eligible under the requirements of the applicable Article.

18 A member or participant who has attained age 62 (age 60,  
19 with respect to service under Article 12 that is subject to  
20 this Section, for a member or participant under Article 12 who  
21 first becomes a member or participant under Article 12 on or  
22 after January 1, 2022 or who makes the election under item (i)  
23 of subsection (d-15) of this Section) and has at least 10 years  
24 of service credit and is otherwise eligible under the  
25 requirements of the applicable Article may elect to receive  
26 the lower retirement annuity provided in subsection (d) of

1 this Section.

2 (c-5) A person who first becomes a member or a participant  
3 subject to this Section on or after July 6, 2017 (the effective  
4 date of Public Act 100-23), notwithstanding any other  
5 provision of this Code to the contrary, is entitled to a  
6 retirement annuity under Article 8 or Article 11 upon written  
7 application if he or she has attained age 65 and has at least  
8 10 years of service credit and is otherwise eligible under the  
9 requirements of Article 8 or Article 11 of this Code,  
10 whichever is applicable.

11 (d) The retirement annuity of a member or participant who  
12 is retiring after attaining age 62 (age 60, with respect to  
13 service under Article 12 that is subject to this Section, for a  
14 member or participant under Article 12 who first becomes a  
15 member or participant under Article 12 on or after January 1,  
16 2022 or who makes the election under item (i) of subsection  
17 (d-15) of this Section) with at least 10 years of service  
18 credit shall be reduced by one-half of 1% for each full month  
19 that the member's age is under age 67 (age 65, with respect to  
20 service under Article 12 that is subject to this Section, for a  
21 member or participant under Article 12 who first becomes a  
22 member or participant under Article 12 on or after January 1,  
23 2022 or who makes the election under item (i) of subsection  
24 (d-15) of this Section).

25 (d-5) The retirement annuity payable under Article 8 or  
26 Article 11 to an eligible person subject to subsection (c-5)

1 of this Section who is retiring at age 60 with at least 10  
2 years of service credit shall be reduced by one-half of 1% for  
3 each full month that the member's age is under age 65.

4 (d-10) Each person who first became a member or  
5 participant under Article 8 or Article 11 of this Code on or  
6 after January 1, 2011 and prior to July 6, 2017 (the effective  
7 date of Public Act 100-23) shall make an irrevocable election  
8 either:

9 (i) to be eligible for the reduced retirement age  
10 provided in subsections (c-5) and (d-5) of this Section,  
11 the eligibility for which is conditioned upon the member  
12 or participant agreeing to the increases in employee  
13 contributions for age and service annuities provided in  
14 subsection (a-5) of Section 8-174 of this Code (for  
15 service under Article 8) or subsection (a-5) of Section  
16 11-170 of this Code (for service under Article 11); or

17 (ii) to not agree to item (i) of this subsection  
18 (d-10), in which case the member or participant shall  
19 continue to be subject to the retirement age provisions in  
20 subsections (c) and (d) of this Section and the employee  
21 contributions for age and service annuity as provided in  
22 subsection (a) of Section 8-174 of this Code (for service  
23 under Article 8) or subsection (a) of Section 11-170 of  
24 this Code (for service under Article 11).

25 The election provided for in this subsection shall be made  
26 between October 1, 2017 and November 15, 2017. A person

1 subject to this subsection who makes the required election  
2 shall remain bound by that election. A person subject to this  
3 subsection who fails for any reason to make the required  
4 election within the time specified in this subsection shall be  
5 deemed to have made the election under item (ii).

6 (d-15) Each person who first becomes a member or  
7 participant under Article 12 on or after January 1, 2011 and  
8 prior to January 1, 2022 shall make an irrevocable election  
9 either:

10 (i) to be eligible for the reduced retirement age  
11 specified in subsections (c) and (d) of this Section, the  
12 eligibility for which is conditioned upon the member or  
13 participant agreeing to the increase in employee  
14 contributions for service annuities specified in  
15 subsection (b) of Section 12-150; or

16 (ii) to not agree to item (i) of this subsection  
17 (d-15), in which case the member or participant shall not  
18 be eligible for the reduced retirement age specified in  
19 subsections (c) and (d) of this Section and shall not be  
20 subject to the increase in employee contributions for  
21 service annuities specified in subsection (b) of Section  
22 12-150.

23 The election provided for in this subsection shall be made  
24 between January 1, 2022 and April 1, 2022. A person subject to  
25 this subsection who makes the required election shall remain  
26 bound by that election. A person subject to this subsection

1 who fails for any reason to make the required election within  
2 the time specified in this subsection shall be deemed to have  
3 made the election under item (ii).

4 (e) Any retirement annuity or supplemental annuity shall  
5 be subject to annual increases on the January 1 occurring  
6 either on or after the attainment of age 67 (age 65, with  
7 respect to service under Article 12 that is subject to this  
8 Section, for a member or participant under Article 12 who  
9 first becomes a member or participant under Article 12 on or  
10 after January 1, 2022 or who makes the election under item (i)  
11 of subsection (d-15); and beginning on July 6, 2017 (the  
12 effective date of Public Act 100-23), age 65 with respect to  
13 service under Article 8 or Article 11 for eligible persons  
14 who: (i) are subject to subsection (c-5) of this Section; or  
15 (ii) made the election under item (i) of subsection (d-10) of  
16 this Section) or the first anniversary of the annuity start  
17 date, whichever is later. Each annual increase shall be  
18 calculated at 3% or one-half the annual unadjusted percentage  
19 increase (but not less than zero) in the consumer price  
20 index-u for the 12 months ending with the September preceding  
21 each November 1, whichever is less, of the originally granted  
22 retirement annuity. If the annual unadjusted percentage change  
23 in the consumer price index-u for the 12 months ending with the  
24 September preceding each November 1 is zero or there is a  
25 decrease, then the annuity shall not be increased.

26 For the purposes of Section 1-103.1 of this Code, the



1 changes made to this Section by Public Act 102-263 are  
2 applicable without regard to whether the employee was in  
3 active service on or after August 6, 2021 (the effective date  
4 of Public Act 102-263).

5 For the purposes of Section 1-103.1 of this Code, the  
6 changes made to this Section by Public Act 100-23 are  
7 applicable without regard to whether the employee was in  
8 active service on or after July 6, 2017 (the effective date of  
9 Public Act 100-23).

10 (f) The initial survivor's or widow's annuity of an  
11 otherwise eligible survivor or widow of a retired member or  
12 participant who first became a member or participant on or  
13 after January 1, 2011 shall be in the amount of 66 2/3% of the  
14 retired member's or participant's retirement annuity at the  
15 date of death. In the case of the death of a member or  
16 participant who has not retired and who first became a member  
17 or participant on or after January 1, 2011, eligibility for a  
18 survivor's or widow's annuity shall be determined by the  
19 applicable Article of this Code. The initial benefit shall be  
20 66 2/3% of the earned annuity without a reduction due to age. A  
21 child's annuity of an otherwise eligible child shall be in the  
22 amount prescribed under each Article if applicable. Any  
23 survivor's or widow's annuity shall be increased (1) on each  
24 January 1 occurring on or after the commencement of the  
25 annuity if the deceased member died while receiving a  
26 retirement annuity or (2) in other cases, on each January 1

1 occurring after the first anniversary of the commencement of  
2 the annuity. Each annual increase shall be calculated at 3% or  
3 one-half the annual unadjusted percentage increase (but not  
4 less than zero) in the consumer price index-u for the 12 months  
5 ending with the September preceding each November 1, whichever  
6 is less, of the originally granted survivor's annuity. If the  
7 annual unadjusted percentage change in the consumer price  
8 index-u for the 12 months ending with the September preceding  
9 each November 1 is zero or there is a decrease, then the  
10 annuity shall not be increased.

11 (g) The benefits in Section 14-110 apply ~~only~~ if the  
12 person is a State policeman, a fire fighter in the fire  
13 protection service of a department, a conservation police  
14 officer, an investigator for the Secretary of State, an  
15 investigator for the Office of the Attorney General, an arson  
16 investigator, a Commerce Commission police officer,  
17 investigator for the Department of Revenue or the Illinois  
18 Gaming Board, ~~a security employee of the Department of~~  
19 ~~Corrections or the Department of Juvenile Justice,~~ or a  
20 security employee of the Department of Innovation and  
21 Technology, as those terms are defined in subsection (b) and  
22 subsection (c) of Section 14-110. A person who meets the  
23 requirements of this Section is entitled to an annuity  
24 calculated under the provisions of Section 14-110, in lieu of  
25 the regular or minimum retirement annuity, only if the person  
26 has withdrawn from service with not less than 20 years of

1 eligible creditable service and has attained age 60,  
2 regardless of whether the attainment of age 60 occurs while  
3 the person is still in service.

4 (g-1) The benefits in Section 14-110 apply if the person  
5 is a security employee of the Department of Human Services, a  
6 security employee of the Department of Corrections or the  
7 Department of Juvenile Justice, or an investigator for the  
8 Department of the Lottery, as those terms are defined in  
9 subsection (b) and subsection (c) of Section 14-110. A person  
10 who meets the requirements of this Section is entitled to an  
11 annuity calculated under the provisions of Section 14-110, in  
12 lieu of the regular or minimum retirement annuity, only if the  
13 person has withdrawn from service with not less than 20 years  
14 of eligible creditable service and has attained age 55,  
15 regardless of whether the attainment of age 55 occurs while  
16 the person is still in service.

17 (h) If a person who first becomes a member or a participant  
18 of a retirement system or pension fund subject to this Section  
19 on or after January 1, 2011 is receiving a retirement annuity  
20 or retirement pension under that system or fund and becomes a  
21 member or participant under any other system or fund created  
22 by this Code and is employed on a full-time basis, except for  
23 those members or participants exempted from the provisions of  
24 this Section under subsection (a) of this Section, then the  
25 person's retirement annuity or retirement pension under that  
26 system or fund shall be suspended during that employment. Upon

1 termination of that employment, the person's retirement  
2 annuity or retirement pension payments shall resume and be  
3 recalculated if recalculation is provided for under the  
4 applicable Article of this Code.

5 If a person who first becomes a member of a retirement  
6 system or pension fund subject to this Section on or after  
7 January 1, 2012 and is receiving a retirement annuity or  
8 retirement pension under that system or fund and accepts on a  
9 contractual basis a position to provide services to a  
10 governmental entity from which he or she has retired, then  
11 that person's annuity or retirement pension earned as an  
12 active employee of the employer shall be suspended during that  
13 contractual service. A person receiving an annuity or  
14 retirement pension under this Code shall notify the pension  
15 fund or retirement system from which he or she is receiving an  
16 annuity or retirement pension, as well as his or her  
17 contractual employer, of his or her retirement status before  
18 accepting contractual employment. A person who fails to submit  
19 such notification shall be guilty of a Class A misdemeanor and  
20 required to pay a fine of \$1,000. Upon termination of that  
21 contractual employment, the person's retirement annuity or  
22 retirement pension payments shall resume and, if appropriate,  
23 be recalculated under the applicable provisions of this Code.

24 (i) (Blank).

25 (j) In the case of a conflict between the provisions of  
26 this Section and any other provision of this Code, the

1 provisions of this Section shall control.

2 (Source: P.A. 102-16, eff. 6-17-21; 102-210, eff. 1-1-22;  
3 102-263, eff. 8-6-21; 102-956, eff. 5-27-22; 103-529, eff.  
4 8-11-23.)

5 (40 ILCS 5/14-110) (from Ch. 108 1/2, par. 14-110)

6 (Text of Section from P.A. 102-813 and 103-34)

7 Sec. 14-110. Alternative retirement annuity.

8 (a) Any member who has withdrawn from service with not  
9 less than 20 years of eligible creditable service and has  
10 attained age 55, and any member who has withdrawn from service  
11 with not less than 25 years of eligible creditable service and  
12 has attained age 50, regardless of whether the attainment of  
13 either of the specified ages occurs while the member is still  
14 in service, shall be entitled to receive at the option of the  
15 member, in lieu of the regular or minimum retirement annuity,  
16 a retirement annuity computed as follows:

17 (i) for periods of service as a noncovered employee:  
18 if retirement occurs on or after January 1, 2001, 3% of  
19 final average compensation for each year of creditable  
20 service; if retirement occurs before January 1, 2001, 2  
21 1/4% of final average compensation for each of the first  
22 10 years of creditable service, 2 1/2% for each year above  
23 10 years to and including 20 years of creditable service,  
24 and 2 3/4% for each year of creditable service above 20  
25 years; and

1 (ii) for periods of eligible creditable service as a  
2 covered employee: if retirement occurs on or after January  
3 1, 2001, 2.5% of final average compensation for each year  
4 of creditable service; if retirement occurs before January  
5 1, 2001, 1.67% of final average compensation for each of  
6 the first 10 years of such service, 1.90% for each of the  
7 next 10 years of such service, 2.10% for each year of such  
8 service in excess of 20 but not exceeding 30, and 2.30% for  
9 each year in excess of 30.

10 Such annuity shall be subject to a maximum of 75% of final  
11 average compensation if retirement occurs before January 1,  
12 2001 or to a maximum of 80% of final average compensation if  
13 retirement occurs on or after January 1, 2001.

14 These rates shall not be applicable to any service  
15 performed by a member as a covered employee which is not  
16 eligible creditable service. Service as a covered employee  
17 which is not eligible creditable service shall be subject to  
18 the rates and provisions of Section 14-108.

19 (b) For the purpose of this Section, "eligible creditable  
20 service" means creditable service resulting from service in  
21 one or more of the following positions:

22 (1) State policeman;

23 (2) fire fighter in the fire protection service of a  
24 department;

25 (3) air pilot;

26 (4) special agent;

- 1 (5) investigator for the Secretary of State;
- 2 (6) conservation police officer;
- 3 (7) investigator for the Department of Revenue or the
- 4 Illinois Gaming Board;
- 5 (8) security employee of the Department of Human
- 6 Services;
- 7 (9) Central Management Services security police
- 8 officer;
- 9 (10) security employee of the Department of
- 10 Corrections or the Department of Juvenile Justice;
- 11 (11) dangerous drugs investigator;
- 12 (12) investigator for the Illinois State Police;
- 13 (13) investigator for the Office of the Attorney
- 14 General;
- 15 (14) controlled substance inspector;
- 16 (15) investigator for the Office of the State's
- 17 Attorneys Appellate Prosecutor;
- 18 (16) Commerce Commission police officer;
- 19 (17) arson investigator;
- 20 (18) State highway maintenance worker;
- 21 (19) security employee of the Department of Innovation
- 22 and Technology; ~~or~~
- 23 (20) transferred employee; or
- 24 (21) investigator for the Department of the Lottery.

25 A person employed in one of the positions specified in  
26 this subsection is entitled to eligible creditable service for

1 service credit earned under this Article while undergoing the  
2 basic police training course approved by the Illinois Law  
3 Enforcement Training Standards Board, if completion of that  
4 training is required of persons serving in that position. For  
5 the purposes of this Code, service during the required basic  
6 police training course shall be deemed performance of the  
7 duties of the specified position, even though the person is  
8 not a sworn peace officer at the time of the training.

9 A person under paragraph (20) is entitled to eligible  
10 creditable service for service credit earned under this  
11 Article on and after his or her transfer by Executive Order No.  
12 2003-10, Executive Order No. 2004-2, or Executive Order No.  
13 2016-1.

14 (c) For the purposes of this Section:

15 (1) The term "State policeman" includes any title or  
16 position in the Illinois State Police that is held by an  
17 individual employed under the Illinois State Police Act.

18 (2) The term "fire fighter in the fire protection  
19 service of a department" includes all officers in such  
20 fire protection service including fire chiefs and  
21 assistant fire chiefs.

22 (3) The term "air pilot" includes any employee whose  
23 official job description on file in the Department of  
24 Central Management Services, or in the department by which  
25 he is employed if that department is not covered by the  
26 Personnel Code, states that his principal duty is the



1 operation of aircraft, and who possesses a pilot's  
2 license; however, the change in this definition made by  
3 Public Act 83-842 shall not operate to exclude any  
4 noncovered employee who was an "air pilot" for the  
5 purposes of this Section on January 1, 1984.

6 (4) The term "special agent" means any person who by  
7 reason of employment by the Division of Narcotic Control,  
8 the Bureau of Investigation or, after July 1, 1977, the  
9 Division of Criminal Investigation, the Division of  
10 Internal Investigation, the Division of Operations, the  
11 Division of Patrol, or any other Division or  
12 organizational entity in the Illinois State Police is  
13 vested by law with duties to maintain public order,  
14 investigate violations of the criminal law of this State,  
15 enforce the laws of this State, make arrests and recover  
16 property. The term "special agent" includes any title or  
17 position in the Illinois State Police that is held by an  
18 individual employed under the Illinois State Police Act.

19 (5) The term "investigator for the Secretary of State"  
20 means any person employed by the Office of the Secretary  
21 of State and vested with such investigative duties as  
22 render him ineligible for coverage under the Social  
23 Security Act by reason of Sections 218(d)(5)(A),  
24 218(d)(8)(D) and 218(1)(1) of that Act.

25 A person who became employed as an investigator for  
26 the Secretary of State between January 1, 1967 and

1 December 31, 1975, and who has served as such until  
2 attainment of age 60, either continuously or with a single  
3 break in service of not more than 3 years duration, which  
4 break terminated before January 1, 1976, shall be entitled  
5 to have his retirement annuity calculated in accordance  
6 with subsection (a), notwithstanding that he has less than  
7 20 years of credit for such service.

8 (6) The term "Conservation Police Officer" means any  
9 person employed by the Division of Law Enforcement of the  
10 Department of Natural Resources and vested with such law  
11 enforcement duties as render him ineligible for coverage  
12 under the Social Security Act by reason of Sections  
13 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The  
14 term "Conservation Police Officer" includes the positions  
15 of Chief Conservation Police Administrator and Assistant  
16 Conservation Police Administrator.

17 (7) The term "investigator for the Department of  
18 Revenue" means any person employed by the Department of  
19 Revenue and vested with such investigative duties as  
20 render him ineligible for coverage under the Social  
21 Security Act by reason of Sections 218(d)(5)(A),  
22 218(d)(8)(D) and 218(1)(1) of that Act.

23 The term "investigator for the Illinois Gaming Board"  
24 means any person employed as such by the Illinois Gaming  
25 Board and vested with such peace officer duties as render  
26 the person ineligible for coverage under the Social

1 Security Act by reason of Sections 218(d)(5)(A),  
2 218(d)(8)(D), and 218(1)(1) of that Act.

3 (8) The term "security employee of the Department of  
4 Human Services" means any person employed by the  
5 Department of Human Services who (i) is employed at the  
6 Chester Mental Health Center and has daily contact with  
7 the residents thereof, (ii) is employed within a security  
8 unit at a facility operated by the Department and has  
9 daily contact with the residents of the security unit,  
10 (iii) is employed at a facility operated by the Department  
11 that includes a security unit and is regularly scheduled  
12 to work at least 50% of his or her working hours within  
13 that security unit, or (iv) is a mental health police  
14 officer. "Mental health police officer" means any person  
15 employed by the Department of Human Services in a position  
16 pertaining to the Department's mental health and  
17 developmental disabilities functions who is vested with  
18 such law enforcement duties as render the person  
19 ineligible for coverage under the Social Security Act by  
20 reason of Sections 218(d)(5)(A), 218(d)(8)(D) and  
21 218(1)(1) of that Act. "Security unit" means that portion  
22 of a facility that is devoted to the care, containment,  
23 and treatment of persons committed to the Department of  
24 Human Services as sexually violent persons, persons unfit  
25 to stand trial, or persons not guilty by reason of  
26 insanity. With respect to past employment, references to

1 the Department of Human Services include its predecessor,  
2 the Department of Mental Health and Developmental  
3 Disabilities.

4 The changes made to this subdivision (c)(8) by Public  
5 Act 92-14 apply to persons who retire on or after January  
6 1, 2001, notwithstanding Section 1-103.1.

7 (9) "Central Management Services security police  
8 officer" means any person employed by the Department of  
9 Central Management Services who is vested with such law  
10 enforcement duties as render him ineligible for coverage  
11 under the Social Security Act by reason of Sections  
12 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act.

13 (10) For a member who first became an employee under  
14 this Article before July 1, 2005, the term "security  
15 employee of the Department of Corrections or the  
16 Department of Juvenile Justice" means any employee of the  
17 Department of Corrections or the Department of Juvenile  
18 Justice or the former Department of Personnel, and any  
19 member or employee of the Prisoner Review Board, who has  
20 daily contact with inmates or youth by working within a  
21 correctional facility or Juvenile facility operated by the  
22 Department of Juvenile Justice or who is a parole officer  
23 or an employee who has direct contact with committed  
24 persons in the performance of his or her job duties. For a  
25 member who first becomes an employee under this Article on  
26 or after July 1, 2005, the term means an employee of the

1 Department of Corrections or the Department of Juvenile  
2 Justice who is any of the following: (i) officially  
3 headquartered at a correctional facility or Juvenile  
4 facility operated by the Department of Juvenile Justice,  
5 (ii) a parole officer, (iii) a member of the apprehension  
6 unit, (iv) a member of the intelligence unit, (v) a member  
7 of the sort team, or (vi) an investigator.

8 (11) The term "dangerous drugs investigator" means any  
9 person who is employed as such by the Department of Human  
10 Services.

11 (12) The term "investigator for the Illinois State  
12 Police" means a person employed by the Illinois State  
13 Police who is vested under Section 4 of the Narcotic  
14 Control Division Abolition Act with such law enforcement  
15 powers as render him ineligible for coverage under the  
16 Social Security Act by reason of Sections 218(d)(5)(A),  
17 218(d)(8)(D) and 218(1)(1) of that Act.

18 (13) "Investigator for the Office of the Attorney  
19 General" means any person who is employed as such by the  
20 Office of the Attorney General and is vested with such  
21 investigative duties as render him ineligible for coverage  
22 under the Social Security Act by reason of Sections  
23 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act. For  
24 the period before January 1, 1989, the term includes all  
25 persons who were employed as investigators by the Office  
26 of the Attorney General, without regard to social security

1 status.

2 (14) "Controlled substance inspector" means any person  
3 who is employed as such by the Department of Professional  
4 Regulation and is vested with such law enforcement duties  
5 as render him ineligible for coverage under the Social  
6 Security Act by reason of Sections 218(d)(5)(A),  
7 218(d)(8)(D) and 218(1)(1) of that Act. The term  
8 "controlled substance inspector" includes the Program  
9 Executive of Enforcement and the Assistant Program  
10 Executive of Enforcement.

11 (15) The term "investigator for the Office of the  
12 State's Attorneys Appellate Prosecutor" means a person  
13 employed in that capacity on a full-time basis under the  
14 authority of Section 7.06 of the State's Attorneys  
15 Appellate Prosecutor's Act.

16 (16) "Commerce Commission police officer" means any  
17 person employed by the Illinois Commerce Commission who is  
18 vested with such law enforcement duties as render him  
19 ineligible for coverage under the Social Security Act by  
20 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and  
21 218(1)(1) of that Act.

22 (17) "Arson investigator" means any person who is  
23 employed as such by the Office of the State Fire Marshal  
24 and is vested with such law enforcement duties as render  
25 the person ineligible for coverage under the Social  
26 Security Act by reason of Sections 218(d)(5)(A),

1 218(d)(8)(D), and 218(1)(1) of that Act. A person who was  
2 employed as an arson investigator on January 1, 1995 and  
3 is no longer in service but not yet receiving a retirement  
4 annuity may convert his or her creditable service for  
5 employment as an arson investigator into eligible  
6 creditable service by paying to the System the difference  
7 between the employee contributions actually paid for that  
8 service and the amounts that would have been contributed  
9 if the applicant were contributing at the rate applicable  
10 to persons with the same social security status earning  
11 eligible creditable service on the date of application.

12 (18) The term "State highway maintenance worker" means  
13 a person who is either of the following:

14 (i) A person employed on a full-time basis by the  
15 Illinois Department of Transportation in the position  
16 of highway maintainer, highway maintenance lead  
17 worker, highway maintenance lead/lead worker, heavy  
18 construction equipment operator, power shovel  
19 operator, or bridge mechanic; and whose principal  
20 responsibility is to perform, on the roadway, the  
21 actual maintenance necessary to keep the highways that  
22 form a part of the State highway system in serviceable  
23 condition for vehicular traffic.

24 (ii) A person employed on a full-time basis by the  
25 Illinois State Toll Highway Authority in the position  
26 of equipment operator/laborer H-4, equipment

1 operator/laborer H-6, welder H-4, welder H-6,  
2 mechanical/electrical H-4, mechanical/electrical H-6,  
3 water/sewer H-4, water/sewer H-6, sign maker/hanger  
4 H-4, sign maker/hanger H-6, roadway lighting H-4,  
5 roadway lighting H-6, structural H-4, structural H-6,  
6 painter H-4, or painter H-6; and whose principal  
7 responsibility is to perform, on the roadway, the  
8 actual maintenance necessary to keep the Authority's  
9 tollways in serviceable condition for vehicular  
10 traffic.

11 (19) The term "security employee of the Department of  
12 Innovation and Technology" means a person who was a  
13 security employee of the Department of Corrections or the  
14 Department of Juvenile Justice, was transferred to the  
15 Department of Innovation and Technology pursuant to  
16 Executive Order 2016-01, and continues to perform similar  
17 job functions under that Department.

18 (20) "Transferred employee" means an employee who was  
19 transferred to the Department of Central Management  
20 Services by Executive Order No. 2003-10 or Executive Order  
21 No. 2004-2 or transferred to the Department of Innovation  
22 and Technology by Executive Order No. 2016-1, or both, and  
23 was entitled to eligible creditable service for services  
24 immediately preceding the transfer.

25 (21) "Investigator for the Department of the Lottery"  
26 means any person who is employed by the Department of the



1 Lottery and is vested with such investigative duties which  
2 render him or her ineligible for coverage under the Social  
3 Security Act by reason of Sections 218(d)(5)(A),  
4 218(d)(8)(D), and 218(1)(1) of that Act. An investigator  
5 for the Department of the Lottery who qualifies under this  
6 Section shall earn eligible creditable service and be  
7 required to make contributions at the rate specified in  
8 paragraph (3) of subsection (a) of Section 14-133 for all  
9 periods of service as an investigator for the Department  
10 of the Lottery.

11 (d) A security employee of the Department of Corrections  
12 or the Department of Juvenile Justice, a security employee of  
13 the Department of Human Services who is not a mental health  
14 police officer, and a security employee of the Department of  
15 Innovation and Technology shall not be eligible for the  
16 alternative retirement annuity provided by this Section unless  
17 he or she meets the following minimum age and service  
18 requirements at the time of retirement:

19 (i) 25 years of eligible creditable service and age  
20 55; or

21 (ii) beginning January 1, 1987, 25 years of eligible  
22 creditable service and age 54, or 24 years of eligible  
23 creditable service and age 55; or

24 (iii) beginning January 1, 1988, 25 years of eligible  
25 creditable service and age 53, or 23 years of eligible  
26 creditable service and age 55; or

1 (iv) beginning January 1, 1989, 25 years of eligible  
2 creditable service and age 52, or 22 years of eligible  
3 creditable service and age 55; or

4 (v) beginning January 1, 1990, 25 years of eligible  
5 creditable service and age 51, or 21 years of eligible  
6 creditable service and age 55; or

7 (vi) beginning January 1, 1991, 25 years of eligible  
8 creditable service and age 50, or 20 years of eligible  
9 creditable service and age 55.

10 Persons who have service credit under Article 16 of this  
11 Code for service as a security employee of the Department of  
12 Corrections or the Department of Juvenile Justice, or the  
13 Department of Human Services in a position requiring  
14 certification as a teacher may count such service toward  
15 establishing their eligibility under the service requirements  
16 of this Section; but such service may be used only for  
17 establishing such eligibility, and not for the purpose of  
18 increasing or calculating any benefit.

19 (e) If a member enters military service while working in a  
20 position in which eligible creditable service may be earned,  
21 and returns to State service in the same or another such  
22 position, and fulfills in all other respects the conditions  
23 prescribed in this Article for credit for military service,  
24 such military service shall be credited as eligible creditable  
25 service for the purposes of the retirement annuity prescribed  
26 in this Section.

1           (f) For purposes of calculating retirement annuities under  
2 this Section, periods of service rendered after December 31,  
3 1968 and before October 1, 1975 as a covered employee in the  
4 position of special agent, conservation police officer, mental  
5 health police officer, or investigator for the Secretary of  
6 State, shall be deemed to have been service as a noncovered  
7 employee, provided that the employee pays to the System prior  
8 to retirement an amount equal to (1) the difference between  
9 the employee contributions that would have been required for  
10 such service as a noncovered employee, and the amount of  
11 employee contributions actually paid, plus (2) if payment is  
12 made after July 31, 1987, regular interest on the amount  
13 specified in item (1) from the date of service to the date of  
14 payment.

15           For purposes of calculating retirement annuities under  
16 this Section, periods of service rendered after December 31,  
17 1968 and before January 1, 1982 as a covered employee in the  
18 position of investigator for the Department of Revenue shall  
19 be deemed to have been service as a noncovered employee,  
20 provided that the employee pays to the System prior to  
21 retirement an amount equal to (1) the difference between the  
22 employee contributions that would have been required for such  
23 service as a noncovered employee, and the amount of employee  
24 contributions actually paid, plus (2) if payment is made after  
25 January 1, 1990, regular interest on the amount specified in  
26 item (1) from the date of service to the date of payment.

1           (g) A State policeman may elect, not later than January 1,  
2 1990, to establish eligible creditable service for up to 10  
3 years of his service as a policeman under Article 3, by filing  
4 a written election with the Board, accompanied by payment of  
5 an amount to be determined by the Board, equal to (i) the  
6 difference between the amount of employee and employer  
7 contributions transferred to the System under Section 3-110.5,  
8 and the amounts that would have been contributed had such  
9 contributions been made at the rates applicable to State  
10 policemen, plus (ii) interest thereon at the effective rate  
11 for each year, compounded annually, from the date of service  
12 to the date of payment.

13           Subject to the limitation in subsection (i), a State  
14 policeman may elect, not later than July 1, 1993, to establish  
15 eligible creditable service for up to 10 years of his service  
16 as a member of the County Police Department under Article 9, by  
17 filing a written election with the Board, accompanied by  
18 payment of an amount to be determined by the Board, equal to  
19 (i) the difference between the amount of employee and employer  
20 contributions transferred to the System under Section 9-121.10  
21 and the amounts that would have been contributed had those  
22 contributions been made at the rates applicable to State  
23 policemen, plus (ii) interest thereon at the effective rate  
24 for each year, compounded annually, from the date of service  
25 to the date of payment.

26           (h) Subject to the limitation in subsection (i), a State

1 policeman or investigator for the Secretary of State may elect  
2 to establish eligible creditable service for up to 12 years of  
3 his service as a policeman under Article 5, by filing a written  
4 election with the Board on or before January 31, 1992, and  
5 paying to the System by January 31, 1994 an amount to be  
6 determined by the Board, equal to (i) the difference between  
7 the amount of employee and employer contributions transferred  
8 to the System under Section 5-236, and the amounts that would  
9 have been contributed had such contributions been made at the  
10 rates applicable to State policemen, plus (ii) interest  
11 thereon at the effective rate for each year, compounded  
12 annually, from the date of service to the date of payment.

13 Subject to the limitation in subsection (i), a State  
14 policeman, conservation police officer, or investigator for  
15 the Secretary of State may elect to establish eligible  
16 creditable service for up to 10 years of service as a sheriff's  
17 law enforcement employee under Article 7, by filing a written  
18 election with the Board on or before January 31, 1993, and  
19 paying to the System by January 31, 1994 an amount to be  
20 determined by the Board, equal to (i) the difference between  
21 the amount of employee and employer contributions transferred  
22 to the System under Section 7-139.7, and the amounts that  
23 would have been contributed had such contributions been made  
24 at the rates applicable to State policemen, plus (ii) interest  
25 thereon at the effective rate for each year, compounded  
26 annually, from the date of service to the date of payment.

1           Subject to the limitation in subsection (i), a State  
2 policeman, conservation police officer, or investigator for  
3 the Secretary of State may elect to establish eligible  
4 creditable service for up to 5 years of service as a police  
5 officer under Article 3, a policeman under Article 5, a  
6 sheriff's law enforcement employee under Article 7, a member  
7 of the county police department under Article 9, or a police  
8 officer under Article 15 by filing a written election with the  
9 Board and paying to the System an amount to be determined by  
10 the Board, equal to (i) the difference between the amount of  
11 employee and employer contributions transferred to the System  
12 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4  
13 and the amounts that would have been contributed had such  
14 contributions been made at the rates applicable to State  
15 policemen, plus (ii) interest thereon at the effective rate  
16 for each year, compounded annually, from the date of service  
17 to the date of payment.

18           Subject to the limitation in subsection (i), an  
19 investigator for the Office of the Attorney General, or an  
20 investigator for the Department of Revenue, may elect to  
21 establish eligible creditable service for up to 5 years of  
22 service as a police officer under Article 3, a policeman under  
23 Article 5, a sheriff's law enforcement employee under Article  
24 7, or a member of the county police department under Article 9  
25 by filing a written election with the Board within 6 months  
26 after August 25, 2009 (the effective date of Public Act

1 96-745) and paying to the System an amount to be determined by  
2 the Board, equal to (i) the difference between the amount of  
3 employee and employer contributions transferred to the System  
4 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the  
5 amounts that would have been contributed had such  
6 contributions been made at the rates applicable to State  
7 policemen, plus (ii) interest thereon at the actuarially  
8 assumed rate for each year, compounded annually, from the date  
9 of service to the date of payment.

10 Subject to the limitation in subsection (i), a State  
11 policeman, conservation police officer, investigator for the  
12 Office of the Attorney General, an investigator for the  
13 Department of Revenue, or investigator for the Secretary of  
14 State may elect to establish eligible creditable service for  
15 up to 5 years of service as a person employed by a  
16 participating municipality to perform police duties, or law  
17 enforcement officer employed on a full-time basis by a forest  
18 preserve district under Article 7, a county corrections  
19 officer, or a court services officer under Article 9, by  
20 filing a written election with the Board within 6 months after  
21 August 25, 2009 (the effective date of Public Act 96-745) and  
22 paying to the System an amount to be determined by the Board,  
23 equal to (i) the difference between the amount of employee and  
24 employer contributions transferred to the System under  
25 Sections 7-139.8 and 9-121.10 and the amounts that would have  
26 been contributed had such contributions been made at the rates

1 applicable to State policemen, plus (ii) interest thereon at  
2 the actuarially assumed rate for each year, compounded  
3 annually, from the date of service to the date of payment.

4 Subject to the limitation in subsection (i), a State  
5 policeman, arson investigator, or Commerce Commission police  
6 officer may elect to establish eligible creditable service for  
7 up to 5 years of service as a person employed by a  
8 participating municipality to perform police duties under  
9 Article 7, a county corrections officer, a court services  
10 officer under Article 9, or a firefighter under Article 4 by  
11 filing a written election with the Board within 6 months after  
12 July 30, 2021 (the effective date of Public Act 102-210) and  
13 paying to the System an amount to be determined by the Board  
14 equal to (i) the difference between the amount of employee and  
15 employer contributions transferred to the System under  
16 Sections 4-108.8, 7-139.8, and 9-121.10 and the amounts that  
17 would have been contributed had such contributions been made  
18 at the rates applicable to State policemen, plus (ii) interest  
19 thereon at the actuarially assumed rate for each year,  
20 compounded annually, from the date of service to the date of  
21 payment.

22 Subject to the limitation in subsection (i), a  
23 conservation police officer may elect to establish eligible  
24 creditable service for up to 5 years of service as a person  
25 employed by a participating municipality to perform police  
26 duties under Article 7, a county corrections officer, or a



1 court services officer under Article 9 by filing a written  
2 election with the Board within 6 months after July 30, 2021  
3 (the effective date of Public Act 102-210) and paying to the  
4 System an amount to be determined by the Board equal to (i) the  
5 difference between the amount of employee and employer  
6 contributions transferred to the System under Sections 7-139.8  
7 and 9-121.10 and the amounts that would have been contributed  
8 had such contributions been made at the rates applicable to  
9 State policemen, plus (ii) interest thereon at the actuarially  
10 assumed rate for each year, compounded annually, from the date  
11 of service to the date of payment.

12 Notwithstanding the limitation in subsection (i), a State  
13 policeman or conservation police officer may elect to convert  
14 service credit earned under this Article to eligible  
15 creditable service, as defined by this Section, by filing a  
16 written election with the board within 6 months after July 30,  
17 2021 (the effective date of Public Act 102-210) and paying to  
18 the System an amount to be determined by the Board equal to (i)  
19 the difference between the amount of employee contributions  
20 originally paid for that service and the amounts that would  
21 have been contributed had such contributions been made at the  
22 rates applicable to State policemen, plus (ii) the difference  
23 between the employer's normal cost of the credit prior to the  
24 conversion authorized by Public Act 102-210 and the employer's  
25 normal cost of the credit converted in accordance with Public  
26 Act 102-210, plus (iii) interest thereon at the actuarially

1 assumed rate for each year, compounded annually, from the date  
2 of service to the date of payment.

3 (i) The total amount of eligible creditable service  
4 established by any person under subsections (g), (h), (j),  
5 (k), (l), (l-5), and (o) of this Section shall not exceed 12  
6 years.

7 (j) Subject to the limitation in subsection (i), an  
8 investigator for the Office of the State's Attorneys Appellate  
9 Prosecutor or a controlled substance inspector may elect to  
10 establish eligible creditable service for up to 10 years of  
11 his service as a policeman under Article 3 or a sheriff's law  
12 enforcement employee under Article 7, by filing a written  
13 election with the Board, accompanied by payment of an amount  
14 to be determined by the Board, equal to (1) the difference  
15 between the amount of employee and employer contributions  
16 transferred to the System under Section 3-110.6 or 7-139.8,  
17 and the amounts that would have been contributed had such  
18 contributions been made at the rates applicable to State  
19 policemen, plus (2) interest thereon at the effective rate for  
20 each year, compounded annually, from the date of service to  
21 the date of payment.

22 (k) Subject to the limitation in subsection (i) of this  
23 Section, an alternative formula employee may elect to  
24 establish eligible creditable service for periods spent as a  
25 full-time law enforcement officer or full-time corrections  
26 officer employed by the federal government or by a state or

1 local government located outside of Illinois, for which credit  
2 is not held in any other public employee pension fund or  
3 retirement system. To obtain this credit, the applicant must  
4 file a written application with the Board by March 31, 1998,  
5 accompanied by evidence of eligibility acceptable to the Board  
6 and payment of an amount to be determined by the Board, equal  
7 to (1) employee contributions for the credit being  
8 established, based upon the applicant's salary on the first  
9 day as an alternative formula employee after the employment  
10 for which credit is being established and the rates then  
11 applicable to alternative formula employees, plus (2) an  
12 amount determined by the Board to be the employer's normal  
13 cost of the benefits accrued for the credit being established,  
14 plus (3) regular interest on the amounts in items (1) and (2)  
15 from the first day as an alternative formula employee after  
16 the employment for which credit is being established to the  
17 date of payment.

18 (1) Subject to the limitation in subsection (i), a  
19 security employee of the Department of Corrections may elect,  
20 not later than July 1, 1998, to establish eligible creditable  
21 service for up to 10 years of his or her service as a policeman  
22 under Article 3, by filing a written election with the Board,  
23 accompanied by payment of an amount to be determined by the  
24 Board, equal to (i) the difference between the amount of  
25 employee and employer contributions transferred to the System  
26 under Section 3-110.5, and the amounts that would have been

1 contributed had such contributions been made at the rates  
2 applicable to security employees of the Department of  
3 Corrections, plus (ii) interest thereon at the effective rate  
4 for each year, compounded annually, from the date of service  
5 to the date of payment.

6 (1-5) Subject to the limitation in subsection (i) of this  
7 Section, a State policeman may elect to establish eligible  
8 creditable service for up to 5 years of service as a full-time  
9 law enforcement officer employed by the federal government or  
10 by a state or local government located outside of Illinois for  
11 which credit is not held in any other public employee pension  
12 fund or retirement system. To obtain this credit, the  
13 applicant must file a written application with the Board no  
14 later than 3 years after January 1, 2020 (the effective date of  
15 Public Act 101-610), accompanied by evidence of eligibility  
16 acceptable to the Board and payment of an amount to be  
17 determined by the Board, equal to (1) employee contributions  
18 for the credit being established, based upon the applicant's  
19 salary on the first day as an alternative formula employee  
20 after the employment for which credit is being established and  
21 the rates then applicable to alternative formula employees,  
22 plus (2) an amount determined by the Board to be the employer's  
23 normal cost of the benefits accrued for the credit being  
24 established, plus (3) regular interest on the amounts in items  
25 (1) and (2) from the first day as an alternative formula  
26 employee after the employment for which credit is being

1 established to the date of payment.

2 (m) The amendatory changes to this Section made by Public  
3 Act 94-696 apply only to: (1) security employees of the  
4 Department of Juvenile Justice employed by the Department of  
5 Corrections before June 1, 2006 (the effective date of Public  
6 Act 94-696) and transferred to the Department of Juvenile  
7 Justice by Public Act 94-696; and (2) persons employed by the  
8 Department of Juvenile Justice on or after June 1, 2006 (the  
9 effective date of Public Act 94-696) who are required by  
10 subsection (b) of Section 3-2.5-15 of the Unified Code of  
11 Corrections to have any bachelor's or advanced degree from an  
12 accredited college or university or, in the case of persons  
13 who provide vocational training, who are required to have  
14 adequate knowledge in the skill for which they are providing  
15 the vocational training.

16 Beginning with the pay period that immediately follows the  
17 effective date of this amendatory Act of the 103rd General  
18 Assembly, the bachelor's or advanced degree requirement of  
19 subsection (b) of Section 3-2.5-15 of the Unified Code of  
20 Corrections shall no longer determine the eligibility to earn  
21 eligible creditable service for a person employed by the  
22 Department of Juvenile Justice.

23 An employee may elect to convert into eligible creditable  
24 service his or her creditable service earned with the  
25 Department of Juvenile Justice while employed in a position  
26 that required the employee to do any one or more of the

1 following: (1) participate or assist in the rehabilitative and  
2 vocational training of delinquent youths; (2) supervise the  
3 daily activities and assume direct and continuing  
4 responsibility for the youth's security, welfare, and  
5 development; or (3) participate in the personal rehabilitation  
6 of delinquent youth by training, supervising, and assisting  
7 lower-level personnel. To convert that creditable service to  
8 eligible creditable service, the employee must pay to the  
9 System the difference between the employee contributions  
10 actually paid for that service and the amounts that would have  
11 been contributed if the applicant were contributing at the  
12 rate applicable to persons with the same Social Security  
13 status earning eligible creditable service on the date of  
14 application.

15 (n) A person employed in a position under subsection (b)  
16 of this Section who has purchased service credit under  
17 subsection (j) of Section 14-104 or subsection (b) of Section  
18 14-105 in any other capacity under this Article may convert up  
19 to 5 years of that service credit into service credit covered  
20 under this Section by paying to the Fund an amount equal to (1)  
21 the additional employee contribution required under Section  
22 14-133, plus (2) the additional employer contribution required  
23 under Section 14-131, plus (3) interest on items (1) and (2) at  
24 the actuarially assumed rate from the date of the service to  
25 the date of payment.

26 (o) Subject to the limitation in subsection (i), a

1 conservation police officer, investigator for the Secretary of  
2 State, Commerce Commission police officer, investigator for  
3 the Department of Revenue or the Illinois Gaming Board, or  
4 arson investigator subject to subsection (g) of Section 1-160  
5 may elect to convert up to 8 years of service credit  
6 established before January 1, 2020 (the effective date of  
7 Public Act 101-610) as a conservation police officer,  
8 investigator for the Secretary of State, Commerce Commission  
9 police officer, investigator for the Department of Revenue or  
10 the Illinois Gaming Board, or arson investigator under this  
11 Article into eligible creditable service by filing a written  
12 election with the Board no later than one year after January 1,  
13 2020 (the effective date of Public Act 101-610), accompanied  
14 by payment of an amount to be determined by the Board equal to  
15 (i) the difference between the amount of the employee  
16 contributions actually paid for that service and the amount of  
17 the employee contributions that would have been paid had the  
18 employee contributions been made as a noncovered employee  
19 serving in a position in which eligible creditable service, as  
20 defined in this Section, may be earned, plus (ii) interest  
21 thereon at the effective rate for each year, compounded  
22 annually, from the date of service to the date of payment.

23 (g) A security employee of the Department of Human  
24 Services who is subject to subsection (g-1) of Section 1-160  
25 may elect to convert up to 13 years of service credit  
26 established before the effective date of this amendatory Act

1 of the 103rd General Assembly as a security employee of the  
2 Department of Human Services to eligible creditable service by  
3 filing a written election with the Board no later than one year  
4 after the effective date of this amendatory Act of the 103rd  
5 General Assembly, accompanied by payment of an amount, to be  
6 determined by the Board, equal to (i) the difference between  
7 the amount of the employee contributions actually paid for  
8 that service and the amount of the employee contributions that  
9 would have been paid had the employee contributions been made  
10 as a covered employee serving in a position in which eligible  
11 creditable service, as defined in this Section, may be earned,  
12 plus (ii) interest thereon at the effective rate for each  
13 year, compounded annually, from the date of service to the  
14 date of payment.

15 (Source: P.A. 102-210, eff. 7-30-21; 102-538, eff. 8-20-21;  
16 102-813, eff. 5-13-22; 103-34, eff. 1-1-24.)

17 (Text of Section from P.A. 102-856 and 103-34)

18 Sec. 14-110. Alternative retirement annuity.

19 (a) Any member who has withdrawn from service with not  
20 less than 20 years of eligible creditable service and has  
21 attained age 55, and any member who has withdrawn from service  
22 with not less than 25 years of eligible creditable service and  
23 has attained age 50, regardless of whether the attainment of  
24 either of the specified ages occurs while the member is still  
25 in service, shall be entitled to receive at the option of the



1 member, in lieu of the regular or minimum retirement annuity,  
2 a retirement annuity computed as follows:

3 (i) for periods of service as a noncovered employee:  
4 if retirement occurs on or after January 1, 2001, 3% of  
5 final average compensation for each year of creditable  
6 service; if retirement occurs before January 1, 2001, 2  
7 1/4% of final average compensation for each of the first  
8 10 years of creditable service, 2 1/2% for each year above  
9 10 years to and including 20 years of creditable service,  
10 and 2 3/4% for each year of creditable service above 20  
11 years; and

12 (ii) for periods of eligible creditable service as a  
13 covered employee: if retirement occurs on or after January  
14 1, 2001, 2.5% of final average compensation for each year  
15 of creditable service; if retirement occurs before January  
16 1, 2001, 1.67% of final average compensation for each of  
17 the first 10 years of such service, 1.90% for each of the  
18 next 10 years of such service, 2.10% for each year of such  
19 service in excess of 20 but not exceeding 30, and 2.30% for  
20 each year in excess of 30.

21 Such annuity shall be subject to a maximum of 75% of final  
22 average compensation if retirement occurs before January 1,  
23 2001 or to a maximum of 80% of final average compensation if  
24 retirement occurs on or after January 1, 2001.

25 These rates shall not be applicable to any service  
26 performed by a member as a covered employee which is not

1 eligible creditable service. Service as a covered employee  
2 which is not eligible creditable service shall be subject to  
3 the rates and provisions of Section 14-108.

4 (b) For the purpose of this Section, "eligible creditable  
5 service" means creditable service resulting from service in  
6 one or more of the following positions:

7 (1) State policeman;

8 (2) fire fighter in the fire protection service of a  
9 department;

10 (3) air pilot;

11 (4) special agent;

12 (5) investigator for the Secretary of State;

13 (6) conservation police officer;

14 (7) investigator for the Department of Revenue or the  
15 Illinois Gaming Board;

16 (8) security employee of the Department of Human  
17 Services;

18 (9) Central Management Services security police  
19 officer;

20 (10) security employee of the Department of  
21 Corrections or the Department of Juvenile Justice;

22 (11) dangerous drugs investigator;

23 (12) investigator for the Illinois State Police;

24 (13) investigator for the Office of the Attorney  
25 General;

26 (14) controlled substance inspector;

1 (15) investigator for the Office of the State's  
2 Attorneys Appellate Prosecutor;

3 (16) Commerce Commission police officer;

4 (17) arson investigator;

5 (18) State highway maintenance worker;

6 (19) security employee of the Department of Innovation  
7 and Technology; ~~or~~

8 (20) transferred employee; or.

9 (21) investigator for the Department of the Lottery.

10 A person employed in one of the positions specified in  
11 this subsection is entitled to eligible creditable service for  
12 service credit earned under this Article while undergoing the  
13 basic police training course approved by the Illinois Law  
14 Enforcement Training Standards Board, if completion of that  
15 training is required of persons serving in that position. For  
16 the purposes of this Code, service during the required basic  
17 police training course shall be deemed performance of the  
18 duties of the specified position, even though the person is  
19 not a sworn peace officer at the time of the training.

20 A person under paragraph (20) is entitled to eligible  
21 creditable service for service credit earned under this  
22 Article on and after his or her transfer by Executive Order No.  
23 2003-10, Executive Order No. 2004-2, or Executive Order No.  
24 2016-1.

25 (c) For the purposes of this Section:

26 (1) The term "State policeman" includes any title or

1 position in the Illinois State Police that is held by an  
2 individual employed under the Illinois State Police Act.

3 (2) The term "fire fighter in the fire protection  
4 service of a department" includes all officers in such  
5 fire protection service including fire chiefs and  
6 assistant fire chiefs.

7 (3) The term "air pilot" includes any employee whose  
8 official job description on file in the Department of  
9 Central Management Services, or in the department by which  
10 he is employed if that department is not covered by the  
11 Personnel Code, states that his principal duty is the  
12 operation of aircraft, and who possesses a pilot's  
13 license; however, the change in this definition made by  
14 Public Act 83-842 shall not operate to exclude any  
15 noncovered employee who was an "air pilot" for the  
16 purposes of this Section on January 1, 1984.

17 (4) The term "special agent" means any person who by  
18 reason of employment by the Division of Narcotic Control,  
19 the Bureau of Investigation or, after July 1, 1977, the  
20 Division of Criminal Investigation, the Division of  
21 Internal Investigation, the Division of Operations, the  
22 Division of Patrol, or any other Division or  
23 organizational entity in the Illinois State Police is  
24 vested by law with duties to maintain public order,  
25 investigate violations of the criminal law of this State,  
26 enforce the laws of this State, make arrests and recover

1 property. The term "special agent" includes any title or  
2 position in the Illinois State Police that is held by an  
3 individual employed under the Illinois State Police Act.

4 (5) The term "investigator for the Secretary of State"  
5 means any person employed by the Office of the Secretary  
6 of State and vested with such investigative duties as  
7 render him ineligible for coverage under the Social  
8 Security Act by reason of Sections 218(d)(5)(A),  
9 218(d)(8)(D) and 218(1)(1) of that Act.

10 A person who became employed as an investigator for  
11 the Secretary of State between January 1, 1967 and  
12 December 31, 1975, and who has served as such until  
13 attainment of age 60, either continuously or with a single  
14 break in service of not more than 3 years duration, which  
15 break terminated before January 1, 1976, shall be entitled  
16 to have his retirement annuity calculated in accordance  
17 with subsection (a), notwithstanding that he has less than  
18 20 years of credit for such service.

19 (6) The term "Conservation Police Officer" means any  
20 person employed by the Division of Law Enforcement of the  
21 Department of Natural Resources and vested with such law  
22 enforcement duties as render him ineligible for coverage  
23 under the Social Security Act by reason of Sections  
24 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The  
25 term "Conservation Police Officer" includes the positions  
26 of Chief Conservation Police Administrator and Assistant

1 Conservation Police Administrator.

2 (7) The term "investigator for the Department of  
3 Revenue" means any person employed by the Department of  
4 Revenue and vested with such investigative duties as  
5 render him ineligible for coverage under the Social  
6 Security Act by reason of Sections 218(d)(5)(A),  
7 218(d)(8)(D) and 218(1)(1) of that Act.

8 The term "investigator for the Illinois Gaming Board"  
9 means any person employed as such by the Illinois Gaming  
10 Board and vested with such peace officer duties as render  
11 the person ineligible for coverage under the Social  
12 Security Act by reason of Sections 218(d)(5)(A),  
13 218(d)(8)(D), and 218(1)(1) of that Act.

14 (8) The term "security employee of the Department of  
15 Human Services" means any person employed by the  
16 Department of Human Services who (i) is employed at the  
17 Chester Mental Health Center and has daily contact with  
18 the residents thereof, (ii) is employed within a security  
19 unit at a facility operated by the Department and has  
20 daily contact with the residents of the security unit,  
21 (iii) is employed at a facility operated by the Department  
22 that includes a security unit and is regularly scheduled  
23 to work at least 50% of his or her working hours within  
24 that security unit, or (iv) is a mental health police  
25 officer. "Mental health police officer" means any person  
26 employed by the Department of Human Services in a position

1           pertaining to the Department's mental health and  
2           developmental disabilities functions who is vested with  
3           such law enforcement duties as render the person  
4           ineligible for coverage under the Social Security Act by  
5           reason of Sections 218(d)(5)(A), 218(d)(8)(D) and  
6           218(1)(1) of that Act. "Security unit" means that portion  
7           of a facility that is devoted to the care, containment,  
8           and treatment of persons committed to the Department of  
9           Human Services as sexually violent persons, persons unfit  
10          to stand trial, or persons not guilty by reason of  
11          insanity. With respect to past employment, references to  
12          the Department of Human Services include its predecessor,  
13          the Department of Mental Health and Developmental  
14          Disabilities.

15           The changes made to this subdivision (c)(8) by Public  
16          Act 92-14 apply to persons who retire on or after January  
17          1, 2001, notwithstanding Section 1-103.1.

18           (9) "Central Management Services security police  
19          officer" means any person employed by the Department of  
20          Central Management Services who is vested with such law  
21          enforcement duties as render him ineligible for coverage  
22          under the Social Security Act by reason of Sections  
23          218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act.

24           (10) For a member who first became an employee under  
25          this Article before July 1, 2005, the term "security  
26          employee of the Department of Corrections or the

1 Department of Juvenile Justice" means any employee of the  
2 Department of Corrections or the Department of Juvenile  
3 Justice or the former Department of Personnel, and any  
4 member or employee of the Prisoner Review Board, who has  
5 daily contact with inmates or youth by working within a  
6 correctional facility or Juvenile facility operated by the  
7 Department of Juvenile Justice or who is a parole officer  
8 or an employee who has direct contact with committed  
9 persons in the performance of his or her job duties. For a  
10 member who first becomes an employee under this Article on  
11 or after July 1, 2005, the term means an employee of the  
12 Department of Corrections or the Department of Juvenile  
13 Justice who is any of the following: (i) officially  
14 headquartered at a correctional facility or Juvenile  
15 facility operated by the Department of Juvenile Justice,  
16 (ii) a parole officer, (iii) a member of the apprehension  
17 unit, (iv) a member of the intelligence unit, (v) a member  
18 of the sort team, or (vi) an investigator.

19 (11) The term "dangerous drugs investigator" means any  
20 person who is employed as such by the Department of Human  
21 Services.

22 (12) The term "investigator for the Illinois State  
23 Police" means a person employed by the Illinois State  
24 Police who is vested under Section 4 of the Narcotic  
25 Control Division Abolition Act with such law enforcement  
26 powers as render him ineligible for coverage under the



1 Social Security Act by reason of Sections 218(d)(5)(A),  
2 218(d)(8)(D) and 218(1)(1) of that Act.

3 (13) "Investigator for the Office of the Attorney  
4 General" means any person who is employed as such by the  
5 Office of the Attorney General and is vested with such  
6 investigative duties as render him ineligible for coverage  
7 under the Social Security Act by reason of Sections  
8 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act. For  
9 the period before January 1, 1989, the term includes all  
10 persons who were employed as investigators by the Office  
11 of the Attorney General, without regard to social security  
12 status.

13 (14) "Controlled substance inspector" means any person  
14 who is employed as such by the Department of Professional  
15 Regulation and is vested with such law enforcement duties  
16 as render him ineligible for coverage under the Social  
17 Security Act by reason of Sections 218(d)(5)(A),  
18 218(d)(8)(D) and 218(1)(1) of that Act. The term  
19 "controlled substance inspector" includes the Program  
20 Executive of Enforcement and the Assistant Program  
21 Executive of Enforcement.

22 (15) The term "investigator for the Office of the  
23 State's Attorneys Appellate Prosecutor" means a person  
24 employed in that capacity on a full-time basis under the  
25 authority of Section 7.06 of the State's Attorneys  
26 Appellate Prosecutor's Act.

1           (16) "Commerce Commission police officer" means any  
2 person employed by the Illinois Commerce Commission who is  
3 vested with such law enforcement duties as render him  
4 ineligible for coverage under the Social Security Act by  
5 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and  
6 218(1)(1) of that Act.

7           (17) "Arson investigator" means any person who is  
8 employed as such by the Office of the State Fire Marshal  
9 and is vested with such law enforcement duties as render  
10 the person ineligible for coverage under the Social  
11 Security Act by reason of Sections 218(d)(5)(A),  
12 218(d)(8)(D), and 218(1)(1) of that Act. A person who was  
13 employed as an arson investigator on January 1, 1995 and  
14 is no longer in service but not yet receiving a retirement  
15 annuity may convert his or her creditable service for  
16 employment as an arson investigator into eligible  
17 creditable service by paying to the System the difference  
18 between the employee contributions actually paid for that  
19 service and the amounts that would have been contributed  
20 if the applicant were contributing at the rate applicable  
21 to persons with the same social security status earning  
22 eligible creditable service on the date of application.

23           (18) The term "State highway maintenance worker" means  
24 a person who is either of the following:

25                   (i) A person employed on a full-time basis by the  
26 Illinois Department of Transportation in the position

1 of highway maintainer, highway maintenance lead  
2 worker, highway maintenance lead/lead worker, heavy  
3 construction equipment operator, power shovel  
4 operator, or bridge mechanic; and whose principal  
5 responsibility is to perform, on the roadway, the  
6 actual maintenance necessary to keep the highways that  
7 form a part of the State highway system in serviceable  
8 condition for vehicular traffic.

9 (ii) A person employed on a full-time basis by the  
10 Illinois State Toll Highway Authority in the position  
11 of equipment operator/laborer H-4, equipment  
12 operator/laborer H-6, welder H-4, welder H-6,  
13 mechanical/electrical H-4, mechanical/electrical H-6,  
14 water/sewer H-4, water/sewer H-6, sign maker/hanger  
15 H-4, sign maker/hanger H-6, roadway lighting H-4,  
16 roadway lighting H-6, structural H-4, structural H-6,  
17 painter H-4, or painter H-6; and whose principal  
18 responsibility is to perform, on the roadway, the  
19 actual maintenance necessary to keep the Authority's  
20 tollways in serviceable condition for vehicular  
21 traffic.

22 (19) The term "security employee of the Department of  
23 Innovation and Technology" means a person who was a  
24 security employee of the Department of Corrections or the  
25 Department of Juvenile Justice, was transferred to the  
26 Department of Innovation and Technology pursuant to

1 Executive Order 2016-01, and continues to perform similar  
2 job functions under that Department.

3 (20) "Transferred employee" means an employee who was  
4 transferred to the Department of Central Management  
5 Services by Executive Order No. 2003-10 or Executive Order  
6 No. 2004-2 or transferred to the Department of Innovation  
7 and Technology by Executive Order No. 2016-1, or both, and  
8 was entitled to eligible creditable service for services  
9 immediately preceding the transfer.

10 (21) "Investigator for the Department of the Lottery"  
11 means any person who is employed by the Department of the  
12 Lottery and is vested with such investigative duties which  
13 render him or her ineligible for coverage under the Social  
14 Security Act by reason of Sections 218(d)(5)(A),  
15 218(d)(8)(D), and 218(1)(1) of that Act. An investigator  
16 for the Department of the Lottery who qualifies under this  
17 Section shall earn eligible creditable service and be  
18 required to make contributions at the rate specified in  
19 paragraph (3) of subsection (a) of Section 14-133 for all  
20 periods of service as an investigator for the Department  
21 of the Lottery.

22 (d) A security employee of the Department of Corrections  
23 or the Department of Juvenile Justice, a security employee of  
24 the Department of Human Services who is not a mental health  
25 police officer, and a security employee of the Department of  
26 Innovation and Technology shall not be eligible for the

1 alternative retirement annuity provided by this Section unless  
2 he or she meets the following minimum age and service  
3 requirements at the time of retirement:

4 (i) 25 years of eligible creditable service and age  
5 55; or

6 (ii) beginning January 1, 1987, 25 years of eligible  
7 creditable service and age 54, or 24 years of eligible  
8 creditable service and age 55; or

9 (iii) beginning January 1, 1988, 25 years of eligible  
10 creditable service and age 53, or 23 years of eligible  
11 creditable service and age 55; or

12 (iv) beginning January 1, 1989, 25 years of eligible  
13 creditable service and age 52, or 22 years of eligible  
14 creditable service and age 55; or

15 (v) beginning January 1, 1990, 25 years of eligible  
16 creditable service and age 51, or 21 years of eligible  
17 creditable service and age 55; or

18 (vi) beginning January 1, 1991, 25 years of eligible  
19 creditable service and age 50, or 20 years of eligible  
20 creditable service and age 55.

21 Persons who have service credit under Article 16 of this  
22 Code for service as a security employee of the Department of  
23 Corrections or the Department of Juvenile Justice, or the  
24 Department of Human Services in a position requiring  
25 certification as a teacher may count such service toward  
26 establishing their eligibility under the service requirements

1 of this Section; but such service may be used only for  
2 establishing such eligibility, and not for the purpose of  
3 increasing or calculating any benefit.

4 (e) If a member enters military service while working in a  
5 position in which eligible creditable service may be earned,  
6 and returns to State service in the same or another such  
7 position, and fulfills in all other respects the conditions  
8 prescribed in this Article for credit for military service,  
9 such military service shall be credited as eligible creditable  
10 service for the purposes of the retirement annuity prescribed  
11 in this Section.

12 (f) For purposes of calculating retirement annuities under  
13 this Section, periods of service rendered after December 31,  
14 1968 and before October 1, 1975 as a covered employee in the  
15 position of special agent, conservation police officer, mental  
16 health police officer, or investigator for the Secretary of  
17 State, shall be deemed to have been service as a noncovered  
18 employee, provided that the employee pays to the System prior  
19 to retirement an amount equal to (1) the difference between  
20 the employee contributions that would have been required for  
21 such service as a noncovered employee, and the amount of  
22 employee contributions actually paid, plus (2) if payment is  
23 made after July 31, 1987, regular interest on the amount  
24 specified in item (1) from the date of service to the date of  
25 payment.

26 For purposes of calculating retirement annuities under

1 this Section, periods of service rendered after December 31,  
2 1968 and before January 1, 1982 as a covered employee in the  
3 position of investigator for the Department of Revenue shall  
4 be deemed to have been service as a noncovered employee,  
5 provided that the employee pays to the System prior to  
6 retirement an amount equal to (1) the difference between the  
7 employee contributions that would have been required for such  
8 service as a noncovered employee, and the amount of employee  
9 contributions actually paid, plus (2) if payment is made after  
10 January 1, 1990, regular interest on the amount specified in  
11 item (1) from the date of service to the date of payment.

12 (g) A State policeman may elect, not later than January 1,  
13 1990, to establish eligible creditable service for up to 10  
14 years of his service as a policeman under Article 3, by filing  
15 a written election with the Board, accompanied by payment of  
16 an amount to be determined by the Board, equal to (i) the  
17 difference between the amount of employee and employer  
18 contributions transferred to the System under Section 3-110.5,  
19 and the amounts that would have been contributed had such  
20 contributions been made at the rates applicable to State  
21 policemen, plus (ii) interest thereon at the effective rate  
22 for each year, compounded annually, from the date of service  
23 to the date of payment.

24 Subject to the limitation in subsection (i), a State  
25 policeman may elect, not later than July 1, 1993, to establish  
26 eligible creditable service for up to 10 years of his service

1 as a member of the County Police Department under Article 9, by  
2 filing a written election with the Board, accompanied by  
3 payment of an amount to be determined by the Board, equal to  
4 (i) the difference between the amount of employee and employer  
5 contributions transferred to the System under Section 9-121.10  
6 and the amounts that would have been contributed had those  
7 contributions been made at the rates applicable to State  
8 policemen, plus (ii) interest thereon at the effective rate  
9 for each year, compounded annually, from the date of service  
10 to the date of payment.

11 (h) Subject to the limitation in subsection (i), a State  
12 policeman or investigator for the Secretary of State may elect  
13 to establish eligible creditable service for up to 12 years of  
14 his service as a policeman under Article 5, by filing a written  
15 election with the Board on or before January 31, 1992, and  
16 paying to the System by January 31, 1994 an amount to be  
17 determined by the Board, equal to (i) the difference between  
18 the amount of employee and employer contributions transferred  
19 to the System under Section 5-236, and the amounts that would  
20 have been contributed had such contributions been made at the  
21 rates applicable to State policemen, plus (ii) interest  
22 thereon at the effective rate for each year, compounded  
23 annually, from the date of service to the date of payment.

24 Subject to the limitation in subsection (i), a State  
25 policeman, conservation police officer, or investigator for  
26 the Secretary of State may elect to establish eligible



1     creditable service for up to 10 years of service as a sheriff's  
2     law enforcement employee under Article 7, by filing a written  
3     election with the Board on or before January 31, 1993, and  
4     paying to the System by January 31, 1994 an amount to be  
5     determined by the Board, equal to (i) the difference between  
6     the amount of employee and employer contributions transferred  
7     to the System under Section 7-139.7, and the amounts that  
8     would have been contributed had such contributions been made  
9     at the rates applicable to State policemen, plus (ii) interest  
10    thereon at the effective rate for each year, compounded  
11    annually, from the date of service to the date of payment.

12         Subject to the limitation in subsection (i), a State  
13    policeman, conservation police officer, or investigator for  
14    the Secretary of State may elect to establish eligible  
15    creditable service for up to 5 years of service as a police  
16    officer under Article 3, a policeman under Article 5, a  
17    sheriff's law enforcement employee under Article 7, a member  
18    of the county police department under Article 9, or a police  
19    officer under Article 15 by filing a written election with the  
20    Board and paying to the System an amount to be determined by  
21    the Board, equal to (i) the difference between the amount of  
22    employee and employer contributions transferred to the System  
23    under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4  
24    and the amounts that would have been contributed had such  
25    contributions been made at the rates applicable to State  
26    policemen, plus (ii) interest thereon at the effective rate

1 for each year, compounded annually, from the date of service  
2 to the date of payment.

3 Subject to the limitation in subsection (i), an  
4 investigator for the Office of the Attorney General, or an  
5 investigator for the Department of Revenue, may elect to  
6 establish eligible creditable service for up to 5 years of  
7 service as a police officer under Article 3, a policeman under  
8 Article 5, a sheriff's law enforcement employee under Article  
9 7, or a member of the county police department under Article 9  
10 by filing a written election with the Board within 6 months  
11 after August 25, 2009 (the effective date of Public Act  
12 96-745) and paying to the System an amount to be determined by  
13 the Board, equal to (i) the difference between the amount of  
14 employee and employer contributions transferred to the System  
15 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the  
16 amounts that would have been contributed had such  
17 contributions been made at the rates applicable to State  
18 policemen, plus (ii) interest thereon at the actuarially  
19 assumed rate for each year, compounded annually, from the date  
20 of service to the date of payment.

21 Subject to the limitation in subsection (i), a State  
22 policeman, conservation police officer, investigator for the  
23 Office of the Attorney General, an investigator for the  
24 Department of Revenue, or investigator for the Secretary of  
25 State may elect to establish eligible creditable service for  
26 up to 5 years of service as a person employed by a

1 participating municipality to perform police duties, or law  
2 enforcement officer employed on a full-time basis by a forest  
3 preserve district under Article 7, a county corrections  
4 officer, or a court services officer under Article 9, by  
5 filing a written election with the Board within 6 months after  
6 August 25, 2009 (the effective date of Public Act 96-745) and  
7 paying to the System an amount to be determined by the Board,  
8 equal to (i) the difference between the amount of employee and  
9 employer contributions transferred to the System under  
10 Sections 7-139.8 and 9-121.10 and the amounts that would have  
11 been contributed had such contributions been made at the rates  
12 applicable to State policemen, plus (ii) interest thereon at  
13 the actuarially assumed rate for each year, compounded  
14 annually, from the date of service to the date of payment.

15 Subject to the limitation in subsection (i), a State  
16 policeman, arson investigator, or Commerce Commission police  
17 officer may elect to establish eligible creditable service for  
18 up to 5 years of service as a person employed by a  
19 participating municipality to perform police duties under  
20 Article 7, a county corrections officer, a court services  
21 officer under Article 9, or a firefighter under Article 4 by  
22 filing a written election with the Board within 6 months after  
23 July 30, 2021 (the effective date of Public Act 102-210) and  
24 paying to the System an amount to be determined by the Board  
25 equal to (i) the difference between the amount of employee and  
26 employer contributions transferred to the System under

1 Sections 4-108.8, 7-139.8, and 9-121.10 and the amounts that  
2 would have been contributed had such contributions been made  
3 at the rates applicable to State policemen, plus (ii) interest  
4 thereon at the actuarially assumed rate for each year,  
5 compounded annually, from the date of service to the date of  
6 payment.

7 Subject to the limitation in subsection (i), a  
8 conservation police officer may elect to establish eligible  
9 creditable service for up to 5 years of service as a person  
10 employed by a participating municipality to perform police  
11 duties under Article 7, a county corrections officer, or a  
12 court services officer under Article 9 by filing a written  
13 election with the Board within 6 months after July 30, 2021  
14 (the effective date of Public Act 102-210) and paying to the  
15 System an amount to be determined by the Board equal to (i) the  
16 difference between the amount of employee and employer  
17 contributions transferred to the System under Sections 7-139.8  
18 and 9-121.10 and the amounts that would have been contributed  
19 had such contributions been made at the rates applicable to  
20 State policemen, plus (ii) interest thereon at the actuarially  
21 assumed rate for each year, compounded annually, from the date  
22 of service to the date of payment.

23 Subject to the limitation in subsection (i), an  
24 investigator for the Department of Revenue, investigator for  
25 the Illinois Gaming Board, investigator for the Secretary of  
26 State, or arson investigator may elect to establish eligible

1     creditable service for up to 5 years of service as a person  
2     employed by a participating municipality to perform police  
3     duties under Article 7, a county corrections officer, a court  
4     services officer under Article 9, or a firefighter under  
5     Article 4 by filing a written election with the Board within 6  
6     months after the effective date of this amendatory Act of the  
7     102nd General Assembly and paying to the System an amount to be  
8     determined by the Board equal to (i) the difference between  
9     the amount of employee and employer contributions transferred  
10    to the System under Sections 4-108.8, 7-139.8, and 9-121.10  
11    and the amounts that would have been contributed had such  
12    contributions been made at the rates applicable to State  
13    policemen, plus (ii) interest thereon at the actuarially  
14    assumed rate for each year, compounded annually, from the date  
15    of service to the date of payment.

16         Notwithstanding the limitation in subsection (i), a State  
17    policeman or conservation police officer may elect to convert  
18    service credit earned under this Article to eligible  
19    creditable service, as defined by this Section, by filing a  
20    written election with the board within 6 months after July 30,  
21    2021 (the effective date of Public Act 102-210) and paying to  
22    the System an amount to be determined by the Board equal to (i)  
23    the difference between the amount of employee contributions  
24    originally paid for that service and the amounts that would  
25    have been contributed had such contributions been made at the  
26    rates applicable to State policemen, plus (ii) the difference

1 between the employer's normal cost of the credit prior to the  
2 conversion authorized by Public Act 102-210 and the employer's  
3 normal cost of the credit converted in accordance with Public  
4 Act 102-210, plus (iii) interest thereon at the actuarially  
5 assumed rate for each year, compounded annually, from the date  
6 of service to the date of payment.

7 Notwithstanding the limitation in subsection (i), an  
8 investigator for the Department of Revenue, investigator for  
9 the Illinois Gaming Board, investigator for the Secretary of  
10 State, or arson investigator may elect to convert service  
11 credit earned under this Article to eligible creditable  
12 service, as defined by this Section, by filing a written  
13 election with the Board within 6 months after the effective  
14 date of this amendatory Act of the 102nd General Assembly and  
15 paying to the System an amount to be determined by the Board  
16 equal to (i) the difference between the amount of employee  
17 contributions originally paid for that service and the amounts  
18 that would have been contributed had such contributions been  
19 made at the rates applicable to investigators for the  
20 Department of Revenue, investigators for the Illinois Gaming  
21 Board, investigators for the Secretary of State, or arson  
22 investigators, plus (ii) the difference between the employer's  
23 normal cost of the credit prior to the conversion authorized  
24 by this amendatory Act of the 102nd General Assembly and the  
25 employer's normal cost of the credit converted in accordance  
26 with this amendatory Act of the 102nd General Assembly, plus

1 (iii) interest thereon at the actuarially assumed rate for  
2 each year, compounded annually, from the date of service to  
3 the date of payment.

4 (i) The total amount of eligible creditable service  
5 established by any person under subsections (g), (h), (j),  
6 (k), (l), (l-5), and (o) of this Section shall not exceed 12  
7 years.

8 (j) Subject to the limitation in subsection (i), an  
9 investigator for the Office of the State's Attorneys Appellate  
10 Prosecutor or a controlled substance inspector may elect to  
11 establish eligible creditable service for up to 10 years of  
12 his service as a policeman under Article 3 or a sheriff's law  
13 enforcement employee under Article 7, by filing a written  
14 election with the Board, accompanied by payment of an amount  
15 to be determined by the Board, equal to (1) the difference  
16 between the amount of employee and employer contributions  
17 transferred to the System under Section 3-110.6 or 7-139.8,  
18 and the amounts that would have been contributed had such  
19 contributions been made at the rates applicable to State  
20 policemen, plus (2) interest thereon at the effective rate for  
21 each year, compounded annually, from the date of service to  
22 the date of payment.

23 (k) Subject to the limitation in subsection (i) of this  
24 Section, an alternative formula employee may elect to  
25 establish eligible creditable service for periods spent as a  
26 full-time law enforcement officer or full-time corrections

1 officer employed by the federal government or by a state or  
2 local government located outside of Illinois, for which credit  
3 is not held in any other public employee pension fund or  
4 retirement system. To obtain this credit, the applicant must  
5 file a written application with the Board by March 31, 1998,  
6 accompanied by evidence of eligibility acceptable to the Board  
7 and payment of an amount to be determined by the Board, equal  
8 to (1) employee contributions for the credit being  
9 established, based upon the applicant's salary on the first  
10 day as an alternative formula employee after the employment  
11 for which credit is being established and the rates then  
12 applicable to alternative formula employees, plus (2) an  
13 amount determined by the Board to be the employer's normal  
14 cost of the benefits accrued for the credit being established,  
15 plus (3) regular interest on the amounts in items (1) and (2)  
16 from the first day as an alternative formula employee after  
17 the employment for which credit is being established to the  
18 date of payment.

19 (1) Subject to the limitation in subsection (i), a  
20 security employee of the Department of Corrections may elect,  
21 not later than July 1, 1998, to establish eligible creditable  
22 service for up to 10 years of his or her service as a policeman  
23 under Article 3, by filing a written election with the Board,  
24 accompanied by payment of an amount to be determined by the  
25 Board, equal to (i) the difference between the amount of  
26 employee and employer contributions transferred to the System



1 under Section 3-110.5, and the amounts that would have been  
2 contributed had such contributions been made at the rates  
3 applicable to security employees of the Department of  
4 Corrections, plus (ii) interest thereon at the effective rate  
5 for each year, compounded annually, from the date of service  
6 to the date of payment.

7 (1-5) Subject to the limitation in subsection (i) of this  
8 Section, a State policeman may elect to establish eligible  
9 creditable service for up to 5 years of service as a full-time  
10 law enforcement officer employed by the federal government or  
11 by a state or local government located outside of Illinois for  
12 which credit is not held in any other public employee pension  
13 fund or retirement system. To obtain this credit, the  
14 applicant must file a written application with the Board no  
15 later than 3 years after January 1, 2020 (the effective date of  
16 Public Act 101-610), accompanied by evidence of eligibility  
17 acceptable to the Board and payment of an amount to be  
18 determined by the Board, equal to (1) employee contributions  
19 for the credit being established, based upon the applicant's  
20 salary on the first day as an alternative formula employee  
21 after the employment for which credit is being established and  
22 the rates then applicable to alternative formula employees,  
23 plus (2) an amount determined by the Board to be the employer's  
24 normal cost of the benefits accrued for the credit being  
25 established, plus (3) regular interest on the amounts in items  
26 (1) and (2) from the first day as an alternative formula

1 employee after the employment for which credit is being  
2 established to the date of payment.

3 (m) The amendatory changes to this Section made by Public  
4 Act 94-696 apply only to: (1) security employees of the  
5 Department of Juvenile Justice employed by the Department of  
6 Corrections before June 1, 2006 (the effective date of Public  
7 Act 94-696) and transferred to the Department of Juvenile  
8 Justice by Public Act 94-696; and (2) persons employed by the  
9 Department of Juvenile Justice on or after June 1, 2006 (the  
10 effective date of Public Act 94-696) who are required by  
11 subsection (b) of Section 3-2.5-15 of the Unified Code of  
12 Corrections to have any bachelor's or advanced degree from an  
13 accredited college or university or, in the case of persons  
14 who provide vocational training, who are required to have  
15 adequate knowledge in the skill for which they are providing  
16 the vocational training.

17 Beginning with the pay period that immediately follows the  
18 effective date of this amendatory Act of the 103rd General  
19 Assembly, the bachelor's or advanced degree requirement of  
20 subsection (b) of Section 3-2.5-15 of the Unified Code of  
21 Corrections shall no longer determine the eligibility to earn  
22 eligible creditable service for a person employed by the  
23 Department of Juvenile Justice.

24 An employee may elect to convert into eligible creditable  
25 service his or her creditable service earned with the  
26 Department of Juvenile Justice while employed in a position

1 that required the employee to do any one or more of the  
2 following: (1) participate or assist in the rehabilitative and  
3 vocational training of delinquent youths; (2) supervise the  
4 daily activities and assume direct and continuing  
5 responsibility for the youth's security, welfare, and  
6 development; or (3) participate in the personal rehabilitation  
7 of delinquent youth by training, supervising, and assisting  
8 lower-level personnel. To convert that creditable service to  
9 eligible creditable service, the employee must pay to the  
10 System the difference between the employee contributions  
11 actually paid for that service and the amounts that would have  
12 been contributed if the applicant were contributing at the  
13 rate applicable to persons with the same Social Security  
14 status earning eligible creditable service on the date of  
15 application.

16 (n) A person employed in a position under subsection (b)  
17 of this Section who has purchased service credit under  
18 subsection (j) of Section 14-104 or subsection (b) of Section  
19 14-105 in any other capacity under this Article may convert up  
20 to 5 years of that service credit into service credit covered  
21 under this Section by paying to the Fund an amount equal to (1)  
22 the additional employee contribution required under Section  
23 14-133, plus (2) the additional employer contribution required  
24 under Section 14-131, plus (3) interest on items (1) and (2) at  
25 the actuarially assumed rate from the date of the service to  
26 the date of payment.

1 (o) Subject to the limitation in subsection (i), a  
2 conservation police officer, investigator for the Secretary of  
3 State, Commerce Commission police officer, investigator for  
4 the Department of Revenue or the Illinois Gaming Board, or  
5 arson investigator subject to subsection (g) of Section 1-160  
6 may elect to convert up to 8 years of service credit  
7 established before January 1, 2020 (the effective date of  
8 Public Act 101-610) as a conservation police officer,  
9 investigator for the Secretary of State, Commerce Commission  
10 police officer, investigator for the Department of Revenue or  
11 the Illinois Gaming Board, or arson investigator under this  
12 Article into eligible creditable service by filing a written  
13 election with the Board no later than one year after January 1,  
14 2020 (the effective date of Public Act 101-610), accompanied  
15 by payment of an amount to be determined by the Board equal to  
16 (i) the difference between the amount of the employee  
17 contributions actually paid for that service and the amount of  
18 the employee contributions that would have been paid had the  
19 employee contributions been made as a noncovered employee  
20 serving in a position in which eligible creditable service, as  
21 defined in this Section, may be earned, plus (ii) interest  
22 thereon at the effective rate for each year, compounded  
23 annually, from the date of service to the date of payment.

24 (q) A security employee of the Department of Human  
25 Services who is subject to subsection (g-1) of Section 1-160  
26 may elect to convert up to 13 years of service credit

1 established before the effective date of this amendatory Act  
2 of the 103rd General Assembly as a security employee of the  
3 Department of Human Services to eligible creditable service by  
4 filing a written election with the Board no later than one year  
5 after the effective date of this amendatory Act of the 103rd  
6 General Assembly, accompanied by payment of an amount, to be  
7 determined by the Board, equal to (i) the difference between  
8 the amount of the employee contributions actually paid for  
9 that service and the amount of the employee contributions that  
10 would have been paid had the employee contributions been made  
11 as a covered employee serving in a position in which eligible  
12 creditable service, as defined in this Section, may be earned,  
13 plus (ii) interest thereon at the effective rate for each  
14 year, compounded annually, from the date of service to the  
15 date of payment.

16 (Source: P.A. 102-210, eff. 7-30-21; 102-538, eff. 8-20-21;  
17 102-856, eff. 1-1-23; 103-34, eff. 1-1-24.)

18 (Text of Section from P.A. 102-956 and 103-34)

19 Sec. 14-110. Alternative retirement annuity.

20 (a) Any member who has withdrawn from service with not  
21 less than 20 years of eligible creditable service and has  
22 attained age 55, and any member who has withdrawn from service  
23 with not less than 25 years of eligible creditable service and  
24 has attained age 50, regardless of whether the attainment of  
25 either of the specified ages occurs while the member is still

1 in service, shall be entitled to receive at the option of the  
2 member, in lieu of the regular or minimum retirement annuity,  
3 a retirement annuity computed as follows:

4 (i) for periods of service as a noncovered employee:  
5 if retirement occurs on or after January 1, 2001, 3% of  
6 final average compensation for each year of creditable  
7 service; if retirement occurs before January 1, 2001, 2  
8 1/4% of final average compensation for each of the first  
9 10 years of creditable service, 2 1/2% for each year above  
10 10 years to and including 20 years of creditable service,  
11 and 2 3/4% for each year of creditable service above 20  
12 years; and

13 (ii) for periods of eligible creditable service as a  
14 covered employee: if retirement occurs on or after January  
15 1, 2001, 2.5% of final average compensation for each year  
16 of creditable service; if retirement occurs before January  
17 1, 2001, 1.67% of final average compensation for each of  
18 the first 10 years of such service, 1.90% for each of the  
19 next 10 years of such service, 2.10% for each year of such  
20 service in excess of 20 but not exceeding 30, and 2.30% for  
21 each year in excess of 30.

22 Such annuity shall be subject to a maximum of 75% of final  
23 average compensation if retirement occurs before January 1,  
24 2001 or to a maximum of 80% of final average compensation if  
25 retirement occurs on or after January 1, 2001.

26 These rates shall not be applicable to any service

1 performed by a member as a covered employee which is not  
2 eligible creditable service. Service as a covered employee  
3 which is not eligible creditable service shall be subject to  
4 the rates and provisions of Section 14-108.

5 (b) For the purpose of this Section, "eligible creditable  
6 service" means creditable service resulting from service in  
7 one or more of the following positions:

8 (1) State policeman;

9 (2) fire fighter in the fire protection service of a  
10 department;

11 (3) air pilot;

12 (4) special agent;

13 (5) investigator for the Secretary of State;

14 (6) conservation police officer;

15 (7) investigator for the Department of Revenue or the  
16 Illinois Gaming Board;

17 (8) security employee of the Department of Human  
18 Services;

19 (9) Central Management Services security police  
20 officer;

21 (10) security employee of the Department of  
22 Corrections or the Department of Juvenile Justice;

23 (11) dangerous drugs investigator;

24 (12) investigator for the Illinois State Police;

25 (13) investigator for the Office of the Attorney  
26 General;

- 1 (14) controlled substance inspector;
- 2 (15) investigator for the Office of the State's  
3 Attorneys Appellate Prosecutor;
- 4 (16) Commerce Commission police officer;
- 5 (17) arson investigator;
- 6 (18) State highway maintenance worker;
- 7 (19) security employee of the Department of Innovation  
8 and Technology; ~~or~~
- 9 (20) transferred employee; ~~or~~
- 10 (21) investigator for the Department of the Lottery.

11 A person employed in one of the positions specified in  
12 this subsection is entitled to eligible creditable service for  
13 service credit earned under this Article while undergoing the  
14 basic police training course approved by the Illinois Law  
15 Enforcement Training Standards Board, if completion of that  
16 training is required of persons serving in that position. For  
17 the purposes of this Code, service during the required basic  
18 police training course shall be deemed performance of the  
19 duties of the specified position, even though the person is  
20 not a sworn peace officer at the time of the training.

21 A person under paragraph (20) is entitled to eligible  
22 creditable service for service credit earned under this  
23 Article on and after his or her transfer by Executive Order No.  
24 2003-10, Executive Order No. 2004-2, or Executive Order No.  
25 2016-1.

26 (c) For the purposes of this Section:



1           (1) The term "State policeman" includes any title or  
2 position in the Illinois State Police that is held by an  
3 individual employed under the Illinois State Police Act.

4           (2) The term "fire fighter in the fire protection  
5 service of a department" includes all officers in such  
6 fire protection service including fire chiefs and  
7 assistant fire chiefs.

8           (3) The term "air pilot" includes any employee whose  
9 official job description on file in the Department of  
10 Central Management Services, or in the department by which  
11 he is employed if that department is not covered by the  
12 Personnel Code, states that his principal duty is the  
13 operation of aircraft, and who possesses a pilot's  
14 license; however, the change in this definition made by  
15 Public Act 83-842 shall not operate to exclude any  
16 noncovered employee who was an "air pilot" for the  
17 purposes of this Section on January 1, 1984.

18           (4) The term "special agent" means any person who by  
19 reason of employment by the Division of Narcotic Control,  
20 the Bureau of Investigation or, after July 1, 1977, the  
21 Division of Criminal Investigation, the Division of  
22 Internal Investigation, the Division of Operations, the  
23 Division of Patrol, or any other Division or  
24 organizational entity in the Illinois State Police is  
25 vested by law with duties to maintain public order,  
26 investigate violations of the criminal law of this State,

1 enforce the laws of this State, make arrests and recover  
2 property. The term "special agent" includes any title or  
3 position in the Illinois State Police that is held by an  
4 individual employed under the Illinois State Police Act.

5 (5) The term "investigator for the Secretary of State"  
6 means any person employed by the Office of the Secretary  
7 of State and vested with such investigative duties as  
8 render him ineligible for coverage under the Social  
9 Security Act by reason of Sections 218(d)(5)(A),  
10 218(d)(8)(D) and 218(1)(1) of that Act.

11 A person who became employed as an investigator for  
12 the Secretary of State between January 1, 1967 and  
13 December 31, 1975, and who has served as such until  
14 attainment of age 60, either continuously or with a single  
15 break in service of not more than 3 years duration, which  
16 break terminated before January 1, 1976, shall be entitled  
17 to have his retirement annuity calculated in accordance  
18 with subsection (a), notwithstanding that he has less than  
19 20 years of credit for such service.

20 (6) The term "Conservation Police Officer" means any  
21 person employed by the Division of Law Enforcement of the  
22 Department of Natural Resources and vested with such law  
23 enforcement duties as render him ineligible for coverage  
24 under the Social Security Act by reason of Sections  
25 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The  
26 term "Conservation Police Officer" includes the positions

1 of Chief Conservation Police Administrator and Assistant  
2 Conservation Police Administrator.

3 (7) The term "investigator for the Department of  
4 Revenue" means any person employed by the Department of  
5 Revenue and vested with such investigative duties as  
6 render him ineligible for coverage under the Social  
7 Security Act by reason of Sections 218(d)(5)(A),  
8 218(d)(8)(D) and 218(1)(1) of that Act.

9 The term "investigator for the Illinois Gaming Board"  
10 means any person employed as such by the Illinois Gaming  
11 Board and vested with such peace officer duties as render  
12 the person ineligible for coverage under the Social  
13 Security Act by reason of Sections 218(d)(5)(A),  
14 218(d)(8)(D), and 218(1)(1) of that Act.

15 (8) The term "security employee of the Department of  
16 Human Services" means any person employed by the  
17 Department of Human Services who (i) is employed at the  
18 Chester Mental Health Center and has daily contact with  
19 the residents thereof, (ii) is employed within a security  
20 unit at a facility operated by the Department and has  
21 daily contact with the residents of the security unit,  
22 (iii) is employed at a facility operated by the Department  
23 that includes a security unit and is regularly scheduled  
24 to work at least 50% of his or her working hours within  
25 that security unit, or (iv) is a mental health police  
26 officer. "Mental health police officer" means any person

1 employed by the Department of Human Services in a position  
2 pertaining to the Department's mental health and  
3 developmental disabilities functions who is vested with  
4 such law enforcement duties as render the person  
5 ineligible for coverage under the Social Security Act by  
6 reason of Sections 218(d)(5)(A), 218(d)(8)(D) and  
7 218(1)(1) of that Act. "Security unit" means that portion  
8 of a facility that is devoted to the care, containment,  
9 and treatment of persons committed to the Department of  
10 Human Services as sexually violent persons, persons unfit  
11 to stand trial, or persons not guilty by reason of  
12 insanity. With respect to past employment, references to  
13 the Department of Human Services include its predecessor,  
14 the Department of Mental Health and Developmental  
15 Disabilities.

16 The changes made to this subdivision (c)(8) by Public  
17 Act 92-14 apply to persons who retire on or after January  
18 1, 2001, notwithstanding Section 1-103.1.

19 (9) "Central Management Services security police  
20 officer" means any person employed by the Department of  
21 Central Management Services who is vested with such law  
22 enforcement duties as render him ineligible for coverage  
23 under the Social Security Act by reason of Sections  
24 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act.

25 (10) For a member who first became an employee under  
26 this Article before July 1, 2005, the term "security

1 employee of the Department of Corrections or the  
2 Department of Juvenile Justice" means any employee of the  
3 Department of Corrections or the Department of Juvenile  
4 Justice or the former Department of Personnel, and any  
5 member or employee of the Prisoner Review Board, who has  
6 daily contact with inmates or youth by working within a  
7 correctional facility or Juvenile facility operated by the  
8 Department of Juvenile Justice or who is a parole officer  
9 or an employee who has direct contact with committed  
10 persons in the performance of his or her job duties. For a  
11 member who first becomes an employee under this Article on  
12 or after July 1, 2005, the term means an employee of the  
13 Department of Corrections or the Department of Juvenile  
14 Justice who is any of the following: (i) officially  
15 headquartered at a correctional facility or Juvenile  
16 facility operated by the Department of Juvenile Justice,  
17 (ii) a parole officer, (iii) a member of the apprehension  
18 unit, (iv) a member of the intelligence unit, (v) a member  
19 of the sort team, or (vi) an investigator.

20 (11) The term "dangerous drugs investigator" means any  
21 person who is employed as such by the Department of Human  
22 Services.

23 (12) The term "investigator for the Illinois State  
24 Police" means a person employed by the Illinois State  
25 Police who is vested under Section 4 of the Narcotic  
26 Control Division Abolition Act with such law enforcement

1 powers as render him ineligible for coverage under the  
2 Social Security Act by reason of Sections 218(d)(5)(A),  
3 218(d)(8)(D) and 218(1)(1) of that Act.

4 (13) "Investigator for the Office of the Attorney  
5 General" means any person who is employed as such by the  
6 Office of the Attorney General and is vested with such  
7 investigative duties as render him ineligible for coverage  
8 under the Social Security Act by reason of Sections  
9 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act. For  
10 the period before January 1, 1989, the term includes all  
11 persons who were employed as investigators by the Office  
12 of the Attorney General, without regard to social security  
13 status.

14 (14) "Controlled substance inspector" means any person  
15 who is employed as such by the Department of Professional  
16 Regulation and is vested with such law enforcement duties  
17 as render him ineligible for coverage under the Social  
18 Security Act by reason of Sections 218(d)(5)(A),  
19 218(d)(8)(D) and 218(1)(1) of that Act. The term  
20 "controlled substance inspector" includes the Program  
21 Executive of Enforcement and the Assistant Program  
22 Executive of Enforcement.

23 (15) The term "investigator for the Office of the  
24 State's Attorneys Appellate Prosecutor" means a person  
25 employed in that capacity on a full-time basis under the  
26 authority of Section 7.06 of the State's Attorneys

1 Appellate Prosecutor's Act.

2 (16) "Commerce Commission police officer" means any  
3 person employed by the Illinois Commerce Commission who is  
4 vested with such law enforcement duties as render him  
5 ineligible for coverage under the Social Security Act by  
6 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and  
7 218(1)(1) of that Act.

8 (17) "Arson investigator" means any person who is  
9 employed as such by the Office of the State Fire Marshal  
10 and is vested with such law enforcement duties as render  
11 the person ineligible for coverage under the Social  
12 Security Act by reason of Sections 218(d)(5)(A),  
13 218(d)(8)(D), and 218(1)(1) of that Act. A person who was  
14 employed as an arson investigator on January 1, 1995 and  
15 is no longer in service but not yet receiving a retirement  
16 annuity may convert his or her creditable service for  
17 employment as an arson investigator into eligible  
18 creditable service by paying to the System the difference  
19 between the employee contributions actually paid for that  
20 service and the amounts that would have been contributed  
21 if the applicant were contributing at the rate applicable  
22 to persons with the same social security status earning  
23 eligible creditable service on the date of application.

24 (18) The term "State highway maintenance worker" means  
25 a person who is either of the following:

26 (i) A person employed on a full-time basis by the

1 Illinois Department of Transportation in the position  
2 of highway maintainer, highway maintenance lead  
3 worker, highway maintenance lead/lead worker, heavy  
4 construction equipment operator, power shovel  
5 operator, or bridge mechanic; and whose principal  
6 responsibility is to perform, on the roadway, the  
7 actual maintenance necessary to keep the highways that  
8 form a part of the State highway system in serviceable  
9 condition for vehicular traffic.

10 (ii) A person employed on a full-time basis by the  
11 Illinois State Toll Highway Authority in the position  
12 of equipment operator/laborer H-4, equipment  
13 operator/laborer H-6, welder H-4, welder H-6,  
14 mechanical/electrical H-4, mechanical/electrical H-6,  
15 water/sewer H-4, water/sewer H-6, sign maker/hanger  
16 H-4, sign maker/hanger H-6, roadway lighting H-4,  
17 roadway lighting H-6, structural H-4, structural H-6,  
18 painter H-4, or painter H-6; and whose principal  
19 responsibility is to perform, on the roadway, the  
20 actual maintenance necessary to keep the Authority's  
21 tollways in serviceable condition for vehicular  
22 traffic.

23 (19) The term "security employee of the Department of  
24 Innovation and Technology" means a person who was a  
25 security employee of the Department of Corrections or the  
26 Department of Juvenile Justice, was transferred to the



1 Department of Innovation and Technology pursuant to  
2 Executive Order 2016-01, and continues to perform similar  
3 job functions under that Department.

4 (20) "Transferred employee" means an employee who was  
5 transferred to the Department of Central Management  
6 Services by Executive Order No. 2003-10 or Executive Order  
7 No. 2004-2 or transferred to the Department of Innovation  
8 and Technology by Executive Order No. 2016-1, or both, and  
9 was entitled to eligible creditable service for services  
10 immediately preceding the transfer.

11 (21) "Investigator for the Department of the Lottery"  
12 means any person who is employed by the Department of the  
13 Lottery and is vested with such investigative duties which  
14 render him or her ineligible for coverage under the Social  
15 Security Act by reason of Sections 218(d)(5)(A),  
16 218(d)(8)(D), and 218(1)(1) of that Act. An investigator  
17 for the Department of the Lottery who qualifies under this  
18 Section shall earn eligible creditable service and be  
19 required to make contributions at the rate specified in  
20 paragraph (3) of subsection (a) of Section 14-133 for all  
21 periods of service as an investigator for the Department  
22 of the Lottery.

23 (d) A security employee of the Department of Corrections  
24 or the Department of Juvenile Justice, a security employee of  
25 the Department of Human Services who is not a mental health  
26 police officer, and a security employee of the Department of

1 Innovation and Technology shall not be eligible for the  
2 alternative retirement annuity provided by this Section unless  
3 he or she meets the following minimum age and service  
4 requirements at the time of retirement:

5 (i) 25 years of eligible creditable service and age  
6 55; or

7 (ii) beginning January 1, 1987, 25 years of eligible  
8 creditable service and age 54, or 24 years of eligible  
9 creditable service and age 55; or

10 (iii) beginning January 1, 1988, 25 years of eligible  
11 creditable service and age 53, or 23 years of eligible  
12 creditable service and age 55; or

13 (iv) beginning January 1, 1989, 25 years of eligible  
14 creditable service and age 52, or 22 years of eligible  
15 creditable service and age 55; or

16 (v) beginning January 1, 1990, 25 years of eligible  
17 creditable service and age 51, or 21 years of eligible  
18 creditable service and age 55; or

19 (vi) beginning January 1, 1991, 25 years of eligible  
20 creditable service and age 50, or 20 years of eligible  
21 creditable service and age 55.

22 Persons who have service credit under Article 16 of this  
23 Code for service as a security employee of the Department of  
24 Corrections or the Department of Juvenile Justice, or the  
25 Department of Human Services in a position requiring  
26 certification as a teacher may count such service toward

1 establishing their eligibility under the service requirements  
2 of this Section; but such service may be used only for  
3 establishing such eligibility, and not for the purpose of  
4 increasing or calculating any benefit.

5 (e) If a member enters military service while working in a  
6 position in which eligible creditable service may be earned,  
7 and returns to State service in the same or another such  
8 position, and fulfills in all other respects the conditions  
9 prescribed in this Article for credit for military service,  
10 such military service shall be credited as eligible creditable  
11 service for the purposes of the retirement annuity prescribed  
12 in this Section.

13 (f) For purposes of calculating retirement annuities under  
14 this Section, periods of service rendered after December 31,  
15 1968 and before October 1, 1975 as a covered employee in the  
16 position of special agent, conservation police officer, mental  
17 health police officer, or investigator for the Secretary of  
18 State, shall be deemed to have been service as a noncovered  
19 employee, provided that the employee pays to the System prior  
20 to retirement an amount equal to (1) the difference between  
21 the employee contributions that would have been required for  
22 such service as a noncovered employee, and the amount of  
23 employee contributions actually paid, plus (2) if payment is  
24 made after July 31, 1987, regular interest on the amount  
25 specified in item (1) from the date of service to the date of  
26 payment.

1 For purposes of calculating retirement annuities under  
2 this Section, periods of service rendered after December 31,  
3 1968 and before January 1, 1982 as a covered employee in the  
4 position of investigator for the Department of Revenue shall  
5 be deemed to have been service as a noncovered employee,  
6 provided that the employee pays to the System prior to  
7 retirement an amount equal to (1) the difference between the  
8 employee contributions that would have been required for such  
9 service as a noncovered employee, and the amount of employee  
10 contributions actually paid, plus (2) if payment is made after  
11 January 1, 1990, regular interest on the amount specified in  
12 item (1) from the date of service to the date of payment.

13 (g) A State policeman may elect, not later than January 1,  
14 1990, to establish eligible creditable service for up to 10  
15 years of his service as a policeman under Article 3, by filing  
16 a written election with the Board, accompanied by payment of  
17 an amount to be determined by the Board, equal to (i) the  
18 difference between the amount of employee and employer  
19 contributions transferred to the System under Section 3-110.5,  
20 and the amounts that would have been contributed had such  
21 contributions been made at the rates applicable to State  
22 policemen, plus (ii) interest thereon at the effective rate  
23 for each year, compounded annually, from the date of service  
24 to the date of payment.

25 Subject to the limitation in subsection (i), a State  
26 policeman may elect, not later than July 1, 1993, to establish

1 eligible creditable service for up to 10 years of his service  
2 as a member of the County Police Department under Article 9, by  
3 filing a written election with the Board, accompanied by  
4 payment of an amount to be determined by the Board, equal to  
5 (i) the difference between the amount of employee and employer  
6 contributions transferred to the System under Section 9-121.10  
7 and the amounts that would have been contributed had those  
8 contributions been made at the rates applicable to State  
9 policemen, plus (ii) interest thereon at the effective rate  
10 for each year, compounded annually, from the date of service  
11 to the date of payment.

12 (h) Subject to the limitation in subsection (i), a State  
13 policeman or investigator for the Secretary of State may elect  
14 to establish eligible creditable service for up to 12 years of  
15 his service as a policeman under Article 5, by filing a written  
16 election with the Board on or before January 31, 1992, and  
17 paying to the System by January 31, 1994 an amount to be  
18 determined by the Board, equal to (i) the difference between  
19 the amount of employee and employer contributions transferred  
20 to the System under Section 5-236, and the amounts that would  
21 have been contributed had such contributions been made at the  
22 rates applicable to State policemen, plus (ii) interest  
23 thereon at the effective rate for each year, compounded  
24 annually, from the date of service to the date of payment.

25 Subject to the limitation in subsection (i), a State  
26 policeman, conservation police officer, or investigator for

1 the Secretary of State may elect to establish eligible  
2 creditable service for up to 10 years of service as a sheriff's  
3 law enforcement employee under Article 7, by filing a written  
4 election with the Board on or before January 31, 1993, and  
5 paying to the System by January 31, 1994 an amount to be  
6 determined by the Board, equal to (i) the difference between  
7 the amount of employee and employer contributions transferred  
8 to the System under Section 7-139.7, and the amounts that  
9 would have been contributed had such contributions been made  
10 at the rates applicable to State policemen, plus (ii) interest  
11 thereon at the effective rate for each year, compounded  
12 annually, from the date of service to the date of payment.

13 Subject to the limitation in subsection (i), a State  
14 policeman, conservation police officer, or investigator for  
15 the Secretary of State may elect to establish eligible  
16 creditable service for up to 5 years of service as a police  
17 officer under Article 3, a policeman under Article 5, a  
18 sheriff's law enforcement employee under Article 7, a member  
19 of the county police department under Article 9, or a police  
20 officer under Article 15 by filing a written election with the  
21 Board and paying to the System an amount to be determined by  
22 the Board, equal to (i) the difference between the amount of  
23 employee and employer contributions transferred to the System  
24 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4  
25 and the amounts that would have been contributed had such  
26 contributions been made at the rates applicable to State

1 policemen, plus (ii) interest thereon at the effective rate  
2 for each year, compounded annually, from the date of service  
3 to the date of payment.

4 Subject to the limitation in subsection (i), an  
5 investigator for the Office of the Attorney General, or an  
6 investigator for the Department of Revenue, may elect to  
7 establish eligible creditable service for up to 5 years of  
8 service as a police officer under Article 3, a policeman under  
9 Article 5, a sheriff's law enforcement employee under Article  
10 7, or a member of the county police department under Article 9  
11 by filing a written election with the Board within 6 months  
12 after August 25, 2009 (the effective date of Public Act  
13 96-745) and paying to the System an amount to be determined by  
14 the Board, equal to (i) the difference between the amount of  
15 employee and employer contributions transferred to the System  
16 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the  
17 amounts that would have been contributed had such  
18 contributions been made at the rates applicable to State  
19 policemen, plus (ii) interest thereon at the actuarially  
20 assumed rate for each year, compounded annually, from the date  
21 of service to the date of payment.

22 Subject to the limitation in subsection (i), a State  
23 policeman, conservation police officer, investigator for the  
24 Office of the Attorney General, an investigator for the  
25 Department of Revenue, or investigator for the Secretary of  
26 State may elect to establish eligible creditable service for

1 up to 5 years of service as a person employed by a  
2 participating municipality to perform police duties, or law  
3 enforcement officer employed on a full-time basis by a forest  
4 preserve district under Article 7, a county corrections  
5 officer, or a court services officer under Article 9, by  
6 filing a written election with the Board within 6 months after  
7 August 25, 2009 (the effective date of Public Act 96-745) and  
8 paying to the System an amount to be determined by the Board,  
9 equal to (i) the difference between the amount of employee and  
10 employer contributions transferred to the System under  
11 Sections 7-139.8 and 9-121.10 and the amounts that would have  
12 been contributed had such contributions been made at the rates  
13 applicable to State policemen, plus (ii) interest thereon at  
14 the actuarially assumed rate for each year, compounded  
15 annually, from the date of service to the date of payment.

16 Subject to the limitation in subsection (i), a State  
17 policeman, arson investigator, or Commerce Commission police  
18 officer may elect to establish eligible creditable service for  
19 up to 5 years of service as a person employed by a  
20 participating municipality to perform police duties under  
21 Article 7, a county corrections officer, a court services  
22 officer under Article 9, or a firefighter under Article 4 by  
23 filing a written election with the Board within 6 months after  
24 July 30, 2021 (the effective date of Public Act 102-210) and  
25 paying to the System an amount to be determined by the Board  
26 equal to (i) the difference between the amount of employee and



1 employer contributions transferred to the System under  
2 Sections 4-108.8, 7-139.8, and 9-121.10 and the amounts that  
3 would have been contributed had such contributions been made  
4 at the rates applicable to State policemen, plus (ii) interest  
5 thereon at the actuarially assumed rate for each year,  
6 compounded annually, from the date of service to the date of  
7 payment.

8 Subject to the limitation in subsection (i), a  
9 conservation police officer may elect to establish eligible  
10 creditable service for up to 5 years of service as a person  
11 employed by a participating municipality to perform police  
12 duties under Article 7, a county corrections officer, or a  
13 court services officer under Article 9 by filing a written  
14 election with the Board within 6 months after July 30, 2021  
15 (the effective date of Public Act 102-210) and paying to the  
16 System an amount to be determined by the Board equal to (i) the  
17 difference between the amount of employee and employer  
18 contributions transferred to the System under Sections 7-139.8  
19 and 9-121.10 and the amounts that would have been contributed  
20 had such contributions been made at the rates applicable to  
21 State policemen, plus (ii) interest thereon at the actuarially  
22 assumed rate for each year, compounded annually, from the date  
23 of service to the date of payment.

24 Notwithstanding the limitation in subsection (i), a State  
25 policeman or conservation police officer may elect to convert  
26 service credit earned under this Article to eligible

1 creditable service, as defined by this Section, by filing a  
2 written election with the board within 6 months after July 30,  
3 2021 (the effective date of Public Act 102-210) and paying to  
4 the System an amount to be determined by the Board equal to (i)  
5 the difference between the amount of employee contributions  
6 originally paid for that service and the amounts that would  
7 have been contributed had such contributions been made at the  
8 rates applicable to State policemen, plus (ii) the difference  
9 between the employer's normal cost of the credit prior to the  
10 conversion authorized by Public Act 102-210 and the employer's  
11 normal cost of the credit converted in accordance with Public  
12 Act 102-210, plus (iii) interest thereon at the actuarially  
13 assumed rate for each year, compounded annually, from the date  
14 of service to the date of payment.

15 (i) The total amount of eligible creditable service  
16 established by any person under subsections (g), (h), (j),  
17 (k), (l), (l-5), (o), and (p) of this Section shall not exceed  
18 12 years.

19 (j) Subject to the limitation in subsection (i), an  
20 investigator for the Office of the State's Attorneys Appellate  
21 Prosecutor or a controlled substance inspector may elect to  
22 establish eligible creditable service for up to 10 years of  
23 his service as a policeman under Article 3 or a sheriff's law  
24 enforcement employee under Article 7, by filing a written  
25 election with the Board, accompanied by payment of an amount  
26 to be determined by the Board, equal to (1) the difference

1 between the amount of employee and employer contributions  
2 transferred to the System under Section 3-110.6 or 7-139.8,  
3 and the amounts that would have been contributed had such  
4 contributions been made at the rates applicable to State  
5 policemen, plus (2) interest thereon at the effective rate for  
6 each year, compounded annually, from the date of service to  
7 the date of payment.

8 (k) Subject to the limitation in subsection (i) of this  
9 Section, an alternative formula employee may elect to  
10 establish eligible creditable service for periods spent as a  
11 full-time law enforcement officer or full-time corrections  
12 officer employed by the federal government or by a state or  
13 local government located outside of Illinois, for which credit  
14 is not held in any other public employee pension fund or  
15 retirement system. To obtain this credit, the applicant must  
16 file a written application with the Board by March 31, 1998,  
17 accompanied by evidence of eligibility acceptable to the Board  
18 and payment of an amount to be determined by the Board, equal  
19 to (1) employee contributions for the credit being  
20 established, based upon the applicant's salary on the first  
21 day as an alternative formula employee after the employment  
22 for which credit is being established and the rates then  
23 applicable to alternative formula employees, plus (2) an  
24 amount determined by the Board to be the employer's normal  
25 cost of the benefits accrued for the credit being established,  
26 plus (3) regular interest on the amounts in items (1) and (2)

1 from the first day as an alternative formula employee after  
2 the employment for which credit is being established to the  
3 date of payment.

4 (1) Subject to the limitation in subsection (i), a  
5 security employee of the Department of Corrections may elect,  
6 not later than July 1, 1998, to establish eligible creditable  
7 service for up to 10 years of his or her service as a policeman  
8 under Article 3, by filing a written election with the Board,  
9 accompanied by payment of an amount to be determined by the  
10 Board, equal to (i) the difference between the amount of  
11 employee and employer contributions transferred to the System  
12 under Section 3-110.5, and the amounts that would have been  
13 contributed had such contributions been made at the rates  
14 applicable to security employees of the Department of  
15 Corrections, plus (ii) interest thereon at the effective rate  
16 for each year, compounded annually, from the date of service  
17 to the date of payment.

18 (1-5) Subject to the limitation in subsection (i) of this  
19 Section, a State policeman may elect to establish eligible  
20 creditable service for up to 5 years of service as a full-time  
21 law enforcement officer employed by the federal government or  
22 by a state or local government located outside of Illinois for  
23 which credit is not held in any other public employee pension  
24 fund or retirement system. To obtain this credit, the  
25 applicant must file a written application with the Board no  
26 later than 3 years after January 1, 2020 (the effective date of

1 Public Act 101-610), accompanied by evidence of eligibility  
2 acceptable to the Board and payment of an amount to be  
3 determined by the Board, equal to (1) employee contributions  
4 for the credit being established, based upon the applicant's  
5 salary on the first day as an alternative formula employee  
6 after the employment for which credit is being established and  
7 the rates then applicable to alternative formula employees,  
8 plus (2) an amount determined by the Board to be the employer's  
9 normal cost of the benefits accrued for the credit being  
10 established, plus (3) regular interest on the amounts in items  
11 (1) and (2) from the first day as an alternative formula  
12 employee after the employment for which credit is being  
13 established to the date of payment.

14 (m) The amendatory changes to this Section made by Public  
15 Act 94-696 apply only to: (1) security employees of the  
16 Department of Juvenile Justice employed by the Department of  
17 Corrections before June 1, 2006 (the effective date of Public  
18 Act 94-696) and transferred to the Department of Juvenile  
19 Justice by Public Act 94-696; and (2) persons employed by the  
20 Department of Juvenile Justice on or after June 1, 2006 (the  
21 effective date of Public Act 94-696) who are required by  
22 subsection (b) of Section 3-2.5-15 of the Unified Code of  
23 Corrections to have any bachelor's or advanced degree from an  
24 accredited college or university or, in the case of persons  
25 who provide vocational training, who are required to have  
26 adequate knowledge in the skill for which they are providing

1 the vocational training.

2 Beginning with the pay period that immediately follows the  
3 effective date of this amendatory Act of the 103rd General  
4 Assembly, the bachelor's or advanced degree requirement of  
5 subsection (b) of Section 3-2.5-15 of the Unified Code of  
6 Corrections shall no longer determine the eligibility to earn  
7 eligible creditable service for a person employed by the  
8 Department of Juvenile Justice.

9 An employee may elect to convert into eligible creditable  
10 service his or her creditable service earned with the  
11 Department of Juvenile Justice while employed in a position  
12 that required the employee to do any one or more of the  
13 following: (1) participate or assist in the rehabilitative and  
14 vocational training of delinquent youths; (2) supervise the  
15 daily activities and assume direct and continuing  
16 responsibility for the youth's security, welfare, and  
17 development; or (3) participate in the personal rehabilitation  
18 of delinquent youth by training, supervising, and assisting  
19 lower-level personnel. To convert that creditable service to  
20 eligible creditable service, the employee must pay to the  
21 System the difference between the employee contributions  
22 actually paid for that service and the amounts that would have  
23 been contributed if the applicant were contributing at the  
24 rate applicable to persons with the same Social Security  
25 status earning eligible creditable service on the date of  
26 application.

1           (n) A person employed in a position under subsection (b)  
2 of this Section who has purchased service credit under  
3 subsection (j) of Section 14-104 or subsection (b) of Section  
4 14-105 in any other capacity under this Article may convert up  
5 to 5 years of that service credit into service credit covered  
6 under this Section by paying to the Fund an amount equal to (1)  
7 the additional employee contribution required under Section  
8 14-133, plus (2) the additional employer contribution required  
9 under Section 14-131, plus (3) interest on items (1) and (2) at  
10 the actuarially assumed rate from the date of the service to  
11 the date of payment.

12           (o) Subject to the limitation in subsection (i), a  
13 conservation police officer, investigator for the Secretary of  
14 State, Commerce Commission police officer, investigator for  
15 the Department of Revenue or the Illinois Gaming Board, or  
16 arson investigator subject to subsection (g) of Section 1-160  
17 may elect to convert up to 8 years of service credit  
18 established before January 1, 2020 (the effective date of  
19 Public Act 101-610) as a conservation police officer,  
20 investigator for the Secretary of State, Commerce Commission  
21 police officer, investigator for the Department of Revenue or  
22 the Illinois Gaming Board, or arson investigator under this  
23 Article into eligible creditable service by filing a written  
24 election with the Board no later than one year after January 1,  
25 2020 (the effective date of Public Act 101-610), accompanied  
26 by payment of an amount to be determined by the Board equal to

1 (i) the difference between the amount of the employee  
2 contributions actually paid for that service and the amount of  
3 the employee contributions that would have been paid had the  
4 employee contributions been made as a noncovered employee  
5 serving in a position in which eligible creditable service, as  
6 defined in this Section, may be earned, plus (ii) interest  
7 thereon at the effective rate for each year, compounded  
8 annually, from the date of service to the date of payment.

9 (p) Subject to the limitation in subsection (i), an  
10 investigator for the Office of the Attorney General subject to  
11 subsection (g) of Section 1-160 may elect to convert up to 8  
12 years of service credit established before the effective date  
13 of this amendatory Act of the 102nd General Assembly as an  
14 investigator for the Office of the Attorney General under this  
15 Article into eligible creditable service by filing a written  
16 election with the Board no later than one year after the  
17 effective date of this amendatory Act of the 102nd General  
18 Assembly, accompanied by payment of an amount to be determined  
19 by the Board equal to (i) the difference between the amount of  
20 the employee contributions actually paid for that service and  
21 the amount of the employee contributions that would have been  
22 paid had the employee contributions been made as a noncovered  
23 employee serving in a position in which eligible creditable  
24 service, as defined in this Section, may be earned, plus (ii)  
25 interest thereon at the effective rate for each year,  
26 compounded annually, from the date of service to the date of



1 payment.

2 (g) A security employee of the Department of Human  
3 Services who is subject to subsection (g-1) of Section 1-160  
4 may elect to convert up to 13 years of service credit  
5 established before the effective date of this amendatory Act  
6 of the 103rd General Assembly as a security employee of the  
7 Department of Human Services to eligible creditable service by  
8 filing a written election with the Board no later than one year  
9 after the effective date of this amendatory Act of the 103rd  
10 General Assembly, accompanied by payment of an amount, to be  
11 determined by the Board, equal to (i) the difference between  
12 the amount of the employee contributions actually paid for  
13 that service and the amount of the employee contributions that  
14 would have been paid had the employee contributions been made  
15 as a covered employee serving in a position in which eligible  
16 creditable service, as defined in this Section, may be earned,  
17 plus (ii) interest thereon at the effective rate for each  
18 year, compounded annually, from the date of service to the  
19 date of payment.

20 (Source: P.A. 102-210, eff. 7-30-21; 102-538, eff. 8-20-21;  
21 102-956, eff. 5-27-22; 103-34, eff. 1-1-24.)

22 (40 ILCS 5/14-152.1)

23 Sec. 14-152.1. Application and expiration of new benefit  
24 increases.

25 (a) As used in this Section, "new benefit increase" means

1 an increase in the amount of any benefit provided under this  
2 Article, or an expansion of the conditions of eligibility for  
3 any benefit under this Article, that results from an amendment  
4 to this Code that takes effect after June 1, 2005 (the  
5 effective date of Public Act 94-4). "New benefit increase",  
6 however, does not include any benefit increase resulting from  
7 the changes made to Article 1 or this Article by Public Act  
8 96-37, Public Act 100-23, Public Act 100-587, Public Act  
9 100-611, Public Act 101-10, Public Act 101-610, Public Act  
10 102-210, Public Act 102-856, Public Act 102-956, or this  
11 amendatory Act of the 103rd General Assembly ~~this amendatory~~  
12 ~~Act of the 102nd General Assembly.~~

13 (b) Notwithstanding any other provision of this Code or  
14 any subsequent amendment to this Code, every new benefit  
15 increase is subject to this Section and shall be deemed to be  
16 granted only in conformance with and contingent upon  
17 compliance with the provisions of this Section.

18 (c) The Public Act enacting a new benefit increase must  
19 identify and provide for payment to the System of additional  
20 funding at least sufficient to fund the resulting annual  
21 increase in cost to the System as it accrues.

22 Every new benefit increase is contingent upon the General  
23 Assembly providing the additional funding required under this  
24 subsection. The Commission on Government Forecasting and  
25 Accountability shall analyze whether adequate additional  
26 funding has been provided for the new benefit increase and

1 shall report its analysis to the Public Pension Division of  
2 the Department of Insurance. A new benefit increase created by  
3 a Public Act that does not include the additional funding  
4 required under this subsection is null and void. If the Public  
5 Pension Division determines that the additional funding  
6 provided for a new benefit increase under this subsection is  
7 or has become inadequate, it may so certify to the Governor and  
8 the State Comptroller and, in the absence of corrective action  
9 by the General Assembly, the new benefit increase shall expire  
10 at the end of the fiscal year in which the certification is  
11 made.

12 (d) Every new benefit increase shall expire 5 years after  
13 its effective date or on such earlier date as may be specified  
14 in the language enacting the new benefit increase or provided  
15 under subsection (c). This does not prevent the General  
16 Assembly from extending or re-creating a new benefit increase  
17 by law.

18 (e) Except as otherwise provided in the language creating  
19 the new benefit increase, a new benefit increase that expires  
20 under this Section continues to apply to persons who applied  
21 and qualified for the affected benefit while the new benefit  
22 increase was in effect and to the affected beneficiaries and  
23 alternate payees of such persons, but does not apply to any  
24 other person, including, without limitation, a person who  
25 continues in service after the expiration date and did not  
26 apply and qualify for the affected benefit while the new

1 benefit increase was in effect.

2 (Source: P.A. 101-10, eff. 6-5-19; 101-81, eff. 7-12-19;  
3 101-610, eff. 1-1-20; 102-210, eff. 7-30-21; 102-856, eff.  
4 1-1-23; 102-956, eff. 5-27-22.)

5 Section 99. Effective date. This Act takes effect January  
6 1, 2025.