

1 AN ACT in relation to public employee benefits.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Illinois Pension Code is amended by  
5 changing Section 9-219 as follows:

6 (40 ILCS 5/9-219) (from Ch. 108 1/2, par. 9-219)  
7 Sec. 9-219. Computation of service.

8 (1) In computing the term of service of an employee  
9 prior to the effective date, the entire period beginning on  
10 the date he was first appointed and ending on the day before  
11 the effective date, except any intervening period during  
12 which he was separated by withdrawal from service, shall be  
13 counted for all purposes of this Article.

14 (2) In computing the term of service of any employee on  
15 or after the effective date, the following periods of time  
16 shall be counted as periods of service for age and service,  
17 widow's and child's annuity purposes:

18 (a) The time during which he performed the duties  
19 of his position.

20 (b) Vacations, leaves of absence with whole or part  
21 pay, and leaves of absence without pay not longer than 90  
22 days.

23 (c) For an employee who is a member of a county  
24 police department or a correctional officer with the  
25 county department of corrections, approved leaves of  
26 absence without pay during which the employee serves as a  
27 full-time officer or employee of an employee association,  
28 the membership of which consists of other participants in  
29 the Fund, provided that the employee contributes to the  
30 Fund (1) the amount that he would have contributed had he  
31 remained an active employee in the position he occupied

1 at the time the leave of absence was granted, (2) an  
2 amount calculated by the Board representing employer  
3 contributions, and (3) regular interest thereon from the  
4 date of service to the date of payment. However, if the  
5 employee's application to establish credit under this  
6 subsection is received by the Fund on or after July 1,  
7 2003 2000 and before July 1, 2004 2000, the amount  
8 representing employer contributions specified in item (2)  
9 shall be waived.

10 For a former member of a county police department  
11 who has received a refund under Section 9-164, periods  
12 during which the employee serves as head of an employee  
13 association, the membership of which consists of other  
14 police officers, provided that the employee contributes  
15 to the Fund (1) the amount that he would have contributed  
16 had he remained an active member of the county police  
17 department in the position he occupied at the time he  
18 left service, (2) an amount calculated by the Board  
19 representing employer contributions, and (3) regular  
20 interest thereon from the date of service to the date of  
21 payment. However, if the former member of the county  
22 police department retires on or after January 1, 1993 but  
23 no later than March 1, 1993, the amount representing  
24 employer contributions specified in item (2) shall be  
25 waived.

26 (d) Any period of disability for which he received  
27 disability benefit or whole or part pay.

28 (e) Accumulated vacation or other time for which an  
29 employee who retires on or after November 1, 1990  
30 receives a lump sum payment at the time of retirement,  
31 provided that contributions were made to the fund at the  
32 time such lump sum payment was received. The service  
33 granted for the lump sum payment shall not change the  
34 employee's date of withdrawal for computing the effective

1 date of the annuity.

2 (f) An employee may receive service credit for  
3 annuity purposes for accumulated sick leave as of the  
4 date of the employee's withdrawal from service, not to  
5 exceed a total of 180 days, provided that the amount of  
6 such accumulated sick leave is certified by the County  
7 Comptroller to the Board and the employee pays an amount  
8 equal to 8.5% (9% for members of the County Police  
9 Department who are eligible to receive an annuity under  
10 Section 9-128.1) of the amount that would have been paid  
11 had such accumulated sick leave been paid at the  
12 employee's final rate of salary. Such payment shall be  
13 made within 30 days after the date of withdrawal and  
14 prior to receipt of the first annuity check. The service  
15 credit granted for such accumulated sick leave shall not  
16 change the employee's date of withdrawal for the purpose  
17 of computing the effective date of the annuity.

18 (3) In computing the term of service of an employee on  
19 or after the effective date for ordinary disability benefit  
20 purposes, the following periods of time shall be counted as  
21 periods of service:

22 (a) Unless otherwise specified in Section 9-157,  
23 the time during which he performed the duties of his  
24 position.

25 (b) Paid vacations and leaves of absence with whole  
26 or part pay.

27 (c) Any period for which he received duty  
28 disability benefit.

29 (d) Any period of disability for which he received  
30 whole or part pay.

31 (4) For an employee who on January 1, 1958, was  
32 transferred by Act of the 70th General Assembly from his  
33 position in a department of welfare of any city located in  
34 the county in which this Article is in force and effect to a

1 similar position in a department of such county, service  
2 shall also be credited for ordinary disability benefit and  
3 child's annuity for such period of department of welfare  
4 service during which period he was a contributor to a  
5 statutory annuity and benefit fund in such city and for which  
6 purposes service credit would otherwise not be credited by  
7 virtue of such involuntary transfer.

8 (5) An employee described in subsection (e) of Section  
9 9-108 shall receive credit for child's annuity and ordinary  
10 disability benefit for the period of time for which he was  
11 credited with service in the fund from which he was  
12 involuntarily separated through class or group transfer;  
13 provided, that no such credit shall be allowed to the extent  
14 that it results in a duplication of credits or benefits, and  
15 neither shall such credit be allowed to the extent that it  
16 was or may be forfeited by the application for and acceptance  
17 of a refund from the fund from which the employee was  
18 transferred.

19 (6) Overtime or extra service shall not be included in  
20 computing service. Not more than 1 year of service shall be  
21 allowed for service rendered during any calendar year.

22 (Source: P.A. 92-599, eff. 6-28-02.)

23 Section 90. The State Mandates Act is amended by adding  
24 Section 8.27 as follows:

25 (30 ILCS 805/8.27 new)

26 Sec. 8.27. Exempt mandate. Notwithstanding Sections 6  
27 and 8 of this Act, no reimbursement by the State is required  
28 for the implementation of any mandate created by this  
29 amendatory Act of the 93rd General Assembly.

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