



Adopted in House Comm. on May 29, 2007

09500SB0065ham001

LRB095 06385 AMC 37141 a

1 AMENDMENT TO SENATE BILL 65

2 AMENDMENT NO. _____. Amend Senate Bill 65 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by
5 changing Sections 3-110.6, 3-110.8, 3-125, 5-236, 7-139.8,
6 7-139.11, 9-121.10, 14-110, and 15-134.4 and by adding Sections
7 3-110.9 and 7-138.12 as follows:

8 (40 ILCS 5/3-110.6) (from Ch. 108 1/2, par. 3-110.6)

9 Sec. 3-110.6. Transfer to Article 14 System.

10 (a) Any active member of the State Employees' Retirement
11 System who is a State policeman, an investigator for the
12 Secretary of State, a conservation police officer, an
13 investigator for the Office of the State's Attorneys Appellate
14 Prosecutor, or a controlled substance inspector may apply for
15 transfer of some or all of his or her creditable service
16 accumulated in any police pension fund under this Article to

1 the State Employees' Retirement System in accordance with
2 Section 14-110. The creditable service shall be transferred
3 only upon payment by the police pension fund to the State
4 Employees' Retirement System of an amount equal to:

5 (1) the amounts accumulated to the credit of the
6 applicant for the service to be transferred on the books of
7 the fund on the date of transfer; and

8 (2) employer contributions in an amount equal to the
9 amount determined under subparagraph (1); and

10 (3) any interest paid by the applicant in order to
11 reinstate service to be transferred.

12 Participation in the police pension fund with respect to the
13 service to be transferred shall terminate on the date of
14 transfer.

15 (b) Any person applying to transfer service under this
16 Section ~~such investigator or inspector~~ may reinstate service
17 that ~~which~~ was terminated by receipt of a refund, by paying to
18 the police pension fund the amount of the refund with interest
19 thereon at the rate of 6% per year, compounded annually, from
20 the date of refund to the date of payment.

21 (Source: P.A. 90-32, eff. 6-27-97.)

22 (40 ILCS 5/3-110.8)

23 Sec. 3-110.8. Transfer to IMRF.

24 (a) Until January 1, 2008 ~~2006~~, any active member of the
25 Illinois Municipal Retirement Fund who has less than 8 years of

1 creditable service in a police pension fund under this Article,
2 may apply for transfer of his or her creditable service
3 accumulated in that fund to the Illinois Municipal Retirement
4 Fund. The creditable service shall be transferred upon payment
5 by the police pension fund to the Illinois Municipal Retirement
6 Fund of an amount equal to:

7 (1) the amounts accumulated to the credit of the
8 applicant on the books of the fund on the date of transfer;
9 and

10 (2) employer contributions in an amount equal to the
11 amount determined under subparagraph (1); and

12 (3) any interest paid by the applicant in order to
13 reinstate service.

14 Participation in this Fund shall terminate on the date of
15 transfer.

16 (b) Until January 1, 2008 ~~2006~~, any member under subsection
17 (a) may reinstate service which was terminated by receipt of a
18 refund, by payment to the police pension fund of the amount of
19 the refund with interest thereon at the rate of 6% per year,
20 compounded annually, from the date of refund to the date of
21 payment.

22 (Source: P.A. 94-356, eff. 7-29-05.)

23 (40 ILCS 5/3-110.9 new)

24 Sec. 3-110.9. Transfer from Article 7. Until January 1,
25 2008, a person may transfer to a fund established under this

1 Article up to 8 years of creditable service accumulated under
2 Article 7 of this Code upon payment to the fund of an amount to
3 be determined by the board, equal to (i) the difference between
4 the amount of employee and employer contributions transferred
5 to the fund under Section 7-139.11 and the amounts that would
6 have been contributed had such contributions been made at the
7 rates applicable to an employee under this Article, plus (ii)
8 interest thereon at the effective rate for each year,
9 compounded annually, from the date of service to the date of
10 payment.

11 (40 ILCS 5/3-125) (from Ch. 108 1/2, par. 3-125)

12 Sec. 3-125. Financing. The city council or the board of
13 trustees of the municipality shall annually levy a tax upon all
14 the taxable property of the municipality at the rate on the
15 dollar which will produce an amount which, when added to the
16 deductions from the salaries or wages of police officers, and
17 revenues available from other sources, will equal a sum
18 sufficient to meet the annual requirements of the police
19 pension fund. The annual requirements to be provided by such
20 tax levy are equal to (1) the normal cost of the pension fund
21 for the year involved, plus (2) the amount necessary to
22 amortize the fund's unfunded accrued liabilities as provided in
23 Section 3-127. The tax shall be levied and collected in the
24 same manner as the general taxes of the municipality, and in
25 addition to all other taxes now or hereafter authorized to be

1 levied upon all property within the municipality, and shall be
2 in addition to the amount authorized to be levied for general
3 purposes as provided by Section 8-3-1 of the Illinois Municipal
4 Code, approved May 29, 1961, as amended. The tax shall be
5 forwarded directly to the treasurer of the board within 30
6 business days after receipt by the county.

7 The police pension fund shall consist of the following
8 moneys which shall be set apart by the treasurer of the
9 municipality:

10 (1) All moneys derived from the taxes levied hereunder;

11 (2) Contributions by police officers under Section
12 3-125.1;

13 (3) All moneys accumulated by the municipality under any
14 previous legislation establishing a fund for the benefit of
15 disabled or retired police officers;

16 (4) Donations, gifts or other transfers authorized by this
17 Article.

18 (Source: P.A. 83-1440.)

19 (40 ILCS 5/5-236) (from Ch. 108 1/2, par. 5-236)

20 Sec. 5-236. Transfer to Article 14.

21 (a) ~~Until January 31, 1994,~~ Any active member of the State
22 Employees' Retirement System who is a State policeman,
23 conservation police officer, or investigator for the Secretary
24 of State may apply for transfer of some or all of his or her
25 creditable service accumulated under this Article to the State

1 Employees' Retirement System in accordance with Section
2 14-110. At the time of the transfer the Fund shall pay to the
3 State Employees' Retirement System an amount equal to:

4 (1) the amounts accumulated to the credit of the
5 applicant for the service to be transferred on the books of
6 the Fund on the date of transfer; and

7 (2) the corresponding municipality credits, including
8 interest, on the books of the Fund on the date of transfer;
9 and

10 (3) any interest paid by the applicant in order to
11 reinstate service to be transferred.

12 Participation in this Fund with respect to the service to be
13 transferred shall terminate on the date of transfer.

14 (b) ~~Until January 31, 1994,~~ Any such State policeman,
15 conservation police officer, or investigator for the Secretary
16 of State may reinstate service that was terminated by receipt
17 of a refund, by paying to the Fund the amount of the refund
18 with interest thereon at the rate of 6% per year, compounded
19 annually, from the date of refund to the date of payment.

20 (c) Within 30 days after the effective date of this
21 amendatory Act of 1993, any active member of the State
22 Employees' Retirement System who was earning eligible
23 creditable service under subdivision (b)(12) of Section 14-110
24 on January 1, 1992 and who has at least 17 years of creditable
25 service under this Article may apply for transfer of his
26 creditable service accumulated under this Article to the State

1 Employees' Retirement System. At the time of the transfer the
2 Fund shall pay to the State Employees' Retirement System an
3 amount equal to:

4 (1) the amounts accumulated to the credit of the
5 applicant on the books of the Fund on the date of transfer;
6 and

7 (2) the corresponding municipality credits, including
8 interest, on the books of the Fund on the date of transfer.

9 Participation in this Fund shall terminate on the date of
10 transfer.

11 (Source: P.A. 86-1488; 87-1265.)

12 (40 ILCS 5/7-139.8) (from Ch. 108 1/2, par. 7-139.8)

13 Sec. 7-139.8. Transfer to Article 14 System.

14 (a) Any active member of the State Employees' Retirement
15 System who is a State policeman, an investigator for the
16 Secretary of State, a conservation police officer, an
17 investigator for the Office of the State's Attorneys Appellate
18 Prosecutor, or a controlled substance inspector may apply for
19 transfer of some or all of his or her credits and creditable
20 service accumulated in this Fund for service as a sheriff's law
21 enforcement employee to the State Employees' Retirement System
22 in accordance with Section 14-110. The creditable service shall
23 be transferred only upon payment by this Fund to the State
24 Employees' Retirement System of an amount equal to:

25 (1) the amounts accumulated to the credit of the

1 applicant for the service to be transferred ~~as a sheriff's~~
2 ~~law enforcement employee~~, including interest; and

3 (2) municipality credits based on such service,
4 including interest; and

5 (3) any interest paid by the applicant to reinstate
6 such service.

7 Participation in this Fund as to any credits transferred under
8 this Section shall terminate on the date of transfer.

9 (b) Any person applying to transfer service under this
10 Section ~~such investigator or inspector~~ may reinstate credits
11 and creditable service terminated upon receipt of a separation
12 benefit, by paying to the Fund the amount of the separation
13 benefit plus interest thereon at the rate of 6% per year to the
14 date of payment.

15 (Source: P.A. 90-32, eff. 6-27-97.)

16 (40 ILCS 5/7-139.11)

17 Sec. 7-139.11. Transfer to Article 3 pension fund.

18 (a) Until January 1, 2008 ~~2006~~, a person who has less than
19 8 years of creditable service under this Article and who has
20 become an active participant in a police pension fund
21 established under Article 3 of this Code may apply for transfer
22 to that Article 3 fund of his or her creditable service
23 accumulated under this Article. At the time of the transfer the
24 Fund shall pay to the police pension fund an amount equal to:

25 (1) the amounts accumulated to the credit of the

1 applicant under this Article, including interest; and

2 (2) the municipality credits based on that service,
3 including interest; and

4 (3) any interest paid by the applicant in order to
5 reinstate that service.

6 Participation in this Fund with respect to the transferred
7 credits shall terminate on the date of transfer.

8 (b) An active member of a pension fund established under
9 Article 3 of this Code may reinstate creditable service under
10 this Article that was terminated by receipt of a refund, by
11 paying to the Fund the amount of the refund plus interest
12 thereon at the rate of 6% per year, compounded annually, from
13 the date of refund to the date of payment.

14 (Source: P.A. 94-356, eff. 7-29-05.)

15 (40 ILCS 5/7-139.12 new)

16 Sec. 7-139.12. Transfer from Article 3. Until January 1,
17 2008, a person may transfer to the Illinois Municipal
18 Retirement Systems up to 8 years of creditable service
19 accumulated under Article 3 of this Code upon payment to the
20 Fund of an amount to be determined by the board, equal to (i)
21 the difference between the amount of employee and employer
22 contributions transferred to the Fund under Section 3-110.8 and
23 the amounts that would have been contributed had such
24 contributions been made at the rates applicable to an employee
25 under this Article, plus (ii) interest thereon at the effective

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

3 (40 ILCS 5/9-121.10) (from Ch. 108 1/2, par. 9-121.10)

4 Sec. 9-121.10. Transfer to Article 14.

5 (a) ~~Until July 1, 1993,~~ Any active member of the State
6 Employees' Retirement System who is a State policeman,
7 investigator for the Secretary of State, or conservation police
8 officer may apply for transfer of some or all of his creditable
9 service as a member of the County Police Department accumulated
10 under this Article to the State Employees' Retirement System in
11 accordance with Section 14-110. At the time of the transfer the
12 Fund shall pay to the State Employees' Retirement System an
13 amount equal to:

14 (1) the amounts accumulated to the credit of the
15 applicant on the books of the Fund on the date of transfer
16 for the service to be transferred; and

17 (2) the corresponding municipality credits, including
18 interest, on the books of the Fund on the date of transfer;
19 and

20 (3) any interest paid by the applicant in order to
21 reinstate such service.

22 Participation in this Fund with respect to the credits
23 transferred shall terminate on the date of transfer.

24 (b) Any person applying to transfer service under this
25 Section ~~Until July 1, 1993, any such State policeman~~ may

1 reinstate credit for service as a member of the County Police
2 Department that was terminated by receipt of a refund, by
3 paying to the Fund the amount of the refund with interest
4 thereon at the rate of 6% per year, compounded annually, from
5 the date of refund to the date of payment.

6 (Source: P.A. 87-1265.)

7 (40 ILCS 5/14-110) (from Ch. 108 1/2, par. 14-110)

8 Sec. 14-110. Alternative retirement annuity.

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

18 (i) for periods of service as a noncovered employee: if
19 retirement occurs on or after January 1, 2001, 3% of final
20 average compensation for each year of creditable service;
21 if retirement occurs before January 1, 2001, 2 1/4% of
22 final average compensation for each of the first 10 years
23 of creditable service, 2 1/2% for each year above 10 years
24 to and including 20 years of creditable service, and 2 3/4%
25 for each year of creditable service above 20 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 one
21 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;
- 4 (8) security employee of the Department of Human
5 Services;
- 6 (9) Central Management Services security police
7 officer;
- 8 (10) security employee of the Department of
9 Corrections or the Department of Juvenile Justice;
- 10 (11) dangerous drugs investigator;
- 11 (12) investigator for the Department of State Police;
- 12 (13) investigator for the Office of the Attorney
13 General;
- 14 (14) controlled substance inspector;
- 15 (15) investigator for the Office of the State's
16 Attorneys Appellate Prosecutor;
- 17 (16) Commerce Commission police officer;
- 18 (17) arson investigator;
- 19 (18) State highway maintenance worker.

20 A person employed in one of the positions specified in this
21 subsection is entitled to eligible creditable service for
22 service credit earned under this Article while undergoing the
23 basic police training course approved by the Illinois Law
24 Enforcement Training Standards Board, if completion of that
25 training is required of persons serving in that position. For
26 the purposes of this Code, service during the required basic

1 police training course shall be deemed performance of the
2 duties of the specified position, even though the person is not
3 a sworn peace officer at the time of the training.

4 (c) For the purposes of this Section:

5 (1) The term "state policeman" includes any title or
6 position in the Department of State Police that is held by
7 an individual employed under the State Police Act.

8 (2) The term "fire fighter in the fire protection
9 service of a department" includes all officers in such fire
10 protection service including fire chiefs and assistant
11 fire chiefs.

12 (3) The term "air pilot" includes any employee whose
13 official job description on file in the Department of
14 Central Management Services, or in the department by which
15 he is employed if that department is not covered by the
16 Personnel Code, states that his principal duty is the
17 operation of aircraft, and who possesses a pilot's license;
18 however, the change in this definition made by this
19 amendatory Act of 1983 shall not operate to exclude any
20 noncovered employee who was an "air pilot" for the purposes
21 of this Section on January 1, 1984.

22 (4) The term "special agent" means any person who by
23 reason of employment by the Division of Narcotic Control,
24 the Bureau of Investigation or, after July 1, 1977, the
25 Division of Criminal Investigation, the Division of
26 Internal Investigation, the Division of Operations, or any

1 other Division or organizational entity in the Department
2 of State Police is vested by law with duties to maintain
3 public order, investigate violations of the criminal law of
4 this State, enforce the laws of this State, make arrests
5 and recover property. The term "special agent" includes any
6 title or position in the Department of State Police that is
7 held by an individual employed under the State Police Act.

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

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

23 (6) The term "Conservation Police Officer" means any
24 person employed by the Division of Law Enforcement of the
25 Department of Natural Resources and vested with such law
26 enforcement duties as render him ineligible for coverage

1 under the Social Security Act by reason of Sections
2 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The
3 term "Conservation Police Officer" includes the positions
4 of Chief Conservation Police Administrator and Assistant
5 Conservation Police Administrator.

6 (7) The term "investigator for the Department of
7 Revenue" means any person employed by the Department of
8 Revenue and vested with such investigative duties as render
9 him ineligible for coverage under the Social Security Act
10 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and
11 218(1)(1) of that Act.

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

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

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

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

21 (10) For a member who first became an employee under
22 this Article before July 1, 2005, the term "security
23 employee of the Department of Corrections or the Department
24 of Juvenile Justice" means any employee of the Department
25 of Corrections or the Department of Juvenile Justice or the
26 former Department of Personnel, and any member or employee

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

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

19 (12) The term "investigator for the Department of State
20 Police" means a person employed by the Department of State
21 Police who is vested under Section 4 of the Narcotic
22 Control Division Abolition Act with such law enforcement
23 powers as render him ineligible for coverage under the
24 Social Security Act by reason of Sections 218(d)(5)(A),
25 218(d)(8)(D) and 218(1)(1) of that Act.

26 (13) "Investigator for the Office of the Attorney

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

10 (14) "Controlled substance inspector" means any person
11 who is employed as such by the Department of Professional
12 Regulation and is vested with such law enforcement duties
13 as render him 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. The term
16 "controlled substance inspector" includes the Program
17 Executive of Enforcement and the Assistant Program
18 Executive of Enforcement.

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

24 (16) "Commerce Commission police officer" means any
25 person employed by the Illinois Commerce Commission who is
26 vested with such law enforcement duties as render him

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

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

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

22 (i) A person employed on a full-time basis by the
23 Illinois Department of Transportation in the position
24 of highway maintainer, highway maintenance lead
25 worker, highway maintenance lead/lead worker, heavy
26 construction equipment operator, power shovel

1 operator, or bridge mechanic; and whose principal
2 responsibility is to perform, on the roadway, the
3 actual maintenance necessary to keep the highways that
4 form a part of the State highway system in serviceable
5 condition for vehicular traffic.

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

19 (d) A security employee of the Department of Corrections or
20 the Department of Juvenile Justice, and a security employee of
21 the Department of Human Services who is not a mental health
22 police officer, shall not be eligible for the alternative
23 retirement annuity provided by this Section unless he or she
24 meets the following minimum age and service requirements at the
25 time of retirement:

26 (i) 25 years of eligible creditable service and age 55;

1 or

2 (ii) beginning January 1, 1987, 25 years of eligible
3 creditable service and age 54, or 24 years of eligible
4 creditable service and age 55; or

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

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

11 (v) beginning January 1, 1990, 25 years of eligible
12 creditable service and age 51, or 21 years of eligible
13 creditable service and age 55; or

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

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

26 (e) If a member enters military service while working in a

1 position in which eligible creditable service may be earned,
2 and returns to State service in the same or another such
3 position, and fulfills in all other respects the conditions
4 prescribed in this Article for credit for military service,
5 such military service shall be credited as eligible creditable
6 service for the purposes of the retirement annuity prescribed
7 in this Section.

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

21 For purposes of calculating retirement annuities under
22 this Section, periods of service rendered after December 31,
23 1968 and before January 1, 1982 as a covered employee in the
24 position of investigator for the Department of Revenue shall be
25 deemed to have been service as a noncovered employee, provided
26 that the employee pays to the System prior to retirement an

1 amount equal to (1) the difference between the employee
2 contributions that would have been required for such service as
3 a noncovered employee, and the amount of employee contributions
4 actually paid, plus (2) if payment is made after January 1,
5 1990, regular interest on the amount specified in item (1) from
6 the date of service to the date of payment.

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

19 Subject to the limitation in subsection (i), a State
20 policeman may elect, not later than July 1, 1993, to establish
21 eligible creditable service for up to 10 years of his service
22 as a member of the County Police Department under Article 9, by
23 filing a written election with the Board, accompanied by
24 payment of an amount to be determined by the Board, equal to
25 (i) the difference between the amount of employee and employer
26 contributions transferred to the System under Section 9-121.10

1 and the amounts that would have been contributed had those
2 contributions been made at the rates applicable to State
3 policemen, plus (ii) interest thereon at the effective rate for
4 each year, compounded annually, from the date of service to the
5 date of payment.

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

19 Subject to the limitation in subsection (i), a State
20 policeman, conservation police officer, or investigator for
21 the Secretary of State may elect to establish eligible
22 creditable service for up to 10 years of service as a sheriff's
23 law enforcement employee under Article 7, by filing a written
24 election with the Board on or before January 31, 1993, and
25 paying to the System by January 31, 1994 an amount to be
26 determined by the Board, equal to (i) the difference between

1 the amount of employee and employer contributions transferred
2 to the System under Section 7-139.7, and the amounts that would
3 have been contributed had such contributions been made at the
4 rates applicable to State policemen, plus (ii) interest thereon
5 at the effective rate for each year, compounded annually, from
6 the date of service to the date of payment.

7 Subject to the limitation in subsection (i), a State
8 policeman, conservation police officer, or investigator for
9 the Secretary of State may elect to establish eligible
10 creditable service for up to 5 years of service as a police
11 officer under Article 3, a policeman under Article 5, a
12 sheriff's law enforcement employee under Article 7, a member of
13 the county police department under Article 9, or a police
14 officer under Article 15 by filing a written election with the
15 Board and paying to the System an amount to be determined by
16 the Board, equal to (i) the difference between the amount of
17 employee and employer contributions transferred to the System
18 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4
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 for
22 each year, compounded annually, from the date of service to the
23 date of payment.

24 (i) The total amount of eligible creditable service
25 established by any person under subsections (g), (h), (j), (k),
26 and (l) of this Section shall not exceed 12 years.

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

16 (k) Subject to the limitation in subsection (i) of this
17 Section, an alternative formula employee may elect to establish
18 eligible creditable service for periods spent as a full-time
19 law enforcement officer or full-time corrections officer
20 employed by the federal government or by a state or local
21 government located outside of Illinois, for which credit is not
22 held in any other public employee pension fund or retirement
23 system. To obtain this credit, the applicant must file a
24 written application with the Board by March 31, 1998,
25 accompanied by evidence of eligibility acceptable to the Board
26 and payment of an amount to be determined by the Board, equal

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

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

25 (m) The amendatory changes to this Section made by this
26 amendatory Act of the 94th General Assembly apply only to: (1)

1 security employees of the Department of Juvenile Justice
2 employed by the Department of Corrections before the effective
3 date of this amendatory Act of the 94th General Assembly and
4 transferred to the Department of Juvenile Justice by this
5 amendatory Act of the 94th General Assembly; and (2) persons
6 employed by the Department of Juvenile Justice on or after the
7 effective date of this amendatory Act of the 94th General
8 Assembly who are required by subsection (b) of Section 3-2.5-15
9 of the Unified Code of Corrections to have a bachelor's or
10 advanced degree from an accredited college or university with a
11 specialization in criminal justice, education, psychology,
12 social work, or a closely related social science or, in the
13 case of persons who provide vocational training, who are
14 required to have adequate knowledge in the skill for which they
15 are providing the vocational training.

16 (Source: P.A. 94-4, eff. 6-1-05; 94-696, eff. 6-1-06.)

17 (40 ILCS 5/15-134.4) (from Ch. 108 1/2, par. 15-134.4)

18 Sec. 15-134.4. Transfer of creditable service to the
19 Article 5 Pension Fund or Article 14 System.

20 (a) An active member of the Pension Fund established under
21 Article 5 of this Code may apply, not later than January 1,
22 1990, to transfer his or her credits and creditable service
23 accumulated under this System for service with the City
24 Colleges of Chicago teaching in the Criminal Justice Program,
25 to the Article 5 Fund. Such credits and creditable service

1 shall be transferred forthwith.

2 Payment by this System to the Article 5 Fund shall be made
3 at the same time and shall consist of:

4 (1) the amounts credited to the applicant for such
5 service through employee contributions, including
6 interest, as of the date of transfer; and

7 (2) employer contributions equal in amount to the
8 accumulated employee contributions as determined in item
9 (1).

10 Participation in this System with respect to such credits shall
11 terminate on the date of transfer.

12 (b) Any active member of the State Employees' Retirement
13 System who is a State policeman, an investigator for the
14 Secretary of State, or a conservation police officer may apply
15 for transfer of some or all of his or her creditable service
16 accumulated in this System for service as a police officer to
17 the State Employees' Retirement System in accordance with
18 Section 14-110. The creditable service shall be transferred
19 only upon payment by this System to the State Employees'
20 Retirement System of an amount equal to:

21 (1) the amounts accumulated to the credit of the
22 applicant for the service to be transferred, including
23 interest, as of the date of transfer; and

24 (2) employer contributions equal in amount to the
25 accumulated employee contributions as determined in item
26 (1); and

1 (3) any interest paid by the applicant to reinstate
2 such service.

3 Participation in this System as to any credits transferred
4 under this Section shall terminate on the date of transfer.

5 (c) Any person applying to transfer service under
6 subsection (b) may reinstate credits and creditable service
7 terminated upon receipt of a refund by paying to the System the
8 amount of the refund plus interest thereon at the rate of 6%
9 per year from the date of the refund to the date of payment.

10 (Source: P.A. 86-273; 86-1028.)

11 Section 90. The State Mandates Act is amended by adding
12 Section 8.31 as follows:

13 (30 ILCS 805/8.31 new)

14 Sec. 8.31. Exempt mandate. Notwithstanding Sections 6 and 8
15 of this Act, no reimbursement by the State is required for the
16 implementation of any mandate created by this amendatory Act of
17 the 95th General Assembly.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law."