



Personnel and Pensions Committee

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LRB096 04706 AMC 21633 a

1 AMENDMENT TO HOUSE BILL 519

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 519 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, 5-236, 7-139.8, 9-121.10, 14-110,  
6 and 15-134.4 as follows:

7 (40 ILCS 5/3-110.6) (from Ch. 108 1/2, par. 3-110.6)

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

9 (a) Any active member of the State Employees' Retirement  
10 System who is a State policeman, an investigator for the  
11 Secretary of State, a conservation police officer, an  
12 investigator for the Office of the Attorney General, 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 may reinstate service that was terminated by receipt of  
17 a refund, by paying to the police pension fund the amount of  
18 the refund with interest thereon at the actuarially assumed  
19 rate of interest ~~rate of 6% per year~~, compounded annually, from  
20 the date of refund to the date of payment.

21 (Source: P.A. 95-530, eff. 8-28-07.)

22 (40 ILCS 5/5-236) (from Ch. 108 1/2, par. 5-236)

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

24 (a) Any active member of the State Employees' Retirement  
25 System who is a State policeman, conservation police officer,

1 an investigator for the Office of the Attorney General, or  
2 investigator for the Secretary of State may apply for transfer  
3 of some or all of his or her creditable service accumulated  
4 under this Article to the State Employees' Retirement System in  
5 accordance with Section 14-110. At the time of the transfer the  
6 Fund shall pay to the State Employees' Retirement System an  
7 amount equal to:

8 (1) the amounts accumulated to the credit of the  
9 applicant for the service to be transferred on the books of  
10 the Fund on the date of transfer; and

11 (2) the corresponding municipality credits, including  
12 interest, on the books of the Fund on the date of transfer;  
13 and

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

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

18 (b) Any such State policeman, conservation police officer,  
19 or investigator for the Secretary of State may reinstate  
20 service that was terminated by receipt of a refund, by paying  
21 to the Fund the amount of the refund with interest thereon at  
22 the actuarially assumed rate of interest ~~rate of 6% per year,~~  
23 compounded annually, from the date of refund to the date of  
24 payment.

25 (c) Within 30 days after the effective date of this  
26 amendatory Act of 1993, any active member of the State

1 Employees' Retirement System who was earning eligible  
2 creditable service under subdivision (b)(12) of Section 14-110  
3 on January 1, 1992 and who has at least 17 years of creditable  
4 service under this Article may apply for transfer of his  
5 creditable service accumulated under this Article to the State  
6 Employees' Retirement System. At the time of the transfer the  
7 Fund shall pay to the State Employees' Retirement System an  
8 amount equal to:

9 (1) the amounts accumulated to the credit of the  
10 applicant on the books of the Fund on the date of transfer;  
11 and

12 (2) the corresponding municipality credits, including  
13 interest, on the books of the Fund on the date of transfer.  
14 Participation in this Fund shall terminate on the date of  
15 transfer.

16 (Source: P.A. 95-530, eff. 8-28-07.)"; and

17 (40 ILCS 5/7-139.8) (from Ch. 108 1/2, par. 7-139.8)

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

19 (a) Any active member of the State Employees' Retirement  
20 System who is a State policeman, an investigator for the  
21 Secretary of State, a conservation police officer, an  
22 investigator for the Office of the Attorney General, an  
23 investigator for the Office of the State's Attorneys Appellate  
24 Prosecutor, or a controlled substance inspector may apply for  
25 transfer of some or all of his or her credits and creditable

1 service accumulated in this Fund for service as a sheriff's law  
2 enforcement employee, person employed by a participating  
3 municipality to perform police duties, or law enforcement  
4 officer employed on a full-time basis by a forest preserve  
5 district to the State Employees' Retirement System in  
6 accordance with Section 14-110. The creditable service shall be  
7 transferred only upon payment by this Fund to the State  
8 Employees' Retirement System of an amount equal to:

9 (1) the amounts accumulated to the credit of the  
10 applicant for the service to be transferred, including  
11 interest; and

12 (2) municipality credits based on such service,  
13 including interest; and

14 (3) any interest paid by the applicant to reinstate  
15 such service.

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

18 (b) Any person applying to transfer service under this  
19 Section may reinstate credits and creditable service  
20 terminated upon receipt of a separation benefit, by paying to  
21 the Fund the amount of the separation benefit plus interest  
22 thereon at the actuarially assumed rate of interest ~~rate of 6%~~  
23 ~~per year~~ to the date of payment.

24 (Source: P.A. 95-530, eff. 8-28-07.)

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

2           (a) Any active member of the State Employees' Retirement  
3 System who is a State policeman, investigator for the Office of  
4 the Attorney General, investigator for the Secretary of State,  
5 or conservation police officer may apply for transfer of some  
6 or all of his creditable service as a member of the County  
7 Police Department, a county corrections officer, or a court  
8 services officer accumulated under this Article to the State  
9 Employees' Retirement System in accordance with Section  
10 14-110. At the time of the transfer the Fund shall pay to the  
11 State Employees' Retirement System an amount equal to:

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

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

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

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

22           (b) Any person applying to transfer service under this  
23 Section may reinstate credit for service as a member of the  
24 County Police Department that was terminated by receipt of a  
25 refund, by paying to the Fund the amount of the refund with  
26 interest thereon at the actuarially assumed rate of interest

1 ~~rate of 6% per year~~, compounded annually, from the date of  
2 refund to the date of payment.

3 (Source: P.A. 95-530, eff. 8-28-07.)

4 (40 ILCS 5/14-110) (from Ch. 108 1/2, par. 14-110)

5 Sec. 14-110. Alternative retirement annuity.

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

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

23 (ii) for periods of eligible creditable service as a  
24 covered employee: if retirement occurs on or after January  
25 1, 2001, 2.5% of final average compensation for each year

1 of creditable service; if retirement occurs before January  
2 1, 2001, 1.67% of final average compensation for each of  
3 the first 10 years of such service, 1.90% for each of the  
4 next 10 years of such service, 2.10% for each year of such  
5 service in excess of 20 but not exceeding 30, and 2.30% for  
6 each year in excess of 30.

7 Such annuity shall be subject to a maximum of 75% of final  
8 average compensation if retirement occurs before January 1,  
9 2001 or to a maximum of 80% of final average compensation if  
10 retirement occurs on or after January 1, 2001.

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

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

19 (1) State policeman;

20 (2) fire fighter in the fire protection service of a  
21 department;

22 (3) air pilot;

23 (4) special agent;

24 (5) investigator for the Secretary of State;

25 (6) conservation police officer;

26 (7) investigator for the Department of Revenue;



1           (8) security employee of the Department of Human  
2 Services;

3           (9) Central Management Services security police  
4 officer;

5           (10) security employee of the Department of  
6 Corrections or the Department of Juvenile Justice;

7           (11) dangerous drugs investigator;

8           (12) investigator for the Department of State Police;

9           (13) investigator for the Office of the Attorney  
10 General;

11           (14) controlled substance inspector;

12           (15) investigator for the Office of the State's  
13 Attorneys Appellate Prosecutor;

14           (16) Commerce Commission police officer;

15           (17) arson investigator;

16           (18) State highway maintenance worker.

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

1 (c) For the purposes of this Section:

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

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

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

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

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

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

11          A person who became employed as an investigator for the  
12          Secretary of State between January 1, 1967 and December 31,  
13          1975, and who has served as such until attainment of age  
14          60, either continuously or with a single break in service  
15          of not more than 3 years duration, which break terminated  
16          before January 1, 1976, shall be entitled to have his  
17          retirement annuity calculated in accordance with  
18          subsection (a), notwithstanding that he has less than 20  
19          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 render  
6 him ineligible for coverage under the Social Security Act  
7 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and  
8 218(1)(1) of that Act.

9 (8) The term "security employee of the Department of  
10 Human Services" means any person employed by the Department  
11 of Human Services who (i) is employed at the Chester Mental  
12 Health Center and has daily contact with the residents  
13 thereof, (ii) is employed within a security unit at a  
14 facility operated by the Department and has daily contact  
15 with the residents of the security unit, (iii) is employed  
16 at a facility operated by the Department that includes a  
17 security unit and is regularly scheduled to work at least  
18 50% of his or her working hours within that security unit,  
19 or (iv) is a mental health police officer. "Mental health  
20 police officer" means any person employed by the Department  
21 of Human Services in a position pertaining to the  
22 Department's mental health and developmental disabilities  
23 functions who is vested with such law enforcement duties as  
24 render the person ineligible for coverage under the Social  
25 Security Act by reason of Sections 218(d)(5)(A),  
26 218(d)(8)(D) and 218(1)(1) of that Act. "Security unit"

1 means that portion of a facility that is devoted to the  
2 care, containment, and treatment of persons committed to  
3 the Department of Human Services as sexually violent  
4 persons, persons unfit to stand trial, or persons not  
5 guilty by reason of insanity. With respect to past  
6 employment, references to the Department of Human Services  
7 include its predecessor, the Department of Mental Health  
8 and Developmental Disabilities.

9 The changes made to this subdivision (c) (8) by Public  
10 Act 92-14 apply to persons who retire on or after January  
11 1, 2001, notwithstanding Section 1-103.1.

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

18 (10) For a member who first became an employee under  
19 this Article before July 1, 2005, the term "security  
20 employee of the Department of Corrections or the Department  
21 of Juvenile Justice" means any employee of the Department  
22 of Corrections or the Department of Juvenile Justice or the  
23 former Department of Personnel, and any member or employee  
24 of the Prisoner Review Board, who has daily contact with  
25 inmates or youth by working within a correctional facility  
26 or Juvenile facility operated by the Department of Juvenile

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

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

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

23 (13) "Investigator for the Office of the Attorney  
24 General" means any person who is employed as such by the  
25 Office of the Attorney General and is vested with such  
26 investigative 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. For  
3 the period before January 1, 1989, the term includes all  
4 persons who were employed as investigators by the Office of  
5 the Attorney General, without regard to social security  
6 status.

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

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

21 (16) "Commerce Commission police officer" means any  
22 person employed by the Illinois Commerce Commission who is  
23 vested with such law enforcement duties as render him  
24 ineligible for coverage under the Social Security Act by  
25 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and  
26 218(1)(1) of that Act.

1           (17) "Arson investigator" means any person who is  
2 employed as such by the Office of the State Fire Marshal  
3 and is vested with such law enforcement duties as render  
4 the person ineligible for coverage under the Social  
5 Security Act by reason of Sections 218(d)(5)(A),  
6 218(d)(8)(D), and 218(1)(1) of that Act. A person who was  
7 employed as an arson investigator on January 1, 1995 and is  
8 no longer in service but not yet receiving a retirement  
9 annuity may convert his or her creditable service for  
10 employment as an arson investigator into eligible  
11 creditable service by paying to the System the difference  
12 between the employee contributions actually paid for that  
13 service and the amounts that would have been contributed if  
14 the applicant were contributing at the rate applicable to  
15 persons with the same social security status earning  
16 eligible creditable service on the date of application.

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

19           (i) A person employed on a full-time basis by the  
20 Illinois Department of Transportation in the position  
21 of highway maintainer, highway maintenance lead  
22 worker, highway maintenance lead/lead worker, heavy  
23 construction equipment operator, power shovel  
24 operator, or bridge mechanic; and whose principal  
25 responsibility is to perform, on the roadway, the  
26 actual maintenance necessary to keep the highways that



1 form a part of the State highway system in serviceable  
2 condition for vehicular traffic.

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

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

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

24 or

25 (ii) beginning January 1, 1987, 25 years of eligible  
26 creditable service and age 54, or 24 years of eligible

1           creditable service and age 55; or

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

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

8           (v) beginning January 1, 1990, 25 years of eligible  
9           creditable service and age 51, or 21 years of eligible  
10          creditable service and age 55; or

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

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

23          (e) If a member enters military service while working in a  
24          position in which eligible creditable service may be earned,  
25          and returns to State service in the same or another such  
26          position, and fulfills in all other respects the conditions

1 prescribed in this Article for credit for military service,  
2 such military service shall be credited as eligible creditable  
3 service for the purposes of the retirement annuity prescribed  
4 in this Section.

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

18 For purposes of calculating retirement annuities under  
19 this Section, periods of service rendered after December 31,  
20 1968 and before January 1, 1982 as a covered employee in the  
21 position of investigator for the Department of Revenue shall be  
22 deemed to have been service as a noncovered employee, provided  
23 that the employee pays to the System prior to retirement an  
24 amount equal to (1) the difference between the employee  
25 contributions that would have been required for such service as  
26 a noncovered employee, and the amount of employee contributions

1 actually paid, plus (2) if payment is made after January 1,  
2 1990, regular interest on the amount specified in item (1) from  
3 the date of service to the date of payment.

4 (g) A State policeman may elect, not later than January 1,  
5 1990, to establish eligible creditable service for up to 10  
6 years of his service as a policeman under Article 3, by filing  
7 a written election with the Board, accompanied by payment of an  
8 amount to be determined by the Board, equal to (i) the  
9 difference between the amount of employee and employer  
10 contributions transferred to the System under Section 3-110.5,  
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 effective rate for  
14 each year, compounded annually, from the date of service to the  
15 date of payment.

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

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

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

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

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

4 Subject to the limitation in subsection (i), a State  
5 policeman, conservation police officer, or investigator for  
6 the Secretary of State may elect to establish eligible  
7 creditable service for up to 5 years of service as a police  
8 officer under Article 3, a policeman under Article 5, a  
9 sheriff's law enforcement employee under Article 7, a member of  
10 the county police department under Article 9, or a police  
11 officer under Article 15 by filing a written election with the  
12 Board 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, 9-121.10, or 15-134.4  
16 and the 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 effective rate for  
19 each year, compounded annually, from the date of service to the  
20 date of payment.

21 Subject to the limitation in subsection (i), an  
22 investigator for the Office of the Attorney General may elect  
23 to establish eligible creditable service for up to 5 years of  
24 service as a police officer under Article 3, a policeman under  
25 Article 5, a sheriff's law enforcement employee under Article  
26 7, a member of the county police department under Article 9, or

1 a police officer under Article 15 by filing a written election  
2 with the Board within 6 months after the effective date of this  
3 amendatory Act of 96th General Assembly and paying to the  
4 System an amount to be determined by the Board, equal to (i)  
5 the difference between the amount of employee and employer  
6 contributions transferred to the System under Section 3-110.6,  
7 5-236, 7-139.8, 9-121.10, or 15-134.4 and the amounts that  
8 would have been contributed had such contributions been made at  
9 the rates applicable to State policemen, plus (ii) interest  
10 thereon at the actuarially assumed rate for each year,  
11 compounded annually, from the date of service to the date of  
12 payment.

13 Subject to the limitation in subsection (i), a State  
14 policeman, conservation police officer, investigator for the  
15 Office of the Attorney General, or investigator for the  
16 Secretary of State may elect to establish eligible creditable  
17 service for up to 5 years of service as a person employed by a  
18 participating municipality to perform police duties, or law  
19 enforcement officer employed on a full-time basis by a forest  
20 preserve district under Article 7, a county corrections  
21 officer, or a court services officer under Article 9, by filing  
22 a written election with the Board within 6 months after the  
23 effective date of this amendatory Act of 96th General Assembly  
24 and paying to the System 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 Sections 7-139.8 and 9-121.10 and the amounts that would  
2 have been contributed had such contributions been made at the  
3 rates applicable to State policemen, plus (ii) interest thereon  
4 at the actuarially assumed rate for each year, compounded  
5 annually, from the date of service to the date of payment.

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

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

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



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

19 (1) Subject to the limitation in subsection (i), a security  
20 employee of the Department of Corrections may elect, not later  
21 than July 1, 1998, to establish eligible creditable service for  
22 up to 10 years of his or her service as a policeman under  
23 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 to  
6 the date of payment.

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

24 (Source: P.A. 94-4, eff. 6-1-05; 94-696, eff. 6-1-06; 95-530,  
25 eff. 8-28-07.)

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

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

4 (a) An active member of the Pension Fund established under  
5 Article 5 of this Code may apply, not later than January 1,  
6 1990, to transfer his or her credits and creditable service  
7 accumulated under this System for service with the City  
8 Colleges of Chicago teaching in the Criminal Justice Program,  
9 to the Article 5 Fund. Such credits and creditable service  
10 shall be transferred forthwith.

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

13 (1) the amounts credited to the applicant for such  
14 service through employee contributions, including  
15 interest, as of the date of transfer; and

16 (2) employer contributions equal in amount to the  
17 accumulated employee contributions as determined in item  
18 (1).

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

21 (b) Any active member of the State Employees' Retirement  
22 System who is a State policeman, an investigator for the Office  
23 of the Attorney General, an investigator for the Secretary of  
24 State, or a conservation police officer may apply for transfer  
25 of some or all of his or her creditable service accumulated in  
26 this System for service as a police officer to the State

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

5 (1) the amounts accumulated to the credit of the  
6 applicant for the service to be transferred, including  
7 interest, as of the date of transfer; and

8 (2) employer contributions equal in amount to the  
9 accumulated employee contributions as determined in item  
10 (1); and

11 (3) any interest paid by the applicant to reinstate  
12 such service.

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

15 (c) Any person applying to transfer service under  
16 subsection (b) may reinstate credits and creditable service  
17 terminated upon receipt of a refund by paying to the System the  
18 amount of the refund plus interest thereon at the actuarially  
19 assumed rate of interest ~~rate of 6% per year~~ from the date of  
20 the refund to the date of payment.

21 (Source: P.A. 95-530, eff. 8-28-07.)

22 Section 90. The State Mandates Act is amended by adding  
23 Section 8.33 as follows:

24 (30 ILCS 805/8.33 new)

1           Sec. 8.33. Exempt mandate. Notwithstanding Sections 6 and 8  
2 of this Act, no reimbursement by the State is required for the  
3 implementation of any mandate created by this amendatory Act of  
4 the 96th General Assembly.

5           Section 99. Effective date. This Act takes effect upon  
6 becoming law.".