

1 AN ACT concerning public employee benefits.

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

4 Section 5. The Illinois Pension Code is amended by changing  
5 Section 4-108.4 as follows:

6 (40 ILCS 5/4-108.4)

7 Sec. 4-108.4. Transfer of creditable service from Article 7  
8 fund.

9 (a) Any firefighter who was excluded from participation in  
10 an Article 4 fund because the firefighter earned credit for  
11 that service under Article 7 of this Code and who is a  
12 participant in the Illinois Municipal Retirement Fund may  
13 become an active participant in that firefighter pension fund  
14 by making a written application to the Board. Persons so  
15 applying shall begin participation on the first day of the  
16 month following the month in which the application is received  
17 by the Board. An employee who makes application for  
18 participation shall not be deemed ineligible to participate in  
19 the firefighter pension fund by reason of having failed to  
20 apply within the 3-month period specified in subsection (b) of  
21 Section 4-107.

22 (a-1) A firefighter employed by a village with a population  
23 on July 1, 2007 greater than 9,000 but less than 12,000 who was

1 excluded from participation in an Article 4 fund prior to  
2 January 1, 1996 because the firefighter earned credit for that  
3 service under Article 7 of this Code for the same municipality  
4 may also elect to establish creditable service for those  
5 periods of employment for that municipality's emergency  
6 services as a firefighter, EMT, or paramedic during which he or  
7 she was excluded from participation in an Article 4 fund by  
8 paying into the fund the amount that the person would have  
9 contributed had deductions from salary been made for this  
10 purpose at the time the service was rendered, together with  
11 interest thereon at 6% per annum, compounded annually, from the  
12 time the service was rendered until the date of payment, less  
13 any amounts transferred from the Illinois Municipal Retirement  
14 Fund under Section 7-139.10.

15 (b) A firefighter who was excluded from participation in an  
16 Article 4 fund because the firefighter earned credit for that  
17 service under Article 7 of this Code and who is a participant  
18 in the Illinois Municipal Retirement Fund may also elect to  
19 establish creditable service for those periods of employment as  
20 a firefighter during which he or she was excluded from  
21 participation in an Article 4 fund by paying into the fund the  
22 amount that the person would have contributed had deductions  
23 from salary been made for this purpose at the time the service  
24 was rendered, together with interest thereon at 6% per annum,  
25 compounded annually, from the time the service was rendered  
26 until the date of payment, less any amounts transferred from

1 the Illinois Municipal Retirement Fund under Section 7-139.10.

2 (c) In no event shall pension credit for the same service  
3 rendered by an employee be accredited in more than one pension  
4 fund or retirement system under this Code. If an employee  
5 applies for service credit under subsection (a-1) or (b), then  
6 any creditable service time accumulated in the Illinois  
7 Municipal Retirement Fund for the same period must be  
8 transferred to the Article 4 fund under Section 7-139.10.

9 (Source: P.A. 93-689, eff. 7-1-04.)

10 Section 90. The State Mandates Act is amended by adding  
11 Section 8.33 as follows:

12 (30 ILCS 805/8.33 new)

13 Sec. 8.33. Exempt mandate. Notwithstanding Sections 6 and 8  
14 of this Act, no reimbursement by the State is required for the  
15 implementation of any mandate created by this amendatory Act of  
16 the 96th General Assembly.