

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, approved leaves of absence without pay
25 during which the employee serves as head of an employee
26 association, the membership of which consists of other
27 police officers, provided that the employee contributes
28 to the Fund (1) the amount that he would have contributed
29 had he remained an active member of the county police
30 department in the position he occupied at the time the
31 leave of absence was granted, (2) an amount calculated by

1 the Board representing employer contributions, and (3)
2 regular interest thereon from the date of service to the
3 date of payment.

4 For an employee who is a member of a county
5 department of corrections, up to 3 years of approved
6 leaves of absence without pay during which the employee
7 serves as an officer of an employee association, the
8 membership of which consists primarily of police or
9 corrections officers, provided that the employee applies
10 for this credit by July 1, 2002 and contributes to the
11 Fund before retirement (1) the amount that the applicant
12 would have contributed had he or she remained an active
13 member of the county department of corrections in the
14 position that he or she occupied at the time the leave of
15 absence was granted, (2) an amount calculated by the
16 Board representing employer contributions, and (3)
17 regular interest thereon from the date of service to the
18 date of payment.

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

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

3 (e) Accumulated vacation or other time for which an
4 employee who retires on or after November 1, 1990
5 receives a lump sum payment at the time of retirement,
6 provided that contributions were made to the fund at the
7 time such lump sum payment was received. The service
8 granted for the lump sum payment shall not change the
9 employee's date of withdrawal for computing the effective
10 date of the annuity.

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

27 (3) In computing the term of service of an employee on
28 or after the effective date for ordinary disability benefit
29 purposes, the following periods of time shall be counted as
30 periods of service:

31 (a) Unless otherwise specified in Section 9-157,
32 the time during which he performed the duties of his
33 position.

34 (b) Paid vacations and leaves of absence with whole

1 or part pay.

2 (c) Any period for which he received duty
3 disability benefit.

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

6 (4) For an employee who on January 1, 1958, was
7 transferred by Act of the 70th General Assembly from his
8 position in a department of welfare of any city located in
9 the county in which this Article is in force and effect to a
10 similar position in a department of such county, service
11 shall also be credited for ordinary disability benefit and
12 child's annuity for such period of department of welfare
13 service during which period he was a contributor to a
14 statutory annuity and benefit fund in such city and for which
15 purposes service credit would otherwise not be credited by
16 virtue of such involuntary transfer.

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

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

31 (Source: P.A. 86-1488; 87-794; 87-1265.)

32 Section 90. The State Mandates Act is amended by adding
33 Section 8.25 as follows:

1 (30 ILCS 805/8.25 new)

2 Sec. 8.25. Exempt mandate. Notwithstanding Sections 6
3 and 8 of this Act, no reimbursement by the State is required
4 for the implementation of any mandate created by this
5 amendatory Act of the 92nd General Assembly.

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