



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB1461

Introduced 1/31/2025, by Sen. Robert F. Martwick

SYNOPSIS AS INTRODUCED:

40 ILCS 5/3-110.10	
40 ILCS 5/7-139.8	from Ch. 108 1/2, par. 7-139.8
40 ILCS 5/7-139.14	
40 ILCS 5/14-110	from Ch. 108 1/2, par. 14-110
40 ILCS 5/14-152.1	
30 ILCS 805/8.49 new	

Amends the Illinois Pension Code. In provisions authorizing certain persons to transfer service credit from IMRF to a downstate police pension fund, makes technical and combining changes to conform the changes made by Public Act 102-857 and Public Act 102-1061. Removes a restrictive date on the transfer of that service credit. Authorizes investigators for the Secretary of State and conservation police officers to transfer that service credit. Authorizes State's Attorneys to transfer service credit under the IMRF Article to the State Employee Article. In the State Employee Article, provides that a State policeman or conservation police officer may elect to convert service credit earned under the Article or, for certain types of service, elect to establish eligible creditable service under the alternative retirement annuity provisions by filing a written election with the Board of Trustees and paying to the System a specified amount. Provides that a participant under the alternative retirement annuity provisions may establish eligible creditable service for up to 7 years of service as a State's Attorney. Provides that any benefit increase that results from the amendatory Act is excluded from the definition of "new benefit increase". Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB104 08589 RPS 18641 b

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

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
5 changing Sections 3-110.10, 7-139.8, 7-139.14, 14-110, and
6 14-152.1 as follows:

7 (40 ILCS 5/3-110.10)

8 (Text of Section from P.A. 102-857)

9 Sec. 3-110.10. Transfer from Article 7. Until January 1,
10 2009, a person may transfer to a fund established under this
11 Article up to 8 years of creditable service accumulated under
12 Article 7 of this Code upon payment to the fund of an amount to
13 be determined by the board, equal to (i) the difference
14 between the amount of employee and employer contributions
15 transferred to the fund under Section 7-139.11 and the amounts
16 that would have been contributed had such contributions been
17 made at the rates applicable to an employee under this
18 Article, plus (ii) interest thereon at the actuarially assumed
19 rate, compounded annually, from the date of service to the
20 date of payment.

21 ~~A No later than 6 months after July 23, 2021 (the effective~~
22 ~~date of Public Act 102-113), a person may transfer to a fund~~
23 established under this Article creditable service accumulated

1 under Article 7 of this Code for service as a sheriff's law
2 enforcement employee, county correctional officer, person
3 employed by a participating municipality to perform police
4 duties, ~~or~~ law enforcement officer employed on a full-time
5 basis by a forest preserve district, person employed by a
6 participating municipality or instrumentality to perform
7 administrative duties related to law enforcement, investigator
8 for the Secretary of State, or conservation police officer
9 upon payment to the fund of an amount to be determined by the
10 board, equal to (i) the difference between the amount of
11 employee and employer contributions transferred to the fund
12 under Section 7-139.14 and the amounts that would have been
13 contributed had such contributions been made at the rates
14 applicable to an employee under this Article, plus (ii)
15 interest thereon at the actuarially assumed rate, compounded
16 annually, from the date of service to the date of payment.

17 ~~No later than 6 months after the effective date of this~~
18 ~~amendatory Act of the 102nd General Assembly, a person may~~
19 ~~transfer to a fund established under this Article creditable~~
20 ~~service accumulated under Article 7 of this Code for service~~
21 ~~as a county correctional officer or as a person employed by a~~
22 ~~participating municipality to perform administrative duties~~
23 ~~related to law enforcement upon payment to the fund of an~~
24 ~~amount to be determined by the board, equal to (i) the~~
25 ~~difference between the amount of employee and employer~~
26 ~~contributions transferred to the fund under Section 7 139.14~~

1 ~~and the amounts that would have been contributed had such~~
2 ~~contributions been made at the rates applicable to an employee~~
3 ~~under this Article, plus (ii) interest thereon at the~~
4 ~~actuarially assumed rate, compounded annually, from the date~~
5 ~~of service to the date of payment.~~

6 (Source: P.A. 102-113, eff. 7-23-21; 102-857, eff. 5-13-22.)

7 (Text of Section from P.A. 102-1061)

8 Sec. 3-110.10. Transfer from Article 7. Until January 1,
9 2009, a person may transfer to a fund established under this
10 Article up to 8 years of creditable service accumulated under
11 Article 7 of this Code upon payment to the fund of an amount to
12 be determined by the board, equal to (i) the difference
13 between the amount of employee and employer contributions
14 transferred to the fund under Section 7-139.11 and the amounts
15 that would have been contributed had such contributions been
16 made at the rates applicable to an employee under this
17 Article, plus (ii) interest thereon at the actuarially assumed
18 rate, compounded annually, from the date of service to the
19 date of payment.

20 ~~A No later than September 30, 2023,~~ a person may transfer
21 to a fund established under this Article creditable service
22 accumulated under Article 7 of this Code for service as a
23 sheriff's law enforcement employee, county correctional
24 officer, person employed by a participating municipality to
25 perform police duties, law enforcement officer employed on a

1 full-time basis by a forest preserve district, ~~or~~ person
2 employed by a participating municipality or instrumentality to
3 perform administrative duties related to law enforcement,
4 investigator for the Secretary of State, or conservation
5 police officer upon payment to the fund of an amount to be
6 determined by the board, equal to (i) the difference between
7 the amount of employee and employer contributions transferred
8 to the fund under Section 7-139.14 and the amounts that would
9 have been contributed had such contributions been made at the
10 rates applicable to an employee under this Article, plus (ii)
11 interest thereon at the actuarially assumed rate, compounded
12 annually, from the date of service to the date of payment.

13 (Source: P.A. 102-113, eff. 7-23-21; 102-1061, eff. 1-1-23.)

14 (40 ILCS 5/7-139.8) (from Ch. 108 1/2, par. 7-139.8)

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

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

1 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. Any active member of the State
7 Employees' Retirement System who is entitled to eligible
8 creditable service under Section 14-110 may apply for transfer
9 of up to 7 years of credits and creditable service accumulated
10 in this Fund for service as a State's Attorney. The creditable
11 service shall be transferred only upon payment by this Fund to
12 the State Employees' Retirement System of an amount equal to:

13 (1) the amounts accumulated to the credit of the
14 applicant for the service to be transferred, including
15 interest; and

16 (2) municipality credits based on such service,
17 including interest; and

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

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

22 (b) Any person applying to transfer service under this
23 Section may reinstate credits and creditable service
24 terminated upon receipt of a separation benefit, by paying to
25 the Fund the amount of the separation benefit plus interest
26 thereon at the actuarially assumed rate of interest to the

1 date of payment.

2 (Source: P.A. 102-210, eff. 7-30-21; 102-856, eff. 1-1-23.)

3 (40 ILCS 5/7-139.14)

4 (Text of Section from P.A. 102-857)

5 Sec. 7-139.14. Transfer to Article 3 pension fund.

6 (a) ~~An~~ ~~Within 6 months after July 23, 2021 (the effective~~
7 ~~date of Public Act 102-113), an~~ active member of a pension fund
8 established under Article 3 of this Code may apply for
9 transfer to that Article 3 pension fund of his or her credits
10 and creditable service accumulated in this Fund for service as
11 a sheriff's law enforcement employee, county correctional
12 officer, person employed by a participating municipality to
13 perform police duties, ~~or~~ law enforcement officer employed on
14 a full-time basis by a forest preserve district, person
15 employed by a participating municipality or instrumentality to
16 perform administrative duties related to law enforcement,
17 investigator for the Secretary of State, or conservation
18 police officer. The creditable service shall be transferred
19 only upon payment by this Fund to such Article 3 pension fund
20 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; and

24 (2) an amount representing employer contributions,
25 equal to the total amount determined under item (1); and

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

3 ~~Within 6 months after the effective date of this~~
4 ~~amendatory Act of the 102nd General Assembly, an active member~~
5 ~~of a pension fund established under Article 3 of this Code may~~
6 ~~apply for transfer to that Article 3 pension fund of his or her~~
7 ~~credits and creditable service accumulated in this Fund for~~
8 ~~service as a county correctional officer or as a person~~
9 ~~employed by a participating municipality to perform~~
10 ~~administrative duties related to law enforcement. The~~
11 ~~creditable service shall be transferred only upon payment by~~
12 ~~this Fund to such Article 3 pension fund of an amount equal to:~~

13 ~~(1) the amounts accumulated to the credit of the~~
14 ~~applicant for the service to be transferred, including~~
15 ~~interest; and~~

16 ~~(2) an amount representing employer contributions,~~
17 ~~equal to the total amount determined under item (1); and~~

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

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

22 (b) Notwithstanding any other provision of this Code, any
23 person applying to transfer service under this Section may
24 reinstate credits and creditable service terminated upon
25 receipt of a separation benefit by paying to the Fund the
26 amount of the separation benefit plus interest thereon at the

1 actuarially assumed rate of interest to the date of payment.
2 Such payment must be made within 90 days after notification by
3 the Fund of the cost of such reinstatement.

4 (Source: P.A. 102-113, eff. 7-23-21; 102-857, eff. 5-13-22.)

5 (Text of Section from P.A. 102-1061)

6 Sec. 7-139.14. Transfer to Article 3 pension fund.

7 (a) ~~An No later than June 30, 2023, an~~ active member of a
8 pension fund established under Article 3 of this Code may
9 apply for transfer to that Article 3 pension fund of his or her
10 credits and creditable service accumulated in this Fund for
11 service as a sheriff's law enforcement employee, county
12 correctional officer, person employed by a participating
13 municipality to perform police duties, law enforcement officer
14 employed on a full-time basis by a forest preserve district,
15 ~~or~~ person employed by a participating municipality or
16 instrumentality to perform administrative duties related to
17 law enforcement, investigator for the Secretary of State, or
18 conservation police officer. The creditable service shall be
19 transferred only upon payment by this Fund to such Article 3
20 pension fund 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; and

24 (2) an amount representing employer contributions,
25 equal to the total amount determined under item (1); and

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

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

5 (b) Notwithstanding any other provision of this Code, any
6 person applying to transfer service under this Section may
7 reinstate credits and creditable service terminated upon
8 receipt of a separation benefit by paying to the Fund the
9 amount of the separation benefit plus interest thereon at the
10 actuarially assumed rate of interest to the date of payment.
11 Such payment must be made within 90 ~~60~~ days after notification
12 by the Fund of the cost of such reinstatement.

13 (Source: P.A. 102-113, eff. 7-23-21; 102-1061, eff. 1-1-23.)

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

15 (Text of Section from P.A. 102-813 and 103-34)

16 Sec. 14-110. Alternative retirement annuity.

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

1 (i) for periods of service as a noncovered employee:
2 if retirement occurs on or after January 1, 2001, 3% of
3 final average compensation for each year of creditable
4 service; if retirement occurs before January 1, 2001, 2
5 1/4% of final average compensation for each of the first
6 10 years of creditable service, 2 1/2% for each year above
7 10 years to and including 20 years of creditable service,
8 and 2 3/4% for each year of creditable service above 20
9 years; and

10 (ii) for periods of eligible creditable service as a
11 covered employee: if retirement occurs on or after January
12 1, 2001, 2.5% of final average compensation for each year
13 of creditable service; if retirement occurs before January
14 1, 2001, 1.67% of final average compensation for each of
15 the first 10 years of such service, 1.90% for each of the
16 next 10 years of such service, 2.10% for each year of such
17 service in excess of 20 but not exceeding 30, and 2.30% for
18 each year in excess of 30.

19 Such annuity shall be subject to a maximum of 75% of final
20 average compensation if retirement occurs before January 1,
21 2001 or to a maximum of 80% of final average compensation if
22 retirement occurs on or after January 1, 2001.

23 These rates shall not be applicable to any service
24 performed by a member as a covered employee which is not
25 eligible creditable service. Service as a covered employee
26 which is not eligible creditable service shall be subject to

1 the rates and provisions of Section 14-108.

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

5 (1) State policeman;

6 (2) fire fighter in the fire protection service of a
7 department;

8 (3) air pilot;

9 (4) special agent;

10 (5) investigator for the Secretary of State;

11 (6) conservation police officer;

12 (7) investigator for the Department of Revenue or the
13 Illinois Gaming Board;

14 (8) security employee of the Department of Human
15 Services;

16 (9) Central Management Services security police
17 officer;

18 (10) security employee of the Department of
19 Corrections or the Department of Juvenile Justice;

20 (11) dangerous drugs investigator;

21 (12) investigator for the Illinois State Police;

22 (13) investigator for the Office of the Attorney
23 General;

24 (14) controlled substance inspector;

25 (15) investigator for the Office of the State's
26 Attorneys Appellate Prosecutor;

- 1 (16) Commerce Commission police officer;
- 2 (17) arson investigator;
- 3 (18) State highway maintenance worker;
- 4 (19) security employee of the Department of Innovation
5 and Technology; or
- 6 (20) transferred employee.

7 A person employed in one of the positions specified in
8 this subsection is entitled to eligible creditable service for
9 service credit earned under this Article while undergoing the
10 basic police training course approved by the Illinois Law
11 Enforcement Training Standards Board, if completion of that
12 training is required of persons serving in that position. For
13 the purposes of this Code, service during the required basic
14 police training course shall be deemed performance of the
15 duties of the specified position, even though the person is
16 not a sworn peace officer at the time of the training.

17 A person under paragraph (20) is entitled to eligible
18 creditable service for service credit earned under this
19 Article on and after his or her transfer by Executive Order No.
20 2003-10, Executive Order No. 2004-2, or Executive Order No.
21 2016-1.

22 (c) For the purposes of this Section:

23 (1) The term "State policeman" includes any title or
24 position in the Illinois State Police that is held by an
25 individual employed under the Illinois State Police Act.

26 (2) The term "fire fighter in the fire protection

1 service of a department" includes all officers in such
2 fire protection service including fire chiefs and
3 assistant fire chiefs.

4 (3) The term "air pilot" includes any employee whose
5 official job description on file in the Department of
6 Central Management Services, or in the department by which
7 he is employed if that department is not covered by the
8 Personnel Code, states that his principal duty is the
9 operation of aircraft, and who possesses a pilot's
10 license; however, the change in this definition made by
11 Public Act 83-842 shall not operate to exclude any
12 noncovered employee who was an "air pilot" for the
13 purposes of this Section on January 1, 1984.

14 (4) The term "special agent" means any person who by
15 reason of employment by the Division of Narcotic Control,
16 the Bureau of Investigation or, after July 1, 1977, the
17 Division of Criminal Investigation, the Division of
18 Internal Investigation, the Division of Operations, the
19 Division of Patrol, or any other Division or
20 organizational entity in the Illinois State Police is
21 vested by law with duties to maintain public order,
22 investigate violations of the criminal law of this State,
23 enforce the laws of this State, make arrests and recover
24 property. The term "special agent" includes any title or
25 position in the Illinois State Police that is held by an
26 individual employed under the Illinois State Police Act.

1 (5) The term "investigator for the Secretary of State"
2 means any person employed by the Office of the Secretary
3 of State and vested with such investigative duties as
4 render him 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.

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

16 (6) The term "Conservation Police Officer" means any
17 person employed by the Division of Law Enforcement of the
18 Department of Natural Resources and vested with such law
19 enforcement duties as render him ineligible for coverage
20 under the Social Security Act by reason of Sections
21 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The
22 term "Conservation Police Officer" includes the positions
23 of Chief Conservation Police Administrator and Assistant
24 Conservation Police Administrator.

25 (7) The term "investigator for the Department of
26 Revenue" means any person employed by the Department of

1 Revenue and vested with such investigative duties as
2 render him ineligible for coverage under the Social
3 Security Act by reason of Sections 218(d)(5)(A),
4 218(d)(8)(D) and 218(1)(1) of that Act.

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

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

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. "Security unit" means that portion
4 of a facility that is devoted to the care, containment,
5 and treatment of persons committed to the Department of
6 Human Services as sexually violent persons, persons unfit
7 to stand trial, or persons not guilty by reason of
8 insanity. With respect to past employment, references to
9 the Department of Human Services include its predecessor,
10 the Department of Mental Health and Developmental
11 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
24 Department of Juvenile Justice" means any employee of the
25 Department of Corrections or the Department of Juvenile
26 Justice or the former Department of Personnel, and any

1 member or employee of the Prisoner Review Board, who has
2 daily contact with inmates or youth by working within a
3 correctional facility or Juvenile facility operated by the
4 Department of Juvenile Justice or who is a parole officer
5 or an employee who has direct contact with committed
6 persons in the performance of his or her job duties. For a
7 member who first becomes an employee under this Article on
8 or after July 1, 2005, the term means an employee of the
9 Department of Corrections or the Department of Juvenile
10 Justice who is any of the following: (i) officially
11 headquartered at a correctional facility or Juvenile
12 facility operated by the Department of Juvenile Justice,
13 (ii) a parole officer, (iii) a member of the apprehension
14 unit, (iv) a member of the intelligence unit, (v) a member
15 of the sort team, or (vi) an 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 Illinois State
20 Police" means a person employed by the Illinois 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
8 of 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
11 is 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
17 if the applicant were contributing at the rate applicable
18 to 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 (19) The term "security employee of the Department of
20 Innovation and Technology" means a person who was a
21 security employee of the Department of Corrections or the
22 Department of Juvenile Justice, was transferred to the
23 Department of Innovation and Technology pursuant to
24 Executive Order 2016-01, and continues to perform similar
25 job functions under that Department.

26 (20) "Transferred employee" means an employee who was

1 transferred to the Department of Central Management
2 Services by Executive Order No. 2003-10 or Executive Order
3 No. 2004-2 or transferred to the Department of Innovation
4 and Technology by Executive Order No. 2016-1, or both, and
5 was entitled to eligible creditable service for services
6 immediately preceding the transfer.

7 (21) "State's Attorney" means a person elected or
8 appointed to serve as the State's Attorney of a county.
9 "State's Attorney" does not include an assistant State's
10 Attorney or a State's Attorney special investigator.

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

19 (i) 25 years of eligible creditable service and age
20 55; or

21 (ii) beginning January 1, 1987, 25 years of eligible
22 creditable service and age 54, or 24 years of eligible
23 creditable service and age 55; or

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

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

4 (v) beginning January 1, 1990, 25 years of eligible
5 creditable service and age 51, or 21 years of eligible
6 creditable service and age 55; or

7 (vi) beginning January 1, 1991, 25 years of eligible
8 creditable service and age 50, or 20 years of eligible
9 creditable service and age 55.

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

19 (e) If a member enters military service while working in a
20 position in which eligible creditable service may be earned,
21 and returns to State service in the same or another such
22 position, and fulfills in all other respects the conditions
23 prescribed in this Article for credit for military service,
24 such military service shall be credited as eligible creditable
25 service for the purposes of the retirement annuity prescribed
26 in this Section.

1 (f) For purposes of calculating retirement annuities under
2 this Section, periods of service rendered after December 31,
3 1968 and before October 1, 1975 as a covered employee in the
4 position of special agent, conservation police officer, mental
5 health police officer, or investigator for the Secretary of
6 State, shall be deemed to have been service as a noncovered
7 employee, provided that the employee pays to the System prior
8 to retirement an amount equal to (1) the difference between
9 the employee contributions that would have been required for
10 such service as a noncovered employee, and the amount of
11 employee contributions actually paid, plus (2) if payment is
12 made after July 31, 1987, regular interest on the amount
13 specified in item (1) from the date of service to the date of
14 payment.

15 For purposes of calculating retirement annuities under
16 this Section, periods of service rendered after December 31,
17 1968 and before January 1, 1982 as a covered employee in the
18 position of investigator for the Department of Revenue shall
19 be deemed to have been service as a noncovered employee,
20 provided that the employee pays to the System prior to
21 retirement an amount equal to (1) the difference between the
22 employee contributions that would have been required for such
23 service as a noncovered employee, and the amount of employee
24 contributions actually paid, plus (2) if payment is made after
25 January 1, 1990, regular interest on the amount specified in
26 item (1) from the date of service to the date of payment.

1 (g) A State policeman may elect, not later than January 1,
2 1990, to establish eligible creditable service for up to 10
3 years of his service as a policeman under Article 3, by filing
4 a written election with the Board, accompanied by payment of
5 an amount to be determined by the Board, equal to (i) the
6 difference between the amount of employee and employer
7 contributions transferred to the System under Section 3-110.5,
8 and the amounts that would have been contributed had such
9 contributions been made at the rates applicable to State
10 policemen, plus (ii) interest thereon at the effective rate
11 for each year, compounded annually, from the date of service
12 to the date of payment.

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

26 (h) Subject to the limitation in subsection (i), a State

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

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

1 Subject to the limitation in subsection (i), a State
2 policeman, conservation police officer, or investigator for
3 the Secretary of State may elect to establish eligible
4 creditable service for up to 5 years of service as a police
5 officer under Article 3, a policeman under Article 5, a
6 sheriff's law enforcement employee under Article 7, a member
7 of the county police department under Article 9, or a police
8 officer under Article 15 by filing a written election with the
9 Board and paying to the System an amount to be determined by
10 the Board, equal to (i) the difference between the amount of
11 employee and employer contributions transferred to the System
12 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4
13 and the amounts that would have been contributed had such
14 contributions been made at the rates applicable to State
15 policemen, plus (ii) interest thereon at the effective rate
16 for each year, compounded annually, from the date of service
17 to the date of payment.

18 Subject to the limitation in subsection (i), an
19 investigator for the Office of the Attorney General, or an
20 investigator for the Department of Revenue, may elect to
21 establish eligible creditable service for up to 5 years of
22 service as a police officer under Article 3, a policeman under
23 Article 5, a sheriff's law enforcement employee under Article
24 7, or a member of the county police department under Article 9
25 by filing a written election with the Board within 6 months
26 after August 25, 2009 (the effective date of Public Act

1 96-745) and paying to the System an amount to be determined by
2 the Board, equal to (i) the difference between the amount of
3 employee and employer contributions transferred to the System
4 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the
5 amounts that would have been contributed had such
6 contributions been made at the rates applicable to State
7 policemen, plus (ii) interest thereon at the actuarially
8 assumed rate for each year, compounded annually, from the date
9 of service to the date of payment.

10 Subject to the limitation in subsection (i), a State
11 policeman, conservation police officer, investigator for the
12 Office of the Attorney General, an investigator for the
13 Department of Revenue, or investigator for the Secretary of
14 State may elect to establish eligible creditable service for
15 up to 5 years of service as a person employed by a
16 participating municipality to perform police duties, or law
17 enforcement officer employed on a full-time basis by a forest
18 preserve district under Article 7, a county corrections
19 officer, or a court services officer under Article 9, by
20 filing a written election with the Board within 6 months after
21 August 25, 2009 (the effective date of Public Act 96-745) and
22 paying to the System an amount to be determined by the Board,
23 equal to (i) the difference between the amount of employee and
24 employer contributions transferred to the System under
25 Sections 7-139.8 and 9-121.10 and the amounts that would have
26 been contributed had such contributions been made at the rates

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

4 Subject to the limitation in subsection (i), a State
5 policeman, arson investigator, or Commerce Commission police
6 officer may elect to establish eligible creditable service for
7 up to 5 years of service as a person employed by a
8 participating municipality to perform police duties under
9 Article 7, a county corrections officer, a court services
10 officer under Article 9, or a firefighter under Article 4 by
11 filing a written election with the Board within 6 months after
12 July 30, 2021 (the effective date of Public Act 102-210) and
13 paying to the System an amount to be determined by the Board
14 equal to (i) the difference between the amount of employee and
15 employer contributions transferred to the System under
16 Sections 4-108.8, 7-139.8, and 9-121.10 and the amounts that
17 would have been contributed had such contributions been made
18 at the rates applicable to State policemen, plus (ii) interest
19 thereon at the actuarially assumed rate for each year,
20 compounded annually, from the date of service to the date of
21 payment.

22 Subject to the limitation in subsection (i), a
23 conservation police officer may elect to establish eligible
24 creditable service for up to 5 years of service as a person
25 employed by a participating municipality to perform police
26 duties under Article 7, a county corrections officer, or a

1 court services officer under Article 9 by filing a written
2 election with the Board within 6 months after July 30, 2021
3 (the effective date of Public Act 102-210) and paying to the
4 System an amount to be determined by the Board equal to (i) the
5 difference between the amount of employee and employer
6 contributions transferred to the System under Sections 7-139.8
7 and 9-121.10 and the amounts that would have been contributed
8 had such contributions been made at the rates applicable to
9 State policemen, plus (ii) interest thereon at the actuarially
10 assumed rate for each year, compounded annually, from the date
11 of service to the date of payment.

12 Notwithstanding the limitation in subsection (i), a State
13 policeman or conservation police officer may elect to convert
14 service credit earned under this Article to eligible
15 creditable service, as defined by this Section, by filing a
16 written election with the Board ~~board within 6 months after~~
17 ~~July 30, 2021 (the effective date of Public Act 102-210)~~ and
18 paying to the System an amount to be determined by the Board
19 equal to (i) the difference between the amount of employee
20 contributions originally paid for that service and the amounts
21 that would have been contributed had such contributions been
22 made at the rates applicable to State policemen, plus (ii) the
23 difference between the employer's normal cost of the credit
24 prior to the conversion authorized by the amendatory Act of
25 the 104th General Assembly ~~Public Act 102-210~~ and the
26 employer's normal cost of the credit converted in accordance

1 with this amendatory Act of the 104th General Assembly ~~Public~~
2 ~~Act 102-210~~, plus (iii) interest thereon at the actuarially
3 assumed rate for each year, compounded annually, from the date
4 of service to the date of payment.

5 (i) The total amount of eligible creditable service
6 established by any person under subsections (g), (h), (j),
7 (k), (l), (l-5), ~~and~~ (o), and (q) of this Section shall not
8 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
13 his 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
16 to be determined by the Board, equal to (1) the difference
17 between the amount of employee and employer contributions
18 transferred to the System under Section 3-110.6 or 7-139.8,
19 and the amounts that would have been contributed had such
20 contributions been made at the rates applicable to State
21 policemen, plus (2) interest thereon at the effective rate for
22 each year, compounded annually, from the date of service to
23 the date of payment.

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

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

20 (1) Subject to the limitation in subsection (i), a
21 security employee of the Department of Corrections may elect,
22 not later than July 1, 1998, to establish eligible creditable
23 service for up to 10 years of his or her service as a policeman
24 under Article 3, by filing a written election with the Board,
25 accompanied by payment of an amount to be determined by the
26 Board, equal to (i) the difference between the amount of

1 employee and employer contributions transferred to the System
2 under Section 3-110.5, and the amounts that would have been
3 contributed had such contributions been made at the rates
4 applicable to security employees of the Department of
5 Corrections, plus (ii) interest thereon at the effective rate
6 for each year, compounded annually, from the date of service
7 to the date of payment.

8 (1-5) Subject to the limitation in subsection (i) of this
9 Section, a State policeman may elect to establish eligible
10 creditable service for up to 5 years of service as a full-time
11 law enforcement officer employed by the federal government or
12 by a state or local government located outside of Illinois for
13 which credit is not held in any other public employee pension
14 fund or retirement system. To obtain this credit, the
15 applicant must file a written application with the Board ~~no~~
16 ~~later than 3 years after January 1, 2020 (the effective date of~~
17 ~~Public Act 101-610),~~ accompanied by evidence of eligibility
18 acceptable to the Board and payment of an amount to be
19 determined by the Board, equal to (1) employee contributions
20 for the credit being established, based upon the applicant's
21 salary on the first day as an alternative formula employee
22 after the employment for which credit is being established and
23 the rates then applicable to alternative formula employees,
24 plus (2) an amount determined by the Board to be the employer's
25 normal cost of the benefits accrued for the credit being
26 established, plus (3) regular interest on the amounts in items

1 (1) and (2) from the first day as an alternative formula
2 employee after the employment for which credit is being
3 established to the date of payment.

4 (m) The amendatory changes to this Section made by Public
5 Act 94-696 apply only to: (1) security employees of the
6 Department of Juvenile Justice employed by the Department of
7 Corrections before June 1, 2006 (the effective date of Public
8 Act 94-696) and transferred to the Department of Juvenile
9 Justice by Public Act 94-696; and (2) persons employed by the
10 Department of Juvenile Justice on or after June 1, 2006 (the
11 effective date of Public Act 94-696) who are required by
12 subsection (b) of Section 3-2.5-15 of the Unified Code of
13 Corrections to have any bachelor's or advanced degree from an
14 accredited college or university or, in the case of persons
15 who provide vocational training, who are required to have
16 adequate knowledge in the skill for which they are providing
17 the vocational training.

18 (n) A person employed in a position under subsection (b)
19 of this Section who has purchased service credit under
20 subsection (j) of Section 14-104 or subsection (b) of Section
21 14-105 in any other capacity under this Article may convert up
22 to 5 years of that service credit into service credit covered
23 under this Section by paying to the Fund an amount equal to (1)
24 the additional employee contribution required under Section
25 14-133, plus (2) the additional employer contribution required
26 under Section 14-131, plus (3) interest on items (1) and (2) at

1 the actuarially assumed rate from the date of the service to
2 the date of payment.

3 (o) Subject to the limitation in subsection (i), a
4 conservation police officer, investigator for the Secretary of
5 State, Commerce Commission police officer, investigator for
6 the Department of Revenue or the Illinois Gaming Board, or
7 arson investigator subject to subsection (g) of Section 1-160
8 may elect to convert up to 8 years of service credit
9 established before January 1, 2020 (the effective date of
10 Public Act 101-610) as a conservation police officer,
11 investigator for the Secretary of State, Commerce Commission
12 police officer, investigator for the Department of Revenue or
13 the Illinois Gaming Board, or arson investigator under this
14 Article into eligible creditable service by filing a written
15 election with the Board no later than one year after January 1,
16 2020 (the effective date of Public Act 101-610), accompanied
17 by payment of an amount to be determined by the Board equal to
18 (i) the difference between the amount of the employee
19 contributions actually paid for that service and the amount of
20 the employee contributions that would have been paid had the
21 employee contributions been made as a noncovered employee
22 serving in a position in which eligible creditable service, as
23 defined in this Section, may be earned, plus (ii) interest
24 thereon at the effective rate for each year, compounded
25 annually, from the date of service to the date of payment.

26 (q) Subject to the limitation in subsection (i) of this

1 Section, an alternative formula employee may elect to
2 establish eligible creditable service for up to 7 years of
3 service as a State's Attorney under Article 7 by filing a
4 written election with the Board, accompanied by payment of an
5 amount to be determined by the Board, equal to: (1) the
6 difference between the amount of employee and employer
7 contributions transferred to the System under Section 7-139.8
8 and the amounts that would have been contributed had such
9 contributions been made at the rates applicable to State
10 policemen; plus (2) interest thereon at the effective rate for
11 each year, compounded annually, from the date of service to
12 the date of payment.

13 Subject to the limitation in subsection (i) of this
14 Section, an alternative formula employee may elect to
15 establish eligible creditable service for up to 7 years of
16 service as a State's Attorney for which credit is not held in
17 this System or any other public employee pension fund or
18 retirement system. To obtain this credit, the applicant must
19 file a written application with the Board, accompanied by
20 evidence of eligibility acceptable to the Board and payment of
21 an amount to be determined by the Board, equal to (1) employee
22 contributions for the credit being established, based upon the
23 applicant's salary on the first day as an alternative formula
24 employee after the employment for which credit is being
25 established and the rates then applicable to alternative
26 formula employees, plus (2) an amount determined by the Board

1 to be the employer's normal cost of the benefits accrued for
2 the credit being established, plus (3) regular interest on the
3 amounts in items (1) and (2) from the first day as an
4 alternative formula employee after the employment for which
5 credit is being established to the date of payment.

6 (Source: P.A. 102-210, eff. 7-30-21; 102-538, eff. 8-20-21;
7 102-813, eff. 5-13-22; 103-34, eff. 1-1-24.)

8 (Text of Section from P.A. 102-856 and 103-34)

9 Sec. 14-110. Alternative retirement annuity.

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

19 (i) for periods of service as a noncovered employee:
20 if retirement occurs on or after January 1, 2001, 3% of
21 final average compensation for each year of creditable
22 service; if retirement occurs before January 1, 2001, 2
23 1/4% of final average compensation for each of the first
24 10 years of creditable service, 2 1/2% for each year above
25 10 years to and including 20 years of creditable service,

1 and 2 3/4% for each year of creditable service above 20
2 years; and

3 (ii) for periods of eligible creditable service as a
4 covered employee: if retirement occurs on or after January
5 1, 2001, 2.5% of final average compensation for each year
6 of creditable service; if retirement occurs before January
7 1, 2001, 1.67% of final average compensation for each of
8 the first 10 years of such service, 1.90% for each of the
9 next 10 years of such service, 2.10% for each year of such
10 service in excess of 20 but not exceeding 30, and 2.30% for
11 each year in excess of 30.

12 Such annuity shall be subject to a maximum of 75% of final
13 average compensation if retirement occurs before January 1,
14 2001 or to a maximum of 80% of final average compensation if
15 retirement occurs on or after January 1, 2001.

16 These rates shall not be applicable to any service
17 performed by a member as a covered employee which is not
18 eligible creditable service. Service as a covered employee
19 which is not eligible creditable service shall be subject to
20 the rates and provisions of Section 14-108.

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

24 (1) State policeman;

25 (2) fire fighter in the fire protection service of a
26 department;

- 1 (3) air pilot;
- 2 (4) special agent;
- 3 (5) investigator for the Secretary of State;
- 4 (6) conservation police officer;
- 5 (7) investigator for the Department of Revenue or the
- 6 Illinois Gaming Board;
- 7 (8) security employee of the Department of Human
- 8 Services;
- 9 (9) Central Management Services security police
- 10 officer;
- 11 (10) security employee of the Department of
- 12 Corrections or the Department of Juvenile Justice;
- 13 (11) dangerous drugs investigator;
- 14 (12) investigator for the Illinois State Police;
- 15 (13) investigator for the Office of the Attorney
- 16 General;
- 17 (14) controlled substance inspector;
- 18 (15) investigator for the Office of the State's
- 19 Attorneys Appellate Prosecutor;
- 20 (16) Commerce Commission police officer;
- 21 (17) arson investigator;
- 22 (18) State highway maintenance worker;
- 23 (19) security employee of the Department of Innovation
- 24 and Technology; or
- 25 (20) transferred employee.

26 A person employed in one of the positions specified in

1 this subsection is entitled to eligible creditable service for
2 service credit earned under this Article while undergoing the
3 basic police training course approved by the Illinois Law
4 Enforcement Training Standards Board, if completion of that
5 training is required of persons serving in that position. For
6 the purposes of this Code, service during the required basic
7 police training course shall be deemed performance of the
8 duties of the specified position, even though the person is
9 not a sworn peace officer at the time of the training.

10 A person under paragraph (20) is entitled to eligible
11 creditable service for service credit earned under this
12 Article on and after his or her transfer by Executive Order No.
13 2003-10, Executive Order No. 2004-2, or Executive Order No.
14 2016-1.

15 (c) For the purposes of this Section:

16 (1) The term "State policeman" includes any title or
17 position in the Illinois State Police that is held by an
18 individual employed under the Illinois State Police Act.

19 (2) The term "fire fighter in the fire protection
20 service of a department" includes all officers in such
21 fire protection service including fire chiefs and
22 assistant fire chiefs.

23 (3) The term "air pilot" includes any employee whose
24 official job description on file in the Department of
25 Central Management Services, or in the department by which
26 he is employed if that department is not covered by the

1 Personnel Code, states that his principal duty is the
2 operation of aircraft, and who possesses a pilot's
3 license; however, the change in this definition made by
4 Public Act 83-842 shall not operate to exclude any
5 noncovered employee who was an "air pilot" for the
6 purposes of this Section on January 1, 1984.

7 (4) The term "special agent" means any person who by
8 reason of employment by the Division of Narcotic Control,
9 the Bureau of Investigation or, after July 1, 1977, the
10 Division of Criminal Investigation, the Division of
11 Internal Investigation, the Division of Operations, the
12 Division of Patrol, or any other Division or
13 organizational entity in the Illinois State Police is
14 vested by law with duties to maintain public order,
15 investigate violations of the criminal law of this State,
16 enforce the laws of this State, make arrests and recover
17 property. The term "special agent" includes any title or
18 position in the Illinois State Police that is held by an
19 individual employed under the Illinois State Police Act.

20 (5) The term "investigator for the Secretary of State"
21 means any person employed by the Office of the Secretary
22 of State and vested with such investigative duties as
23 render him ineligible for coverage under the Social
24 Security Act by reason of Sections 218(d)(5)(A),
25 218(d)(8)(D) and 218(1)(1) of that Act.

26 A person who became employed as an investigator for

1 the Secretary of State between January 1, 1967 and
2 December 31, 1975, and who has served as such until
3 attainment of age 60, either continuously or with a single
4 break in service of not more than 3 years duration, which
5 break terminated before January 1, 1976, shall be entitled
6 to have his retirement annuity calculated in accordance
7 with subsection (a), notwithstanding that he has less than
8 20 years of credit for such service.

9 (6) The term "Conservation Police Officer" means any
10 person employed by the Division of Law Enforcement of the
11 Department of Natural Resources and vested with such law
12 enforcement duties as render him ineligible for coverage
13 under the Social Security Act by reason of Sections
14 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The
15 term "Conservation Police Officer" includes the positions
16 of Chief Conservation Police Administrator and Assistant
17 Conservation Police Administrator.

18 (7) The term "investigator for the Department of
19 Revenue" means any person employed by the Department of
20 Revenue and vested with such investigative duties as
21 render him ineligible for coverage under the Social
22 Security Act by reason of Sections 218(d)(5)(A),
23 218(d)(8)(D) and 218(1)(1) of that Act.

24 The term "investigator for the Illinois Gaming Board"
25 means any person employed as such by the Illinois Gaming
26 Board and vested with such peace officer duties as render

1 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.

4 (8) The term "security employee of the Department of
5 Human Services" means any person employed by the
6 Department of Human Services who (i) is employed at the
7 Chester Mental Health Center and has daily contact with
8 the residents thereof, (ii) is employed within a security
9 unit at a facility operated by the Department and has
10 daily contact with the residents of the security unit,
11 (iii) is employed at a facility operated by the Department
12 that includes a security unit and is regularly scheduled
13 to work at least 50% of his or her working hours within
14 that security unit, or (iv) is a mental health police
15 officer. "Mental health police officer" means any person
16 employed by the Department of Human Services in a position
17 pertaining to the Department's mental health and
18 developmental disabilities functions who is vested with
19 such law enforcement duties as render the person
20 ineligible for coverage under the Social Security Act by
21 reason of Sections 218(d)(5)(A), 218(d)(8)(D) and
22 218(1)(1) of that Act. "Security unit" means that portion
23 of a facility that is devoted to the care, containment,
24 and treatment of persons committed to the Department of
25 Human Services as sexually violent persons, persons unfit
26 to stand trial, or persons not guilty by reason of

1 insanity. With respect to past employment, references to
2 the Department of Human Services include its predecessor,
3 the Department of Mental Health and Developmental
4 Disabilities.

5 The changes made to this subdivision (c)(8) by Public
6 Act 92-14 apply to persons who retire on or after January
7 1, 2001, notwithstanding Section 1-103.1.

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

14 (10) For a member who first became an employee under
15 this Article before July 1, 2005, the term "security
16 employee of the Department of Corrections or the
17 Department of Juvenile Justice" means any employee of the
18 Department of Corrections or the Department of Juvenile
19 Justice or the former Department of Personnel, and any
20 member or employee of the Prisoner Review Board, who has
21 daily contact with inmates or youth by working within a
22 correctional facility or Juvenile facility operated by the
23 Department of Juvenile Justice or who is a parole officer
24 or an employee who has direct contact with committed
25 persons in the performance of his or her job duties. For a
26 member who first becomes an employee under this Article on

1 or after July 1, 2005, the term means an employee of the
2 Department of Corrections or the Department of Juvenile
3 Justice who is any of the following: (i) officially
4 headquartered at a correctional facility or Juvenile
5 facility operated by the Department of Juvenile Justice,
6 (ii) a parole officer, (iii) a member of the apprehension
7 unit, (iv) a member of the intelligence unit, (v) a member
8 of the sort team, or (vi) an investigator.

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

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

19 (13) "Investigator for the Office of the Attorney
20 General" means any person who is employed as such by the
21 Office of the Attorney General and is vested with such
22 investigative duties as render him ineligible for coverage
23 under the Social Security Act by reason of Sections
24 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act. For
25 the period before January 1, 1989, the term includes all
26 persons who were employed as investigators by the Office

1 of the Attorney General, without regard to social security
2 status.

3 (14) "Controlled substance inspector" means any person
4 who is employed as such by the Department of Professional
5 Regulation and is vested with such law enforcement duties
6 as render him ineligible for coverage under the Social
7 Security Act by reason of Sections 218(d)(5)(A),
8 218(d)(8)(D) and 218(1)(1) of that Act. The term
9 "controlled substance inspector" includes the Program
10 Executive of Enforcement and the Assistant Program
11 Executive of Enforcement.

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

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

23 (17) "Arson investigator" means any person who is
24 employed as such by the Office of the State Fire Marshal
25 and is vested with such law enforcement duties as render
26 the person ineligible for coverage under the Social

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

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

15 (i) A person employed on a full-time basis by the
16 Illinois Department of Transportation in the position
17 of highway maintainer, highway maintenance lead
18 worker, highway maintenance lead/lead worker, heavy
19 construction equipment operator, power shovel
20 operator, or bridge mechanic; and whose principal
21 responsibility is to perform, on the roadway, the
22 actual maintenance necessary to keep the highways that
23 form a part of the State highway system in serviceable
24 condition for vehicular traffic.

25 (ii) A person employed on a full-time basis by the
26 Illinois State Toll Highway Authority in the position

1 of equipment operator/laborer H-4, equipment
2 operator/laborer H-6, welder H-4, welder H-6,
3 mechanical/electrical H-4, mechanical/electrical H-6,
4 water/sewer H-4, water/sewer H-6, sign maker/hanger
5 H-4, sign maker/hanger H-6, roadway lighting H-4,
6 roadway lighting H-6, structural H-4, structural H-6,
7 painter H-4, or painter H-6; and whose principal
8 responsibility is to perform, on the roadway, the
9 actual maintenance necessary to keep the Authority's
10 tollways in serviceable condition for vehicular
11 traffic.

12 (19) The term "security employee of the Department of
13 Innovation and Technology" means a person who was a
14 security employee of the Department of Corrections or the
15 Department of Juvenile Justice, was transferred to the
16 Department of Innovation and Technology pursuant to
17 Executive Order 2016-01, and continues to perform similar
18 job functions under that Department.

19 (20) "Transferred employee" means an employee who was
20 transferred to the Department of Central Management
21 Services by Executive Order No. 2003-10 or Executive Order
22 No. 2004-2 or transferred to the Department of Innovation
23 and Technology by Executive Order No. 2016-1, or both, and
24 was entitled to eligible creditable service for services
25 immediately preceding the transfer.

26 (21) "State's Attorney" means a person elected or

1 appointed to serve as the State's Attorney of a county.
2 "State's Attorney" does not include an assistant State's
3 Attorney or a State's Attorney special investigator.

4 (d) A security employee of the Department of Corrections
5 or the Department of Juvenile Justice, a security employee of
6 the Department of Human Services who is not a mental health
7 police officer, and a security employee of the Department of
8 Innovation and Technology shall not be eligible for the
9 alternative retirement annuity provided by this Section unless
10 he or she meets the following minimum age and service
11 requirements at the time of retirement:

12 (i) 25 years of eligible creditable service and age
13 55; or

14 (ii) beginning January 1, 1987, 25 years of eligible
15 creditable service and age 54, or 24 years of eligible
16 creditable service and age 55; or

17 (iii) beginning January 1, 1988, 25 years of eligible
18 creditable service and age 53, or 23 years of eligible
19 creditable service and age 55; or

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

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

26 (vi) beginning January 1, 1991, 25 years of eligible

1 creditable service and age 50, or 20 years of eligible
2 creditable service and age 55.

3 Persons who have service credit under Article 16 of this
4 Code for service as a security employee of the Department of
5 Corrections or the Department of Juvenile Justice, or the
6 Department of Human Services in a position requiring
7 certification as a teacher may count such service toward
8 establishing their eligibility under the service requirements
9 of this Section; but such service may be used only for
10 establishing such eligibility, and not for the purpose of
11 increasing or calculating any benefit.

12 (e) If a member enters military service while working in a
13 position in which eligible creditable service may be earned,
14 and returns to State service in the same or another such
15 position, and fulfills in all other respects the conditions
16 prescribed in this Article for credit for military service,
17 such military service shall be credited as eligible creditable
18 service for the purposes of the retirement annuity prescribed
19 in this Section.

20 (f) For purposes of calculating retirement annuities under
21 this Section, periods of service rendered after December 31,
22 1968 and before October 1, 1975 as a covered employee in the
23 position of special agent, conservation police officer, mental
24 health police officer, or investigator for the Secretary of
25 State, shall be deemed to have been service as a noncovered
26 employee, provided that the employee pays to the System prior

1 to retirement an amount equal to (1) the difference between
2 the employee contributions that would have been required for
3 such service as a noncovered employee, and the amount of
4 employee contributions actually paid, plus (2) if payment is
5 made after July 31, 1987, regular interest on the amount
6 specified in item (1) from the date of service to the date of
7 payment.

8 For purposes of calculating retirement annuities under
9 this Section, periods of service rendered after December 31,
10 1968 and before January 1, 1982 as a covered employee in the
11 position of investigator for the Department of Revenue shall
12 be deemed to have been service as a noncovered employee,
13 provided that the employee pays to the System prior to
14 retirement an amount equal to (1) the difference between the
15 employee contributions that would have been required for such
16 service as a noncovered employee, and the amount of employee
17 contributions actually paid, plus (2) if payment is made after
18 January 1, 1990, regular interest on the amount specified in
19 item (1) from the date of service to the date of payment.

20 (g) A State policeman may elect, not later than January 1,
21 1990, to establish eligible creditable service for up to 10
22 years of his service as a policeman under Article 3, by filing
23 a written election with the Board, accompanied by payment of
24 an amount to be determined by the Board, equal to (i) the
25 difference between the amount of employee and employer
26 contributions transferred to the System under Section 3-110.5,

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

6 Subject to the limitation in subsection (i), a State
7 policeman may elect, not later than July 1, 1993, to establish
8 eligible creditable service for up to 10 years of his service
9 as a member of the County Police Department under Article 9, by
10 filing a written election with the Board, accompanied by
11 payment of an amount to be determined by the Board, equal to
12 (i) the difference between the amount of employee and employer
13 contributions transferred to the System under Section 9-121.10
14 and the amounts that would have been contributed had those
15 contributions been made at the rates applicable to State
16 policemen, plus (ii) interest thereon at the effective rate
17 for each year, compounded annually, from the date of service
18 to the date of payment.

19 (h) Subject to the limitation in subsection (i), a State
20 policeman or investigator for the Secretary of State may elect
21 to establish eligible creditable service for up to 12 years of
22 his service as a policeman under Article 5, by filing a written
23 election with the Board on or before January 31, 1992, and
24 paying to the System by January 31, 1994 an amount to be
25 determined by the Board, equal to (i) the difference between
26 the amount of employee and employer contributions transferred

1 to the System under Section 5-236, 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
4 thereon at the effective rate for each year, compounded
5 annually, from the date of service to the date of payment.

6 Subject to the limitation in subsection (i), a State
7 policeman, conservation police officer, or investigator for
8 the Secretary of State may elect to establish eligible
9 creditable service for up to 10 years of service as a sheriff's
10 law enforcement employee under Article 7, by filing a written
11 election with the Board on or before January 31, 1993, and
12 paying to the System by January 31, 1994 an amount to be
13 determined by the Board, equal to (i) the difference between
14 the amount of employee and employer contributions transferred
15 to the System under Section 7-139.7, and the amounts that
16 would have been contributed had such contributions been made
17 at the rates applicable to State policemen, plus (ii) interest
18 thereon at the effective rate for each year, compounded
19 annually, from the date of service to the date of payment.

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

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

11 Subject to the limitation in subsection (i), an
12 investigator for the Office of the Attorney General, or an
13 investigator for the Department of Revenue, may elect to
14 establish eligible creditable service for up to 5 years of
15 service as a police officer under Article 3, a policeman under
16 Article 5, a sheriff's law enforcement employee under Article
17 7, or a member of the county police department under Article 9
18 by filing a written election with the Board within 6 months
19 after August 25, 2009 (the effective date of Public Act
20 96-745) and paying to the System an amount to be determined by
21 the Board, equal to (i) the difference between the amount of
22 employee and employer contributions transferred to the System
23 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the
24 amounts that would have been contributed had such
25 contributions been made at the rates applicable to State
26 policemen, plus (ii) interest thereon at the actuarially

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

3 Subject to the limitation in subsection (i), a State
4 policeman, conservation police officer, investigator for the
5 Office of the Attorney General, an investigator for the
6 Department of Revenue, or investigator for the Secretary of
7 State may elect to establish eligible creditable service for
8 up to 5 years of service as a person employed by a
9 participating municipality to perform police duties, or law
10 enforcement officer employed on a full-time basis by a forest
11 preserve district under Article 7, a county corrections
12 officer, or a court services officer under Article 9, by
13 filing a written election with the Board within 6 months after
14 August 25, 2009 (the effective date of Public Act 96-745) and
15 paying to the System an amount to be determined by the Board,
16 equal to (i) the difference between the amount of employee and
17 employer contributions transferred to the System under
18 Sections 7-139.8 and 9-121.10 and the amounts that would have
19 been contributed had such contributions been made at the rates
20 applicable to State policemen, plus (ii) interest thereon at
21 the actuarially assumed rate for each year, compounded
22 annually, from the date of service to the date of payment.

23 Subject to the limitation in subsection (i), a State
24 policeman, arson investigator, or Commerce Commission police
25 officer may elect to establish eligible creditable service for
26 up to 5 years of service as a person employed by a

1 participating municipality to perform police duties under
2 Article 7, a county corrections officer, a court services
3 officer under Article 9, or a firefighter under Article 4 by
4 filing a written election with the Board within 6 months after
5 July 30, 2021 (the effective date of Public Act 102-210) and
6 paying to the System an amount to be determined by the Board
7 equal to (i) the difference between the amount of employee and
8 employer contributions transferred to the System under
9 Sections 4-108.8, 7-139.8, and 9-121.10 and the amounts that
10 would have been contributed had such contributions been made
11 at the rates applicable to State policemen, plus (ii) interest
12 thereon at the actuarially assumed rate for each year,
13 compounded annually, from the date of service to the date of
14 payment.

15 Subject to the limitation in subsection (i), a
16 conservation police officer may elect to establish eligible
17 creditable service for up to 5 years of service as a person
18 employed by a participating municipality to perform police
19 duties under Article 7, a county corrections officer, or a
20 court services officer under Article 9 by filing a written
21 election with the Board within 6 months after July 30, 2021
22 (the effective date of Public Act 102-210) and paying to the
23 System an amount to be determined by the Board equal to (i) the
24 difference between the amount of employee and employer
25 contributions transferred to the System under Sections 7-139.8
26 and 9-121.10 and the amounts that would have been contributed

1 had such contributions been made at the rates applicable to
2 State policemen, plus (ii) interest thereon at the actuarially
3 assumed rate for each year, compounded annually, from the date
4 of service to the date of payment.

5 Subject to the limitation in subsection (i), an
6 investigator for the Department of Revenue, investigator for
7 the Illinois Gaming Board, investigator for the Secretary of
8 State, or arson investigator may elect to establish eligible
9 creditable service for up to 5 years of service as a person
10 employed by a participating municipality to perform police
11 duties under Article 7, a county corrections officer, a court
12 services officer under Article 9, or a firefighter under
13 Article 4 by filing a written election with the Board within 6
14 months after the effective date of this amendatory Act of the
15 102nd General Assembly and paying to the System an amount to be
16 determined by the Board equal to (i) the difference between
17 the amount of employee and employer contributions transferred
18 to the System under Sections 4-108.8, 7-139.8, and 9-121.10
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 actuarially
22 assumed rate for each year, compounded annually, from the date
23 of service to the date of payment.

24 Notwithstanding the limitation in subsection (i), a State
25 policeman or conservation police officer may elect to convert
26 service credit earned under this Article to eligible

1 creditable service, as defined by this Section, by filing a
2 written election with the Board ~~board within 6 months after~~
3 ~~July 30, 2021 (the effective date of Public Act 102-210)~~ and
4 paying to the System an amount to be determined by the Board
5 equal to (i) the difference between the amount of employee
6 contributions originally paid for that service and the amounts
7 that would have been contributed had such contributions been
8 made at the rates applicable to State policemen, plus (ii) the
9 difference between the employer's normal cost of the credit
10 prior to the conversion authorized by the amendatory Act of
11 the 104th General Assembly ~~Public Act 102-210~~ and the
12 employer's normal cost of the credit converted in accordance
13 with this amendatory Act of the 104th General Assembly ~~Public~~
14 ~~Act 102-210~~, plus (iii) interest thereon at the actuarially
15 assumed rate for each year, compounded annually, from the date
16 of service to the date of payment.

17 Notwithstanding the limitation in subsection (i), an
18 investigator for the Department of Revenue, investigator for
19 the Illinois Gaming Board, investigator for the Secretary of
20 State, or arson investigator may elect to convert service
21 credit earned under this Article to eligible creditable
22 service, as defined by this Section, by filing a written
23 election with the Board within 6 months after the effective
24 date of this amendatory Act of the 102nd General Assembly and
25 paying to the System an amount to be determined by the Board
26 equal to (i) the difference between the amount of employee

1 contributions originally paid for that service and the amounts
2 that would have been contributed had such contributions been
3 made at the rates applicable to investigators for the
4 Department of Revenue, investigators for the Illinois Gaming
5 Board, investigators for the Secretary of State, or arson
6 investigators, plus (ii) the difference between the employer's
7 normal cost of the credit prior to the conversion authorized
8 by this amendatory Act of the 102nd General Assembly and the
9 employer's normal cost of the credit converted in accordance
10 with this amendatory Act of the 102nd General Assembly, plus
11 (iii) interest thereon at the actuarially assumed rate for
12 each year, compounded annually, from the date of service to
13 the date of payment.

14 (i) The total amount of eligible creditable service
15 established by any person under subsections (g), (h), (j),
16 (k), (l), (l-5), ~~and (o)~~, and (g) of this Section shall not
17 exceed 12 years.

18 (j) Subject to the limitation in subsection (i), an
19 investigator for the Office of the State's Attorneys Appellate
20 Prosecutor or a controlled substance inspector may elect to
21 establish eligible creditable service for up to 10 years of
22 his service as a policeman under Article 3 or a sheriff's law
23 enforcement employee under Article 7, by filing a written
24 election with the Board, accompanied by payment of an amount
25 to be determined by the Board, equal to (1) the difference
26 between the amount of employee and employer contributions

1 transferred to the System under Section 3-110.6 or 7-139.8,
2 and the amounts that would have been contributed had such
3 contributions been made at the rates applicable to State
4 policemen, plus (2) interest thereon at the effective rate for
5 each year, compounded annually, from the date of service to
6 the date of payment.

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

1 the employment for which credit is being established to the
2 date of payment.

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

17 (1-5) Subject to the limitation in subsection (i) of this
18 Section, a State policeman may elect to establish eligible
19 creditable service for up to 5 years of service as a full-time
20 law enforcement officer employed by the federal government or
21 by a state or local government located outside of Illinois for
22 which credit is not held in any other public employee pension
23 fund or retirement system. To obtain this credit, the
24 applicant must file a written application with the Board ~~no~~
25 ~~later than 3 years after January 1, 2020 (the effective date of~~
26 ~~Public Act 101-610)~~, accompanied by evidence of eligibility

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

13 (m) The amendatory changes to this Section made by Public
14 Act 94-696 apply only to: (1) security employees of the
15 Department of Juvenile Justice employed by the Department of
16 Corrections before June 1, 2006 (the effective date of Public
17 Act 94-696) and transferred to the Department of Juvenile
18 Justice by Public Act 94-696; and (2) persons employed by the
19 Department of Juvenile Justice on or after June 1, 2006 (the
20 effective date of Public Act 94-696) who are required by
21 subsection (b) of Section 3-2.5-15 of the Unified Code of
22 Corrections to have any bachelor's or advanced degree from an
23 accredited college or university or, in the case of persons
24 who provide vocational training, who are required to have
25 adequate knowledge in the skill for which they are providing
26 the vocational training.

1 (n) A person employed in a position under subsection (b)
2 of this Section who has purchased service credit under
3 subsection (j) of Section 14-104 or subsection (b) of Section
4 14-105 in any other capacity under this Article may convert up
5 to 5 years of that service credit into service credit covered
6 under this Section by paying to the Fund an amount equal to (1)
7 the additional employee contribution required under Section
8 14-133, plus (2) the additional employer contribution required
9 under Section 14-131, plus (3) interest on items (1) and (2) at
10 the actuarially assumed rate from the date of the service to
11 the date of payment.

12 (o) Subject to the limitation in subsection (i), a
13 conservation police officer, investigator for the Secretary of
14 State, Commerce Commission police officer, investigator for
15 the Department of Revenue or the Illinois Gaming Board, or
16 arson investigator subject to subsection (g) of Section 1-160
17 may elect to convert up to 8 years of service credit
18 established before January 1, 2020 (the effective date of
19 Public Act 101-610) as a conservation police officer,
20 investigator for the Secretary of State, Commerce Commission
21 police officer, investigator for the Department of Revenue or
22 the Illinois Gaming Board, or arson investigator under this
23 Article into eligible creditable service by filing a written
24 election with the Board no later than one year after January 1,
25 2020 (the effective date of Public Act 101-610), accompanied
26 by payment of an amount to be determined by the Board equal to

1 (i) the difference between the amount of the employee
2 contributions actually paid for that service and the amount of
3 the employee contributions that would have been paid had the
4 employee contributions been made as a noncovered employee
5 serving in a position in which eligible creditable service, as
6 defined in this Section, may be earned, plus (ii) interest
7 thereon at the effective rate for each year, compounded
8 annually, from the date of service to the date of payment.

9 (g) Subject to the limitation in subsection (i) of this
10 Section, an alternative formula employee may elect to
11 establish eligible creditable service for up to 7 years of
12 service as a State's Attorney under Article 7 by filing a
13 written election with the Board, accompanied by payment of an
14 amount to be determined by the Board, equal to: (1) the
15 difference between the amount of employee and employer
16 contributions transferred to the System under Section 7-139.8
17 and the amounts that would have been contributed had such
18 contributions been made at the rates applicable to State
19 policemen; plus (2) interest thereon at the effective rate for
20 each year, compounded annually, from the date of service to
21 the date of payment.

22 Subject to the limitation in subsection (i) of this
23 Section, an alternative formula employee may elect to
24 establish eligible creditable service for up to 7 years of
25 service as a State's Attorney for which credit is not held in
26 this System or any other public employee pension fund or

1 retirement system. To obtain this credit, the applicant must
2 file a written application with the Board, accompanied by
3 evidence of eligibility acceptable to the Board and payment of
4 an amount to be determined by the Board, equal to (1) employee
5 contributions for the credit being established, based upon the
6 applicant's salary on the first day as an alternative formula
7 employee after the employment for which credit is being
8 established and the rates then applicable to alternative
9 formula employees, plus (2) an amount determined by the Board
10 to be the employer's normal cost of the benefits accrued for
11 the credit being established, plus (3) regular interest on the
12 amounts in items (1) and (2) from the first day as an
13 alternative formula employee after the employment for which
14 credit is being established to the date of payment.

15 (Source: P.A. 102-210, eff. 7-30-21; 102-538, eff. 8-20-21;
16 102-856, eff. 1-1-23; 103-34, eff. 1-1-24.)

17 (Text of Section from P.A. 102-956 and 103-34)

18 Sec. 14-110. Alternative retirement annuity.

19 (a) Any member who has withdrawn from service with not
20 less than 20 years of eligible creditable service and has
21 attained age 55, and any member who has withdrawn from service
22 with not less than 25 years of eligible creditable service and
23 has attained age 50, regardless of whether the attainment of
24 either of the specified ages occurs while the member is still
25 in service, shall be entitled to receive at the option of the

1 member, in lieu of the regular or minimum retirement annuity,
2 a retirement annuity computed as follows:

3 (i) for periods of service as a noncovered employee:
4 if retirement occurs on or after January 1, 2001, 3% of
5 final average compensation for each year of creditable
6 service; if retirement occurs before January 1, 2001, 2
7 1/4% of final average compensation for each of the first
8 10 years of creditable service, 2 1/2% for each year above
9 10 years to and including 20 years of creditable service,
10 and 2 3/4% for each year of creditable service above 20
11 years; and

12 (ii) for periods of eligible creditable service as a
13 covered employee: if retirement occurs on or after January
14 1, 2001, 2.5% of final average compensation for each year
15 of creditable service; if retirement occurs before January
16 1, 2001, 1.67% of final average compensation for each of
17 the first 10 years of such service, 1.90% for each of the
18 next 10 years of such service, 2.10% for each year of such
19 service in excess of 20 but not exceeding 30, and 2.30% for
20 each year in excess of 30.

21 Such annuity shall be subject to a maximum of 75% of final
22 average compensation if retirement occurs before January 1,
23 2001 or to a maximum of 80% of final average compensation if
24 retirement occurs on or after January 1, 2001.

25 These rates shall not be applicable to any service
26 performed by a member as a covered employee which is not

1 eligible creditable service. Service as a covered employee
2 which is not eligible creditable service shall be subject to
3 the rates and provisions of Section 14-108.

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

7 (1) State policeman;

8 (2) fire fighter in the fire protection service of a
9 department;

10 (3) air pilot;

11 (4) special agent;

12 (5) investigator for the Secretary of State;

13 (6) conservation police officer;

14 (7) investigator for the Department of Revenue or the
15 Illinois Gaming Board;

16 (8) security employee of the Department of Human
17 Services;

18 (9) Central Management Services security police
19 officer;

20 (10) security employee of the Department of
21 Corrections or the Department of Juvenile Justice;

22 (11) dangerous drugs investigator;

23 (12) investigator for the Illinois State Police;

24 (13) investigator for the Office of the Attorney
25 General;

26 (14) controlled substance inspector;

1 (15) investigator for the Office of the State's
2 Attorneys Appellate Prosecutor;

3 (16) Commerce Commission police officer;

4 (17) arson investigator;

5 (18) State highway maintenance worker;

6 (19) security employee of the Department of Innovation
7 and Technology; or

8 (20) transferred employee.

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

19 A person under paragraph (20) is entitled to eligible
20 creditable service for service credit earned under this
21 Article on and after his or her transfer by Executive Order No.
22 2003-10, Executive Order No. 2004-2, or Executive Order No.
23 2016-1.

24 (c) For the purposes of this Section:

25 (1) The term "State policeman" includes any title or
26 position in the Illinois State Police that is held by an

1 individual employed under the Illinois State Police Act.

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

6 (3) The term "air pilot" includes any employee whose
7 official job description on file in the Department of
8 Central Management Services, or in the department by which
9 he is employed if that department is not covered by the
10 Personnel Code, states that his principal duty is the
11 operation of aircraft, and who possesses a pilot's
12 license; however, the change in this definition made by
13 Public Act 83-842 shall not operate to exclude any
14 noncovered employee who was an "air pilot" for the
15 purposes of this Section on January 1, 1984.

16 (4) The term "special agent" means any person who by
17 reason of employment by the Division of Narcotic Control,
18 the Bureau of Investigation or, after July 1, 1977, the
19 Division of Criminal Investigation, the Division of
20 Internal Investigation, the Division of Operations, the
21 Division of Patrol, or any other Division or
22 organizational entity in the Illinois State Police is
23 vested by law with duties to maintain public order,
24 investigate violations of the criminal law of this State,
25 enforce the laws of this State, make arrests and recover
26 property. The term "special agent" includes any title or

1 position in the Illinois State Police that is held by an
2 individual employed under the Illinois State Police Act.

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

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

18 (6) The term "Conservation Police Officer" means any
19 person employed by the Division of Law Enforcement of the
20 Department of Natural Resources and vested with such law
21 enforcement duties as render him ineligible for coverage
22 under the Social Security Act by reason of Sections
23 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The
24 term "Conservation Police Officer" includes the positions
25 of Chief Conservation Police Administrator and Assistant
26 Conservation Police Administrator.

1 (7) The term "investigator for the Department of
2 Revenue" means any person employed by the Department of
3 Revenue and vested with such investigative duties as
4 render him 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.

7 The term "investigator for the Illinois Gaming Board"
8 means any person employed as such by the Illinois Gaming
9 Board and vested with such peace officer duties as render
10 the person 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.

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

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

14 The changes made to this subdivision (c)(8) by Public
15 Act 92-14 apply to persons who retire on or after January
16 1, 2001, notwithstanding Section 1-103.1.

17 (9) "Central Management Services security police
18 officer" means any person employed by the Department of
19 Central Management Services who is vested with such law
20 enforcement duties as render him ineligible for coverage
21 under the Social Security Act by reason of Sections
22 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act.

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

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

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

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

1 218(d)(8)(D) and 218(1)(1) of that Act.

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

12 (14) "Controlled substance inspector" means any person
13 who is employed as such by the Department of Professional
14 Regulation and is vested with such law enforcement duties
15 as render him ineligible for coverage under the Social
16 Security Act by reason of Sections 218(d)(5)(A),
17 218(d)(8)(D) and 218(1)(1) of that Act. The term
18 "controlled substance inspector" includes the Program
19 Executive of Enforcement and the Assistant Program
20 Executive of Enforcement.

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

26 (16) "Commerce Commission police officer" means any

1 person employed by the Illinois Commerce Commission who is
2 vested with such law enforcement duties as render him
3 ineligible for coverage under the Social Security Act by
4 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and
5 218(1)(1) of that Act.

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

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

24 (i) A person employed on a full-time basis by the
25 Illinois Department of Transportation in the position
26 of highway maintainer, highway maintenance lead

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

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

21 (19) The term "security employee of the Department of
22 Innovation and Technology" means a person who was a
23 security employee of the Department of Corrections or the
24 Department of Juvenile Justice, was transferred to the
25 Department of Innovation and Technology pursuant to
26 Executive Order 2016-01, and continues to perform similar

1 job functions under that Department.

2 (20) "Transferred employee" means an employee who was
3 transferred to the Department of Central Management
4 Services by Executive Order No. 2003-10 or Executive Order
5 No. 2004-2 or transferred to the Department of Innovation
6 and Technology by Executive Order No. 2016-1, or both, and
7 was entitled to eligible creditable service for services
8 immediately preceding the transfer.

9 (21) "State's Attorney" means a person elected or
10 appointed to serve as the State's Attorney of a county.
11 "State's Attorney" does not include an assistant State's
12 Attorney or a State's Attorney special investigator.

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

21 (i) 25 years of eligible creditable service and age
22 55; or

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

26 (iii) beginning January 1, 1988, 25 years of eligible

1 creditable service and age 53, or 23 years of eligible
2 creditable service and age 55; or

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

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

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

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

21 (e) If a member enters military service while working in a
22 position in which eligible creditable service may be earned,
23 and returns to State service in the same or another such
24 position, and fulfills in all other respects the conditions
25 prescribed in this Article for credit for military service,
26 such military service shall be credited as eligible creditable

1 service for the purposes of the retirement annuity prescribed
2 in this Section.

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

17 For purposes of calculating retirement annuities under
18 this Section, periods of service rendered after December 31,
19 1968 and before January 1, 1982 as a covered employee in the
20 position of investigator for the Department of Revenue shall
21 be deemed to have been service as a noncovered employee,
22 provided that the employee pays to the System prior to
23 retirement an amount equal to (1) the difference between the
24 employee contributions that would have been required for such
25 service as a noncovered employee, and the amount of employee
26 contributions actually paid, plus (2) if payment is made after

1 January 1, 1990, regular interest on the amount specified in
2 item (1) from the date of service to the date of payment.

3 (g) A State policeman may elect, not later than January 1,
4 1990, to establish eligible creditable service for up to 10
5 years of his service as a policeman under Article 3, by filing
6 a written election with the Board, accompanied by payment of
7 an amount to be determined by the Board, equal to (i) the
8 difference between the amount of employee and employer
9 contributions transferred to the System under Section 3-110.5,
10 and the amounts that would have been contributed had such
11 contributions been made at the rates applicable to State
12 policemen, plus (ii) interest thereon at the effective rate
13 for each year, compounded annually, from the date of service
14 to the date of payment.

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

1 to the date of payment.

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

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

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

3 Subject to the limitation in subsection (i), a State
4 policeman, conservation police officer, or investigator for
5 the Secretary of State may elect to establish eligible
6 creditable service for up to 5 years of service as a police
7 officer under Article 3, a policeman under Article 5, a
8 sheriff's law enforcement employee under Article 7, a member
9 of the county police department under Article 9, or a police
10 officer under Article 15 by filing a written election with the
11 Board and paying to the System an amount to be determined by
12 the Board, equal to (i) the difference between the amount of
13 employee and employer contributions transferred to the System
14 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4
15 and the amounts that would have been contributed had such
16 contributions been made at the rates applicable to State
17 policemen, plus (ii) interest thereon at the effective rate
18 for each year, compounded annually, from the date of service
19 to the date of payment.

20 Subject to the limitation in subsection (i), an
21 investigator for the Office of the Attorney General, or an
22 investigator for the Department of Revenue, may elect to
23 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, or a member of the county police department under Article 9

1 by filing a written election with the Board within 6 months
2 after August 25, 2009 (the effective date of Public Act
3 96-745) and paying to the System an amount to be determined by
4 the Board, equal to (i) the difference between the amount of
5 employee and employer contributions transferred to the System
6 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the
7 amounts that would have been contributed had such
8 contributions been made at the rates applicable to State
9 policemen, plus (ii) interest thereon at the actuarially
10 assumed rate for each year, compounded annually, from the date
11 of service to the date of payment.

12 Subject to the limitation in subsection (i), a State
13 policeman, conservation police officer, investigator for the
14 Office of the Attorney General, an investigator for the
15 Department of Revenue, or investigator for the Secretary of
16 State may elect to establish eligible creditable service for
17 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
22 filing a written election with the Board within 6 months after
23 August 25, 2009 (the effective date of Public Act 96-745) and
24 paying to the System an amount to be determined by the Board,
25 equal to (i) the difference between the amount of employee and
26 employer contributions transferred to the System under

1 Sections 7-139.8 and 9-121.10 and the amounts that would have
2 been contributed had such contributions been made at the rates
3 applicable to State policemen, plus (ii) interest thereon at
4 the actuarially assumed rate for each year, compounded
5 annually, from the date of service to the date of payment.

6 Subject to the limitation in subsection (i), a State
7 policeman, arson investigator, or Commerce Commission police
8 officer may elect to establish eligible creditable service for
9 up to 5 years of service as a person employed by a
10 participating municipality to perform police duties under
11 Article 7, a county corrections officer, a court services
12 officer under Article 9, or a firefighter under Article 4 by
13 filing a written election with the Board within 6 months after
14 July 30, 2021 (the effective date of Public Act 102-210) and
15 paying to the System an amount to be determined by the Board
16 equal to (i) the difference between the amount of employee and
17 employer contributions transferred to the System under
18 Sections 4-108.8, 7-139.8, and 9-121.10 and the amounts that
19 would have been contributed had such contributions been made
20 at the rates applicable to State policemen, plus (ii) interest
21 thereon at the actuarially assumed rate for each year,
22 compounded annually, from the date of service to the date of
23 payment.

24 Subject to the limitation in subsection (i), a
25 conservation police officer may elect to establish eligible
26 creditable service for up to 5 years of service as a person

1 employed by a participating municipality to perform police
2 duties under Article 7, a county corrections officer, or a
3 court services officer under Article 9 by filing a written
4 election with the Board within 6 months after July 30, 2021
5 (the effective date of Public Act 102-210) and paying to the
6 System an amount to be determined by the Board equal to (i) the
7 difference between the amount of employee and employer
8 contributions transferred to the System under Sections 7-139.8
9 and 9-121.10 and the amounts that would have been contributed
10 had such contributions been made at the rates applicable to
11 State policemen, plus (ii) interest thereon at the actuarially
12 assumed rate for each year, compounded annually, from the date
13 of service to the date of payment.

14 Notwithstanding the limitation in subsection (i), a State
15 policeman or conservation police officer may elect to convert
16 service credit earned under this Article to eligible
17 creditable service, as defined by this Section, by filing a
18 written election with the Board ~~board within 6 months after~~
19 ~~July 30, 2021 (the effective date of Public Act 102-210)~~ and
20 paying to the System an amount to be determined by the Board
21 equal to (i) the difference between the amount of employee
22 contributions originally paid for that service and the amounts
23 that would have been contributed had such contributions been
24 made at the rates applicable to State policemen, plus (ii) the
25 difference between the employer's normal cost of the credit
26 prior to the conversion authorized by the amendatory Act of

1 the 104th General Assembly Public Act 102-210 and the
2 employer's normal cost of the credit converted in accordance
3 with this amendatory Act of the 104th General Assembly Public
4 Act 102-210, plus (iii) interest thereon at the actuarially
5 assumed rate for each year, compounded annually, from the date
6 of service to the date of payment.

7 (i) The total amount of eligible creditable service
8 established by any person under subsections (g), (h), (j),
9 (k), (l), (1-5), (o), ~~and~~ (p), and (q) of this Section shall
10 not exceed 12 years.

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

26 (k) Subject to the limitation in subsection (i) of this

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

22 (1) Subject to the limitation in subsection (i), a
23 security employee of the Department of Corrections may elect,
24 not later than July 1, 1998, to establish eligible creditable
25 service for up to 10 years of his or her service as a policeman
26 under Article 3, by filing a written election with the Board,

1 accompanied by payment of an amount to be determined by the
2 Board, equal to (i) the difference between the amount of
3 employee and employer contributions transferred to the System
4 under Section 3-110.5, and the amounts that would have been
5 contributed had such contributions been made at the rates
6 applicable to security employees of the Department of
7 Corrections, plus (ii) interest thereon at the effective rate
8 for each year, compounded annually, from the date of service
9 to the date of payment.

10 (1-5) Subject to the limitation in subsection (i) of this
11 Section, a State policeman may elect to establish eligible
12 creditable service for up to 5 years of service as a full-time
13 law enforcement officer employed by the federal government or
14 by a state or local government located outside of Illinois for
15 which credit is not held in any other public employee pension
16 fund or retirement system. To obtain this credit, the
17 applicant must file a written application with the Board ~~no~~
18 ~~later than 3 years after January 1, 2020 (the effective date of~~
19 ~~Public Act 101-610)~~, accompanied by evidence of eligibility
20 acceptable to the Board and payment of an amount to be
21 determined by the Board, equal to (1) employee contributions
22 for the credit being established, based upon the applicant's
23 salary on the first day as an alternative formula employee
24 after the employment for which credit is being established and
25 the rates then applicable to alternative formula employees,
26 plus (2) an amount determined by the Board to be the employer's

1 normal cost of the benefits accrued for the credit being
2 established, plus (3) regular interest on the amounts in items
3 (1) and (2) from the first day as an alternative formula
4 employee after the employment for which credit is being
5 established to the date of payment.

6 (m) The amendatory changes to this Section made by Public
7 Act 94-696 apply only to: (1) security employees of the
8 Department of Juvenile Justice employed by the Department of
9 Corrections before June 1, 2006 (the effective date of Public
10 Act 94-696) and transferred to the Department of Juvenile
11 Justice by Public Act 94-696; and (2) persons employed by the
12 Department of Juvenile Justice on or after June 1, 2006 (the
13 effective date of Public Act 94-696) who are required by
14 subsection (b) of Section 3-2.5-15 of the Unified Code of
15 Corrections to have any bachelor's or advanced degree from an
16 accredited college or university or, in the case of persons
17 who provide vocational training, who are required to have
18 adequate knowledge in the skill for which they are providing
19 the vocational training.

20 (n) A person employed in a position under subsection (b)
21 of this Section who has purchased service credit under
22 subsection (j) of Section 14-104 or subsection (b) of Section
23 14-105 in any other capacity under this Article may convert up
24 to 5 years of that service credit into service credit covered
25 under this Section by paying to the Fund an amount equal to (1)
26 the additional employee contribution required under Section

1 14-133, plus (2) the additional employer contribution required
2 under Section 14-131, plus (3) interest on items (1) and (2) at
3 the actuarially assumed rate from the date of the service to
4 the date of payment.

5 (o) Subject to the limitation in subsection (i), a
6 conservation police officer, investigator for the Secretary of
7 State, Commerce Commission police officer, investigator for
8 the Department of Revenue or the Illinois Gaming Board, or
9 arson investigator subject to subsection (g) of Section 1-160
10 may elect to convert up to 8 years of service credit
11 established before January 1, 2020 (the effective date of
12 Public Act 101-610) as a conservation police officer,
13 investigator for the Secretary of State, Commerce Commission
14 police officer, investigator for the Department of Revenue or
15 the Illinois Gaming Board, or arson investigator under this
16 Article into eligible creditable service by filing a written
17 election with the Board no later than one year after January 1,
18 2020 (the effective date of Public Act 101-610), accompanied
19 by payment of an amount to be determined by the Board equal to
20 (i) the difference between the amount of the employee
21 contributions actually paid for that service and the amount of
22 the employee contributions that would have been paid had the
23 employee contributions been made as a noncovered employee
24 serving in a position in which eligible creditable service, as
25 defined in this Section, may be earned, plus (ii) interest
26 thereon at the effective rate for each year, compounded

1 annually, from the date of service to the date of payment.

2 (p) Subject to the limitation in subsection (i), an
3 investigator for the Office of the Attorney General subject to
4 subsection (g) of Section 1-160 may elect to convert up to 8
5 years of service credit established before the effective date
6 of this amendatory Act of the 102nd General Assembly as an
7 investigator for the Office of the Attorney General under this
8 Article into eligible creditable service by filing a written
9 election with the Board no later than one year after the
10 effective date of this amendatory Act of the 102nd General
11 Assembly, accompanied by payment of an amount to be determined
12 by the Board equal to (i) the difference between the amount of
13 the employee contributions actually paid for that service and
14 the amount of the employee contributions that would have been
15 paid had the employee contributions been made as a noncovered
16 employee serving in a position in which eligible creditable
17 service, as defined in this Section, may be earned, plus (ii)
18 interest thereon at the effective rate for each year,
19 compounded annually, from the date of service to the date of
20 payment.

21 (q) Subject to the limitation in subsection (i) of this
22 Section, an alternative formula employee may elect to
23 establish eligible creditable service for up to 7 years of
24 service as a State's Attorney under Article 7 by filing a
25 written election with the Board, accompanied by payment of an
26 amount to be determined by the Board, equal to: (1) the

1 difference between the amount of employee and employer
2 contributions transferred to the System under Section 7-139.8
3 and the amounts that would have been contributed had such
4 contributions been made at the rates applicable to State
5 policemen; plus (2) interest thereon at the effective rate for
6 each year, compounded annually, from the date of service to
7 the date of payment.

8 Subject to the limitation in subsection (i) of this
9 Section, an alternative formula employee may elect to
10 establish eligible creditable service for up to 7 years of
11 service as a State's Attorney for which credit is not held in
12 this System or any other public employee pension fund or
13 retirement system. To obtain this credit, the applicant must
14 file a written application with the Board, accompanied by
15 evidence of eligibility acceptable to the Board and payment of
16 an amount to be determined by the Board, equal to (1) employee
17 contributions for the credit being established, based upon the
18 applicant's salary on the first day as an alternative formula
19 employee after the employment for which credit is being
20 established and the rates then applicable to alternative
21 formula employees, plus (2) an amount determined by the Board
22 to be the employer's normal cost of the benefits accrued for
23 the credit being established, plus (3) regular interest on the
24 amounts in items (1) and (2) from the first day as an
25 alternative formula employee after the employment for which
26 credit is being established to the date of payment.

1 (Source: P.A. 102-210, eff. 7-30-21; 102-538, eff. 8-20-21;
2 102-956, eff. 5-27-22; 103-34, eff. 1-1-24.)

3 (40 ILCS 5/14-152.1)

4 Sec. 14-152.1. Application and expiration of new benefit
5 increases.

6 (a) As used in this Section, "new benefit increase" means
7 an increase in the amount of any benefit provided under this
8 Article, or an expansion of the conditions of eligibility for
9 any benefit under this Article, that results from an amendment
10 to this Code that takes effect after June 1, 2005 (the
11 effective date of Public Act 94-4). "New benefit increase",
12 however, does not include any benefit increase resulting from
13 the changes made to Article 1 or this Article by Public Act
14 96-37, Public Act 100-23, Public Act 100-587, Public Act
15 100-611, Public Act 101-10, Public Act 101-610, Public Act
16 102-210, Public Act 102-856, Public Act 102-956, or this
17 amendatory Act of the 104th General Assembly ~~this amendatory~~
18 ~~Act of the 102nd General Assembly.~~

19 (b) Notwithstanding any other provision of this Code or
20 any subsequent amendment to this Code, every new benefit
21 increase is subject to this Section and shall be deemed to be
22 granted only in conformance with and contingent upon
23 compliance with the provisions of this Section.

24 (c) The Public Act enacting a new benefit increase must
25 identify and provide for payment to the System of additional

1 funding at least sufficient to fund the resulting annual
2 increase in cost to the System as it accrues.

3 Every new benefit increase is contingent upon the General
4 Assembly providing the additional funding required under this
5 subsection. The Commission on Government Forecasting and
6 Accountability shall analyze whether adequate additional
7 funding has been provided for the new benefit increase and
8 shall report its analysis to the Public Pension Division of
9 the Department of Insurance. A new benefit increase created by
10 a Public Act that does not include the additional funding
11 required under this subsection is null and void. If the Public
12 Pension Division determines that the additional funding
13 provided for a new benefit increase under this subsection is
14 or has become inadequate, it may so certify to the Governor and
15 the State Comptroller and, in the absence of corrective action
16 by the General Assembly, the new benefit increase shall expire
17 at the end of the fiscal year in which the certification is
18 made.

19 (d) Every new benefit increase shall expire 5 years after
20 its effective date or on such earlier date as may be specified
21 in the language enacting the new benefit increase or provided
22 under subsection (c). This does not prevent the General
23 Assembly from extending or re-creating a new benefit increase
24 by law.

25 (e) Except as otherwise provided in the language creating
26 the new benefit increase, a new benefit increase that expires

1 under this Section continues to apply to persons who applied
2 and qualified for the affected benefit while the new benefit
3 increase was in effect and to the affected beneficiaries and
4 alternate payees of such persons, but does not apply to any
5 other person, including, without limitation, a person who
6 continues in service after the expiration date and did not
7 apply and qualify for the affected benefit while the new
8 benefit increase was in effect.

9 (Source: P.A. 101-10, eff. 6-5-19; 101-81, eff. 7-12-19;
10 101-610, eff. 1-1-20; 102-210, eff. 7-30-21; 102-856, eff.
11 1-1-23; 102-956, eff. 5-27-22.)

12 Section 90. The State Mandates Act is amended by adding
13 Section 8.49 as follows:

14 (30 ILCS 805/8.49 new)

15 Sec. 8.49. Exempt mandate. Notwithstanding Sections 6 and
16 8 of this Act, no reimbursement by the State is required for
17 the implementation of any mandate created by this amendatory
18 Act of the 104th General Assembly.

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