**Section 1650.3222 Tier II Disability Retirement Annuity Calculation**

a) The Tier II disability retirement annuity shall be equal to the larger of:

1) 35% of the most recent annual contract salary rate or, for part-time and substitute members, the most recent annualized salary rate; or

2) If the disability commences prior to the member's attainment of age 62, the amount computed in accordance with Section 16-133 of the Code, provided the amount computed under Section 16-133(a)(B) shall be reduced by ½ of 1% for each month that the member is less than age 62; or

3) If the disability commences after the member's attainment of age 62, and the member is not receiving a retirement annuity under Section 16-133 of the Code, the amount computed in accordance with Section 16-133.

b) The Tier II disability retirement annuity shall be reduced by ½ of 1% for each month that the member is less than age 67 at the time the retirement annuity begins. However, this reduction shall not apply if the member retires on account of disability under Section 16-149.2 of the Code with at least 10 years of creditable service.

(Source: Added at 40 Ill. Reg. 14099, effective September 28, 2016)