



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3133

Introduced 1/11/2022, by Sen. Sally J. Turner

SYNOPSIS AS INTRODUCED:

40 ILCS 5/14-110

from Ch. 108 1/2, par. 14-110

40 ILCS 5/14-152.1

Amends the State Employee Article of the Illinois Pension Code. Provides that an investigator for the Secretary of State may elect to establish eligible creditable service under the alternative retirement annuity formula for up to 5 years of service as a person employed by a participating municipality to perform police duties under the Illinois Municipal Retirement Fund (IMRF) Article by filing a written election with the Board within 6 months after the effective date of the amendatory Act and paying to the System an amount to be determined by the Board equal to (i) the difference between the amount of employee and employer contributions transferred to the System and the amounts that would have been contributed had such contributions been made at the rates applicable to State policemen, plus (ii) interest thereon at the actuarially assumed rate for each year, compounded annually, from the date of service to the date of payment. Provides that any benefit increase that results from the amendatory Act is excluded from the definition of "new benefit increase". Effective immediately.

LRB102 23674 RPS 32856 b

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 14-110 and 14-152.1 as follows:

6 (40 ILCS 5/14-110) (from Ch. 108 1/2, par. 14-110)
7 Sec. 14-110. Alternative retirement annuity.

8 (a) Any member who has withdrawn from service with not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10 attained age 55, and any member who has withdrawn from service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

17 (i) for periods of service as a noncovered employee:
18 if retirement occurs on or after January 1, 2001, 3% of
19 final average compensation for each year of creditable
20 service; if retirement occurs before January 1, 2001, 2
21 1/4% of final average compensation for each of the first
22 10 years of creditable service, 2 1/2% for each year above
23 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 ~~this amendatory Act of 1983~~ shall not
5 operate to exclude any noncovered employee who was an "air
6 pilot" for the purposes of this Section on January 1,
7 1984.

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

21 (5) The term "investigator for the Secretary of State"
22 means any person employed by the Office of the Secretary
23 of State and vested with such investigative duties as
24 render him ineligible for coverage under the Social
25 Security Act by reason of Sections 218(d)(5)(A),
26 218(d)(8)(D) and 218(1)(1) of that Act.

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

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

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

25 The term "investigator for the Illinois Gaming Board"
26 means any person employed as such by the Illinois Gaming

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

1 to stand trial, or persons not guilty by reason of
2 insanity. With respect to past employment, references to
3 the Department of Human Services include its predecessor,
4 the Department of Mental Health and Developmental
5 Disabilities.

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

9 (9) "Central Management Services security police
10 officer" means any person employed by the Department of
11 Central Management Services who is 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.

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

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

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

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

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

1 persons who were employed as investigators by the Office
2 of the Attorney General, without regard to social security
3 status.

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

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

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

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

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

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

26 (ii) A person employed on a full-time basis by the

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

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

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

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

9 (i) 25 years of eligible creditable service and age
10 55; or

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

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

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

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

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

26 Persons who have service credit under Article 16 of this

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

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

17 (f) For purposes of calculating retirement annuities under
18 this Section, periods of service rendered after December 31,
19 1968 and before October 1, 1975 as a covered employee in the
20 position of special agent, conservation police officer, mental
21 health police officer, or investigator for the Secretary of
22 State, shall be deemed to have been service as a noncovered
23 employee, provided that the employee pays to the System prior
24 to retirement an amount equal to (1) the difference between
25 the employee contributions that would have been required for
26 such service as a noncovered employee, and the amount of

1 employee contributions actually paid, plus (2) if payment is
2 made after July 31, 1987, regular interest on the amount
3 specified in item (1) from the date of service to the date of
4 payment.

5 For purposes of calculating retirement annuities under
6 this Section, periods of service rendered after December 31,
7 1968 and before January 1, 1982 as a covered employee in the
8 position of investigator for the Department of Revenue shall
9 be deemed to have been service as a noncovered employee,
10 provided that the employee pays to the System prior to
11 retirement an amount equal to (1) the difference between the
12 employee contributions that would have been required for such
13 service as a noncovered employee, and the amount of employee
14 contributions actually paid, plus (2) if payment is made after
15 January 1, 1990, regular interest on the amount specified in
16 item (1) from the date of service to the date of payment.

17 (g) A State policeman may elect, not later than January 1,
18 1990, to establish eligible creditable service for up to 10
19 years of his service as a policeman under Article 3, by filing
20 a written election with the Board, accompanied by payment of
21 an amount to be determined by the Board, equal to (i) the
22 difference between the amount of employee and employer
23 contributions transferred to the System under Section 3-110.5,
24 and the 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 effective rate

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

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

16 (h) Subject to the limitation in subsection (i), a State
17 policeman or investigator for the Secretary of State may elect
18 to establish eligible creditable service for up to 12 years of
19 his service as a policeman under Article 5, by filing a written
20 election with the Board on or before January 31, 1992, 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 5-236, and the amounts that would
25 have been contributed had such contributions been made at the
26 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 10 years of service as a sheriff's
7 law enforcement employee under Article 7, by filing a written
8 election with the Board on or before January 31, 1993, and
9 paying to the System by January 31, 1994 an amount to be
10 determined by the Board, equal to (i) the difference between
11 the amount of employee and employer contributions transferred
12 to the System under Section 7-139.7, and the amounts that
13 would have been contributed had such contributions been made
14 at the rates applicable to State policemen, plus (ii) interest
15 thereon at the effective rate for each year, compounded
16 annually, from the date of service to the date of payment.

17 Subject to the limitation in subsection (i), a State
18 policeman, conservation police officer, or investigator for
19 the Secretary of State may elect to establish eligible
20 creditable service for up to 5 years of service as a police
21 officer under Article 3, a policeman under Article 5, a
22 sheriff's law enforcement employee under Article 7, a member
23 of the county police department under Article 9, or a police
24 officer under Article 15 by filing a written election with the
25 Board and paying to the System an amount to be determined by
26 the Board, equal to (i) the difference between the amount of

1 employee and employer contributions transferred to the System
2 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4
3 and the amounts that would have been contributed had such
4 contributions been made at the rates applicable to State
5 policemen, 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 Subject to the limitation in subsection (i), an
9 investigator for the Office of the Attorney General, or an
10 investigator for the Department of Revenue, may elect to
11 establish eligible creditable service for up to 5 years of
12 service as a police officer under Article 3, a policeman under
13 Article 5, a sheriff's law enforcement employee under Article
14 7, or a member of the county police department under Article 9
15 by filing a written election with the Board within 6 months
16 after August 25, 2009 (the effective date of Public Act
17 96-745) and paying to the System an amount to be determined by
18 the Board, equal to (i) the difference between the amount of
19 employee and employer contributions transferred to the System
20 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the
21 amounts that would have been contributed had such
22 contributions been made at the rates applicable to State
23 policemen, plus (ii) interest thereon at the actuarially
24 assumed rate for each year, compounded annually, from the date
25 of service to the date of payment.

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

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

1 filing a written election with the Board within 6 months after
2 July 30, 2021 (the effective date of Public Act 102-210) ~~this~~
3 ~~amendatory Act of the 102nd General Assembly~~ 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 4-108.8, 7-139.8, and 9-121.10 and the amounts that would have
8 been contributed had such contributions been made at the rates
9 applicable to State policemen, plus (ii) interest thereon at
10 the actuarially assumed rate for each year, compounded
11 annually, from the date of service to the date of payment.

12 Subject to the limitation in subsection (i), a
13 conservation police officer may elect to establish eligible
14 creditable service for up to 5 years of service as a person
15 employed by a participating municipality to perform police
16 duties under Article 7, a county corrections officer, or a
17 court services officer under Article 9 by filing a written
18 election with the Board within 6 months after July 30, 2021
19 (the effective date of Public Act 102-210) ~~this amendatory Act~~
20 ~~of the 102nd General Assembly~~ and paying to the System an
21 amount to be determined by the Board equal to (i) the
22 difference between the amount of employee and employer
23 contributions transferred to the System under Sections 7-139.8
24 and 9-121.10 and the amounts that would have been contributed
25 had such contributions been made at the rates applicable to
26 State 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 Notwithstanding the limitation in subsection (i), a State
4 policeman or conservation police officer may elect to convert
5 service credit earned under this Article to eligible
6 creditable service, as defined by this Section, by filing a
7 written election with the board within 6 months after July 30,
8 2021 (the effective date of Public Act 102-210) ~~this~~
9 ~~amendatory Act of the 102nd General Assembly~~ and paying to the
10 System an amount to be determined by the Board equal to (i) the
11 difference between the amount of employee contributions
12 originally paid for that service and the amounts that would
13 have been contributed had such contributions been made at the
14 rates applicable to State policemen, plus (ii) the difference
15 between the employer's normal cost of the credit prior to the
16 conversion authorized by Public Act 102-210 ~~this amendatory~~
17 ~~Act of the 102nd General Assembly~~ and the employer's normal
18 cost of the credit converted in accordance with Public Act
19 102-210 ~~this amendatory Act of the 102nd General Assembly,~~
20 plus (iii) interest thereon at the actuarially assumed rate
21 for each year, compounded annually, from the date of service
22 to the date of payment.

23 Subject to the limitation in subsection (i), an
24 investigator for the Secretary of State may elect to establish
25 eligible creditable service for up to 5 years of service as a
26 person employed by a participating municipality to perform

1 police duties under Article 7 by filing a written election
2 with the Board within 6 months after the effective date of this
3 amendatory Act of the 102nd General Assembly 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 Section 7-139.8
7 and the 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 (i) The total amount of eligible creditable service
13 established by any person under subsections (g), (h), (j),
14 (k), (l), (l-5), and (o) of this Section shall not exceed 12
15 years.

16 (j) Subject to the limitation in subsection (i), an
17 investigator for the Office of the State's Attorneys Appellate
18 Prosecutor or a controlled substance inspector may elect to
19 establish eligible creditable service for up to 10 years of
20 his service as a policeman under Article 3 or a sheriff's law
21 enforcement employee under Article 7, by filing a written
22 election with the Board, accompanied by payment of an amount
23 to be determined by the Board, equal to (1) the difference
24 between the amount of employee and employer contributions
25 transferred to the System under Section 3-110.6 or 7-139.8,
26 and the amounts that would have been contributed had such

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

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

1 (1) Subject to the limitation in subsection (i), a
2 security employee of the Department of Corrections may elect,
3 not later than July 1, 1998, to establish eligible creditable
4 service for up to 10 years of his or her service as a policeman
5 under Article 3, by filing a written election with the Board,
6 accompanied by payment of an amount to be determined by the
7 Board, equal to (i) the difference between the amount of
8 employee and employer contributions transferred to the System
9 under Section 3-110.5, and the amounts that would have been
10 contributed had such contributions been made at the rates
11 applicable to security employees of the Department of
12 Corrections, 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 (1-5) Subject to the limitation in subsection (i) of this
16 Section, a State policeman may elect to establish eligible
17 creditable service for up to 5 years of service as a full-time
18 law enforcement officer employed by the federal government or
19 by a state or local government located outside of Illinois for
20 which credit is not held in any other public employee pension
21 fund or retirement system. To obtain this credit, the
22 applicant must file a written application with the Board no
23 later than 3 years after January 1, 2020 (the effective date of
24 Public Act 101-610) ~~this amendatory Act of the 101st General~~
25 ~~Assembly~~, accompanied by evidence of eligibility acceptable to
26 the Board and payment of an amount to be determined by the

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

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

1 required to have adequate knowledge in the skill for which
2 they are providing the vocational training.

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

14 (o) Subject to the limitation in subsection (i), a
15 conservation police officer, investigator for the Secretary of
16 State, Commerce Commission police officer, investigator for
17 the Department of Revenue or the Illinois Gaming Board, or
18 arson investigator subject to subsection (g) of Section 1-160
19 may elect to convert up to 8 years of service credit
20 established before January 1, 2020 (the effective date of
21 Public Act 101-610) ~~this amendatory Act of the 101st General~~
22 ~~Assembly~~ as a conservation police officer, investigator for
23 the Secretary of State, Commerce Commission police officer,
24 investigator for the Department of Revenue or the Illinois
25 Gaming Board, or arson investigator under this Article into
26 eligible creditable service by filing a written election with

1 the Board no later than one year after January 1, 2020 (the
2 effective date of Public Act 101-610) ~~this amendatory Act of~~
3 ~~the 101st General Assembly~~, accompanied by payment of an
4 amount to be determined by the Board equal to (i) the
5 difference between the amount of the employee contributions
6 actually paid for that service and the amount of the employee
7 contributions that would have been paid had the employee
8 contributions been made as a noncovered employee serving in a
9 position in which eligible creditable service, as defined in
10 this Section, may be earned, plus (ii) interest thereon at the
11 effective rate for each year, compounded annually, from the
12 date of service to the date of payment.

13 (Source: P.A. 101-610, eff. 1-1-20; 102-210, eff. 7-30-21;
14 102-538, eff. 8-20-21; revised 10-12-21.)

15 (40 ILCS 5/14-152.1)

16 Sec. 14-152.1. Application and expiration of new benefit
17 increases.

18 (a) As used in this Section, "new benefit increase" means
19 an increase in the amount of any benefit provided under this
20 Article, or an expansion of the conditions of eligibility for
21 any benefit under this Article, that results from an amendment
22 to this Code that takes effect after June 1, 2005 (the
23 effective date of Public Act 94-4). "New benefit increase",
24 however, does not include any benefit increase resulting from
25 the changes made to Article 1 or this Article by Public Act

1 96-37, Public Act 100-23, Public Act 100-587, Public Act
2 100-611, Public Act 101-10, Public Act 101-610, Public Act
3 102-210, or this amendatory Act of the 102nd General Assembly
4 ~~or this amendatory Act of the 102nd General Assembly.~~

5 (b) Notwithstanding any other provision of this Code or
6 any subsequent amendment to this Code, every new benefit
7 increase is subject to this Section and shall be deemed to be
8 granted only in conformance with and contingent upon
9 compliance with the provisions of this Section.

10 (c) The Public Act enacting a new benefit increase must
11 identify and provide for payment to the System of additional
12 funding at least sufficient to fund the resulting annual
13 increase in cost to the System as it accrues.

14 Every new benefit increase is contingent upon the General
15 Assembly providing the additional funding required under this
16 subsection. The Commission on Government Forecasting and
17 Accountability shall analyze whether adequate additional
18 funding has been provided for the new benefit increase and
19 shall report its analysis to the Public Pension Division of
20 the Department of Insurance. A new benefit increase created by
21 a Public Act that does not include the additional funding
22 required under this subsection is null and void. If the Public
23 Pension Division determines that the additional funding
24 provided for a new benefit increase under this subsection is
25 or has become inadequate, it may so certify to the Governor and
26 the State Comptroller and, in the absence of corrective action

1 by the General Assembly, the new benefit increase shall expire
2 at the end of the fiscal year in which the certification is
3 made.

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

10 (e) Except as otherwise provided in the language creating
11 the new benefit increase, a new benefit increase that expires
12 under this Section continues to apply to persons who applied
13 and qualified for the affected benefit while the new benefit
14 increase was in effect and to the affected beneficiaries and
15 alternate payees of such persons, but does not apply to any
16 other person, including, without limitation, a person who
17 continues in service after the expiration date and did not
18 apply and qualify for the affected benefit while the new
19 benefit increase was in effect.

20 (Source: P.A. 101-10, eff. 6-5-19; 101-81, eff. 7-12-19;
21 101-610, eff. 1-1-20; 102-210, eff. 7-30-21.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.