



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3263

Introduced 2/17/2023, by Rep. Jay Hoffman

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 a member who is eligible to receive an alternative retirement annuity may elect to receive an estimated payment that shall commence no later than 30 days after the later of either the member's last day of employment or 30 days after the member files for the retirement benefit with the System. Provides that the estimated payment shall be the best estimate by the System of the total monthly amount due to the member based on the information that the System possesses at the time of the estimate. Provides that if the amount of the estimate is greater or less than the actual amount of the monthly annuity, the System shall pay or recover the difference within 6 months after the start of the monthly annuity. Excludes a benefit increase resulting from the amendatory Act from the definition of "new benefit increase". Effective immediately.

LRB103 28890 RPS 55276 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 (Text of Section from P.A. 102-813)

8 Sec. 14-110. Alternative retirement annuity.

9 (a) Any member who has withdrawn from service with not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11 attained age 55, and any member who has withdrawn from service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

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

1 10 years to and including 20 years of creditable service,
2 and 2 3/4% for each year of creditable service above 20
3 years; and

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

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

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

22 (a-5) A member who is eligible to receive an alternative
23 retirement annuity under this Section may elect to receive an
24 estimated payment that shall commence no later than 30 days
25 after the later of either the member's last day of employment
26 or 30 days after the member files for the retirement benefit

1 with the System. The estimated payment shall be the best
2 estimate by the System of the total monthly amount due to the
3 member based on the information that the System possesses at
4 the time of the estimate. If the amount of the estimate is
5 greater or less than the actual amount of the monthly annuity,
6 the System shall pay or recover the difference within 6 months
7 after the start of the monthly annuity.

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

11 (1) State policeman;

12 (2) fire fighter in the fire protection service of a
13 department;

14 (3) air pilot;

15 (4) special agent;

16 (5) investigator for the Secretary of State;

17 (6) conservation police officer;

18 (7) investigator for the Department of Revenue or the
19 Illinois Gaming Board;

20 (8) security employee of the Department of Human
21 Services;

22 (9) Central Management Services security police
23 officer;

24 (10) security employee of the Department of
25 Corrections or the Department of Juvenile Justice;

26 (11) dangerous drugs investigator;

- 1 (12) investigator for the Illinois State Police;
- 2 (13) investigator for the Office of the Attorney
3 General;
- 4 (14) controlled substance inspector;
- 5 (15) investigator for the Office of the State's
6 Attorneys Appellate Prosecutor;
- 7 (16) Commerce Commission police officer;
- 8 (17) arson investigator;
- 9 (18) State highway maintenance worker;
- 10 (19) security employee of the Department of Innovation
11 and Technology; or
- 12 (20) transferred employee.

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

23 A person under paragraph (20) is entitled to eligible
24 creditable service for service credit earned under this
25 Article on and after his or her transfer by Executive Order No.
26 2003-10, Executive Order No. 2004-2, or Executive Order No.

1 2016-1.

2 (c) For the purposes of this Section:

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

6 (2) The term "fire fighter in the fire protection
7 service of a department" includes all officers in such
8 fire protection service including fire chiefs and
9 assistant fire chiefs.

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

20 (4) The term "special agent" means any person who by
21 reason of employment by the Division of Narcotic Control,
22 the Bureau of Investigation or, after July 1, 1977, the
23 Division of Criminal Investigation, the Division of
24 Internal Investigation, the Division of Operations, the
25 Division of Patrol Operations, or any other Division or
26 organizational entity in the Illinois State Police is

1 vested by law with duties to maintain public order,
2 investigate violations of the criminal law of this State,
3 enforce the laws of this State, make arrests and recover
4 property. The term "special agent" includes any title or
5 position in the Illinois State Police that is held by an
6 individual employed under the Illinois State Police Act.

7 (5) The term "investigator for the Secretary of State"
8 means any person employed by the Office of the Secretary
9 of State and vested with such investigative duties as
10 render him 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 A person who became employed as an investigator for
14 the Secretary of State between January 1, 1967 and
15 December 31, 1975, and who has served as such until
16 attainment of age 60, either continuously or with a single
17 break in service of not more than 3 years duration, which
18 break terminated before January 1, 1976, shall be entitled
19 to have his retirement annuity calculated in accordance
20 with subsection (a), notwithstanding that he has less than
21 20 years of credit for such service.

22 (6) The term "Conservation Police Officer" means any
23 person employed by the Division of Law Enforcement of the
24 Department of Natural Resources and vested with such law
25 enforcement duties as render him ineligible for coverage
26 under the Social Security Act by reason of Sections

1 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The
2 term "Conservation Police Officer" includes the positions
3 of Chief Conservation Police Administrator and Assistant
4 Conservation Police Administrator.

5 (7) The term "investigator for the Department of
6 Revenue" means any person employed by the Department of
7 Revenue and vested with such investigative duties as
8 render him 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 The term "investigator for the Illinois Gaming Board"
12 means any person employed as such by the Illinois Gaming
13 Board and vested with such peace officer duties as render
14 the person ineligible for coverage under the Social
15 Security Act by reason of Sections 218(d)(5)(A),
16 218(d)(8)(D), and 218(1)(1) of that Act.

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

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

18 The changes made to this subdivision (c) (8) by Public
19 Act 92-14 apply to persons who retire on or after January
20 1, 2001, notwithstanding Section 1-103.1.

21 (9) "Central Management Services security police
22 officer" means any person employed by the Department of
23 Central Management Services who is vested with such law
24 enforcement duties as render him ineligible for coverage
25 under the Social Security Act by reason of Sections
26 218(d) (5) (A), 218(d) (8) (D) and 218(1) (1) of that Act.

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

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

25 (12) The term "investigator for the Illinois State
26 Police" means a person employed by the Illinois State

1 Police who is vested under Section 4 of the Narcotic
2 Control Division Abolition Act with such law enforcement
3 powers as render him ineligible for coverage under the
4 Social Security Act by reason of Sections 218(d)(5)(A),
5 218(d)(8)(D) and 218(1)(1) of that Act.

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

16 (14) "Controlled substance inspector" means any person
17 who is employed as such by the Department of Professional
18 Regulation and is vested with such law enforcement duties
19 as render him ineligible for coverage under the Social
20 Security Act by reason of Sections 218(d)(5)(A),
21 218(d)(8)(D) and 218(1)(1) of that Act. The term
22 "controlled substance inspector" includes the Program
23 Executive of Enforcement and the Assistant Program
24 Executive of Enforcement.

25 (15) The term "investigator for the Office of the
26 State's Attorneys Appellate Prosecutor" means a person

1 employed in that capacity on a full-time basis under the
2 authority of Section 7.06 of the State's Attorneys
3 Appellate Prosecutor's Act.

4 (16) "Commerce Commission police officer" means any
5 person employed by the Illinois Commerce Commission who is
6 vested with such law enforcement duties as render him
7 ineligible for coverage under the Social Security Act by
8 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and
9 218(1)(1) of that Act.

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

26 (18) The term "State highway maintenance worker" means

1 a person who is either of the following:

2 (i) A person employed on a full-time basis by the
3 Illinois Department of Transportation in the position
4 of highway maintainer, highway maintenance lead
5 worker, highway maintenance lead/lead worker, heavy
6 construction equipment operator, power shovel
7 operator, or bridge mechanic; and whose principal
8 responsibility is to perform, on the roadway, the
9 actual maintenance necessary to keep the highways that
10 form a part of the State highway system in serviceable
11 condition for vehicular traffic.

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

25 (19) The term "security employee of the Department of
26 Innovation and Technology" means a person who was a

1 security employee of the Department of Corrections or the
2 Department of Juvenile Justice, was transferred to the
3 Department of Innovation and Technology pursuant to
4 Executive Order 2016-01, and continues to perform similar
5 job functions under that Department.

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

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 within 6 months after July 30,
19 2021 (the effective date of Public Act 102-210) and paying to
20 the System an amount to be determined by the Board equal to (i)
21 the difference between the amount of employee contributions
22 originally paid for that service and the amounts that would
23 have been contributed had such contributions been made at the
24 rates applicable to State policemen, plus (ii) the difference
25 between the employer's normal cost of the credit prior to the
26 conversion authorized by Public Act 102-210 and the employer's

1 normal cost of the credit converted in accordance with 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) of this Section shall not exceed 12
8 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 (Source: P.A. 101-610, eff. 1-1-20; 102-210, eff. 7-30-21;

1 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

2 (Text of Section from P.A. 102-856)

3 Sec. 14-110. Alternative retirement annuity.

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

13 (i) for periods of service as a noncovered employee:
14 if retirement occurs on or after January 1, 2001, 3% of
15 final average compensation for each year of creditable
16 service; if retirement occurs before January 1, 2001, 2
17 1/4% of final average compensation for each of the first
18 10 years of creditable service, 2 1/2% for each year above
19 10 years to and including 20 years of creditable service,
20 and 2 3/4% for each year of creditable service above 20
21 years; and

22 (ii) for periods of eligible creditable service as a
23 covered employee: if retirement occurs on or after January
24 1, 2001, 2.5% of final average compensation for each year
25 of creditable service; if retirement occurs before January

1 1, 2001, 1.67% of final average compensation for each of
2 the first 10 years of such service, 1.90% for each of the
3 next 10 years of such service, 2.10% for each year of such
4 service in excess of 20 but not exceeding 30, and 2.30% for
5 each year in excess of 30.

6 Such annuity shall be subject to a maximum of 75% of final
7 average compensation if retirement occurs before January 1,
8 2001 or to a maximum of 80% of final average compensation if
9 retirement occurs on or after January 1, 2001.

10 These rates shall not be applicable to any service
11 performed by a member as a covered employee which is not
12 eligible creditable service. Service as a covered employee
13 which is not eligible creditable service shall be subject to
14 the rates and provisions of Section 14-108.

15 (a-5) A member who is eligible to receive an alternative
16 retirement annuity under this Section may elect to receive an
17 estimated payment that shall commence no later than 30 days
18 after the later of either the member's last day of employment
19 or 30 days after the member files for the retirement benefit
20 with the System. The estimated payment shall be the best
21 estimate by the System of the total monthly amount due to the
22 member based on the information that the System possesses at
23 the time of the estimate. If the amount of the estimate is
24 greater or less than the actual amount of the monthly annuity,
25 the System shall pay or recover the difference within 6 months
26 after the start of the monthly annuity.

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

4 (1) State policeman;

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

7 (3) air pilot;

8 (4) special agent;

9 (5) investigator for the Secretary of State;

10 (6) conservation police officer;

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

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

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

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

19 (11) dangerous drugs investigator;

20 (12) investigator for the Illinois State Police;

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

23 (14) controlled substance inspector;

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

26 (16) Commerce Commission police officer;

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

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

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

21 (c) For the purposes of this Section:

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

25 (2) The term "fire fighter in the fire protection
26 service of a department" includes all officers in such

1 fire protection service including fire chiefs and
2 assistant fire chiefs.

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

13 (4) The term "special agent" means any person who by
14 reason of employment by the Division of Narcotic Control,
15 the Bureau of Investigation or, after July 1, 1977, the
16 Division of Criminal Investigation, the Division of
17 Internal Investigation, the Division of Operations, the
18 Division of Patrol Operations, or any other Division or
19 organizational entity in the Illinois State Police is
20 vested by law with duties to maintain public order,
21 investigate violations of the criminal law of this State,
22 enforce the laws of this State, make arrests and recover
23 property. The term "special agent" 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 (5) The term "investigator for the Secretary of State"

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

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

15 (6) The term "Conservation Police Officer" means any
16 person employed by the Division of Law Enforcement of the
17 Department of Natural Resources and 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. The
21 term "Conservation Police Officer" includes the positions
22 of Chief Conservation Police Administrator and Assistant
23 Conservation Police Administrator.

24 (7) The term "investigator for the Department of
25 Revenue" means any person employed by the Department of
26 Revenue and vested with such investigative duties as

1 render him 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 The term "investigator for the Illinois Gaming Board"
5 means any person employed as such by the Illinois Gaming
6 Board and vested with such peace officer 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.

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

1 reason of Sections 218(d)(5)(A), 218(d)(8)(D) and
2 218(1)(1) of that Act. "Security unit" means that portion
3 of a facility that is devoted to the care, containment,
4 and treatment of persons committed to the Department of
5 Human Services as sexually violent persons, persons unfit
6 to stand trial, or persons not guilty by reason of
7 insanity. With respect to past employment, references to
8 the Department of Human Services include its predecessor,
9 the Department of Mental Health and Developmental
10 Disabilities.

11 The changes made to this subdivision (c)(8) by Public
12 Act 92-14 apply to persons who retire on or after January
13 1, 2001, notwithstanding Section 1-103.1.

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

20 (10) For a member who first became an employee under
21 this Article before July 1, 2005, the term "security
22 employee of the Department of Corrections or the
23 Department of Juvenile Justice" means any employee of the
24 Department of Corrections or the Department of Juvenile
25 Justice or the former Department of Personnel, and any
26 member or employee of the Prisoner Review Board, who has

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

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

18 (12) The term "investigator for the Illinois State
19 Police" means a person employed by the Illinois State
20 Police who is vested under Section 4 of the Narcotic
21 Control Division Abolition Act with such law enforcement
22 powers as render him ineligible for coverage under the
23 Social Security Act by reason of Sections 218(d)(5)(A),
24 218(d)(8)(D) and 218(1)(1) of that Act.

25 (13) "Investigator for the Office of the Attorney
26 General" means any person who is employed as such by the

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

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

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

23 (16) "Commerce Commission police officer" means any
24 person employed by the Illinois Commerce Commission who is
25 vested with such law enforcement duties as render him
26 ineligible for coverage under the Social Security Act by

1 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and
2 218(1)(1) of that Act.

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

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

21 (i) A person employed on a full-time basis by the
22 Illinois Department of Transportation in the position
23 of highway maintainer, highway maintenance lead
24 worker, highway maintenance lead/lead worker, heavy
25 construction equipment operator, power shovel
26 operator, or bridge mechanic; and whose principal

1 responsibility is to perform, on the roadway, the
2 actual maintenance necessary to keep the highways that
3 form a part of the State highway system in serviceable
4 condition for vehicular traffic.

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

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

25 (20) "Transferred employee" means an employee who was
26 transferred to the Department of Central Management

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

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

14 (i) 25 years of eligible creditable service and age
15 55; or

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

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

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

25 (v) beginning January 1, 1990, 25 years of eligible
26 creditable service and age 51, or 21 years of eligible

1 creditable service and age 55; or

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

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

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

22 (f) For purposes of calculating retirement annuities under
23 this Section, periods of service rendered after December 31,
24 1968 and before October 1, 1975 as a covered employee in the
25 position of special agent, conservation police officer, mental
26 health police officer, or investigator for the Secretary of

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

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

22 (g) A State policeman may elect, not later than January 1,
23 1990, to establish eligible creditable service for up to 10
24 years of his service as a policeman under Article 3, by filing
25 a written election with the Board, accompanied by payment of
26 an amount to be determined by the Board, equal to (i) the

1 difference between the amount of employee and employer
2 contributions transferred to the System under Section 3-110.5,
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), a State
9 policeman may elect, not later than July 1, 1993, to establish
10 eligible creditable service for up to 10 years of his service
11 as a member of the County Police Department under Article 9, by
12 filing a written election with the Board, accompanied by
13 payment of an amount to be determined by the Board, equal to
14 (i) the difference between the amount of employee and employer
15 contributions transferred to the System under Section 9-121.10
16 and the amounts that would have been contributed had those
17 contributions been made at the rates applicable to State
18 policemen, plus (ii) interest thereon at the effective rate
19 for each year, compounded annually, from the date of service
20 to the date of payment.

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

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

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

22 Subject to the limitation in subsection (i), a State
23 policeman, conservation police officer, or investigator for
24 the Secretary of State may elect to establish eligible
25 creditable service for up to 5 years of service as a police
26 officer under Article 3, a policeman under Article 5, a

1 sheriff's law enforcement employee under Article 7, a member
2 of the county police department under Article 9, or a police
3 officer under Article 15 by filing a written election with the
4 Board and paying to the System an amount to be determined by
5 the Board, equal to (i) the difference between the amount of
6 employee and employer contributions transferred to the System
7 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4
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), an
14 investigator for the Office of the Attorney General, or an
15 investigator for the Department of Revenue, may elect to
16 establish eligible creditable service for up to 5 years of
17 service as a police officer under Article 3, a policeman under
18 Article 5, a sheriff's law enforcement employee under Article
19 7, or a member of the county police department under Article 9
20 by filing a written election with the Board within 6 months
21 after August 25, 2009 (the effective date of Public Act
22 96-745) and paying to the System an amount to be determined by
23 the Board, equal to (i) the difference between the amount of
24 employee and employer contributions transferred to the System
25 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the
26 amounts that would have been contributed had such

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

25 Subject to the limitation in subsection (i), a State
26 policeman, arson investigator, or Commerce Commission police

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

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

1 contributions transferred to the System under Sections 7-139.8
2 and 9-121.10 and the amounts that would have been contributed
3 had such contributions been made at the rates applicable to
4 State policemen, plus (ii) 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 Subject to the limitation in subsection (i), an
8 investigator for the Department of Revenue, investigator for
9 the Illinois Gaming Board, investigator for the Secretary of
10 State, or arson investigator may elect to establish eligible
11 creditable service for up to 5 years of service as a person
12 employed by a participating municipality to perform police
13 duties under Article 7, a county corrections officer, a court
14 services officer under Article 9, or a firefighter under
15 Article 4 by filing a written election with the Board within 6
16 months after the effective date of this amendatory Act of the
17 102nd General Assembly and paying to the System an amount to be
18 determined by the Board equal to (i) the difference between
19 the amount of employee and employer contributions transferred
20 to the System under Sections 4-108.8, 7-139.8, and 9-121.10
21 and the 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 Notwithstanding the limitation in subsection (i), a State

1 policeman or conservation police officer may elect to convert
2 service credit earned under this Article to eligible
3 creditable service, as defined by this Section, by filing a
4 written election with the board within 6 months after July 30,
5 2021 (the effective date of Public Act 102-210) and paying to
6 the System an amount to be determined by the Board equal to (i)
7 the difference between the amount of employee contributions
8 originally paid for that service and the amounts that would
9 have been contributed had such contributions been made at the
10 rates applicable to State policemen, plus (ii) the difference
11 between the employer's normal cost of the credit prior to the
12 conversion authorized by Public Act 102-210 and the employer's
13 normal cost of the credit converted in accordance with 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), (1-5), and (o) of this Section shall not exceed 12
17 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 (Source: P.A. 101-610, eff. 1-1-20; 102-210, eff. 7-30-21;
10 102-538, eff. 8-20-21; 102-856, eff. 1-1-23.)

11 (Text of Section from P.A. 102-956)

12 Sec. 14-110. Alternative retirement annuity.

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

22 (i) for periods of service as a noncovered employee:
23 if retirement occurs on or after January 1, 2001, 3% of
24 final average compensation for each year of creditable
25 service; if retirement occurs before January 1, 2001, 2

1 1/4% of final average compensation for each of the first
2 10 years of creditable service, 2 1/2% for each year above
3 10 years to and including 20 years of creditable service,
4 and 2 3/4% for each year of creditable service above 20
5 years; and

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

15 Such annuity shall be subject to a maximum of 75% of final
16 average compensation if retirement occurs before January 1,
17 2001 or to a maximum of 80% of final average compensation if
18 retirement occurs on or after January 1, 2001.

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

24 (a-5) A member who is eligible to receive an alternative
25 retirement annuity under this Section may elect to receive an
26 estimated payment that shall commence no later than 30 days

1 after the later of either the member's last day of employment
2 or 30 days after the member files for the retirement benefit
3 with the System. The estimated payment shall be the best
4 estimate by the System of the total monthly amount due to the
5 member based on the information that the System possesses at
6 the time of the estimate. If the amount of the estimate is
7 greater or less than the actual amount of the monthly annuity,
8 the System shall pay or recover the difference within 6 months
9 after the start of the monthly annuity.

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

- 13 (1) State policeman;
- 14 (2) fire fighter in the fire protection service of a
15 department;
- 16 (3) air pilot;
- 17 (4) special agent;
- 18 (5) investigator for the Secretary of State;
- 19 (6) conservation police officer;
- 20 (7) investigator for the Department of Revenue or the
21 Illinois Gaming Board;
- 22 (8) security employee of the Department of Human
23 Services;
- 24 (9) Central Management Services security police
25 officer;
- 26 (10) security employee of the Department of

- 1 Corrections or the Department of Juvenile Justice;
- 2 (11) dangerous drugs investigator;
- 3 (12) investigator for the Illinois State Police;
- 4 (13) investigator for the Office of the Attorney
- 5 General;
- 6 (14) controlled substance inspector;
- 7 (15) investigator for the Office of the State's
- 8 Attorneys Appellate Prosecutor;
- 9 (16) Commerce Commission police officer;
- 10 (17) arson investigator;
- 11 (18) State highway maintenance worker;
- 12 (19) security employee of the Department of Innovation
- 13 and Technology; or
- 14 (20) transferred employee.

15 A person employed in one of the positions specified in

16 this subsection is entitled to eligible creditable service for

17 service credit earned under this Article while undergoing the

18 basic police training course approved by the Illinois Law

19 Enforcement Training Standards Board, if completion of that

20 training is required of persons serving in that position. For

21 the purposes of this Code, service during the required basic

22 police training course shall be deemed performance of the

23 duties of the specified position, even though the person is

24 not a sworn peace officer at the time of the training.

25 A person under paragraph (20) is entitled to eligible

26 creditable service for service credit earned under this

1 Article on and after his or her transfer by Executive Order No.
2 2003-10, Executive Order No. 2004-2, or Executive Order No.
3 2016-1.

4 (c) For the purposes of this Section:

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

8 (2) The term "fire fighter in the fire protection
9 service of a department" includes all officers in such
10 fire protection service including fire chiefs and
11 assistant fire chiefs.

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

22 (4) The term "special agent" means any person who by
23 reason of employment by the Division of Narcotic Control,
24 the Bureau of Investigation or, after July 1, 1977, the
25 Division of Criminal Investigation, the Division of
26 Internal Investigation, the Division of Operations, the

1 Division of Patrol Operations, or any other Division or
2 organizational entity in the Illinois State Police is
3 vested by law with duties to maintain public order,
4 investigate violations of the criminal law of this State,
5 enforce the laws of this State, make arrests and recover
6 property. The term "special agent" includes any title or
7 position in the Illinois State Police that is held by an
8 individual employed under the Illinois State Police Act.

9 (5) The term "investigator for the Secretary of State"
10 means any person employed by the Office of the Secretary
11 of State and vested with such investigative duties as
12 render him ineligible for coverage under the Social
13 Security Act by reason of Sections 218(d)(5)(A),
14 218(d)(8)(D) and 218(1)(1) of that Act.

15 A person who became employed as an investigator for
16 the Secretary of State between January 1, 1967 and
17 December 31, 1975, and who has served as such until
18 attainment of age 60, either continuously or with a single
19 break in service of not more than 3 years duration, which
20 break terminated before January 1, 1976, shall be entitled
21 to have his retirement annuity calculated in accordance
22 with subsection (a), notwithstanding that he has less than
23 20 years of credit for such service.

24 (6) The term "Conservation Police Officer" means any
25 person employed by the Division of Law Enforcement of the
26 Department of Natural Resources and vested with such law

1 enforcement duties as render him ineligible for coverage
2 under the Social Security Act by reason of Sections
3 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The
4 term "Conservation Police Officer" includes the positions
5 of Chief Conservation Police Administrator and Assistant
6 Conservation Police Administrator.

7 (7) The term "investigator for the Department of
8 Revenue" means any person employed by the Department of
9 Revenue and vested with such investigative duties as
10 render him 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 The term "investigator for the Illinois Gaming Board"
14 means any person employed as such by the Illinois Gaming
15 Board and vested with such peace officer duties as render
16 the person ineligible for coverage under the Social
17 Security Act by reason of Sections 218(d)(5)(A),
18 218(d)(8)(D), and 218(1)(1) of that Act.

19 (8) The term "security employee of the Department of
20 Human Services" means any person employed by the
21 Department of Human Services who (i) is employed at the
22 Chester Mental Health Center and has daily contact with
23 the residents thereof, (ii) is employed within a security
24 unit at a facility operated by the Department and has
25 daily contact with the residents of the security unit,
26 (iii) is employed at a facility operated by the Department

1 that includes a security unit and is regularly scheduled
2 to work at least 50% of his or her working hours within
3 that security unit, or (iv) is a mental health police
4 officer. "Mental health police officer" means any person
5 employed by the Department of Human Services in a position
6 pertaining to the Department's mental health and
7 developmental disabilities functions who is vested with
8 such law enforcement duties as render the person
9 ineligible for coverage under the Social Security Act by
10 reason of Sections 218(d)(5)(A), 218(d)(8)(D) and
11 218(1)(1) of that Act. "Security unit" means that portion
12 of a facility that is devoted to the care, containment,
13 and treatment of persons committed to the Department of
14 Human Services as sexually violent persons, persons unfit
15 to stand trial, or persons not guilty by reason of
16 insanity. With respect to past employment, references to
17 the Department of Human Services include its predecessor,
18 the Department of Mental Health and Developmental
19 Disabilities.

20 The changes made to this subdivision (c)(8) by Public
21 Act 92-14 apply to persons who retire on or after January
22 1, 2001, notwithstanding Section 1-103.1.

23 (9) "Central Management Services security police
24 officer" means any person employed by the Department of
25 Central Management Services who is vested with such law
26 enforcement duties as render him ineligible for coverage

1 under the Social Security Act by reason of Sections
2 218(d) (5) (A), 218(d) (8) (D) and 218(1) (1) of that Act.

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

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

1 (12) The term "investigator for the Illinois State
2 Police" means a person employed by the Illinois State
3 Police who is vested under Section 4 of the Narcotic
4 Control Division Abolition Act with such law enforcement
5 powers as render him ineligible for coverage under the
6 Social Security Act by reason of Sections 218(d)(5)(A),
7 218(d)(8)(D) and 218(1)(1) of that Act.

8 (13) "Investigator for the Office of the Attorney
9 General" means any person who is employed as such by the
10 Office of the Attorney General and is vested with such
11 investigative 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. For
14 the period before January 1, 1989, the term includes all
15 persons who were employed as investigators by the Office
16 of the Attorney General, without regard to social security
17 status.

18 (14) "Controlled substance inspector" means any person
19 who is employed as such by the Department of Professional
20 Regulation and is vested with such law enforcement duties
21 as 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. The term
24 "controlled substance inspector" includes the Program
25 Executive of Enforcement and the Assistant Program
26 Executive of Enforcement.

1 (15) The term "investigator for the Office of the
2 State's Attorneys Appellate Prosecutor" means a person
3 employed in that capacity on a full-time basis under the
4 authority of Section 7.06 of the State's Attorneys
5 Appellate Prosecutor's Act.

6 (16) "Commerce Commission police officer" means any
7 person employed by the Illinois Commerce Commission who is
8 vested with such law enforcement duties as render him
9 ineligible for coverage under the Social Security Act by
10 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and
11 218(1)(1) of that Act.

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

1 eligible creditable service on the date of application.

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

4 (i) A person employed on a full-time basis by the
5 Illinois Department of Transportation in the position
6 of highway maintainer, highway maintenance lead
7 worker, highway maintenance lead/lead worker, heavy
8 construction equipment operator, power shovel
9 operator, or bridge mechanic; and whose principal
10 responsibility is to perform, on the roadway, the
11 actual maintenance necessary to keep the highways that
12 form a part of the State highway system in serviceable
13 condition for vehicular traffic.

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

1 (19) The term "security employee of the Department of
2 Innovation and Technology" means a person who was a
3 security employee of the Department of Corrections or the
4 Department of Juvenile Justice, was transferred to the
5 Department of Innovation and Technology pursuant to
6 Executive Order 2016-01, and continues to perform similar
7 job functions under that Department.

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

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

23 (i) 25 years of eligible creditable service and age
24 55; or

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

1 creditable service and age 55; or

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

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

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

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

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

23 (e) If a member enters military service while working in a
24 position in which eligible creditable service may be earned,
25 and returns to State service in the same or another such
26 position, and fulfills in all other respects the conditions

1 prescribed in this Article for credit for military service,
2 such military service shall be credited as eligible creditable
3 service for the purposes of the retirement annuity prescribed
4 in this Section.

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

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

1 service as a noncovered employee, and the amount of employee
2 contributions actually paid, plus (2) if payment is made after
3 January 1, 1990, regular interest on the amount specified in
4 item (1) from the date of service to the date of payment.

5 (g) A State policeman may elect, not later than January 1,
6 1990, to establish eligible creditable service for up to 10
7 years of his service as a policeman under Article 3, by filing
8 a written election with the Board, accompanied by payment of
9 an amount to be determined by the Board, equal to (i) the
10 difference between the amount of employee and employer
11 contributions transferred to the System under Section 3-110.5,
12 and the amounts that would have been contributed had such
13 contributions been made at the rates applicable to State
14 policemen, 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 Subject to the limitation in subsection (i), a State
18 policeman may elect, not later than July 1, 1993, to establish
19 eligible creditable service for up to 10 years of his service
20 as a member of the County Police Department under Article 9, by
21 filing a written election with the Board, accompanied by
22 payment of an amount to be determined by the Board, equal to
23 (i) the difference between the amount of employee and employer
24 contributions transferred to the System under Section 9-121.10
25 and the amounts that would have been contributed had those
26 contributions been made at the rates applicable to State

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

4 (h) Subject to the limitation in subsection (i), a State
5 policeman or investigator for the Secretary of State may elect
6 to establish eligible creditable service for up to 12 years of
7 his service as a policeman under Article 5, by filing a written
8 election with the Board on or before January 31, 1992, 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 5-236, and the amounts that would
13 have been contributed had such contributions been made at the
14 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 10 years of service as a sheriff's
21 law enforcement employee under Article 7, by filing a written
22 election with the Board on or before January 31, 1993, and
23 paying to the System by January 31, 1994 an amount to be
24 determined by the Board, equal to (i) the difference between
25 the amount of employee and employer contributions transferred
26 to the System under Section 7-139.7, and the amounts that

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

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

22 Subject to the limitation in subsection (i), an
23 investigator for the Office of the Attorney General, or an
24 investigator for the Department of Revenue, may elect to
25 establish eligible creditable service for up to 5 years of
26 service as a police officer under Article 3, a policeman under

1 Article 5, a sheriff's law enforcement employee under Article
2 7, or a member of the county police department under Article 9
3 by filing a written election with the Board within 6 months
4 after August 25, 2009 (the effective date of Public Act
5 96-745) and paying to the System an amount to be determined by
6 the Board, equal to (i) the difference between the amount of
7 employee and employer contributions transferred to the System
8 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the
9 amounts that would have been contributed had such
10 contributions been made at the rates applicable to State
11 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 Subject to the limitation in subsection (i), a State
15 policeman, conservation police officer, investigator for the
16 Office of the Attorney General, an investigator for the
17 Department of Revenue, or investigator for the Secretary of
18 State may elect to establish eligible creditable service for
19 up to 5 years of service as a person employed by a
20 participating municipality to perform police duties, or law
21 enforcement officer employed on a full-time basis by a forest
22 preserve district under Article 7, a county corrections
23 officer, or a court services officer under Article 9, by
24 filing a written election with the Board within 6 months after
25 August 25, 2009 (the effective date of Public Act 96-745) and
26 paying to the System an amount to be determined by the Board,

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

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

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

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

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

1 between the employer's normal cost of the credit prior to the
2 conversion authorized by Public Act 102-210 and the employer's
3 normal cost of the credit converted in accordance with 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), (l-5), (o), and (p) of this Section shall not exceed
10 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 (Source: P.A. 101-610, eff. 1-1-20; 102-210, eff. 7-30-21;
22 102-538, eff. 8-20-21; 102-956, eff. 5-27-22.)

23 (40 ILCS 5/14-152.1)

24 Sec. 14-152.1. Application and expiration of new benefit
25 increases.

1 (a) As used in this Section, "new benefit increase" means
2 an increase in the amount of any benefit provided under this
3 Article, or an expansion of the conditions of eligibility for
4 any benefit under this Article, that results from an amendment
5 to this Code that takes effect after June 1, 2005 (the
6 effective date of Public Act 94-4). "New benefit increase",
7 however, does not include any benefit increase resulting from
8 the changes made to Article 1 or this Article by Public Act
9 96-37, Public Act 100-23, Public Act 100-587, Public Act
10 100-611, Public Act 101-10, Public Act 101-610, Public Act
11 102-210, Public Act 102-856, Public Act 102-956, or this
12 amendatory Act of the 103rd General Assembly ~~this amendatory~~
13 ~~Act of the 102nd General Assembly.~~

14 (b) Notwithstanding any other provision of this Code or
15 any subsequent amendment to this Code, every new benefit
16 increase is subject to this Section and shall be deemed to be
17 granted only in conformance with and contingent upon
18 compliance with the provisions of this Section.

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

23 Every new benefit increase is contingent upon the General
24 Assembly providing the additional funding required under this
25 subsection. The Commission on Government Forecasting and
26 Accountability shall analyze whether adequate additional

1 funding has been provided for the new benefit increase and
2 shall report its analysis to the Public Pension Division of
3 the Department of Insurance. A new benefit increase created by
4 a Public Act that does not include the additional funding
5 required under this subsection is null and void. If the Public
6 Pension Division determines that the additional funding
7 provided for a new benefit increase under this subsection is
8 or has become inadequate, it may so certify to the Governor and
9 the State Comptroller and, in the absence of corrective action
10 by the General Assembly, the new benefit increase shall expire
11 at the end of the fiscal year in which the certification is
12 made.

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

19 (e) Except as otherwise provided in the language creating
20 the new benefit increase, a new benefit increase that expires
21 under this Section continues to apply to persons who applied
22 and qualified for the affected benefit while the new benefit
23 increase was in effect and to the affected beneficiaries and
24 alternate payees of such persons, but does not apply to any
25 other person, including, without limitation, a person who
26 continues in service after the expiration date and did not

1 apply and qualify for the affected benefit while the new
2 benefit increase was in effect.

3 (Source: P.A. 101-10, eff. 6-5-19; 101-81, eff. 7-12-19;
4 101-610, eff. 1-1-20; 102-210, eff. 7-30-21; 102-856, eff.
5 1-1-23; 102-956, eff. 5-27-22.)

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