



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3616

Introduced 2/9/2024, by Sen. Robert F. Martwick

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 beginning on the effective date of the amendatory Act through the end of the 60th month after the effective date of the amendatory Act, a State policeman who earns a retirement annuity equal to the limitation specified under the alternative retirement annuity provisions may elect to begin his or her retirement annuity effective on the month he or she first earned that retirement annuity at the amount so limited or the effective date of the amendatory Act, whichever is later. Provides that a State policeman who makes such an election must first pay to the System an amount equal to the increase in the present value of the future benefits resulting from the State policeman's election to retire in accordance with the provisions. Provides that a State policeman or conservation police officer may elect to convert service credit earned under the Article or, for certain types of service, elect to establish eligible creditable service under the alternative retirement annuity provisions by filing a written election with the board and paying to the System a specified amount. Provides that any benefit increase that results from the amendatory Act is excluded from the definition of "new benefit increase". Effective immediately.

LRB103 38437 RPS 68573 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 and 103-34)

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9 (a) Any member who has withdrawn from service with not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11 attained age 55, and any member who has withdrawn from service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) Notwithstanding the applicable age eligibility
23 requirements of subsection (a) of this Section, beginning on
24 the effective date of this amendatory Act of the 103rd General
25 Assembly through the end of the 60th month after the effective
26 date of this amendatory Act of the 103rd General Assembly, a

1 State policeman who earns a retirement annuity equal to the
2 limitation specified under subsection (a) of this Section, may
3 elect to begin his or her retirement annuity effective on the
4 month he or she first earned that retirement annuity at the
5 amount so limited or the effective date of this amendatory Act
6 of the 103rd General Assembly, whichever is later. A State
7 policeman who elects to retire under the provisions of this
8 subsection must first pay to the System an amount equal to the
9 increase in the present value of the future benefits resulting
10 from the State policeman's election to retire in accordance
11 with this subsection.

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

15 (1) State policeman;

16 (2) fire fighter in the fire protection service of a
17 department;

18 (3) air pilot;

19 (4) special agent;

20 (5) investigator for the Secretary of State;

21 (6) conservation police officer;

22 (7) investigator for the Department of Revenue or the
23 Illinois Gaming Board;

24 (8) security employee of the Department of Human
25 Services;

26 (9) Central Management Services security police

1 officer;

2 (10) security employee of the Department of
3 Corrections or the Department of Juvenile Justice;

4 (11) dangerous drugs investigator;

5 (12) investigator for the Illinois State Police;

6 (13) investigator for the Office of the Attorney
7 General;

8 (14) controlled substance inspector;

9 (15) investigator for the Office of the State's
10 Attorneys Appellate Prosecutor;

11 (16) Commerce Commission police officer;

12 (17) arson investigator;

13 (18) State highway maintenance worker;

14 (19) security employee of the Department of Innovation
15 and Technology; or

16 (20) transferred employee.

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

1 A person under paragraph (20) is entitled to eligible
2 creditable service for service credit earned under this
3 Article on and after his or her transfer by Executive Order No.
4 2003-10, Executive Order No. 2004-2, or Executive Order No.
5 2016-1.

6 (c) For the purposes of this Section:

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

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

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

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

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

11 (5) The term "investigator for the Secretary of State"
12 means any person employed by the Office of the Secretary
13 of State and vested with such investigative duties as
14 render him 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 A person who became employed as an investigator for
18 the Secretary of State between January 1, 1967 and
19 December 31, 1975, and who has served as such until
20 attainment of age 60, either continuously or with a single
21 break in service of not more than 3 years duration, which
22 break terminated before January 1, 1976, shall be entitled
23 to have his retirement annuity calculated in accordance
24 with subsection (a), notwithstanding that he has less than
25 20 years of credit for such service.

26 (6) The term "Conservation Police Officer" means any

1 person employed by the Division of Law Enforcement of the
2 Department of Natural Resources and vested with such law
3 enforcement duties as render him ineligible for coverage
4 under the Social Security Act by reason of Sections
5 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The
6 term "Conservation Police Officer" includes the positions
7 of Chief Conservation Police Administrator and Assistant
8 Conservation Police Administrator.

9 (7) The term "investigator for the Department of
10 Revenue" means any person employed by the Department of
11 Revenue 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 The term "investigator for the Illinois Gaming Board"
16 means any person employed as such by the Illinois Gaming
17 Board and vested with such peace officer duties as render
18 the person ineligible for coverage under the Social
19 Security Act by reason of Sections 218(d)(5)(A),
20 218(d)(8)(D), and 218(1)(1) of that Act.

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

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

22 The changes made to this subdivision (c)(8) by Public
23 Act 92-14 apply to persons who retire on or after January
24 1, 2001, notwithstanding Section 1-103.1.

25 (9) "Central Management Services security police
26 officer" means any person employed by the Department of

1 Central Management Services who is vested with such law
2 enforcement 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.

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

26 (11) The term "dangerous drugs investigator" means any

1 person who is employed as such by the Department of Human
2 Services.

3 (12) The term "investigator for the Illinois State
4 Police" means a person employed by the Illinois State
5 Police who is vested under Section 4 of the Narcotic
6 Control Division Abolition Act with such law enforcement
7 powers as render him ineligible for coverage under the
8 Social Security Act by reason of Sections 218(d)(5)(A),
9 218(d)(8)(D) and 218(1)(1) of that Act.

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

20 (14) "Controlled substance inspector" means any person
21 who is employed as such by the Department of Professional
22 Regulation and is vested with such law enforcement duties
23 as render him ineligible for coverage under the Social
24 Security Act by reason of Sections 218(d)(5)(A),
25 218(d)(8)(D) and 218(1)(1) of that Act. The term
26 "controlled substance inspector" includes the Program

1 Executive of Enforcement and the Assistant Program
2 Executive of Enforcement.

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

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

14 (17) "Arson investigator" means any person who is
15 employed as such by the Office of the State Fire Marshal
16 and is vested with such law enforcement duties as render
17 the person ineligible for coverage under the Social
18 Security Act by reason of Sections 218(d)(5)(A),
19 218(d)(8)(D), and 218(1)(1) of that Act. A person who was
20 employed as an arson investigator on January 1, 1995 and
21 is no longer in service but not yet receiving a retirement
22 annuity may convert his or her creditable service for
23 employment as an arson investigator into eligible
24 creditable service by paying to the System the difference
25 between the employee contributions actually paid for that
26 service and the amounts that would have been contributed

1 if the applicant were contributing at the rate applicable
2 to persons with the same social security status earning
3 eligible creditable service on the date of application.

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

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

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

1 tollways in serviceable condition for vehicular
2 traffic.

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

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

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

25 (i) 25 years of eligible creditable service and age
26 55; or

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

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

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

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

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

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

25 (e) If a member enters military service while working in a
26 position in which eligible creditable service may be earned,

1 and returns to State service in the same or another such
2 position, and fulfills in all other respects the conditions
3 prescribed in this Article for credit for military service,
4 such military service shall be credited as eligible creditable
5 service for the purposes of the retirement annuity prescribed
6 in this Section.

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

21 For purposes of calculating retirement annuities under
22 this Section, periods of service rendered after December 31,
23 1968 and before January 1, 1982 as a covered employee in the
24 position of investigator for the Department of Revenue shall
25 be deemed to have been service as a noncovered employee,
26 provided that the employee pays to the System prior to

1 retirement an amount equal to (1) the difference between the
2 employee contributions that would have been required for such
3 service as a noncovered employee, and the amount of employee
4 contributions actually paid, plus (2) if payment is made after
5 January 1, 1990, regular interest on the amount specified in
6 item (1) from the date of service to the date of payment.

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

19 Subject to the limitation in subsection (i), a State
20 policeman may elect, not later than July 1, 1993, to establish
21 eligible creditable service for up to 10 years of his service
22 as a member of the County Police Department under Article 9, by
23 filing a written election with the Board, accompanied by
24 payment of an amount to be determined by the Board, equal to
25 (i) the difference between the amount of employee and employer
26 contributions transferred to the System under Section 9-121.10

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

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

19 Subject to the limitation in subsection (i), a State
20 policeman, conservation police officer, or investigator for
21 the Secretary of State may elect to establish eligible
22 creditable service for up to 10 years of service as a sheriff's
23 law enforcement employee under Article 7, by filing a written
24 election with the Board on or before January 31, 1993, and
25 paying to the System by January 31, 1994 an amount to be
26 determined by the Board, equal to (i) the difference between

1 the amount of employee and employer contributions transferred
2 to the System under Section 7-139.7, and the amounts that
3 would have been contributed had such contributions been made
4 at the rates applicable to State policemen, plus (ii) interest
5 thereon at the effective rate for each year, compounded
6 annually, from the date of service to the date of payment.

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

24 Subject to the limitation in subsection (i), an
25 investigator for the Office of the Attorney General, or an
26 investigator for the Department of Revenue, may elect to

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

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

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

1 payment.

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

18 Notwithstanding the limitation in subsection (i), a State
19 policeman or conservation police officer may elect to convert
20 service credit earned under this Article to eligible
21 creditable service, as defined by this Section, by filing a
22 written election with the Board ~~board within 6 months after~~
23 ~~July 30, 2021 (the effective date of Public Act 102-210)~~ 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
26 contributions originally paid for that service and the amounts

1 that would have been contributed had such contributions been
2 made at the rates applicable to State policemen, plus (ii) the
3 difference between the employer's normal cost of the credit
4 prior to the conversion authorized by this amendatory Act of
5 the 103rd General Assembly ~~Public Act 102-210~~ and the
6 employer's normal cost of the credit converted in accordance
7 with this amendatory Act of the 103rd General Assembly ~~Public~~
8 ~~Act 102-210~~, plus (iii) interest thereon at the actuarially
9 assumed rate for each year, compounded annually, from the date
10 of service to the date of payment.

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

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

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

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

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

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

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

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

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

24 (n) A person employed in a position under subsection (b)
25 of this Section who has purchased service credit under
26 subsection (j) of Section 14-104 or subsection (b) of Section

1 14-105 in any other capacity under this Article may convert up
2 to 5 years of that service credit into service credit covered
3 under this Section by paying to the Fund an amount equal to (1)
4 the additional employee contribution required under Section
5 14-133, plus (2) the additional employer contribution required
6 under Section 14-131, plus (3) interest on items (1) and (2) at
7 the actuarially assumed rate from the date of the service to
8 the date of payment.

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

1 employee contributions been made as a noncovered employee
2 serving in a position in which eligible creditable service, as
3 defined in this Section, may be earned, plus (ii) interest
4 thereon at the effective rate for each year, compounded
5 annually, from the date of service to the date of payment.

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

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

9 Sec. 14-110. Alternative retirement annuity.

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

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

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

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

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

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

21 (a-5) Notwithstanding the applicable age eligibility
22 requirements of subsection (a) of this Section, beginning on
23 the effective date of this amendatory Act of the 103rd General
24 Assembly through the end of the 60th month after the effective
25 date of this amendatory Act of the 103rd General Assembly, a
26 State policeman who earns a retirement annuity equal to the

1 limitation specified under subsection (a) of this Section, may
2 elect to begin his or her retirement annuity effective on the
3 month he or she first earned that retirement annuity at the
4 amount so limited or the effective date of this amendatory Act
5 of the 103rd General Assembly, whichever is later. A State
6 policeman who elects to retire under the provisions of this
7 subsection must first pay to the System an amount equal to the
8 increase in the present value of the future benefits resulting
9 from the State policeman's election to retire in accordance
10 with this subsection.

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

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

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

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

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

1 creditable service for service credit earned under this
2 Article on and after his or her transfer by Executive Order No.
3 2003-10, Executive Order No. 2004-2, or Executive Order No.
4 2016-1.

5 (c) For the purposes of this Section:

6 (1) The term "State policeman" 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 (2) The term "fire fighter in the fire protection
10 service of a department" includes all officers in such
11 fire protection service including fire chiefs and
12 assistant fire chiefs.

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

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

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

10 (5) The term "investigator for the Secretary of State"
11 means any person employed by the Office of the Secretary
12 of State and vested with such investigative duties as
13 render him ineligible for coverage under the Social
14 Security Act by reason of Sections 218(d)(5)(A),
15 218(d)(8)(D) and 218(1)(1) of that Act.

16 A person who became employed as an investigator for
17 the Secretary of State between January 1, 1967 and
18 December 31, 1975, and who has served as such until
19 attainment of age 60, either continuously or with a single
20 break in service of not more than 3 years duration, which
21 break terminated before January 1, 1976, shall be entitled
22 to have his retirement annuity calculated in accordance
23 with subsection (a), notwithstanding that he has less than
24 20 years of credit for such service.

25 (6) The term "Conservation Police Officer" means any
26 person employed by the Division of Law Enforcement of the

1 Department of Natural Resources and vested with such law
2 enforcement 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. The
5 term "Conservation Police Officer" includes the positions
6 of Chief Conservation Police Administrator and Assistant
7 Conservation Police Administrator.

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

14 The term "investigator for the Illinois Gaming Board"
15 means any person employed as such by the Illinois Gaming
16 Board and vested with such peace officer duties as render
17 the person ineligible for coverage under the Social
18 Security Act by reason of Sections 218(d)(5)(A),
19 218(d)(8)(D), and 218(1)(1) of that Act.

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

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

21 The changes made to this subdivision (c)(8) by Public
22 Act 92-14 apply to persons who retire on or after January
23 1, 2001, notwithstanding Section 1-103.1.

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

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

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

1 Services.

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

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

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

1 Executive of Enforcement.

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

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

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

1 to persons with the same social security status earning
2 eligible creditable service on the date of application.

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

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

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

1 traffic.

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

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

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

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

26 (ii) beginning January 1, 1987, 25 years of eligible

1 creditable service and age 54, or 24 years of eligible
2 creditable service and age 55; or

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

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

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

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

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

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

1 position, and fulfills in all other respects the conditions
2 prescribed in this Article for credit for military service,
3 such military service shall be credited as eligible creditable
4 service for the purposes of the retirement annuity prescribed
5 in this Section.

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

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

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

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

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

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

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

18 Subject to the limitation in subsection (i), a State
19 policeman, conservation police officer, or investigator for
20 the Secretary of State may elect to establish eligible
21 creditable service for up to 10 years of service as a sheriff's
22 law enforcement employee under Article 7, by filing a written
23 election with the Board on or before January 31, 1993, and
24 paying to the System by January 31, 1994 an amount to be
25 determined by the Board, equal to (i) the difference between
26 the amount of employee and employer contributions transferred

1 to the System under Section 7-139.7, and the amounts that
2 would have been contributed had such contributions been made
3 at the rates applicable to State policemen, plus (ii) interest
4 thereon at the effective rate for each year, compounded
5 annually, from the date of service to the date of payment.

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

23 Subject to the limitation in subsection (i), an
24 investigator for the Office of the Attorney General, or an
25 investigator for the Department of Revenue, may elect to
26 establish eligible creditable service for up to 5 years of

1 service as a police officer under Article 3, a policeman under
2 Article 5, a sheriff's law enforcement employee under Article
3 7, or a member of the county police department under Article 9
4 by filing a written election with the Board within 6 months
5 after August 25, 2009 (the effective date of Public Act
6 96-745) and paying to the System an amount to be determined by
7 the Board, equal to (i) the difference between the amount of
8 employee and employer contributions transferred to the System
9 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the
10 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 actuarially
13 assumed rate for each year, compounded annually, from the date
14 of service to the date of payment.

15 Subject to the limitation in subsection (i), a State
16 policeman, conservation police officer, investigator for the
17 Office of the Attorney General, an investigator for the
18 Department of Revenue, or investigator for the Secretary of
19 State may elect to establish eligible creditable service for
20 up to 5 years of service as a person employed by a
21 participating municipality to perform police duties, or law
22 enforcement officer employed on a full-time basis by a forest
23 preserve district under Article 7, a county corrections
24 officer, or a court services officer under Article 9, by
25 filing a written election with the Board within 6 months after
26 August 25, 2009 (the effective date of Public Act 96-745) and

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

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

1 Subject to the limitation in subsection (i), a
2 conservation police officer may elect to establish eligible
3 creditable service for up to 5 years of service as a person
4 employed by a participating municipality to perform police
5 duties under Article 7, a county corrections officer, or a
6 court services officer under Article 9 by filing a written
7 election with the Board within 6 months after July 30, 2021
8 (the effective date of Public Act 102-210) and paying to the
9 System 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 Sections 7-139.8
12 and 9-121.10 and the amounts that would have been contributed
13 had such contributions been made at the rates applicable to
14 State policemen, plus (ii) 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 Subject to 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 establish eligible
21 creditable service for up to 5 years of service as a person
22 employed by a participating municipality to perform police
23 duties under Article 7, a county corrections officer, a court
24 services officer under Article 9, or a firefighter under
25 Article 4 by filing a written election with the Board within 6
26 months after the effective date of this amendatory Act of the

1 102nd General Assembly and paying to the System an amount to be
2 determined by the Board equal to (i) the difference between
3 the amount of employee and employer contributions transferred
4 to the System under Sections 4-108.8, 7-139.8, and 9-121.10
5 and the amounts that would have been contributed had such
6 contributions been made at the rates applicable to State
7 policemen, plus (ii) interest thereon at the actuarially
8 assumed rate for each year, compounded annually, from the date
9 of service to the date of payment.

10 Notwithstanding the limitation in subsection (i), a State
11 policeman or conservation police officer may elect to convert
12 service credit earned under this Article to eligible
13 creditable service, as defined by this Section, by filing a
14 written election with the Board ~~board within 6 months after~~
15 ~~July 30, 2021 (the effective date of Public Act 102-210)~~ and
16 paying to the System an amount to be determined by the Board
17 equal to (i) the difference between the amount of employee
18 contributions originally paid for that service and the amounts
19 that would have been contributed had such contributions been
20 made at the rates applicable to State policemen, plus (ii) the
21 difference between the employer's normal cost of the credit
22 prior to the conversion authorized by this amendatory Act of
23 the 103rd General Assembly ~~Public Act 102-210~~ and the
24 employer's normal cost of the credit converted in accordance
25 with this amendatory Act of the 103rd General Assembly ~~Public~~
26 ~~Act 102-210~~, plus (iii) interest thereon at the actuarially

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

3 Notwithstanding the limitation in subsection (i), an
4 investigator for the Department of Revenue, investigator for
5 the Illinois Gaming Board, investigator for the Secretary of
6 State, or arson investigator may elect to convert service
7 credit earned under this Article to eligible creditable
8 service, as defined by this Section, by filing a written
9 election with the Board within 6 months after the effective
10 date of this amendatory Act of the 102nd General Assembly and
11 paying to the System an amount to be determined by the Board
12 equal to (i) the difference between the amount of employee
13 contributions originally paid for that service and the amounts
14 that would have been contributed had such contributions been
15 made at the rates applicable to investigators for the
16 Department of Revenue, investigators for the Illinois Gaming
17 Board, investigators for the Secretary of State, or arson
18 investigators, plus (ii) the difference between the employer's
19 normal cost of the credit prior to the conversion authorized
20 by this amendatory Act of the 102nd General Assembly and the
21 employer's normal cost of the credit converted in accordance
22 with this amendatory Act of the 102nd General Assembly, plus
23 (iii) interest thereon at the actuarially assumed rate for
24 each year, compounded annually, from the date of service to
25 the date of payment.

26 (i) The total amount of eligible creditable service

1 established by any person under subsections (g), (h), (j),
2 (k), (l), (l-5), and (o) of this Section shall not exceed 12
3 years.

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

19 (k) Subject to the limitation in subsection (i) of this
20 Section, an alternative formula employee may elect to
21 establish eligible creditable service for periods spent as a
22 full-time law enforcement officer or full-time corrections
23 officer employed by the federal government or by a state or
24 local government located outside of Illinois, for which credit
25 is not held in any other public employee pension fund or
26 retirement system. To obtain this credit, the applicant must

1 file a written application with the Board by March 31, 1998,
2 accompanied by evidence of eligibility acceptable to the Board
3 and payment of an amount to be determined by the Board, equal
4 to (1) employee contributions for the credit being
5 established, based upon the applicant's salary on the first
6 day as an alternative formula employee after the employment
7 for which credit is being established and the rates then
8 applicable to alternative formula employees, plus (2) an
9 amount determined by the Board to be the employer's normal
10 cost of the benefits accrued for the credit being established,
11 plus (3) regular interest on the amounts in items (1) and (2)
12 from the first day as an alternative formula employee after
13 the employment for which credit is being established to the
14 date of payment.

15 (1) Subject to the limitation in subsection (i), a
16 security employee of the Department of Corrections may elect,
17 not later than July 1, 1998, to establish eligible creditable
18 service for up to 10 years of his or her service as a policeman
19 under Article 3, by filing a written election with the Board,
20 accompanied by payment of an amount to be determined by the
21 Board, equal to (i) the difference between the amount of
22 employee and employer contributions transferred to the System
23 under Section 3-110.5, and the amounts that would have been
24 contributed had such contributions been made at the rates
25 applicable to security employees of the Department of
26 Corrections, plus (ii) interest thereon at the effective rate

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

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

25 (m) The amendatory changes to this Section made by Public
26 Act 94-696 apply only to: (1) security employees of the

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

13 (n) A person employed in a position under subsection (b)
14 of this Section who has purchased service credit under
15 subsection (j) of Section 14-104 or subsection (b) of Section
16 14-105 in any other capacity under this Article may convert up
17 to 5 years of that service credit into service credit covered
18 under this Section by paying to the Fund an amount equal to (1)
19 the additional employee contribution required under Section
20 14-133, plus (2) the additional employer contribution required
21 under Section 14-131, plus (3) interest on items (1) and (2) at
22 the actuarially assumed rate from the date of the service to
23 the date of payment.

24 (o) Subject to the limitation in subsection (i), a
25 conservation police officer, investigator for the Secretary of
26 State, Commerce Commission police officer, investigator for

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

21 (Source: P.A. 102-210, eff. 7-30-21; 102-538, eff. 8-20-21;
22 102-856, eff. 1-1-23; 103-34, eff. 1-1-24.)

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

24 Sec. 14-110. Alternative retirement annuity.

25 (a) Any member who has withdrawn from service with not

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

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

18 (ii) for periods of eligible creditable service as a
19 covered employee: if retirement occurs on or after January
20 1, 2001, 2.5% of final average compensation for each year
21 of creditable service; if retirement occurs before January
22 1, 2001, 1.67% of final average compensation for each of
23 the first 10 years of such service, 1.90% for each of the
24 next 10 years of such service, 2.10% for each year of such
25 service in excess of 20 but not exceeding 30, and 2.30% for
26 each year in excess of 30.

1 Such annuity shall be subject to a maximum of 75% of final
2 average compensation if retirement occurs before January 1,
3 2001 or to a maximum of 80% of final average compensation if
4 retirement occurs on or after January 1, 2001.

5 These rates shall not be applicable to any service
6 performed by a member as a covered employee which is not
7 eligible creditable service. Service as a covered employee
8 which is not eligible creditable service shall be subject to
9 the rates and provisions of Section 14-108.

10 (a-5) Notwithstanding the applicable age eligibility
11 requirements of subsection (a) of this Section, beginning on
12 the effective date of this amendatory Act of the 103rd General
13 Assembly through the end of the 60th month after the effective
14 date of this amendatory Act of the 103rd General Assembly, a
15 State policeman who earns a retirement annuity equal to the
16 limitation specified under subsection (a) of this Section, may
17 elect to begin his or her retirement annuity effective on the
18 month he or she first earned that retirement annuity at the
19 amount so limited or the effective date of this amendatory Act
20 of the 103rd General Assembly, whichever is later. A State
21 policeman who elects to retire under the provisions of this
22 subsection must first pay to the System an amount equal to the
23 increase in the present value of the future benefits resulting
24 from the State policeman's election to retire in accordance
25 with this subsection.

26 (b) For the purpose of this Section, "eligible creditable

1 service" means creditable service resulting from service in
2 one or more of the following positions:

3 (1) State policeman;

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

6 (3) air pilot;

7 (4) special agent;

8 (5) investigator for the Secretary of State;

9 (6) conservation police officer;

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

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

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

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

18 (11) dangerous drugs investigator;

19 (12) investigator for the Illinois State Police;

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

22 (14) controlled substance inspector;

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

25 (16) Commerce Commission police officer;

26 (17) arson investigator;

1 (18) State highway maintenance worker;

2 (19) security employee of the Department of Innovation
3 and Technology; or

4 (20) transferred employee.

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

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

20 (c) For the purposes of this Section:

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

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

1 assistant fire chiefs.

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

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

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

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

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

23 (7) The term "investigator for the Department of
24 Revenue" means any person employed by the Department of
25 Revenue and vested with such investigative duties as
26 render him ineligible for coverage under the Social

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

3 The term "investigator for the Illinois Gaming Board"
4 means any person employed as such by the Illinois Gaming
5 Board and vested with such peace officer 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.

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

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

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

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

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

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

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

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

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

1 investigative 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. For
4 the period before January 1, 1989, the term includes all
5 persons who were employed as investigators by the Office
6 of the Attorney General, without regard to social security
7 status.

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

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

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

1 218(1)(1) of that Act.

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

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

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

1 actual maintenance necessary to keep the highways that
2 form a part of the State highway system in serviceable
3 condition for vehicular traffic.

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

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

24 (20) "Transferred employee" means an employee who was
25 transferred to the Department of Central Management
26 Services by Executive Order No. 2003-10 or Executive Order

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

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

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

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

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

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

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

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

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

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

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

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

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

21 (g) A State policeman may elect, not later than January 1,
22 1990, to establish eligible creditable service for up to 10
23 years of his service as a policeman under Article 3, by filing
24 a written election with the Board, accompanied by payment of
25 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 Section 3-110.5,
2 and the amounts that would have been contributed had such
3 contributions been made at the rates applicable to State
4 policemen, plus (ii) interest thereon at the effective rate
5 for each year, compounded annually, from the date of service
6 to the date of payment.

7 Subject to the limitation in subsection (i), a State
8 policeman may elect, not later than July 1, 1993, to establish
9 eligible creditable service for up to 10 years of his service
10 as a member of the County Police Department under Article 9, by
11 filing a written election with the Board, accompanied by
12 payment of an amount to be determined by the Board, equal to
13 (i) the difference between the amount of employee and employer
14 contributions transferred to the System under Section 9-121.10
15 and the amounts that would have been contributed had those
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 (h) Subject to the limitation in subsection (i), a State
21 policeman or investigator for the Secretary of State may elect
22 to establish eligible creditable service for up to 12 years of
23 his service as a policeman under Article 5, by filing a written
24 election with the Board on or before January 31, 1992, and
25 paying to the System by January 31, 1994 an amount to be
26 determined by the Board, equal to (i) the difference between

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

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

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

1 of the county police department under Article 9, or a police
2 officer under Article 15 by filing a written election with the
3 Board 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, 9-121.10, or 15-134.4
7 and the amounts that would have been contributed had such
8 contributions been made at the rates applicable to State
9 policemen, plus (ii) interest thereon at the effective rate
10 for each year, compounded annually, from the date of service
11 to the date of payment.

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

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

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

24 Subject to the limitation in subsection (i), a State
25 policeman, arson investigator, or Commerce Commission police
26 officer may elect to establish eligible creditable service for

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

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

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

6 Notwithstanding the limitation in subsection (i), a State
7 policeman or conservation police officer may elect to convert
8 service credit earned under this Article to eligible
9 creditable service, as defined by this Section, by filing a
10 written election with the Board ~~board within 6 months after~~
11 ~~July 30, 2021 (the effective date of Public Act 102-210)~~ and
12 paying to the System an amount to be determined by the Board
13 equal to (i) the difference between the amount of employee
14 contributions originally paid for that service and the amounts
15 that would have been contributed had such contributions been
16 made at the rates applicable to State policemen, plus (ii) the
17 difference between the employer's normal cost of the credit
18 prior to the conversion authorized by this amendatory Act of
19 the 103rd General Assembly ~~Public Act 102-210~~ and the
20 employer's normal cost of the credit converted in accordance
21 with this amendatory Act of the 103rd General Assembly ~~Public~~
22 ~~Act 102-210~~, plus (iii) interest thereon at the actuarially
23 assumed rate for each year, compounded annually, from the date
24 of service to the date of payment.

25 (i) The total amount of eligible creditable service
26 established by any person under subsections (g), (h), (j),

1 (k), (l), (l-5), (o), and (p) of this Section shall not exceed
2 12 years.

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

18 (k) Subject to the limitation in subsection (i) of this
19 Section, an alternative formula employee may elect to
20 establish eligible creditable service for periods spent as a
21 full-time law enforcement officer or full-time corrections
22 officer employed by the federal government or by a state or
23 local government located outside of Illinois, for which credit
24 is not held in any other public employee pension fund or
25 retirement system. To obtain this credit, the applicant must
26 file a written application with the Board by March 31, 1998,

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

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

24 (m) The amendatory changes to this Section made by Public
25 Act 94-696 apply only to: (1) security employees of the
26 Department of Juvenile Justice employed by the Department of

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

12 (n) A person employed in a position under subsection (b)
13 of this Section who has purchased service credit under
14 subsection (j) of Section 14-104 or subsection (b) of Section
15 14-105 in any other capacity under this Article may convert up
16 to 5 years of that service credit into service credit covered
17 under this Section by paying to the Fund an amount equal to (1)
18 the additional employee contribution required under Section
19 14-133, plus (2) the additional employer contribution required
20 under Section 14-131, plus (3) interest on items (1) and (2) at
21 the actuarially assumed rate from the date of the service to
22 the date of payment.

23 (o) Subject to the limitation in subsection (i), a
24 conservation police officer, investigator for the Secretary of
25 State, Commerce Commission police officer, investigator for
26 the Department of Revenue or the Illinois Gaming Board, or

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

20 (p) Subject to the limitation in subsection (i), an
21 investigator for the Office of the Attorney General subject to
22 subsection (g) of Section 1-160 may elect to convert up to 8
23 years of service credit established before the effective date
24 of this amendatory Act of the 102nd General Assembly as an
25 investigator for the Office of the Attorney General under this
26 Article into eligible creditable service by filing a written

1 election with the Board no later than one year after the
2 effective date of this amendatory Act of the 102nd General
3 Assembly, accompanied by payment of an amount to be determined
4 by the Board equal to (i) the difference between the amount of
5 the employee contributions actually paid for that service and
6 the amount of the employee contributions that would have been
7 paid had the employee contributions been made as a noncovered
8 employee serving in a position in which eligible creditable
9 service, as defined in this Section, may be earned, plus (ii)
10 interest thereon at the effective rate for each year,
11 compounded annually, from the date of service to the date of
12 payment.

13 (Source: P.A. 102-210, eff. 7-30-21; 102-538, eff. 8-20-21;
14 102-956, eff. 5-27-22; 103-34, eff. 1-1-24.)

15 (40 ILCS 5/14-152.1)

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

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

1 96-37, Public Act 100-23, Public Act 100-587, Public Act
2 100-611, Public Act 101-10, Public Act 101-610, Public Act
3 102-210, Public Act 102-856, Public Act 102-956, or this
4 amendatory Act of the 103rd General Assembly ~~this amendatory~~
5 ~~Act of the 102nd General Assembly.~~

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

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

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

1 the State Comptroller and, in the absence of corrective action
2 by the General Assembly, the new benefit increase shall expire
3 at the end of the fiscal year in which the certification is
4 made.

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

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

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

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.