

1 AN ACT in relation to 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 Section 18-112 as follows:

6 (40 ILCS 5/18-112) (from Ch. 108 1/2, par. 18-112)

7 Sec. 18-112. Service. "Service": The period beginning  
8 on the day a person first became a judge, whether prior or  
9 subsequent to the effective date, and ending on the date  
10 under consideration, excluding all intervening periods during  
11 which he or she was not a judge following resignation or  
12 expiration of any term of election or appointment.

13 Service also includes the following:

14 (a) Any period prior to January 1, 1964 during  
15 which a judge served as a justice of the peace, police  
16 magistrate or master in chancery, or as a civil referee,  
17 commissioner or trial assistant to the chief judge in the  
18 Municipal Court of Chicago, or performed judicial duties  
19 as an assistant to the judge of the Probate Court of Cook  
20 County. A judge shall be entitled to credit for all or  
21 as much as the judge may desire of such service, not  
22 exceeding 8 years, upon payment of the participant's  
23 contribution covering such service at the contribution  
24 rates in effect on July 1, 1969, together with interest  
25 at 4% per annum compounded annually, from the dates the  
26 service was rendered to the date of payment, provided  
27 credit for such service had not been granted in any  
28 public pension fund or retirement system in the State.  
29 The required contributions shall be based upon the rate  
30 of salary in effect for the judge on the date he or she  
31 entered the system or on January 1, 1964, whichever is

1 later.

2 (b) Service rendered after January 1, 1964, as a  
3 holdover magistrate or master in chancery of the Circuit  
4 Court. A judge shall be entitled to credit for any  
5 period of such service, not exceeding a total of 8 years,  
6 together with the period of service taken into account in  
7 paragraph (a). Service credit under this paragraph is  
8 subject to the same contribution requirements and other  
9 limitations that are prescribed for service credit under  
10 paragraph (a).

11 (c) Any period that a participant served as a  
12 member of the General Assembly, subject to the following  
13 conditions:

14 (1) He or she has been a participant in this  
15 system for at least 4 years and has contributed to  
16 the system for service rendered as a member of the  
17 General Assembly subsequent to November 1, 1941, at  
18 the contribution rates in effect for a judge on the  
19 date of becoming a participant, including interest  
20 at 3% per annum compounded annually from the date  
21 such service was rendered to the date of payment,  
22 based on the salary in effect during such period of  
23 service; and

24 (2) The participant is not entitled to credit  
25 for such service in any other public retirement  
26 system in the State.

27 (d) Any period a participant served as a judge or  
28 commissioner of the Court of Claims of this State after  
29 November 1, 1941, provided he or she contributes to the  
30 system at the contribution rates in effect on the date of  
31 becoming a participant, based on salary received during  
32 such service, including interest at 3% per annum  
33 compounded annually from the date such service was  
34 rendered to the date of payment.

1           (e) Any period that a participant served as State's  
2 Attorney or Public Defender of any county of this State,  
3 subject to the following conditions: (1) such service was  
4 not credited under any public pension fund or retirement  
5 system; (2) the maximum service to be credited in this  
6 system shall be 8 years; (3) the participant must have at  
7 least 6 years of service as a judge and as a participant  
8 of this system; and (4) the participant has made  
9 contributions to the system for such service at the  
10 contribution rates in effect on the date of becoming a  
11 participant in this system based upon the salary of the  
12 judge on such date, including interest at 4% per annum  
13 compounded annually from such date to the date of  
14 payment.

15           A judge who terminated service before January 26,  
16 1988 and whose retirement annuity began after January 1,  
17 1988 may establish credit for service as a Public  
18 Defender in accordance with the other provisions of this  
19 subsection by making application and paying the required  
20 contributions to the Board not later than 30 days after  
21 August 23, 1989. In such cases, the Board shall  
22 recalculate the retirement annuity, effective on the  
23 first day of the next calendar month beginning at least  
24 30 days after the application is received.

25           (e-1) Any period that a participant served as  
26 Special Assistant State's Attorney of any county of this  
27 State, subject to the following conditions: (1) such  
28 service was not credited under any public pension fund or  
29 retirement system; (2) the amount of service established  
30 under this subdivision (e-1) shall not exceed 3 years;  
31 (3) the participant must have at least 6 years of service  
32 as a judge and as a participant of this System; and (4)  
33 the participant must make contributions to the System for  
34 the service to be established, based upon the

1 contribution rates in effect on the date of becoming a  
2 participant in this System and the salary of the judge on  
3 that date, including interest at 4% per annum, compounded  
4 annually, from that date to the date of payment.

5 (f) Any period as a participating policeman,  
6 employee or teacher under Article 5, 14 or 16 of this  
7 Code, subject to the following conditions: (1) the  
8 credits accrued under Article 5, 14 or 16 have been  
9 transferred to this system; and (2) the participant has  
10 contributed to the system an amount equal to (A)  
11 contributions at the rate in effect for participants at  
12 the date of membership in this system based upon the  
13 salary of the judge on such date, (B) the employer's  
14 share of the normal cost under this system for each year  
15 that credit is being established, based on the salary in  
16 effect at the date of membership in this system, and (C)  
17 interest at 6% per annum, compounded annually, from the  
18 date of membership to the date of payment; less (D) the  
19 amount transferred on behalf of the participant from  
20 Article 5, 14 or 16.

21 (g) Any period that a participant served as the  
22 Administrative Director of the Circuit Court of Cook  
23 County, as Executive Director of the Home Rule  
24 Commission, as assistant corporation counsel in the  
25 Chicago Law Department, or as an employee of the Cook  
26 County Treasurer, subject to the following conditions:  
27 (1) the maximum amount of such service which may be  
28 credited is 10 years; (2) in order to qualify for such  
29 credit in this system, a judge must have at least 6 years  
30 of service as a judge and participant of this system; (3)  
31 the last 6 years of service credited in this system shall  
32 be as a judge and a participant in this system; (4)  
33 credits accrued to the participant under any other public  
34 pension fund or public retirement system in the State, if

1 any, by reason of the service to be established under  
2 this paragraph (g) has been transferred to this system;  
3 and (5) the participant has contributed to this system  
4 the amount, if any, by which the amount transferred  
5 pursuant to subdivision (4) of this paragraph, if any, is  
6 less than the amount which the participant would have  
7 contributed to the system during the period of time being  
8 counted as service under this paragraph had the  
9 participant been a judge participating in this system  
10 during that time, based on the rate of contribution in  
11 effect and the salary earned by the participant on the  
12 date he or she became a participant, with interest  
13 accruing on such deficiency at a rate of 5% per annum  
14 from the date he or she became a participant through the  
15 date on which such deficiency is paid.

16 (h) Any period that a participant served as a  
17 full-time attorney employed by the Chicago Transit  
18 Authority created by the Metropolitan Transit Authority  
19 Act, subject to the following conditions: (1) any credit  
20 received for such service in the pension fund established  
21 under Section 22-101 has been terminated; (2) the maximum  
22 amount of such service to be credited in this system  
23 shall be 10 years; (3) the participant must have at least  
24 6 years of service as a judge and as a participant of  
25 this system; and (4) the participant has made  
26 contributions to the system for such service at the  
27 contribution rates in effect on the date of becoming a  
28 participant in this system based upon the salary of the  
29 judge on such date, including interest at 5% per annum  
30 compounded annually from such date to the date of  
31 payment.

32 (i) Any period during which a participant received  
33 temporary total disability benefit payments, as provided  
34 in Section 18-126.1.

1           Service during a fraction of a month shall be considered  
2 a month of service, but no more than one month of service  
3 shall be credited for all service during any calendar month.

4 (Source: P.A. 86-272; 86-273; 86-1028; 87-1265.)

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