



Rep. Karen May

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1 AMENDMENT TO HOUSE BILL 3815

2 AMENDMENT NO. _____. Amend House Bill 3815 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by
5 changing Sections 3-110, 4-108, 5-214, 6-209, 8-226, 11-215,
6 15-107, 16-106, and 17-134 as follows:

7 (40 ILCS 5/3-110) (from Ch. 108 1/2, par. 3-110)

8 Sec. 3-110. Creditable service.

9 (a) "Creditable service" is the time served by a police
10 officer as a member of a regularly constituted police force of
11 a municipality. In computing creditable service furloughs
12 without pay exceeding 30 days shall not be counted, but all
13 leaves of absence for illness or accident, regardless of
14 length, and all periods of disability retirement for which a
15 police officer has received no disability pension payments
16 under this Article shall be counted.

1 (a-5) Up to 3 years of time during which the police officer
2 receives a disability pension under Section 3-114.1, 3-114.2,
3 3-114.3, or 3-114.6 shall be counted as creditable service,
4 provided that (i) the police officer returns to active service
5 after the disability for a period at least equal to the period
6 for which credit is to be established and (ii) the police
7 officer makes contributions to the fund based on the rates
8 specified in Section 3-125.1 and the salary upon which the
9 disability pension is based. These contributions may be paid at
10 any time prior to the commencement of a retirement pension. The
11 police officer may, but need not, elect to have the
12 contributions deducted from the disability pension or to pay
13 them in installments on a schedule approved by the board. If
14 not deducted from the disability pension, the contributions
15 shall include interest at the rate of 6% per year, compounded
16 annually, from the date for which service credit is being
17 established to the date of payment. If contributions are paid
18 under this subsection (a-5) in excess of those needed to
19 establish the credit, the excess shall be refunded. This
20 subsection (a-5) applies to persons receiving a disability
21 pension under Section 3-114.1, 3-114.2, 3-114.3, or 3-114.6 on
22 the effective date of this amendatory Act of the 91st General
23 Assembly, as well as persons who begin to receive such a
24 disability pension after that date.

25 (b) Creditable service includes all periods of service in
26 the military, naval or air forces of the United States entered

1 upon while an active police officer of a municipality, provided
2 that upon applying for a permanent pension, and in accordance
3 with the rules of the board, the police officer pays into the
4 fund the amount the officer would have contributed if he or she
5 had been a regular contributor during such period, to the
6 extent that the municipality which the police officer served
7 has not made such contributions in the officer's behalf. The
8 total amount of such creditable service shall not exceed 5
9 years, except that any police officer who on July 1, 1973 had
10 more than 5 years of such creditable service shall receive the
11 total amount thereof.

12 (b-5) Creditable service includes all periods of service in
13 the military, naval, or air forces of the United States entered
14 upon before beginning service as an active police officer of a
15 municipality, provided that, in accordance with the rules of
16 the board, the police officer pays into the fund the amount the
17 police officer would have contributed if he or she had been a
18 regular contributor during such period, plus an amount
19 determined by the Board to be equal to the municipality's
20 normal cost of the benefit, plus interest at the actuarially
21 assumed rate calculated from the date the employee last became
22 a police officer under this Article. The total amount of such
23 creditable service shall not exceed 2 years.

24 (c) Creditable service also includes service rendered by a
25 police officer while on leave of absence from a police
26 department to serve as an executive of an organization whose

1 membership consists of members of a police department, subject
2 to the following conditions: (i) the police officer is a
3 participant of a fund established under this Article with at
4 least 10 years of service as a police officer; (ii) the police
5 officer received no credit for such service under any other
6 retirement system, pension fund, or annuity and benefit fund
7 included in this Code; (iii) pursuant to the rules of the board
8 the police officer pays to the fund the amount he or she would
9 have contributed had the officer been an active member of the
10 police department; ~~and~~ (iv) the organization pays a
11 contribution equal to the municipality's normal cost for that
12 period of service; and (v) the police officer first became an
13 active member of a pension fund established under this Article
14 before the effective date of this amendatory Act of the 97th
15 General Assembly.

16 (d) (1) Creditable service also includes periods of
17 service originally established in another police pension
18 fund under this Article or in the Fund established under
19 Article 7 of this Code for which (i) the contributions have
20 been transferred under Section 3-110.7 or Section 7-139.9
21 and (ii) any additional contribution required under
22 paragraph (2) of this subsection has been paid in full in
23 accordance with the requirements of this subsection (d).

24 (2) If the board of the pension fund to which
25 creditable service and related contributions are
26 transferred under Section 7-139.9 determines that the

1 amount transferred is less than the true cost to the
2 pension fund of allowing that creditable service to be
3 established, then in order to establish that creditable
4 service the police officer must pay to the pension fund,
5 within the payment period specified in paragraph (3) of
6 this subsection, an additional contribution equal to the
7 difference, as determined by the board in accordance with
8 the rules and procedures adopted under paragraph (6) of
9 this subsection. If the board of the pension fund to which
10 creditable service and related contributions are
11 transferred under Section 3-110.7 determines that the
12 amount transferred is less than the true cost to the
13 pension fund of allowing that creditable service to be
14 established, then the police officer may elect (A) to
15 establish that creditable service by paying to the pension
16 fund, within the payment period specified in paragraph (3)
17 of this subsection (d), an additional contribution equal to
18 the difference, as determined by the board in accordance
19 with the rules and procedures adopted under paragraph (6)
20 of this subsection (d) or (B) to have his or her creditable
21 service reduced by an amount equal to the difference
22 between the amount transferred under Section 3-110.7 and
23 the true cost to the pension fund of allowing that
24 creditable service to be established, as determined by the
25 board in accordance with the rules and procedures adopted
26 under paragraph (6) of this subsection (d).

1 (3) Except as provided in paragraph (4), the additional
2 contribution that is required or elected under paragraph
3 (2) of this subsection (d) must be paid to the board (i)
4 within 5 years from the date of the transfer of
5 contributions under Section 3-110.7 or 7-139.9 and (ii)
6 before the police officer terminates service with the fund.
7 The additional contribution may be paid in a lump sum or in
8 accordance with a schedule of installment payments
9 authorized by the board.

10 (4) If the police officer dies in service before
11 payment in full has been made and before the expiration of
12 the 5-year payment period, the surviving spouse of the
13 officer may elect to pay the unpaid amount on the officer's
14 behalf within 6 months after the date of death, in which
15 case the creditable service shall be granted as though the
16 deceased police officer had paid the remaining balance on
17 the day before the date of death.

18 (5) If the additional contribution that is required or
19 elected under paragraph (2) of this subsection (d) is not
20 paid in full within the required time, the creditable
21 service shall not be granted and the police officer (or the
22 officer's surviving spouse or estate) shall be entitled to
23 receive a refund of (i) any partial payment of the
24 additional contribution that has been made by the police
25 officer and (ii) those portions of the amounts transferred
26 under subdivision (a)(1) of Section 3-110.7 or

1 subdivisions (a) (1) and (a) (3) of Section 7-139.9 that
2 represent employee contributions paid by the police
3 officer (but not the accumulated interest on those
4 contributions) and interest paid by the police officer to
5 the prior pension fund in order to reinstate service
6 terminated by acceptance of a refund.

7 At the time of paying a refund under this item (5), the
8 pension fund shall also repay to the pension fund from
9 which the contributions were transferred under Section
10 3-110.7 or 7-139.9 the amount originally transferred under
11 subdivision (a) (2) of that Section, plus interest at the
12 rate of 6% per year, compounded annually, from the date of
13 the original transfer to the date of repayment. Amounts
14 repaid to the Article 7 fund under this provision shall be
15 credited to the appropriate municipality.

16 Transferred credit that is not granted due to failure
17 to pay the additional contribution within the required time
18 is lost; it may not be transferred to another pension fund
19 and may not be reinstated in the pension fund from which it
20 was transferred.

21 (6) The Public Employee Pension Fund Division of the
22 Department of Insurance shall establish by rule the manner
23 of making the calculation required under paragraph (2) of
24 this subsection, taking into account the appropriate
25 actuarial assumptions; the police officer's service, age,
26 and salary history; the level of funding of the pension

1 fund to which the credits are being transferred; and any
2 other factors that the Division determines to be relevant.
3 The rules may require that all calculations made under
4 paragraph (2) be reported to the Division by the board
5 performing the calculation, together with documentation of
6 the creditable service to be transferred, the amounts of
7 contributions and interest to be transferred, the manner in
8 which the calculation was performed, the numbers relied
9 upon in making the calculation, the results of the
10 calculation, and any other information the Division may
11 deem useful.

12 (e) (1) Creditable service also includes periods of
13 service originally established in the Fund established
14 under Article 7 of this Code for which the contributions
15 have been transferred under Section 7-139.11.

16 (2) If the board of the pension fund to which
17 creditable service and related contributions are
18 transferred under Section 7-139.11 determines that the
19 amount transferred is less than the true cost to the
20 pension fund of allowing that creditable service to be
21 established, then the amount of creditable service the
22 police officer may establish under this subsection (e)
23 shall be reduced by an amount equal to the difference, as
24 determined by the board in accordance with the rules and
25 procedures adopted under paragraph (3) of this subsection.

26 (3) The Public Pension Division of the Department of

1 Financial and Professional Regulation shall establish by
2 rule the manner of making the calculation required under
3 paragraph (2) of this subsection, taking into account the
4 appropriate actuarial assumptions; the police officer's
5 service, age, and salary history; the level of funding of
6 the pension fund to which the credits are being
7 transferred; and any other factors that the Division
8 determines to be relevant. The rules may require that all
9 calculations made under paragraph (2) be reported to the
10 Division by the board performing the calculation, together
11 with documentation of the creditable service to be
12 transferred, the amounts of contributions and interest to
13 be transferred, the manner in which the calculation was
14 performed, the numbers relied upon in making the
15 calculation, the results of the calculation, and any other
16 information the Division may deem useful.

17 (4) Until January 1, 2010, a police officer who
18 transferred service from the Fund established under
19 Article 7 of this Code under the provisions of Public Act
20 94-356 may establish additional credit, but only for the
21 amount of the service credit reduction in that transfer, as
22 calculated under paragraph (3) of this subsection (e). This
23 credit may be established upon payment by the police
24 officer of an amount to be determined by the board, equal
25 to (1) the amount that would have been contributed as
26 employee and employer contributions had all of the service

1 been as an employee under this Article, plus interest
2 thereon at the rate of 6% per year, compounded annually
3 from the date of service to the date of transfer, less (2)
4 the total amount transferred from the Article 7 Fund, plus
5 (3) interest on the difference at the rate of 6% per year,
6 compounded annually, from the date of the transfer to the
7 date of payment. The additional service credit is allowed
8 under this amendatory Act of the 95th General Assembly
9 notwithstanding the provisions of Article 7 terminating
10 all transferred credits on the date of transfer.

11 (Source: P.A. 95-812, eff. 8-13-08; 96-297, eff. 8-11-09;
12 96-1260, eff. 7-23-10.)

13 (40 ILCS 5/4-108) (from Ch. 108 1/2, par. 4-108)

14 Sec. 4-108. Creditable service.

15 (a) Creditable service is the time served as a firefighter
16 of a municipality. In computing creditable service, furloughs
17 and leaves of absence without pay exceeding 30 days in any one
18 year shall not be counted, but leaves of absence for illness or
19 accident regardless of length, and periods of disability for
20 which a firefighter received no disability pension payments
21 under this Article, shall be counted.

22 (b) Furloughs and leaves of absence of 30 days or less in
23 any one year may be counted as creditable service, if the
24 firefighter makes the contribution to the fund that would have
25 been required had he or she not been on furlough or leave of

1 absence. To qualify for this creditable service, the
2 firefighter must pay the required contributions to the fund not
3 more than 90 days subsequent to the termination of the furlough
4 or leave of absence, to the extent that the municipality has
5 not made such contribution on his or her behalf.

6 (c) Creditable service includes:

7 (1) Service in the military, naval or air forces of the
8 United States entered upon when the person was an active
9 firefighter, provided that, upon applying for a permanent
10 pension, and in accordance with the rules of the board the
11 firefighter pays into the fund the amount that would have
12 been contributed had he or she been a regular contributor
13 during such period of service, if and to the extent that
14 the municipality which the firefighter served made no such
15 contributions in his or her behalf. The total amount of
16 such creditable service shall not exceed 5 years, except
17 that any firefighter who on July 1, 1973 had more than 5
18 years of such creditable service shall receive the total
19 amount thereof as of that date.

20 (1.5) Up to 24 months of service in the military,
21 naval, or air forces of the United States that was served
22 prior to employment by a municipality or fire protection
23 district as a firefighter. To receive the credit for the
24 military service prior to the employment as a firefighter,
25 the firefighter must apply in writing to the fund and must
26 make contributions to the fund equal to (i) the employee

1 contributions that would have been required had the service
2 been rendered as a member, plus (ii) an amount determined
3 by the fund to be equal to the employer's normal cost of
4 the benefits accrued for that military service, plus (iii)
5 interest at the actuarially assumed rate provided by the
6 Department of Financial and Professional Regulation,
7 compounded annually from the first date of membership in
8 the fund to the date of payment on items (i) and (ii). The
9 changes to this paragraph (1.5) by this amendatory Act of
10 the 95th General Assembly apply only to participating
11 employees in service on or after its effective date.

12 (2) Service prior to July 1, 1976 by a firefighter
13 initially excluded from participation by reason of age who
14 elected to participate and paid the required contributions
15 for such service.

16 (3) Up to 8 years of service by a firefighter as an
17 officer in a statewide firefighters' association when he is
18 on a leave of absence from a municipality's payroll,
19 provided that (i) the firefighter has at least 10 years of
20 creditable service as an active firefighter, (ii) the
21 firefighter contributes to the fund the amount that he
22 would have contributed had he remained an active member of
23 the fund, ~~and~~ (iii) the employee or statewide firefighter
24 association contributes to the fund an amount equal to the
25 employer's required contribution as determined by the
26 board, and (iv) the firefighter first became an active

1 member of a pension fund established under this Article
2 before the effective date of this amendatory Act of the
3 97th General Assembly.

4 (4) Time spent as an on-call fireman for a
5 municipality, calculated at the rate of one year of
6 creditable service for each 5 years of time spent as an
7 on-call fireman, provided that (i) the firefighter has at
8 least 18 years of creditable service as an active
9 firefighter, (ii) the firefighter spent at least 14 years
10 as an on-call firefighter for the municipality, (iii) the
11 firefighter applies for such creditable service within 30
12 days after the effective date of this amendatory Act of
13 1989, (iv) the firefighter contributes to the Fund an
14 amount representing employee contributions for the number
15 of years of creditable service granted under this
16 subdivision (4), based on the salary and contribution rate
17 in effect for the firefighter at the date of entry into the
18 Fund, to be determined by the board, and (v) not more than
19 3 years of creditable service may be granted under this
20 subdivision (4).

21 Except as provided in Section 4-108.5, creditable
22 service shall not include time spent as a volunteer
23 firefighter, whether or not any compensation was received
24 therefor. The change made in this Section by Public Act
25 83-0463 is intended to be a restatement and clarification
26 of existing law, and does not imply that creditable service

1 was previously allowed under this Article for time spent as
2 a volunteer firefighter.

3 (5) Time served between July 1, 1976 and July 1, 1988
4 in the position of protective inspection officer or
5 administrative assistant for fire services, for a
6 municipality with a population under 10,000 that is located
7 in a county with a population over 3,000,000 and that
8 maintains a firefighters' pension fund under this Article,
9 if the position included firefighting duties,
10 notwithstanding that the person may not have held an
11 appointment as a firefighter, provided that application is
12 made to the pension fund within 30 days after the effective
13 date of this amendatory Act of 1991, and the corresponding
14 contributions are paid for the number of years of service
15 granted, based upon the salary and contribution rate in
16 effect for the firefighter at the date of entry into the
17 pension fund, as determined by the Board.

18 (6) Service before becoming a participant by a
19 firefighter initially excluded from participation by
20 reason of age who becomes a participant under the amendment
21 to Section 4-107 made by this amendatory Act of 1993 and
22 pays the required contributions for such service.

23 (7) Up to 3 years of time during which the firefighter
24 receives a disability pension under Section 4-110,
25 4-110.1, or 4-111, provided that (i) the firefighter
26 returns to active service after the disability for a period

1 at least equal to the period for which credit is to be
2 established and (ii) the firefighter makes contributions
3 to the fund based on the rates specified in Section 4-118.1
4 and the salary upon which the disability pension is based.
5 These contributions may be paid at any time prior to the
6 commencement of a retirement pension. The firefighter may,
7 but need not, elect to have the contributions deducted from
8 the disability pension or to pay them in installments on a
9 schedule approved by the board. If not deducted from the
10 disability pension, the contributions shall include
11 interest at the rate of 6% per year, compounded annually,
12 from the date for which service credit is being established
13 to the date of payment. If contributions are paid under
14 this subdivision (c)(7) in excess of those needed to
15 establish the credit, the excess shall be refunded. This
16 subdivision (c)(7) applies to persons receiving a
17 disability pension under Section 4-110, 4-110.1, or 4-111
18 on the effective date of this amendatory Act of the 91st
19 General Assembly, as well as persons who begin to receive
20 such a disability pension after that date.

21 (Source: P.A. 94-856, eff. 6-15-06; 95-1056, eff. 4-10-09.)

22 (40 ILCS 5/5-214) (from Ch. 108 1/2, par. 5-214)

23 Sec. 5-214. Credit for other service. Any participant in
24 this fund (other than a member of the fire department of the
25 city) who has rendered service as a member of the police

1 department of the city for a period of 3 years or more is
2 entitled to credit for the various purposes of this Article for
3 service rendered prior to becoming a member or subsequent
4 thereto for the following periods:

5 (a) While on leave of absence from the police
6 department assigned or detailed to investigative,
7 protective, security or police work for the park district
8 of the city, the department of the Port of Chicago or the
9 sanitary district in which the city is located.

10 (b) As a temporary police officer in the city or while
11 serving in the office of the mayor or in the office of the
12 corporation counsel, as a member of the city council of the
13 city, as an employee of the Policemen's Annuity and Benefit
14 Fund created by this Article, as the head of an
15 organization whose membership consists of members of the
16 police department, but only if the police officer first
17 became a member of the fund before the effective date of
18 this amendatory Act of the 97th General Assembly, the
19 Public Vehicle License Commission and the board of election
20 commissioners of the city.

21 (c) While performing safety or investigative work for
22 the county in which such city is principally located or for
23 the State of Illinois or for the federal government, on
24 leave of absence from the department of police, or while
25 performing investigative work for the department as a
26 civilian employee of the department.

1 (d) While on leave of absence from the police
2 department of the city and serving as the chief of police
3 of a police department outside the city.

4 No credit shall be granted in this fund, however, for this
5 service if the policeman has credit therefor in any other
6 annuity and benefit fund, or unless he contributes to this fund
7 the amount he would have contributed with interest had he
8 remained an active member of the police department in the
9 position he occupied as a result of a civil service competitive
10 examination, certification and appointment by the Civil
11 Service Board; or in the case of a city operating under the
12 provisions of a personnel ordinance the position he occupied as
13 a result of a personnel ordinance competitive examination
14 certification and appointment under the authority of a
15 Municipal Personnel ordinance.

16 Concurrently with such contributions, the city shall
17 contribute the amounts provided by this Article. No credit
18 shall be allowed for any period of time for which contributions
19 by the policeman have not been paid. The period of service
20 rendered by such policeman prior to the date he became a member
21 of the police department of the city or while detailed,
22 assigned or on leave of absence and employed in any of the
23 departments set forth hereinabove in this Section for which
24 such policeman has contributed to this fund shall be credited
25 to him as service for all the purposes of this Article, except
26 that he shall not have any of the rights conferred by the

1 provisions of Sections 5-127 and 5-162 of this Article.

2 The changes in this Section made by Public Act 86-273 shall
3 apply to members of the fund who have not begun receiving a
4 pension under this Article on August 23, 1989, without regard
5 to whether employment is terminated before that date.

6 (Source: P.A. 86-273; 87-1265.)

7 (40 ILCS 5/6-209) (from Ch. 108 1/2, par. 6-209)

8 Sec. 6-209. In computing the service rendered by a fireman
9 prior to the effective date, the following periods shall be
10 counted, in addition to all periods during which he performed
11 the duties of his position, as periods of service for annuity
12 purposes only: All periods of (a) vacation, (b) leave of
13 absence with whole or part pay, (c) leave of absence without
14 pay which were necessary on account of disability, and (d)
15 leave of absence during which he was engaged in the military or
16 naval service of the United States of America. Service credit
17 shall not be allowed for any period during which a fireman was
18 in receipt of pension on account of disability from any pension
19 fund superseded by this fund.

20 In computing the service rendered by a fireman on and after
21 the effective date, the following periods shall be counted in
22 addition to all periods during which he performed the duties of
23 his position, as periods of service for annuity purposes only:
24 All periods of (a) vacation, (b) leave of absence with whole or
25 part pay, (c) leave of absence during which he was engaged in

1 the military or naval service of the United States of America,
2 (d) disability for which he receives any disability benefit,
3 (e) disability for which he receives whole or part pay, (f)
4 leave of absence, or other authorized relief from active duty,
5 during which he served as president of The Firemen's
6 Association of Chicago, but only if the fireman first became a
7 member of the fund before the effective date of this amendatory
8 Act of the 97th General Assembly, (g) periods of suspension
9 from duty not to exceed a total of one year during the total
10 period of service of the fireman, and (h) a period of time not
11 to exceed 23 days in 1980 in accordance with an agreement with
12 the City on a settlement of strike; provided that the fireman
13 elects to make contributions to the Fund for the various
14 annuity and benefit purposes according to the provisions of
15 this Article as though he were an active fireman, based upon
16 the salary attached to the civil service rank held by him
17 during such absence from duty, and if the fireman so elects,
18 the city shall make the prescribed concurrent contributions for
19 such annuity and benefit purposes as provided in this Article,
20 all to the end that such fireman shall be entitled to receive
21 the same annuities and benefits for which he would otherwise be
22 eligible if he had continued as an active fireman during the
23 periods of absence from duty.

24 In computing service on and after the effective date for
25 ordinary disability benefit, all periods described in the
26 preceding paragraph, except any period for which a fireman

1 receives ordinary disability benefit, shall be counted as
2 periods of service.

3 In computing service for any of the purposes of this
4 Article, credit shall be given for any periods prior to January
5 9, 1997, during which an active fireman (or fire paramedic) who
6 is a member of the General Assembly is on leave of absence or
7 is otherwise authorized to be absent from duty to enable him to
8 perform his legislative duties, notwithstanding any reduction
9 in salary for such periods and notwithstanding that the
10 contributions paid by the fireman were based on such reduced
11 salary rather than the full amount of salary attached to his
12 civil service rank.

13 In computing service for any of the purposes of this
14 Article, no credit shall be given for any period during which a
15 fireman was not rendering active service because of his
16 discharge from the service, unless proceedings to test the
17 legality of the discharge are filed in a court of competent
18 jurisdiction within one year from the date of discharge and a
19 final judgment is entered therein declaring the discharge
20 illegal.

21 No overtime or extra service shall be included in computing
22 service of a fireman and not more than one year or a proper
23 fractional part thereof of service shall be allowed for service
24 rendered during any calendar year.

25 (Source: P.A. 86-273; 86-1488; 87-1265.)

1 (40 ILCS 5/8-226) (from Ch. 108 1/2, par. 8-226)

2 Sec. 8-226. Computation of service. In computing the term
3 of service of an employee prior to the effective date, the
4 entire period beginning on the date he was first appointed and
5 ending on the day before the effective date, except any
6 intervening period during which he was separated by withdrawal
7 from service, shall be counted for all purposes of this
8 Article, except that for any employee who was not in service on
9 the day before the effective date, service rendered prior to
10 such date shall not be considered for the purposes of Section
11 8-138.

12 For a person employed by an employer for whom this Article
13 was in effect prior to January 1, 1950, from whose salary
14 deductions are first made under this Article after December 31,
15 1949, any period of service rendered prior to the effective
16 date, unless he was in service on the day before the effective
17 date, shall not be counted as service.

18 The time a person was an employee of any territory annexed
19 to the city prior to the effective date shall be counted as a
20 period of service.

21 In computing the term of service of any employee subsequent
22 to the day before the effective date, the following periods
23 shall be counted as periods of service for age and service,
24 widow's and child's annuity purposes:

25 (a) The time during which he performed the duties of
26 his position;

1 (b) Vacations, leaves of absence with whole or part
2 pay, and leaves of absence without pay not longer than 90
3 days;

4 (c) Leaves of absence without pay during which a
5 participant is employed full-time by a local labor
6 organization that represents municipal employees, provided
7 that (1) the participant continues to make employee
8 contributions to the Fund as though he were an active
9 employee, based on the regular salary rate received by the
10 participant for his municipal employment immediately prior
11 to such leave of absence (and in the case of such
12 employment prior to December 9, 1987, pays to the Fund an
13 amount equal to the employee contributions for such
14 employment plus regular interest thereon as calculated by
15 the board), and based on his current salary with such labor
16 organization after the effective date of this amendatory
17 Act of 1991, (2) after January 1, 1989 the participant, or
18 the labor organization on the participant's behalf, makes
19 contributions to the Fund as though it were the employer,
20 in the same amount and same manner as specified under this
21 Article, based on the regular salary rate received by the
22 participant for his municipal employment immediately prior
23 to such leave of absence, and based on his current salary
24 with such labor organization after the effective date of
25 this amendatory Act of 1991, ~~and~~ (3) the participant does
26 not receive credit in any pension plan established by the

1 local labor organization based on his employment by the
2 organization, and (4) the participant first became a
3 participant before the effective date of this amendatory
4 Act of the 97th General Assembly;

5 (d) Any period of disability for which he received (i)
6 a disability benefit under this Article, or (ii) a
7 temporary total disability benefit under the Workers'
8 Compensation Act if the disability results from a condition
9 commonly termed heart attack or stroke or any other
10 condition falling within the broad field of coronary
11 involvement or heart disease, or (iii) whole or part pay;

12 (e) Any period for which contributions and service
13 credit have been transferred to this Fund under subsection
14 (d) of Section 9-121.1 or subsection (d) of Section
15 12-127.1 of this Code.

16 For a person employed by an employer in which the 1921 Act
17 was in effect prior to January 1, 1950, from whose salary
18 deductions are first made under the 1921 Act or this Article
19 after December 31, 1949, any period of service rendered
20 subsequent to the effective date and prior to the date he
21 became an employee and contributor, shall not be counted as a
22 period of service under this Article, except such period for
23 which he made payment as provided in Section 8-230 of this
24 Article, in which case such period shall be counted as a period
25 of service for all annuity purposes hereunder.

26 In computing the term of service of an employee subsequent

1 to the day before the effective date for ordinary disability
2 benefit purposes, all periods described in the preceding
3 paragraph, except any such period for which he receives
4 ordinary disability benefit, shall be counted as periods of
5 service; provided, that for any person employed by an employer
6 in which this Article was in effect prior to January 1, 1950,
7 from whose salary deductions are first made under this Article
8 after December 31, 1949, any period of service rendered
9 subsequent to the effective date and prior to the date he
10 became an employee and contributor, shall not be counted as a
11 period of service for ordinary disability benefit purposes,
12 unless the person made payment for the period as provided in
13 Section 8-230 of this Article, in which case the period shall
14 be counted as a period of service for ordinary disability
15 purposes for periods of disability on or after the effective
16 date of this amendatory Act of 1997.

17 Overtime or extra service shall not be included in
18 computing any term of service. Not more than 1 year of service
19 shall be allowed for service rendered during any calendar year.
20 (Source: P.A. 90-511, eff. 8-22-97.)

21 (40 ILCS 5/11-215) (from Ch. 108 1/2, par. 11-215)

22 Sec. 11-215. Computation of service.

23 (a) In computing the term of service of an employee prior
24 to the effective date, the entire period beginning on the date
25 he was first appointed and ending on the day before the

1 effective date, except any intervening period during which he
2 was separated by withdrawal from service, shall be counted for
3 all purposes of this Article. Only the first year of each
4 period of lay-off or leave of absence without pay, continuing
5 or extending for a period in excess of one year, shall be
6 counted as such service.

7 (b) For a person employed by an employer for whom this
8 Article was in effect prior to August 1, 1949, from whose
9 salary deductions are first made under this Article after July
10 31, 1949, any period of service rendered prior to the effective
11 date, unless he was in service on the day before the effective
12 date, shall not be counted as service.

13 (c) In computing the term of service of an employee
14 subsequent to the day before the effective date, the following
15 periods of time shall be counted as periods of service for
16 annuity purposes:

17 (1) the time during which he performed the duties of
18 his position;

19 (2) leaves of absence with whole or part pay, and
20 leaves of absence without pay not longer than 90 days;

21 (3) leaves of absence without pay during which a
22 participant is employed full-time by a local labor
23 organization that represents municipal employees, provided
24 that (A) the participant continues to make employee
25 contributions to the Fund as though he were an active
26 employee, based on the regular salary rate received by the

1 participant for his municipal employment immediately prior
2 to such leave of absence (and in the case of such
3 employment prior to December 9, 1987, pays to the Fund an
4 amount equal to the employee contributions for such
5 employment plus regular interest thereon as calculated by
6 the board), and based on his current salary with such labor
7 organization after the effective date of this amendatory
8 Act of 1991, (B) after January 1, 1989 the participant, or
9 the labor organization on the participant's behalf, makes
10 contributions to the Fund as though it were the employer,
11 in the same amount and same manner as specified under this
12 Article, based on the regular salary rate received by the
13 participant for his municipal employment immediately prior
14 to such leave of absence, and based on his current salary
15 with such labor organization after the effective date of
16 this amendatory Act of 1991, ~~and~~ (C) the participant does
17 not receive credit in any pension plan established by the
18 local labor organization based on his employment by the
19 organization, and (D) the participant first became a
20 participant before the effective date of this amendatory
21 Act of the 97th General Assembly;

22 (4) any period of disability for which he received (i)
23 a disability benefit under this Article, or (ii) a
24 temporary total disability benefit under the Workers'
25 Compensation Act if the disability results from a condition
26 commonly termed heart attack or stroke or any other

1 condition falling within the broad field of coronary
2 involvement or heart disease, or (iii) whole or part pay.

3 (d) For a person employed by an employer, or the retirement
4 board, in which "The 1935 Act" was in effect prior to August 1,
5 1949, from whose salary deductions are first made under "The
6 1935 Act" or this Article after July 31, 1949, any period of
7 service rendered subsequent to the effective date and prior to
8 August 1, 1949, shall not be counted as a period of service
9 under this Article, except such period for which he made
10 payment, as provided in Section 11-221 of this Article, in
11 which case such period shall be counted as a period of service
12 for all annuity purposes hereunder.

13 (e) In computing the term of service of an employee
14 subsequent to the day before the effective date for ordinary
15 disability benefit purposes, the following periods of time
16 shall be counted as periods of service:

17 (1) any period during which he performed the duties of
18 his position;

19 (2) leaves of absence with whole or part pay;

20 (3) any period of disability for which he received (i)
21 a duty disability benefit under this Article, or (ii) a
22 temporary total disability benefit under the Workers'
23 Compensation Act if the disability results from a condition
24 commonly termed heart attack or stroke or any other
25 condition falling within the broad field of coronary
26 involvement or heart disease, or (iii) whole or part pay.

1 However, any period of service rendered by an employee
2 contributor prior to the date he became a contributor to the
3 fund shall not be counted as a period of service for ordinary
4 disability purposes, unless the person made payment for the
5 period as provided in Section 11-221 of this Article, in which
6 case the period shall be counted as a period of service for
7 ordinary disability purposes for periods of disability on or
8 after the effective date of this amendatory Act of 1997.

9 Overtime or extra service shall not be included in
10 computing any term of service. Not more than 1 year of service
11 shall be allowed for service rendered during any calendar year.
12 (Source: P.A. 90-511, eff. 8-22-97.)

13 (40 ILCS 5/15-107) (from Ch. 108 1/2, par. 15-107)

14 Sec. 15-107. Employee.

15 (a) "Employee" means any member of the educational,
16 administrative, secretarial, clerical, mechanical, labor or
17 other staff of an employer whose employment is permanent and
18 continuous or who is employed in a position in which services
19 are expected to be rendered on a continuous basis for at least
20 4 months or one academic term, whichever is less, who (A)
21 receives payment for personal services on a warrant issued
22 pursuant to a payroll voucher certified by an employer and
23 drawn by the State Comptroller upon the State Treasurer or by
24 an employer upon trust, federal or other funds, or (B) is on a
25 leave of absence without pay. Employment which is irregular,

1 intermittent or temporary shall not be considered continuous
2 for purposes of this paragraph.

3 However, a person is not an "employee" if he or she:

4 (1) is a student enrolled in and regularly attending
5 classes in a college or university which is an employer,
6 and is employed on a temporary basis at less than full
7 time;

8 (2) is currently receiving a retirement annuity or a
9 disability retirement annuity under Section 15-153.2 from
10 this System;

11 (3) is on a military leave of absence;

12 (4) is eligible to participate in the Federal Civil
13 Service Retirement System and is currently making
14 contributions to that system based upon earnings paid by an
15 employer;

16 (5) is on leave of absence without pay for more than 60
17 days immediately following termination of disability
18 benefits under this Article;

19 (6) is hired after June 30, 1979 as a public service
20 employment program participant under the Federal
21 Comprehensive Employment and Training Act and receives
22 earnings in whole or in part from funds provided under that
23 Act; or

24 (7) is employed on or after July 1, 1991 to perform
25 services that are excluded by subdivision (a)(7)(f) or
26 (a)(19) of Section 210 of the federal Social Security Act

1 from the definition of employment given in that Section (42
2 U.S.C. 410).

3 (b) Any employer may, by filing a written notice with the
4 board, exclude from the definition of "employee" all persons
5 employed pursuant to a federally funded contract entered into
6 after July 1, 1982 with a federal military department in a
7 program providing training in military courses to federal
8 military personnel on a military site owned by the United
9 States Government, if this exclusion is not prohibited by the
10 federally funded contract or federal laws or rules governing
11 the administration of the contract.

12 (c) Any person appointed by the Governor under the Civil
13 Administrative Code of the State is an employee, if he or she
14 is a participant in this system on the effective date of the
15 appointment.

16 (d) A participant on lay-off status under civil service
17 rules is considered an employee for not more than 120 days from
18 the date of the lay-off.

19 (e) A participant is considered an employee during (1) the
20 first 60 days of disability leave, (2) the period, not to
21 exceed one year, in which his or her eligibility for disability
22 benefits is being considered by the board or reviewed by the
23 courts, and (3) the period he or she receives disability
24 benefits under the provisions of Section 15-152, workers'
25 compensation or occupational disease benefits, or disability
26 income under an insurance contract financed wholly or partially

1 by the employer.

2 (f) Absences without pay, other than formal leaves of
3 absence, of less than 30 calendar days, are not considered as
4 an interruption of a person's status as an employee. If such
5 absences during any period of 12 months exceed 30 work days,
6 the employee status of the person is considered as interrupted
7 as of the 31st work day.

8 (g) A staff member whose employment contract requires
9 services during an academic term is to be considered an
10 employee during the summer and other vacation periods, unless
11 he or she declines an employment contract for the succeeding
12 academic term or his or her employment status is otherwise
13 terminated, and he or she receives no earnings during these
14 periods.

15 (h) An individual who was a participating employee employed
16 in the fire department of the University of Illinois's
17 Champaign-Urbana campus immediately prior to the elimination
18 of that fire department and who immediately after the
19 elimination of that fire department became employed by the fire
20 department of the City of Urbana or the City of Champaign shall
21 continue to be considered as an employee for purposes of this
22 Article for so long as the individual remains employed as a
23 firefighter by the City of Urbana or the City of Champaign. The
24 individual shall cease to be considered an employee under this
25 subsection (h) upon the first termination of the individual's
26 employment as a firefighter by the City of Urbana or the City

1 of Champaign.

2 (i) An individual who is employed on a full-time basis as
3 an officer or employee of a statewide teacher organization that
4 serves System participants or an officer of a national teacher
5 organization that serves System participants may participate
6 in the System and shall be deemed an employee, provided that
7 (1) the individual has previously earned creditable service
8 under this Article, (2) the individual files with the System an
9 irrevocable election to become a participant, ~~and~~ (3) the
10 individual does not receive credit for that employment under
11 any other Article of this Code, and (4) the individual first
12 became a participant of the System before the effective date of
13 this amendatory Act of the 97th General Assembly. An employee
14 under this subsection (i) is responsible for paying to the
15 System both (A) employee contributions based on the actual
16 compensation received for service with the teacher
17 organization and (B) employer contributions equal to the normal
18 costs (as defined in Section 15-155) resulting from that
19 service; all or any part of these contributions may be paid on
20 the employee's behalf or picked up for tax purposes (if
21 authorized under federal law) by the teacher organization.

22 A person who is an employee as defined in this subsection
23 (i) may establish service credit for similar employment prior
24 to becoming an employee under this subsection by paying to the
25 System for that employment the contributions specified in this
26 subsection, plus interest at the effective rate from the date

1 of service to the date of payment. However, credit shall not be
2 granted under this subsection for any such prior employment for
3 which the applicant received credit under any other provision
4 of this Code, or during which the applicant was on a leave of
5 absence under Section 15-113.2.

6 (j) A person employed by the State Board of Higher
7 Education in a position with the Illinois Century Network as of
8 June 30, 2004 shall be considered to be an employee for so long
9 as he or she remains continuously employed after that date by
10 the Department of Central Management Services in a position
11 with the Illinois Century Network, the Bureau of Communication
12 and Computer Services, or, if applicable, any successor bureau
13 and meets the requirements of subsection (a).

14 (Source: P.A. 95-369, eff. 8-23-07.)

15 (40 ILCS 5/16-106) (from Ch. 108 1/2, par. 16-106)

16 Sec. 16-106. Teacher. "Teacher": The following
17 individuals, provided that, for employment prior to July 1,
18 1990, they are employed on a full-time basis, or if not
19 full-time, on a permanent and continuous basis in a position in
20 which services are expected to be rendered for at least one
21 school term:

22 (1) Any educational, administrative, professional or
23 other staff employed in the public common schools included
24 within this system in a position requiring certification
25 under the law governing the certification of teachers;

1 (2) Any educational, administrative, professional or
2 other staff employed in any facility of the Department of
3 Children and Family Services or the Department of Human
4 Services, in a position requiring certification under the
5 law governing the certification of teachers, and any person
6 who (i) works in such a position for the Department of
7 Corrections, (ii) was a member of this System on May 31,
8 1987, and (iii) did not elect to become a member of the
9 State Employees' Retirement System pursuant to Section
10 14-108.2 of this Code; except that "teacher" does not
11 include any person who (A) becomes a security employee of
12 the Department of Human Services, as defined in Section
13 14-110, after June 28, 2001 (the effective date of Public
14 Act 92-14), or (B) becomes a member of the State Employees'
15 Retirement System pursuant to Section 14-108.2c of this
16 Code;

17 (3) Any regional superintendent of schools, assistant
18 regional superintendent of schools, State Superintendent
19 of Education; any person employed by the State Board of
20 Education as an executive; any executive of the boards
21 engaged in the service of public common school education in
22 school districts covered under this system of which the
23 State Superintendent of Education is an ex-officio member;

24 (4) Any employee of a school board association
25 operating in compliance with Article 23 of the School Code
26 who is certificated under the law governing the

1 certification of teachers;

2 (5) Any person employed by the retirement system who:

3 (i) was an employee of and a participant in the
4 system on August 17, 2001 (the effective date of Public
5 Act 92-416), or

6 (ii) becomes an employee of the system on or after
7 August 17, 2001;

8 (6) Any educational, administrative, professional or
9 other staff employed by and under the supervision and
10 control of a regional superintendent of schools, provided
11 such employment position requires the person to be
12 certificated under the law governing the certification of
13 teachers and is in an educational program serving 2 or more
14 districts in accordance with a joint agreement authorized
15 by the School Code or by federal legislation;

16 (7) Any educational, administrative, professional or
17 other staff employed in an educational program serving 2 or
18 more school districts in accordance with a joint agreement
19 authorized by the School Code or by federal legislation and
20 in a position requiring certification under the laws
21 governing the certification of teachers;

22 (8) Any officer or employee of a statewide teacher
23 organization or officer of a national teacher organization
24 who is certified under the law governing certification of
25 teachers, provided: (i) the individual had previously
26 established creditable service under this Article, (ii)

1 the individual files with the system an irrevocable
2 election to become a member, ~~and~~ (iii) the individual does
3 not receive credit for such service under any other Article
4 of this Code, and (iv) the individual first became a member
5 of this System before the effective date of this amendatory
6 Act of the 97th General Assembly;

7 (9) Any educational, administrative, professional, or
8 other staff employed in a charter school operating in
9 compliance with the Charter Schools Law who is certificated
10 under the law governing the certification of teachers.

11 (10) Any person employed, on the effective date of this
12 amendatory Act of the 94th General Assembly, by the
13 Macon-Piatt Regional Office of Education in a
14 birth-through-age-three pilot program receiving funds
15 under Section 2-389 of the School Code who is required by
16 the Macon-Piatt Regional Office of Education to hold a
17 teaching certificate, provided that the Macon-Piatt
18 Regional Office of Education makes an election, within 6
19 months after the effective date of this amendatory Act of
20 the 94th General Assembly, to have the person participate
21 in the system. Any service established prior to the
22 effective date of this amendatory Act of the 94th General
23 Assembly for service as an employee of the Macon-Piatt
24 Regional Office of Education in a birth-through-age-three
25 pilot program receiving funds under Section 2-389 of the
26 School Code shall be considered service as a teacher if

1 employee and employer contributions have been received by
2 the system and the system has not refunded those
3 contributions.

4 An annuitant receiving a retirement annuity under this
5 Article or under Article 17 of this Code who is employed by a
6 board of education or other employer as permitted under Section
7 16-118 or 16-150.1 is not a "teacher" for purposes of this
8 Article. A person who has received a single-sum retirement
9 benefit under Section 16-136.4 of this Article is not a
10 "teacher" for purposes of this Article.

11 A person who is a teacher as described in item (8) of this
12 Section may establish service credit for similar employment
13 prior to becoming certified as a teacher if he or she (i) is
14 certified as a teacher on or before the effective date of this
15 amendatory Act of the 94th General Assembly, (ii) applies in
16 writing to the system within 6 months after the effective date
17 of this amendatory Act of the 94th General Assembly, and (iii)
18 pays to the system contributions equal to the normal costs
19 calculated from the date of first full-time employment as
20 described in item (8) to the date of payment, compounded
21 annually at the rate of 8.5% per year for periods before the
22 effective date of this amendatory Act of the 94th General
23 Assembly and for subsequent periods at a rate equal to the
24 System's actuarially assumed rate of return on investments.
25 However, credit shall not be granted under this paragraph for
26 any such prior employment for which the applicant received

1 credit under any other provision of this Code.

2 (Source: P.A. 93-320, eff. 7-23-03; 94-1111, eff. 2-27-07.)

3 (40 ILCS 5/17-134) (from Ch. 108 1/2, par. 17-134)

4 Sec. 17-134. Contributions for leaves of absence; military
5 service; computing service. In computing service for pension
6 purposes the following periods of service shall stand in lieu
7 of a like number of years of teaching service upon payment
8 therefor in the manner hereinafter provided: (a) time spent on
9 a leave of absence granted by the employer; (b) service with
10 teacher or labor organizations based upon special leaves of
11 absence therefor granted by an Employer; (c) a maximum of 5
12 years spent in the military service of the United States, of
13 which up to 2 years may have been served outside the pension
14 period; (d) unused sick days at termination of service to a
15 maximum of 244 days; (e) time lost due to layoff and
16 curtailment of the school term from June 6 through June 21,
17 1976; and (f) time spent after June 30, 1982 as a member of the
18 Board of Education, if required to resign from an
19 administrative or teaching position in order to qualify as a
20 member of the Board of Education.

21 (1) For time spent on or after September 6, 1948 on
22 sabbatical leaves of absence or sick leaves, for which
23 salaries are paid, an Employer shall make payroll
24 deductions at the applicable rates in effect during such
25 periods.

1 (2) For time spent on a leave of absence granted by the
2 employer for which no salaries are paid, teachers desiring
3 credit therefor shall pay the required contributions at the
4 rates in effect during such periods as though they were in
5 teaching service. If an Employer pays salary for vacations
6 which occur during a teacher's sick leave or maternity or
7 paternity leave without salary, vacation pay for which the
8 teacher would have qualified while in active service shall
9 be considered part of the teacher's total salary for
10 pension purposes. No more than 36 months of leave credit
11 may be allowed any person during the entire term of
12 service. Sabbatical leave credit shall be limited to the
13 time the person on leave without salary under an Employer's
14 rules is allowed to engage in an activity for which he
15 receives salary or compensation.

16 (3) For time spent prior to September 6, 1948, on
17 sabbatical leaves of absence or sick leaves for which
18 salaries were paid, teachers desiring service credit
19 therefor shall pay the required contributions at the
20 maximum applicable rates in effect during such periods.

21 (4) For service with teacher or labor organizations
22 authorized by special leaves of absence, for which no
23 payroll deductions are made by an Employer, teachers
24 desiring service credit therefor shall contribute to the
25 Fund upon the basis of the actual salary received from such
26 organizations at the percentage rates in effect during such

1 periods for certified positions with such Employer. To the
2 extent the actual salary exceeds the regular salary, which
3 shall be defined as the salary rate, as calculated by the
4 Board, in effect for the teacher's regular position in
5 teaching service on September 1, 1983 or on the effective
6 date of the leave with the organization, whichever is
7 later, the organization shall pay to the Fund the
8 employer's normal cost as set by the Board on the
9 increment. Notwithstanding any other provision of this
10 subdivision (4), teachers are only eligible for credit for
11 service under this subdivision (4) if they became a member
12 of this Fund before the effective date of this amendatory
13 Act of the 97th General Assembly.

14 (5) For time spent in the military service, teachers
15 entitled to and desiring credit therefor shall contribute
16 the amount required for each year of service or fraction
17 thereof at the rates in force (a) at the date of
18 appointment, or (b) on return to teaching service as a
19 regularly certified teacher, as the case may be; provided
20 such rates shall not be less than \$450 per year of service.
21 These conditions shall apply unless an Employer elects to
22 and does pay into the Fund the amount which would have been
23 due from such person had he been employed as a teacher
24 during such time. In the case of credit for military
25 service not during the pension period, the teacher must
26 also pay to the Fund an amount determined by the Board to

1 be equal to the employer's normal cost of the benefits
2 accrued from such service, plus interest thereon at 5% per
3 year, compounded annually, from the date of appointment to
4 the date of payment.

5 The changes to this Section made by Public Act 87-795
6 shall apply not only to persons who on or after its
7 effective date are in service under the Fund, but also to
8 persons whose status as a teacher terminated prior to that
9 date, whether or not the person is an annuitant on that
10 date. In the case of an annuitant who applies for credit
11 allowable under this Section for a period of military
12 service that did not immediately follow employment, and who
13 has made the required contributions for such credit, the
14 annuity shall be recalculated to include the additional
15 service credit, with the increase taking effect on the date
16 the Fund received written notification of the annuitant's
17 intent to purchase the credit, if payment of all the
18 required contributions is made within 60 days of such
19 notice, or else on the first annuity payment date following
20 the date of payment of the required contributions. In
21 calculating the automatic annual increase for an annuity
22 that has been recalculated under this Section, the increase
23 attributable to the additional service allowable under
24 this amendatory Act of 1991 shall be included in the
25 calculation of automatic annual increases accruing after
26 the effective date of the recalculation.

1 The total credit for military service shall not exceed
2 5 years, except that any teacher who on July 1, 1963, had
3 validated credit for more than 5 years of military service
4 shall be entitled to the total amount of such credit.

5 (6) A maximum of 244 unused sick days credited to his
6 account by an Employer on the date of termination of
7 employment. Members, upon verification of unused sick
8 days, may add this service time to total creditable
9 service.

10 (7) In all cases where time spent on leave is
11 creditable and no payroll deductions therefor are made by
12 an Employer, persons desiring service credit shall make the
13 required contributions directly to the Fund.

14 (8) For time lost without pay due to layoff and
15 curtailment of the school term from June 6 through June 21,
16 1976, as provided in item (e) of the first paragraph of
17 this Section, persons who were contributors on the days
18 immediately preceding such layoff shall receive credit
19 upon paying to the Fund a contribution based on the rates
20 of compensation and employee contributions in effect at the
21 time of such layoff, together with an additional amount
22 equal to 12.2% of the compensation computed for such period
23 of layoff, plus interest on the entire amount at 5% per
24 annum from January 1, 1978 to the date of payment. If such
25 contribution is paid, salary for pension purposes for any
26 year in which such a layoff occurred shall include the

1 compensation recognized for purposes of computing that
2 contribution.

3 (9) For time spent after June 30, 1982, as a
4 nonsalaried member of the Board of Education, if required
5 to resign from an administrative or teaching position in
6 order to qualify as a member of the Board of Education, an
7 administrator or teacher desiring credit therefor shall
8 pay the required contributions at the rates and salaries in
9 effect during such periods as though the member were in
10 service.

11 Effective September 1, 1974, the interest charged for
12 validation of service described in paragraphs (2) through (5)
13 of this Section shall be compounded annually at a rate of 5%
14 commencing one year after the termination of the leave or
15 return to service.

16 (Source: P.A. 92-599, eff. 6-28-02.)

17 Section 99. Effective date. This Act takes effect upon
18 becoming law."