

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 Sections 14-104.6, 14-108.2, and 16-106 as follows:

6 (40 ILCS 5/14-104.6) (from Ch. 108 1/2, par. 14-104.6)

7 Sec. 14-104.6. Service transferred from Article 16.

8 Service also includes the following: Any period as a teacher
9 employed by the Department of Corrections for which credit
10 was established under Article 16 of this Code, subject to the
11 following conditions: (1) the credits accrued for such
12 employment under Article 16 have been transferred to this
13 System; and (2) the participant has contributed to this
14 System an amount equal to (A) employee contributions at the
15 rate in effect for noncoordinated eligible creditable service
16 at the date of membership in this System, based upon the
17 salary in effect during such period of service, plus (B) the
18 employer's share of the normal cost under this System for
19 each year that credit is being established, based on the
20 salary in effect during such period of service, plus (C)
21 regular interest, compounded annually, from the date of the
22 transfer ~~July-17-1987~~ to the date of payment, less (D) the
23 amount transferred on behalf of the participant under Section
24 16-131.6. Credit established under this Section shall be
25 deemed noncoordinated eligible creditable service as defined
26 in Section 14-110.

27 (Source: P.A. 86-1488; 87-794.)

28 (40 ILCS 5/14-108.2) (from Ch. 108 1/2, par. 14-108.2)

29 Sec. 14-108.2. Department of Corrections teachers.

30 (a) Any person employed by the Department of Corrections

1 who is a member of the Teachers' Retirement System
2 established under Article 16 of this Code may elect to become
3 a member of this System on either June 1, 1987 or July 1,
4 1987, by notifying the board of his election in writing on or
5 before May 31, 1987.

6 For such persons electing to become covered employees,
7 participation in the Article 16 system shall terminate on
8 June 1, 1987, and membership in this System shall begin on
9 that date.

10 For such persons electing to become noncovered employees,
11 participation in the Article 16 system shall terminate on
12 July 1, 1987, and membership in this System shall begin on
13 that date.

14 (b) Any person employed by the Department of Corrections
15 who is a member of the Teachers' Retirement System
16 established under Article 16 of this Code may elect to become
17 a member of this System on the first day of either the third
18 or fourth month following the month in which this amendatory
19 Act of the 92nd General Assembly takes effect, by notifying
20 the Board of the election in writing within 60 days following
21 that effective date.

22 For persons electing to become covered employees,
23 participation in the Article 16 system shall terminate on the
24 first day of the third month following the month in which
25 this amendatory Act of the 92nd General Assembly takes
26 effect, and membership in this System shall begin on that
27 date.

28 For persons electing to become noncovered employees,
29 participation in the Article 16 system shall terminate on the
30 first day of the fourth month following the month in which
31 this amendatory Act of the 92nd General Assembly takes
32 effect, and membership in this System shall begin on that
33 date.

34 (Source: P.A. 84-1472.)

1 (40 ILCS 5/16-106) (from Ch. 108 1/2, par. 16-106)
2 Sec. 16-106. Teacher. "Teacher": The following
3 individuals, provided that, for employment prior to July 1,
4 1990, they are employed on a full-time basis, or if not
5 full-time, on a permanent and continuous basis in a position
6 in which services are expected to be rendered for at least
7 one school term:

8 (1) Any educational, administrative, professional
9 or other staff employed in the public common schools
10 included within this system in a position requiring
11 certification under the law governing the certification
12 of teachers;

13 (2) Any educational, administrative, professional
14 or other staff employed in any facility of the Department
15 of Children and Family Services or the Department of
16 Human Services, in a position requiring certification
17 under the law governing the certification of teachers,
18 and any person who (i) works in such a position for the
19 Department of Corrections, (ii) was a member of this
20 System on May 31, 1987 or the effective date of this
21 amendatory Act of the 92nd General Assembly, and (iii)
22 did not elect to become a member of the State Employees'
23 Retirement System pursuant to Section 14-108.2 of this
24 Code;

25 (3) Any regional superintendent of schools,
26 assistant regional superintendent of schools, State
27 Superintendent of Education; any person employed by the
28 State Board of Education as an executive; any executive
29 of the boards engaged in the service of public common
30 school education in school districts covered under this
31 system of which the State Superintendent of Education is
32 an ex-officio member;

33 (4) Any employee of a school board association
34 operating in compliance with Article 23 of the School

1 Code who is certificated under the law governing the
2 certification of teachers;

3 (5) Any person employed by the retirement system as
4 an executive, and any person employed by the retirement
5 system who is certificated under the law governing the
6 certification of teachers;

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

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

22 (8) Any officer or employee of a statewide teacher
23 organization or officer of a national teacher
24 organization who is certified under the law governing
25 certification of teachers, provided: (i) the individual
26 had previously established creditable service under this
27 Article, (ii) the individual files with the system an
28 irrevocable election to become a member, and (iii) the
29 individual does not receive credit for such service under
30 any other Article of this Code;

31 (9) Any educational, administrative, professional,
32 or other staff employed in a charter school operating in
33 compliance with the Charter Schools Law who is
34 certificated under the law governing the certification of

1 teachers.

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

10 (Source: P.A. 89-450, eff. 4-10-96; 89-507, eff. 7-1-97;
11 90-14, eff. 7-1-97; 90-448, eff. 8-16-97.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.