

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 14-104 as follows:

6 (40 ILCS 5/14-104) (from Ch. 108 1/2, par. 14-104)

7 Sec. 14-104. Service for which contributions permitted.  
8 Contributions provided for in this Section shall cover the  
9 period of service granted. Except as otherwise provided in  
10 this Section, the contributions shall be based upon the  
11 employee's compensation and contribution rate in effect on  
12 the date he last became a member of the System; provided that  
13 for all employment prior to January 1, 1969 the contribution  
14 rate shall be that in effect for a noncovered employee on the  
15 date he last became a member of the System. Except as  
16 otherwise provided in this Section, contributions permitted  
17 under this Section shall include regular interest from the  
18 date an employee last became a member of the System to the  
19 date of payment.

20 These contributions must be paid in full before  
21 retirement either in a lump sum or in installment payments in  
22 accordance with such rules as may be adopted by the board.

23 (a) Any member may make contributions as required in  
24 this Section for any period of service, subsequent to the  
25 date of establishment, but prior to the date of membership.

26 (b) Any employee who had been previously excluded from  
27 membership because of age at entry and subsequently became  
28 eligible may elect to make contributions as required in this  
29 Section for the period of service during which he was  
30 ineligible.

31 (c) An employee of the Department of Insurance who,

1 after January 1, 1944 but prior to becoming eligible for  
2 membership, received salary from funds of insurance companies  
3 in the process of rehabilitation, liquidation, conservation  
4 or dissolution, may elect to make contributions as required  
5 in this Section for such service.

6 (d) Any employee who rendered service in a State office  
7 to which he was elected, or rendered service in the elective  
8 office of Clerk of the Appellate Court prior to the date he  
9 became a member, may make contributions for such service as  
10 required in this Section. Any member who served by  
11 appointment of the Governor under the Civil Administrative  
12 Code of Illinois and did not participate in this System may  
13 make contributions as required in this Section for such  
14 service.

15 (e) Any person employed by the United States government  
16 or any instrumentality or agency thereof from January 1, 1942  
17 through November 15, 1946 as the result of a transfer from  
18 State service by executive order of the President of the  
19 United States shall be entitled to prior service credit  
20 covering the period from January 1, 1942 through December 31,  
21 1943 as provided for in this Article and to membership  
22 service credit for the period from January 1, 1944 through  
23 November 15, 1946 by making the contributions required in  
24 this Section. A person so employed on January 1, 1944 but  
25 whose employment began after January 1, 1942 may qualify for  
26 prior service and membership service credit under the same  
27 conditions.

28 (f) An employee of the Department of Labor of the State  
29 of Illinois who performed services for and under the  
30 supervision of that Department prior to January 1, 1944 but  
31 who was compensated for those services directly by federal  
32 funds and not by a warrant of the Auditor of Public Accounts  
33 paid by the State Treasurer may establish credit for such  
34 employment by making the contributions required in this

1 Section. An employee of the Department of Agriculture of the  
2 State of Illinois, who performed services for and under the  
3 supervision of that Department prior to June 1, 1963, but was  
4 compensated for those services directly by federal funds and  
5 not paid by a warrant of the Auditor of Public Accounts paid  
6 by the State Treasurer, and who did not contribute to any  
7 other public employee retirement system for such service, may  
8 establish credit for such employment by making the  
9 contributions required in this Section.

10 (g) Any employee who executed a waiver of membership  
11 within 60 days prior to January 1, 1944 may, at any time  
12 while in the service of a department, file with the board a  
13 rescission of such waiver. Upon making the contributions  
14 required by this Section, the member shall be granted the  
15 creditable service that would have been received if the  
16 waiver had not been executed.

17 (h) Until May 1, 1990, an employee who was employed on a  
18 full-time basis by a regional planning commission for at  
19 least 5 continuous years may establish creditable service for  
20 such employment by making the contributions required under  
21 this Section, provided that any credits earned by the  
22 employee in the commission's retirement plan have been  
23 terminated.

24 (i) Any person who rendered full time contractual  
25 services to the General Assembly as a member of a legislative  
26 staff may establish service credit for up to 8 years of such  
27 services by making the contributions required under this  
28 Section, provided that application therefor is made not later  
29 than July 1, 1991.

30 (j) By paying the contributions otherwise required under  
31 this Section, plus an amount determined by the Board to be  
32 equal to the employer's normal cost of the benefit plus  
33 interest, but with all of the interest calculated from the  
34 date the employee last became a member of the System or

1 November 19, 1991, whichever is later, to the date of  
2 payment, an employee may establish service credit for a  
3 period of up to 2 years spent in active military service for  
4 which he does not qualify for credit under Section 14-105,  
5 provided that (1) he was not dishonorably discharged from  
6 such military service, and (2) the amount of service credit  
7 established by a member under this subsection (j), when added  
8 to the amount of military service credit granted to the  
9 member under subsection (b) of Section 14-105, shall not  
10 exceed 5 years. The change in the manner of calculating  
11 interest under this subsection (j) made by this amendatory  
12 Act of the 92nd General Assembly applies to credit purchased  
13 by an employee on or after its effective date and does not  
14 entitle any person to a refund of contributions or interest  
15 already paid.

16 (k) An employee who was employed on a full-time basis by  
17 the Illinois State's Attorneys Association Statewide  
18 Appellate Assistance Service LEAA-ILEC grant project prior to  
19 the time that project became the State's Attorneys Appellate  
20 Service Commission, now the Office of the State's Attorneys  
21 Appellate Prosecutor, an agency of State government, may  
22 establish creditable service for not more than 60 months  
23 service for such employment by making contributions required  
24 under this Section.

25 (k-5) An employee who was employed on a full-time basis  
26 by the Illinois Defender Project, an LEAA-ILEC grant project,  
27 prior to the time that the project became the Office of the  
28 State Appellate Defender, an agency of State government, may  
29 establish creditable service for not more than 48 months of  
30 that employment by making the contributions required under  
31 this Section.

32 (l) By paying the contributions otherwise required under  
33 this Section, plus an amount determined by the Board to be  
34 equal to the employer's normal cost of the benefit plus

1 interest, a member may establish service credit for periods  
2 of less than one year spent on authorized leave of absence  
3 from service, provided that (1) the period of leave began on  
4 or after January 1, 1982 and (2) any credit established by  
5 the member for the period of leave in any other public  
6 employee retirement system has been terminated. A member may  
7 establish service credit under this subsection for more than  
8 one period of authorized leave, and in that case the total  
9 period of service credit established by the member under this  
10 subsection may exceed one year. In determining the  
11 contributions required for establishing service credit under  
12 this subsection, the interest shall be calculated from the  
13 beginning of the leave of absence to the date of payment.

14 (m) Any person who rendered contractual services to a  
15 member of the General Assembly as a worker in the member's  
16 district office may establish creditable service for up to 3  
17 years of those contractual services by making the  
18 contributions required under this Section. The System shall  
19 determine a full-time salary equivalent for the purpose of  
20 calculating the required contribution. To establish credit  
21 under this subsection, the applicant must apply to the System  
22 by March 1, 1998.

23 (n) Any person who rendered contractual services to a  
24 member of the General Assembly as a worker providing  
25 constituent services to persons in the member's district may  
26 establish creditable service for up to 8 years of those  
27 contractual services by making the contributions required  
28 under this Section. The System shall determine a full-time  
29 salary equivalent for the purpose of calculating the required  
30 contribution. To establish credit under this subsection, the  
31 applicant must apply to the System by March 1, 1998.

32 (o) A member who participated in the Illinois  
33 Legislative Staff Internship Program may establish creditable  
34 service for up to one year of that participation by making

1 the contribution required under this Section. The System  
2 shall determine a full-time salary equivalent for the purpose  
3 of calculating the required contribution. Credit may not be  
4 established under this subsection for any period for which  
5 service credit is established under any other provision of  
6 this Code.

7 (Source: P.A. 92-54, eff. 7-12-01.)

8 Section 99. Effective date. This Act takes effect upon  
9 becoming law.