

## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB1462

Introduced 1/31/2025, by Sen. Robert F. Martwick

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/3-110.10	
40 ILCS 5/7-139.8	from Ch. 108 1/2, par. 7-139.8
40 ILCS 5/7-139.14	
40 ILCS 5/14-110	from Ch. 108 1/2, par. 14-110
40 ILCS 5/14-152.1	
30 ILCS 805/8.49 new	

Amends the Illinois Pension Code. In provisions authorizing certain persons to transfer service credit from IMRF to a downstate police pension fund, makes technical and combining changes to conform the changes made by Public Act 102-857 and Public Act 102-1061. Removes a restrictive date on the transfer of that service credit. Authorizes investigators for the Secretary of State and conservation police officers to transfer that service credit. Authorizes State's Attorneys to transfer service credit under the IMRF Article to the State Employee Article. In the State Employee Article, 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 of Trustees and paying to the System a specified amount. Provides that a participant under the alternative retirement annuity provisions may establish eligible creditable service for up to 7 years of service as a State's Attorney. Provides that any benefit increase that results from the amendatory Act is excluded from the definition of "new benefit increase". Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB104 07532 RPS 17576 b

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

A BILL FOR

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 3-110.10, 7-139.8, 7-139.14, 14-110, and  
6 14-152.1 as follows:

7 (40 ILCS 5/3-110.10)

8 (Text of Section from P.A. 102-857)

9 Sec. 3-110.10. Transfer from Article 7. Until January 1,  
10 2009, a person may transfer to a fund established under this  
11 Article up to 8 years of creditable service accumulated under  
12 Article 7 of this Code upon payment to the fund of an amount to  
13 be determined by the board, equal to (i) the difference  
14 between the amount of employee and employer contributions  
15 transferred to the fund under Section 7-139.11 and the amounts  
16 that would have been contributed had such contributions been  
17 made at the rates applicable to an employee under this  
18 Article, plus (ii) interest thereon at the actuarially assumed  
19 rate, compounded annually, from the date of service to the  
20 date of payment.

21 ~~A No later than 6 months after July 23, 2021 (the effective~~  
22 ~~date of Public Act 102-113), a person may transfer to a fund~~  
23 ~~established under this Article creditable service accumulated~~

1 under Article 7 of this Code for service as a sheriff's law  
2 enforcement employee, county correctional officer, person  
3 employed by a participating municipality to perform police  
4 duties, ~~or~~ law enforcement officer employed on a full-time  
5 basis by a forest preserve district, person employed by a  
6 participating municipality or instrumentality to perform  
7 administrative duties related to law enforcement, investigator  
8 for the Secretary of State, or conservation police officer  
9 upon payment to the fund of an amount to be determined by the  
10 board, equal to (i) the difference between the amount of  
11 employee and employer contributions transferred to the fund  
12 under Section 7-139.14 and the amounts that would have been  
13 contributed had such contributions been made at the rates  
14 applicable to an employee under this Article, plus (ii)  
15 interest thereon at the actuarially assumed rate, compounded  
16 annually, from the date of service to the date of payment.

17 ~~No later than 6 months after the effective date of this~~  
18 ~~amendatory Act of the 102nd General Assembly, a person may~~  
19 ~~transfer to a fund established under this Article creditable~~  
20 ~~service accumulated under Article 7 of this Code for service~~  
21 ~~as a county correctional officer or as a person employed by a~~  
22 ~~participating municipality to perform administrative duties~~  
23 ~~related to law enforcement upon payment to the fund of an~~  
24 ~~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 fund under Section 7 139.14~~

1 ~~and the amounts that would have been contributed had such~~  
2 ~~contributions been made at the rates applicable to an employee~~  
3 ~~under this Article, plus (ii) interest thereon at the~~  
4 ~~actuarially assumed rate, compounded annually, from the date~~  
5 ~~of service to the date of payment.~~

6 (Source: P.A. 102-113, eff. 7-23-21; 102-857, eff. 5-13-22.)

7 (Text of Section from P.A. 102-1061)

8 Sec. 3-110.10. Transfer from Article 7. Until January 1,  
9 2009, a person may transfer to a fund established under this  
10 Article up to 8 years of creditable service accumulated under  
11 Article 7 of this Code upon payment to the fund of an amount to  
12 be determined by the board, equal to (i) the difference  
13 between the amount of employee and employer contributions  
14 transferred to the fund under Section 7-139.11 and the amounts  
15 that would have been contributed had such contributions been  
16 made at the rates applicable to an employee under this  
17 Article, plus (ii) interest thereon at the actuarially assumed  
18 rate, compounded annually, from the date of service to the  
19 date of payment.

20 A ~~No later than September 30, 2023,~~ a person may transfer  
21 to a fund established under this Article creditable service  
22 accumulated under Article 7 of this Code for service as a  
23 sheriff's law enforcement employee, county correctional  
24 officer, person employed by a participating municipality to  
25 perform police duties, law enforcement officer employed on a

1 full-time basis by a forest preserve district, ~~or~~ person  
2 employed by a participating municipality or instrumentality to  
3 perform administrative duties related to law enforcement,  
4 investigator for the Secretary of State, or conservation  
5 police officer upon payment to the fund of an amount to be  
6 determined by the board, equal to (i) the difference between  
7 the amount of employee and employer contributions transferred  
8 to the fund under Section 7-139.14 and the amounts that would  
9 have been contributed had such contributions been made at the  
10 rates applicable to an employee under this Article, plus (ii)  
11 interest thereon at the actuarially assumed rate, compounded  
12 annually, from the date of service to the date of payment.

13 (Source: P.A. 102-113, eff. 7-23-21; 102-1061, eff. 1-1-23.)

14 (40 ILCS 5/7-139.8) (from Ch. 108 1/2, par. 7-139.8)

15 Sec. 7-139.8. Transfer to Article 14 System.

16 (a) Any active member of the State Employees' Retirement  
17 System who is a State policeman, an investigator for the  
18 Secretary of State, a conservation police officer, an  
19 investigator for the Office of the Attorney General, an  
20 investigator for the Department of Revenue, an investigator  
21 for the Illinois Gaming Board, an arson investigator, a  
22 Commerce Commission police officer, an investigator for the  
23 Office of the State's Attorneys Appellate Prosecutor, or a  
24 controlled substance inspector may apply for transfer of some  
25 or all of his or her credits and creditable service

1 accumulated in this Fund for service as a sheriff's law  
2 enforcement employee, person employed by a participating  
3 municipality to perform police duties, or law enforcement  
4 officer employed on a full-time basis by a forest preserve  
5 district to the State Employees' Retirement System in  
6 accordance with Section 14-110. Any active member of the State  
7 Employees' Retirement System who is entitled to eligible  
8 creditable service under Section 14-110 may apply for transfer  
9 of up to 7 years of credits and creditable service accumulated  
10 in this Fund for service as a State's Attorney. The creditable  
11 service shall be transferred only upon payment by this Fund to  
12 the State Employees' Retirement System of an amount equal to:

13 (1) the amounts accumulated to the credit of the  
14 applicant for the service to be transferred, including  
15 interest; and

16 (2) municipality credits based on such service,  
17 including interest; and

18 (3) any interest paid by the applicant to reinstate  
19 such service.

20 Participation in this Fund as to any credits transferred under  
21 this Section shall terminate on the date of transfer.

22 (b) Any person applying to transfer service under this  
23 Section may reinstate credits and creditable service  
24 terminated upon receipt of a separation benefit, by paying to  
25 the Fund the amount of the separation benefit plus interest  
26 thereon at the actuarially assumed rate of interest to the

1 date of payment.

2 (Source: P.A. 102-210, eff. 7-30-21; 102-856, eff. 1-1-23.)

3 (40 ILCS 5/7-139.14)

4 (Text of Section from P.A. 102-857)

5 Sec. 7-139.14. Transfer to Article 3 pension fund.

6 (a) ~~An~~ ~~Within 6 months after July 23, 2021 (the effective~~  
7 ~~date of Public Act 102-113), an~~ active member of a pension fund  
8 established under Article 3 of this Code may apply for  
9 transfer to that Article 3 pension fund of his or her credits  
10 and creditable service accumulated in this Fund for service as  
11 a sheriff's law enforcement employee, county correctional  
12 officer, person employed by a participating municipality to  
13 perform police duties, ~~or~~ law enforcement officer employed on  
14 a full-time basis by a forest preserve district, person  
15 employed by a participating municipality or instrumentality to  
16 perform administrative duties related to law enforcement,  
17 investigator for the Secretary of State, or conservation  
18 police officer. The creditable service shall be transferred  
19 only upon payment by this Fund to such Article 3 pension fund  
20 of an amount equal to:

21 (1) the amounts accumulated to the credit of the  
22 applicant for the service to be transferred, including  
23 interest; and

24 (2) an amount representing employer contributions,  
25 equal to the total amount determined under item (1); and

1           (3) any interest paid by the applicant to reinstate  
2           such service.

3           ~~Within 6 months after the effective date of this~~  
4 ~~amendatory Act of the 102nd General Assembly, an active member~~  
5 ~~of a pension fund established under Article 3 of this Code may~~  
6 ~~apply for transfer to that Article 3 pension fund of his or her~~  
7 ~~credits and creditable service accumulated in this Fund for~~  
8 ~~service as a county correctional officer or as a person~~  
9 ~~employed by a participating municipality to perform~~  
10 ~~administrative duties related to law enforcement. The~~  
11 ~~creditable service shall be transferred only upon payment by~~  
12 ~~this Fund to such Article 3 pension fund of an amount equal to:~~

13           ~~(1) the amounts accumulated to the credit of the~~  
14 ~~applicant for the service to be transferred, including~~  
15 ~~interest; and~~

16           ~~(2) an amount representing employer contributions,~~  
17 ~~equal to the total amount determined under item (1); and~~

18           ~~(3) any interest paid by the applicant to reinstate~~  
19 ~~such service.~~

20           Participation in this Fund as to any credits transferred  
21 under this Section shall terminate on the date of transfer.

22           (b) Notwithstanding any other provision of this Code, any  
23 person applying to transfer service under this Section may  
24 reinstate credits and creditable service terminated upon  
25 receipt of a separation benefit by paying to the Fund the  
26 amount of the separation benefit plus interest thereon at the



1 actuarially assumed rate of interest to the date of payment.  
2 Such payment must be made within 90 days after notification by  
3 the Fund of the cost of such reinstatement.

4 (Source: P.A. 102-113, eff. 7-23-21; 102-857, eff. 5-13-22.)

5 (Text of Section from P.A. 102-1061)

6 Sec. 7-139.14. Transfer to Article 3 pension fund.

7 (a) ~~An No later than June 30, 2023, an~~ active member of a  
8 pension fund established under Article 3 of this Code may  
9 apply for transfer to that Article 3 pension fund of his or her  
10 credits and creditable service accumulated in this Fund for  
11 service as a sheriff's law enforcement employee, county  
12 correctional officer, person employed by a participating  
13 municipality to perform police duties, law enforcement officer  
14 employed on a full-time basis by a forest preserve district,  
15 ~~or~~ person employed by a participating municipality or  
16 instrumentality to perform administrative duties related to  
17 law enforcement, investigator for the Secretary of State, or  
18 conservation police officer. The creditable service shall be  
19 transferred only upon payment by this Fund to such Article 3  
20 pension fund of an amount equal to:

21 (1) the amounts accumulated to the credit of the  
22 applicant for the service to be transferred, including  
23 interest; and

24 (2) an amount representing employer contributions,  
25 equal to the total amount determined under item (1); and

1           (3) any interest paid by the applicant to reinstate  
2           such service.

3           Participation in this Fund as to any credits transferred  
4           under this Section shall terminate on the date of transfer.

5           (b) Notwithstanding any other provision of this Code, any  
6           person applying to transfer service under this Section may  
7           reinstate credits and creditable service terminated upon  
8           receipt of a separation benefit by paying to the Fund the  
9           amount of the separation benefit plus interest thereon at the  
10          actuarially assumed rate of interest to the date of payment.  
11          Such payment must be made within 90 ~~60~~ days after notification  
12          by the Fund of the cost of such reinstatement.

13          (Source: P.A. 102-113, eff. 7-23-21; 102-1061, eff. 1-1-23.)

14          (40 ILCS 5/14-110) (from Ch. 108 1/2, par. 14-110)

15          (Text of Section from P.A. 102-813 and 103-34)

16          Sec. 14-110. Alternative retirement annuity.

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

1 (i) for periods of service as a noncovered employee:  
2 if retirement occurs on or after January 1, 2001, 3% of  
3 final average compensation for each year of creditable  
4 service; if retirement occurs before January 1, 2001, 2  
5 1/4% of final average compensation for each of the first  
6 10 years of creditable service, 2 1/2% for each year above  
7 10 years to and including 20 years of creditable service,  
8 and 2 3/4% for each year of creditable service above 20  
9 years; and

10 (ii) for periods of eligible creditable service as a  
11 covered employee: if retirement occurs on or after January  
12 1, 2001, 2.5% of final average compensation for each year  
13 of creditable service; if retirement occurs before January  
14 1, 2001, 1.67% of final average compensation for each of  
15 the first 10 years of such service, 1.90% for each of the  
16 next 10 years of such service, 2.10% for each year of such  
17 service in excess of 20 but not exceeding 30, and 2.30% for  
18 each year in excess of 30.

19 Such annuity shall be subject to a maximum of 75% of final  
20 average compensation if retirement occurs before January 1,  
21 2001 or to a maximum of 80% of final average compensation if  
22 retirement occurs on or after January 1, 2001.

23 These rates shall not be applicable to any service  
24 performed by a member as a covered employee which is not  
25 eligible creditable service. Service as a covered employee  
26 which is not eligible creditable service shall be subject to

1 the rates and provisions of Section 14-108.

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

5 (1) State policeman;

6 (2) fire fighter in the fire protection service of a  
7 department;

8 (3) air pilot;

9 (4) special agent;

10 (5) investigator for the Secretary of State;

11 (6) conservation police officer;

12 (7) investigator for the Department of Revenue or the  
13 Illinois Gaming Board;

14 (8) security employee of the Department of Human  
15 Services;

16 (9) Central Management Services security police  
17 officer;

18 (10) security employee of the Department of  
19 Corrections or the Department of Juvenile Justice;

20 (11) dangerous drugs investigator;

21 (12) investigator for the Illinois State Police;

22 (13) investigator for the Office of the Attorney  
23 General;

24 (14) controlled substance inspector;

25 (15) investigator for the Office of the State's  
26 Attorneys Appellate Prosecutor;

1 (16) Commerce Commission police officer;

2 (17) arson investigator;

3 (18) State highway maintenance worker;

4 (19) security employee of the Department of Innovation  
5 and Technology; or

6 (20) transferred employee.

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

17 A person under paragraph (20) is entitled to eligible  
18 creditable service for service credit earned under this  
19 Article on and after his or her transfer by Executive Order No.  
20 2003-10, Executive Order No. 2004-2, or Executive Order No.  
21 2016-1.

22 (c) For the purposes of this Section:

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

26 (2) The term "fire fighter in the fire protection

1 service of a department" includes all officers in such  
2 fire protection service including fire chiefs and  
3 assistant fire chiefs.

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

14 (4) The term "special agent" means any person who by  
15 reason of employment by the Division of Narcotic Control,  
16 the Bureau of Investigation or, after July 1, 1977, the  
17 Division of Criminal Investigation, the Division of  
18 Internal Investigation, the Division of Operations, the  
19 Division of Patrol, or any other Division or  
20 organizational entity in the Illinois State Police is  
21 vested by law with duties to maintain public order,  
22 investigate violations of the criminal law of this State,  
23 enforce the laws of this State, make arrests and recover  
24 property. The term "special agent" includes any title or  
25 position in the Illinois State Police that is held by an  
26 individual employed under the Illinois State Police Act.

1           (5) The term "investigator for the Secretary of State"  
2 means any person employed by the Office of the Secretary  
3 of State and vested with such investigative duties as  
4 render him ineligible for coverage under the Social  
5 Security Act by reason of Sections 218(d)(5)(A),  
6 218(d)(8)(D) and 218(1)(1) of that Act.

7           A person who became employed as an investigator for  
8 the Secretary of State between January 1, 1967 and  
9 December 31, 1975, and who has served as such until  
10 attainment of age 60, either continuously or with a single  
11 break in service of not more than 3 years duration, which  
12 break terminated before January 1, 1976, shall be entitled  
13 to have his retirement annuity calculated in accordance  
14 with subsection (a), notwithstanding that he has less than  
15 20 years of credit for such service.

16           (6) The term "Conservation Police Officer" means any  
17 person employed by the Division of Law Enforcement of the  
18 Department of Natural Resources and vested with such law  
19 enforcement duties as render him ineligible for coverage  
20 under the Social Security Act by reason of Sections  
21 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The  
22 term "Conservation Police Officer" includes the positions  
23 of Chief Conservation Police Administrator and Assistant  
24 Conservation Police Administrator.

25           (7) The term "investigator for the Department of  
26 Revenue" means any person employed by the Department of

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

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



ineligible for coverage under the Social Security Act by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act. "Security unit" means that portion of a facility that is devoted to the care, containment, and treatment of persons committed to the Department of Human Services as sexually violent persons, persons unfit to stand trial, or persons not guilty by reason of insanity. With respect to past employment, references to the Department of Human Services include its predecessor, the Department of Mental Health and Developmental Disabilities.

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

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

(10) For a member who first became an employee under this Article before July 1, 2005, the term "security employee of the Department of Corrections or the Department of Juvenile Justice" means any employee of the Department of Corrections or the Department of Juvenile Justice or the former Department of Personnel, and any

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

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

19 (12) The term "investigator for the Illinois State  
20 Police" means a person employed by the Illinois State  
21 Police who is vested under Section 4 of the Narcotic  
22 Control Division Abolition Act with such law enforcement  
23 powers as render him ineligible for coverage under the  
24 Social Security Act by reason of Sections 218(d)(5)(A),  
25 218(d)(8)(D) and 218(1)(1) of that Act.

26 (13) "Investigator for the Office of the Attorney

1 General" means any person who is employed as such by the  
2 Office of the Attorney General and is vested with such  
3 investigative 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. For  
6 the period before January 1, 1989, the term includes all  
7 persons who were employed as investigators by the Office  
8 of the Attorney General, without regard to social security  
9 status.

10 (14) "Controlled substance inspector" means any person  
11 who is employed as such by the Department of Professional  
12 Regulation and is vested with such law enforcement duties  
13 as 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. The term  
16 "controlled substance inspector" includes the Program  
17 Executive of Enforcement and the Assistant Program  
18 Executive of Enforcement.

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

24 (16) "Commerce Commission police officer" means any  
25 person employed by the Illinois Commerce Commission who is  
26 vested with such law enforcement duties as render him

1 ineligible for coverage under the Social Security Act by  
2 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and  
3 218(1)(1) of that Act.

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

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

22 (i) A person employed on a full-time basis by the  
23 Illinois Department of Transportation in the position  
24 of highway maintainer, highway maintenance lead  
25 worker, highway maintenance lead/lead worker, heavy  
26 construction equipment operator, power shovel

1 operator, or bridge mechanic; and whose principal  
2 responsibility is to perform, on the roadway, the  
3 actual maintenance necessary to keep the highways that  
4 form a part of the State highway system in serviceable  
5 condition for vehicular traffic.

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

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

26 (20) "Transferred employee" means an employee who was

1 transferred to the Department of Central Management  
2 Services by Executive Order No. 2003-10 or Executive Order  
3 No. 2004-2 or transferred to the Department of Innovation  
4 and Technology by Executive Order No. 2016-1, or both, and  
5 was entitled to eligible creditable service for services  
6 immediately preceding the transfer.

7 (21) "State's Attorney" means a person elected or  
8 appointed to serve as the State's Attorney of a county.  
9 "State's Attorney" does not include an assistant State's  
10 Attorney or a State's Attorney special investigator.

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

19 (i) 25 years of eligible creditable service and age  
20 55; or

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

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

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

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

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

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

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

1           (f) For purposes of calculating retirement annuities under  
2 this Section, periods of service rendered after December 31,  
3 1968 and before October 1, 1975 as a covered employee in the  
4 position of special agent, conservation police officer, mental  
5 health police officer, or investigator for the Secretary of  
6 State, shall be deemed to have been service as a noncovered  
7 employee, provided that the employee pays to the System prior  
8 to retirement an amount equal to (1) the difference between  
9 the employee contributions that would have been required for  
10 such service as a noncovered employee, and the amount of  
11 employee contributions actually paid, plus (2) if payment is  
12 made after July 31, 1987, regular interest on the amount  
13 specified in item (1) from the date of service to the date of  
14 payment.

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



1           (g) A State policeman may elect, not later than January 1,  
2           1990, to establish eligible creditable service for up to 10  
3           years of his service as a policeman under Article 3, by filing  
4           a written election with the Board, accompanied by payment of  
5           an amount to be determined by the Board, equal to (i) the  
6           difference between the amount of employee and employer  
7           contributions transferred to the System under Section 3-110.5,  
8           and the amounts that would have been contributed had such  
9           contributions been made at the rates applicable to State  
10          policemen, plus (ii) interest thereon at the effective rate  
11          for each year, compounded annually, from the date of service  
12          to the date of payment.

13          Subject to the limitation in subsection (i), a State  
14          policeman may elect, not later than July 1, 1993, to establish  
15          eligible creditable service for up to 10 years of his service  
16          as a member of the County Police Department under Article 9, by  
17          filing a written election with the Board, accompanied by  
18          payment of an amount to be determined by the Board, equal to  
19          (i) the difference between the amount of employee and employer  
20          contributions transferred to the System under Section 9-121.10  
21          and the amounts that would have been contributed had those  
22          contributions been made at the rates applicable to State  
23          policemen, plus (ii) interest thereon at the effective rate  
24          for each year, compounded annually, from the date of service  
25          to the date of payment.

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

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

13 Subject to the limitation in subsection (i), a State  
14 policeman, conservation police officer, or investigator for  
15 the Secretary of State may elect to establish eligible  
16 creditable service for up to 10 years of service as a sheriff's  
17 law enforcement employee under Article 7, by filing a written  
18 election with the Board on or before January 31, 1993, and  
19 paying to the System by January 31, 1994 an amount to be  
20 determined by the Board, equal to (i) the difference between  
21 the amount of employee and employer contributions transferred  
22 to the System under Section 7-139.7, 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 effective rate for each year, compounded  
26 annually, from the date of service to the date of payment.

1       Subject to the limitation in subsection (i), a State  
2 policeman, conservation police officer, or investigator for  
3 the Secretary of State may elect to establish eligible  
4 creditable service for up to 5 years of service as a police  
5 officer under Article 3, a policeman under Article 5, a  
6 sheriff's law enforcement employee under Article 7, a member  
7 of the county police department under Article 9, or a police  
8 officer under Article 15 by filing a written election with the  
9 Board and paying to the System an amount to be determined by  
10 the Board, equal to (i) the difference between the amount of  
11 employee and employer contributions transferred to the System  
12 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4  
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), an  
19 investigator for the Office of the Attorney General, or an  
20 investigator for the Department of Revenue, may elect to  
21 establish eligible creditable service for up to 5 years of  
22 service as a police officer under Article 3, a policeman under  
23 Article 5, a sheriff's law enforcement employee under Article  
24 7, or a member of the county police department under Article 9  
25 by filing a written election with the Board within 6 months  
26 after August 25, 2009 (the effective date of Public Act

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

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

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

22 Subject to the limitation in subsection (i), a  
23 conservation police officer may elect to establish eligible  
24 creditable service for up to 5 years of service as a person  
25 employed by a participating municipality to perform police  
26 duties under Article 7, a county corrections officer, or a

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

12 Notwithstanding the limitation in subsection (i), a State  
13 policeman or conservation police officer may elect to convert  
14 service credit earned under this Article to eligible  
15 creditable service, as defined by this Section, by filing a  
16 written election with the Board ~~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  
20 contributions originally paid for that service and the amounts  
21 that would have been contributed had such contributions been  
22 made at the rates applicable to State policemen, plus (ii) the  
23 difference between the employer's normal cost of the credit  
24 prior to the conversion authorized by the amendatory Act of  
25 the 104th General Assembly ~~Public Act 102-210~~ and the  
26 employer's normal cost of the credit converted in accordance

1 with this amendatory Act of the 104th General Assembly ~~Public~~  
2 ~~Act 102-210~~, plus (iii) interest thereon at the actuarially  
3 assumed rate for each year, compounded annually, from the date  
4 of service to the date of payment.

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

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

24 (k) Subject to the limitation in subsection (i) of this  
25 Section, an alternative formula employee may elect to  
26 establish eligible creditable service for periods spent as a

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

20 (1) Subject to the limitation in subsection (i), a  
21 security employee of the Department of Corrections may elect,  
22 not later than July 1, 1998, to establish eligible creditable  
23 service for up to 10 years of his or her service as a policeman  
24 under Article 3, by filing a written election with the Board,  
25 accompanied by payment of an amount to be determined by the  
26 Board, equal to (i) the difference between the amount of



1 employee and employer contributions transferred to the System  
2 under Section 3-110.5, and the amounts that would have been  
3 contributed had such contributions been made at the rates  
4 applicable to security employees of the Department of  
5 Corrections, plus (ii) interest thereon at the effective rate  
6 for each year, compounded annually, from the date of service  
7 to the date of payment.

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

1 (1) and (2) from the first day as an alternative formula  
2 employee after the employment for which credit is being  
3 established to the date of payment.

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

18 (n) A person employed in a position under subsection (b)  
19 of this Section who has purchased service credit under  
20 subsection (j) of Section 14-104 or subsection (b) of Section  
21 14-105 in any other capacity under this Article may convert up  
22 to 5 years of that service credit into service credit covered  
23 under this Section by paying to the Fund an amount equal to (1)  
24 the additional employee contribution required under Section  
25 14-133, plus (2) the additional employer contribution required  
26 under Section 14-131, plus (3) interest on items (1) and (2) at

1 the actuarially assumed rate from the date of the service to  
2 the date of payment.

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

26 (g) Subject to the limitation in subsection (i) of this

1 Section, an alternative formula employee may elect to  
2 establish eligible creditable service for up to 7 years of  
3 service as a State's Attorney under Article 7 by filing a  
4 written election with the Board, accompanied by payment of an  
5 amount to be determined by the Board, equal to: (1) the  
6 difference between the amount of employee and employer  
7 contributions transferred to the System under Section 7-139.8  
8 and the amounts that would have been contributed had such  
9 contributions been made at the rates applicable to State  
10 policemen; plus (2) interest thereon at the effective rate for  
11 each year, compounded annually, from the date of service to  
12 the date of payment.

13 Subject to the limitation in subsection (i) of this  
14 Section, an alternative formula employee may elect to  
15 establish eligible creditable service for up to 7 years of  
16 service as a State's Attorney for which credit is not held in  
17 this System or any other public employee pension fund or  
18 retirement system. To obtain this credit, the applicant must  
19 file a written application with the Board, accompanied by  
20 evidence of eligibility acceptable to the Board and payment of  
21 an amount to be determined by the Board, equal to (1) employee  
22 contributions for the credit being established, based upon the  
23 applicant's salary on the first day as an alternative formula  
24 employee after the employment for which credit is being  
25 established and the rates then applicable to alternative  
26 formula employees, plus (2) an amount determined by the Board

1 to be the employer's normal cost of the benefits accrued for  
2 the credit being established, plus (3) regular interest on the  
3 amounts in items (1) and (2) from the first day as an  
4 alternative formula employee after the employment for which  
5 credit is being established 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 (b) For the purpose of this Section, "eligible creditable  
22 service" means creditable service resulting from service in  
23 one or more of the following positions:

24 (1) State policeman;

25 (2) fire fighter in the fire protection service of a  
26 department;

- 1 (3) air pilot;
- 2 (4) special agent;
- 3 (5) investigator for the Secretary of State;
- 4 (6) conservation police officer;
- 5 (7) investigator for the Department of Revenue or the
- 6 Illinois Gaming Board;
- 7 (8) security employee of the Department of Human
- 8 Services;
- 9 (9) Central Management Services security police
- 10 officer;
- 11 (10) security employee of the Department of
- 12 Corrections or the Department of Juvenile Justice;
- 13 (11) dangerous drugs investigator;
- 14 (12) investigator for the Illinois State Police;
- 15 (13) investigator for the Office of the Attorney
- 16 General;
- 17 (14) controlled substance inspector;
- 18 (15) investigator for the Office of the State's
- 19 Attorneys Appellate Prosecutor;
- 20 (16) Commerce Commission police officer;
- 21 (17) arson investigator;
- 22 (18) State highway maintenance worker;
- 23 (19) security employee of the Department of Innovation
- 24 and Technology; or
- 25 (20) transferred employee.

26 A person employed in one of the positions specified in

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

10 A person under paragraph (20) is entitled to eligible  
11 creditable service for service credit earned under this  
12 Article on and after his or her transfer by Executive Order No.  
13 2003-10, Executive Order No. 2004-2, or Executive Order No.  
14 2016-1.

15 (c) For the purposes of this Section:

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

19 (2) The term "fire fighter in the fire protection  
20 service of a department" includes all officers in such  
21 fire protection service including fire chiefs and  
22 assistant fire chiefs.

23 (3) The term "air pilot" includes any employee whose  
24 official job description on file in the Department of  
25 Central Management Services, or in the department by which  
26 he is employed if that department is not covered by the



1 Personnel Code, states that his principal duty is the  
2 operation of aircraft, and who possesses a pilot's  
3 license; however, the change in this definition made by  
4 Public Act 83-842 shall not operate to exclude any  
5 noncovered employee who was an "air pilot" for the  
6 purposes of this Section on January 1, 1984.

7 (4) The term "special agent" means any person who by  
8 reason of employment by the Division of Narcotic Control,  
9 the Bureau of Investigation or, after July 1, 1977, the  
10 Division of Criminal Investigation, the Division of  
11 Internal Investigation, the Division of Operations, the  
12 Division of Patrol, or any other Division or  
13 organizational entity in the Illinois State Police is  
14 vested by law with duties to maintain public order,  
15 investigate violations of the criminal law of this State,  
16 enforce the laws of this State, make arrests and recover  
17 property. The term "special agent" includes any title or  
18 position in the Illinois State Police that is held by an  
19 individual employed under the Illinois State Police Act.

20 (5) The term "investigator for the Secretary of State"  
21 means any person employed by the Office of the Secretary  
22 of State and vested with such investigative duties as  
23 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.

26 A person who became employed as an investigator for

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

9       (6) The term "Conservation Police Officer" means any  
10      person employed by the Division of Law Enforcement of the  
11      Department of Natural Resources and vested with such law  
12      enforcement 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. The  
15      term "Conservation Police Officer" includes the positions  
16      of Chief Conservation Police Administrator and Assistant  
17      Conservation Police Administrator.

18      (7) The term "investigator for the Department of  
19      Revenue" means any person employed by the Department of  
20      Revenue and vested with such investigative duties as  
21      render him ineligible for coverage under the Social  
22      Security Act by reason of Sections 218(d)(5)(A),  
23      218(d)(8)(D) and 218(1)(1) of that Act.

24      The term "investigator for the Illinois Gaming Board"  
25      means any person employed as such by the Illinois Gaming  
26      Board and vested with such peace officer duties as render

1 the person ineligible for coverage under the Social  
2 Security Act by reason of Sections 218(d)(5)(A),  
3 218(d)(8)(D), and 218(1)(1) of that Act.

4 (8) The term "security employee of the Department of  
5 Human Services" means any person employed by the  
6 Department of Human Services who (i) is employed at the  
7 Chester Mental Health Center and has daily contact with  
8 the residents thereof, (ii) is employed within a security  
9 unit at a facility operated by the Department and has  
10 daily contact with the residents of the security unit,  
11 (iii) is employed at a facility operated by the Department  
12 that includes a security unit and is regularly scheduled  
13 to work at least 50% of his or her working hours within  
14 that security unit, or (iv) is a mental health police  
15 officer. "Mental health police officer" means any person  
16 employed by the Department of Human Services in a position  
17 pertaining to the Department's mental health and  
18 developmental disabilities functions who is vested with  
19 such law enforcement duties as render the person  
20 ineligible for coverage under the Social Security Act by  
21 reason of Sections 218(d)(5)(A), 218(d)(8)(D) and  
22 218(1)(1) of that Act. "Security unit" means that portion  
23 of a facility that is devoted to the care, containment,  
24 and treatment of persons committed to the Department of  
25 Human Services as sexually violent persons, persons unfit  
26 to stand trial, or persons not guilty by reason of

1 insanity. With respect to past employment, references to  
2 the Department of Human Services include its predecessor,  
3 the Department of Mental Health and Developmental  
4 Disabilities.

5 The changes made to this subdivision (c)(8) by Public  
6 Act 92-14 apply to persons who retire on or after January  
7 1, 2001, notwithstanding Section 1-103.1.

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

14 (10) For a member who first became an employee under  
15 this Article before July 1, 2005, the term "security  
16 employee of the Department of Corrections or the  
17 Department of Juvenile Justice" means any employee of the  
18 Department of Corrections or the Department of Juvenile  
19 Justice or the former Department of Personnel, and any  
20 member or employee of the Prisoner Review Board, who has  
21 daily contact with inmates or youth by working within a  
22 correctional facility or Juvenile facility operated by the  
23 Department of Juvenile Justice or who is a parole officer  
24 or an employee who has direct contact with committed  
25 persons in the performance of his or her job duties. For a  
26 member who first becomes an employee under this Article on

1 or after July 1, 2005, the term means an employee of the  
2 Department of Corrections or the Department of Juvenile  
3 Justice who is any of the following: (i) officially  
4 headquartered at a correctional facility or Juvenile  
5 facility operated by the Department of Juvenile Justice,  
6 (ii) a parole officer, (iii) a member of the apprehension  
7 unit, (iv) a member of the intelligence unit, (v) a member  
8 of the sort team, or (vi) an investigator.

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

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

19 (13) "Investigator for the Office of the Attorney  
20 General" means any person who is employed as such by the  
21 Office of the Attorney General and is vested with such  
22 investigative duties as render him ineligible for coverage  
23 under the Social Security Act by reason of Sections  
24 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act. For  
25 the period before January 1, 1989, the term includes all  
26 persons who were employed as investigators by the Office

1 of the Attorney General, without regard to social security  
2 status.

3 (14) "Controlled substance inspector" means any person  
4 who is employed as such by the Department of Professional  
5 Regulation and is vested with such law enforcement duties  
6 as render him 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. The term  
9 "controlled substance inspector" includes the Program  
10 Executive of Enforcement and the Assistant Program  
11 Executive of Enforcement.

12 (15) The term "investigator for the Office of the  
13 State's Attorneys Appellate Prosecutor" means a person  
14 employed in that capacity on a full-time basis under the  
15 authority of Section 7.06 of the State's Attorneys  
16 Appellate Prosecutor's Act.

17 (16) "Commerce Commission police officer" means any  
18 person employed by the Illinois Commerce Commission who is  
19 vested with such law enforcement duties as render him  
20 ineligible for coverage under the Social Security Act by  
21 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and  
22 218(1)(1) of that Act.

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

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

15 (i) A person employed on a full-time basis by the  
16 Illinois Department of Transportation in the position  
17 of highway maintainer, highway maintenance lead  
18 worker, highway maintenance lead/lead worker, heavy  
19 construction equipment operator, power shovel  
20 operator, or bridge mechanic; and whose principal  
21 responsibility is to perform, on the roadway, the  
22 actual maintenance necessary to keep the highways that  
23 form a part of the State highway system in serviceable  
24 condition for vehicular traffic.

25 (ii) A person employed on a full-time basis by the  
26 Illinois State Toll Highway Authority in the position

1 of equipment operator/laborer H-4, equipment  
2 operator/laborer H-6, welder H-4, welder H-6,  
3 mechanical/electrical H-4, mechanical/electrical H-6,  
4 water/sewer H-4, water/sewer H-6, sign maker/hanger  
5 H-4, sign maker/hanger H-6, roadway lighting H-4,  
6 roadway lighting H-6, structural H-4, structural H-6,  
7 painter H-4, or painter H-6; and whose principal  
8 responsibility is to perform, on the roadway, the  
9 actual maintenance necessary to keep the Authority's  
10 tollways in serviceable condition for vehicular  
11 traffic.

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

19 (20) "Transferred employee" means an employee who was  
20 transferred to the Department of Central Management  
21 Services by Executive Order No. 2003-10 or Executive Order  
22 No. 2004-2 or transferred to the Department of Innovation  
23 and Technology by Executive Order No. 2016-1, or both, and  
24 was entitled to eligible creditable service for services  
25 immediately preceding the transfer.

26 (21) "State's Attorney" means a person elected or



1       appointed to serve as the State's Attorney of a county.  
2       "State's Attorney" does not include an assistant State's  
3       Attorney or a State's Attorney special investigator.

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

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

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

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

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

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

26           (vi) beginning January 1, 1991, 25 years of eligible

1       creditable service and age 50, or 20 years of eligible  
2       creditable service and age 55.

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

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

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

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

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

20 (g) A State policeman may elect, not later than January 1,  
21 1990, to establish eligible creditable service for up to 10  
22 years of his service as a policeman under Article 3, by filing  
23 a written election with the Board, accompanied by payment of  
24 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 Section 3-110.5,

1 and the amounts that would have been contributed had such  
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 Subject to the limitation in subsection (i), a State  
7 policeman may elect, not later than July 1, 1993, to establish  
8 eligible creditable service for up to 10 years of his service  
9 as a member of the County Police Department under Article 9, by  
10 filing a written election with the Board, accompanied by  
11 payment of an amount to be determined by the Board, equal to  
12 (i) the difference between the amount of employee and employer  
13 contributions transferred to the System under Section 9-121.10  
14 and the amounts that would have been contributed had those  
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 (h) Subject to the limitation in subsection (i), a State  
20 policeman or investigator for the Secretary of State may elect  
21 to establish eligible creditable service for up to 12 years of  
22 his service as a policeman under Article 5, by filing a written  
23 election with the Board on or before January 31, 1992, 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 5-236, and the amounts that would  
2 have been contributed had such contributions been made at the  
3 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 10 years of service as a sheriff's  
10 law enforcement employee under Article 7, by filing a written  
11 election with the Board on or before January 31, 1993, and  
12 paying to the System by January 31, 1994 an amount to be  
13 determined by the Board, equal to (i) the difference between  
14 the amount of employee and employer contributions transferred  
15 to the System under Section 7-139.7, and the amounts that  
16 would have been contributed had such contributions been made  
17 at the rates applicable to State policemen, 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 Subject to the limitation in subsection (i), a State  
21 policeman, conservation police officer, or investigator for  
22 the Secretary of State may elect to establish eligible  
23 creditable service for up to 5 years of service as a police  
24 officer under Article 3, a policeman under Article 5, a  
25 sheriff's law enforcement employee under Article 7, a member  
26 of the county police department under Article 9, or a police

1 officer under Article 15 by filing a written election with the  
2 Board and paying to the System an amount to be determined by  
3 the Board, equal to (i) the difference between the amount of  
4 employee and employer contributions transferred to the System  
5 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4  
6 and the amounts that would have been contributed had such  
7 contributions been made at the rates applicable to State  
8 policemen, plus (ii) interest thereon at the effective rate  
9 for each year, compounded annually, from the date of service  
10 to the date of payment.

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

23 Subject to the limitation in subsection (i), a State  
24 policeman, arson investigator, or Commerce Commission police  
25 officer may elect to establish eligible creditable service for  
26 up to 5 years of service as a person employed by a

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

15 Subject to the limitation in subsection (i), a  
16 conservation police officer may elect to establish eligible  
17 creditable service for up to 5 years of service as a person  
18 employed by a participating municipality to perform police  
19 duties under Article 7, a county corrections officer, or a  
20 court services officer under Article 9 by filing a written  
21 election with the Board within 6 months after July 30, 2021  
22 (the effective date of Public Act 102-210) and paying to the  
23 System an amount to be determined by the Board equal to (i) the  
24 difference between the amount of employee and employer  
25 contributions transferred to the System under Sections 7-139.8  
26 and 9-121.10 and the amounts that would have been contributed



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

5 Subject to the limitation in subsection (i), an  
6 investigator for the Department of Revenue, investigator for  
7 the Illinois Gaming Board, investigator for the Secretary of  
8 State, or arson investigator may elect to establish eligible  
9 creditable service for up to 5 years of service as a person  
10 employed by a participating municipality to perform police  
11 duties under Article 7, a county corrections officer, a court  
12 services officer under Article 9, or a firefighter under  
13 Article 4 by filing a written election with the Board within 6  
14 months after the effective date of this amendatory Act of the  
15 102nd General Assembly and paying to the System an amount to be  
16 determined by the Board equal to (i) the difference between  
17 the amount of employee and employer contributions transferred  
18 to the System under Sections 4-108.8, 7-139.8, and 9-121.10  
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 actuarially  
22 assumed rate for each year, compounded annually, from the date  
23 of service to the date of payment.

24 Notwithstanding the limitation in subsection (i), a State  
25 policeman or conservation police officer may elect to convert  
26 service credit earned under this Article to eligible

1 creditable service, as defined by this Section, by filing a  
2 written election with the Board ~~board within 6 months after~~  
3 ~~July 30, 2021 (the effective date of Public Act 102-210)~~ and  
4 paying to the System an amount to be determined by the Board  
5 equal to (i) the difference between the amount of employee  
6 contributions originally paid for that service and the amounts  
7 that would have been contributed had such contributions been  
8 made at the rates applicable to State policemen, plus (ii) the  
9 difference between the employer's normal cost of the credit  
10 prior to the conversion authorized by the amendatory Act of  
11 the 104th General Assembly ~~Public Act 102-210~~ and the  
12 employer's normal cost of the credit converted in accordance  
13 with this amendatory Act of the 104th General Assembly ~~Public~~  
14 ~~Act 102-210~~, plus (iii) 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 Notwithstanding 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 convert service  
21 credit earned under this Article to eligible creditable  
22 service, as defined by this Section, by filing a written  
23 election with the Board within 6 months after the effective  
24 date of this amendatory Act of the 102nd General Assembly and  
25 paying to the System an amount to be determined by the Board  
26 equal to (i) the difference between the amount of employee

1 contributions originally paid for that service and the amounts  
2 that would have been contributed had such contributions been  
3 made at the rates applicable to investigators for the  
4 Department of Revenue, investigators for the Illinois Gaming  
5 Board, investigators for the Secretary of State, or arson  
6 investigators, plus (ii) the difference between the employer's  
7 normal cost of the credit prior to the conversion authorized  
8 by this amendatory Act of the 102nd General Assembly and the  
9 employer's normal cost of the credit converted in accordance  
10 with this amendatory Act of the 102nd General Assembly, plus  
11 (iii) interest thereon at the actuarially assumed rate for  
12 each year, compounded annually, from the date of service to  
13 the date of payment.

14 (i) The total amount of eligible creditable service  
15 established by any person under subsections (g), (h), (j),  
16 (k), (l), (1-5), ~~and (o)~~, and (g) of this Section shall not  
17 exceed 12 years.

18 (j) Subject to the limitation in subsection (i), an  
19 investigator for the Office of the State's Attorneys Appellate  
20 Prosecutor or a controlled substance inspector may elect to  
21 establish eligible creditable service for up to 10 years of  
22 his service as a policeman under Article 3 or a sheriff's law  
23 enforcement employee under Article 7, by filing a written  
24 election with the Board, accompanied by payment of an amount  
25 to be determined by the Board, equal to (1) the difference  
26 between the amount of employee and employer contributions

1 transferred to the System under Section 3-110.6 or 7-139.8,  
2 and the amounts that would have been contributed had such  
3 contributions been made at the rates applicable to State  
4 policemen, plus (2) interest thereon at the effective rate for  
5 each year, compounded annually, from the date of service to  
6 the date of payment.

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

1 the employment for which credit is being established to the  
2 date of payment.

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

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

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

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

1           (n) A person employed in a position under subsection (b)  
2 of this Section who has purchased service credit under  
3 subsection (j) of Section 14-104 or subsection (b) of Section  
4 14-105 in any other capacity under this Article may convert up  
5 to 5 years of that service credit into service credit covered  
6 under this Section by paying to the Fund an amount equal to (1)  
7 the additional employee contribution required under Section  
8 14-133, plus (2) the additional employer contribution required  
9 under Section 14-131, plus (3) interest on items (1) and (2) at  
10 the actuarially assumed rate from the date of the service to  
11 the date of payment.

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

1 (i) the difference between the amount of the employee  
2 contributions actually paid for that service and the amount of  
3 the employee contributions that would have been paid had the  
4 employee contributions been made as a noncovered employee  
5 serving in a position in which eligible creditable service, as  
6 defined in this Section, may be earned, plus (ii) interest  
7 thereon at the effective rate for each year, compounded  
8 annually, from the date of service to the date of payment.

9 (g) Subject to the limitation in subsection (i) of this  
10 Section, an alternative formula employee may elect to  
11 establish eligible creditable service for up to 7 years of  
12 service as a State's Attorney under Article 7 by filing a  
13 written election with the Board, accompanied by payment of an  
14 amount to be determined by the Board, equal to: (1) the  
15 difference between the amount of employee and employer  
16 contributions transferred to the System under Section 7-139.8  
17 and the amounts that would have been contributed had such  
18 contributions been made at the rates applicable to State  
19 policemen; plus (2) interest thereon at the effective rate for  
20 each year, compounded annually, from the date of service to  
21 the date of payment.

22 Subject to the limitation in subsection (i) of this  
23 Section, an alternative formula employee may elect to  
24 establish eligible creditable service for up to 7 years of  
25 service as a State's Attorney for which credit is not held in  
26 this System or any other public employee pension fund or



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

15 (Source: P.A. 102-210, eff. 7-30-21; 102-538, eff. 8-20-21;  
16 102-856, eff. 1-1-23; 103-34, eff. 1-1-24.)

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

18 Sec. 14-110. Alternative retirement annuity.

19 (a) Any member who has withdrawn from service with not  
20 less than 20 years of eligible creditable service and has  
21 attained age 55, and any member who has withdrawn from service  
22 with not less than 25 years of eligible creditable service and  
23 has attained age 50, regardless of whether the attainment of  
24 either of the specified ages occurs while the member is still  
25 in service, shall be entitled to receive at the option of the

1 member, in lieu of the regular or minimum retirement annuity,  
2 a retirement annuity computed as follows:

3 (i) for periods of service as a noncovered employee:  
4 if retirement occurs on or after January 1, 2001, 3% of  
5 final average compensation for each year of creditable  
6 service; if retirement occurs before January 1, 2001, 2  
7 1/4% of final average compensation for each of the first  
8 10 years of creditable service, 2 1/2% for each year above  
9 10 years to and including 20 years of creditable service,  
10 and 2 3/4% for each year of creditable service above 20  
11 years; and

12 (ii) for periods of eligible creditable service as a  
13 covered employee: if retirement occurs on or after January  
14 1, 2001, 2.5% of final average compensation for each year  
15 of creditable service; if retirement occurs before January  
16 1, 2001, 1.67% of final average compensation for each of  
17 the first 10 years of such service, 1.90% for each of the  
18 next 10 years of such service, 2.10% for each year of such  
19 service in excess of 20 but not exceeding 30, and 2.30% for  
20 each year in excess of 30.

21 Such annuity shall be subject to a maximum of 75% of final  
22 average compensation if retirement occurs before January 1,  
23 2001 or to a maximum of 80% of final average compensation if  
24 retirement occurs on or after January 1, 2001.

25 These rates shall not be applicable to any service  
26 performed by a member as a covered employee which is not

1 eligible creditable service. Service as a covered employee  
2 which is not eligible creditable service shall be subject to  
3 the rates and provisions of Section 14-108.

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

7 (1) State policeman;

8 (2) fire fighter in the fire protection service of a  
9 department;

10 (3) air pilot;

11 (4) special agent;

12 (5) investigator for the Secretary of State;

13 (6) conservation police officer;

14 (7) investigator for the Department of Revenue or the  
15 Illinois Gaming Board;

16 (8) security employee of the Department of Human  
17 Services;

18 (9) Central Management Services security police  
19 officer;

20 (10) security employee of the Department of  
21 Corrections or the Department of Juvenile Justice;

22 (11) dangerous drugs investigator;

23 (12) investigator for the Illinois State Police;

24 (13) investigator for the Office of the Attorney  
25 General;

26 (14) controlled substance inspector;

1           (15) investigator for the Office of the State's  
2       Attorneys Appellate Prosecutor;

3           (16) Commerce Commission police officer;

4           (17) arson investigator;

5           (18) State highway maintenance worker;

6           (19) security employee of the Department of Innovation  
7       and Technology; or

8           (20) transferred employee.

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

19      A person under paragraph (20) is entitled to eligible  
20      creditable service for service credit earned under this  
21      Article on and after his or her transfer by Executive Order No.  
22      2003-10, Executive Order No. 2004-2, or Executive Order No.  
23      2016-1.

24      (c) For the purposes of this Section:

25           (1) The term "State policeman" includes any title or  
26      position in the Illinois State Police that is held by an

1 individual employed under the Illinois State Police Act.

2 (2) The term "fire fighter in the fire protection  
3 service of a department" includes all officers in such  
4 fire protection service including fire chiefs and  
5 assistant fire chiefs.

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

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

1 position in the Illinois State Police that is held by an  
2 individual employed under the Illinois State Police Act.

3 (5) The term "investigator for the Secretary of State"  
4 means any person employed by the Office of the Secretary  
5 of State and vested with such investigative duties as  
6 render him 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 A person who became employed as an investigator for  
10 the Secretary of State between January 1, 1967 and  
11 December 31, 1975, and who has served as such until  
12 attainment of age 60, either continuously or with a single  
13 break in service of not more than 3 years duration, which  
14 break terminated before January 1, 1976, shall be entitled  
15 to have his retirement annuity calculated in accordance  
16 with subsection (a), notwithstanding that he has less than  
17 20 years of credit for such service.

18 (6) The term "Conservation Police Officer" means any  
19 person employed by the Division of Law Enforcement of the  
20 Department of Natural Resources and vested with such law  
21 enforcement duties as render him ineligible for coverage  
22 under the Social Security Act by reason of Sections  
23 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The  
24 term "Conservation Police Officer" includes the positions  
25 of Chief Conservation Police Administrator and Assistant  
26 Conservation Police Administrator.

1           (7) The term "investigator for the Department of  
2 Revenue" means any person employed by the Department of  
3 Revenue and vested with such investigative duties as  
4 render him ineligible for coverage under the Social  
5 Security Act by reason of Sections 218(d)(5)(A),  
6 218(d)(8)(D) and 218(1)(1) of that Act.

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

13           (8) The term "security employee of the Department of  
14 Human Services" means any person employed by the  
15 Department of Human Services who (i) is employed at the  
16 Chester Mental Health Center and has daily contact with  
17 the residents thereof, (ii) is employed within a security  
18 unit at a facility operated by the Department and has  
19 daily contact with the residents of the security unit,  
20 (iii) is employed at a facility operated by the Department  
21 that includes a security unit and is regularly scheduled  
22 to work at least 50% of his or her working hours within  
23 that security unit, or (iv) is a mental health police  
24 officer. "Mental health police officer" means any person  
25 employed by the Department of Human Services in a position  
26 pertaining to the Department's mental health and

1 developmental disabilities functions who is vested with  
2 such law enforcement duties as render the person  
3 ineligible for coverage under the Social Security Act by  
4 reason of Sections 218(d)(5)(A), 218(d)(8)(D) and  
5 218(1)(1) of that Act. "Security unit" means that portion  
6 of a facility that is devoted to the care, containment,  
7 and treatment of persons committed to the Department of  
8 Human Services as sexually violent persons, persons unfit  
9 to stand trial, or persons not guilty by reason of  
10 insanity. With respect to past employment, references to  
11 the Department of Human Services include its predecessor,  
12 the Department of Mental Health and Developmental  
13 Disabilities.

14 The changes made to this subdivision (c)(8) by Public  
15 Act 92-14 apply to persons who retire on or after January  
16 1, 2001, notwithstanding Section 1-103.1.

17 (9) "Central Management Services security police  
18 officer" means any person employed by the Department of  
19 Central Management Services who is vested with such law  
20 enforcement duties as render him ineligible for coverage  
21 under the Social Security Act by reason of Sections  
22 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act.

23 (10) For a member who first became an employee under  
24 this Article before July 1, 2005, the term "security  
25 employee of the Department of Corrections or the  
26 Department of Juvenile Justice" means any employee of the



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

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

21 (12) The term "investigator for the Illinois State  
22 Police" means a person employed by the Illinois State  
23 Police who is vested under Section 4 of the Narcotic  
24 Control Division Abolition Act with such law enforcement  
25 powers as render him ineligible for coverage under the  
26 Social Security Act by reason of Sections 218(d) (5) (A),

1           218(d) (8) (D) and 218(1) (1) of that Act.

2           (13) "Investigator for the Office of the Attorney  
3           General" means any person who is employed as such by the  
4           Office of the Attorney General and is vested with such  
5           investigative duties as render him ineligible for coverage  
6           under the Social Security Act by reason of Sections  
7           218(d) (5) (A), 218(d) (8) (D) and 218(1) (1) of that Act. For  
8           the period before January 1, 1989, the term includes all  
9           persons who were employed as investigators by the Office  
10          of the Attorney General, without regard to social security  
11          status.

12          (14) "Controlled substance inspector" means any person  
13          who is employed as such by the Department of Professional  
14          Regulation and is vested with such law enforcement duties  
15          as render him ineligible for coverage under the Social  
16          Security Act by reason of Sections 218(d) (5) (A),  
17          218(d) (8) (D) and 218(1) (1) of that Act. The term  
18          "controlled substance inspector" includes the Program  
19          Executive of Enforcement and the Assistant Program  
20          Executive of Enforcement.

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

26          (16) "Commerce Commission police officer" means any

1 person employed by the Illinois Commerce Commission who is  
2 vested with such law enforcement duties as render him  
3 ineligible for coverage under the Social Security Act by  
4 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and  
5 218(1)(1) of that Act.

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

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

24 (i) A person employed on a full-time basis by the  
25 Illinois Department of Transportation in the position  
26 of highway maintainer, highway maintenance lead

1 worker, highway maintenance lead/lead worker, heavy  
2 construction equipment operator, power shovel  
3 operator, or bridge mechanic; and whose principal  
4 responsibility is to perform, on the roadway, the  
5 actual maintenance necessary to keep the highways that  
6 form a part of the State highway system in serviceable  
7 condition for vehicular traffic.

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

21 (19) The term "security employee of the Department of  
22 Innovation and Technology" means a person who was a  
23 security employee of the Department of Corrections or the  
24 Department of Juvenile Justice, was transferred to the  
25 Department of Innovation and Technology pursuant to  
26 Executive Order 2016-01, and continues to perform similar

1 job functions under that Department.

2 (20) "Transferred employee" means an employee who was  
3 transferred to the Department of Central Management  
4 Services by Executive Order No. 2003-10 or Executive Order  
5 No. 2004-2 or transferred to the Department of Innovation  
6 and Technology by Executive Order No. 2016-1, or both, and  
7 was entitled to eligible creditable service for services  
8 immediately preceding the transfer.

9 (21) "State's Attorney" means a person elected or  
10 appointed to serve as the State's Attorney of a county.  
11 "State's Attorney" does not include an assistant State's  
12 Attorney or a State's Attorney special investigator.

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

21 (i) 25 years of eligible creditable service and age  
22 55; or

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

26 (iii) beginning January 1, 1988, 25 years of eligible

1       creditable service and age 53, or 23 years of eligible  
2       creditable service and age 55; or

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

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

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

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

21       (e) If a member enters military service while working in a  
22      position in which eligible creditable service may be earned,  
23      and returns to State service in the same or another such  
24      position, and fulfills in all other respects the conditions  
25      prescribed in this Article for credit for military service,  
26      such military service shall be credited as eligible creditable

1 service for the purposes of the retirement annuity prescribed  
2 in this Section.

3 (f) For purposes of calculating retirement annuities under  
4 this Section, periods of service rendered after December 31,  
5 1968 and before October 1, 1975 as a covered employee in the  
6 position of special agent, conservation police officer, mental  
7 health police officer, or investigator for the Secretary of  
8 State, shall be deemed to have been service as a noncovered  
9 employee, provided that the employee pays to the System prior  
10 to retirement an amount equal to (1) the difference between  
11 the employee contributions that would have been required for  
12 such service as a noncovered employee, and the amount of  
13 employee contributions actually paid, plus (2) if payment is  
14 made after July 31, 1987, regular interest on the amount  
15 specified in item (1) from the date of service to the date of  
16 payment.

17 For purposes of calculating retirement annuities under  
18 this Section, periods of service rendered after December 31,  
19 1968 and before January 1, 1982 as a covered employee in the  
20 position of investigator for the Department of Revenue shall  
21 be deemed to have been service as a noncovered employee,  
22 provided that the employee pays to the System prior to  
23 retirement an amount equal to (1) the difference between the  
24 employee contributions that would have been required for such  
25 service as a noncovered employee, and the amount of employee  
26 contributions actually paid, plus (2) if payment is made after

1 January 1, 1990, regular interest on the amount specified in  
2 item (1) from the date of service to the date of payment.

3 (g) A State policeman may elect, not later than January 1,  
4 1990, to establish eligible creditable service for up to 10  
5 years of his service as a policeman under Article 3, by filing  
6 a written election with the Board, accompanied by payment of  
7 an amount to be determined by the Board, equal to (i) the  
8 difference between the amount of employee and employer  
9 contributions transferred to the System under Section 3-110.5,  
10 and the 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 effective rate  
13 for each year, compounded annually, from the date of service  
14 to the date of payment.

15 Subject to the limitation in subsection (i), a State  
16 policeman may elect, not later than July 1, 1993, to establish  
17 eligible creditable service for up to 10 years of his service  
18 as a member of the County Police Department under Article 9, by  
19 filing a written election with the Board, accompanied by  
20 payment of an amount to be determined by the Board, equal to  
21 (i) the difference between the amount of employee and employer  
22 contributions transferred to the System under Section 9-121.10  
23 and the amounts that would have been contributed had those  
24 contributions been made at the rates applicable to State  
25 policemen, 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 (h) Subject to the limitation in subsection (i), a State  
3 policeman or investigator for the Secretary of State may elect  
4 to establish eligible creditable service for up to 12 years of  
5 his service as a policeman under Article 5, by filing a written  
6 election with the Board on or before January 31, 1992, and  
7 paying to the System by January 31, 1994 an amount to be  
8 determined by the Board, equal to (i) the difference between  
9 the amount of employee and employer contributions transferred  
10 to the System under Section 5-236, and the amounts that would  
11 have been contributed had such contributions been made at the  
12 rates applicable to State policemen, plus (ii) interest  
13 thereon at the effective rate for each year, compounded  
14 annually, from the date of service to the date of payment.

15 Subject to the limitation in subsection (i), a State  
16 policeman, conservation police officer, or investigator for  
17 the Secretary of State may elect to establish eligible  
18 creditable service for up to 10 years of service as a sheriff's  
19 law enforcement employee under Article 7, by filing a written  
20 election with the Board on or before January 31, 1993, and  
21 paying to the System by January 31, 1994 an amount to be  
22 determined by the Board, equal to (i) the difference between  
23 the amount of employee and employer contributions transferred  
24 to the System under Section 7-139.7, and the amounts that  
25 would have been contributed had such contributions been made  
26 at the rates applicable to State policemen, plus (ii) interest

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

3 Subject to the limitation in subsection (i), a State  
4 policeman, conservation police officer, or investigator for  
5 the Secretary of State may elect to establish eligible  
6 creditable service for up to 5 years of service as a police  
7 officer under Article 3, a policeman under Article 5, a  
8 sheriff's law enforcement employee under Article 7, a member  
9 of the county police department under Article 9, or a police  
10 officer under Article 15 by filing a written election with the  
11 Board and paying to the System an amount to be determined by  
12 the Board, equal to (i) the difference between the amount of  
13 employee and employer contributions transferred to the System  
14 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4  
15 and the amounts that would have been contributed had such  
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 Subject to the limitation in subsection (i), an  
21 investigator for the Office of the Attorney General, or an  
22 investigator for the Department of Revenue, may elect to  
23 establish eligible creditable service for up to 5 years of  
24 service as a police officer under Article 3, a policeman under  
25 Article 5, a sheriff's law enforcement employee under Article  
26 7, or a member of the county police department under Article 9

1 by filing a written election with the Board within 6 months  
2 after August 25, 2009 (the effective date of Public Act  
3 96-745) 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, or 9-121.10 and the  
7 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 actuarially  
10 assumed rate for each year, compounded annually, from the date  
11 of service to the date of payment.

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

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

24 Subject to the limitation in subsection (i), a  
25 conservation police officer may elect to establish eligible  
26 creditable service for up to 5 years of service as a person

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

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

1 ~~the 104th General Assembly Public Act 102-210~~ and the  
2 employer's normal cost of the credit converted in accordance  
3 with this amendatory Act of the 104th General Assembly ~~Public~~  
4 ~~Act 102-210~~, plus (iii) interest thereon at the actuarially  
5 assumed rate for each year, compounded annually, from the date  
6 of service to the date of payment.

7 (i) The total amount of eligible creditable service  
8 established by any person under subsections (g), (h), (j),  
9 (k), (l), (1-5), (o), ~~and~~ (p), and (q) of this Section shall  
10 not exceed 12 years.

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

26 (k) Subject to the limitation in subsection (i) of this

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

22 (1) Subject to the limitation in subsection (i), a  
23 security employee of the Department of Corrections may elect,  
24 not later than July 1, 1998, to establish eligible creditable  
25 service for up to 10 years of his or her service as a policeman  
26 under Article 3, by filing a written election with the Board,

1 accompanied by payment of an amount to be determined by the  
2 Board, equal to (i) the difference between the amount of  
3 employee and employer contributions transferred to the System  
4 under Section 3-110.5, and the amounts that would have been  
5 contributed had such contributions been made at the rates  
6 applicable to security employees of the Department of  
7 Corrections, plus (ii) interest thereon at the effective rate  
8 for each year, compounded annually, from the date of service  
9 to the date of payment.

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



1 normal cost of the benefits accrued for the credit being  
2 established, plus (3) regular interest on the amounts in items  
3 (1) and (2) from the first day as an alternative formula  
4 employee after the employment for which credit is being  
5 established to the date of payment.

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

20 (n) A person employed in a position under subsection (b)  
21 of this Section who has purchased service credit under  
22 subsection (j) of Section 14-104 or subsection (b) of Section  
23 14-105 in any other capacity under this Article may convert up  
24 to 5 years of that service credit into service credit covered  
25 under this Section by paying to the Fund an amount equal to (1)  
26 the additional employee contribution required under Section

1 14-133, plus (2) the additional employer contribution required  
2 under Section 14-131, plus (3) interest on items (1) and (2) at  
3 the actuarially assumed rate from the date of the service to  
4 the date of payment.

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

1 annually, from the date of service to the date of payment.

2 (p) Subject to the limitation in subsection (i), an  
3 investigator for the Office of the Attorney General subject to  
4 subsection (g) of Section 1-160 may elect to convert up to 8  
5 years of service credit established before the effective date  
6 of this amendatory Act of the 102nd General Assembly as an  
7 investigator for the Office of the Attorney General under this  
8 Article into eligible creditable service by filing a written  
9 election with the Board no later than one year after the  
10 effective date of this amendatory Act of the 102nd General  
11 Assembly, accompanied by payment of an amount to be determined  
12 by the Board equal to (i) the difference between the amount of  
13 the employee contributions actually paid for that service and  
14 the amount of the employee contributions that would have been  
15 paid had the employee contributions been made as a noncovered  
16 employee serving in a position in which eligible creditable  
17 service, as defined in this Section, may be earned, plus (ii)  
18 interest thereon at the effective rate for each year,  
19 compounded annually, from the date of service to the date of  
20 payment.

21 (q) Subject to the limitation in subsection (i) of this  
22 Section, an alternative formula employee may elect to  
23 establish eligible creditable service for up to 7 years of  
24 service as a State's Attorney under Article 7 by filing a  
25 written election with the Board, accompanied by payment of an  
26 amount to be determined by the Board, equal to: (1) the

1 difference between the amount of employee and employer  
2 contributions transferred to the System under Section 7-139.8  
3 and the amounts that would have been contributed had such  
4 contributions been made at the rates applicable to State  
5 policemen; plus (2) interest thereon at the effective rate for  
6 each year, compounded annually, from the date of service to  
7 the date of payment.

8 Subject to the limitation in subsection (i) of this  
9 Section, an alternative formula employee may elect to  
10 establish eligible creditable service for up to 7 years of  
11 service as a State's Attorney for which credit is not held in  
12 this System or any other public employee pension fund or  
13 retirement system. To obtain this credit, the applicant must  
14 file a written application with the Board, accompanied by  
15 evidence of eligibility acceptable to the Board and payment of  
16 an amount to be determined by the Board, equal to (1) employee  
17 contributions for the credit being established, based upon the  
18 applicant's salary on the first day as an alternative formula  
19 employee after the employment for which credit is being  
20 established and the rates then applicable to alternative  
21 formula employees, plus (2) an amount determined by the Board  
22 to be the employer's normal cost of the benefits accrued for  
23 the credit being established, plus (3) regular interest on the  
24 amounts in items (1) and (2) from the first day as an  
25 alternative formula employee after the employment for which  
26 credit is being established to the date of payment.

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

(40 ILCS 5/14-152.1)

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

(a) As used in this Section, "new benefit increase" means an increase in the amount of any benefit provided under this Article, or an expansion of the conditions of eligibility for any benefit under this Article, that results from an amendment to this Code that takes effect after June 1, 2005 (the effective date of Public Act 94-4). "New benefit increase", however, does not include any benefit increase resulting from the changes made to Article 1 or this Article by Public Act 96-37, Public Act 100-23, Public Act 100-587, Public Act 100-611, Public Act 101-10, Public Act 101-610, Public Act 102-210, Public Act 102-856, Public Act 102-956, or this amendatory Act of the 104th General Assembly ~~this amendatory Act of the 102nd General Assembly.~~

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

(c) The Public Act enacting a new benefit increase must identify and provide for payment to the System of additional

1 funding at least sufficient to fund the resulting annual  
2 increase in cost to the System as it accrues.

3 Every new benefit increase is contingent upon the General  
4 Assembly providing the additional funding required under this  
5 subsection. The Commission on Government Forecasting and  
6 Accountability shall analyze whether adequate additional  
7 funding has been provided for the new benefit increase and  
8 shall report its analysis to the Public Pension Division of  
9 the Department of Insurance. A new benefit increase created by  
10 a Public Act that does not include the additional funding  
11 required under this subsection is null and void. If the Public  
12 Pension Division determines that the additional funding  
13 provided for a new benefit increase under this subsection is  
14 or has become inadequate, it may so certify to the Governor and  
15 the State Comptroller and, in the absence of corrective action  
16 by the General Assembly, the new benefit increase shall expire  
17 at the end of the fiscal year in which the certification is  
18 made.

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

25 (e) Except as otherwise provided in the language creating  
26 the new benefit increase, a new benefit increase that expires

1 under this Section continues to apply to persons who applied  
2 and qualified for the affected benefit while the new benefit  
3 increase was in effect and to the affected beneficiaries and  
4 alternate payees of such persons, but does not apply to any  
5 other person, including, without limitation, a person who  
6 continues in service after the expiration date and did not  
7 apply and qualify for the affected benefit while the new  
8 benefit increase was in effect.

9 (Source: P.A. 101-10, eff. 6-5-19; 101-81, eff. 7-12-19;  
10 101-610, eff. 1-1-20; 102-210, eff. 7-30-21; 102-856, eff.  
11 1-1-23; 102-956, eff. 5-27-22.)

12 Section 90. The State Mandates Act is amended by adding  
13 Section 8.49 as follows:

14 (30 ILCS 805/8.49 new)

15 Sec. 8.49. Exempt mandate. Notwithstanding Sections 6 and  
16 8 of this Act, no reimbursement by the State is required for  
17 the implementation of any mandate created by this amendatory  
18 Act of the 104th General Assembly.

19 Section 99. Effective date. This Act takes effect upon  
20 becoming law.