

# SB1630



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB1630

Introduced 2/4/2025, by Sen. Dave Syverson

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/14-104

from Ch. 108 1/2, par. 14-104

Amends the State Employees Article of the Illinois Pension Code. Provides that any person who rendered contractual services to a member of the General Assembly as a worker providing constituent services to persons in the member's district may establish creditable service for up to 8 years of those contractual services by making a specified contribution and applying to the System by no later than one year after the effective date of the amendatory Act.

LRB104 11068 RPS 21150 b

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 Section 14-104 as follows:

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

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

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

23 (a) Any member may make contributions as required in this

1 Section for any period of service, subsequent to the date of  
2 establishment, but prior to the date of membership.

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

8 (c) An employee of the Department of Insurance who, after  
9 January 1, 1944 but prior to becoming eligible for membership,  
10 received salary from funds of insurance companies in the  
11 process of rehabilitation, liquidation, conservation or  
12 dissolution, may elect to make contributions as required in  
13 this Section for such service.

14 (d) Any employee who rendered service in a State office to  
15 which he was elected, or rendered service in the elective  
16 office of Clerk of the Appellate Court prior to the date he  
17 became a member, may make contributions for such service as  
18 required in this Section. Any member who served by appointment  
19 of the Governor under the Civil Administrative Code of  
20 Illinois and did not participate in this System may make  
21 contributions as required in this Section for such service.

22 (e) Any person employed by the United States government or  
23 any instrumentality or agency thereof from January 1, 1942  
24 through November 15, 1946 as the result of a transfer from  
25 State service by executive order of the President of the  
26 United States shall be entitled to prior service credit

1 covering the period from January 1, 1942 through December 31,  
2 1943 as provided for in this Article and to membership service  
3 credit for the period from January 1, 1944 through November  
4 15, 1946 by making the contributions required in this Section.  
5 A person so employed on January 1, 1944 but whose employment  
6 began after January 1, 1942 may qualify for prior service and  
7 membership service credit under the same conditions.

8 (f) An employee of the Department of Labor of the State of  
9 Illinois who performed services for and under the supervision  
10 of that Department prior to January 1, 1944 but who was  
11 compensated for those services directly by federal funds and  
12 not by a warrant of the Auditor of Public Accounts paid by the  
13 State Treasurer may establish credit for such employment by  
14 making the contributions required in this Section. An employee  
15 of the Department of Agriculture of the State of Illinois, who  
16 performed services for and under the supervision of that  
17 Department prior to June 1, 1963, but was compensated for  
18 those services directly by federal funds and not paid by a  
19 warrant of the Auditor of Public Accounts paid by the State  
20 Treasurer, and who did not contribute to any other public  
21 employee retirement system for such service, may establish  
22 credit for such employment by making the contributions  
23 required in this Section.

24 (g) Any employee who executed a waiver of membership  
25 within 60 days prior to January 1, 1944 may, at any time while  
26 in the service of a department, file with the board a

1 rescission of such waiver. Upon making the contributions  
2 required by this Section, the member shall be granted the  
3 creditable service that would have been received if the waiver  
4 had not been executed.

5 (h) Until May 1, 1990, an employee who was employed on a  
6 full-time basis by a regional planning commission for at least  
7 5 continuous years may establish creditable service for such  
8 employment by making the contributions required under this  
9 Section, provided that any credits earned by the employee in  
10 the commission's retirement plan have been terminated.

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

16 (j) By paying the contributions otherwise required under  
17 this Section, plus an amount determined by the Board to be  
18 equal to the employer's normal cost of the benefit plus  
19 interest, but with all of the interest calculated from the  
20 date the employee last became a member of the System or  
21 November 19, 1991, whichever is later, to the date of payment,  
22 an employee may establish service credit for a period of up to  
23 4 years spent in active military service for which he does not  
24 qualify for credit under Section 14-105, provided that (1) he  
25 was not dishonorably discharged from such military service,  
26 and (2) the amount of service credit established by a member

1 under this subsection (j), when added to the amount of  
2 military service credit granted to the member under subsection  
3 (b) of Section 14-105, shall not exceed 5 years. The change in  
4 the manner of calculating interest under this subsection (j)  
5 made by this amendatory Act of the 92nd General Assembly  
6 applies to credit purchased by an employee on or after its  
7 effective date and does not entitle any person to a refund of  
8 contributions or interest already paid. In compliance with  
9 Section 14-152.1 of this Act concerning new benefit increases,  
10 any new benefit increase as a result of the changes to this  
11 subsection (j) made by Public Act 95-483 is funded through the  
12 employee contributions provided for in this subsection (j).  
13 Any new benefit increase as a result of the changes made to  
14 this subsection (j) by Public Act 95-483 is exempt from the  
15 provisions of subsection (d) of Section 14-152.1.

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

25 (l) By paying the contributions otherwise required under  
26 this Section, plus an amount determined by the Board to be

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

15 (1-5) By paying the contributions otherwise required under  
16 this Section, plus an amount determined by the Board to be  
17 equal to the employer's normal cost of the benefit plus  
18 interest, a member may establish service credit for periods of  
19 up to 2 years spent on authorized leave of absence from  
20 service, provided that during that leave the member  
21 represented or was employed as an officer or employee of a  
22 statewide labor organization that represents members of this  
23 System. In determining the contributions required for  
24 establishing service credit under this subsection, the  
25 interest shall be calculated from the beginning of the leave  
26 of absence to the date of payment.

1 (m) Any person who rendered contractual services to a  
2 member of the General Assembly as a worker in the member's  
3 district office may establish creditable service for up to 3  
4 years of those contractual services by making the  
5 contributions required under this Section. The System shall  
6 determine a full-time salary equivalent for the purpose of  
7 calculating the required contribution. To establish credit  
8 under this subsection, the applicant must apply to the System  
9 by March 1, 1998.

10 (n) Any person who rendered contractual services to a  
11 member of the General Assembly as a worker providing  
12 constituent services to persons in the member's district may  
13 establish creditable service for up to 8 years of those  
14 contractual services by making the contributions required  
15 under this Section. The System shall determine a full-time  
16 salary equivalent for the purpose of calculating the required  
17 contribution. To establish credit under this subsection, the  
18 applicant must apply to the System by no later than one year  
19 after the effective date of this amendatory Act of the 104th  
20 General Assembly ~~March 1, 1998~~.

21 (o) A member who participated in the Illinois Legislative  
22 Staff Internship Program may establish creditable service for  
23 up to one year of that participation by making the  
24 contribution required under this Section. The System shall  
25 determine a full-time salary equivalent for the purpose of  
26 calculating the required contribution. Credit may not be

1 established under this subsection for any period for which  
2 service credit is established under any other provision of  
3 this Code.

4 (p) By paying the contributions otherwise required under  
5 this Section, plus an amount determined by the Board to be  
6 equal to the employer's normal cost of the benefit plus  
7 interest, a member may establish service credit for a period  
8 of up to 8 years during which he or she was employed by the  
9 Visually Handicapped Managers of Illinois in a vending program  
10 operated under a contractual agreement with the Department of  
11 Rehabilitation Services or its successor agency.

12 This subsection (p) applies without regard to whether the  
13 person was in service on or after the effective date of this  
14 amendatory Act of the 94th General Assembly. In the case of a  
15 person who is receiving a retirement annuity on that effective  
16 date, the increase, if any, shall begin to accrue on the first  
17 annuity payment date following receipt by the System of the  
18 contributions required under this subsection (p).

19 (q) By paying the required contributions under this  
20 Section, plus an amount determined by the Board to be equal to  
21 the employer's normal cost of the benefit plus interest, an  
22 employee who was laid off but returned to any State employment  
23 may establish creditable service for the period of the layoff,  
24 provided that (1) the applicant applies for the creditable  
25 service under this subsection (q) within 6 months after July  
26 27, 2010 (the effective date of Public Act 96-1320), (2) the

1 applicant does not receive credit for that period under any  
2 other provision of this Code, (3) at the time of the layoff,  
3 the applicant is not in an initial probationary status  
4 consistent with the rules of the Department of Central  
5 Management Services, and (4) the total amount of creditable  
6 service established by the applicant under this subsection (q)  
7 does not exceed 3 years. For service established under this  
8 subsection (q), the required employee contribution shall be  
9 based on the rate of compensation earned by the employee on the  
10 date of returning to employment after the layoff and the  
11 contribution rate then in effect, and the required interest  
12 shall be calculated at the actuarially assumed rate from the  
13 date of returning to employment after the layoff to the date of  
14 payment. Funding for any new benefit increase, as defined in  
15 Section 14-152.1 of this Act, that is created under this  
16 subsection (q) will be provided by the employee contributions  
17 required under this subsection (q).

18 (r) A member who participated in the University of  
19 Illinois Government Public Service Internship Program (GPSI)  
20 may establish creditable service for up to 2 years of that  
21 participation by making the contribution required under this  
22 Section, plus an amount determined by the Board to be equal to  
23 the employer's normal cost of the benefit plus interest. The  
24 System shall determine a full-time salary equivalent for the  
25 purpose of calculating the required contribution. Credit may  
26 not be established under this subsection for any period for

1 which service credit is established under any other provision  
2 of this Code.

3 (s) A member who worked as a nurse under a contractual  
4 agreement for the Department of Public Aid, or its successor  
5 agency, the Department of Human Services, in the Client  
6 Assessment Unit and was subsequently determined to be a State  
7 employee by the United States Internal Revenue Service and the  
8 Illinois Labor Relations Board may establish creditable  
9 service for those contractual services by making the  
10 contributions required under this Section. To establish credit  
11 under this subsection, the applicant must apply to the System  
12 by July 1, 2008.

13 The Department of Human Services shall pay an employer  
14 contribution based upon an amount determined by the Board to  
15 be equal to the employer's normal cost of the benefit, plus  
16 interest.

17 In compliance with Section 14-152.1 added by Public Act  
18 94-4, the cost of the benefits provided by Public Act 95-583  
19 are offset by the required employee and employer  
20 contributions.

21 (t) Any person who rendered contractual services on a  
22 full-time basis to the Illinois Institute of Natural Resources  
23 and the Illinois Department of Energy and Natural Resources  
24 may establish creditable service for up to 4 years of those  
25 contractual services by making the contributions required  
26 under this Section, plus an amount determined by the Board to

1 be equal to the employer's normal cost of the benefit plus  
2 interest at the actuarially assumed rate from the first day of  
3 the service for which credit is being established to the date  
4 of payment. To establish credit under this subsection (t), the  
5 applicant must apply to the System within 6 months after July  
6 27, 2010 (the effective date of Public Act 96-1320).

7 (u) By paying the required contributions under this  
8 Section, plus an amount determined by the Board to be equal to  
9 the employer's normal cost of the benefit, plus interest, a  
10 member may establish creditable service and earnings credit  
11 for periods of furlough beginning on or after July 1, 2008. To  
12 receive this credit, the participant must (i) apply in writing  
13 to the System before December 31, 2011 and (ii) not receive  
14 compensation for the furlough period. For service established  
15 under this subsection, the required employee contribution  
16 shall be based on the rate of compensation earned by the  
17 employee immediately following the date of the first furlough  
18 day in the time period specified in this subsection (u), and  
19 the required interest shall be calculated at the actuarially  
20 assumed rate from the date of the furlough to the date of  
21 payment.

22 (v) Any member who rendered full-time contractual services  
23 to an Illinois Veterans Home operated by the Department of  
24 Veterans' Affairs may establish service credit for up to 8  
25 years of such services by making the contributions required  
26 under this Section, plus an amount determined by the Board to

1 be equal to the employer's normal cost of the benefit, plus  
2 interest at the actuarially assumed rate. To establish credit  
3 under this subsection, the applicant must apply to the System  
4 no later than 6 months after July 27, 2010 (the effective date  
5 of Public Act 96-1320).

6 (Source: P.A. 96-97, eff. 7-27-09; 96-718, eff. 8-25-09;  
7 96-775, eff. 8-28-09; 96-961, eff. 7-2-10; 96-1000, eff.  
8 7-2-10; 96-1320, eff. 7-27-10; 96-1535, eff. 3-4-11; 97-333,  
9 8-12-11.)