



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5459

Introduced 1/31/2022, by Rep. Joyce Mason

SYNOPSIS AS INTRODUCED:

40 ILCS 5/3-110.13 new
40 ILCS 5/3-111.7 new
40 ILCS 5/8-226.8 new
30 ILCS 805/8.46 new

Amends the Downstate Police and Chicago Municipal Articles of the Illinois Pension Code. Provides that beginning January 1, 2023 and until July 1, 2023, any participant under the Chicago Municipal Article who is a police officer under the Downstate Police Article may apply to transfer service credit from the pension fund under the Chicago Municipal Article to a pension fund under the Downstate Police Article. Requires a specified contribution to establish the service credit. Provides that a police officer shall be deemed to be a person who first became a police officer under the Downstate Police Article before January 1, 2011 if the transferred service credit was for service as a person who first became a participant under the Chicago Municipal Article before January 1, 2011 and at the time the police officer applied to transfer the service credit, the amount of service credit under the Chicago Municipal Article was greater than the amount of creditable service the police officer had under the Downstate Police Article. Amends the State Mandates Act to require implementation without reimbursement by the State. Effective immediately.

LRB102 22516 RPS 31657 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 adding
5 Sections 3-110.13, 3-111.7, and 8-226.8 as follows:

6 (40 ILCS 5/3-110.13 new)

7 Sec. 3-110.13. Transfer from Article 8. Beginning January
8 1, 2023 and until July 1, 2023, a person may transfer to a fund
9 established under this Article service credit accumulated
10 under Article 8 of this Code upon payment to the fund of an
11 amount to be determined by the board, equal to (i) the
12 difference between the amount of employee and employer
13 contributions transferred to the fund under Section 8-226.8
14 and the amounts that would have been contributed had such
15 contributions been made at the rates applicable to an employee
16 under this Article, plus (ii) interest thereon at the
17 actuarially assumed rate, compounded annually, from the date
18 of service to the date of payment.

19 (40 ILCS 5/3-111.7 new)

20 Sec. 3-111.7. Membership date; service transferred from
21 Article 8. A police officer shall be deemed to be a person who
22 first became a police officer under this Article before

1 January 1, 2011 if: (1) the police officer transferred service
2 credit under Section 8-226.8; (2) the transferred service
3 credit was for service as a person who first became a
4 participant under Article 8 before January 1, 2011; and (3) at
5 the time the police officer applied to transfer the service
6 credit under Section 3-110.13, the amount of service credit
7 under Article 8 was greater than the amount of creditable
8 service the police officer had under this Article.

9 (40 ILCS 5/8-226.8 new)

10 Sec. 8-226.8. Transfer to Article 3. Beginning January 1,
11 2023 and until July 1, 2023, any participant who is a police
12 officer under Article 3 of this Code and is eligible to
13 transfer service credit to an Article 3 fund from this Fund
14 under Section 3-110.13 may apply for transfer of that service
15 credit to an Article 3 fund. The credits and creditable
16 service shall be transferred upon application and shall
17 include payment by this Fund to the Article 3 fund of:

18 (1) the amounts accumulated to the credit of the
19 applicant for that service, including interest, on the
20 books of the Fund on the date of transfer; and

21 (2) the corresponding employer credits computed and
22 credited for that service under this Article, including
23 interest, on the books of the Fund on the date of transfer.

24 Participation in this Fund as to the credits transferred
25 under this Section shall terminate on the date of transfer.

1 Section 90. The State Mandates Act is amended by adding
2 Section 8.46 as follows:

3 (30 ILCS 805/8.46 new)

4 Sec. 8.46. Exempt mandate. Notwithstanding Sections 6 and
5 8 of this Act, no reimbursement by the State is required for
6 the implementation of any mandate created by this amendatory
7 Act of the 102nd General Assembly.

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