



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB3297

Introduced 2/17/2023, by Rep. Anna Moeller

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/1-160

40 ILCS 5/14-110

40 ILCS 5/14-152.1

from Ch. 108 1/2, par. 14-110

Amends the General Provisions and State Employee Articles of the Illinois Pension Code. Provides that a security employee of the Department of Human Services subject to the Tier 2 provisions is entitled to an annuity calculated under the alternative retirement annuity provisions, in lieu of the regular or minimum retirement annuity, only if the person has withdrawn from service with not less than 20 years of eligible creditable service and has attained age 55, regardless of whether the attainment of age 55 occurs while the person is still in service. Provides that a security employee of the Department of Human Services subject to the Tier 2 provisions may convert up to 9 years of service credit established before the effective date of the amendatory Act as a security employee of the Department of Human Services under the State Employee Article into eligible creditable service by filing a written election with the Board under that Article, accompanied by a specified payment. Excludes a benefit increase resulting from the amendatory Act from the definition of "new benefit increase". Effective January 1, 2024.

LRB103 27602 RPS 53978 b

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 1-160, 14-110, and 14-152.1 as follows:

6 (40 ILCS 5/1-160)

7 (Text of Section from P.A. 102-719)

8 Sec. 1-160. Provisions applicable to new hires.

9 (a) The provisions of this Section apply to a person who,  
10 on or after January 1, 2011, first becomes a member or a  
11 participant under any reciprocal retirement system or pension  
12 fund established under this Code, other than a retirement  
13 system or pension fund established under Article 2, 3, 4, 5, 6,  
14 7, 15, or 18 of this Code, notwithstanding any other provision  
15 of this Code to the contrary, but do not apply to any  
16 self-managed plan established under this Code or to any  
17 participant of the retirement plan established under Section  
18 22-101; except that this Section applies to a person who  
19 elected to establish alternative credits by electing in  
20 writing after January 1, 2011, but before August 8, 2011,  
21 under Section 7-145.1 of this Code. Notwithstanding anything  
22 to the contrary in this Section, for purposes of this Section,  
23 a person who is a Tier 1 regular employee as defined in Section

1 7-109.4 of this Code or who participated in a retirement  
2 system under Article 15 prior to January 1, 2011 shall be  
3 deemed a person who first became a member or participant prior  
4 to January 1, 2011 under any retirement system or pension fund  
5 subject to this Section. The changes made to this Section by  
6 Public Act 98-596 are a clarification of existing law and are  
7 intended to be retroactive to January 1, 2011 (the effective  
8 date of Public Act 96-889), notwithstanding the provisions of  
9 Section 1-103.1 of this Code.

10 This Section does not apply to a person who first becomes a  
11 noncovered employee under Article 14 on or after the  
12 implementation date of the plan created under Section 1-161  
13 for that Article, unless that person elects under subsection  
14 (b) of Section 1-161 to instead receive the benefits provided  
15 under this Section and the applicable provisions of that  
16 Article.

17 This Section does not apply to a person who first becomes a  
18 member or participant under Article 16 on or after the  
19 implementation date of the plan created under Section 1-161  
20 for that Article, unless that person elects under subsection  
21 (b) of Section 1-161 to instead receive the benefits provided  
22 under this Section and the applicable provisions of that  
23 Article.

24 This Section does not apply to a person who elects under  
25 subsection (c-5) of Section 1-161 to receive the benefits  
26 under Section 1-161.

1           This Section does not apply to a person who first becomes a  
2 member or participant of an affected pension fund on or after 6  
3 months after the resolution or ordinance date, as defined in  
4 Section 1-162, unless that person elects under subsection (c)  
5 of Section 1-162 to receive the benefits provided under this  
6 Section and the applicable provisions of the Article under  
7 which he or she is a member or participant.

8           (b) "Final average salary" means, except as otherwise  
9 provided in this subsection, the average monthly (or annual)  
10 salary obtained by dividing the total salary or earnings  
11 calculated under the Article applicable to the member or  
12 participant during the 96 consecutive months (or 8 consecutive  
13 years) of service within the last 120 months (or 10 years) of  
14 service in which the total salary or earnings calculated under  
15 the applicable Article was the highest by the number of months  
16 (or years) of service in that period. For the purposes of a  
17 person who first becomes a member or participant of any  
18 retirement system or pension fund to which this Section  
19 applies on or after January 1, 2011, in this Code, "final  
20 average salary" shall be substituted for the following:

21           (1) (Blank).

22           (2) In Articles 8, 9, 10, 11, and 12, "highest average  
23 annual salary for any 4 consecutive years within the last  
24 10 years of service immediately preceding the date of  
25 withdrawal".

26           (3) In Article 13, "average final salary".

1 (4) In Article 14, "final average compensation".

2 (5) In Article 17, "average salary".

3 (6) In Section 22-207, "wages or salary received by  
4 him at the date of retirement or discharge".

5 A member of the Teachers' Retirement System of the State  
6 of Illinois who retires on or after June 1, 2021 and for whom  
7 the 2020-2021 school year is used in the calculation of the  
8 member's final average salary shall use the higher of the  
9 following for the purpose of determining the member's final  
10 average salary:

11 (A) the amount otherwise calculated under the first  
12 paragraph of this subsection; or

13 (B) an amount calculated by the Teachers' Retirement  
14 System of the State of Illinois using the average of the  
15 monthly (or annual) salary obtained by dividing the total  
16 salary or earnings calculated under Article 16 applicable  
17 to the member or participant during the 96 months (or 8  
18 years) of service within the last 120 months (or 10 years)  
19 of service in which the total salary or earnings  
20 calculated under the Article was the highest by the number  
21 of months (or years) of service in that period.

22 (b-5) Beginning on January 1, 2011, for all purposes under  
23 this Code (including without limitation the calculation of  
24 benefits and employee contributions), the annual earnings,  
25 salary, or wages (based on the plan year) of a member or  
26 participant to whom this Section applies shall not exceed

1 \$106,800; however, that amount shall annually thereafter be  
2 increased by the lesser of (i) 3% of that amount, including all  
3 previous adjustments, or (ii) one-half the annual unadjusted  
4 percentage increase (but not less than zero) in the consumer  
5 price index-u for the 12 months ending with the September  
6 preceding each November 1, including all previous adjustments.

7 For the purposes of this Section, "consumer price index-u"  
8 means the index published by the Bureau of Labor Statistics of  
9 the United States Department of Labor that measures the  
10 average change in prices of goods and services purchased by  
11 all urban consumers, United States city average, all items,  
12 1982-84 = 100. The new amount resulting from each annual  
13 adjustment shall be determined by the Public Pension Division  
14 of the Department of Insurance and made available to the  
15 boards of the retirement systems and pension funds by November  
16 1 of each year.

17 (c) A member or participant is entitled to a retirement  
18 annuity upon written application if he or she has attained age  
19 67 (age 65, with respect to service under Article 12 that is  
20 subject to this Section, for a member or participant under  
21 Article 12 who first becomes a member or participant under  
22 Article 12 on or after January 1, 2022 or who makes the  
23 election under item (i) of subsection (d-15) of this Section)  
24 and has at least 10 years of service credit and is otherwise  
25 eligible under the requirements of the applicable Article.

26 A member or participant who has attained age 62 (age 60,

1 with respect to service under Article 12 that is subject to  
2 this Section, for a member or participant under Article 12 who  
3 first becomes a member or participant under Article 12 on or  
4 after January 1, 2022 or who makes the election under item (i)  
5 of subsection (d-15) of this Section) and has at least 10 years  
6 of service credit and is otherwise eligible under the  
7 requirements of the applicable Article may elect to receive  
8 the lower retirement annuity provided in subsection (d) of  
9 this Section.

10 (c-5) A person who first becomes a member or a participant  
11 subject to this Section on or after July 6, 2017 (the effective  
12 date of Public Act 100-23), notwithstanding any other  
13 provision of this Code to the contrary, is entitled to a  
14 retirement annuity under Article 8 or Article 11 upon written  
15 application if he or she has attained age 65 and has at least  
16 10 years of service credit and is otherwise eligible under the  
17 requirements of Article 8 or Article 11 of this Code,  
18 whichever is applicable.

19 (d) The retirement annuity of a member or participant who  
20 is retiring after attaining age 62 (age 60, with respect to  
21 service under Article 12 that is subject to this Section, for a  
22 member or participant under Article 12 who first becomes a  
23 member or participant under Article 12 on or after January 1,  
24 2022 or who makes the election under item (i) of subsection  
25 (d-15) of this Section) with at least 10 years of service  
26 credit shall be reduced by one-half of 1% for each full month

1 that the member's age is under age 67 (age 65, with respect to  
2 service under Article 12 that is subject to this Section, for a  
3 member or participant under Article 12 who first becomes a  
4 member or participant under Article 12 on or after January 1,  
5 2022 or who makes the election under item (i) of subsection  
6 (d-15) of this Section).

7 (d-5) The retirement annuity payable under Article 8 or  
8 Article 11 to an eligible person subject to subsection (c-5)  
9 of this Section who is retiring at age 60 with at least 10  
10 years of service credit shall be reduced by one-half of 1% for  
11 each full month that the member's age is under age 65.

12 (d-10) Each person who first became a member or  
13 participant under Article 8 or Article 11 of this Code on or  
14 after January 1, 2011 and prior to July 6, 2017 (the effective  
15 date of Public Act 100-23) shall make an irrevocable election  
16 either:

17 (i) to be eligible for the reduced retirement age  
18 provided in subsections (c-5) and (d-5) of this Section,  
19 the eligibility for which is conditioned upon the member  
20 or participant agreeing to the increases in employee  
21 contributions for age and service annuities provided in  
22 subsection (a-5) of Section 8-174 of this Code (for  
23 service under Article 8) or subsection (a-5) of Section  
24 11-170 of this Code (for service under Article 11); or

25 (ii) to not agree to item (i) of this subsection  
26 (d-10), in which case the member or participant shall



1 continue to be subject to the retirement age provisions in  
2 subsections (c) and (d) of this Section and the employee  
3 contributions for age and service annuity as provided in  
4 subsection (a) of Section 8-174 of this Code (for service  
5 under Article 8) or subsection (a) of Section 11-170 of  
6 this Code (for service under Article 11).

7 The election provided for in this subsection shall be made  
8 between October 1, 2017 and November 15, 2017. A person  
9 subject to this subsection who makes the required election  
10 shall remain bound by that election. A person subject to this  
11 subsection who fails for any reason to make the required  
12 election within the time specified in this subsection shall be  
13 deemed to have made the election under item (ii).

14 (d-15) Each person who first becomes a member or  
15 participant under Article 12 on or after January 1, 2011 and  
16 prior to January 1, 2022 shall make an irrevocable election  
17 either:

18 (i) to be eligible for the reduced retirement age  
19 specified in subsections (c) and (d) of this Section, the  
20 eligibility for which is conditioned upon the member or  
21 participant agreeing to the increase in employee  
22 contributions for service annuities specified in  
23 subsection (b) of Section 12-150; or

24 (ii) to not agree to item (i) of this subsection  
25 (d-15), in which case the member or participant shall not  
26 be eligible for the reduced retirement age specified in

1 subsections (c) and (d) of this Section and shall not be  
2 subject to the increase in employee contributions for  
3 service annuities specified in subsection (b) of Section  
4 12-150.

5 The election provided for in this subsection shall be made  
6 between January 1, 2022 and April 1, 2022. A person subject to  
7 this subsection who makes the required election shall remain  
8 bound by that election. A person subject to this subsection  
9 who fails for any reason to make the required election within  
10 the time specified in this subsection shall be deemed to have  
11 made the election under item (ii).

12 (e) Any retirement annuity or supplemental annuity shall  
13 be subject to annual increases on the January 1 occurring  
14 either on or after the attainment of age 67 (age 65, with  
15 respect to service under Article 12 that is subject to this  
16 Section, for a member or participant under Article 12 who  
17 first becomes a member or participant under Article 12 on or  
18 after January 1, 2022 or who makes the election under item (i)  
19 of subsection (d-15); and beginning on July 6, 2017 (the  
20 effective date of Public Act 100-23), age 65 with respect to  
21 service under Article 8 or Article 11 for eligible persons  
22 who: (i) are subject to subsection (c-5) of this Section; or  
23 (ii) made the election under item (i) of subsection (d-10) of  
24 this Section) or the first anniversary of the annuity start  
25 date, whichever is later. Each annual increase shall be  
26 calculated at 3% or one-half the annual unadjusted percentage

1 increase (but not less than zero) in the consumer price  
2 index-u for the 12 months ending with the September preceding  
3 each November 1, whichever is less, of the originally granted  
4 retirement annuity. If the annual unadjusted percentage change  
5 in the consumer price index-u for the 12 months ending with the  
6 September preceding each November 1 is zero or there is a  
7 decrease, then the annuity shall not be increased.

8 For the purposes of Section 1-103.1 of this Code, the  
9 changes made to this Section by Public Act 102-263 are  
10 applicable without regard to whether the employee was in  
11 active service on or after August 6, 2021 (the effective date  
12 of Public Act 102-263).

13 For the purposes of Section 1-103.1 of this Code, the  
14 changes made to this Section by Public Act 100-23 are  
15 applicable without regard to whether the employee was in  
16 active service on or after July 6, 2017 (the effective date of  
17 Public Act 100-23).

18 (f) The initial survivor's or widow's annuity of an  
19 otherwise eligible survivor or widow of a retired member or  
20 participant who first became a member or participant on or  
21 after January 1, 2011 shall be in the amount of 66 2/3% of the  
22 retired member's or participant's retirement annuity at the  
23 date of death. In the case of the death of a member or  
24 participant who has not retired and who first became a member  
25 or participant on or after January 1, 2011, eligibility for a  
26 survivor's or widow's annuity shall be determined by the

1 applicable Article of this Code. The initial benefit shall be  
2 66 2/3% of the earned annuity without a reduction due to age. A  
3 child's annuity of an otherwise eligible child shall be in the  
4 amount prescribed under each Article if applicable. Any  
5 survivor's or widow's annuity shall be increased (1) on each  
6 January 1 occurring on or after the commencement of the  
7 annuity if the deceased member died while receiving a  
8 retirement annuity or (2) in other cases, on each January 1  
9 occurring after the first anniversary of the commencement of  
10 the annuity. Each annual increase shall be calculated at 3% or  
11 one-half the annual unadjusted percentage increase (but not  
12 less than zero) in the consumer price index-u for the 12 months  
13 ending with the September preceding each November 1, whichever  
14 is less, of the originally granted survivor's annuity. If the  
15 annual unadjusted percentage change in the consumer price  
16 index-u for the 12 months ending with the September preceding  
17 each November 1 is zero or there is a decrease, then the  
18 annuity shall not be increased.

19 (g) The benefits in Section 14-110 apply if the person is a  
20 fire fighter in the fire protection service of a department, a  
21 security employee of the Department of Corrections or the  
22 Department of Juvenile Justice, or a security employee of the  
23 Department of Innovation and Technology, as those terms are  
24 defined in subsection (b) and subsection (c) of Section  
25 14-110. A person who meets the requirements of this Section is  
26 entitled to an annuity calculated under the provisions of

1 Section 14-110, in lieu of the regular or minimum retirement  
2 annuity, only if the person has withdrawn from service with  
3 not less than 20 years of eligible creditable service and has  
4 attained age 60, regardless of whether the attainment of age  
5 60 occurs while the person is still in service.

6 (g-1) The benefits in Section 14-110 apply if the person  
7 is a security employee of the Department of Human Services, as  
8 those terms are defined in subsection (b) and subsection (c)  
9 of Section 14-110. A person who meets the requirements of this  
10 Section is entitled to an annuity calculated under the  
11 provisions of Section 14-110, in lieu of the regular or  
12 minimum retirement annuity, only if the person has withdrawn  
13 from service with not less than 20 years of eligible  
14 creditable service and has attained age 55, regardless of  
15 whether the attainment of age 55 occurs while the person is  
16 still in service.

17 (g-5) The benefits in Section 14-110 apply if the person  
18 is a State policeman, investigator for the Secretary of State,  
19 conservation police officer, investigator for the Department  
20 of Revenue or the Illinois Gaming Board, investigator for the  
21 Office of the Attorney General, Commerce Commission police  
22 officer, or arson investigator, as those terms are defined in  
23 subsection (b) and subsection (c) of Section 14-110. A person  
24 who meets the requirements of this Section is entitled to an  
25 annuity calculated under the provisions of Section 14-110, in  
26 lieu of the regular or minimum retirement annuity, only if the

1 person has withdrawn from service with not less than 20 years  
2 of eligible creditable service and has attained age 55,  
3 regardless of whether the attainment of age 55 occurs while  
4 the person is still in service.

5 (h) If a person who first becomes a member or a participant  
6 of a retirement system or pension fund subject to this Section  
7 on or after January 1, 2011 is receiving a retirement annuity  
8 or retirement pension under that system or fund and becomes a  
9 member or participant under any other system or fund created  
10 by this Code and is employed on a full-time basis, except for  
11 those members or participants exempted from the provisions of  
12 this Section under subsection (a) of this Section, then the  
13 person's retirement annuity or retirement pension under that  
14 system or fund shall be suspended during that employment. Upon  
15 termination of that employment, the person's retirement  
16 annuity or retirement pension payments shall resume and be  
17 recalculated if recalculation is provided for under the  
18 applicable Article of this Code.

19 If a person who first becomes a member of a retirement  
20 system or pension fund subject to this Section on or after  
21 January 1, 2012 and is receiving a retirement annuity or  
22 retirement pension under that system or fund and accepts on a  
23 contractual basis a position to provide services to a  
24 governmental entity from which he or she has retired, then  
25 that person's annuity or retirement pension earned as an  
26 active employee of the employer shall be suspended during that

1 contractual service. A person receiving an annuity or  
2 retirement pension under this Code shall notify the pension  
3 fund or retirement system from which he or she is receiving an  
4 annuity or retirement pension, as well as his or her  
5 contractual employer, of his or her retirement status before  
6 accepting contractual employment. A person who fails to submit  
7 such notification shall be guilty of a Class A misdemeanor and  
8 required to pay a fine of \$1,000. Upon termination of that  
9 contractual employment, the person's retirement annuity or  
10 retirement pension payments shall resume and, if appropriate,  
11 be recalculated under the applicable provisions of this Code.

12 (i) (Blank).

13 (j) In the case of a conflict between the provisions of  
14 this Section and any other provision of this Code, the  
15 provisions of this Section shall control.

16 (Source: P.A. 101-610, eff. 1-1-20; 102-16, eff. 6-17-21;  
17 102-210, eff. 1-1-22; 102-263, eff. 8-6-21; 102-719, eff.  
18 5-6-22.)

19 (Text of Section from P.A. 102-813)

20 Sec. 1-160. Provisions applicable to new hires.

21 (a) The provisions of this Section apply to a person who,  
22 on or after January 1, 2011, first becomes a member or a  
23 participant under any reciprocal retirement system or pension  
24 fund established under this Code, other than a retirement  
25 system or pension fund established under Article 2, 3, 4, 5, 6,

1 7, 15, or 18 of this Code, notwithstanding any other provision  
2 of this Code to the contrary, but do not apply to any  
3 self-managed plan established under this Code or to any  
4 participant of the retirement plan established under Section  
5 22-101; except that this Section applies to a person who  
6 elected to establish alternative credits by electing in  
7 writing after January 1, 2011, but before August 8, 2011,  
8 under Section 7-145.1 of this Code. Notwithstanding anything  
9 to the contrary in this Section, for purposes of this Section,  
10 a person who is a Tier 1 regular employee as defined in Section  
11 7-109.4 of this Code or who participated in a retirement  
12 system under Article 15 prior to January 1, 2011 shall be  
13 deemed a person who first became a member or participant prior  
14 to January 1, 2011 under any retirement system or pension fund  
15 subject to this Section. The changes made to this Section by  
16 Public Act 98-596 are a clarification of existing law and are  
17 intended to be retroactive to January 1, 2011 (the effective  
18 date of Public Act 96-889), notwithstanding the provisions of  
19 Section 1-103.1 of this Code.

20 This Section does not apply to a person who first becomes a  
21 noncovered employee under Article 14 on or after the  
22 implementation date of the plan created under Section 1-161  
23 for that Article, unless that person elects under subsection  
24 (b) of Section 1-161 to instead receive the benefits provided  
25 under this Section and the applicable provisions of that  
26 Article.



1           This Section does not apply to a person who first becomes a  
2 member or participant under Article 16 on or after the  
3 implementation date of the plan created under Section 1-161  
4 for that Article, unless that person elects under subsection  
5 (b) of Section 1-161 to instead receive the benefits provided  
6 under this Section and the applicable provisions of that  
7 Article.

8           This Section does not apply to a person who elects under  
9 subsection (c-5) of Section 1-161 to receive the benefits  
10 under Section 1-161.

11           This Section does not apply to a person who first becomes a  
12 member or participant of an affected pension fund on or after 6  
13 months after the resolution or ordinance date, as defined in  
14 Section 1-162, unless that person elects under subsection (c)  
15 of Section 1-162 to receive the benefits provided under this  
16 Section and the applicable provisions of the Article under  
17 which he or she is a member or participant.

18           (b) "Final average salary" means, except as otherwise  
19 provided in this subsection, the average monthly (or annual)  
20 salary obtained by dividing the total salary or earnings  
21 calculated under the Article applicable to the member or  
22 participant during the 96 consecutive months (or 8 consecutive  
23 years) of service within the last 120 months (or 10 years) of  
24 service in which the total salary or earnings calculated under  
25 the applicable Article was the highest by the number of months  
26 (or years) of service in that period. For the purposes of a

1 person who first becomes a member or participant of any  
2 retirement system or pension fund to which this Section  
3 applies on or after January 1, 2011, in this Code, "final  
4 average salary" shall be substituted for the following:

5 (1) (Blank).

6 (2) In Articles 8, 9, 10, 11, and 12, "highest average  
7 annual salary for any 4 consecutive years within the last  
8 10 years of service immediately preceding the date of  
9 withdrawal".

10 (3) In Article 13, "average final salary".

11 (4) In Article 14, "final average compensation".

12 (5) In Article 17, "average salary".

13 (6) In Section 22-207, "wages or salary received by  
14 him at the date of retirement or discharge".

15 A member of the Teachers' Retirement System of the State  
16 of Illinois who retires on or after June 1, 2021 and for whom  
17 the 2020-2021 school year is used in the calculation of the  
18 member's final average salary shall use the higher of the  
19 following for the purpose of determining the member's final  
20 average salary:

21 (A) the amount otherwise calculated under the first  
22 paragraph of this subsection; or

23 (B) an amount calculated by the Teachers' Retirement  
24 System of the State of Illinois using the average of the  
25 monthly (or annual) salary obtained by dividing the total  
26 salary or earnings calculated under Article 16 applicable

1 to the member or participant during the 96 months (or 8  
2 years) of service within the last 120 months (or 10 years)  
3 of service in which the total salary or earnings  
4 calculated under the Article was the highest by the number  
5 of months (or years) of service in that period.

6 (b-5) Beginning on January 1, 2011, for all purposes under  
7 this Code (including without limitation the calculation of  
8 benefits and employee contributions), the annual earnings,  
9 salary, or wages (based on the plan year) of a member or  
10 participant to whom this Section applies shall not exceed  
11 \$106,800; however, that amount shall annually thereafter be  
12 increased by the lesser of (i) 3% of that amount, including all  
13 previous adjustments, or (ii) one-half the annual unadjusted  
14 percentage increase (but not less than zero) in the consumer  
15 price index-u for the 12 months ending with the September  
16 preceding each November 1, including all previous adjustments.

17 For the purposes of this Section, "consumer price index-u"  
18 means the index published by the Bureau of Labor Statistics of  
19 the United States Department of Labor that measures the  
20 average change in prices of goods and services purchased by  
21 all urban consumers, United States city average, all items,  
22 1982-84 = 100. The new amount resulting from each annual  
23 adjustment shall be determined by the Public Pension Division  
24 of the Department of Insurance and made available to the  
25 boards of the retirement systems and pension funds by November  
26 1 of each year.

1 (c) A member or participant is entitled to a retirement  
2 annuity upon written application if he or she has attained age  
3 67 (age 65, with respect to service under Article 12 that is  
4 subject to this Section, for a member or participant under  
5 Article 12 who first becomes a member or participant under  
6 Article 12 on or after January 1, 2022 or who makes the  
7 election under item (i) of subsection (d-15) of this Section)  
8 and has at least 10 years of service credit and is otherwise  
9 eligible under the requirements of the applicable Article.

10 A member or participant who has attained age 62 (age 60,  
11 with respect to service under Article 12 that is subject to  
12 this Section, for a member or participant under Article 12 who  
13 first becomes a member or participant under Article 12 on or  
14 after January 1, 2022 or who makes the election under item (i)  
15 of subsection (d-15) of this Section) and has at least 10 years  
16 of service credit and is otherwise eligible under the  
17 requirements of the applicable Article may elect to receive  
18 the lower retirement annuity provided in subsection (d) of  
19 this Section.

20 (c-5) A person who first becomes a member or a participant  
21 subject to this Section on or after July 6, 2017 (the effective  
22 date of Public Act 100-23), notwithstanding any other  
23 provision of this Code to the contrary, is entitled to a  
24 retirement annuity under Article 8 or Article 11 upon written  
25 application if he or she has attained age 65 and has at least  
26 10 years of service credit and is otherwise eligible under the

1 requirements of Article 8 or Article 11 of this Code,  
2 whichever is applicable.

3 (d) The retirement annuity of a member or participant who  
4 is retiring after attaining age 62 (age 60, with respect to  
5 service under Article 12 that is subject to this Section, for a  
6 member or participant under Article 12 who first becomes a  
7 member or participant under Article 12 on or after January 1,  
8 2022 or who makes the election under item (i) of subsection  
9 (d-15) of this Section) with at least 10 years of service  
10 credit shall be reduced by one-half of 1% for each full month  
11 that the member's age is under age 67 (age 65, with respect to  
12 service under Article 12 that is subject to this Section, for a  
13 member or participant under Article 12 who first becomes a  
14 member or participant under Article 12 on or after January 1,  
15 2022 or who makes the election under item (i) of subsection  
16 (d-15) of this Section).

17 (d-5) The retirement annuity payable under Article 8 or  
18 Article 11 to an eligible person subject to subsection (c-5)  
19 of this Section who is retiring at age 60 with at least 10  
20 years of service credit shall be reduced by one-half of 1% for  
21 each full month that the member's age is under age 65.

22 (d-10) Each person who first became a member or  
23 participant under Article 8 or Article 11 of this Code on or  
24 after January 1, 2011 and prior to July 6, 2017 (the effective  
25 date of Public Act 100-23) shall make an irrevocable election  
26 either:

1           (i) to be eligible for the reduced retirement age  
2 provided in subsections (c-5) and (d-5) of this Section,  
3 the eligibility for which is conditioned upon the member  
4 or participant agreeing to the increases in employee  
5 contributions for age and service annuities provided in  
6 subsection (a-5) of Section 8-174 of this Code (for  
7 service under Article 8) or subsection (a-5) of Section  
8 11-170 of this Code (for service under Article 11); or

9           (ii) to not agree to item (i) of this subsection  
10 (d-10), in which case the member or participant shall  
11 continue to be subject to the retirement age provisions in  
12 subsections (c) and (d) of this Section and the employee  
13 contributions for age and service annuity as provided in  
14 subsection (a) of Section 8-174 of this Code (for service  
15 under Article 8) or subsection (a) of Section 11-170 of  
16 this Code (for service under Article 11).

17           The election provided for in this subsection shall be made  
18 between October 1, 2017 and November 15, 2017. A person  
19 subject to this subsection who makes the required election  
20 shall remain bound by that election. A person subject to this  
21 subsection who fails for any reason to make the required  
22 election within the time specified in this subsection shall be  
23 deemed to have made the election under item (ii).

24           (d-15) Each person who first becomes a member or  
25 participant under Article 12 on or after January 1, 2011 and  
26 prior to January 1, 2022 shall make an irrevocable election

1 either:

2 (i) to be eligible for the reduced retirement age  
3 specified in subsections (c) and (d) of this Section, the  
4 eligibility for which is conditioned upon the member or  
5 participant agreeing to the increase in employee  
6 contributions for service annuities specified in  
7 subsection (b) of Section 12-150; or

8 (ii) to not agree to item (i) of this subsection  
9 (d-15), in which case the member or participant shall not  
10 be eligible for the reduced retirement age specified in  
11 subsections (c) and (d) of this Section and shall not be  
12 subject to the increase in employee contributions for  
13 service annuities specified in subsection (b) of Section  
14 12-150.

15 The election provided for in this subsection shall be made  
16 between January 1, 2022 and April 1, 2022. A person subject to  
17 this subsection who makes the required election shall remain  
18 bound by that election. A person subject to this subsection  
19 who fails for any reason to make the required election within  
20 the time specified in this subsection shall be deemed to have  
21 made the election under item (ii).

22 (e) Any retirement annuity or supplemental annuity shall  
23 be subject to annual increases on the January 1 occurring  
24 either on or after the attainment of age 67 (age 65, with  
25 respect to service under Article 12 that is subject to this  
26 Section, for a member or participant under Article 12 who

1 first becomes a member or participant under Article 12 on or  
2 after January 1, 2022 or who makes the election under item (i)  
3 of subsection (d-15); and beginning on July 6, 2017 (the  
4 effective date of Public Act 100-23), age 65 with respect to  
5 service under Article 8 or Article 11 for eligible persons  
6 who: (i) are subject to subsection (c-5) of this Section; or  
7 (ii) made the election under item (i) of subsection (d-10) of  
8 this Section) or the first anniversary of the annuity start  
9 date, whichever is later. Each annual increase shall be  
10 calculated at 3% or one-half the annual unadjusted percentage  
11 increase (but not less than zero) in the consumer price  
12 index-u for the 12 months ending with the September preceding  
13 each November 1, whichever is less, of the originally granted  
14 retirement annuity. If the annual unadjusted percentage change  
15 in the consumer price index-u for the 12 months ending with the  
16 September preceding each November 1 is zero or there is a  
17 decrease, then the annuity shall not be increased.

18 For the purposes of Section 1-103.1 of this Code, the  
19 changes made to this Section by Public Act 102-263 are  
20 applicable without regard to whether the employee was in  
21 active service on or after August 6, 2021 (the effective date  
22 of Public Act 102-263).

23 For the purposes of Section 1-103.1 of this Code, the  
24 changes made to this Section by Public Act 100-23 are  
25 applicable without regard to whether the employee was in  
26 active service on or after July 6, 2017 (the effective date of



1 Public Act 100-23).

2 (f) The initial survivor's or widow's annuity of an  
3 otherwise eligible survivor or widow of a retired member or  
4 participant who first became a member or participant on or  
5 after January 1, 2011 shall be in the amount of 66 2/3% of the  
6 retired member's or participant's retirement annuity at the  
7 date of death. In the case of the death of a member or  
8 participant who has not retired and who first became a member  
9 or participant on or after January 1, 2011, eligibility for a  
10 survivor's or widow's annuity shall be determined by the  
11 applicable Article of this Code. The initial benefit shall be  
12 66 2/3% of the earned annuity without a reduction due to age. A  
13 child's annuity of an otherwise eligible child shall be in the  
14 amount prescribed under each Article if applicable. Any  
15 survivor's or widow's annuity shall be increased (1) on each  
16 January 1 occurring on or after the commencement of the  
17 annuity if the deceased member died while receiving a  
18 retirement annuity or (2) in other cases, on each January 1  
19 occurring after the first anniversary of the commencement of  
20 the annuity. Each annual increase shall be calculated at 3% or  
21 one-half the annual unadjusted percentage increase (but not  
22 less than zero) in the consumer price index-u for the 12 months  
23 ending with the September preceding each November 1, whichever  
24 is less, of the originally granted survivor's annuity. If the  
25 annual unadjusted percentage change in the consumer price  
26 index-u for the 12 months ending with the September preceding

1 each November 1 is zero or there is a decrease, then the  
2 annuity shall not be increased.

3 (g) The benefits in Section 14-110 apply ~~only~~ if the  
4 person is a State policeman, a fire fighter in the fire  
5 protection service of a department, a conservation police  
6 officer, an investigator for the Secretary of State, an arson  
7 investigator, a Commerce Commission police officer,  
8 investigator for the Department of Revenue or the Illinois  
9 Gaming Board, a security employee of the Department of  
10 Corrections or the Department of Juvenile Justice, or a  
11 security employee of the Department of Innovation and  
12 Technology, as those terms are defined in subsection (b) and  
13 subsection (c) of Section 14-110. A person who meets the  
14 requirements of this Section is entitled to an annuity  
15 calculated under the provisions of Section 14-110, in lieu of  
16 the regular or minimum retirement annuity, only if the person  
17 has withdrawn from service with not less than 20 years of  
18 eligible creditable service and has attained age 60,  
19 regardless of whether the attainment of age 60 occurs while  
20 the person is still in service.

21 (g-1) The benefits in Section 14-110 apply if the person  
22 is a security employee of the Department of Human Services, as  
23 those terms are defined in subsection (b) and subsection (c)  
24 of Section 14-110. A person who meets the requirements of this  
25 Section is entitled to an annuity calculated under the  
26 provisions of Section 14-110, in lieu of the regular or

1 minimum retirement annuity, only if the person has withdrawn  
2 from service with not less than 20 years of eligible  
3 creditable service and has attained age 55, regardless of  
4 whether the attainment of age 55 occurs while the person is  
5 still in service.

6 (h) If a person who first becomes a member or a participant  
7 of a retirement system or pension fund subject to this Section  
8 on or after January 1, 2011 is receiving a retirement annuity  
9 or retirement pension under that system or fund and becomes a  
10 member or participant under any other system or fund created  
11 by this Code and is employed on a full-time basis, except for  
12 those members or participants exempted from the provisions of  
13 this Section under subsection (a) of this Section, then the  
14 person's retirement annuity or retirement pension under that  
15 system or fund shall be suspended during that employment. Upon  
16 termination of that employment, the person's retirement  
17 annuity or retirement pension payments shall resume and be  
18 recalculated if recalculation is provided for under the  
19 applicable Article of this Code.

20 If a person who first becomes a member of a retirement  
21 system or pension fund subject to this Section on or after  
22 January 1, 2012 and is receiving a retirement annuity or  
23 retirement pension under that system or fund and accepts on a  
24 contractual basis a position to provide services to a  
25 governmental entity from which he or she has retired, then  
26 that person's annuity or retirement pension earned as an

1 active employee of the employer shall be suspended during that  
2 contractual service. A person receiving an annuity or  
3 retirement pension under this Code shall notify the pension  
4 fund or retirement system from which he or she is receiving an  
5 annuity or retirement pension, as well as his or her  
6 contractual employer, of his or her retirement status before  
7 accepting contractual employment. A person who fails to submit  
8 such notification shall be guilty of a Class A misdemeanor and  
9 required to pay a fine of \$1,000. Upon termination of that  
10 contractual employment, the person's retirement annuity or  
11 retirement pension payments shall resume and, if appropriate,  
12 be recalculated under the applicable provisions of this Code.

13 (i) (Blank).

14 (j) In the case of a conflict between the provisions of  
15 this Section and any other provision of this Code, the  
16 provisions of this Section shall control.

17 (Source: P.A. 101-610, eff. 1-1-20; 102-16, eff. 6-17-21;  
18 102-210, eff. 1-1-22; 102-263, eff. 8-6-21; 102-813, eff.  
19 5-13-22.)

20 (Text of Section from P.A. 102-956)

21 Sec. 1-160. Provisions applicable to new hires.

22 (a) The provisions of this Section apply to a person who,  
23 on or after January 1, 2011, first becomes a member or a  
24 participant under any reciprocal retirement system or pension  
25 fund established under this Code, other than a retirement

1 system or pension fund established under Article 2, 3, 4, 5, 6,  
2 7, 15, or 18 of this Code, notwithstanding any other provision  
3 of this Code to the contrary, but do not apply to any  
4 self-managed plan established under this Code or to any  
5 participant of the retirement plan established under Section  
6 22-101; except that this Section applies to a person who  
7 elected to establish alternative credits by electing in  
8 writing after January 1, 2011, but before August 8, 2011,  
9 under Section 7-145.1 of this Code. Notwithstanding anything  
10 to the contrary in this Section, for purposes of this Section,  
11 a person who is a Tier 1 regular employee as defined in Section  
12 7-109.4 of this Code or who participated in a retirement  
13 system under Article 15 prior to January 1, 2011 shall be  
14 deemed a person who first became a member or participant prior  
15 to January 1, 2011 under any retirement system or pension fund  
16 subject to this Section. The changes made to this Section by  
17 Public Act 98-596 are a clarification of existing law and are  
18 intended to be retroactive to January 1, 2011 (the effective  
19 date of Public Act 96-889), notwithstanding the provisions of  
20 Section 1-103.1 of this Code.

21 This Section does not apply to a person who first becomes a  
22 noncovered employee under Article 14 on or after the  
23 implementation date of the plan created under Section 1-161  
24 for that Article, unless that person elects under subsection  
25 (b) of Section 1-161 to instead receive the benefits provided  
26 under this Section and the applicable provisions of that

1 Article.

2 This Section does not apply to a person who first becomes a  
3 member or participant under Article 16 on or after the  
4 implementation date of the plan created under Section 1-161  
5 for that Article, unless that person elects under subsection  
6 (b) of Section 1-161 to instead receive the benefits provided  
7 under this Section and the applicable provisions of that  
8 Article.

9 This Section does not apply to a person who elects under  
10 subsection (c-5) of Section 1-161 to receive the benefits  
11 under Section 1-161.

12 This Section does not apply to a person who first becomes a  
13 member or participant of an affected pension fund on or after 6  
14 months after the resolution or ordinance date, as defined in  
15 Section 1-162, unless that person elects under subsection (c)  
16 of Section 1-162 to receive the benefits provided under this  
17 Section and the applicable provisions of the Article under  
18 which he or she is a member or participant.

19 (b) "Final average salary" means, except as otherwise  
20 provided in this subsection, the average monthly (or annual)  
21 salary obtained by dividing the total salary or earnings  
22 calculated under the Article applicable to the member or  
23 participant during the 96 consecutive months (or 8 consecutive  
24 years) of service within the last 120 months (or 10 years) of  
25 service in which the total salary or earnings calculated under  
26 the applicable Article was the highest by the number of months

1 (or years) of service in that period. For the purposes of a  
2 person who first becomes a member or participant of any  
3 retirement system or pension fund to which this Section  
4 applies on or after January 1, 2011, in this Code, "final  
5 average salary" shall be substituted for the following:

6 (1) (Blank).

7 (2) In Articles 8, 9, 10, 11, and 12, "highest average  
8 annual salary for any 4 consecutive years within the last  
9 10 years of service immediately preceding the date of  
10 withdrawal".

11 (3) In Article 13, "average final salary".

12 (4) In Article 14, "final average compensation".

13 (5) In Article 17, "average salary".

14 (6) In Section 22-207, "wages or salary received by  
15 him at the date of retirement or discharge".

16 A member of the Teachers' Retirement System of the State  
17 of Illinois who retires on or after June 1, 2021 and for whom  
18 the 2020-2021 school year is used in the calculation of the  
19 member's final average salary shall use the higher of the  
20 following for the purpose of determining the member's final  
21 average salary:

22 (A) the amount otherwise calculated under the first  
23 paragraph of this subsection; or

24 (B) an amount calculated by the Teachers' Retirement  
25 System of the State of Illinois using the average of the  
26 monthly (or annual) salary obtained by dividing the total

1 salary or earnings calculated under Article 16 applicable  
2 to the member or participant during the 96 months (or 8  
3 years) of service within the last 120 months (or 10 years)  
4 of service in which the total salary or earnings  
5 calculated under the Article was the highest by the number  
6 of months (or years) of service in that period.

7 (b-5) Beginning on January 1, 2011, for all purposes under  
8 this Code (including without limitation the calculation of  
9 benefits and employee contributions), the annual earnings,  
10 salary, or wages (based on the plan year) of a member or  
11 participant to whom this Section applies shall not exceed  
12 \$106,800; however, that amount shall annually thereafter be  
13 increased by the lesser of (i) 3% of that amount, including all  
14 previous adjustments, or (ii) one-half the annual unadjusted  
15 percentage increase (but not less than zero) in the consumer  
16 price index-u for the 12 months ending with the September  
17 preceding each November 1, including all previous adjustments.

18 For the purposes of this Section, "consumer price index-u"  
19 means the index published by the Bureau of Labor Statistics of  
20 the United States Department of Labor that measures the  
21 average change in prices of goods and services purchased by  
22 all urban consumers, United States city average, all items,  
23 1982-84 = 100. The new amount resulting from each annual  
24 adjustment shall be determined by the Public Pension Division  
25 of the Department of Insurance and made available to the  
26 boards of the retirement systems and pension funds by November



1 1 of each year.

2 (c) A member or participant is entitled to a retirement  
3 annuity upon written application if he or she has attained age  
4 67 (age 65, with respect to service under Article 12 that is  
5 subject to this Section, for a member or participant under  
6 Article 12 who first becomes a member or participant under  
7 Article 12 on or after January 1, 2022 or who makes the  
8 election under item (i) of subsection (d-15) of this Section)  
9 and has at least 10 years of service credit and is otherwise  
10 eligible under the requirements of the applicable Article.

11 A member or participant who has attained age 62 (age 60,  
12 with respect to service under Article 12 that is subject to  
13 this Section, for a member or participant under Article 12 who  
14 first becomes a member or participant under Article 12 on or  
15 after January 1, 2022 or who makes the election under item (i)  
16 of subsection (d-15) of this Section) and has at least 10 years  
17 of service credit and is otherwise eligible under the  
18 requirements of the applicable Article may elect to receive  
19 the lower retirement annuity provided in subsection (d) of  
20 this Section.

21 (c-5) A person who first becomes a member or a participant  
22 subject to this Section on or after July 6, 2017 (the effective  
23 date of Public Act 100-23), notwithstanding any other  
24 provision of this Code to the contrary, is entitled to a  
25 retirement annuity under Article 8 or Article 11 upon written  
26 application if he or she has attained age 65 and has at least

1 10 years of service credit and is otherwise eligible under the  
2 requirements of Article 8 or Article 11 of this Code,  
3 whichever is applicable.

4 (d) The retirement annuity of a member or participant who  
5 is retiring after attaining age 62 (age 60, with respect to  
6 service under Article 12 that is subject to this Section, for a  
7 member or participant under Article 12 who first becomes a  
8 member or participant under Article 12 on or after January 1,  
9 2022 or who makes the election under item (i) of subsection  
10 (d-15) of this Section) with at least 10 years of service  
11 credit shall be reduced by one-half of 1% for each full month  
12 that the member's age is under age 67 (age 65, with respect to  
13 service under Article 12 that is subject to this Section, for a  
14 member or participant under Article 12 who first becomes a  
15 member or participant under Article 12 on or after January 1,  
16 2022 or who makes the election under item (i) of subsection  
17 (d-15) of this Section).

18 (d-5) The retirement annuity payable under Article 8 or  
19 Article 11 to an eligible person subject to subsection (c-5)  
20 of this Section who is retiring at age 60 with at least 10  
21 years of service credit shall be reduced by one-half of 1% for  
22 each full month that the member's age is under age 65.

23 (d-10) Each person who first became a member or  
24 participant under Article 8 or Article 11 of this Code on or  
25 after January 1, 2011 and prior to July 6, 2017 (the effective  
26 date of Public Act 100-23) shall make an irrevocable election

1 either:

2 (i) to be eligible for the reduced retirement age  
3 provided in subsections (c-5) and (d-5) of this Section,  
4 the eligibility for which is conditioned upon the member  
5 or participant agreeing to the increases in employee  
6 contributions for age and service annuities provided in  
7 subsection (a-5) of Section 8-174 of this Code (for  
8 service under Article 8) or subsection (a-5) of Section  
9 11-170 of this Code (for service under Article 11); or

10 (ii) to not agree to item (i) of this subsection  
11 (d-10), in which case the member or participant shall  
12 continue to be subject to the retirement age provisions in  
13 subsections (c) and (d) of this Section and the employee  
14 contributions for age and service annuity as provided in  
15 subsection (a) of Section 8-174 of this Code (for service  
16 under Article 8) or subsection (a) of Section 11-170 of  
17 this Code (for service under Article 11).

18 The election provided for in this subsection shall be made  
19 between October 1, 2017 and November 15, 2017. A person  
20 subject to this subsection who makes the required election  
21 shall remain bound by that election. A person subject to this  
22 subsection who fails for any reason to make the required  
23 election within the time specified in this subsection shall be  
24 deemed to have made the election under item (ii).

25 (d-15) Each person who first becomes a member or  
26 participant under Article 12 on or after January 1, 2011 and

1 prior to January 1, 2022 shall make an irrevocable election  
2 either:

3 (i) to be eligible for the reduced retirement age  
4 specified in subsections (c) and (d) of this Section, the  
5 eligibility for which is conditioned upon the member or  
6 participant agreeing to the increase in employee  
7 contributions for service annuities specified in  
8 subsection (b) of Section 12-150; or

9 (ii) to not agree to item (i) of this subsection  
10 (d-15), in which case the member or participant shall not  
11 be eligible for the reduced retirement age specified in  
12 subsections (c) and (d) of this Section and shall not be  
13 subject to the increase in employee contributions for  
14 service annuities specified in subsection (b) of Section  
15 12-150.

16 The election provided for in this subsection shall be made  
17 between January 1, 2022 and April 1, 2022. A person subject to  
18 this subsection who makes the required election shall remain  
19 bound by that election. A person subject to this subsection  
20 who fails for any reason to make the required election within  
21 the time specified in this subsection shall be deemed to have  
22 made the election under item (ii).

23 (e) Any retirement annuity or supplemental annuity shall  
24 be subject to annual increases on the January 1 occurring  
25 either on or after the attainment of age 67 (age 65, with  
26 respect to service under Article 12 that is subject to this

1 Section, for a member or participant under Article 12 who  
2 first becomes a member or participant under Article 12 on or  
3 after January 1, 2022 or who makes the election under item (i)  
4 of subsection (d-15); and beginning on July 6, 2017 (the  
5 effective date of Public Act 100-23), age 65 with respect to  
6 service under Article 8 or Article 11 for eligible persons  
7 who: (i) are subject to subsection (c-5) of this Section; or  
8 (ii) made the election under item (i) of subsection (d-10) of  
9 this Section) or the first anniversary of the annuity start  
10 date, whichever is later. Each annual increase shall be  
11 calculated at 3% or one-half the annual unadjusted percentage  
12 increase (but not less than zero) in the consumer price  
13 index-u for the 12 months ending with the September preceding  
14 each November 1, whichever is less, of the originally granted  
15 retirement annuity. If the annual unadjusted percentage change  
16 in the consumer price index-u for the 12 months ending with the  
17 September preceding each November 1 is zero or there is a  
18 decrease, then the annuity shall not be increased.

19 For the purposes of Section 1-103.1 of this Code, the  
20 changes made to this Section by Public Act 102-263 are  
21 applicable without regard to whether the employee was in  
22 active service on or after August 6, 2021 (the effective date  
23 of Public Act 102-263).

24 For the purposes of Section 1-103.1 of this Code, the  
25 changes made to this Section by Public Act 100-23 are  
26 applicable without regard to whether the employee was in

1 active service on or after July 6, 2017 (the effective date of  
2 Public Act 100-23).

3 (f) The initial survivor's or widow's annuity of an  
4 otherwise eligible survivor or widow of a retired member or  
5 participant who first became a member or participant on or  
6 after January 1, 2011 shall be in the amount of 66 2/3% of the  
7 retired member's or participant's retirement annuity at the  
8 date of death. In the case of the death of a member or  
9 participant who has not retired and who first became a member  
10 or participant on or after January 1, 2011, eligibility for a  
11 survivor's or widow's annuity shall be determined by the  
12 applicable Article of this Code. The initial benefit shall be  
13 66 2/3% of the earned annuity without a reduction due to age. A  
14 child's annuity of an otherwise eligible child shall be in the  
15 amount prescribed under each Article if applicable. Any  
16 survivor's or widow's annuity shall be increased (1) on each  
17 January 1 occurring on or after the commencement of the  
18 annuity if the deceased member died while receiving a  
19 retirement annuity or (2) in other cases, on each January 1  
20 occurring after the first anniversary of the commencement of  
21 the annuity. Each annual increase shall be calculated at 3% or  
22 one-half the annual unadjusted percentage increase (but not  
23 less than zero) in the consumer price index-u for the 12 months  
24 ending with the September preceding each November 1, whichever  
25 is less, of the originally granted survivor's annuity. If the  
26 annual unadjusted percentage change in the consumer price

1 index-u for the 12 months ending with the September preceding  
2 each November 1 is zero or there is a decrease, then the  
3 annuity shall not be increased.

4 (g) The benefits in Section 14-110 apply ~~only~~ if the  
5 person is a State policeman, a fire fighter in the fire  
6 protection service of a department, a conservation police  
7 officer, an investigator for the Secretary of State, an  
8 investigator for the Office of the Attorney General, an arson  
9 investigator, a Commerce Commission police officer,  
10 investigator for the Department of Revenue or the Illinois  
11 Gaming Board, a security employee of the Department of  
12 Corrections or the Department of Juvenile Justice, or a  
13 security employee of the Department of Innovation and  
14 Technology, as those terms are defined in subsection (b) and  
15 subsection (c) of Section 14-110. A person who meets the  
16 requirements of this Section is entitled to an annuity  
17 calculated under the provisions of Section 14-110, in lieu of  
18 the regular or minimum retirement annuity, only if the person  
19 has withdrawn from service with not less than 20 years of  
20 eligible creditable service and has attained age 60,  
21 regardless of whether the attainment of age 60 occurs while  
22 the person is still in service.

23 (g-1) The benefits in Section 14-110 apply if the person  
24 is a security employee of the Department of Human Services, as  
25 those terms are defined in subsection (b) and subsection (c)  
26 of Section 14-110. A person who meets the requirements of this

1 Section is entitled to an annuity calculated under the  
2 provisions of Section 14-110, in lieu of the regular or  
3 minimum retirement annuity, only if the person has withdrawn  
4 from service with not less than 20 years of eligible  
5 creditable service and has attained age 55, regardless of  
6 whether the attainment of age 55 occurs while the person is  
7 still in service.

8 (h) If a person who first becomes a member or a participant  
9 of a retirement system or pension fund subject to this Section  
10 on or after January 1, 2011 is receiving a retirement annuity  
11 or retirement pension under that system or fund and becomes a  
12 member or participant under any other system or fund created  
13 by this Code and is employed on a full-time basis, except for  
14 those members or participants exempted from the provisions of  
15 this Section under subsection (a) of this Section, then the  
16 person's retirement annuity or retirement pension under that  
17 system or fund shall be suspended during that employment. Upon  
18 termination of that employment, the person's retirement  
19 annuity or retirement pension payments shall resume and be  
20 recalculated if recalculation is provided for under the  
21 applicable Article of this Code.

22 If a person who first becomes a member of a retirement  
23 system or pension fund subject to this Section on or after  
24 January 1, 2012 and is receiving a retirement annuity or  
25 retirement pension under that system or fund and accepts on a  
26 contractual basis a position to provide services to a



1 governmental entity from which he or she has retired, then  
2 that person's annuity or retirement pension earned as an  
3 active employee of the employer shall be suspended during that  
4 contractual service. A person receiving an annuity or  
5 retirement pension under this Code shall notify the pension  
6 fund or retirement system from which he or she is receiving an  
7 annuity or retirement pension, as well as his or her  
8 contractual employer, of his or her retirement status before  
9 accepting contractual employment. A person who fails to submit  
10 such notification shall be guilty of a Class A misdemeanor and  
11 required to pay a fine of \$1,000. Upon termination of that  
12 contractual employment, the person's retirement annuity or  
13 retirement pension payments shall resume and, if appropriate,  
14 be recalculated under the applicable provisions of this Code.

15 (i) (Blank).

16 (j) In the case of a conflict between the provisions of  
17 this Section and any other provision of this Code, the  
18 provisions of this Section shall control.

19 (Source: P.A. 101-610, eff. 1-1-20; 102-16, eff. 6-17-21;  
20 102-210, eff. 1-1-22; 102-263, eff. 8-6-21; 102-956, eff.  
21 5-27-22.)

22 (40 ILCS 5/14-110) (from Ch. 108 1/2, par. 14-110)

23 (Text of Section from P.A. 102-813)

24 Sec. 14-110. Alternative retirement annuity.

25 (a) Any member who has withdrawn from service with not

1 less than 20 years of eligible creditable service and has  
2 attained age 55, and any member who has withdrawn from service  
3 with not less than 25 years of eligible creditable service and  
4 has attained age 50, regardless of whether the attainment of  
5 either of the specified ages occurs while the member is still  
6 in service, shall be entitled to receive at the option of the  
7 member, in lieu of the regular or minimum retirement annuity,  
8 a retirement annuity computed as follows:

9 (i) for periods of service as a noncovered employee:  
10 if retirement occurs on or after January 1, 2001, 3% of  
11 final average compensation for each year of creditable  
12 service; if retirement occurs before January 1, 2001, 2  
13 1/4% of final average compensation for each of the first  
14 10 years of creditable service, 2 1/2% for each year above  
15 10 years to and including 20 years of creditable service,  
16 and 2 3/4% for each year of creditable service above 20  
17 years; and

18 (ii) for periods of eligible creditable service as a  
19 covered employee: if retirement occurs on or after January  
20 1, 2001, 2.5% of final average compensation for each year  
21 of creditable service; if retirement occurs before January  
22 1, 2001, 1.67% of final average compensation for each of  
23 the first 10 years of such service, 1.90% for each of the  
24 next 10 years of such service, 2.10% for each year of such  
25 service in excess of 20 but not exceeding 30, and 2.30% for  
26 each year in excess of 30.

1           Such annuity shall be subject to a maximum of 75% of final  
2 average compensation if retirement occurs before January 1,  
3 2001 or to a maximum of 80% of final average compensation if  
4 retirement occurs on or after January 1, 2001.

5           These rates shall not be applicable to any service  
6 performed by a member as a covered employee which is not  
7 eligible creditable service. Service as a covered employee  
8 which is not eligible creditable service shall be subject to  
9 the rates and provisions of Section 14-108.

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

13                   (1) State policeman;

14                   (2) fire fighter in the fire protection service of a  
15 department;

16                   (3) air pilot;

17                   (4) special agent;

18                   (5) investigator for the Secretary of State;

19                   (6) conservation police officer;

20                   (7) investigator for the Department of Revenue or the  
21 Illinois Gaming Board;

22                   (8) security employee of the Department of Human  
23 Services;

24                   (9) Central Management Services security police  
25 officer;

26                   (10) security employee of the Department of

- 1 Corrections or the Department of Juvenile Justice;
- 2 (11) dangerous drugs investigator;
- 3 (12) investigator for the Illinois State Police;
- 4 (13) investigator for the Office of the Attorney
- 5 General;
- 6 (14) controlled substance inspector;
- 7 (15) investigator for the Office of the State's
- 8 Attorneys Appellate Prosecutor;
- 9 (16) Commerce Commission police officer;
- 10 (17) arson investigator;
- 11 (18) State highway maintenance worker;
- 12 (19) security employee of the Department of Innovation
- 13 and Technology; or
- 14 (20) transferred employee.

15 A person employed in one of the positions specified in

16 this subsection is entitled to eligible creditable service for

17 service credit earned under this Article while undergoing the

18 basic police training course approved by the Illinois Law

19 Enforcement Training Standards Board, if completion of that

20 training is required of persons serving in that position. For

21 the purposes of this Code, service during the required basic

22 police training course shall be deemed performance of the

23 duties of the specified position, even though the person is

24 not a sworn peace officer at the time of the training.

25 A person under paragraph (20) is entitled to eligible

26 creditable service for service credit earned under this

1 Article on and after his or her transfer by Executive Order No.  
2 2003-10, Executive Order No. 2004-2, or Executive Order No.  
3 2016-1.

4 (c) For the purposes of this Section:

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

8 (2) The term "fire fighter in the fire protection  
9 service of a department" includes all officers in such  
10 fire protection service including fire chiefs and  
11 assistant fire chiefs.

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

22 (4) The term "special agent" means any person who by  
23 reason of employment by the Division of Narcotic Control,  
24 the Bureau of Investigation or, after July 1, 1977, the  
25 Division of Criminal Investigation, the Division of  
26 Internal Investigation, the Division of Operations, the

1 Division of Patrol Operations, or any other Division or  
2 organizational entity in the Illinois State Police is  
3 vested by law with duties to maintain public order,  
4 investigate violations of the criminal law of this State,  
5 enforce the laws of this State, make arrests and recover  
6 property. The term "special agent" includes any title or  
7 position in the Illinois State Police that is held by an  
8 individual employed under the Illinois State Police Act.

9 (5) The term "investigator for the Secretary of State"  
10 means any person employed by the Office of the Secretary  
11 of State and vested with such investigative duties as  
12 render him ineligible for coverage under the Social  
13 Security Act by reason of Sections 218(d)(5)(A),  
14 218(d)(8)(D) and 218(1)(1) of that Act.

15 A person who became employed as an investigator for  
16 the Secretary of State between January 1, 1967 and  
17 December 31, 1975, and who has served as such until  
18 attainment of age 60, either continuously or with a single  
19 break in service of not more than 3 years duration, which  
20 break terminated before January 1, 1976, shall be entitled  
21 to have his retirement annuity calculated in accordance  
22 with subsection (a), notwithstanding that he has less than  
23 20 years of credit for such service.

24 (6) The term "Conservation Police Officer" means any  
25 person employed by the Division of Law Enforcement of the  
26 Department of Natural Resources and vested with such law

1 enforcement duties as render him ineligible for coverage  
2 under the Social Security Act by reason of Sections  
3 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The  
4 term "Conservation Police Officer" includes the positions  
5 of Chief Conservation Police Administrator and Assistant  
6 Conservation Police Administrator.

7 (7) The term "investigator for the Department of  
8 Revenue" means any person employed by the Department of  
9 Revenue and vested with such investigative duties as  
10 render him 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 The term "investigator for the Illinois Gaming Board"  
14 means any person employed as such by the Illinois Gaming  
15 Board and vested with such peace officer duties as render  
16 the person ineligible for coverage under the Social  
17 Security Act by reason of Sections 218(d)(5)(A),  
18 218(d)(8)(D), and 218(1)(1) of that Act.

19 (8) The term "security employee of the Department of  
20 Human Services" means any person employed by the  
21 Department of Human Services who (i) is employed at the  
22 Chester Mental Health Center and has daily contact with  
23 the residents thereof, (ii) is employed within a security  
24 unit at a facility operated by the Department and has  
25 daily contact with the residents of the security unit,  
26 (iii) is employed at a facility operated by the Department

1 that includes a security unit and is regularly scheduled  
2 to work at least 50% of his or her working hours within  
3 that security unit, or (iv) is a mental health police  
4 officer. "Mental health police officer" means any person  
5 employed by the Department of Human Services in a position  
6 pertaining to the Department's mental health and  
7 developmental disabilities functions who is vested with  
8 such law enforcement duties as render the person  
9 ineligible for coverage under the Social Security Act by  
10 reason of Sections 218(d)(5)(A), 218(d)(8)(D) and  
11 218(1)(1) of that Act. "Security unit" means that portion  
12 of a facility that is devoted to the care, containment,  
13 and treatment of persons committed to the Department of  
14 Human Services as sexually violent persons, persons unfit  
15 to stand trial, or persons not guilty by reason of  
16 insanity. With respect to past employment, references to  
17 the Department of Human Services include its predecessor,  
18 the Department of Mental Health and Developmental  
19 Disabilities.

20 The changes made to this subdivision (c)(8) by Public  
21 Act 92-14 apply to persons who retire on or after January  
22 1, 2001, notwithstanding Section 1-103.1.

23 (9) "Central Management Services security police  
24 officer" means any person employed by the Department of  
25 Central Management Services who is vested with such law  
26 enforcement duties as render him ineligible for coverage



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

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

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

1           (12) The term "investigator for the Illinois State  
2 Police" means a person employed by the Illinois State  
3 Police who is vested under Section 4 of the Narcotic  
4 Control Division Abolition Act with such law enforcement  
5 powers as render him ineligible for coverage under the  
6 Social Security Act by reason of Sections 218(d)(5)(A),  
7 218(d)(8)(D) and 218(1)(1) of that Act.

8           (13) "Investigator for the Office of the Attorney  
9 General" means any person who is employed as such by the  
10 Office of the Attorney General and is vested with such  
11 investigative 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. For  
14 the period before January 1, 1989, the term includes all  
15 persons who were employed as investigators by the Office  
16 of the Attorney General, without regard to social security  
17 status.

18           (14) "Controlled substance inspector" means any person  
19 who is employed as such by the Department of Professional  
20 Regulation and is vested with such law enforcement duties  
21 as 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. The term  
24 "controlled substance inspector" includes the Program  
25 Executive of Enforcement and the Assistant Program  
26 Executive of Enforcement.

1           (15) The term "investigator for the Office of the  
2           State's Attorneys Appellate Prosecutor" means a person  
3           employed in that capacity on a full-time basis under the  
4           authority of Section 7.06 of the State's Attorneys  
5           Appellate Prosecutor's Act.

6           (16) "Commerce Commission police officer" means any  
7           person employed by the Illinois Commerce Commission who is  
8           vested with such law enforcement duties as render him  
9           ineligible for coverage under the Social Security Act by  
10          reason of Sections 218(d)(5)(A), 218(d)(8)(D), and  
11          218(1)(1) of that Act.

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

1 eligible creditable service on the date of application.

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

4 (i) A person employed on a full-time basis by the  
5 Illinois Department of Transportation in the position  
6 of highway maintainer, highway maintenance lead  
7 worker, highway maintenance lead/lead worker, heavy  
8 construction equipment operator, power shovel  
9 operator, or bridge mechanic; and whose principal  
10 responsibility is to perform, on the roadway, the  
11 actual maintenance necessary to keep the highways that  
12 form a part of the State highway system in serviceable  
13 condition for vehicular traffic.

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

1           (19) The term "security employee of the Department of  
2           Innovation and Technology" means a person who was a  
3           security employee of the Department of Corrections or the  
4           Department of Juvenile Justice, was transferred to the  
5           Department of Innovation and Technology pursuant to  
6           Executive Order 2016-01, and continues to perform similar  
7           job functions under that Department.

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

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

23               (i) 25 years of eligible creditable service and age  
24               55; or

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

1           creditable service and age 55; or

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

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

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

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

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

23          (e) If a member enters military service while working in a  
24          position in which eligible creditable service may be earned,  
25          and returns to State service in the same or another such  
26          position, and fulfills in all other respects the conditions

1 prescribed in this Article for credit for military service,  
2 such military service shall be credited as eligible creditable  
3 service for the purposes of the retirement annuity prescribed  
4 in this Section.

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

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

1 service as a noncovered employee, and the amount of employee  
2 contributions actually paid, plus (2) if payment is made after  
3 January 1, 1990, regular interest on the amount specified in  
4 item (1) from the date of service to the date of payment.

5 (g) A State policeman may elect, not later than January 1,  
6 1990, to establish eligible creditable service for up to 10  
7 years of his service as a policeman under Article 3, by filing  
8 a written election with the Board, accompanied by payment of  
9 an amount to be determined by the Board, equal to (i) the  
10 difference between the amount of employee and employer  
11 contributions transferred to the System under Section 3-110.5,  
12 and the amounts that would have been contributed had such  
13 contributions been made at the rates applicable to State  
14 policemen, 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 Subject to the limitation in subsection (i), a State  
18 policeman may elect, not later than July 1, 1993, to establish  
19 eligible creditable service for up to 10 years of his service  
20 as a member of the County Police Department under Article 9, by  
21 filing a written election with the Board, accompanied by  
22 payment of an amount to be determined by the Board, equal to  
23 (i) the difference between the amount of employee and employer  
24 contributions transferred to the System under Section 9-121.10  
25 and the amounts that would have been contributed had those  
26 contributions been made at the rates applicable to State



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

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

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

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

5 Subject to the limitation in subsection (i), a State  
6 policeman, conservation police officer, or investigator for  
7 the Secretary of State may elect to establish eligible  
8 creditable service for up to 5 years of service as a police  
9 officer under Article 3, a policeman under Article 5, a  
10 sheriff's law enforcement employee under Article 7, a member  
11 of the county police department under Article 9, or a police  
12 officer under Article 15 by filing a written election with the  
13 Board and paying to the System an amount to be determined by  
14 the Board, equal to (i) the difference between the amount of  
15 employee and employer contributions transferred to the System  
16 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4  
17 and the amounts that would have been contributed had such  
18 contributions been made at the rates applicable to State  
19 policemen, plus (ii) interest thereon at the effective rate  
20 for each year, compounded annually, from the date of service  
21 to the date of payment.

22 Subject to the limitation in subsection (i), an  
23 investigator for the Office of the Attorney General, or an  
24 investigator for the Department of Revenue, may elect to  
25 establish eligible creditable service for up to 5 years of  
26 service as a police officer under Article 3, a policeman under

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

1 equal to (i) the difference between the amount of employee and  
2 employer contributions transferred to the System under  
3 Sections 7-139.8 and 9-121.10 and the amounts that would have  
4 been contributed had such contributions been made at the rates  
5 applicable to State policemen, plus (ii) interest thereon at  
6 the actuarially assumed rate for each year, compounded  
7 annually, from the date of service to the date of payment.

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

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

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

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

1 between the employer's normal cost of the credit prior to the  
2 conversion authorized by Public Act 102-210 and the employer's  
3 normal cost of the credit converted in accordance with 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), (l-5), ~~and (o)~~, and (q) of this Section shall not  
10 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 (g) Subject to the limitation in subsection (i), a  
3 security employee of the Department of Human Services who is  
4 subject to subsection (g-1) of Section 1-160 may elect to  
5 convert up to 9 years of service credit established before the  
6 effective date of this amendatory Act of the 103rd General  
7 Assembly as a security employee of the Department of Human  
8 Services to 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 103rd General  
11 Assembly, accompanied by payment of an amount, to be  
12 determined by the Board, equal to (i) the difference between  
13 the amount of the employee contributions actually paid for  
14 that service and the amount of the employee contributions that  
15 would have been paid had the employee contributions been made  
16 as a covered employee serving in a position in which eligible  
17 creditable service, as defined in this Section, may be earned,  
18 plus (ii) interest thereon at the effective rate for each  
19 year, compounded annually, from the date of service to the  
20 date of payment.

21 (Source: P.A. 101-610, eff. 1-1-20; 102-210, eff. 7-30-21;  
22 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

23 (Text of Section from P.A. 102-856)

24 Sec. 14-110. Alternative retirement annuity.

25 (a) Any member who has withdrawn from service with not

1 less than 20 years of eligible creditable service and has  
2 attained age 55, and any member who has withdrawn from service  
3 with not less than 25 years of eligible creditable service and  
4 has attained age 50, regardless of whether the attainment of  
5 either of the specified ages occurs while the member is still  
6 in service, shall be entitled to receive at the option of the  
7 member, in lieu of the regular or minimum retirement annuity,  
8 a retirement annuity computed as follows:

9 (i) for periods of service as a noncovered employee:  
10 if retirement occurs on or after January 1, 2001, 3% of  
11 final average compensation for each year of creditable  
12 service; if retirement occurs before January 1, 2001, 2  
13 1/4% of final average compensation for each of the first  
14 10 years of creditable service, 2 1/2% for each year above  
15 10 years to and including 20 years of creditable service,  
16 and 2 3/4% for each year of creditable service above 20  
17 years; and

18 (ii) for periods of eligible creditable service as a  
19 covered employee: if retirement occurs on or after January  
20 1, 2001, 2.5% of final average compensation for each year  
21 of creditable service; if retirement occurs before January  
22 1, 2001, 1.67% of final average compensation for each of  
23 the first 10 years of such service, 1.90% for each of the  
24 next 10 years of such service, 2.10% for each year of such  
25 service in excess of 20 but not exceeding 30, and 2.30% for  
26 each year in excess of 30.

1           Such annuity shall be subject to a maximum of 75% of final  
2 average compensation if retirement occurs before January 1,  
3 2001 or to a maximum of 80% of final average compensation if  
4 retirement occurs on or after January 1, 2001.

5           These rates shall not be applicable to any service  
6 performed by a member as a covered employee which is not  
7 eligible creditable service. Service as a covered employee  
8 which is not eligible creditable service shall be subject to  
9 the rates and provisions of Section 14-108.

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

13                   (1) State policeman;

14                   (2) fire fighter in the fire protection service of a  
15 department;

16                   (3) air pilot;

17                   (4) special agent;

18                   (5) investigator for the Secretary of State;

19                   (6) conservation police officer;

20                   (7) investigator for the Department of Revenue or the  
21 Illinois Gaming Board;

22                   (8) security employee of the Department of Human  
23 Services;

24                   (9) Central Management Services security police  
25 officer;

26                   (10) security employee of the Department of

- 1 Corrections or the Department of Juvenile Justice;
- 2 (11) dangerous drugs investigator;
- 3 (12) investigator for the Illinois State Police;
- 4 (13) investigator for the Office of the Attorney
- 5 General;
- 6 (14) controlled substance inspector;
- 7 (15) investigator for the Office of the State's
- 8 Attorneys Appellate Prosecutor;
- 9 (16) Commerce Commission police officer;
- 10 (17) arson investigator;
- 11 (18) State highway maintenance worker;
- 12 (19) security employee of the Department of Innovation
- 13 and Technology; or
- 14 (20) transferred employee.

15 A person employed in one of the positions specified in

16 this subsection is entitled to eligible creditable service for

17 service credit earned under this Article while undergoing the

18 basic police training course approved by the Illinois Law

19 Enforcement Training Standards Board, if completion of that

20 training is required of persons serving in that position. For

21 the purposes of this Code, service during the required basic

22 police training course shall be deemed performance of the

23 duties of the specified position, even though the person is

24 not a sworn peace officer at the time of the training.

25 A person under paragraph (20) is entitled to eligible

26 creditable service for service credit earned under this

1 Article on and after his or her transfer by Executive Order No.  
2 2003-10, Executive Order No. 2004-2, or Executive Order No.  
3 2016-1.

4 (c) For the purposes of this Section:

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

8 (2) The term "fire fighter in the fire protection  
9 service of a department" includes all officers in such  
10 fire protection service including fire chiefs and  
11 assistant fire chiefs.

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

22 (4) The term "special agent" means any person who by  
23 reason of employment by the Division of Narcotic Control,  
24 the Bureau of Investigation or, after July 1, 1977, the  
25 Division of Criminal Investigation, the Division of  
26 Internal Investigation, the Division of Operations, the

1 Division of Patrol Operations, or any other Division or  
2 organizational entity in the Illinois State Police is  
3 vested by law with duties to maintain public order,  
4 investigate violations of the criminal law of this State,  
5 enforce the laws of this State, make arrests and recover  
6 property. The term "special agent" includes any title or  
7 position in the Illinois State Police that is held by an  
8 individual employed under the Illinois State Police Act.

9 (5) The term "investigator for the Secretary of State"  
10 means any person employed by the Office of the Secretary  
11 of State and vested with such investigative duties as  
12 render him ineligible for coverage under the Social  
13 Security Act by reason of Sections 218(d)(5)(A),  
14 218(d)(8)(D) and 218(1)(1) of that Act.

15 A person who became employed as an investigator for  
16 the Secretary of State between January 1, 1967 and  
17 December 31, 1975, and who has served as such until  
18 attainment of age 60, either continuously or with a single  
19 break in service of not more than 3 years duration, which  
20 break terminated before January 1, 1976, shall be entitled  
21 to have his retirement annuity calculated in accordance  
22 with subsection (a), notwithstanding that he has less than  
23 20 years of credit for such service.

24 (6) The term "Conservation Police Officer" means any  
25 person employed by the Division of Law Enforcement of the  
26 Department of Natural Resources and vested with such law



1 enforcement duties as render him ineligible for coverage  
2 under the Social Security Act by reason of Sections  
3 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The  
4 term "Conservation Police Officer" includes the positions  
5 of Chief Conservation Police Administrator and Assistant  
6 Conservation Police Administrator.

7 (7) The term "investigator for the Department of  
8 Revenue" means any person employed by the Department of  
9 Revenue and vested with such investigative duties as  
10 render him 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 The term "investigator for the Illinois Gaming Board"  
14 means any person employed as such by the Illinois Gaming  
15 Board and vested with such peace officer duties as render  
16 the person ineligible for coverage under the Social  
17 Security Act by reason of Sections 218(d)(5)(A),  
18 218(d)(8)(D), and 218(1)(1) of that Act.

19 (8) The term "security employee of the Department of  
20 Human Services" means any person employed by the  
21 Department of Human Services who (i) is employed at the  
22 Chester Mental Health Center and has daily contact with  
23 the residents thereof, (ii) is employed within a security  
24 unit at a facility operated by the Department and has  
25 daily contact with the residents of the security unit,  
26 (iii) is employed at a facility operated by the Department

1 that includes a security unit and is regularly scheduled  
2 to work at least 50% of his or her working hours within  
3 that security unit, or (iv) is a mental health police  
4 officer. "Mental health police officer" means any person  
5 employed by the Department of Human Services in a position  
6 pertaining to the Department's mental health and  
7 developmental disabilities functions who is vested with  
8 such law enforcement duties as render the person  
9 ineligible for coverage under the Social Security Act by  
10 reason of Sections 218(d)(5)(A), 218(d)(8)(D) and  
11 218(1)(1) of that Act. "Security unit" means that portion  
12 of a facility that is devoted to the care, containment,  
13 and treatment of persons committed to the Department of  
14 Human Services as sexually violent persons, persons unfit  
15 to stand trial, or persons not guilty by reason of  
16 insanity. With respect to past employment, references to  
17 the Department of Human Services include its predecessor,  
18 the Department of Mental Health and Developmental  
19 Disabilities.

20 The changes made to this subdivision (c)(8) by Public  
21 Act 92-14 apply to persons who retire on or after January  
22 1, 2001, notwithstanding Section 1-103.1.

23 (9) "Central Management Services security police  
24 officer" means any person employed by the Department of  
25 Central Management Services who is vested with such law  
26 enforcement duties as render him ineligible for coverage

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

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

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

1           (12) The term "investigator for the Illinois State  
2 Police" means a person employed by the Illinois State  
3 Police who is vested under Section 4 of the Narcotic  
4 Control Division Abolition Act with such law enforcement  
5 powers as render him ineligible for coverage under the  
6 Social Security Act by reason of Sections 218(d)(5)(A),  
7 218(d)(8)(D) and 218(1)(1) of that Act.

8           (13) "Investigator for the Office of the Attorney  
9 General" means any person who is employed as such by the  
10 Office of the Attorney General and is vested with such  
11 investigative 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. For  
14 the period before January 1, 1989, the term includes all  
15 persons who were employed as investigators by the Office  
16 of the Attorney General, without regard to social security  
17 status.

18           (14) "Controlled substance inspector" means any person  
19 who is employed as such by the Department of Professional  
20 Regulation and is vested with such law enforcement duties  
21 as 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. The term  
24 "controlled substance inspector" includes the Program  
25 Executive of Enforcement and the Assistant Program  
26 Executive of Enforcement.

1           (15) The term "investigator for the Office of the  
2           State's Attorneys Appellate Prosecutor" means a person  
3           employed in that capacity on a full-time basis under the  
4           authority of Section 7.06 of the State's Attorneys  
5           Appellate Prosecutor's Act.

6           (16) "Commerce Commission police officer" means any  
7           person employed by the Illinois Commerce Commission who is  
8           vested with such law enforcement duties as render him  
9           ineligible for coverage under the Social Security Act by  
10          reason of Sections 218(d)(5)(A), 218(d)(8)(D), and  
11          218(1)(1) of that Act.

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

1 eligible creditable service on the date of application.

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

4 (i) A person employed on a full-time basis by the  
5 Illinois Department of Transportation in the position  
6 of highway maintainer, highway maintenance lead  
7 worker, highway maintenance lead/lead worker, heavy  
8 construction equipment operator, power shovel  
9 operator, or bridge mechanic; and whose principal  
10 responsibility is to perform, on the roadway, the  
11 actual maintenance necessary to keep the highways that  
12 form a part of the State highway system in serviceable  
13 condition for vehicular traffic.

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

1           (19) The term "security employee of the Department of  
2           Innovation and Technology" means a person who was a  
3           security employee of the Department of Corrections or the  
4           Department of Juvenile Justice, was transferred to the  
5           Department of Innovation and Technology pursuant to  
6           Executive Order 2016-01, and continues to perform similar  
7           job functions under that Department.

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

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

23               (i) 25 years of eligible creditable service and age  
24               55; or

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

1           creditable service and age 55; or

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

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

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

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

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

23          (e) If a member enters military service while working in a  
24          position in which eligible creditable service may be earned,  
25          and returns to State service in the same or another such  
26          position, and fulfills in all other respects the conditions



1 prescribed in this Article for credit for military service,  
2 such military service shall be credited as eligible creditable  
3 service for the purposes of the retirement annuity prescribed  
4 in this Section.

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

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

1 service as a noncovered employee, and the amount of employee  
2 contributions actually paid, plus (2) if payment is made after  
3 January 1, 1990, regular interest on the amount specified in  
4 item (1) from the date of service to the date of payment.

5 (g) A State policeman may elect, not later than January 1,  
6 1990, to establish eligible creditable service for up to 10  
7 years of his service as a policeman under Article 3, by filing  
8 a written election with the Board, accompanied by payment of  
9 an amount to be determined by the Board, equal to (i) the  
10 difference between the amount of employee and employer  
11 contributions transferred to the System under Section 3-110.5,  
12 and the amounts that would have been contributed had such  
13 contributions been made at the rates applicable to State  
14 policemen, 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 Subject to the limitation in subsection (i), a State  
18 policeman may elect, not later than July 1, 1993, to establish  
19 eligible creditable service for up to 10 years of his service  
20 as a member of the County Police Department under Article 9, by  
21 filing a written election with the Board, accompanied by  
22 payment of an amount to be determined by the Board, equal to  
23 (i) the difference between the amount of employee and employer  
24 contributions transferred to the System under Section 9-121.10  
25 and the amounts that would have been contributed had those  
26 contributions been made at the rates applicable to State

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

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

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

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

5 Subject to the limitation in subsection (i), a State  
6 policeman, conservation police officer, or investigator for  
7 the Secretary of State may elect to establish eligible  
8 creditable service for up to 5 years of service as a police  
9 officer under Article 3, a policeman under Article 5, a  
10 sheriff's law enforcement employee under Article 7, a member  
11 of the county police department under Article 9, or a police  
12 officer under Article 15 by filing a written election with the  
13 Board and paying to the System an amount to be determined by  
14 the Board, equal to (i) the difference between the amount of  
15 employee and employer contributions transferred to the System  
16 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4  
17 and the amounts that would have been contributed had such  
18 contributions been made at the rates applicable to State  
19 policemen, plus (ii) interest thereon at the effective rate  
20 for each year, compounded annually, from the date of service  
21 to the date of payment.

22 Subject to the limitation in subsection (i), an  
23 investigator for the Office of the Attorney General, or an  
24 investigator for the Department of Revenue, may elect to  
25 establish eligible creditable service for up to 5 years of  
26 service as a police officer under Article 3, a policeman under

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

1 equal to (i) the difference between the amount of employee and  
2 employer contributions transferred to the System under  
3 Sections 7-139.8 and 9-121.10 and the amounts that would have  
4 been contributed had such contributions been made at the rates  
5 applicable to State policemen, plus (ii) interest thereon at  
6 the actuarially assumed rate for each year, compounded  
7 annually, from the date of service to the date of payment.

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

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

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

16 Subject to the limitation in subsection (i), an  
17 investigator for the Department of Revenue, investigator for  
18 the Illinois Gaming Board, investigator for the Secretary of  
19 State, or arson investigator may elect to establish eligible  
20 creditable service for up to 5 years of service as a person  
21 employed by a participating municipality to perform police  
22 duties under Article 7, a county corrections officer, a court  
23 services officer under Article 9, or a firefighter under  
24 Article 4 by filing a written election with the Board within 6  
25 months after the effective date of this amendatory Act of the  
26 102nd General Assembly and paying to the System an amount to be

1 determined by the Board equal to (i) the difference between  
2 the amount of employee and employer contributions transferred  
3 to the System under Sections 4-108.8, 7-139.8, and 9-121.10  
4 and the amounts that would have been contributed had such  
5 contributions been made at the rates applicable to State  
6 policemen, plus (ii) interest thereon at the actuarially  
7 assumed rate for each year, compounded annually, from the date  
8 of service to the date of payment.

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

26 Notwithstanding the limitation in subsection (i), an



1 investigator for the Department of Revenue, investigator for  
2 the Illinois Gaming Board, investigator for the Secretary of  
3 State, or arson investigator may elect to convert service  
4 credit earned under this Article to eligible creditable  
5 service, as defined by this Section, by filing a written  
6 election with the Board within 6 months after the effective  
7 date of this amendatory Act of the 102nd General Assembly and  
8 paying to the System an amount to be determined by the Board  
9 equal to (i) the difference between the amount of employee  
10 contributions originally paid for that service and the amounts  
11 that would have been contributed had such contributions been  
12 made at the rates applicable to investigators for the  
13 Department of Revenue, investigators for the Illinois Gaming  
14 Board, investigators for the Secretary of State, or arson  
15 investigators, plus (ii) the difference between the employer's  
16 normal cost of the credit prior to the conversion authorized  
17 by this amendatory Act of the 102nd General Assembly and the  
18 employer's normal cost of the credit converted in accordance  
19 with this amendatory Act of the 102nd General Assembly, plus  
20 (iii) interest thereon at the actuarially assumed rate for  
21 each year, compounded annually, from the date of service to  
22 the date of payment.

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

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

16           (k) Subject to the limitation in subsection (i) of this  
17 Section, an alternative formula employee may elect to  
18 establish eligible creditable service for periods spent as a  
19 full-time law enforcement officer or full-time corrections  
20 officer employed by the federal government or by a state or  
21 local government located outside of Illinois, for which credit  
22 is not held in any other public employee pension fund or  
23 retirement system. To obtain this credit, the applicant must  
24 file a written application with the Board by March 31, 1998,  
25 accompanied by evidence of eligibility acceptable to the Board  
26 and payment of an amount to be determined by the Board, equal

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

12 (1) Subject to the limitation in subsection (i), a  
13 security employee of the Department of Corrections may elect,  
14 not later than July 1, 1998, to establish eligible creditable  
15 service for up to 10 years of his or her service as a policeman  
16 under Article 3, by filing a written election with the Board,  
17 accompanied by payment of an amount to be determined by the  
18 Board, equal to (i) the difference between the amount of  
19 employee and employer contributions transferred to the System  
20 under Section 3-110.5, and the amounts that would have been  
21 contributed had such contributions been made at the rates  
22 applicable to security employees of the Department of  
23 Corrections, 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 (1-5) Subject to the limitation in subsection (i) of this

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

22 (m) The amendatory changes to this Section made by Public  
23 Act 94-696 apply only to: (1) security employees of the  
24 Department of Juvenile Justice employed by the Department of  
25 Corrections before June 1, 2006 (the effective date of Public  
26 Act 94-696) and transferred to the Department of Juvenile

1 Justice by Public Act 94-696; and (2) persons employed by the  
2 Department of Juvenile Justice on or after June 1, 2006 (the  
3 effective date of Public Act 94-696) who are required by  
4 subsection (b) of Section 3-2.5-15 of the Unified Code of  
5 Corrections to have any bachelor's or advanced degree from an  
6 accredited college or university or, in the case of persons  
7 who provide vocational training, who are required to have  
8 adequate knowledge in the skill for which they are providing  
9 the vocational training.

10 (n) A person employed in a position under subsection (b)  
11 of this Section who has purchased service credit under  
12 subsection (j) of Section 14-104 or subsection (b) of Section  
13 14-105 in any other capacity under this Article may convert up  
14 to 5 years of that service credit into service credit covered  
15 under this Section by paying to the Fund an amount equal to (1)  
16 the additional employee contribution required under Section  
17 14-133, plus (2) the additional employer contribution required  
18 under Section 14-131, plus (3) interest on items (1) and (2) at  
19 the actuarially assumed rate from the date of the service to  
20 the date of payment.

21 (o) Subject to the limitation in subsection (i), a  
22 conservation police officer, investigator for the Secretary of  
23 State, Commerce Commission police officer, investigator for  
24 the Department of Revenue or the Illinois Gaming Board, or  
25 arson investigator subject to subsection (g) of Section 1-160  
26 may elect to convert up to 8 years of service credit

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

18 (g) Subject to the limitation in subsection (i), a  
19 security employee of the Department of Human Services who is  
20 subject to subsection (g-1) of Section 1-160 may elect to  
21 convert up to 9 years of service credit established before the  
22 effective date of this amendatory Act of the 103rd General  
23 Assembly as a security employee of the Department of Human  
24 Services to eligible creditable service by filing a written  
25 election with the Board no later than one year after the  
26 effective date of this amendatory Act of the 103rd General

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

11 (Source: P.A. 101-610, eff. 1-1-20; 102-210, eff. 7-30-21;  
12 102-538, eff. 8-20-21; 102-856, eff. 1-1-23.)

13 (Text of Section from P.A. 102-956)

14 Sec. 14-110. Alternative retirement annuity.

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

24 (i) for periods of service as a noncovered employee:

25 if retirement occurs on or after January 1, 2001, 3% of

1 final average compensation for each year of creditable  
2 service; if retirement occurs before January 1, 2001, 2  
3 1/4% of final average compensation for each of the first  
4 10 years of creditable service, 2 1/2% for each year above  
5 10 years to and including 20 years of creditable service,  
6 and 2 3/4% for each year of creditable service above 20  
7 years; and

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

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

21 These rates shall not be applicable to any service  
22 performed by a member as a covered employee which is not  
23 eligible creditable service. Service as a covered employee  
24 which is not eligible creditable service shall be subject to  
25 the rates and provisions of Section 14-108.

26 (b) For the purpose of this Section, "eligible creditable



1 service" means creditable service resulting from service in  
2 one or more of the following positions:

3 (1) State policeman;

4 (2) fire fighter in the fire protection service of a  
5 department;

6 (3) air pilot;

7 (4) special agent;

8 (5) investigator for the Secretary of State;

9 (6) conservation police officer;

10 (7) investigator for the Department of Revenue or the  
11 Illinois Gaming Board;

12 (8) security employee of the Department of Human  
13 Services;

14 (9) Central Management Services security police  
15 officer;

16 (10) security employee of the Department of  
17 Corrections or the Department of Juvenile Justice;

18 (11) dangerous drugs investigator;

19 (12) investigator for the Illinois State Police;

20 (13) investigator for the Office of the Attorney  
21 General;

22 (14) controlled substance inspector;

23 (15) investigator for the Office of the State's  
24 Attorneys Appellate Prosecutor;

25 (16) Commerce Commission police officer;

26 (17) arson investigator;

1 (18) State highway maintenance worker;

2 (19) security employee of the Department of Innovation  
3 and Technology; or

4 (20) transferred employee.

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

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

20 (c) For the purposes of this Section:

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

24 (2) The term "fire fighter in the fire protection  
25 service of a department" includes all officers in such  
26 fire protection service including fire chiefs and

1           assistant fire chiefs.

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

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

25          (5) The term "investigator for the Secretary of State"  
26          means any person employed by the Office of the Secretary

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

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

23 (7) The term "investigator for the Department of  
24 Revenue" means any person employed by the Department of  
25 Revenue and vested with such investigative duties as  
26 render him 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.

3 The term "investigator for the Illinois Gaming Board"  
4 means any person employed as such by the Illinois Gaming  
5 Board and vested with such peace officer duties as render  
6 the person 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 (8) The term "security employee of the Department of  
10 Human Services" means any person employed by the  
11 Department of Human Services who (i) is employed at the  
12 Chester Mental Health Center and has daily contact with  
13 the residents thereof, (ii) is employed within a security  
14 unit at a facility operated by the Department and has  
15 daily contact with the residents of the security unit,  
16 (iii) is employed at a facility operated by the Department  
17 that includes a security unit and is regularly scheduled  
18 to work at least 50% of his or her working hours within  
19 that security unit, or (iv) is a mental health police  
20 officer. "Mental health police officer" means any person  
21 employed by the Department of Human Services in a position  
22 pertaining to the Department's mental health and  
23 developmental disabilities functions who is vested with  
24 such law enforcement duties as render the person  
25 ineligible for coverage under the Social Security Act by  
26 reason of Sections 218(d)(5)(A), 218(d)(8)(D) and

1           218(1)(1) of that Act. "Security unit" means that portion  
2           of a facility that is devoted to the care, containment,  
3           and treatment of persons committed to the Department of  
4           Human Services as sexually violent persons, persons unfit  
5           to stand trial, or persons not guilty by reason of  
6           insanity. With respect to past employment, references to  
7           the Department of Human Services include its predecessor,  
8           the Department of Mental Health and Developmental  
9           Disabilities.

10           The changes made to this subdivision (c)(8) by Public  
11           Act 92-14 apply to persons who retire on or after January  
12           1, 2001, notwithstanding Section 1-103.1.

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

19           (10) For a member who first became an employee under  
20           this Article before July 1, 2005, the term "security  
21           employee of the Department of Corrections or the  
22           Department of Juvenile Justice" means any employee of the  
23           Department of Corrections or the Department of Juvenile  
24           Justice or the former Department of Personnel, and any  
25           member or employee of the Prisoner Review Board, who has  
26           daily contact with inmates or youth by working within a

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

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

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

24 (13) "Investigator for the Office of the Attorney  
25 General" means any person who is employed as such by the  
26 Office of the Attorney General and is vested with such

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

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

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

22          (16) "Commerce Commission police officer" means any  
23          person employed by the Illinois Commerce Commission who is  
24          vested with such law enforcement duties as render him  
25          ineligible for coverage under the Social Security Act by  
26          reason of Sections 218(d)(5)(A), 218(d)(8)(D), and



1 218(1)(1) of that Act.

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

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

20 (i) A person employed on a full-time basis by the  
21 Illinois Department of Transportation in the position  
22 of highway maintainer, highway maintenance lead  
23 worker, highway maintenance lead/lead worker, heavy  
24 construction equipment operator, power shovel  
25 operator, or bridge mechanic; and whose principal  
26 responsibility is to perform, on the roadway, the

1 actual maintenance necessary to keep the highways that  
2 form a part of the State highway system in serviceable  
3 condition for vehicular traffic.

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

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

24 (20) "Transferred employee" means an employee who was  
25 transferred to the Department of Central Management  
26 Services by Executive Order No. 2003-10 or Executive Order

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

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

13 (i) 25 years of eligible creditable service and age  
14 55; or

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

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

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

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

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

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

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

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

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

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

21 (g) A State policeman may elect, not later than January 1,  
22 1990, to establish eligible creditable service for up to 10  
23 years of his service as a policeman under Article 3, by filing  
24 a written election with the Board, accompanied by payment of  
25 an amount to be determined by the Board, equal to (i) the  
26 difference between the amount of employee and employer

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

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

1 the amount of employee and employer contributions transferred  
2 to the System under Section 5-236, and the amounts that would  
3 have been contributed had such contributions been made at the  
4 rates applicable to State policemen, plus (ii) interest  
5 thereon at the effective rate for each year, compounded  
6 annually, from the date of service to the date of payment.

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

21 Subject to the limitation in subsection (i), a State  
22 policeman, conservation police officer, or investigator for  
23 the Secretary of State may elect to establish eligible  
24 creditable service for up to 5 years of service as a police  
25 officer under Article 3, a policeman under Article 5, a  
26 sheriff's law enforcement employee under Article 7, a member

1 of the county police department under Article 9, or a police  
2 officer under Article 15 by filing a written election with the  
3 Board 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, 9-121.10, or 15-134.4  
7 and the 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 effective rate  
10 for each year, compounded annually, from the date of service  
11 to the date of payment.

12 Subject to the limitation in subsection (i), an  
13 investigator for the Office of the Attorney General, or an  
14 investigator for the Department of Revenue, may elect to  
15 establish eligible creditable service for up to 5 years of  
16 service as a police officer under Article 3, a policeman under  
17 Article 5, a sheriff's law enforcement employee under Article  
18 7, or a member of the county police department under Article 9  
19 by filing a written election with the Board within 6 months  
20 after August 25, 2009 (the effective date of Public Act  
21 96-745) and paying to the System an amount to be determined by  
22 the Board, equal to (i) the difference between the amount of  
23 employee and employer contributions transferred to the System  
24 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the  
25 amounts that would have been contributed had such  
26 contributions been made at the rates applicable to State



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

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

24 Subject to the limitation in subsection (i), a State  
25 policeman, arson investigator, or Commerce Commission police  
26 officer may elect to establish eligible creditable service for

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

16 Subject to the limitation in subsection (i), a  
17 conservation police officer may elect to establish eligible  
18 creditable service for up to 5 years of service as a person  
19 employed by a participating municipality to perform police  
20 duties under Article 7, a county corrections officer, or a  
21 court services officer under Article 9 by filing a written  
22 election with the Board within 6 months after July 30, 2021  
23 (the effective date of Public Act 102-210) and paying to the  
24 System 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 Sections 7-139.8

1 and 9-121.10 and the amounts that would have been contributed  
2 had such contributions been made at the rates applicable to  
3 State policemen, plus (ii) interest thereon at the actuarially  
4 assumed rate for each year, compounded annually, from the date  
5 of service to the date of payment.

6 Notwithstanding the limitation in subsection (i), a State  
7 policeman or conservation police officer may elect to convert  
8 service credit earned under this Article to eligible  
9 creditable service, as defined by this Section, by filing a  
10 written election with the board within 6 months after July 30,  
11 2021 (the effective date of Public Act 102-210) and paying to  
12 the System an amount to be determined by the Board equal to (i)  
13 the difference between the amount of employee contributions  
14 originally paid for that service and the amounts that would  
15 have been contributed had such contributions been made at the  
16 rates applicable to State policemen, plus (ii) the difference  
17 between the employer's normal cost of the credit prior to the  
18 conversion authorized by Public Act 102-210 and the employer's  
19 normal cost of the credit converted in accordance with Public  
20 Act 102-210, plus (iii) interest thereon at the actuarially  
21 assumed rate for each year, compounded annually, from the date  
22 of service to the date of payment.

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

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

16           (k) Subject to the limitation in subsection (i) of this  
17 Section, an alternative formula employee may elect to  
18 establish eligible creditable service for periods spent as a  
19 full-time law enforcement officer or full-time corrections  
20 officer employed by the federal government or by a state or  
21 local government located outside of Illinois, for which credit  
22 is not held in any other public employee pension fund or  
23 retirement system. To obtain this credit, the applicant must  
24 file a written application with the Board by March 31, 1998,  
25 accompanied by evidence of eligibility acceptable to the Board  
26 and payment of an amount to be determined by the Board, equal

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

12 (1) Subject to the limitation in subsection (i), a  
13 security employee of the Department of Corrections may elect,  
14 not later than July 1, 1998, to establish eligible creditable  
15 service for up to 10 years of his or her service as a policeman  
16 under Article 3, by filing a written election with the Board,  
17 accompanied by payment of an amount to be determined by the  
18 Board, equal to (i) the difference between the amount of  
19 employee and employer contributions transferred to the System  
20 under Section 3-110.5, and the amounts that would have been  
21 contributed had such contributions been made at the rates  
22 applicable to security employees of the Department of  
23 Corrections, 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 (1-5) Subject to the limitation in subsection (i) of this

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

22 (m) The amendatory changes to this Section made by Public  
23 Act 94-696 apply only to: (1) security employees of the  
24 Department of Juvenile Justice employed by the Department of  
25 Corrections before June 1, 2006 (the effective date of Public  
26 Act 94-696) and transferred to the Department of Juvenile

1 Justice by Public Act 94-696; and (2) persons employed by the  
2 Department of Juvenile Justice on or after June 1, 2006 (the  
3 effective date of Public Act 94-696) who are required by  
4 subsection (b) of Section 3-2.5-15 of the Unified Code of  
5 Corrections to have any bachelor's or advanced degree from an  
6 accredited college or university or, in the case of persons  
7 who provide vocational training, who are required to have  
8 adequate knowledge in the skill for which they are providing  
9 the vocational training.

10 (n) A person employed in a position under subsection (b)  
11 of this Section who has purchased service credit under  
12 subsection (j) of Section 14-104 or subsection (b) of Section  
13 14-105 in any other capacity under this Article may convert up  
14 to 5 years of that service credit into service credit covered  
15 under this Section by paying to the Fund an amount equal to (1)  
16 the additional employee contribution required under Section  
17 14-133, plus (2) the additional employer contribution required  
18 under Section 14-131, plus (3) interest on items (1) and (2) at  
19 the actuarially assumed rate from the date of the service to  
20 the date of payment.

21 (o) Subject to the limitation in subsection (i), a  
22 conservation police officer, investigator for the Secretary of  
23 State, Commerce Commission police officer, investigator for  
24 the Department of Revenue or the Illinois Gaming Board, or  
25 arson investigator subject to subsection (g) of Section 1-160  
26 may elect to convert up to 8 years of service credit

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

18 (p) Subject to the limitation in subsection (i), an  
19 investigator for the Office of the Attorney General subject to  
20 subsection (g) of Section 1-160 may elect to convert up to 8  
21 years of service credit established before the effective date  
22 of this amendatory Act of the 102nd General Assembly as an  
23 investigator for the Office of the Attorney General under this  
24 Article into eligible creditable service by filing a written  
25 election with the Board no later than one year after the  
26 effective date of this amendatory Act of the 102nd General



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

11 (g) Subject to the limitation in subsection (i), a  
12 security employee of the Department of Human Services who is  
13 subject to subsection (g-1) of Section 1-160 may elect to  
14 convert up to 9 years of service credit established before the  
15 effective date of this amendatory Act of the 103rd General  
16 Assembly as a security employee of the Department of Human  
17 Services to eligible creditable service by filing a written  
18 election with the Board no later than one year after the  
19 effective date of this amendatory Act of the 103rd General  
20 Assembly, accompanied by payment of an amount, to be  
21 determined by the Board, equal to (i) the difference between  
22 the amount of the employee contributions actually paid for  
23 that service and the amount of the employee contributions that  
24 would have been paid had the employee contributions been made  
25 as a covered employee serving in a position in which eligible  
26 creditable service, as defined in this Section, may be earned,

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

4 (Source: P.A. 101-610, eff. 1-1-20; 102-210, eff. 7-30-21;  
5 102-538, eff. 8-20-21; 102-956, eff. 5-27-22.)

6 (40 ILCS 5/14-152.1)

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

9 (a) As used in this Section, "new benefit increase" means  
10 an increase in the amount of any benefit provided under this  
11 Article, or an expansion of the conditions of eligibility for  
12 any benefit under this Article, that results from an amendment  
13 to this Code that takes effect after June 1, 2005 (the  
14 effective date of Public Act 94-4). "New benefit increase",  
15 however, does not include any benefit increase resulting from  
16 the changes made to Article 1 or this Article by Public Act  
17 96-37, Public Act 100-23, Public Act 100-587, Public Act  
18 100-611, Public Act 101-10, Public Act 101-610, Public Act  
19 102-210, Public Act 102-856, Public Act 102-956, or this  
20 amendatory Act of the 103rd General Assembly ~~this amendatory~~  
21 ~~Act of the 102nd General Assembly.~~

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

1 compliance with the provisions of this Section.

2 (c) The Public Act enacting a new benefit increase must  
3 identify and provide for payment to the System of additional  
4 funding at least sufficient to fund the resulting annual  
5 increase in cost to the System as it accrues.

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

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

1 by law.

2 (e) Except as otherwise provided in the language creating  
3 the new benefit increase, a new benefit increase that expires  
4 under this Section continues to apply to persons who applied  
5 and qualified for the affected benefit while the new benefit  
6 increase was in effect and to the affected beneficiaries and  
7 alternate payees of such persons, but does not apply to any  
8 other person, including, without limitation, a person who  
9 continues in service after the expiration date and did not  
10 apply and qualify for the affected benefit while the new  
11 benefit increase was in effect.

12 (Source: P.A. 101-10, eff. 6-5-19; 101-81, eff. 7-12-19;  
13 101-610, eff. 1-1-20; 102-210, eff. 7-30-21; 102-856, eff.  
14 1-1-23; 102-956, eff. 5-27-22.)

15 Section 99. Effective date. This Act takes effect January  
16 1, 2024.