

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, 14-152.1, and 17-114 and by  
6 adding Sections 1-168, 3-144.3, 4-138.15, 5-240, and 6-232 as  
7 follows:

8 (40 ILCS 5/1-160)

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

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

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

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

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

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

26 This Section does not apply to a person who elects under

1 subsection (c-5) of Section 1-161 to receive the benefits  
2 under Section 1-161.

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

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

23 (1) (Blank).

24 (2) In Articles 8, 9, 10, 11, and 12, "highest average  
25 annual salary for any 4 consecutive years within the last  
26 10 years of service immediately preceding the date of

1 withdrawal".

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

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

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

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

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

13 (A) the amount otherwise calculated under the first  
14 paragraph of this subsection; or

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

24 (b-5) Beginning on January 1, 2011, for all purposes under  
25 this Code (including without limitation the calculation of  
26 benefits and employee contributions), the annual earnings,

1 salary, or wages (based on the plan year) of a member or  
2 participant to whom this Section applies shall not exceed  
3 \$106,800; however, that amount shall annually thereafter be  
4 increased by the lesser of (i) 3% of that amount, including all  
5 previous adjustments, or (ii) one-half the annual unadjusted  
6 percentage increase (but not less than zero) in the consumer  
7 price index-u for the 12 months ending with the September  
8 preceding each November 1, including all previous adjustments.

9 For the purposes of this Section, "consumer price index-u"  
10 means the index published by the Bureau of Labor Statistics of  
11 the United States Department of Labor that measures the  
12 average change in prices of goods and services purchased by  
13 all urban consumers, United States city average, all items,  
14 1982-84 = 100. The new amount resulting from each annual  
15 adjustment shall be determined by the Public Pension Division  
16 of the Department of Insurance and made available to the  
17 boards of the retirement systems and pension funds by November  
18 1 of each year.

19 (b-10) Beginning on January 1, 2024, for all purposes  
20 under this Code (including, without limitation, the  
21 calculation of benefits and employee contributions), the  
22 annual earnings, salary, or wages (based on the plan year) of a  
23 member or participant under Article 9 to whom this Section  
24 applies shall include an annual earnings, salary, or wage cap  
25 that tracks the Social Security wage base. Maximum annual  
26 earnings, wages, or salary shall be the annual contribution

1 and benefit base established for the applicable year by the  
2 Commissioner of the Social Security Administration under the  
3 federal Social Security Act.

4 However, in no event shall the annual earnings, salary, or  
5 wages for the purposes of this Article and Article 9 exceed any  
6 limitation imposed on annual earnings, salary, or wages under  
7 Section 1-117. Under no circumstances shall the maximum amount  
8 of annual earnings, salary, or wages be greater than the  
9 amount set forth in this subsection (b-10) as a result of  
10 reciprocal service or any provisions regarding reciprocal  
11 services, nor shall the Fund under Article 9 be required to pay  
12 any refund as a result of the application of this maximum  
13 annual earnings, salary, and wage cap.

14 Nothing in this subsection (b-10) shall cause or otherwise  
15 result in any retroactive adjustment of any employee  
16 contributions. Nothing in this subsection (b-10) shall cause  
17 or otherwise result in any retroactive adjustment of  
18 disability or other payments made between January 1, 2011 and  
19 January 1, 2024.

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

1 and has at least 10 years of service credit and is otherwise  
2 eligible under the requirements of the applicable Article.

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

13 (c-5) A person who first becomes a member or a participant  
14 subject to this Section on or after July 6, 2017 (the effective  
15 date of Public Act 100-23), notwithstanding any other  
16 provision of this Code to the contrary, is entitled to a  
17 retirement annuity under Article 8 or Article 11 upon written  
18 application if he or she has attained age 65 and has at least  
19 10 years of service credit and is otherwise eligible under the  
20 requirements of Article 8 or Article 11 of this Code,  
21 whichever is applicable.

22 (d) The retirement annuity of a member or participant who  
23 is retiring after attaining age 62 (age 60, with respect to  
24 service under Article 12 that is subject to this Section, for a  
25 member or participant under Article 12 who first becomes a  
26 member or participant under Article 12 on or after January 1,

1 2022 or who makes the election under item (i) of subsection  
2 (d-15) of this Section) with at least 10 years of service  
3 credit shall be reduced by one-half of 1% for each full month  
4 that the member's age is under age 67 (age 65, 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).

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

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

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



1 11-170 of this Code (for service under Article 11); or

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

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

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

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

1           (ii) to not agree to item (i) of this subsection  
2           (d-15), in which case the member or participant shall not  
3           be eligible for the reduced retirement age specified in  
4           subsections (c) and (d) of this Section and shall not be  
5           subject to the increase in employee contributions for  
6           service annuities specified in subsection (b) of Section  
7           12-150.

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

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

1 this Section) or the first anniversary of the annuity start  
2 date, whichever is later. Each annual increase shall be  
3 calculated at 3% or one-half the annual unadjusted percentage  
4 increase (but not less than zero) in the consumer price  
5 index-u for the 12 months ending with the September preceding  
6 each November 1, whichever is less, of the originally granted  
7 retirement annuity. If the annual unadjusted percentage change  
8 in the consumer price index-u for the 12 months ending with the  
9 September preceding each November 1 is zero or there is a  
10 decrease, then the annuity shall not be increased.

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

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

21 (f) The initial survivor's or widow's annuity of an  
22 otherwise eligible survivor or widow of a retired member or  
23 participant who first became a member or participant on or  
24 after January 1, 2011 shall be in the amount of 66 2/3% of the  
25 retired member's or participant's retirement annuity at the  
26 date of death. In the case of the death of a member or

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

22 (g) The benefits in Section 14-110 apply if the person is a  
23 fire fighter in the fire protection service of a department, a  
24 security employee of the Department of Corrections or the  
25 Department of Juvenile Justice, or a security employee of the  
26 Department of Innovation and Technology, as those terms are

1 defined in subsection (b) and subsection (c) of Section  
2 14-110. A person who meets the requirements of this Section is  
3 entitled to an annuity calculated under the provisions of  
4 Section 14-110, in lieu of the regular or minimum retirement  
5 annuity, only if the person has withdrawn from service with  
6 not less than 20 years of eligible creditable service and has  
7 attained age 60, regardless of whether the attainment of age  
8 60 occurs while the person is still in service.

9 (g-1) The benefits in Section 14-110 apply if the person  
10 is an investigator for the Department of the Lottery, as that  
11 term is defined in subsection (b) and subsection (c) of  
12 Section 14-110. A person who meets the requirements of this  
13 Section is entitled to an annuity calculated under the  
14 provisions of Section 14-110, in lieu of the regular or  
15 minimum retirement annuity, only if the person has withdrawn  
16 from service with not less than 20 years of eligible  
17 creditable service and has attained age 55, regardless of  
18 whether the attainment of age 55 occurs while the person is  
19 still in service.

20 (g-5) The benefits in Section 14-110 apply if the person  
21 is a State policeman, investigator for the Secretary of State,  
22 conservation police officer, investigator for the Department  
23 of Revenue or the Illinois Gaming Board, investigator for the  
24 Office of the Attorney General, Commerce Commission police  
25 officer, or arson investigator, as those terms are defined in  
26 subsection (b) and subsection (c) of Section 14-110. A person

1 who meets the requirements of this Section is entitled to an  
2 annuity calculated under the provisions of Section 14-110, in  
3 lieu of the regular or minimum retirement annuity, only if the  
4 person has withdrawn from service with not less than 20 years  
5 of eligible creditable service and has attained age 55,  
6 regardless of whether the attainment of age 55 occurs while  
7 the person is 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; 102-719, eff.  
21 5-6-22.)

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

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

24 (a) The provisions of this Section apply to a person who,  
25 on or after January 1, 2011, first becomes a member or a

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

23 This Section does not apply to a person who first becomes a  
24 noncovered employee under Article 14 on or after the  
25 implementation date of the plan created under Section 1-161  
26 for that Article, unless that person elects under subsection



1 (b) of Section 1-161 to instead receive the benefits provided  
2 under this Section and the applicable provisions of that  
3 Article.

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

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

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

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

1 service in which the total salary or earnings calculated under  
2 the applicable Article was the highest by the number of months  
3 (or years) of service in that period. For the purposes of a  
4 person who first becomes a member or participant of any  
5 retirement system or pension fund to which this Section  
6 applies on or after January 1, 2011, in this Code, "final  
7 average salary" shall be substituted for the following:

8 (1) (Blank).

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

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

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

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

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

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

24 (A) the amount otherwise calculated under the first  
25 paragraph of this subsection; or

26 (B) an amount calculated by the Teachers' Retirement

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

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

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

1 of the Department of Insurance and made available to the  
2 boards of the retirement systems and pension funds by November  
3 1 of each year.

4 (b-10) Beginning on January 1, 2024, for all purposes  
5 under this Code (including, without limitation, the  
6 calculation of benefits and employee contributions), the  
7 annual earnings, salary, or wages (based on the plan year) of a  
8 member or participant under Article 9 to whom this Section  
9 applies shall include an annual earnings, salary, or wage cap  
10 that tracks the Social Security wage base. Maximum annual  
11 earnings, wages, or salary shall be the annual contribution  
12 and benefit base established for the applicable year by the  
13 Commissioner of the Social Security Administration under the  
14 federal Social Security Act.

15 However, in no event shall the annual earnings, salary, or  
16 wages for the purposes of this Article and Article 9 exceed any  
17 limitation imposed on annual earnings, salary, or wages under  
18 Section 1-117. Under no circumstances shall the maximum amount  
19 of annual earnings, salary, or wages be greater than the  
20 amount set forth in this subsection (b-10) as a result of  
21 reciprocal service or any provisions regarding reciprocal  
22 services, nor shall the Fund under Article 9 be required to pay  
23 any refund as a result of the application of this maximum  
24 annual earnings, salary, and wage cap.

25 Nothing in this subsection (b-10) shall cause or otherwise  
26 result in any retroactive adjustment of any employee

1 contributions. Nothing in this subsection (b-10) shall cause  
2 or otherwise result in any retroactive adjustment of  
3 disability or other payments made between January 1, 2011 and  
4 January 1, 2024.

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

14 A member or participant who has attained age 62 (age 60,  
15 with respect to service under Article 12 that is subject to  
16 this 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) of this Section) and has at least 10 years  
20 of service credit and is otherwise eligible under the  
21 requirements of the applicable Article may elect to receive  
22 the lower retirement annuity provided in subsection (d) of  
23 this Section.

24 (c-5) A person who first becomes a member or a participant  
25 subject to this Section on or after July 6, 2017 (the effective  
26 date of Public Act 100-23), notwithstanding any other

1 provision of this Code to the contrary, is entitled to a  
2 retirement annuity under Article 8 or Article 11 upon written  
3 application if he or she has attained age 65 and has at least  
4 10 years of service credit and is otherwise eligible under the  
5 requirements of Article 8 or Article 11 of this Code,  
6 whichever is applicable.

7 (d) The retirement annuity of a member or participant who  
8 is retiring after attaining age 62 (age 60, with respect to  
9 service under Article 12 that is subject to this Section, for a  
10 member or participant under Article 12 who first becomes a  
11 member or participant under Article 12 on or after January 1,  
12 2022 or who makes the election under item (i) of subsection  
13 (d-15) of this Section) with at least 10 years of service  
14 credit shall be reduced by one-half of 1% for each full month  
15 that the member's age is under age 67 (age 65, with respect to  
16 service under Article 12 that is subject to this Section, for a  
17 member or participant under Article 12 who first becomes a  
18 member or participant under Article 12 on or after January 1,  
19 2022 or who makes the election under item (i) of subsection  
20 (d-15) of this Section).

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

26 (d-10) Each person who first became a member or

1 participant under Article 8 or Article 11 of this Code on or  
2 after January 1, 2011 and prior to July 6, 2017 (the effective  
3 date of Public Act 100-23) shall make an irrevocable election  
4 either:

5 (i) to be eligible for the reduced retirement age  
6 provided in subsections (c-5) and (d-5) of this Section,  
7 the eligibility for which is conditioned upon the member  
8 or participant agreeing to the increases in employee  
9 contributions for age and service annuities provided in  
10 subsection (a-5) of Section 8-174 of this Code (for  
11 service under Article 8) or subsection (a-5) of Section  
12 11-170 of this Code (for service under Article 11); or

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

21 The election provided for in this subsection shall be made  
22 between October 1, 2017 and November 15, 2017. A person  
23 subject to this subsection who makes the required election  
24 shall remain bound by that election. A person subject to this  
25 subsection who fails for any reason to make the required  
26 election within the time specified in this subsection shall be

1 deemed to have made the election under item (ii).

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

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

12 (ii) to not agree to item (i) of this subsection  
13 (d-15), in which case the member or participant shall not  
14 be eligible for the reduced retirement age specified in  
15 subsections (c) and (d) of this Section and shall not be  
16 subject to the increase in employee contributions for  
17 service annuities specified in subsection (b) of Section  
18 12-150.

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

26 (e) Any retirement annuity or supplemental annuity shall



1 be subject to annual increases on the January 1 occurring  
2 either on or after the attainment of age 67 (age 65, with  
3 respect to service under Article 12 that is subject to this  
4 Section, for a member or participant under Article 12 who  
5 first becomes a member or participant under Article 12 on or  
6 after January 1, 2022 or who makes the election under item (i)  
7 of subsection (d-15); and beginning on July 6, 2017 (the  
8 effective date of Public Act 100-23), age 65 with respect to  
9 service under Article 8 or Article 11 for eligible persons  
10 who: (i) are subject to subsection (c-5) of this Section; or  
11 (ii) made the election under item (i) of subsection (d-10) of  
12 this Section) or the first anniversary of the annuity start  
13 date, whichever is later. Each annual increase shall be  
14 calculated at 3% or one-half the annual unadjusted percentage  
15 increase (but not less than zero) in the consumer price  
16 index-u for the 12 months ending with the September preceding  
17 each November 1, whichever is less, of the originally granted  
18 retirement annuity. If the annual unadjusted percentage change  
19 in the consumer price index-u for the 12 months ending with the  
20 September preceding each November 1 is zero or there is a  
21 decrease, then the annuity shall not be increased.

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

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

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

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

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

25 (g-1) The benefits in Section 14-110 apply if the person  
26 is an investigator for the Department of the Lottery, as that

1 term is defined in subsection (b) and subsection (c) of  
2 Section 14-110. A person who meets the requirements of this  
3 Section is entitled to an annuity calculated under the  
4 provisions of Section 14-110, in lieu of the regular or  
5 minimum retirement annuity, only if the person has withdrawn  
6 from service with not less than 20 years of eligible  
7 creditable service and has attained age 55, regardless of  
8 whether the attainment of age 55 occurs while the person is  
9 still in service.

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

24 If a person who first becomes a member of a retirement  
25 system or pension fund subject to this Section on or after  
26 January 1, 2012 and is receiving a retirement annuity or

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

17 (i) (Blank).

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

21 (Source: P.A. 101-610, eff. 1-1-20; 102-16, eff. 6-17-21;  
22 102-210, eff. 1-1-22; 102-263, eff. 8-6-21; 102-813, eff.  
23 5-13-22.)

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

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

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

25           This Section does not apply to a person who first becomes a  
26 noncovered employee under Article 14 on or after the

1 implementation date of the plan created under Section 1-161  
2 for that Article, unless that person elects under subsection  
3 (b) of Section 1-161 to instead receive the benefits provided  
4 under this Section and the applicable provisions of that  
5 Article.

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

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

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

23 (b) "Final average salary" means, except as otherwise  
24 provided in this subsection, the average monthly (or annual)  
25 salary obtained by dividing the total salary or earnings  
26 calculated under the Article applicable to the member or

1 participant during the 96 consecutive months (or 8 consecutive  
2 years) of service within the last 120 months (or 10 years) of  
3 service in which the total salary or earnings calculated under  
4 the applicable Article was the highest by the number of months  
5 (or years) of service in that period. For the purposes of a  
6 person who first becomes a member or participant of any  
7 retirement system or pension fund to which this Section  
8 applies on or after January 1, 2011, in this Code, "final  
9 average salary" shall be substituted for the following:

10 (1) (Blank).

11 (2) In Articles 8, 9, 10, 11, and 12, "highest average  
12 annual salary for any 4 consecutive years within the last  
13 10 years of service immediately preceding the date of  
14 withdrawal".

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

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

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

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

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

26 (A) the amount otherwise calculated under the first



1 paragraph of this subsection; or

2 (B) an amount calculated by the Teachers' Retirement  
3 System of the State of Illinois using the average of the  
4 monthly (or annual) salary obtained by dividing the total  
5 salary or earnings calculated under Article 16 applicable  
6 to the member or participant during the 96 months (or 8  
7 years) of service within the last 120 months (or 10 years)  
8 of service in which the total salary or earnings  
9 calculated under the Article was the highest by the number  
10 of months (or years) of service in that period.

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

22 For the purposes of this Section, "consumer price index-u"  
23 means the index published by the Bureau of Labor Statistics of  
24 the United States Department of Labor that measures the  
25 average change in prices of goods and services purchased by  
26 all urban consumers, United States city average, all items,

1 1982-84 = 100. The new amount resulting from each annual  
2 adjustment shall be determined by the Public Pension Division  
3 of the Department of Insurance and made available to the  
4 boards of the retirement systems and pension funds by November  
5 1 of each year.

6 (b-10) Beginning on January 1, 2024, for all purposes  
7 under this Code (including, without limitation, the  
8 calculation of benefits and employee contributions), the  
9 annual earnings, salary, or wages (based on the plan year) of a  
10 member or participant under Article 9 to whom this Section  
11 applies shall include an annual earnings, salary, or wage cap  
12 that tracks the Social Security wage base. Maximum annual  
13 earnings, wages, or salary shall be the annual contribution  
14 and benefit base established for the applicable year by the  
15 Commissioner of the Social Security Administration under the  
16 federal Social Security Act.

17 However, in no event shall the annual earnings, salary, or  
18 wages for the purposes of this Article and Article 9 exceed any  
19 limitation imposed on annual earnings, salary, or wages under  
20 Section 1-117. Under no circumstances shall the maximum amount  
21 of annual earnings, salary, or wages be greater than the  
22 amount set forth in this subsection (b-10) as a result of  
23 reciprocal service or any provisions regarding reciprocal  
24 services, nor shall the Fund under Article 9 be required to pay  
25 any refund as a result of the application of this maximum  
26 annual earnings, salary, and wage cap.

1           Nothing in this subsection (b-10) shall cause or otherwise  
2 result in any retroactive adjustment of any employee  
3 contributions. Nothing in this subsection (b-10) shall cause  
4 or otherwise result in any retroactive adjustment of  
5 disability or other payments made between January 1, 2011 and  
6 January 1, 2024.

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

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

26           (c-5) A person who first becomes a member or a participant

1 subject to this Section on or after July 6, 2017 (the effective  
2 date of Public Act 100-23), notwithstanding any other  
3 provision of this Code to the contrary, is entitled to a  
4 retirement annuity under Article 8 or Article 11 upon written  
5 application if he or she has attained age 65 and has at least  
6 10 years of service credit and is otherwise eligible under the  
7 requirements of Article 8 or Article 11 of this Code,  
8 whichever is applicable.

9 (d) The retirement annuity of a member or participant who  
10 is retiring after attaining age 62 (age 60, with respect to  
11 service under Article 12 that is subject to this Section, for a  
12 member or participant under Article 12 who first becomes a  
13 member or participant under Article 12 on or after January 1,  
14 2022 or who makes the election under item (i) of subsection  
15 (d-15) of this Section) with at least 10 years of service  
16 credit shall be reduced by one-half of 1% for each full month  
17 that the member's age is under age 67 (age 65, with respect to  
18 service under Article 12 that is subject to this Section, for a  
19 member or participant under Article 12 who first becomes a  
20 member or participant under Article 12 on or after January 1,  
21 2022 or who makes the election under item (i) of subsection  
22 (d-15) of this Section).

23 (d-5) The retirement annuity payable under Article 8 or  
24 Article 11 to an eligible person subject to subsection (c-5)  
25 of this Section who is retiring at age 60 with at least 10  
26 years of service credit shall be reduced by one-half of 1% for

1 each full month that the member's age is under age 65.

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

7 (i) to be eligible for the reduced retirement age  
8 provided in subsections (c-5) and (d-5) of this Section,  
9 the eligibility for which is conditioned upon the member  
10 or participant agreeing to the increases in employee  
11 contributions for age and service annuities provided in  
12 subsection (a-5) of Section 8-174 of this Code (for  
13 service under Article 8) or subsection (a-5) of Section  
14 11-170 of this Code (for service under Article 11); or

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

23 The election provided for in this subsection shall be made  
24 between October 1, 2017 and November 15, 2017. A person  
25 subject to this subsection who makes the required election  
26 shall remain bound by that election. A person subject to this

1 subsection who fails for any reason to make the required  
2 election within the time specified in this subsection shall be  
3 deemed to have made the election under item (ii).

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

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

14 (ii) to not agree to item (i) of this subsection  
15 (d-15), in which case the member or participant shall not  
16 be eligible for the reduced retirement age specified in  
17 subsections (c) and (d) of this Section and shall not be  
18 subject to the increase in employee contributions for  
19 service annuities specified in subsection (b) of Section  
20 12-150.

21 The election provided for in this subsection shall be made  
22 between January 1, 2022 and April 1, 2022. A person subject to  
23 this subsection who makes the required election shall remain  
24 bound by that election. A person subject to this subsection  
25 who fails for any reason to make the required election within  
26 the time specified in this subsection shall be deemed to have

1 made the election under item (ii).

2 (e) Any retirement annuity or supplemental annuity shall  
3 be subject to annual increases on the January 1 occurring  
4 either on or after the attainment of age 67 (age 65, with  
5 respect to service under Article 12 that is subject to this  
6 Section, for a member or participant under Article 12 who  
7 first becomes a member or participant under Article 12 on or  
8 after January 1, 2022 or who makes the election under item (i)  
9 of subsection (d-15); and beginning on July 6, 2017 (the  
10 effective date of Public Act 100-23), age 65 with respect to  
11 service under Article 8 or Article 11 for eligible persons  
12 who: (i) are subject to subsection (c-5) of this Section; or  
13 (ii) made the election under item (i) of subsection (d-10) of  
14 this Section) or the first anniversary of the annuity start  
15 date, whichever is later. Each annual increase shall be  
16 calculated at 3% or one-half the annual unadjusted percentage  
17 increase (but not less than zero) in the consumer price  
18 index-u for the 12 months ending with the September preceding  
19 each November 1, whichever is less, of the originally granted  
20 retirement annuity. If the annual unadjusted percentage change  
21 in the consumer price index-u for the 12 months ending with the  
22 September preceding each November 1 is zero or there is a  
23 decrease, then the annuity shall not be increased.

24 For the purposes of Section 1-103.1 of this Code, the  
25 changes made to this Section by Public Act 102-263 are  
26 applicable without regard to whether the employee was in

1 active service on or after August 6, 2021 (the effective date  
2 of Public Act 102-263).

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

8 (f) The initial survivor's or widow's annuity of an  
9 otherwise eligible survivor or widow of a retired member or  
10 participant who first became a member or participant on or  
11 after January 1, 2011 shall be in the amount of 66 2/3% of the  
12 retired member's or participant's retirement annuity at the  
13 date of death. In the case of the death of a member or  
14 participant who has not retired and who first became a member  
15 or participant on or after January 1, 2011, eligibility for a  
16 survivor's or widow's annuity shall be determined by the  
17 applicable Article of this Code. The initial benefit shall be  
18 66 2/3% of the earned annuity without a reduction due to age. A  
19 child's annuity of an otherwise eligible child shall be in the  
20 amount prescribed under each Article if applicable. Any  
21 survivor's or widow's annuity shall be increased (1) on each  
22 January 1 occurring on or after the commencement of the  
23 annuity if the deceased member died while receiving a  
24 retirement annuity or (2) in other cases, on each January 1  
25 occurring after the first anniversary of the commencement of  
26 the annuity. Each annual increase shall be calculated at 3% or



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

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

1 the person is still in service.

2 (g-1) The benefits in Section 14-110 apply if the person  
3 is an investigator for the Department of the Lottery, as that  
4 term is defined in subsection (b) and subsection (c) of  
5 Section 14-110. A person who meets the requirements of this  
6 Section is entitled to an annuity calculated under the  
7 provisions of Section 14-110, in lieu of the regular or  
8 minimum retirement annuity, only if the person has withdrawn  
9 from service with not less than 20 years of eligible  
10 creditable service and has attained age 55, regardless of  
11 whether the attainment of age 55 occurs while the person is  
12 still in service.

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

1           If a person who first becomes a member of a retirement  
2 system or pension fund subject to this Section on or after  
3 January 1, 2012 and is receiving a retirement annuity or  
4 retirement pension under that system or fund and accepts on a  
5 contractual basis a position to provide services to a  
6 governmental entity from which he or she has retired, then  
7 that person's annuity or retirement pension earned as an  
8 active employee of the employer shall be suspended during that  
9 contractual service. A person receiving an annuity or  
10 retirement pension under this Code shall notify the pension  
11 fund or retirement system from which he or she is receiving an  
12 annuity or retirement pension, as well as his or her  
13 contractual employer, of his or her retirement status before  
14 accepting contractual employment. A person who fails to submit  
15 such notification shall be guilty of a Class A misdemeanor and  
16 required to pay a fine of \$1,000. Upon termination of that  
17 contractual employment, the person's retirement annuity or  
18 retirement pension payments shall resume and, if appropriate,  
19 be recalculated under the applicable provisions of this Code.

20           (i) (Blank).

21           (j) In the case of a conflict between the provisions of  
22 this Section and any other provision of this Code, the  
23 provisions of this Section shall control.

24           (Source: P.A. 102-16, eff. 6-17-21; 102-210, eff. 1-1-22;  
25 102-263, eff. 8-6-21; 102-956, eff. 5-27-22; 103-529, eff.  
26 8-11-23.)

1 (40 ILCS 5/1-168 new)

2 Sec. 1-168. Deferred retirement option plan.

3 (a) In this Section:

4 "Applicable pension fund or retirement system" means the  
5 pension fund or retirement system established under Article 3,  
6 4, 5, 6, 7, 9, 14, or 15 under which the eligible member or  
7 DROP member participates.

8 "Deferred retirement option plan" or "DROP" means the plan  
9 created under this Section that provides an alternative method  
10 of benefit accrual in the pension fund or retirement system.

11 "DROP member" means an eligible member who makes an  
12 election to participate in the DROP no later than January 1,  
13 2029.

14 "Eligible member" means a participating member under a  
15 pension fund or retirement system established under Article 3,  
16 4, 5, 6, 7, 9, 14, or 15 who, at the time of the member's  
17 election to participate in the DROP:

18 (1) is otherwise eligible to retire under the  
19 applicable Article with a pension or annuity, as  
20 determined by the retirement system or pension fund of  
21 which the member is an active member at the time of the  
22 election to participate in the DROP, under any of the  
23 following provisions:

24 (A) Section 1-160 for service as a deputy sheriff  
25 in the Cook County Police Department;

1                   (B) Section 3-111;

2                   (C) Section 4-109;

3                   (D) Section 5-132;

4                   (E) Section 5-238;

5                   (F) Section 6-128;

6                   (G) Section 6-229;

7                   (H) Section 7-142.1;

8                   (I) Section 9-128.1;

9                   (J) Section 14-110 for eligible creditable service  
10                   as a State policeman or a fire fighter in the fire  
11                   protection service of a department; or

12                   (K) Rule 4 of Section 15-136 for service as a  
13                   police officer;

14                   (2) is not in receipt of a disability benefit or  
15                   retirement annuity from the applicable retirement system  
16                   or pension fund at the time of his or her election to  
17                   participate in the DROP;

18                   (3) is actively employed as a police officer,  
19                   firefighter, policeman, fireman, sheriff's law enforcement  
20                   employee, deputy sheriff in the Cook County Police  
21                   Department, State policeman, or fire fighter in the fire  
22                   protection service of a department, as described or  
23                   defined under the applicable Article; and

24                   (4) is not subject to mandatory retirement under the  
25                   law and will not become subject to mandatory retirement  
26                   under the law during participation in the DROP.

1       (b) The DROP shall be made available to eligible members  
2 no later than January 1, 2026.

3       (c) Eligible members must make their election to  
4 participate in the DROP in writing with the applicable pension  
5 fund or retirement system in a form acceptable to the  
6 applicable pension fund or retirement system. The applicable  
7 pension fund or retirement system must process the election  
8 and begin crediting an account on behalf of the DROP member as  
9 soon as is practicable after the election has been received.

10       At the time of or prior to electing to participate in the  
11 DROP, a member must, unless otherwise provided by law, make  
12 all other elections required to be made at or before the date  
13 of retirement, including, but not limited to, purchase of  
14 optional service, election of an accelerated pension benefit  
15 payment, or any other election identified by the retirement  
16 system or pension fund.

17       (d) An eligible member may participate in the DROP for a  
18 period not to exceed 5 years from the date of the eligible  
19 member's election.

20       (e) During the period of the DROP member's participation  
21 in the DROP, the applicable pension fund or retirement system  
22 shall transfer and credit into a notional account on behalf of  
23 the DROP member an amount equal to the monthly amount of  
24 retirement annuity the DROP member would otherwise be eligible  
25 to receive if the DROP member had retired on the date of the  
26 election under this Section. A DROP member who is entitled to a

1 benefit from a participating system under the Retirement  
2 Systems Reciprocal Act shall be eligible to have the benefit  
3 the DROP member would have otherwise been eligible to receive  
4 if the DROP member retired on the date of the election under  
5 this Section deposited with the applicable pension fund or  
6 retirement system in the DROP member's DROP account and  
7 administered in a manner consistent with the requirements of  
8 this Section. The applicable pension fund or retirement system  
9 shall deduct any amounts required to be deducted under State  
10 or federal law, including, but not limited to, payments  
11 required under a Qualified Illinois Domestic Relations Order  
12 under Section 1-119. Any automatic annual increases that would  
13 have otherwise been applied to the DROP member's benefit if  
14 the DROP member had elected to retire instead of participate  
15 in the DROP shall accrue to the DROP member's monthly payment  
16 placed into the account prior to the expiration of the DROP and  
17 shall otherwise apply to the DROP member's annuity upon  
18 expiration of the DROP. The account shall be held on behalf of  
19 the DROP member.

20 (f) DROP members shall make contributions to the  
21 applicable pension fund or retirement system during their  
22 participation in the DROP in an amount equal to the employee  
23 contributions under the applicable Article that would  
24 otherwise be required if the DROP member were an active  
25 participant of the applicable pension fund or retirement  
26 system. Those amounts shall be credited to the member's DROP

1 account, minus any administrative costs determined by the  
2 pension fund or retirement system to be attributable to the  
3 administration of the DROP benefits experienced by the  
4 applicable pension fund or retirement system.

5 (g) The amounts credited to the DROP account shall be held  
6 in notional accounts by the applicable pension fund or  
7 retirement system. The amounts in the DROP account shall  
8 accrue interest based on the actual rate of return on  
9 investment experienced by the applicable pension fund or  
10 retirement system, as determined annually by the applicable  
11 pension fund or retirement system. If, in any year, the actual  
12 rate of return on investment experienced by the applicable  
13 pension fund or retirement system is less than zero, the  
14 interest accrual for that year shall be zero. The applicable  
15 pension fund or retirement system shall reduce the amounts in  
16 the DROP account on a schedule set by the applicable pension  
17 fund or retirement system to cover all of the administrative  
18 costs of the applicable pension fund or retirement system that  
19 are deemed to be attributable to the administration of the  
20 DROP account and any duties required under this Section.

21 (h) Upon expiration or termination of the DROP member's  
22 participation in the DROP, the account balance shall be paid  
23 to the DROP member as a lump sum. The applicable pension fund  
24 or retirement system shall provide options for the transfer of  
25 the account consistent with its fiduciary duty and any  
26 applicable State or federal law. The expiration or termination



1 of a DROP member's participation in the DROP may not occur  
2 after January 1, 2034.

3 (i) The DROP election is irrevocable, and the DROP member  
4 may not, except as otherwise provided in this Section, access  
5 the account prior to the date established as the last day of  
6 the DROP when the DROP member made the initial election to  
7 participate in the DROP. The DROP member must terminate  
8 employment with the employer upon expiration of his or her  
9 participation in the DROP. The DROP member's participation in  
10 the DROP shall terminate prior to the expiration date:

11 (1) if the DROP member terminates employment with the  
12 employer prior to the expiration of the designated DROP  
13 period;

14 (2) if the DROP member becomes eligible for and begins  
15 collecting a disability benefit from the pension fund or  
16 retirement system; or

17 (3) upon the death of the DROP member.

18 Upon termination from the DROP, the member shall commence  
19 his or her retirement annuity from the pension fund or  
20 retirement system. After termination or expiration of a  
21 member's participation in the DROP, the member may not  
22 participate in employment in any way that would require the  
23 member to become an active contributing member of the  
24 retirement system or pension fund.

25 The applicable pension fund or retirement system may allow  
26 for the payment of the balance of the DROP account prior to the

1 last date of participation in the DROP established by the DROP  
2 member when the DROP member made the initial election to  
3 participate in the DROP if (i) the member's participation in  
4 the DROP terminated and (ii) the applicable pension fund or  
5 retirement system determines the DROP member should have  
6 access to the DROP account balance due to hardship or  
7 necessity as determined by the applicable pension fund or  
8 retirement system.

9 (j) A DROP member shall be considered in active service  
10 for purposes of eligibility for death and disability benefits  
11 and access to any health care benefits provided for by the  
12 employer and shall retain all rights of employment as  
13 established under the DROP member's collective bargaining  
14 agreement.

15 The DROP member shall not accrue additional service credit  
16 in the pension fund or retirement system while participating  
17 in the DROP, regardless of any service accruals, future pay  
18 increases, active cost of living adjustments, or promotions.  
19 Additionally, the DROP member shall not be eligible to  
20 purchase any optional service credit or to repay any refunds.

21 Eligibility for a surviving spouse benefit shall be  
22 determined at the time of the DROP election.

23 Any amounts due to an alternate payee under a Qualified  
24 Illinois Domestic Relations Order under Section 1-119 shall be  
25 calculated at the time of the DROP election and such amounts  
26 shall be payable at the time of election.

1       If the DROP member's designated beneficiary predeceases  
2 the DROP member and the DROP member dies before designating a  
3 new beneficiary, the DROP member's DROP account shall be paid  
4 to the DROP member's estate.

5       When determining if a member is owed a refund of  
6 contributions due to the member's death prior to collecting an  
7 amount equal to or greater than the member's contributions,  
8 the proceeds of the DROP account shall be considered part of  
9 the total payment made to the member or the member's estate.

10       (k) It is intended that the DROP shall not jeopardize the  
11 tax qualified status of the pension fund or retirement system.  
12 The pension fund or retirement system shall have the authority  
13 to adopt rules necessary or appropriate for the DROP to  
14 maintain compliance with applicable federal laws and  
15 regulations. Notwithstanding any other provision of this Code,  
16 all benefits provided under the DROP shall be subject to the  
17 requirements and limits of the Internal Revenue Code of 1986,  
18 as amended.

19       (l) Each applicable pension fund or retirement system  
20 shall be the administrator of the DROP plan created in this  
21 Section. The administration shall be subject to any applicable  
22 laws, and the pension fund or retirement system shall  
23 administer the program in the best interest of the DROP  
24 members in a way that a prudent person in a similar  
25 circumstance would.

1 (40 ILCS 5/3-144.3 new)

2 Sec. 3-144.3. Retirement Systems Reciprocal Act. The  
3 Retirement Systems Reciprocal Act, Article 20 of this Code, is  
4 adopted and made a part of this Article, but only with respect  
5 to a person who, on or after the effective date of this  
6 amendatory Act of the 103rd General Assembly, is entitled  
7 under this Article or through a participating system under the  
8 Retirement Systems Reciprocal Act, as defined in Section  
9 20-108, to begin receiving a retirement annuity or survivor's  
10 annuity (as those terms are defined in Article 20) and who  
11 elects to proceed under the Retirement Systems Reciprocal Act.

12 (40 ILCS 5/4-138.15 new)

13 Sec. 4-138.15. Retirement Systems Reciprocal Act. The  
14 Retirement Systems Reciprocal Act, Article 20 of this Code, is  
15 adopted and made a part of this Article, but only with respect  
16 to a person who, on or after the effective date of this  
17 amendatory Act of the 103rd General Assembly, is entitled  
18 under this Article or through a participating system under the  
19 Retirement Systems Reciprocal Act, as defined in Section  
20 20-108, to begin receiving a retirement annuity or survivor's  
21 annuity (as those terms are defined in Article 20) and who  
22 elects to proceed under the Retirement Systems Reciprocal Act.

23 (40 ILCS 5/5-240 new)

24 Sec. 5-240. Retirement Systems Reciprocal Act. The

1 Retirement Systems Reciprocal Act, Article 20 of this Code, is  
2 adopted and made a part of this Article, but only with respect  
3 to a person who, on or after the effective date of this  
4 amendatory Act of the 103rd General Assembly, is entitled  
5 under this Article or through a participating system under the  
6 Retirement Systems Reciprocal Act, as defined in Section  
7 20-108, to begin receiving a retirement annuity or survivor's  
8 annuity (as those terms are defined in Article 20) and who  
9 elects to proceed under the Retirement Systems Reciprocal Act.

10 (40 ILCS 5/6-232 new)

11 Sec. 6-232. Retirement Systems Reciprocal Act. The  
12 Retirement Systems Reciprocal Act, Article 20 of this Code, is  
13 adopted and made a part of this Article, but only with respect  
14 to a person who, on or after the effective date of this  
15 amendatory Act of the 103rd General Assembly, is entitled  
16 under this Article or through a participating system under the  
17 Retirement Systems Reciprocal Act, as defined in Section  
18 20-108, to begin receiving a retirement annuity or survivor's  
19 annuity (as those terms are defined in Article 20) and who  
20 elects to proceed under the Retirement Systems Reciprocal Act.

21 (40 ILCS 5/14-110) (from Ch. 108 1/2, par. 14-110)

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

23 Sec. 14-110. Alternative retirement annuity.

24 (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; or ~~or~~

15 (21) investigator for the Department of the Lottery.

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

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



1     creditable service for service credit earned under this  
2     Article on and after his or her transfer by Executive Order No.  
3     2003-10, Executive Order No. 2004-2, or Executive Order No.  
4     2016-1.

5             (c) For the purposes of this Section:

6                 (1) The term "State policeman" 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                 (2) The term "fire fighter in the fire protection  
10                service of a department" includes all officers in such  
11                fire protection service including fire chiefs and  
12                assistant fire chiefs.

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

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

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

10 (5) The term "investigator for the Secretary of State"  
11 means any person employed by the Office of the Secretary  
12 of State and vested with such investigative duties as  
13 render him ineligible for coverage under the Social  
14 Security Act by reason of Sections 218(d)(5)(A),  
15 218(d)(8)(D) and 218(1)(1) of that Act.

16 A person who became employed as an investigator for  
17 the Secretary of State between January 1, 1967 and  
18 December 31, 1975, and who has served as such until  
19 attainment of age 60, either continuously or with a single  
20 break in service of not more than 3 years duration, which  
21 break terminated before January 1, 1976, shall be entitled  
22 to have his retirement annuity calculated in accordance  
23 with subsection (a), notwithstanding that he has less than  
24 20 years of credit for such service.

25 (6) The term "Conservation Police Officer" means any  
26 person employed by the Division of Law Enforcement of the

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

8 (7) The term "investigator for the Department of  
9 Revenue" means any person employed by the Department of  
10 Revenue and vested with such investigative duties as  
11 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.

14 The term "investigator for the Illinois Gaming Board"  
15 means any person employed as such by the Illinois Gaming  
16 Board and vested with such peace officer duties as render  
17 the person ineligible for coverage under the Social  
18 Security Act by reason of Sections 218(d)(5)(A),  
19 218(d)(8)(D), and 218(1)(1) of that Act.

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

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

21 The changes made to this subdivision (c)(8) by Public  
22 Act 92-14 apply to persons who retire on or after January  
23 1, 2001, notwithstanding Section 1-103.1.

24 (9) "Central Management Services security police  
25 officer" means any person employed by the Department of  
26 Central Management Services who is 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.

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

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

1 Services.

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

9 (13) "Investigator for the Office of the Attorney  
10 General" means any person who is employed as such by the  
11 Office of the Attorney General and is vested with such  
12 investigative duties as render him ineligible for coverage  
13 under the Social Security Act by reason of Sections  
14 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act. For  
15 the period before January 1, 1989, the term includes all  
16 persons who were employed as investigators by the Office  
17 of the Attorney General, without regard to social security  
18 status.

19 (14) "Controlled substance inspector" means any person  
20 who is employed as such by the Department of Professional  
21 Regulation and is vested with such law enforcement duties  
22 as render him ineligible for coverage under the Social  
23 Security Act by reason of Sections 218(d)(5)(A),  
24 218(d)(8)(D) and 218(1)(1) of that Act. The term  
25 "controlled substance inspector" includes the Program  
26 Executive of Enforcement and the Assistant Program

1 Executive of Enforcement.

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

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

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

1 to persons with the same social security status earning  
2 eligible creditable service on the date of application.

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

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

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



1 traffic.

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

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

16 (21) "Investigator for the Department of the Lottery"  
17 means any person who is employed by the Department of the  
18 Lottery and is vested with such investigative duties which  
19 render him or her ineligible for coverage under the Social  
20 Security Act by reason of Sections 218(d)(5)(A),  
21 218(d)(8)(D), and 218(1)(1) of that Act. An investigator  
22 for the Department of the Lottery who qualifies under this  
23 Section shall earn eligible creditable service and be  
24 required to make contributions at the rate specified in  
25 paragraph (3) of subsection (a) of Section 14-133 for all  
26 periods of service as an investigator for the Department

1           of the Lottery.

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

10           (i) 25 years of eligible creditable service and age  
11           55; or

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

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

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

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

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

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

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

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

1 such service as a noncovered employee, and the amount of  
2 employee contributions actually paid, plus (2) if payment is  
3 made after July 31, 1987, regular interest on the amount  
4 specified in item (1) from the date of service to the date of  
5 payment.

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

18 (g) A State policeman may elect, not later than January 1,  
19 1990, to establish eligible creditable service for up to 10  
20 years of his service as a policeman under Article 3, by filing  
21 a written election with the Board, accompanied by payment of  
22 an amount to be determined by the Board, equal to (i) the  
23 difference between the amount of employee and employer  
24 contributions transferred to the System under Section 3-110.5,  
25 and the 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 effective rate  
2 for each year, compounded annually, from the date of service  
3 to the date of payment.

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

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

4 Subject to the limitation in subsection (i), a State  
5 policeman, conservation police officer, or investigator for  
6 the Secretary of State may elect to establish eligible  
7 creditable service for up to 10 years of service as a sheriff's  
8 law enforcement employee under Article 7, by filing a written  
9 election with the Board on or before January 31, 1993, and  
10 paying to the System by January 31, 1994 an amount to be  
11 determined by the Board, equal to (i) the difference between  
12 the amount of employee and employer contributions transferred  
13 to the System under Section 7-139.7, and the amounts that  
14 would have been contributed had such contributions been made  
15 at the rates applicable to State policemen, 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 Subject to the limitation in subsection (i), a State  
19 policeman, conservation police officer, or investigator for  
20 the Secretary of State may elect to establish eligible  
21 creditable service for up to 5 years of service as a police  
22 officer under Article 3, a policeman under Article 5, a  
23 sheriff's law enforcement employee under Article 7, a member  
24 of the county police department under Article 9, or a police  
25 officer under Article 15 by filing a written election with the  
26 Board and paying to the System an amount to be determined by

1 the Board, equal to (i) the difference between the amount of  
2 employee and employer contributions transferred to the System  
3 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4  
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 effective rate  
7 for each year, compounded annually, from the date of service  
8 to the date of payment.

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

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



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

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

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

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

20 (i) The total amount of eligible creditable service  
21 established by any person under subsections (g), (h), (j),  
22 (k), (l), (l-5), and (o) of this Section shall not exceed 12  
23 years.

24 (j) Subject to the limitation in subsection (i), an  
25 investigator for the Office of the State's Attorneys Appellate  
26 Prosecutor or a controlled substance inspector may elect to

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

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

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

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

23 (1-5) Subject to the limitation in subsection (i) of this  
24 Section, a State policeman may elect to establish eligible  
25 creditable service for up to 5 years of service as a full-time  
26 law enforcement officer employed by the federal government or

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

19 (m) The amendatory changes to this Section made by Public  
20 Act 94-696 apply only to: (1) security employees of the  
21 Department of Juvenile Justice employed by the Department of  
22 Corrections before June 1, 2006 (the effective date of Public  
23 Act 94-696) and transferred to the Department of Juvenile  
24 Justice by Public Act 94-696; and (2) persons employed by the  
25 Department of Juvenile Justice on or after June 1, 2006 (the  
26 effective date of Public Act 94-696) who are required by

1 subsection (b) of Section 3-2.5-15 of the Unified Code of  
2 Corrections to have any bachelor's or advanced degree from an  
3 accredited college or university or, in the case of persons  
4 who provide vocational training, who are required to have  
5 adequate knowledge in the skill for which they are providing  
6 the vocational training.

7 Beginning with the pay period that immediately follows the  
8 effective date of this amendatory Act of the 103rd General  
9 Assembly, the bachelor's or advanced degree requirement of  
10 subsection (b) of Section 3-2.5-15 of the Unified Code of  
11 Corrections shall no longer determine the eligibility to earn  
12 eligible creditable service for a person employed by the  
13 Department of Juvenile Justice.

14 An employee may elect to convert into eligible creditable  
15 service his or her creditable service earned with the  
16 Department of Juvenile Justice while employed in a position  
17 that required the employee to do any one or more of the  
18 following: (1) participate or assist in the rehabilitative and  
19 vocational training of delinquent youths; (2) supervise the  
20 daily activities and assume direct and continuing  
21 responsibility for the youth's security, welfare, and  
22 development; or (3) participate in the personal rehabilitation  
23 of delinquent youth by training, supervising, and assisting  
24 lower-level personnel. To convert that creditable service to  
25 eligible creditable service, the employee must pay to the  
26 System the difference between the employee contributions

1 actually paid for that service and the amounts that would have  
2 been contributed if the applicant were contributing at the  
3 rate applicable to persons with the same Social Security  
4 status earning eligible creditable service on the date of  
5 application.

6 (n) A person employed in a position under subsection (b)  
7 of this Section who has purchased service credit under  
8 subsection (j) of Section 14-104 or subsection (b) of Section  
9 14-105 in any other capacity under this Article may convert up  
10 to 5 years of that service credit into service credit covered  
11 under this Section by paying to the Fund an amount equal to (1)  
12 the additional employee contribution required under Section  
13 14-133, plus (2) the additional employer contribution required  
14 under Section 14-131, plus (3) interest on items (1) and (2) at  
15 the actuarially assumed rate from the date of the service to  
16 the date of payment.

17 (o) Subject to the limitation in subsection (i), a  
18 conservation police officer, investigator for the Secretary of  
19 State, Commerce Commission police officer, investigator for  
20 the Department of Revenue or the Illinois Gaming Board, or  
21 arson investigator subject to subsection (g) of Section 1-160  
22 may elect to convert up to 8 years of service credit  
23 established before January 1, 2020 (the effective date of  
24 Public Act 101-610) as a conservation police officer,  
25 investigator for the Secretary of State, Commerce Commission  
26 police officer, investigator for the Department of Revenue or

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

14 (Source: P.A. 102-210, eff. 7-30-21; 102-538, eff. 8-20-21;  
15 102-813, eff. 5-13-22; 103-34, eff. 1-1-24.)

16 (Text of Section from P.A. 102-856 and 103-34)

17 Sec. 14-110. Alternative retirement annuity.

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



1 a retirement annuity computed as follows:

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

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

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

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

1 which is not eligible creditable service shall be subject to  
2 the rates and provisions of Section 14-108.

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

6 (1) State policeman;

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

9 (3) air pilot;

10 (4) special agent;

11 (5) investigator for the Secretary of State;

12 (6) conservation police officer;

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

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

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

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

21 (11) dangerous drugs investigator;

22 (12) investigator for the Illinois State Police;

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

25 (14) controlled substance inspector;

26 (15) investigator for the Office of the State's

- 1 Attorneys Appellate Prosecutor;
- 2 (16) Commerce Commission police officer;
- 3 (17) arson investigator;
- 4 (18) State highway maintenance worker;
- 5 (19) security employee of the Department of Innovation  
6 and Technology; ~~or~~
- 7 (20) transferred employee; or
- 8 (21) investigator for the Department of the Lottery.

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

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

24 (c) For the purposes of this Section:

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

1 individual employed under the Illinois State Police Act.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

1 job functions under that Department.

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

9 (21) "Investigator for the Department of the Lottery"  
10 means any person who is employed by the Department of the  
11 Lottery and is vested with such investigative duties which  
12 render him or her 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. An investigator  
15 for the Department of the Lottery who qualifies under this  
16 Section shall earn eligible creditable service and be  
17 required to make contributions at the rate specified in  
18 paragraph (3) of subsection (a) of Section 14-133 for all  
19 periods of service as an investigator for the Department  
20 of the Lottery.

21 (d) A security employee of the Department of Corrections  
22 or the Department of Juvenile Justice, a security employee of  
23 the Department of Human Services who is not a mental health  
24 police officer, and a security employee of the Department of  
25 Innovation and Technology shall not be eligible for the  
26 alternative retirement annuity provided by this Section unless

1 he or she meets the following minimum age and service  
2 requirements at the time of retirement:

3 (i) 25 years of eligible creditable service and age  
4 55; or

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

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

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

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

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

20 Persons who have service credit under Article 16 of this  
21 Code for service as a security employee of the Department of  
22 Corrections or the Department of Juvenile Justice, or the  
23 Department of Human Services in a position requiring  
24 certification as a teacher may count such service toward  
25 establishing their eligibility under the service requirements  
26 of this Section; but such service may be used only for

1 establishing such eligibility, and not for the purpose of  
2 increasing or calculating any benefit.

3 (e) If a member enters military service while working in a  
4 position in which eligible creditable service may be earned,  
5 and returns to State service in the same or another such  
6 position, and fulfills in all other respects the conditions  
7 prescribed in this Article for credit for military service,  
8 such military service shall be credited as eligible creditable  
9 service for the purposes of the retirement annuity prescribed  
10 in this Section.

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

25 For purposes of calculating retirement annuities under  
26 this Section, periods of service rendered after December 31,

1 1968 and before January 1, 1982 as a covered employee in the  
2 position of investigator for the Department of Revenue shall  
3 be deemed to have been service as a noncovered employee,  
4 provided that the employee pays to the System prior to  
5 retirement an amount equal to (1) the difference between the  
6 employee contributions that would have been required for such  
7 service as a noncovered employee, and the amount of employee  
8 contributions actually paid, plus (2) if payment is made after  
9 January 1, 1990, regular interest on the amount specified in  
10 item (1) from the date of service to the date of payment.

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

23 Subject to the limitation in subsection (i), a State  
24 policeman may elect, not later than July 1, 1993, to establish  
25 eligible creditable service for up to 10 years of his service  
26 as a member of the County Police Department under Article 9, by

1 filing a written election with the Board, accompanied by  
2 payment of an amount to be determined by the Board, equal to  
3 (i) the difference between the amount of employee and employer  
4 contributions transferred to the System under Section 9-121.10  
5 and the amounts that would have been contributed had those  
6 contributions been made at the rates applicable to State  
7 policemen, 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 (h) Subject to the limitation in subsection (i), a State  
11 policeman or investigator for the Secretary of State may elect  
12 to establish eligible creditable service for up to 12 years of  
13 his service as a policeman under Article 5, by filing a written  
14 election with the Board on or before January 31, 1992, and  
15 paying to the System by January 31, 1994 an amount to be  
16 determined by the Board, equal to (i) the difference between  
17 the amount of employee and employer contributions transferred  
18 to the System under Section 5-236, and the amounts that would  
19 have been contributed had such contributions been made at the  
20 rates applicable to State policemen, plus (ii) interest  
21 thereon at the effective rate for each year, compounded  
22 annually, from the date of service to the date of payment.

23 Subject to the limitation in subsection (i), a State  
24 policeman, conservation police officer, or investigator for  
25 the Secretary of State may elect to establish eligible  
26 creditable service for up to 10 years of service as a sheriff's



1 law enforcement employee under Article 7, by filing a written  
2 election with the Board on or before January 31, 1993, and  
3 paying to the System by January 31, 1994 an amount to be  
4 determined by the Board, equal to (i) the difference between  
5 the amount of employee and employer contributions transferred  
6 to the System under Section 7-139.7, and the amounts that  
7 would have been contributed had such contributions been made  
8 at the rates applicable to State policemen, plus (ii) interest  
9 thereon at the effective rate for each year, compounded  
10 annually, from the date of service to the date of payment.

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

1 to the date of payment.

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

20 Subject to the limitation in subsection (i), a State  
21 policeman, conservation police officer, investigator for the  
22 Office of the Attorney General, an investigator for the  
23 Department of Revenue, or investigator for the Secretary of  
24 State may elect to establish eligible creditable service for  
25 up to 5 years of service as a person employed by a  
26 participating municipality to perform police duties, or law

1 enforcement officer employed on a full-time basis by a forest  
2 preserve district under Article 7, a county corrections  
3 officer, or a court services officer under Article 9, by  
4 filing a written election with the Board within 6 months after  
5 August 25, 2009 (the effective date of Public Act 96-745) and  
6 paying to the System an amount to be determined by the Board,  
7 equal to (i) the difference between the amount of employee and  
8 employer contributions transferred to the System under  
9 Sections 7-139.8 and 9-121.10 and the amounts that would have  
10 been contributed had such contributions been made at the rates  
11 applicable to State policemen, plus (ii) interest thereon at  
12 the actuarially assumed rate for each year, compounded  
13 annually, from the date of service to the date of payment.

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

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

22 Subject to the limitation in subsection (i), an  
23 investigator for the Department of Revenue, investigator for  
24 the Illinois Gaming Board, investigator for the Secretary of  
25 State, or arson investigator may elect to establish eligible  
26 creditable service for up to 5 years of service as a person

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

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

1 conversion authorized by Public Act 102-210 and the employer's  
2 normal cost of the credit converted in accordance with Public  
3 Act 102-210, plus (iii) 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), an  
7 investigator for the Department of Revenue, investigator for  
8 the Illinois Gaming Board, investigator for the Secretary of  
9 State, or arson investigator may elect to convert service  
10 credit earned under this Article to eligible creditable  
11 service, as defined by this Section, by filing a written  
12 election with the Board within 6 months after the effective  
13 date of this amendatory Act of the 102nd General Assembly and  
14 paying to the System an amount to be determined by the Board  
15 equal to (i) the difference between the amount of employee  
16 contributions originally paid for that service and the amounts  
17 that would have been contributed had such contributions been  
18 made at the rates applicable to investigators for the  
19 Department of Revenue, investigators for the Illinois Gaming  
20 Board, investigators for the Secretary of State, or arson  
21 investigators, plus (ii) the difference between the employer's  
22 normal cost of the credit prior to the conversion authorized  
23 by this amendatory Act of the 102nd General Assembly and the  
24 employer's normal cost of the credit converted in accordance  
25 with this amendatory Act of the 102nd General Assembly, plus  
26 (iii) interest thereon at the actuarially assumed rate for

1 each year, compounded annually, from the date of service to  
2 the date of payment.

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

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

22 (k) Subject to the limitation in subsection (i) of this  
23 Section, an alternative formula employee may elect to  
24 establish eligible creditable service for periods spent as a  
25 full-time law enforcement officer or full-time corrections  
26 officer employed by the federal government or by a state or

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

18 (1) Subject to the limitation in subsection (i), a  
19 security employee of the Department of Corrections may elect,  
20 not later than July 1, 1998, to establish eligible creditable  
21 service for up to 10 years of his or her service as a policeman  
22 under Article 3, by filing a written election with the Board,  
23 accompanied by payment of an amount to be determined by the  
24 Board, equal to (i) the difference between the amount of  
25 employee and employer contributions transferred to the System  
26 under Section 3-110.5, and the amounts that would have been



1 contributed had such contributions been made at the rates  
2 applicable to security employees of the Department of  
3 Corrections, plus (ii) interest thereon at the effective rate  
4 for each year, compounded annually, from the date of service  
5 to the date of payment.

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

1 established to the date of payment.

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

16 Beginning with the pay period that immediately follows the  
17 effective date of this amendatory Act of the 103rd General  
18 Assembly, the bachelor's or advanced degree requirement of  
19 subsection (b) of Section 3-2.5-15 of the Unified Code of  
20 Corrections shall no longer determine the eligibility to earn  
21 eligible creditable service for a person employed by the  
22 Department of Juvenile Justice.

23 An employee may elect to convert into eligible creditable  
24 service his or her creditable service earned with the  
25 Department of Juvenile Justice while employed in a position  
26 that required the employee to do any one or more of the

1 following: (1) participate or assist in the rehabilitative and  
2 vocational training of delinquent youths; (2) supervise the  
3 daily activities and assume direct and continuing  
4 responsibility for the youth's security, welfare, and  
5 development; or (3) participate in the personal rehabilitation  
6 of delinquent youth by training, supervising, and assisting  
7 lower-level personnel. To convert that creditable service to  
8 eligible creditable service, the employee must pay to the  
9 System the difference between the employee contributions  
10 actually paid for that service and the amounts that would have  
11 been contributed if the applicant were contributing at the  
12 rate applicable to persons with the same Social Security  
13 status earning eligible creditable service on the date of  
14 application.

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

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

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

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

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

1           Sec. 14-110. Alternative retirement annuity.

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

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

20           (ii) for periods of eligible creditable service as a  
21 covered employee: if retirement occurs on or after January  
22 1, 2001, 2.5% of final average compensation for each year  
23 of creditable service; if retirement occurs before January  
24 1, 2001, 1.67% of final average compensation for each of  
25 the first 10 years of such service, 1.90% for each of the  
26 next 10 years of such service, 2.10% for each year of such

1 service in excess of 20 but not exceeding 30, and 2.30% for  
2 each year in excess of 30.

3 Such annuity shall be subject to a maximum of 75% of final  
4 average compensation if retirement occurs before January 1,  
5 2001 or to a maximum of 80% of final average compensation if  
6 retirement occurs on or after January 1, 2001.

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

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

15 (1) State policeman;

16 (2) fire fighter in the fire protection service of a  
17 department;

18 (3) air pilot;

19 (4) special agent;

20 (5) investigator for the Secretary of State;

21 (6) conservation police officer;

22 (7) investigator for the Department of Revenue or the  
23 Illinois Gaming Board;

24 (8) security employee of the Department of Human  
25 Services;

26 (9) Central Management Services security police

1 officer;

2 (10) security employee of the Department of  
3 Corrections or the Department of Juvenile Justice;

4 (11) dangerous drugs investigator;

5 (12) investigator for the Illinois State Police;

6 (13) investigator for the Office of the Attorney  
7 General;

8 (14) controlled substance inspector;

9 (15) investigator for the Office of the State's  
10 Attorneys Appellate Prosecutor;

11 (16) Commerce Commission police officer;

12 (17) arson investigator;

13 (18) State highway maintenance worker;

14 (19) security employee of the Department of Innovation  
15 and Technology; ~~or~~

16 (20) transferred employee; or ~~or~~

17 (21) investigator for the Department of the Lottery.

18 A person employed in one of the positions specified in  
19 this subsection is entitled to eligible creditable service for  
20 service credit earned under this Article while undergoing the  
21 basic police training course approved by the Illinois Law  
22 Enforcement Training Standards Board, if completion of that  
23 training is required of persons serving in that position. For  
24 the purposes of this Code, service during the required basic  
25 police training course shall be deemed performance of the  
26 duties of the specified position, even though the person is

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

2 A person under paragraph (20) is entitled to eligible  
3 creditable service for service credit earned under this  
4 Article on and after his or her transfer by Executive Order No.  
5 2003-10, Executive Order No. 2004-2, or Executive Order No.  
6 2016-1.

7 (c) For the purposes of this Section:

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

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

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

25 (4) The term "special agent" means any person who by  
26 reason of employment by the Division of Narcotic Control,



1 the Bureau of Investigation or, after July 1, 1977, the  
2 Division of Criminal Investigation, the Division of  
3 Internal Investigation, the Division of Operations, the  
4 Division of Patrol, or any other Division or  
5 organizational entity in the Illinois State Police is  
6 vested by law with duties to maintain public order,  
7 investigate violations of the criminal law of this State,  
8 enforce the laws of this State, make arrests and recover  
9 property. The term "special agent" includes any title or  
10 position in the Illinois State Police that is held by an  
11 individual employed under the Illinois State Police Act.

12 (5) The term "investigator for the Secretary of State"  
13 means any person employed by the Office of the Secretary  
14 of State and vested with such investigative duties as  
15 render him ineligible for coverage under the Social  
16 Security Act by reason of Sections 218(d)(5)(A),  
17 218(d)(8)(D) and 218(1)(1) of that Act.

18 A person who became employed as an investigator for  
19 the Secretary of State between January 1, 1967 and  
20 December 31, 1975, and who has served as such until  
21 attainment of age 60, either continuously or with a single  
22 break in service of not more than 3 years duration, which  
23 break terminated before January 1, 1976, shall be entitled  
24 to have his retirement annuity calculated in accordance  
25 with subsection (a), notwithstanding that he has less than  
26 20 years of credit for such service.

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

10           (7) The term "investigator for the Department of  
11 Revenue" means any person employed by the Department of  
12 Revenue and vested with such investigative duties as  
13 render him ineligible for coverage under the Social  
14 Security Act by reason of Sections 218(d)(5)(A),  
15 218(d)(8)(D) and 218(1)(1) of that Act.

16           The term "investigator for the Illinois Gaming Board"  
17 means any person employed as such by the Illinois Gaming  
18 Board and vested with such peace officer duties as render  
19 the person ineligible for coverage under the Social  
20 Security Act by reason of Sections 218(d)(5)(A),  
21 218(d)(8)(D), and 218(1)(1) of that Act.

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

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

23 The changes made to this subdivision (c)(8) by Public  
24 Act 92-14 apply to persons who retire on or after January  
25 1, 2001, notwithstanding Section 1-103.1.

26 (9) "Central Management Services security police

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

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

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

4           (12) The term "investigator for the Illinois State  
5 Police" means a person employed by the Illinois State  
6 Police who is vested under Section 4 of the Narcotic  
7 Control Division Abolition Act with such law enforcement  
8 powers as render him ineligible for coverage under the  
9 Social Security Act by reason of Sections 218(d)(5)(A),  
10 218(d)(8)(D) and 218(1)(1) of that Act.

11           (13) "Investigator for the Office of the Attorney  
12 General" means any person who is employed as such by the  
13 Office of the Attorney General and is vested with such  
14 investigative duties as render him ineligible for coverage  
15 under the Social Security Act by reason of Sections  
16 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act. For  
17 the period before January 1, 1989, the term includes all  
18 persons who were employed as investigators by the Office  
19 of the Attorney General, without regard to social security  
20 status.

21           (14) "Controlled substance inspector" means any person  
22 who is employed as such by the Department of Professional  
23 Regulation and is vested with such law enforcement duties  
24 as render him ineligible for coverage under the Social  
25 Security Act by reason of Sections 218(d)(5)(A),  
26 218(d)(8)(D) and 218(1)(1) of that Act. The term

1 "controlled substance inspector" includes the Program  
2 Executive of Enforcement and the Assistant Program  
3 Executive of Enforcement.

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

9 (16) "Commerce Commission police officer" means any  
10 person employed by the Illinois Commerce Commission who is  
11 vested with such law enforcement duties as render him  
12 ineligible for coverage under the Social Security Act by  
13 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and  
14 218(1)(1) of that Act.

15 (17) "Arson investigator" means any person who is  
16 employed as such by the Office of the State Fire Marshal  
17 and is vested with such law enforcement duties as render  
18 the person ineligible for coverage under the Social  
19 Security Act by reason of Sections 218(d)(5)(A),  
20 218(d)(8)(D), and 218(1)(1) of that Act. A person who was  
21 employed as an arson investigator on January 1, 1995 and  
22 is no longer in service but not yet receiving a retirement  
23 annuity may convert his or her creditable service for  
24 employment as an arson investigator into eligible  
25 creditable service by paying to the System the difference  
26 between the employee contributions actually paid for that

1 service and the amounts that would have been contributed  
2 if the applicant were contributing at the rate applicable  
3 to persons with the same social security status earning  
4 eligible creditable service on the date of application.

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

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

17 (ii) A person employed on a full-time basis by the  
18 Illinois State Toll Highway Authority in the position  
19 of equipment operator/laborer H-4, equipment  
20 operator/laborer H-6, welder H-4, welder H-6,  
21 mechanical/electrical H-4, mechanical/electrical H-6,  
22 water/sewer H-4, water/sewer H-6, sign maker/hanger  
23 H-4, sign maker/hanger H-6, roadway lighting H-4,  
24 roadway lighting H-6, structural H-4, structural H-6,  
25 painter H-4, or painter H-6; and whose principal  
26 responsibility is to perform, on the roadway, the

1 actual maintenance necessary to keep the Authority's  
2 tollways in serviceable condition for vehicular  
3 traffic.

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

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

18 (21) "Investigator for the Department of the Lottery"  
19 means any person who is employed by the Department of the  
20 Lottery and is vested with such investigative duties which  
21 render him or her 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. An investigator  
24 for the Department of the Lottery who qualifies under this  
25 Section shall earn eligible creditable service and be  
26 required to make contributions at the rate specified in



1 paragraph (3) of subsection (a) of Section 14-133 for all  
2 periods of service as an investigator for the Department  
3 of the Lottery.

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

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

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

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

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

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

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

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

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

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

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

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

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

20 (g) A State policeman may elect, not later than January 1,  
21 1990, to establish eligible creditable service for up to 10  
22 years of his service as a policeman under Article 3, by filing  
23 a written election with the Board, accompanied by payment of  
24 an amount to be determined by the Board, equal to (i) the  
25 difference between the amount of employee and employer  
26 contributions transferred to the System under Section 3-110.5,

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

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

19 (h) Subject to the limitation in subsection (i), a State  
20 policeman or investigator for the Secretary of State may elect  
21 to establish eligible creditable service for up to 12 years of  
22 his service as a policeman under Article 5, by filing a written  
23 election with the Board on or before January 31, 1992, and  
24 paying to the System by January 31, 1994 an amount to be  
25 determined by the Board, equal to (i) the difference between  
26 the amount of employee and employer contributions transferred

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

6 Subject to the limitation in subsection (i), a State  
7 policeman, conservation police officer, or investigator for  
8 the Secretary of State may elect to establish eligible  
9 creditable service for up to 10 years of service as a sheriff's  
10 law enforcement employee under Article 7, by filing a written  
11 election with the Board on or before January 31, 1993, and  
12 paying to the System by January 31, 1994 an amount to be  
13 determined by the Board, equal to (i) the difference between  
14 the amount of employee and employer contributions transferred  
15 to the System under Section 7-139.7, and the amounts that  
16 would have been contributed had such contributions been made  
17 at the rates applicable to State policemen, plus (ii) interest  
18 thereon at the effective rate for each year, compounded  
19 annually, from the date of service to the date of payment.

20 Subject to the limitation in subsection (i), a State  
21 policeman, conservation police officer, or investigator for  
22 the Secretary of State may elect to establish eligible  
23 creditable service for up to 5 years of service as a police  
24 officer under Article 3, a policeman under Article 5, a  
25 sheriff's law enforcement employee under Article 7, a member  
26 of the county police department under Article 9, or a police

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

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

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

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

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

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

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



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

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

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

26 (j) Subject to the limitation in subsection (i), an

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

15 (k) Subject to the limitation in subsection (i) of this  
16 Section, an alternative formula employee may elect to  
17 establish eligible creditable service for periods spent as a  
18 full-time law enforcement officer or full-time corrections  
19 officer employed by the federal government or by a state or  
20 local government located outside of Illinois, for which credit  
21 is not held in any other public employee pension fund or  
22 retirement system. To obtain this credit, the applicant must  
23 file a written application with the Board by March 31, 1998,  
24 accompanied by evidence of eligibility acceptable to the Board  
25 and payment of an amount to be determined by the Board, equal  
26 to (1) employee contributions for the credit being

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

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

25 (1-5) Subject to the limitation in subsection (i) of this  
26 Section, a State policeman may elect to establish eligible

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

21 (m) The amendatory changes to this Section made by Public  
22 Act 94-696 apply only to: (1) security employees of the  
23 Department of Juvenile Justice employed by the Department of  
24 Corrections before June 1, 2006 (the effective date of Public  
25 Act 94-696) and transferred to the Department of Juvenile  
26 Justice by Public Act 94-696; and (2) persons employed by the

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

9 Beginning with the pay period that immediately follows the  
10 effective date of this amendatory Act of the 103rd General  
11 Assembly, the bachelor's or advanced degree requirement of  
12 subsection (b) of Section 3-2.5-15 of the Unified Code of  
13 Corrections shall no longer determine the eligibility to earn  
14 eligible creditable service for a person employed by the  
15 Department of Juvenile Justice.

16 An employee may elect to convert into eligible creditable  
17 service his or her creditable service earned with the  
18 Department of Juvenile Justice while employed in a position  
19 that required the employee to do any one or more of the  
20 following: (1) participate or assist in the rehabilitative and  
21 vocational training of delinquent youths; (2) supervise the  
22 daily activities and assume direct and continuing  
23 responsibility for the youth's security, welfare, and  
24 development; or (3) participate in the personal rehabilitation  
25 of delinquent youth by training, supervising, and assisting  
26 lower-level personnel. To convert that creditable service to

1 eligible creditable service, the employee must pay to the  
2 System the difference between the employee contributions  
3 actually paid for that service and the amounts that would have  
4 been contributed if the applicant were contributing at the  
5 rate applicable to persons with the same Social Security  
6 status earning eligible creditable service on the date of  
7 application.

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

19 (o) Subject to the limitation in subsection (i), a  
20 conservation police officer, investigator for the Secretary of  
21 State, Commerce Commission police officer, investigator for  
22 the Department of Revenue or the Illinois Gaming Board, or  
23 arson investigator subject to subsection (g) of Section 1-160  
24 may elect to convert up to 8 years of service credit  
25 established before January 1, 2020 (the effective date of  
26 Public Act 101-610) as a conservation police officer,

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

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

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

9 (Source: P.A. 102-210, eff. 7-30-21; 102-538, eff. 8-20-21;  
10 102-956, eff. 5-27-22; 103-34, eff. 1-1-24.)

11 (40 ILCS 5/14-152.1)

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

14 (a) As used in this Section, "new benefit increase" means  
15 an increase in the amount of any benefit provided under this  
16 Article, or an expansion of the conditions of eligibility for  
17 any benefit under this Article, that results from an amendment  
18 to this Code that takes effect after June 1, 2005 (the  
19 effective date of Public Act 94-4). "New benefit increase",  
20 however, does not include any benefit increase resulting from  
21 the changes made to Article 1 or this Article by Public Act  
22 96-37, Public Act 100-23, Public Act 100-587, Public Act  
23 100-611, Public Act 101-10, Public Act 101-610, Public Act  
24 102-210, Public Act 102-856, Public Act 102-956, or this  
25 amendatory Act of the 103rd General Assembly ~~this amendatory~~



1 ~~Act of the 102nd General Assembly.~~

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

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

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

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

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

17 (Source: P.A. 101-10, eff. 6-5-19; 101-81, eff. 7-12-19;  
18 101-610, eff. 1-1-20; 102-210, eff. 7-30-21; 102-856, eff.  
19 1-1-23; 102-956, eff. 5-27-22.)

20 (40 ILCS 5/17-114) (from Ch. 108 1/2, par. 17-114)

21 Sec. 17-114. Computation of service.

22 (a) When computing days of validated service, contributors  
23 shall receive the greater of: (1) one day of service credit for  
24 each day for which they are paid salary representing a partial  
25 or a full day of employment rendered to an Employer or the

1 Board; or (2) 10 days of service credit for each 10-day period  
2 of employment in which the contributor worked 50% or more of  
3 the regularly scheduled hours.

4 (b) When computing months of validated service, 17 or more  
5 days of service rendered to an Employer or the Board in a  
6 calendar month shall entitle a contributor to one month of  
7 service credit for purposes of this Article.

8 (c) When computing years of validated service rendered,  
9 170 or more days of service in a fiscal year or 10 or more  
10 months of service in a fiscal year shall constitute one year of  
11 service credit.

12 (d) Notwithstanding subsections (b) and (c) of this  
13 Section, validated service in any fiscal year shall be that  
14 fraction of a year equal to the ratio of the number of days of  
15 service to 170 days.

16 (e) For purposes of this Section, no contributor shall  
17 earn (i) more than one year of service credit per fiscal year,  
18 (ii) more than one day of service credit per calendar day, or  
19 (iii) more than 10 days of service credit in a 2 calendar week  
20 period as determined by the Fund.

21 (Source: P.A. 99-176, eff. 7-29-15.)

22 Section 90. The State Mandates Act is amended by adding  
23 Section 8.48 as follows:

24 (30 ILCS 805/8.48 new)

1       Sec. 8.48. Exempt mandate. Notwithstanding Sections 6 and  
2       8 of this Act, no reimbursement by the State is required for  
3       the implementation of any mandate created by this amendatory  
4       Act of the 103rd General Assembly.