



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB4870

Introduced 2/7/2024, by Rep. Stephanie A. Kifowit

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/14-110

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

40 ILCS 5/14-152.1

Amends the State Employee Article of the Illinois Pension Code. Provides that a member who is eligible to receive an alternative retirement annuity may elect to receive an estimated payment that shall commence no later than 30 days after the later of either the member's last day of employment or 30 days after the member files for the retirement benefit with the System. Provides that the estimated payment shall be the best estimate by the System of the total monthly amount due to the member based on the information that the System possesses at the time of the estimate. Provides that if the amount of the estimate is greater or less than the actual amount of the monthly annuity, the System shall pay or recover the difference within 6 months after the start of the monthly annuity. Excludes a benefit increase resulting from the amendatory Act from the definition of "new benefit increase". Effective immediately.

LRB103 38342 RPS 68477 b

1 AN ACT concerning public employee benefits.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Pension Code is amended by  
5 changing Sections 14-110 and 14-152.1 as follows:

6 (40 ILCS 5/14-110) (from Ch. 108 1/2, par. 14-110)

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

8 Sec. 14-110. Alternative retirement annuity.

9 (a) Any member who has withdrawn from service with not  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11 attained age 55, and any member who has withdrawn from service  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

18 (i) for periods of service as a noncovered employee:  
19 if retirement occurs on or after January 1, 2001, 3% of  
20 final average compensation for each year of creditable  
21 service; if retirement occurs before January 1, 2001, 2  
22 1/4% of final average compensation for each of the first  
23 10 years of creditable service, 2 1/2% for each year above

1 10 years to and including 20 years of creditable service,  
2 and 2 3/4% for each year of creditable service above 20  
3 years; and

4 (ii) for periods of eligible creditable service as a  
5 covered employee: if retirement occurs on or after January  
6 1, 2001, 2.5% of final average compensation for each year  
7 of creditable service; if retirement occurs before January  
8 1, 2001, 1.67% of final average compensation for each of  
9 the first 10 years of such service, 1.90% for each of the  
10 next 10 years of such service, 2.10% for each year of such  
11 service in excess of 20 but not exceeding 30, and 2.30% for  
12 each year in excess of 30.

13 Such annuity shall be subject to a maximum of 75% of final  
14 average compensation if retirement occurs before January 1,  
15 2001 or to a maximum of 80% of final average compensation if  
16 retirement occurs on or after January 1, 2001.

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

22 (a-5) A member who is eligible to receive an alternative  
23 retirement annuity under this Section may elect to receive an  
24 estimated payment that shall commence no later than 30 days  
25 after the later of either the member's last day of employment  
26 or 30 days after the member files for the retirement benefit

1 with the System. The estimated payment shall be the best  
2 estimate by the System of the total monthly amount due to the  
3 member based on the information that the System possesses at  
4 the time of the estimate. If the amount of the estimate is  
5 greater or less than the actual amount of the monthly annuity,  
6 the System shall pay or recover the difference within 6 months  
7 after the start of the monthly annuity.

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

11 (1) State policeman;

12 (2) fire fighter in the fire protection service of a  
13 department;

14 (3) air pilot;

15 (4) special agent;

16 (5) investigator for the Secretary of State;

17 (6) conservation police officer;

18 (7) investigator for the Department of Revenue or the  
19 Illinois Gaming Board;

20 (8) security employee of the Department of Human  
21 Services;

22 (9) Central Management Services security police  
23 officer;

24 (10) security employee of the Department of  
25 Corrections or the Department of Juvenile Justice;

26 (11) dangerous drugs investigator;

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

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

23 A person under paragraph (20) is entitled to eligible  
24 creditable service for service credit earned under this  
25 Article on and after his or her transfer by Executive Order No.  
26 2003-10, Executive Order No. 2004-2, or Executive Order No.

1 2016-1.

2 (c) For the purposes of this Section:

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

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

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

20 (4) The term "special agent" means any person who by  
21 reason of employment by the Division of Narcotic Control,  
22 the Bureau of Investigation or, after July 1, 1977, the  
23 Division of Criminal Investigation, the Division of  
24 Internal Investigation, the Division of Operations, the  
25 Division of Patrol, or any other Division or  
26 organizational entity in the Illinois State Police is

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

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

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

22          (6) The term "Conservation Police Officer" means any  
23          person employed by the Division of Law Enforcement of the  
24          Department of Natural Resources and vested with such law  
25          enforcement duties as render him ineligible for coverage  
26          under the Social Security Act by reason of Sections

1           218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The  
2           term "Conservation Police Officer" includes the positions  
3           of Chief Conservation Police Administrator and Assistant  
4           Conservation Police Administrator.

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

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

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



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

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

21 (9) "Central Management Services security police  
22 officer" means any person employed by the Department of  
23 Central Management Services who is vested with such law  
24 enforcement duties as render him ineligible for coverage  
25 under the Social Security Act by reason of Sections  
26 218(d) (5) (A), 218(d) (8) (D) and 218(1) (1) of that Act.

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

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

25           (12) The term "investigator for the Illinois State  
26 Police" means a person employed by the Illinois State

1 Police who is vested under Section 4 of the Narcotic  
2 Control Division Abolition Act with such law enforcement  
3 powers as render him ineligible for coverage under the  
4 Social Security Act by reason of Sections 218(d)(5)(A),  
5 218(d)(8)(D) and 218(1)(1) of that Act.

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

16 (14) "Controlled substance inspector" means any person  
17 who is employed as such by the Department of Professional  
18 Regulation and is vested with such law enforcement duties  
19 as render him 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. The term  
22 "controlled substance inspector" includes the Program  
23 Executive of Enforcement and the Assistant Program  
24 Executive of Enforcement.

25 (15) The term "investigator for the Office of the  
26 State's Attorneys Appellate Prosecutor" means a person

1 employed in that capacity on a full-time basis under the  
2 authority of Section 7.06 of the State's Attorneys  
3 Appellate Prosecutor's Act.

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

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

26 (18) The term "State highway maintenance worker" means

1 a person who is either of the following:

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

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

25 (19) The term "security employee of the Department of  
26 Innovation and Technology" means a person who was a

1 security employee of the Department of Corrections or the  
2 Department of Juvenile Justice, was transferred to the  
3 Department of Innovation and Technology pursuant to  
4 Executive Order 2016-01, and continues to perform similar  
5 job functions under that Department.

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

1 to the date of payment.

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

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

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

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

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

1 by filing a written election with the Board within 6 months  
2 after August 25, 2009 (the effective date of Public Act  
3 96-745) and paying to the System an amount to be determined by  
4 the Board, equal to (i) the difference between the amount of  
5 employee and employer contributions transferred to the System  
6 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the  
7 amounts that would have been contributed had such  
8 contributions been made at the rates applicable to State  
9 policemen, plus (ii) interest thereon at the actuarially  
10 assumed rate for each year, compounded annually, from the date  
11 of service to the date of payment.

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

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

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

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

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

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

1 normal cost of the credit converted in accordance with Public  
2 Act 102-210, plus (iii) interest thereon at the actuarially  
3 assumed rate for each year, compounded annually, from the date  
4 of service to the date of payment.

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

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

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

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

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



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

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

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

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

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

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

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

26 (Source: P.A. 102-210, eff. 7-30-21; 102-538, eff. 8-20-21;

1 102-813, eff. 5-13-22; 103-34, eff. 1-1-24.)

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

3 Sec. 14-110. Alternative retirement annuity.

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

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

22 (ii) for periods of eligible creditable service as a  
23 covered employee: if retirement occurs on or after January  
24 1, 2001, 2.5% of final average compensation for each year  
25 of creditable service; if retirement occurs before January

1           1, 2001, 1.67% of final average compensation for each of  
2           the first 10 years of such service, 1.90% for each of the  
3           next 10 years of such service, 2.10% for each year of such  
4           service in excess of 20 but not exceeding 30, and 2.30% for  
5           each year in excess of 30.

6           Such annuity shall be subject to a maximum of 75% of final  
7           average compensation if retirement occurs before January 1,  
8           2001 or to a maximum of 80% of final average compensation if  
9           retirement occurs on or after January 1, 2001.

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

15          (a-5) A member who is eligible to receive an alternative  
16          retirement annuity under this Section may elect to receive an  
17          estimated payment that shall commence no later than 30 days  
18          after the later of either the member's last day of employment  
19          or 30 days after the member files for the retirement benefit  
20          with the System. The estimated payment shall be the best  
21          estimate by the System of the total monthly amount due to the  
22          member based on the information that the System possesses at  
23          the time of the estimate. If the amount of the estimate is  
24          greater or less than the actual amount of the monthly annuity,  
25          the System shall pay or recover the difference within 6 months  
26          after the start of the monthly annuity.

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

4 (1) State policeman;

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

7 (3) air pilot;

8 (4) special agent;

9 (5) investigator for the Secretary of State;

10 (6) conservation police officer;

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

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

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

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

19 (11) dangerous drugs investigator;

20 (12) investigator for the Illinois State Police;

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

23 (14) controlled substance inspector;

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

26 (16) Commerce Commission police officer;

- 1           (17) arson investigator;
- 2           (18) State highway maintenance worker;
- 3           (19) security employee of the Department of Innovation  
4           and Technology; or
- 5           (20) transferred employee.

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

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

21          (c) For the purposes of this Section:

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

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

1 fire protection service including fire chiefs and  
2 assistant fire chiefs.

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

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

26 (5) The term "investigator for the Secretary of State"



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

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

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

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

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

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

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

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

11 The changes made to this subdivision (c)(8) by Public  
12 Act 92-14 apply to persons who retire on or after January  
13 1, 2001, notwithstanding Section 1-103.1.

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

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

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

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

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

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

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

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

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

23 (16) "Commerce Commission police officer" means any  
24 person employed by the Illinois Commerce Commission who is  
25 vested with such law enforcement duties as render him  
26 ineligible for coverage under the Social Security Act by

1 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and  
2 218(1)(1) of that Act.

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

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

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

1 responsibility is to perform, on the roadway, the  
2 actual maintenance necessary to keep the highways that  
3 form a part of the State highway system in serviceable  
4 condition for vehicular traffic.

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

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

25 (20) "Transferred employee" means an employee who was  
26 transferred to the Department of Central Management

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

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

14 (i) 25 years of eligible creditable service and age  
15 55; or

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

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

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

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



1           creditable service and age 55; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 Subject to the limitation in subsection (i), a State  
26 policeman, arson investigator, or Commerce Commission police

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

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

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

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

26 Notwithstanding the limitation in subsection (i), a State



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

17 Notwithstanding the limitation in subsection (i), an  
18 investigator for the Department of Revenue, investigator for  
19 the Illinois Gaming Board, investigator for the Secretary of  
20 State, or arson investigator may elect to convert service  
21 credit earned under this Article to eligible creditable  
22 service, as defined by this Section, by filing a written  
23 election with the Board within 6 months after the effective  
24 date of this amendatory Act of the 102nd General Assembly and  
25 paying to the System an amount to be determined by the Board  
26 equal to (i) the difference between the amount of employee

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

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

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

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

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

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

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

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

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

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

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

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

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

9 (Source: P.A. 102-210, eff. 7-30-21; 102-538, eff. 8-20-21;  
10 102-856, eff. 1-1-23; 103-34, eff. 1-1-24.)

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

12 Sec. 14-110. Alternative retirement annuity.

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

22 (i) for periods of service as a noncovered employee:  
23 if retirement occurs on or after January 1, 2001, 3% of  
24 final average compensation for each year of creditable  
25 service; if retirement occurs before January 1, 2001, 2

1           1/4% of final average compensation for each of the first  
2           10 years of creditable service, 2 1/2% for each year above  
3           10 years to and including 20 years of creditable service,  
4           and 2 3/4% for each year of creditable service above 20  
5           years; and

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

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

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

24          (a-5) A member who is eligible to receive an alternative  
25          retirement annuity under this Section may elect to receive an  
26          estimated payment that shall commence no later than 30 days



1 after the later of either the member's last day of employment  
2 or 30 days after the member files for the retirement benefit  
3 with the System. The estimated payment shall be the best  
4 estimate by the System of the total monthly amount due to the  
5 member based on the information that the System possesses at  
6 the time of the estimate. If the amount of the estimate is  
7 greater or less than the actual amount of the monthly annuity,  
8 the System shall pay or recover the difference within 6 months  
9 after the start of the monthly annuity.

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

- 13 (1) State policeman;
- 14 (2) fire fighter in the fire protection service of a  
15 department;
- 16 (3) air pilot;
- 17 (4) special agent;
- 18 (5) investigator for the Secretary of State;
- 19 (6) conservation police officer;
- 20 (7) investigator for the Department of Revenue or the  
21 Illinois Gaming Board;
- 22 (8) security employee of the Department of Human  
23 Services;
- 24 (9) Central Management Services security police  
25 officer;
- 26 (10) security employee of the Department of

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

15 A person employed in one of the positions specified in

16 this subsection is entitled to eligible creditable service for

17 service credit earned under this Article while undergoing the

18 basic police training course approved by the Illinois Law

19 Enforcement Training Standards Board, if completion of that

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

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

22 police training course shall be deemed performance of the

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

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

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

26 creditable service for service credit earned under this

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

4 (c) For the purposes of this Section:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

1 eligible creditable service on the date of application.

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

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

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

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

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

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

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

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

1           creditable service and age 55; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



1 Article 5, a sheriff's law enforcement employee under Article  
2 7, or a member of the county police department under Article 9  
3 by filing a written election with the Board within 6 months  
4 after August 25, 2009 (the effective date of Public Act  
5 96-745) and paying to the System an amount to be determined by  
6 the Board, equal to (i) the difference between the amount of  
7 employee and employer contributions transferred to the System  
8 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the  
9 amounts that would have been contributed had such  
10 contributions been made at the rates applicable to State  
11 policemen, plus (ii) interest thereon at the actuarially  
12 assumed rate for each year, compounded annually, from the date  
13 of service to the date of payment.

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

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

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

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

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

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

1 between the employer's normal cost of the credit prior to the  
2 conversion authorized by Public Act 102-210 and the employer's  
3 normal cost of the credit converted in accordance with Public  
4 Act 102-210, plus (iii) interest thereon at the actuarially  
5 assumed rate for each year, compounded annually, from the date  
6 of service to the date of payment.

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

23 (40 ILCS 5/14-152.1)

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

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

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

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

23 Every new benefit increase is contingent upon the General  
24 Assembly providing the additional funding required under this  
25 subsection. The Commission on Government Forecasting and  
26 Accountability shall analyze whether adequate additional

1 funding has been provided for the new benefit increase and  
2 shall report its analysis to the Public Pension Division of  
3 the Department of Insurance. A new benefit increase created by  
4 a Public Act that does not include the additional funding  
5 required under this subsection is null and void. If the Public  
6 Pension Division determines that the additional funding  
7 provided for a new benefit increase under this subsection is  
8 or has become inadequate, it may so certify to the Governor and  
9 the State Comptroller and, in the absence of corrective action  
10 by the General Assembly, the new benefit increase shall expire  
11 at the end of the fiscal year in which the certification is  
12 made.

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

19 (e) Except as otherwise provided in the language creating  
20 the new benefit increase, a new benefit increase that expires  
21 under this Section continues to apply to persons who applied  
22 and qualified for the affected benefit while the new benefit  
23 increase was in effect and to the affected beneficiaries and  
24 alternate payees of such persons, but does not apply to any  
25 other person, including, without limitation, a person who  
26 continues in service after the expiration date and did not

1 apply and qualify for the affected benefit while the new  
2 benefit increase was in effect.

3 (Source: P.A. 101-10, eff. 6-5-19; 101-81, eff. 7-12-19;  
4 101-610, eff. 1-1-20; 102-210, eff. 7-30-21; 102-856, eff.  
5 1-1-23; 102-956, eff. 5-27-22.)

6 Section 99. Effective date. This Act takes effect upon  
7 becoming law.