



## 103RD GENERAL ASSEMBLY

### State of Illinois

### 2023 and 2024

#### HB5261

Introduced 2/9/2024, by Rep. Martin J. Moylan

#### 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. Includes persons employed on a full-time basis by the Illinois Department of Transportation in the positions of sign hanger and sign hanger foreman in the definition of "State highway maintenance worker". Provides that a person who is employed on a full-time basis by the Illinois Department of Transportation in the position of sign hanger or sign hanger foreman may elect to convert service credit earned to eligible creditable service under the alternative annuity formula by filing a written election with the Board and paying a specified amount to the System. Provides that any benefit increase that results from the amendatory Act is excluded from the definition of "new benefit increase". Effective immediately.

LRB103 38573 RPS 68709 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9 (a) Any member who has withdrawn from service with not  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11 attained age 55, and any member who has withdrawn from service  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          (b) For the purpose of this Section, "eligible creditable  
23          service" means creditable service resulting from service in  
24          one or more of the following positions:

25                 (1) State policeman;

26                 (2) fire fighter in the fire protection service of a

- 1 department;
- 2 (3) air pilot;
- 3 (4) special agent;
- 4 (5) investigator for the Secretary of State;
- 5 (6) conservation police officer;
- 6 (7) investigator for the Department of Revenue or the
- 7 Illinois Gaming Board;
- 8 (8) security employee of the Department of Human
- 9 Services;
- 10 (9) Central Management Services security police
- 11 officer;
- 12 (10) security employee of the Department of
- 13 Corrections or the Department of Juvenile Justice;
- 14 (11) dangerous drugs investigator;
- 15 (12) investigator for the Illinois State Police;
- 16 (13) investigator for the Office of the Attorney
- 17 General;
- 18 (14) controlled substance inspector;
- 19 (15) investigator for the Office of the State's
- 20 Attorneys Appellate Prosecutor;
- 21 (16) Commerce Commission police officer;
- 22 (17) arson investigator;
- 23 (18) State highway maintenance worker;
- 24 (19) security employee of the Department of Innovation
- 25 and Technology; or
- 26 (20) transferred employee.

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

11           A person under paragraph (20) is entitled to eligible  
12 creditable service for service credit earned under this  
13 Article on and after his or her transfer by Executive Order No.  
14 2003-10, Executive Order No. 2004-2, or Executive Order No.  
15 2016-1.

16           (c) For the purposes of this Section:

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

20           (2) The term "fire fighter in the fire protection  
21 service of a department" includes all officers in such  
22 fire protection service including fire chiefs and  
23 assistant fire chiefs.

24           (3) The term "air pilot" includes any employee whose  
25 official job description on file in the Department of  
26 Central Management Services, or in the department by which

1 he is employed if that department is not covered by the  
2 Personnel Code, states that his principal duty is the  
3 operation of aircraft, and who possesses a pilot's  
4 license; however, the change in this definition made by  
5 Public Act 83-842 shall not operate to exclude any  
6 noncovered employee who was an "air pilot" for the  
7 purposes of this Section on January 1, 1984.

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

21 (5) The term "investigator for the Secretary of State"  
22 means any person employed by the Office of the Secretary  
23 of State and vested with such investigative duties as  
24 render him ineligible for coverage under the Social  
25 Security Act by reason of Sections 218(d)(5)(A),  
26 218(d)(8)(D) and 218(1)(1) of that Act.

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

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

19           (7) The term "investigator for the Department of  
20           Revenue" means any person employed by the Department of  
21           Revenue and vested with such investigative duties as  
22           render him ineligible for coverage under the Social  
23           Security Act by reason of Sections 218(d)(5)(A),  
24           218(d)(8)(D) and 218(1)(1) of that Act.

25           The term "investigator for the Illinois Gaming Board"  
26           means any person employed as such by the Illinois Gaming

1 Board and vested with such peace officer duties as render  
2 the person ineligible for coverage under the Social  
3 Security Act by reason of Sections 218(d)(5)(A),  
4 218(d)(8)(D), and 218(1)(1) of that Act.

5 (8) The term "security employee of the Department of  
6 Human Services" means any person employed by the  
7 Department of Human Services who (i) is employed at the  
8 Chester Mental Health Center and has daily contact with  
9 the residents thereof, (ii) is employed within a security  
10 unit at a facility operated by the Department and has  
11 daily contact with the residents of the security unit,  
12 (iii) is employed at a facility operated by the Department  
13 that includes a security unit and is regularly scheduled  
14 to work at least 50% of his or her working hours within  
15 that security unit, or (iv) is a mental health police  
16 officer. "Mental health police officer" means any person  
17 employed by the Department of Human Services in a position  
18 pertaining to the Department's mental health and  
19 developmental disabilities functions who is vested with  
20 such law enforcement duties as render the person  
21 ineligible for coverage under the Social Security Act by  
22 reason of Sections 218(d)(5)(A), 218(d)(8)(D) and  
23 218(1)(1) of that Act. "Security unit" means that portion  
24 of a facility that is devoted to the care, containment,  
25 and treatment of persons committed to the Department of  
26 Human Services as sexually violent persons, persons unfit



1 to stand trial, or persons not guilty by reason of  
2 insanity. With respect to past employment, references to  
3 the Department of Human Services include its predecessor,  
4 the Department of Mental Health and Developmental  
5 Disabilities.

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

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

15 (10) For a member who first became an employee under  
16 this Article before July 1, 2005, the term "security  
17 employee of the Department of Corrections or the  
18 Department of Juvenile Justice" means any employee of the  
19 Department of Corrections or the Department of Juvenile  
20 Justice or the former Department of Personnel, and any  
21 member or employee of the Prisoner Review Board, who has  
22 daily contact with inmates or youth by working within a  
23 correctional facility or Juvenile facility operated by the  
24 Department of Juvenile Justice or who is a parole officer  
25 or an employee who has direct contact with committed  
26 persons in the performance of his or her job duties. For a

1 member who first becomes an employee under this Article on  
2 or after July 1, 2005, the term means an employee of the  
3 Department of Corrections or the Department of Juvenile  
4 Justice who is any of the following: (i) officially  
5 headquartered at a correctional facility or Juvenile  
6 facility operated by the Department of Juvenile Justice,  
7 (ii) a parole officer, (iii) a member of the apprehension  
8 unit, (iv) a member of the intelligence unit, (v) a member  
9 of the sort team, or (vi) an investigator.

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

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

20 (13) "Investigator for the Office of the Attorney  
21 General" means any person who is employed as such by the  
22 Office of the Attorney General and is vested with such  
23 investigative duties as render him ineligible for coverage  
24 under the Social Security Act by reason of Sections  
25 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act. For  
26 the period before January 1, 1989, the term includes all

1 persons who were employed as investigators by the Office  
2 of the Attorney General, without regard to social security  
3 status.

4 (14) "Controlled substance inspector" means any person  
5 who is employed as such by the Department of Professional  
6 Regulation and is vested with such law enforcement duties  
7 as render him 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. The term  
10 "controlled substance inspector" includes the Program  
11 Executive of Enforcement and the Assistant Program  
12 Executive of Enforcement.

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

18 (16) "Commerce Commission police officer" means any  
19 person employed by the Illinois Commerce Commission who is  
20 vested with such law enforcement duties as render him  
21 ineligible for coverage under the Social Security Act by  
22 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and  
23 218(1)(1) of that Act.

24 (17) "Arson investigator" means any person who is  
25 employed as such by the Office of the State Fire Marshal  
26 and is vested with such law enforcement duties as render

1 the person 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. A person who was  
4 employed as an arson investigator on January 1, 1995 and  
5 is no longer in service but not yet receiving a retirement  
6 annuity may convert his or her creditable service for  
7 employment as an arson investigator into eligible  
8 creditable service by paying to the System the difference  
9 between the employee contributions actually paid for that  
10 service and the amounts that would have been contributed  
11 if the applicant were contributing at the rate applicable  
12 to persons with the same social security status earning  
13 eligible creditable service on the date of application.

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

16 (i) A person employed on a full-time basis by the  
17 Illinois Department of Transportation in the position  
18 of highway maintainer, highway maintenance lead  
19 worker, highway maintenance lead/lead worker, sign  
20 hanger, sign hanger foreman, heavy construction  
21 equipment operator, power shovel operator, or bridge  
22 mechanic; and whose principal responsibility is to  
23 perform, on the roadway, the actual maintenance  
24 necessary to keep the highways that form a part of the  
25 State highway system in serviceable condition for  
26 vehicular traffic.

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

14 The changes to this item (18) made by this amendatory  
15 Act of the 103rd General Assembly apply without regard to  
16 whether the member was in service on or after its  
17 effective date, but do not entitle any person to  
18 recalculation of any pension or other benefit already  
19 granted.

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

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

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

16           (i) 25 years of eligible creditable service and age  
17 55; or

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

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

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

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

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

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

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

24          (f) For purposes of calculating retirement annuities under  
25          this Section, periods of service rendered after December 31,  
26          1968 and before October 1, 1975 as a covered employee in the

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

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

24 (g) A State policeman may elect, not later than January 1,  
25 1990, to establish eligible creditable service for up to 10  
26 years of his service as a policeman under Article 3, by filing



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

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

23 (h) Subject to the limitation in subsection (i), a State  
24 policeman or investigator for the Secretary of State may elect  
25 to establish eligible creditable service for up to 12 years of  
26 his service as a policeman under Article 5, by filing a written

1 election with the Board on or before January 31, 1992, and  
2 paying to the System by January 31, 1994 an amount to be  
3 determined by the Board, equal to (i) the difference between  
4 the amount of employee and employer contributions transferred  
5 to the System under Section 5-236, and the amounts that would  
6 have been contributed had such contributions been made at the  
7 rates applicable to State policemen, plus (ii) interest  
8 thereon at the effective rate for each year, compounded  
9 annually, from the date of service to the date of payment.

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

24 Subject to the limitation in subsection (i), a State  
25 policeman, conservation police officer, or investigator for  
26 the Secretary of State may elect to establish eligible

1 creditable service for up to 5 years of service as a police  
2 officer under Article 3, a policeman under Article 5, a  
3 sheriff's law enforcement employee under Article 7, a member  
4 of the county police department under Article 9, or a police  
5 officer under Article 15 by filing a written election with the  
6 Board and paying to the System an amount to be determined by  
7 the Board, equal to (i) the difference between the amount of  
8 employee and employer contributions transferred to the System  
9 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4  
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), an  
16 investigator for the Office of the Attorney General, or an  
17 investigator for the Department of Revenue, may elect to  
18 establish eligible creditable service for up to 5 years of  
19 service as a police officer under Article 3, a policeman under  
20 Article 5, a sheriff's law enforcement employee under Article  
21 7, or a member of the county police department under Article 9  
22 by filing a written election with the Board within 6 months  
23 after August 25, 2009 (the effective date of Public Act  
24 96-745) and paying to the System an amount to be determined by  
25 the Board, equal to (i) the difference between the amount of  
26 employee and employer contributions transferred to the System

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

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

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

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

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

26 (i) The total amount of eligible creditable service

1 established by any person under subsections (g), (h), (j),  
2 (k), (l), (l-5), and (o) of this Section shall not exceed 12  
3 years.

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

19 (k) Subject to the limitation in subsection (i) of this  
20 Section, an alternative formula employee may elect to  
21 establish eligible creditable service for periods spent as a  
22 full-time law enforcement officer or full-time corrections  
23 officer employed by the federal government or by a state or  
24 local government located outside of Illinois, for which credit  
25 is not held in any other public employee pension fund or  
26 retirement system. To obtain this credit, the applicant must

1 file a written application with the Board by March 31, 1998,  
2 accompanied by evidence of eligibility acceptable to the Board  
3 and payment of an amount to be determined by the Board, equal  
4 to (1) employee contributions for the credit being  
5 established, based upon the applicant's salary on the first  
6 day as an alternative formula employee after the employment  
7 for which credit is being established and the rates then  
8 applicable to alternative formula employees, plus (2) an  
9 amount determined by the Board to be the employer's normal  
10 cost of the benefits accrued for the credit being established,  
11 plus (3) regular interest on the amounts in items (1) and (2)  
12 from the first day as an alternative formula employee after  
13 the employment for which credit is being established to the  
14 date of payment.

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



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

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

25 (m) The amendatory changes to this Section made by Public  
26 Act 94-696 apply only to: (1) security employees of the

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

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

24 (o) Subject to the limitation in subsection (i), a  
25 conservation police officer, investigator for the Secretary of  
26 State, Commerce Commission police officer, investigator for

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

21 (g) A person who is employed on a full-time basis by the  
22 Illinois Department of Transportation in the position of sign  
23 hanger or sign hanger foreman may elect to convert service  
24 credit earned under this Article to eligible creditable  
25 service by filing a written election with the Board and paying  
26 to the System an amount to be determined by the Board equal to

1 (i) the difference between the amount of employee  
2 contributions originally paid for that service and the amounts  
3 that would have been contributed had such contributions been  
4 made at the rates applicable to State highway maintenance  
5 workers, plus (ii) the difference between the employer's  
6 normal cost of the credit prior to the conversion authorized  
7 by this amendatory Act of the 103rd General Assembly and the  
8 employer's normal cost of the credit converted in accordance  
9 with this amendatory Act of the 103rd General Assembly, plus  
10 (iii) interest thereon at the actuarially assumed rate for  
11 each year, compounded annually, from the date of service to  
12 the date of payment.

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

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

16 Sec. 14-110. Alternative retirement annuity.

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

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

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

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

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

1 the rates and provisions of Section 14-108.

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

5 (1) State policeman;

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

8 (3) air pilot;

9 (4) special agent;

10 (5) investigator for the Secretary of State;

11 (6) conservation police officer;

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

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

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

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

20 (11) dangerous drugs investigator;

21 (12) investigator for the Illinois State Police;

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

24 (14) controlled substance inspector;

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

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

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

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

22           (c) For the purposes of this Section:

23           (1) The term "State policeman" 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           (2) The term "fire fighter in the fire protection

1 service of a department" includes all officers in such  
2 fire protection service including fire chiefs and  
3 assistant fire chiefs.

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

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



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

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

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

25           (7) The term "investigator for the Department of  
26 Revenue" means any person employed by the Department of

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

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

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

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

15 (9) "Central Management Services security police  
16 officer" means any person employed by the Department of  
17 Central Management Services who is 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.

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

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

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

19 (12) The term "investigator for the Illinois State  
20 Police" means a person employed by the Illinois State  
21 Police who is vested under Section 4 of the Narcotic  
22 Control Division Abolition Act with such law enforcement  
23 powers as render him ineligible for coverage under the  
24 Social Security Act by reason of Sections 218(d)(5)(A),  
25 218(d)(8)(D) and 218(1)(1) of that Act.

26 (13) "Investigator for the Office of the Attorney

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

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

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

24           (16) "Commerce Commission police officer" means any  
25           person employed by the Illinois Commerce Commission who is  
26           vested with such law enforcement duties as render him

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

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

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

22 (i) A person employed on a full-time basis by the  
23 Illinois Department of Transportation in the position  
24 of highway maintainer, highway maintenance lead  
25 worker, highway maintenance lead/lead worker, sign  
26 hanger, sign hanger foreman, heavy construction

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

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

20 The changes to this item (18) made by this amendatory  
21 Act of the 103rd General Assembly apply without regard to  
22 whether the member was in service on or after its  
23 effective date, but do not entitle any person to  
24 recalculation of any pension or other benefit already  
25 granted.

26 (19) The term "security employee of the Department of

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4 Subject to the limitation in subsection (i), a State  
5 policeman, conservation police officer, or investigator for  
6 the Secretary of State may elect to establish eligible  
7 creditable service for up to 5 years of service as a police  
8 officer under Article 3, a policeman under Article 5, a  
9 sheriff's law enforcement employee under Article 7, a member  
10 of the county police department under Article 9, or a police  
11 officer under Article 15 by filing a written election with the  
12 Board and paying to the System an amount to be determined by  
13 the Board, equal to (i) the difference between the amount of  
14 employee and employer contributions transferred to the System  
15 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4  
16 and the amounts that would have been contributed had such  
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 Subject to the limitation in subsection (i), an  
22 investigator for the Office of the Attorney General, or an  
23 investigator for the Department of Revenue, may elect to  
24 establish eligible creditable service for up to 5 years of  
25 service as a police officer under Article 3, a policeman under  
26 Article 5, a sheriff's law enforcement employee under Article

1 7, or a member of the county police department under Article 9  
2 by filing a written election with the Board within 6 months  
3 after August 25, 2009 (the effective date of Public Act  
4 96-745) 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, or 9-121.10 and the  
8 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 actuarially  
11 assumed rate for each year, compounded annually, from the date  
12 of service to the date of payment.

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

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

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

25 Subject to the limitation in subsection (i), a  
26 conservation police officer may elect to establish eligible

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

15 Subject to the limitation in subsection (i), an  
16 investigator for the Department of Revenue, investigator for  
17 the Illinois Gaming Board, investigator for the Secretary of  
18 State, or arson investigator 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, a court  
22 services officer under Article 9, or a firefighter under  
23 Article 4 by filing a written election with the Board within 6  
24 months after the effective date of this amendatory Act of the  
25 102nd General Assembly and paying to the System an amount to be  
26 determined by the Board equal to (i) the difference between



1 the amount of employee and employer contributions transferred  
2 to the System under Sections 4-108.8, 7-139.8, and 9-121.10  
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 actuarially  
6 assumed rate for each year, compounded annually, from the date  
7 of service to the date of payment.

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

25 Notwithstanding the limitation in subsection (i), an  
26 investigator for the Department of Revenue, investigator for

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

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

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

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

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

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

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

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

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

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

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

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

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

1 Public Act 101-610) as a conservation police officer,  
2 investigator for the Secretary of State, Commerce Commission  
3 police officer, investigator for the Department of Revenue or  
4 the Illinois Gaming Board, or arson investigator under this  
5 Article into eligible creditable service by filing a written  
6 election with the Board no later than one year after January 1,  
7 2020 (the effective date of Public Act 101-610), accompanied  
8 by payment of an amount to be determined by the Board equal to  
9 (i) the difference between the amount of the employee  
10 contributions actually paid for that service and the amount of  
11 the employee contributions that would have been paid had the  
12 employee contributions been made as a noncovered employee  
13 serving in a position in which eligible creditable service, as  
14 defined in this Section, may be earned, 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 (q) A person who is employed on a full-time basis by the  
18 Illinois Department of Transportation in the position of sign  
19 hanger or sign hanger foreman may elect to convert service  
20 credit earned under this Article to eligible creditable  
21 service by filing a written election with the Board and paying  
22 to the System an amount to be determined by the Board equal to  
23 (i) the difference between the amount of employee  
24 contributions originally paid for that service and the amounts  
25 that would have been contributed had such contributions been  
26 made at the rates applicable to State highway maintenance

1 workers, plus (ii) the difference between the employer's  
2 normal cost of the credit prior to the conversion authorized  
3 by this amendatory Act of the 103rd General Assembly and the  
4 employer's normal cost of the credit converted in accordance  
5 with this amendatory Act of the 103rd General Assembly, plus  
6 (iii) interest thereon at the actuarially assumed rate for  
7 each year, compounded annually, from the date of service to  
8 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          (b) For the purpose of this Section, "eligible creditable  
25          service" means creditable service resulting from service in  
26          one or more of the following positions:

- 1 (1) State policeman;
- 2 (2) fire fighter in the fire protection service of a  
3 department;
- 4 (3) air pilot;
- 5 (4) special agent;
- 6 (5) investigator for the Secretary of State;
- 7 (6) conservation police officer;
- 8 (7) investigator for the Department of Revenue or the  
9 Illinois Gaming Board;
- 10 (8) security employee of the Department of Human  
11 Services;
- 12 (9) Central Management Services security police  
13 officer;
- 14 (10) security employee of the Department of  
15 Corrections or the Department of Juvenile Justice;
- 16 (11) dangerous drugs investigator;
- 17 (12) investigator for the Illinois State Police;
- 18 (13) investigator for the Office of the Attorney  
19 General;
- 20 (14) controlled substance inspector;
- 21 (15) investigator for the Office of the State's  
22 Attorneys Appellate Prosecutor;
- 23 (16) Commerce Commission police officer;
- 24 (17) arson investigator;
- 25 (18) State highway maintenance worker;
- 26 (19) security employee of the Department of Innovation

1 and Technology; or

2 (20) transferred employee.

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

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

18 (c) For the purposes of this Section:

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

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

26 (3) The term "air pilot" includes any employee whose

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

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

23 (5) The term "investigator for the Secretary of State"  
24 means any person employed by the Office of the Secretary  
25 of State and vested with such investigative duties as  
26 render him ineligible for coverage under the Social

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

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

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

21 (7) The term "investigator for the Department of  
22 Revenue" means any person employed by the Department of  
23 Revenue and vested with such investigative duties as  
24 render him ineligible for coverage under the Social  
25 Security Act by reason of Sections 218(d)(5)(A),  
26 218(d)(8)(D) and 218(1)(1) of that Act.

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

7           (8) The term "security employee of the Department of  
8 Human Services" means any person employed by the  
9 Department of Human Services who (i) is employed at the  
10 Chester Mental Health Center and has daily contact with  
11 the residents thereof, (ii) is employed within a security  
12 unit at a facility operated by the Department and has  
13 daily contact with the residents of the security unit,  
14 (iii) is employed at a facility operated by the Department  
15 that includes a security unit and is regularly scheduled  
16 to work at least 50% of his or her working hours within  
17 that security unit, or (iv) is a mental health police  
18 officer. "Mental health police officer" means any person  
19 employed by the Department of Human Services in a position  
20 pertaining to the Department's mental health and  
21 developmental disabilities functions who is vested with  
22 such law enforcement duties as render the person  
23 ineligible for coverage under the Social Security Act by  
24 reason of Sections 218(d)(5)(A), 218(d)(8)(D) and  
25 218(1)(1) of that Act. "Security unit" means that portion  
26 of a facility that is devoted to the care, containment,

1 and treatment of persons committed to the Department of  
2 Human Services as sexually violent persons, persons unfit  
3 to stand trial, or persons not guilty by reason of  
4 insanity. With respect to past employment, references to  
5 the Department of Human Services include its predecessor,  
6 the Department of Mental Health and Developmental  
7 Disabilities.

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

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

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

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

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

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

22 (13) "Investigator for the Office of the Attorney  
23 General" means any person who is employed as such by the  
24 Office of the Attorney General and is vested with such  
25 investigative 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. For  
2           the period before January 1, 1989, the term includes all  
3           persons who were employed as investigators by the Office  
4           of the Attorney General, without regard to social security  
5           status.

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

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

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

26          (17) "Arson investigator" means any person who is

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

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

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

1 State highway system in serviceable condition for  
2 vehicular traffic.

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

16 The changes to this item (18) made by this amendatory  
17 Act of the 103rd General Assembly apply without regard to  
18 whether the member was in service on or after its  
19 effective date, but do not entitle any person to  
20 recalculation of any pension or other benefit already  
21 granted.

22 (19) The term "security employee of the Department of  
23 Innovation and Technology" means a person who was a  
24 security employee of the Department of Corrections or the  
25 Department of Juvenile Justice, was transferred to the  
26 Department of Innovation and Technology pursuant to

1 Executive Order 2016-01, and continues to perform similar  
2 job functions under that Department.

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

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

18 (i) 25 years of eligible creditable service and age  
19 55; or

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

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

26 (iv) beginning January 1, 1989, 25 years of eligible

1           creditable service and age 52, or 22 years of eligible  
2           creditable service and age 55; or

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

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

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

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

26          (f) For purposes of calculating retirement annuities under

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

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

26 (g) A State policeman may elect, not later than January 1,

1 1990, to establish eligible creditable service for up to 10  
2 years of his service as a policeman under Article 3, by filing  
3 a written election with the Board, accompanied by payment of  
4 an amount to be determined by the Board, equal to (i) the  
5 difference between the amount of employee and employer  
6 contributions transferred to the System under Section 3-110.5,  
7 and the amounts that would have been contributed had such  
8 contributions been made at the rates applicable to State  
9 policemen, plus (ii) interest thereon at the effective rate  
10 for each year, compounded annually, from the date of service  
11 to the date of payment.

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

25 (h) Subject to the limitation in subsection (i), a State  
26 policeman or investigator for the Secretary of State may elect

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

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



1 policeman, conservation police officer, or investigator for  
2 the Secretary of State may elect to establish eligible  
3 creditable service for up to 5 years of service as a police  
4 officer under Article 3, a policeman under Article 5, a  
5 sheriff's law enforcement employee under Article 7, a member  
6 of the county police department under Article 9, or a police  
7 officer under Article 15 by filing a written election with the  
8 Board and paying to the System an amount to be determined by  
9 the Board, equal to (i) the difference between the amount of  
10 employee and employer contributions transferred to the System  
11 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4  
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), an  
18 investigator for the Office of the Attorney General, or an  
19 investigator for the Department of Revenue, may elect to  
20 establish eligible creditable service for up to 5 years of  
21 service as a police officer under Article 3, a policeman under  
22 Article 5, a sheriff's law enforcement employee under Article  
23 7, or a member of the county police department under Article 9  
24 by filing a written election with the Board within 6 months  
25 after August 25, 2009 (the effective date of Public Act  
26 96-745) and paying to the System an amount to be determined by

1 the Board, equal to (i) the difference between the amount of  
2 employee and employer contributions transferred to the System  
3 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the  
4 amounts that would have been contributed had such  
5 contributions been made at the rates applicable to State  
6 policemen, plus (ii) interest thereon at the actuarially  
7 assumed rate for each year, compounded annually, from the date  
8 of service to the date of payment.

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

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

21 Subject to the limitation in subsection (i), a  
22 conservation police officer may elect to establish eligible  
23 creditable service for up to 5 years of service as a person  
24 employed by a participating municipality to perform police  
25 duties under Article 7, a county corrections officer, or a  
26 court services officer under Article 9 by filing a written

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

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

1 of service to the date of payment.

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

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

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

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

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

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

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

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

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

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



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

23 (p) Subject to the limitation in subsection (i), an  
24 investigator for the Office of the Attorney General subject to  
25 subsection (g) of Section 1-160 may elect to convert up to 8  
26 years of service credit established before the effective date

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

16 (g) A person who is employed on a full-time basis by the  
17 Illinois Department of Transportation in the position of sign  
18 hanger or sign hanger foreman may elect to convert service  
19 credit earned under this Article to eligible creditable  
20 service by filing a written election with the Board and paying  
21 to the System an amount to be determined by the Board equal to  
22 (i) the difference between the amount of employee  
23 contributions originally paid for that service and the amounts  
24 that would have been contributed had such contributions been  
25 made at the rates applicable to State highway maintenance  
26 workers, plus (ii) the difference between the employer's

1 normal cost of the credit prior to the conversion authorized  
2 by this amendatory Act of the 103rd General Assembly and the  
3 employer's normal cost of the credit converted in accordance  
4 with this amendatory Act of the 103rd General Assembly, plus  
5 (iii) interest thereon at the actuarially assumed rate for  
6 each year, compounded annually, from the date of service to  
7 the date of payment.

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

10 (40 ILCS 5/14-152.1)

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

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

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

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

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

26           (d) Every new benefit increase shall expire 5 years after

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

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

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

19 Section 99. Effective date. This Act takes effect upon  
20 becoming law.