



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5449

Introduced 2/9/2024, by Rep. Stephanie A. Kifowit

SYNOPSIS AS INTRODUCED:

40 ILCS 5/1-160

40 ILCS 5/14-110

40 ILCS 5/14-152.1

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

Amends the General Provisions and State Employee Articles of the Illinois Pension Code. Provides that, with regard to persons subject to the Tier 2 provisions, a security employee of the Department of Human Services, a security employee of the Department of Corrections or the Department of Juvenile Justice, or an investigator for the Department of the Lottery is entitled to an annuity calculated under the alternative retirement annuity provisions, in lieu of the regular or minimum retirement annuity, only if the person has withdrawn from service with not less than 20 years of eligible creditable service and has attained age 55, regardless of whether the attainment of age 55 occurs while the person is still in service. Authorizes an investigator for the Department of the Lottery to establish eligible creditable service under the alternative retirement annuity provisions. Provides that a security employee of the Department of Human Services subject to the Tier 2 provisions may convert up to 13 years of service credit established before the effective date of the amendatory Act as a security employee of the Department of Human Services into eligible creditable service by filing a written election with the Board, accompanied by a specified payment. Provides that a specified educational requirement for persons employed by the Department of Juvenile Justice shall no longer determine the eligibility to earn eligible creditable service under the alternative retirement annuity provisions, and authorizes the conversion of service credit to eligible creditable service. Excludes a benefit increase resulting from the amendatory Act from the definition of "new benefit increase". Effective January 1, 2025.

LRB103 38496 RPS 68632 b

1 AN ACT concerning public employee benefits.

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

4 Section 5. The Illinois Pension Code is amended by
5 changing Sections 1-160, 14-110, and 14-152.1 as follows:

6 (40 ILCS 5/1-160)

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

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

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

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

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

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

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

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

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

21 (1) (Blank).

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

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

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

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

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

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

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

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

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

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

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

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

1 federal Social Security Act.

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

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

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

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

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

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

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

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

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

18 (i) to be eligible for the reduced retirement age
19 provided in subsections (c-5) and (d-5) of this Section,
20 the eligibility for which is conditioned upon the member
21 or participant agreeing to the increases in employee
22 contributions for age and service annuities provided in
23 subsection (a-5) of Section 8-174 of this Code (for
24 service under Article 8) or subsection (a-5) of Section
25 11-170 of this Code (for service under Article 11); or

26 (ii) to not agree to item (i) of this subsection

1 (d-10), in which case the member or participant shall
2 continue to be subject to the retirement age provisions in
3 subsections (c) and (d) of this Section and the employee
4 contributions for age and service annuity as provided in
5 subsection (a) of Section 8-174 of this Code (for service
6 under Article 8) or subsection (a) of Section 11-170 of
7 this Code (for service under Article 11).

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

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

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

25 (ii) to not agree to item (i) of this subsection
26 (d-15), in which case the member or participant shall not

1 be eligible for the reduced retirement age specified in
2 subsections (c) and (d) of this Section and shall not be
3 subject to the increase in employee contributions for
4 service annuities specified in subsection (b) of Section
5 12-150.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15 (i) (Blank).

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

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

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

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

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

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

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

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

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

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

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

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

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

8 (1) (Blank).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26 (e) Any retirement annuity or supplemental annuity shall

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

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

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

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

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

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

25 (g-1) The benefits in Section 14-110 apply if the person
26 is a security employee of the Department of Human Services, a

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

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

26 If a person who first becomes a member of a retirement

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

19 (i) (Blank).

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

23 (Source: P.A. 101-610, eff. 1-1-20; 102-16, eff. 6-17-21;
24 102-210, eff. 1-1-22; 102-263, eff. 8-6-21; 102-813, eff.
25 5-13-22.)

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

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

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

1 This Section does not apply to a person who first becomes a
2 noncovered employee under Article 14 on or after the
3 implementation date of the plan created under Section 1-161
4 for that Article, unless that person elects under subsection
5 (b) of Section 1-161 to instead receive the benefits provided
6 under this Section and the applicable provisions of that
7 Article.

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

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

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

25 (b) "Final average salary" means, except as otherwise
26 provided in this subsection, the average monthly (or annual)

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

12 (1) (Blank).

13 (2) In Articles 8, 9, 10, 11, and 12, "highest average
14 annual salary for any 4 consecutive years within the last
15 10 years of service immediately preceding the date of
16 withdrawal".

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

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

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

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

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

1 average salary:

2 (A) the amount otherwise calculated under the first
3 paragraph of this subsection; or

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

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

24 For the purposes of this Section, "consumer price index-u"
25 means the index published by the Bureau of Labor Statistics of
26 the United States Department of Labor that measures the

1 average change in prices of goods and services purchased by
2 all urban consumers, United States city average, all items,
3 1982-84 = 100. The new amount resulting from each annual
4 adjustment shall be determined by the Public Pension Division
5 of the Department of Insurance and made available to the
6 boards of the retirement systems and pension funds by November
7 1 of each year.

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

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

1 any refund as a result of the application of this maximum
2 annual earnings, salary, and wage cap.

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

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

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

1 this Section.

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

11 (d) The retirement annuity of a member or participant who
12 is retiring after attaining age 62 (age 60, with respect to
13 service under Article 12 that is subject to this Section, for a
14 member or participant under Article 12 who first becomes a
15 member or participant under Article 12 on or after January 1,
16 2022 or who makes the election under item (i) of subsection
17 (d-15) of this Section) with at least 10 years of service
18 credit shall be reduced by one-half of 1% for each full month
19 that the member's age is under age 67 (age 65, with respect to
20 service under Article 12 that is subject to this Section, for a
21 member or participant under Article 12 who first becomes a
22 member or participant under Article 12 on or after January 1,
23 2022 or who makes the election under item (i) of subsection
24 (d-15) of this Section).

25 (d-5) The retirement annuity payable under Article 8 or
26 Article 11 to an eligible person subject to subsection (c-5)

1 of this Section who is retiring at age 60 with at least 10
2 years of service credit shall be reduced by one-half of 1% for
3 each full month that the member's age is under age 65.

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

9 (i) to be eligible for the reduced retirement age
10 provided in subsections (c-5) and (d-5) of this Section,
11 the eligibility for which is conditioned upon the member
12 or participant agreeing to the increases in employee
13 contributions for age and service annuities provided in
14 subsection (a-5) of Section 8-174 of this Code (for
15 service under Article 8) or subsection (a-5) of Section
16 11-170 of this Code (for service under Article 11); or

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

25 The election provided for in this subsection shall be made
26 between October 1, 2017 and November 15, 2017. A person

1 subject to this subsection who makes the required election
2 shall remain bound by that election. A person subject to this
3 subsection who fails for any reason to make the required
4 election within the time specified in this subsection shall be
5 deemed to have made the election under item (ii).

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

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

16 (ii) to not agree to item (i) of this subsection
17 (d-15), in which case the member or participant shall not
18 be eligible for the reduced retirement age specified in
19 subsections (c) and (d) of this Section and shall not be
20 subject to the increase in employee contributions for
21 service annuities specified in subsection (b) of Section
22 12-150.

23 The election provided for in this subsection shall be made
24 between January 1, 2022 and April 1, 2022. A person subject to
25 this subsection who makes the required election shall remain
26 bound by that election. A person subject to this subsection

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

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

26 For the purposes of Section 1-103.1 of this Code, the

1 changes made to this Section by Public Act 102-263 are
2 applicable without regard to whether the employee was in
3 active service on or after August 6, 2021 (the effective date
4 of Public Act 102-263).

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

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

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

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

1 eligible creditable service and has attained age 60,
2 regardless of whether the attainment of age 60 occurs while
3 the person is still in service.

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

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

1 termination of that employment, the person's retirement
2 annuity or retirement pension payments shall resume and be
3 recalculated if recalculation is provided for under the
4 applicable Article of this Code.

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

24 (i) (Blank).

25 (j) In the case of a conflict between the provisions of
26 this Section and any other provision of this Code, the

1 provisions of this Section shall control.

2 (Source: P.A. 102-16, eff. 6-17-21; 102-210, eff. 1-1-22;
3 102-263, eff. 8-6-21; 102-956, eff. 5-27-22; 103-529, eff.
4 8-11-23.)

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

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

7 Sec. 14-110. Alternative retirement annuity.

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

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

1 (ii) for periods of eligible creditable service as a
2 covered employee: if retirement occurs on or after January
3 1, 2001, 2.5% of final average compensation for each year
4 of creditable service; if retirement occurs before January
5 1, 2001, 1.67% of final average compensation for each of
6 the first 10 years of such service, 1.90% for each of the
7 next 10 years of such service, 2.10% for each year of such
8 service in excess of 20 but not exceeding 30, and 2.30% for
9 each year in excess of 30.

10 Such annuity shall be subject to a maximum of 75% of final
11 average compensation if retirement occurs before January 1,
12 2001 or to a maximum of 80% of final average compensation if
13 retirement occurs on or after January 1, 2001.

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

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

22 (1) State policeman;

23 (2) fire fighter in the fire protection service of a
24 department;

25 (3) air pilot;

26 (4) special agent;

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

25 A person employed in one of the positions specified in
26 this subsection is entitled to eligible creditable service for

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

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

14 (c) For the purposes of this Section:

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

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

22 (3) The term "air pilot" includes any employee whose
23 official job description on file in the Department of
24 Central Management Services, or in the department by which
25 he is employed if that department is not covered by the
26 Personnel Code, states that his principal duty is the

1 operation of aircraft, and who possesses a pilot's
2 license; however, the change in this definition made by
3 Public Act 83-842 shall not operate to exclude any
4 noncovered employee who was an "air pilot" for the
5 purposes of this Section on January 1, 1984.

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

19 (5) The term "investigator for the Secretary of State"
20 means any person employed by the Office of the Secretary
21 of State 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 A person who became employed as an investigator for
26 the Secretary of State between January 1, 1967 and

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

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

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

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

1 the Department of Human Services include its predecessor,
2 the Department of Mental Health and Developmental
3 Disabilities.

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

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

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

1 Department of Corrections or the Department of Juvenile
2 Justice who is any of the following: (i) officially
3 headquartered at a correctional facility or Juvenile
4 facility operated by the Department of Juvenile Justice,
5 (ii) a parole officer, (iii) a member of the apprehension
6 unit, (iv) a member of the intelligence unit, (v) a member
7 of the sort team, or (vi) an investigator.

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

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

18 (13) "Investigator for the Office of the Attorney
19 General" means any person who is employed as such by the
20 Office of the Attorney General and is vested with such
21 investigative duties as render him ineligible for coverage
22 under the Social Security Act by reason of Sections
23 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act. For
24 the period before January 1, 1989, the term includes all
25 persons who were employed as investigators by the Office
26 of the Attorney General, without regard to social security

1 status.

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

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

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

22 (17) "Arson investigator" means any person who is
23 employed as such by the Office of the State Fire Marshal
24 and is vested with such law enforcement duties as render
25 the person ineligible for coverage under the Social
26 Security Act by reason of Sections 218(d)(5)(A),

1 218(d)(8)(D), and 218(1)(1) of that Act. A person who was
2 employed as an arson investigator on January 1, 1995 and
3 is no longer in service but not yet receiving a retirement
4 annuity may convert his or her creditable service for
5 employment as an arson investigator into eligible
6 creditable service by paying to the System the difference
7 between the employee contributions actually paid for that
8 service and the amounts that would have been contributed
9 if the applicant were contributing at the rate applicable
10 to persons with the same social security status earning
11 eligible creditable service on the date of application.

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

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

24 (ii) A person employed on a full-time basis by the
25 Illinois State Toll Highway Authority in the position
26 of equipment operator/laborer H-4, equipment

1 operator/laborer H-6, welder H-4, welder H-6,
2 mechanical/electrical H-4, mechanical/electrical H-6,
3 water/sewer H-4, water/sewer H-6, sign maker/hanger
4 H-4, sign maker/hanger H-6, roadway lighting H-4,
5 roadway lighting H-6, structural H-4, structural H-6,
6 painter H-4, or painter H-6; and whose principal
7 responsibility is to perform, on the roadway, the
8 actual maintenance necessary to keep the Authority's
9 tollways in serviceable condition for vehicular
10 traffic.

11 (19) The term "security employee of the Department of
12 Innovation and Technology" means a person who was a
13 security employee of the Department of Corrections or the
14 Department of Juvenile Justice, was transferred to the
15 Department of Innovation and Technology pursuant to
16 Executive Order 2016-01, and continues to perform similar
17 job functions under that Department.

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

25 (21) "Investigator for the Department of the Lottery"
26 means any person who is employed by the Department of the

1 Lottery and is vested with such investigative duties which
2 render him or her 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. An investigator
5 for the Department of the Lottery who qualifies under this
6 Section shall earn eligible creditable service and be
7 required to make contributions at the rate specified in
8 paragraph (3) of subsection (a) of Section 14-133 for all
9 periods of service as an investigator for the Department
10 of the Lottery.

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

19 (i) 25 years of eligible creditable service and age
20 55; or

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

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

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

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

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

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

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

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

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

1 (g) A State policeman may elect, not later than January 1,
2 1990, to establish eligible creditable service for up to 10
3 years of his service as a policeman under Article 3, by filing
4 a written election with the Board, accompanied by payment of
5 an amount to be determined by the Board, equal to (i) the
6 difference between the amount of employee and employer
7 contributions transferred to the System under Section 3-110.5,
8 and the amounts that would have been contributed had such
9 contributions been made at the rates applicable to State
10 policemen, plus (ii) interest thereon at the effective rate
11 for each year, compounded annually, from the date of service
12 to the date of payment.

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

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

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

13 Subject to the limitation in subsection (i), a State
14 policeman, conservation police officer, or investigator for
15 the Secretary of State may elect to establish eligible
16 creditable service for up to 10 years of service as a sheriff's
17 law enforcement employee under Article 7, by filing a written
18 election with the Board on or before January 31, 1993, and
19 paying to the System by January 31, 1994 an amount to be
20 determined by the Board, equal to (i) the difference between
21 the amount of employee and employer contributions transferred
22 to the System under Section 7-139.7, and the amounts that
23 would have been contributed had such contributions been made
24 at the rates applicable to State policemen, plus (ii) interest
25 thereon at the effective 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, conservation police officer, or investigator for
3 the Secretary of State may elect to establish eligible
4 creditable service for up to 5 years of service as a police
5 officer under Article 3, a policeman under Article 5, a
6 sheriff's law enforcement employee under Article 7, a member
7 of the county police department under Article 9, or a police
8 officer under Article 15 by filing a written election with the
9 Board and paying to the System an amount to be determined by
10 the Board, equal to (i) the difference between the amount of
11 employee and employer contributions transferred to the System
12 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4
13 and the amounts that would have been contributed had such
14 contributions been made at the rates applicable to State
15 policemen, plus (ii) interest thereon at the effective rate
16 for each year, compounded annually, from the date of service
17 to the date of payment.

18 Subject to the limitation in subsection (i), an
19 investigator for the Office of the Attorney General, or an
20 investigator for the Department of Revenue, may elect to
21 establish eligible creditable service for up to 5 years of
22 service as a police officer under Article 3, a policeman under
23 Article 5, a sheriff's law enforcement employee under Article
24 7, or a member of the county police department under Article 9
25 by filing a written election with the Board within 6 months
26 after August 25, 2009 (the effective date of Public Act

1 96-745) and paying to the System an amount to be determined by
2 the Board, equal to (i) the difference between the amount of
3 employee and employer contributions transferred to the System
4 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the
5 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 actuarially
8 assumed rate for each year, compounded annually, from the date
9 of service to the date of payment.

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

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

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

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

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

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

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

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

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

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

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

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

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

1 established to the date of payment.

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

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

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

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

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

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

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

23 (g) A security employee of the Department of Human
24 Services who is subject to subsection (g-1) of Section 1-160
25 may elect to convert up to 13 years of service credit
26 established before the effective date of this amendatory Act

1 of the 103rd General Assembly as a security employee of the
2 Department of Human Services to eligible creditable service by
3 filing a written election with the Board no later than one year
4 after the effective date of this amendatory Act of the 103rd
5 General Assembly, accompanied by payment of an amount, to be
6 determined by the Board, equal to (i) the difference between
7 the amount of the employee contributions actually paid for
8 that service and the amount of the employee contributions that
9 would have been paid had the employee contributions been made
10 as a covered employee serving in a position in which eligible
11 creditable service, as defined in this Section, may be earned,
12 plus (ii) interest thereon at the effective rate for each
13 year, compounded annually, from the date of service to the
14 date of payment.

15 (Source: P.A. 102-210, eff. 7-30-21; 102-538, eff. 8-20-21;
16 102-813, eff. 5-13-22; 103-34, eff. 1-1-24.)

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

18 Sec. 14-110. Alternative retirement annuity.

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

1 member, in lieu of the regular or minimum retirement annuity,
2 a retirement annuity computed as follows:

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

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

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

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

1 eligible creditable service. Service as a covered employee
2 which is not eligible creditable service shall be subject to
3 the rates and provisions of Section 14-108.

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

7 (1) State policeman;

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

10 (3) air pilot;

11 (4) special agent;

12 (5) investigator for the Secretary of State;

13 (6) conservation police officer;

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

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

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

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

22 (11) dangerous drugs investigator;

23 (12) investigator for the Illinois State Police;

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

26 (14) controlled substance inspector;

1 (15) investigator for the Office of the State's
2 Attorneys Appellate Prosecutor;

3 (16) Commerce Commission police officer;

4 (17) arson investigator;

5 (18) State highway maintenance worker;

6 (19) security employee of the Department of Innovation
7 and Technology; ~~or~~

8 (20) transferred employee; or.

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

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

20 A person under paragraph (20) is entitled to eligible
21 creditable service for service credit earned under this
22 Article on and after his or her transfer by Executive Order No.
23 2003-10, Executive Order No. 2004-2, or Executive Order No.
24 2016-1.

25 (c) For the purposes of this Section:

26 (1) The term "State policeman" includes any title or

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

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

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

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

1 property. The term "special agent" includes any title or
2 position in the Illinois State Police that is held by an
3 individual employed under the Illinois State Police Act.

4 (5) The term "investigator for the Secretary of State"
5 means any person employed by the Office of the Secretary
6 of State and vested with such investigative duties as
7 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.

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

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

1 Conservation Police Administrator.

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

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

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

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

15 The changes made to this subdivision (c)(8) by Public
16 Act 92-14 apply to persons who retire on or after January
17 1, 2001, notwithstanding Section 1-103.1.

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

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

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

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

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

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

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

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

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

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

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

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

25 (i) A person employed on a full-time basis by the
26 Illinois Department of Transportation in the position

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

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

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

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

1 alternative retirement annuity provided by this Section unless
2 he or she meets the following minimum age and service
3 requirements at the time of retirement:

4 (i) 25 years of eligible creditable service and age
5 55; or

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

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

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

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

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

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

1 of this Section; but such service may be used only for
2 establishing such eligibility, and not for the purpose of
3 increasing or calculating any benefit.

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

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

26 For purposes of calculating retirement annuities under

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

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

24 Subject to the limitation in subsection (i), a State
25 policeman may elect, not later than July 1, 1993, to establish
26 eligible creditable service for up to 10 years of his service

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

11 (h) Subject to the limitation in subsection (i), a State
12 policeman or investigator for the Secretary of State may elect
13 to establish eligible creditable service for up to 12 years of
14 his service as a policeman under Article 5, by filing a written
15 election with the Board on or before January 31, 1992, 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 5-236, and the amounts that would
20 have been contributed had such contributions been made at the
21 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 10 years of service as a sheriff's
2 law enforcement employee under Article 7, by filing a written
3 election with the Board on or before January 31, 1993, 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 7-139.7, and the amounts that
8 would have been contributed had such contributions been made
9 at the rates applicable to State policemen, plus (ii) interest
10 thereon at the 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 5 years of service as a police
16 officer under Article 3, a policeman under Article 5, a
17 sheriff's law enforcement employee under Article 7, a member
18 of the county police department under Article 9, or a police
19 officer under Article 15 by filing a written election with the
20 Board and paying to the System an amount to be determined by
21 the Board, equal to (i) the difference between the amount of
22 employee and employer contributions transferred to the System
23 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4
24 and the amounts that would have been contributed had such
25 contributions been made at the rates applicable to State
26 policemen, plus (ii) interest thereon at the effective rate

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

3 Subject to the limitation in subsection (i), an
4 investigator for the Office of the Attorney General, or an
5 investigator for the Department of Revenue, may elect to
6 establish eligible creditable service for up to 5 years of
7 service as a police officer under Article 3, a policeman under
8 Article 5, a sheriff's law enforcement employee under Article
9 7, or a member of the county police department under Article 9
10 by filing a written election with the Board within 6 months
11 after August 25, 2009 (the effective date of Public Act
12 96-745) 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, or 9-121.10 and the
16 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 actuarially
19 assumed rate for each year, compounded annually, from the date
20 of service to the date of payment.

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

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

15 Subject to the limitation in subsection (i), a State
16 policeman, arson investigator, or Commerce Commission police
17 officer 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 under
20 Article 7, a county corrections officer, a court services
21 officer under Article 9, or a firefighter under Article 4 by
22 filing a written election with the Board within 6 months after
23 July 30, 2021 (the effective date of Public Act 102-210) and
24 paying to the System an amount to be determined by the Board
25 equal to (i) the difference between the amount of employee and
26 employer contributions transferred to the System under

1 Sections 4-108.8, 7-139.8, and 9-121.10 and the amounts that
2 would have been contributed had such contributions been made
3 at the rates applicable to State policemen, plus (ii) interest
4 thereon at the actuarially assumed rate for each year,
5 compounded annually, from the date of service to the date of
6 payment.

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

23 Subject to the limitation in subsection (i), an
24 investigator for the Department of Revenue, investigator for
25 the Illinois Gaming Board, investigator for the Secretary of
26 State, or arson investigator 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, a court
4 services officer under Article 9, or a firefighter under
5 Article 4 by filing a written election with the Board within 6
6 months after the effective date of this amendatory Act of the
7 102nd General Assembly and paying to the System an amount to be
8 determined by the Board equal to (i) the difference between
9 the amount of employee and employer contributions transferred
10 to the System under Sections 4-108.8, 7-139.8, and 9-121.10
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 actuarially
14 assumed rate for each year, compounded annually, from the date
15 of service to the date of payment.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 established before the effective date of this amendatory Act
2 of the 103rd General Assembly as a security employee of the
3 Department of Human Services to eligible creditable service by
4 filing a written election with the Board no later than one year
5 after the effective date of this amendatory Act of the 103rd
6 General Assembly, accompanied by payment of an amount, to be
7 determined by the Board, equal to (i) the difference between
8 the amount of the employee contributions actually paid for
9 that service and the amount of the employee contributions that
10 would have been paid had the employee contributions been made
11 as a covered employee serving in a position in which eligible
12 creditable service, as defined in this Section, may be earned,
13 plus (ii) interest thereon at the effective rate for each
14 year, compounded annually, from the date of service to the
15 date of payment.

16 (Source: P.A. 102-210, eff. 7-30-21; 102-538, eff. 8-20-21;
17 102-856, eff. 1-1-23; 103-34, eff. 1-1-24.)

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

19 Sec. 14-110. Alternative retirement annuity.

20 (a) Any member who has withdrawn from service with not
21 less than 20 years of eligible creditable service and has
22 attained age 55, and any member who has withdrawn from service
23 with not less than 25 years of eligible creditable service and
24 has attained age 50, regardless of whether the attainment of
25 either of the specified ages occurs while the member is still

1 in service, shall be entitled to receive at the option of the
2 member, in lieu of the regular or minimum retirement annuity,
3 a retirement annuity computed as follows:

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

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

22 Such annuity shall be subject to a maximum of 75% of final
23 average compensation if retirement occurs before January 1,
24 2001 or to a maximum of 80% of final average compensation if
25 retirement occurs on or after January 1, 2001.

26 These rates shall not be applicable to any service

1 performed by a member as a covered employee which is not
2 eligible creditable service. Service as a covered employee
3 which is not eligible creditable service shall be subject to
4 the rates and provisions of Section 14-108.

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

8 (1) State policeman;

9 (2) fire fighter in the fire protection service of a
10 department;

11 (3) air pilot;

12 (4) special agent;

13 (5) investigator for the Secretary of State;

14 (6) conservation police officer;

15 (7) investigator for the Department of Revenue or the
16 Illinois Gaming Board;

17 (8) security employee of the Department of Human
18 Services;

19 (9) Central Management Services security police
20 officer;

21 (10) security employee of the Department of
22 Corrections or the Department of Juvenile Justice;

23 (11) dangerous drugs investigator;

24 (12) investigator for the Illinois State Police;

25 (13) investigator for the Office of the Attorney
26 General;

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

11 A person employed in one of the positions specified in

12 this subsection is entitled to eligible creditable service for

13 service credit earned under this Article while undergoing the

14 basic police training course approved by the Illinois Law

15 Enforcement Training Standards Board, if completion of that

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

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

18 police training course shall be deemed performance of the

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

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

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

22 creditable service for service credit earned under this

23 Article on and after his or her transfer by Executive Order No.

24 2003-10, Executive Order No. 2004-2, or Executive Order No.

25 2016-1.

26 (c) For the purposes of this Section:

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

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

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

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

1 enforce the laws of this State, make arrests and recover
2 property. The term "special agent" includes any title or
3 position in the Illinois State Police that is held by an
4 individual employed under the Illinois State Police Act.

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

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

20 (6) The term "Conservation Police Officer" means any
21 person employed by the Division of Law Enforcement of the
22 Department of Natural Resources and vested with such law
23 enforcement 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. The
26 term "Conservation Police Officer" includes the positions

1 of Chief Conservation Police Administrator and Assistant
2 Conservation Police Administrator.

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

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

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

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

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

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

25 (10) For a member who first became an employee under
26 this Article before July 1, 2005, the term "security

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

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

23 (12) The term "investigator for the Illinois State
24 Police" means a person employed by the Illinois State
25 Police who is vested under Section 4 of the Narcotic
26 Control Division Abolition Act with such law enforcement

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

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

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

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

1 Appellate Prosecutor's Act.

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

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

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

26 (i) A person employed on a full-time basis by the

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

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

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

1 Department of Innovation and Technology pursuant to
2 Executive Order 2016-01, and continues to perform similar
3 job functions under that Department.

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

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

23 (d) A security employee of the Department of Corrections
24 or the Department of Juvenile Justice, a security employee of
25 the Department of Human Services who is not a mental health
26 police officer, and a security employee of the Department of

1 Innovation and Technology shall not be eligible for the
2 alternative retirement annuity provided by this Section unless
3 he or she meets the following minimum age and service
4 requirements at the time of retirement:

5 (i) 25 years of eligible creditable service and age
6 55; or

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

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

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

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

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

22 Persons who have service credit under Article 16 of this
23 Code for service as a security employee of the Department of
24 Corrections or the Department of Juvenile Justice, or the
25 Department of Human Services in a position requiring
26 certification as a teacher may count such service toward

1 establishing their eligibility under the service requirements
2 of this Section; but such service may be used only for
3 establishing such eligibility, and not for the purpose of
4 increasing or calculating any benefit.

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

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

1 For purposes of calculating retirement annuities under
2 this Section, periods of service rendered after December 31,
3 1968 and before January 1, 1982 as a covered employee in the
4 position of investigator for the Department of Revenue shall
5 be deemed to have been service as a noncovered employee,
6 provided that the employee pays to the System prior to
7 retirement an amount equal to (1) the difference between the
8 employee contributions that would have been required for such
9 service as a noncovered employee, and the amount of employee
10 contributions actually paid, plus (2) if payment is made after
11 January 1, 1990, regular interest on the amount specified in
12 item (1) from the date of service to the date of payment.

13 (g) A State policeman may elect, not later than January 1,
14 1990, to establish eligible creditable service for up to 10
15 years of his service as a policeman under Article 3, by filing
16 a written election with the Board, accompanied by payment of
17 an amount to be determined by the Board, equal to (i) the
18 difference between the amount of employee and employer
19 contributions transferred to the System under Section 3-110.5,
20 and the amounts that would have been contributed had such
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 Subject to the limitation in subsection (i), a State
26 policeman may elect, not later than July 1, 1993, to establish

1 eligible creditable service for up to 10 years of his service
2 as a member of the County Police Department under Article 9, by
3 filing a written election with the Board, accompanied by
4 payment of an amount to be determined by the Board, equal to
5 (i) the difference between the amount of employee and employer
6 contributions transferred to the System under Section 9-121.10
7 and the amounts that would have been contributed had those
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 (h) Subject to the limitation in subsection (i), a State
13 policeman or investigator for the Secretary of State may elect
14 to establish eligible creditable service for up to 12 years of
15 his service as a policeman under Article 5, by filing a written
16 election with the Board on or before January 31, 1992, and
17 paying to the System by January 31, 1994 an amount to be
18 determined by the Board, equal to (i) the difference between
19 the amount of employee and employer contributions transferred
20 to the System under Section 5-236, and the amounts that would
21 have been contributed had such contributions been made at the
22 rates applicable to State policemen, plus (ii) interest
23 thereon at the effective rate for each year, compounded
24 annually, from the date of service to the date of payment.

25 Subject to the limitation in subsection (i), a State
26 policeman, conservation police officer, or investigator for

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

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

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

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

22 Subject to the limitation in subsection (i), a State
23 policeman, conservation police officer, investigator for the
24 Office of the Attorney General, an investigator for the
25 Department of Revenue, or investigator for the Secretary of
26 State may elect to establish eligible creditable service for

1 up to 5 years of service as a person employed by a
2 participating municipality to perform police duties, or law
3 enforcement officer employed on a full-time basis by a forest
4 preserve district under Article 7, a county corrections
5 officer, or a court services officer under Article 9, by
6 filing a written election with the Board within 6 months after
7 August 25, 2009 (the effective date of Public Act 96-745) and
8 paying to the System an amount to be determined by the Board,
9 equal to (i) the difference between the amount of employee and
10 employer contributions transferred to the System under
11 Sections 7-139.8 and 9-121.10 and the amounts that would have
12 been contributed had such contributions been made at the rates
13 applicable to State policemen, plus (ii) interest thereon at
14 the actuarially assumed 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, arson investigator, or Commerce Commission police
18 officer may elect to establish eligible creditable service for
19 up to 5 years of service as a person employed by a
20 participating municipality to perform police duties under
21 Article 7, a county corrections officer, a court services
22 officer under Article 9, or a firefighter under Article 4 by
23 filing a written election with the Board within 6 months after
24 July 30, 2021 (the effective date of Public Act 102-210) 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 4-108.8, 7-139.8, and 9-121.10 and the amounts that
3 would have been contributed had such contributions been made
4 at the rates applicable to State policemen, plus (ii) interest
5 thereon at the actuarially assumed rate for each year,
6 compounded annually, from the date of service to the date of
7 payment.

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

24 Notwithstanding the limitation in subsection (i), a State
25 policeman or conservation police officer may elect to convert
26 service credit earned under this Article to eligible

1 creditable service, as defined by this Section, by filing a
2 written election with the board within 6 months after July 30,
3 2021 (the effective date of Public Act 102-210) and paying to
4 the System an amount to be determined by the Board equal to (i)
5 the difference between the amount of employee contributions
6 originally paid for that service and the amounts that would
7 have been contributed had such contributions been made at the
8 rates applicable to State policemen, plus (ii) the difference
9 between the employer's normal cost of the credit prior to the
10 conversion authorized by Public Act 102-210 and the employer's
11 normal cost of the credit converted in accordance with Public
12 Act 102-210, plus (iii) 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 (i) The total amount of eligible creditable service
16 established by any person under subsections (g), (h), (j),
17 (k), (l), (l-5), (o), and (p) of this Section shall not exceed
18 12 years.

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

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

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

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

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

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

1 Public Act 101-610), accompanied by evidence of eligibility
2 acceptable to the Board and payment of an amount to be
3 determined by the Board, equal to (1) employee contributions
4 for the credit being established, based upon the applicant's
5 salary on the first day as an alternative formula employee
6 after the employment for which credit is being established and
7 the rates then applicable to alternative formula employees,
8 plus (2) an amount determined by the Board to be the employer's
9 normal cost of the benefits accrued for the credit being
10 established, plus (3) regular interest on the amounts in items
11 (1) and (2) from the first day as an alternative formula
12 employee after the employment for which credit is being
13 established to the date of payment.

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

1 the vocational training.

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

9 An employee may elect to convert into eligible creditable
10 service his or her creditable service earned with the
11 Department of Juvenile Justice while employed in a position
12 that required the employee to do any one or more of the
13 following: (1) participate or assist in the rehabilitative and
14 vocational training of delinquent youths; (2) supervise the
15 daily activities and assume direct and continuing
16 responsibility for the youth's security, welfare, and
17 development; or (3) participate in the personal rehabilitation
18 of delinquent youth by training, supervising, and assisting
19 lower-level personnel. To convert that creditable service to
20 eligible creditable service, the employee must pay to the
21 System the difference between the employee contributions
22 actually paid for that service and the amounts that would have
23 been contributed if the applicant were contributing at the
24 rate applicable to persons with the same Social Security
25 status earning eligible creditable service on the date of
26 application.

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

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

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

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

1 payment.

2 (g) A security employee of the Department of Human
3 Services who is subject to subsection (g-1) of Section 1-160
4 may elect to convert up to 13 years of service credit
5 established before the effective date of this amendatory Act
6 of the 103rd General Assembly as a security employee of the
7 Department of Human Services to eligible creditable service by
8 filing a written election with the Board no later than one year
9 after the effective date of this amendatory Act of the 103rd
10 General Assembly, accompanied by payment of an amount, to be
11 determined by the Board, equal to (i) the difference between
12 the amount of the employee contributions actually paid for
13 that service and the amount of the employee contributions that
14 would have been paid had the employee contributions been made
15 as a covered employee serving in a position in which eligible
16 creditable service, as defined in this Section, may be earned,
17 plus (ii) interest thereon at the effective rate for each
18 year, compounded annually, from the date of service to the
19 date of payment.

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

22 (40 ILCS 5/14-152.1)

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

25 (a) As used in this Section, "new benefit increase" means

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

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

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

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

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

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

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

1 benefit increase was in effect.

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

5 Section 99. Effective date. This Act takes effect January
6 1, 2025.