



Sen. Larry K. Bomke

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LRB095 04256 AMC 35995 a

1 AMENDMENT TO HOUSE BILL 1960

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1960 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by  
5 changing Section 14-104 and by adding Section 14-152.2 as  
6 follows:

7 (40 ILCS 5/14-104) (from Ch. 108 1/2, par. 14-104)

8 Sec. 14-104. Service for which contributions permitted.  
9 Contributions provided for in this Section shall cover the  
10 period of service granted. Except as otherwise provided in this  
11 Section, the contributions shall be based upon the employee's  
12 compensation and contribution rate in effect on the date he  
13 last became a member of the System; provided that for all  
14 employment prior to January 1, 1969 the contribution rate shall  
15 be that in effect for a noncovered employee on the date he last  
16 became a member of the System. Except as otherwise provided in

1 this Section, contributions permitted under this Section shall  
2 include regular interest from the date an employee last became  
3 a member of the System to the date of payment.

4 These contributions must be paid in full before retirement  
5 either in a lump sum or in installment payments in accordance  
6 with such rules as may be adopted by the board.

7 (a) Any member may make contributions as required in this  
8 Section for any period of service, subsequent to the date of  
9 establishment, but prior to the date of membership.

10 (b) Any employee who had been previously excluded from  
11 membership because of age at entry and subsequently became  
12 eligible may elect to make contributions as required in this  
13 Section for the period of service during which he was  
14 ineligible.

15 (c) An employee of the Department of Insurance who, after  
16 January 1, 1944 but prior to becoming eligible for membership,  
17 received salary from funds of insurance companies in the  
18 process of rehabilitation, liquidation, conservation or  
19 dissolution, may elect to make contributions as required in  
20 this Section for such service.

21 (d) Any employee who rendered service in a State office to  
22 which he was elected, or rendered service in the elective  
23 office of Clerk of the Appellate Court prior to the date he  
24 became a member, may make contributions for such service as  
25 required in this Section. Any member who served by appointment  
26 of the Governor under the Civil Administrative Code of Illinois

1 and did not participate in this System may make contributions  
2 as required in this Section for such service.

3 (e) Any person employed by the United States government or  
4 any instrumentality or agency thereof from January 1, 1942  
5 through November 15, 1946 as the result of a transfer from  
6 State service by executive order of the President of the United  
7 States shall be entitled to prior service credit covering the  
8 period from January 1, 1942 through December 31, 1943 as  
9 provided for in this Article and to membership service credit  
10 for the period from January 1, 1944 through November 15, 1946  
11 by making the contributions required in this Section. A person  
12 so employed on January 1, 1944 but whose employment began after  
13 January 1, 1942 may qualify for prior service and membership  
14 service credit under the same conditions.

15 (f) An employee of the Department of Labor of the State of  
16 Illinois who performed services for and under the supervision  
17 of that Department prior to January 1, 1944 but who was  
18 compensated for those services directly by federal funds and  
19 not by a warrant of the Auditor of Public Accounts paid by the  
20 State Treasurer may establish credit for such employment by  
21 making the contributions required in this Section. An employee  
22 of the Department of Agriculture of the State of Illinois, who  
23 performed services for and under the supervision of that  
24 Department prior to June 1, 1963, but was compensated for those  
25 services directly by federal funds and not paid by a warrant of  
26 the Auditor of Public Accounts paid by the State Treasurer, and

1 who did not contribute to any other public employee retirement  
2 system for such service, may establish credit for such  
3 employment by making the contributions required in this  
4 Section.

5 (g) Any employee who executed a waiver of membership within  
6 60 days prior to January 1, 1944 may, at any time while in the  
7 service of a department, file with the board a rescission of  
8 such waiver. Upon making the contributions required by this  
9 Section, the member shall be granted the creditable service  
10 that would have been received if the waiver had not been  
11 executed.

12 (h) Until May 1, 1990, an employee who was employed on a  
13 full-time basis by a regional planning commission for at least  
14 5 continuous years may establish creditable service for such  
15 employment by making the contributions required under this  
16 Section, provided that any credits earned by the employee in  
17 the commission's retirement plan have been terminated.

18 (i) Any person who rendered full time contractual services  
19 to the General Assembly as a member of a legislative staff may  
20 establish service credit for up to 8 years of such services by  
21 making the contributions required under this Section, provided  
22 that application therefor is made not later than July 1, 1991.

23 (j) By paying the contributions otherwise required under  
24 this Section, plus an amount determined by the Board to be  
25 equal to the employer's normal cost of the benefit plus  
26 interest, but with all of the interest calculated from the date

1 the employee last became a member of the System or November 19,  
2 1991, whichever is later, to the date of payment, an employee  
3 may establish service credit for a period of up to 2 years  
4 spent in active military service for which he does not qualify  
5 for credit under Section 14-105, provided that (1) he was not  
6 dishonorably discharged from such military service, and (2) the  
7 amount of service credit established by a member under this  
8 subsection (j), when added to the amount of military service  
9 credit granted to the member under subsection (b) of Section  
10 14-105, shall not exceed 5 years. The change in the manner of  
11 calculating interest under this subsection (j) made by this  
12 amendatory Act of the 92nd General Assembly applies to credit  
13 purchased by an employee on or after its effective date and  
14 does not entitle any person to a refund of contributions or  
15 interest already paid.

16 (k) An employee who was employed on a full-time basis by  
17 the Illinois State's Attorneys Association Statewide Appellate  
18 Assistance Service LEAA-ILEC grant project prior to the time  
19 that project became the State's Attorneys Appellate Service  
20 Commission, now the Office of the State's Attorneys Appellate  
21 Prosecutor, an agency of State government, may establish  
22 creditable service for not more than 60 months service for such  
23 employment by making contributions required under this  
24 Section.

25 (l) By paying the contributions otherwise required under  
26 this Section, plus an amount determined by the Board to be

1 equal to the employer's normal cost of the benefit plus  
2 interest, a member may establish service credit for periods of  
3 less than one year spent on authorized leave of absence from  
4 service, provided that (1) the period of leave began on or  
5 after January 1, 1982 and (2) any credit established by the  
6 member for the period of leave in any other public employee  
7 retirement system has been terminated. A member may establish  
8 service credit under this subsection for more than one period  
9 of authorized leave, and in that case the total period of  
10 service credit established by the member under this subsection  
11 may exceed one year. In determining the contributions required  
12 for establishing service credit under this subsection, the  
13 interest shall be calculated from the beginning of the leave of  
14 absence to the date of payment.

15 (m) Any person who rendered contractual services to a  
16 member of the General Assembly as a worker in the member's  
17 district office may establish creditable service for up to 3  
18 years of those contractual services by making the contributions  
19 required under this Section. The System shall determine a  
20 full-time salary equivalent for the purpose of calculating the  
21 required contribution. To establish credit under this  
22 subsection, the applicant must apply to the System by March 1,  
23 1998.

24 (n) Any person who rendered contractual services to a  
25 member of the General Assembly as a worker providing  
26 constituent services to persons in the member's district may

1 establish creditable service for up to 8 years of those  
2 contractual services by making the contributions required  
3 under this Section. The System shall determine a full-time  
4 salary equivalent for the purpose of calculating the required  
5 contribution. To establish credit under this subsection, the  
6 applicant must apply to the System by March 1, 1998.

7 (o) A member who participated in the Illinois Legislative  
8 Staff Internship Program may establish creditable service for  
9 up to one year of that participation by making the contribution  
10 required under this Section. The System shall determine a  
11 full-time salary equivalent for the purpose of calculating the  
12 required contribution. Credit may not be established under this  
13 subsection for any period for which service credit is  
14 established under any other provision of this Code.

15 (p) By paying the contributions otherwise required under  
16 this Section, plus an amount determined by the Board to be  
17 equal to the employer's normal cost of the benefit plus  
18 interest, a member may establish service credit for a period of  
19 up to 8 years during which he or she was employed by the  
20 Visually Handicapped Managers of Illinois in a vending program  
21 operated under a contractual agreement with the Department of  
22 Rehabilitation Services or its successor agency.

23 This subsection (p) applies without regard to whether the  
24 person was in service on or after the effective date of this  
25 amendatory Act of the 94th General Assembly. In the case of a  
26 person who is receiving a retirement annuity on that effective

1 date, the increase, if any, shall begin to accrue on the first  
2 annuity payment date following receipt by the System of the  
3 contributions required under this subsection (p).

4 (q) By paying the required contributions under this  
5 Section, plus an amount determined by the Board to be equal to  
6 the employer's normal cost of the benefit plus interest, an  
7 employee who was laid off but returned to State employment  
8 under circumstances in which the employee is considered to have  
9 been in continuous service for purposes of determining  
10 seniority may establish creditable service for the period of  
11 the layoff, provided that (1) the applicant applies for the  
12 creditable service under this subsection (q) within 6 months  
13 after the effective date of this amendatory Act of the 94th  
14 General Assembly, (2) the applicant does not receive credit for  
15 that period under any other provision of this Code, (3) at the  
16 time of the layoff, the applicant is not in an initial  
17 probationary status consistent with the rules of the Department  
18 of Central Management Services, and (4) the total amount of  
19 creditable service established by the applicant under this  
20 subsection (q) does not exceed 3 years. For service established  
21 under this subsection (q), the required employee contribution  
22 shall be based on the rate of compensation earned by the  
23 employee on the date of returning to employment after the  
24 layoff and the contribution rate then in effect, and the  
25 required interest shall be calculated from the date of  
26 returning to employment after the layoff to the date of



1 payment.

2 (r) A member who participated in the University of Illinois  
3 Government Public Service Internship Program (GPSI) may  
4 establish creditable service for up to 2 years of that  
5 participation by making the contribution required under this  
6 Section, plus an amount determined by the Board to be equal to  
7 the employer's normal cost of the benefit plus interest. The  
8 System shall determine a full-time salary equivalent for the  
9 purpose of calculating the required contribution. Credit may  
10 not be established under this subsection for any period for  
11 which service credit is established under any other provision  
12 of this Code.

13 (Source: P.A. 94-612, eff. 8-18-05; 94-1111, eff. 2-27-07.)

14 (40 ILCS 5/14-152.2 new)

15 Sec. 14-152.2. New benefit increases. The General Assembly  
16 finds and declares that the amendment to Section 14-104 made by  
17 this amendatory Act of the 95th General Assembly that allows  
18 members to establish creditable service for certain  
19 participation in the University of Illinois Government Public  
20 Service Internship Program (GPSI) constitutes a new benefit  
21 increase within the meaning of Section 14-152.1. Funding for  
22 this new benefit increase will be provided by additional  
23 employee contributions under subsection (r) of Section 14-104.

24 Section 99. Effective date. This Act takes effect upon

1 becoming law.".