



Sen. Larry K. Bomke

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09600HB4644sam002

LRB096 14771 AMC 41158 a

1 AMENDMENT TO HOUSE BILL 4644

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4644 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by  
5 changing Sections 7-142, 7-142.1, 7-145.1, 9-121.6, 14-104,  
6 and 15-113.11 and by adding Section 9-128.2 as follows:

7 (40 ILCS 5/7-142) (from Ch. 108 1/2, par. 7-142)

8 Sec. 7-142. Retirement annuities - Amount.

9 (a) The amount of a retirement annuity shall be the sum of  
10 the following, determined in accordance with the actuarial  
11 tables in effect at the time of the grant of the annuity:

12 1. For employees with 8 or more years of service, an  
13 annuity computed pursuant to subparagraphs a or b of this  
14 subparagraph 1, whichever is the higher, and for employees  
15 with less than 8 years of service the annuity computed  
16 pursuant to subparagraph a:

1           a. The monthly annuity which can be provided from  
2 the total accumulated normal, municipality and prior  
3 service credits, as of the attained age of the employee  
4 on the date the annuity begins provided that such  
5 annuity shall not exceed 75% of the final rate of  
6 earnings of the employee.

7           b. (i) The monthly annuity amount determined as  
8 follows by multiplying (a)  $1\frac{2}{3}\%$  for annuitants with  
9 not more than 15 years or (b)  $1\frac{2}{3}\%$  for the first 15  
10 years and 2% for each year in excess of 15 years for  
11 annuitants with more than 15 years by the number of  
12 years plus fractional years, prorated on a basis of  
13 months, of creditable service and multiply the product  
14 thereof by the employee's final rate of earnings.

15           (ii) For the sole purpose of computing the formula  
16 (and not for the purposes of the limitations  
17 hereinafter stated) \$125 shall be considered the final  
18 rate of earnings in all cases where the final rate of  
19 earnings is less than such amount.

20           (iii) The monthly annuity computed in accordance  
21 with this subparagraph b, shall not exceed an amount  
22 equal to 75% of the final rate of earnings.

23           (iv) For employees who have less than 35 years of  
24 service, the annuity computed in accordance with this  
25 subparagraph b (as reduced by application of  
26 subparagraph (iii) above) shall be reduced by 0.25%

1           thereof (0.5% if service was terminated before January  
2           1, 1988) for each month or fraction thereof (1) that  
3           the employee's age is less than 60 years, or (2) if the  
4           employee has at least 30 years of service credit, that  
5           the employee's service credit is less than 35 years,  
6           whichever is less, on the date the annuity begins.

7           2. The annuity which can be provided from the total  
8           accumulated additional credits as of the attained age of  
9           the employee on the date the annuity begins.

10          (b) If payment of an annuity begins prior to the earliest  
11          age at which the employee will become eligible for an old age  
12          insurance benefit under the Federal Social Security Act, he may  
13          elect that the annuity payments from this fund shall exceed  
14          those payable after his attaining such age by an amount,  
15          computed as determined by rules of the Board, but not in excess  
16          of his estimated Social Security Benefit, determined as of the  
17          effective date of the annuity, provided that in no case shall  
18          the total annuity payments made by this fund exceed in  
19          actuarial value the annuity which would have been payable had  
20          no such election been made.

21          (c) The retirement annuity shall be increased each year by  
22          2%, not compounded, of the monthly amount of annuity, taking  
23          into consideration any adjustment under paragraph (b) of this  
24          Section. This increase shall be effective each January 1 and  
25          computed from the effective date of the retirement annuity, the  
26          first increase being .167% of the monthly amount times the

1 number of months from the effective date to January 1.  
2 Beginning January 1, 1984 and thereafter, the retirement  
3 annuity shall be increased by 3% each year, not compounded.  
4 This increase shall not be applicable to annuitants who are not  
5 in service on or after September 8, 1971.

6 (d) Any elected county officer who was entitled to receive  
7 a stipend from the State on or after July 1, 2009 and on or  
8 before June 30, 2010 may establish earnings credit for the  
9 amount of stipend not received, if the elected county official  
10 applies in writing to the fund within 6 months after the  
11 effective date of this amendatory Act of the 96th General  
12 Assembly and pays to the fund an amount equal to (i) employee  
13 contributions on the amount of stipend not received, (ii)  
14 employer contributions determined by the Board equal to the  
15 employer's normal cost of the benefit on the amount of stipend  
16 not received, plus (iii) interest on items (i) and (ii) at the  
17 actuarially assumed rate.

18 (Source: P.A. 91-357, eff. 7-29-99.)

19 (40 ILCS 5/7-142.1) (from Ch. 108 1/2, par. 7-142.1)

20 Sec. 7-142.1. Sheriff's law enforcement employees.

21 (a) In lieu of the retirement annuity provided by  
22 subparagraph 1 of paragraph (a) of Section 7-142:

23 Any sheriff's law enforcement employee who has 20 or more  
24 years of service in that capacity and who terminates service  
25 prior to January 1, 1988 shall be entitled at his option to

1 receive a monthly retirement annuity for his service as a  
2 sheriff's law enforcement employee computed by multiplying 2%  
3 for each year of such service up to 10 years, 2 1/4% for each  
4 year of such service above 10 years and up to 20 years, and 2  
5 1/2% for each year of such service above 20 years, by his  
6 annual final rate of earnings and dividing by 12.

7 Any sheriff's law enforcement employee who has 20 or more  
8 years of service in that capacity and who terminates service on  
9 or after January 1, 1988 and before July 1, 2004 shall be  
10 entitled at his option to receive a monthly retirement annuity  
11 for his service as a sheriff's law enforcement employee  
12 computed by multiplying 2.5% for each year of such service up  
13 to 20 years, 2% for each year of such service above 20 years  
14 and up to 30 years, and 1% for each year of such service above  
15 30 years, by his annual final rate of earnings and dividing by  
16 12.

17 Any sheriff's law enforcement employee who has 20 or more  
18 years of service in that capacity and who terminates service on  
19 or after July 1, 2004 shall be entitled at his or her option to  
20 receive a monthly retirement annuity for service as a sheriff's  
21 law enforcement employee computed by multiplying 2.5% for each  
22 year of such service by his annual final rate of earnings and  
23 dividing by 12.

24 If a sheriff's law enforcement employee has service in any  
25 other capacity, his retirement annuity for service as a  
26 sheriff's law enforcement employee may be computed under this

1 Section and the retirement annuity for his other service under  
2 Section 7-142.

3 In no case shall the total monthly retirement annuity for  
4 persons who retire before July 1, 2004 exceed 75% of the  
5 monthly final rate of earnings. In no case shall the total  
6 monthly retirement annuity for persons who retire on or after  
7 July 1, 2004 exceed 80% of the monthly final rate of earnings.

8 (b) Whenever continued group insurance coverage is elected  
9 in accordance with the provisions of Section 367h of the  
10 Illinois Insurance Code, as now or hereafter amended, the total  
11 monthly premium for such continued group insurance coverage or  
12 such portion thereof as is not paid by the municipality shall,  
13 upon request of the person electing such continued group  
14 insurance coverage, be deducted from any monthly pension  
15 benefit otherwise payable to such person pursuant to this  
16 Section, to be remitted by the Fund to the insurance company or  
17 other entity providing the group insurance coverage.

18 (c) A sheriff's law enforcement employee who has service in  
19 any other capacity may convert up to 10 years of that service  
20 into service as a sheriff's law enforcement employee by paying  
21 to the Fund an amount equal to (1) the additional employee  
22 contribution required under Section 7-173.1, plus (2) the  
23 additional employer contribution required under Section 7-172,  
24 plus (3) interest on items (1) and (2) at the prescribed rate  
25 from the date of the service to the date of payment.

26 (d) The changes to subsections (a) and (b) of this Section

1 made by this amendatory Act of the 94th General Assembly apply  
2 only to persons in service on or after July 1, 2004. In the  
3 case of such a person who begins to receive a retirement  
4 annuity before the effective date of this amendatory Act of the  
5 94th General Assembly, the annuity shall be recalculated  
6 prospectively to reflect those changes, with the resulting  
7 increase beginning to accrue on the first annuity payment date  
8 following the effective date of this amendatory Act.

9 (e) Any elected county officer who was entitled to receive  
10 a stipend from the State on or after July 1, 2009 and on or  
11 before June 30, 2010 may establish earnings credit for the  
12 amount of stipend not received, if the elected county official  
13 applies in writing to the fund within 6 months after the  
14 effective date of this amendatory Act of the 96th General  
15 Assembly and pays to the fund an amount equal to (i) employee  
16 contributions on the amount of stipend not received, (ii)  
17 employer contributions determined by the Board equal to the  
18 employer's normal cost of the benefit on the amount of stipend  
19 not received, plus (iii) interest on items (i) and (ii) at the  
20 actuarially assumed rate.

21 (Source: P.A. 94-712, eff. 6-1-06.)

22 (40 ILCS 5/7-145.1)

23 Sec. 7-145.1. Alternative annuity for county officers.

24 (a) The benefits provided in this Section and Section  
25 7-145.2 are available only if the county board has filed with

1 the Board of the Fund a resolution or ordinance expressly  
2 consenting to the availability of these benefits for its  
3 elected county officers. The county board's consent is  
4 irrevocable with respect to persons participating in the  
5 program, but may be revoked at any time with respect to persons  
6 who have not paid an additional optional contribution under  
7 this Section before the date of revocation.

8 An elected county officer may elect to establish  
9 alternative credits for an alternative annuity by electing in  
10 writing to make additional optional contributions in  
11 accordance with this Section and procedures established by the  
12 board. These alternative credits are available only for periods  
13 of service as an elected county officer. The elected county  
14 officer may discontinue making the additional optional  
15 contributions by notifying the Fund in writing in accordance  
16 with this Section and procedures established by the board.

17 Additional optional contributions for the alternative  
18 annuity shall be as follows:

19 (1) For service as an elected county officer after the  
20 option is elected, an additional contribution of 3% of  
21 salary shall be contributed to the Fund on the same basis  
22 and under the same conditions as contributions required  
23 under Section 7-173.

24 (2) For service as an elected county officer before the  
25 option is elected, an additional contribution of 3% of the  
26 salary for the applicable period of service, plus interest



1 at the effective rate from the date of service to the date  
2 of payment, plus any additional amount required by the  
3 county board under paragraph (3). All payments for past  
4 service must be paid in full before credit is given.

5 (3) With respect to service as an elected county  
6 officer before the option is elected, if payment is made  
7 after the county board has filed with the Board of the Fund  
8 a resolution or ordinance requiring an additional  
9 contribution under this paragraph, then the contribution  
10 required under paragraph (2) shall include an amount to be  
11 determined by the Fund, equal to the actuarial present  
12 value of the additional employer cost that would otherwise  
13 result from the alternative credits being established for  
14 that service. A county board's resolution or ordinance  
15 requiring additional contributions under this paragraph  
16 (3) is irrevocable.

17 No additional optional contributions may be made for any  
18 period of service for which credit has been previously  
19 forfeited by acceptance of a refund, unless the refund is  
20 repaid in full with interest at the effective rate from the  
21 date of refund to the date of repayment.

22 (b) In lieu of the retirement annuity otherwise payable  
23 under this Article, an elected county officer who (1) has  
24 elected to participate in the Fund and make additional optional  
25 contributions in accordance with this Section, (2) has held and  
26 made additional optional contributions with respect to the same

1 elected county office for at least 8 years, and (3) has  
2 attained age 55 with at least 8 years of service credit (or has  
3 attained age 50 with at least 20 years of service as a  
4 sheriff's law enforcement employee) may elect to have his  
5 retirement annuity computed as follows: 3% of the participant's  
6 salary for each of the first 8 years of service credit, plus 4%  
7 of that salary for each of the next 4 years of service credit,  
8 plus 5% of that salary for each year of service credit in  
9 excess of 12 years, subject to a maximum of 80% of that salary.

10 This formula applies only to service in an elected county  
11 office that the officer held for at least 8 years, and only to  
12 service for which additional optional contributions have been  
13 paid under this Section. If an elected county officer qualifies  
14 to have this formula applied to service in more than one  
15 elected county office, the qualifying service shall be  
16 accumulated for purposes of determining the applicable accrual  
17 percentages, but the salary used for each office shall be the  
18 separate salary calculated for that office, as defined in  
19 subsection (g).

20 To the extent that the elected county officer has service  
21 credit that does not qualify for this formula, his retirement  
22 annuity will first be determined in accordance with this  
23 formula with respect to the service to which this formula  
24 applies, and then in accordance with the remaining Sections of  
25 this Article with respect to the service to which this formula  
26 does not apply.

1           (c) In lieu of the disability benefits otherwise payable  
2 under this Article, an elected county officer who (1) has  
3 elected to participate in the Fund, and (2) has become  
4 permanently disabled and as a consequence is unable to perform  
5 the duties of his office, and (3) was making optional  
6 contributions in accordance with this Section at the time the  
7 disability was incurred, may elect to receive a disability  
8 annuity calculated in accordance with the formula in subsection  
9 (b). For the purposes of this subsection, an elected county  
10 officer shall be considered permanently disabled only if: (i)  
11 disability occurs while in service as an elected county officer  
12 and is of such a nature as to prevent him from reasonably  
13 performing the duties of his office at the time; and (ii) the  
14 board has received a written certification by at least 2  
15 licensed physicians appointed by it stating that the officer is  
16 disabled and that the disability is likely to be permanent.

17           (d) Refunds of additional optional contributions shall be  
18 made on the same basis and under the same conditions as  
19 provided under Section 7-166, 7-167 and 7-168. Interest shall  
20 be credited at the effective rate on the same basis and under  
21 the same conditions as for other contributions.

22           If an elected county officer fails to hold that same  
23 elected county office for at least 8 years, he or she shall be  
24 entitled after leaving office to receive a refund of the  
25 additional optional contributions made with respect to that  
26 office, plus interest at the effective rate.

1           (e) The plan of optional alternative benefits and  
2 contributions shall be available to persons who are elected  
3 county officers and active contributors to the Fund on or after  
4 November 15, 1994. A person who was an elected county officer  
5 and an active contributor to the Fund on November 15, 1994 but  
6 is no longer an active contributor may apply to make additional  
7 optional contributions under this Section at any time within 90  
8 days after the effective date of this amendatory Act of 1997;  
9 if the person is an annuitant, the resulting increase in  
10 annuity shall begin to accrue on the first day of the month  
11 following the month in which the required payment is received  
12 by the Fund.

13           (f) For the purposes of this Section and Section 7-145.2,  
14 the terms "elected county officer" and "elected county office"  
15 include, but are not limited to: (1) the county clerk,  
16 recorder, treasurer, coroner, assessor (if elected), auditor,  
17 sheriff, and State's Attorney; members of the county board; and  
18 the clerk of the circuit court; and (2) a person who has been  
19 appointed to fill a vacancy in an office that is normally  
20 filled by election on a countywide basis, for the duration of  
21 his or her service in that office. The terms "elected county  
22 officer" and "elected county office" do not include any officer  
23 or office of a county that has not consented to the  
24 availability of benefits under this Section and Section  
25 7-145.2.

26           (g) For the purposes of this Section and Section 7-145.2,

1 the term "salary" means the final rate of earnings for the  
2 elected county office held, calculated in a manner consistent  
3 with Section 7-116, but for that office only. If an elected  
4 county officer qualifies to have the formula in subsection (b)  
5 applied to service in more than one elected county office, a  
6 separate salary shall be calculated and applied with respect to  
7 each such office.

8 (h) The changes to this Section made by this amendatory Act  
9 of the 91st General Assembly apply to persons who first make an  
10 additional optional contribution under this Section on or after  
11 the effective date of this amendatory Act.

12 (i) Any elected county officer who was entitled to receive  
13 a stipend from the State on or after July 1, 2009 and on or  
14 before June 30, 2010 may establish earnings credit for the  
15 amount of stipend not received, if the elected county official  
16 applies in writing to the fund within 6 months after the  
17 effective date of this amendatory Act of the 96th General  
18 Assembly and pays to the fund an amount equal to (i) employee  
19 contributions on the amount of stipend not received, (ii)  
20 employer contributions determined by the Board equal to the  
21 employer's normal cost of the benefit on the amount of stipend  
22 not received, plus (iii) interest on items (i) and (ii) at the  
23 actuarially assumed rate.

24 (Source: P.A. 90-32, eff. 6-27-97; 91-685, eff. 1-26-00;  
25 91-887, eff. 7-6-00.)

1 (40 ILCS 5/9-121.6) (from Ch. 108 1/2, par. 9-121.6)

2 Sec. 9-121.6. Alternative annuity for county officers.

3 (a) Any county officer elected by vote of the people may  
4 elect to establish alternative credits for an alternative  
5 annuity by electing in writing to make additional optional  
6 contributions in accordance with this Section and procedures  
7 established by the board. Such elected county officer may  
8 discontinue making the additional optional contributions by  
9 notifying the Fund in writing in accordance with this Section  
10 and procedures established by the board.

11 Additional optional contributions for the alternative  
12 annuity shall be as follows:

13 (1) For service after the option is elected, an  
14 additional contribution of 3% of salary shall be  
15 contributed to the Fund on the same basis and under the  
16 same conditions as contributions required under Sections  
17 9-170 and 9-176.

18 (2) For service before the option is elected, an  
19 additional contribution of 3% of the salary for the  
20 applicable period of service, plus interest at the  
21 effective rate from the date of service to the date of  
22 payment. All payments for past service must be paid in full  
23 before credit is given. No additional optional  
24 contributions may be made for any period of service for  
25 which credit has been previously forfeited by acceptance of  
26 a refund, unless the refund is repaid in full with interest

1 at the effective rate from the date of refund to the date  
2 of repayment.

3 (b) In lieu of the retirement annuity otherwise payable  
4 under this Article, any county officer elected by vote of the  
5 people who (1) has elected to participate in the Fund and make  
6 additional optional contributions in accordance with this  
7 Section, and (2) has attained age 60 with at least 10 years of  
8 service credit, or has attained age 65 with at least 8 years of  
9 service credit, may elect to have his retirement annuity  
10 computed as follows: 3% of the participant's salary at the time  
11 of termination of service for each of the first 8 years of  
12 service credit, plus 4% of such salary for each of the next 4  
13 years of service credit, plus 5% of such salary for each year  
14 of service credit in excess of 12 years, subject to a maximum  
15 of 80% of such salary. To the extent such elected county  
16 officer has made additional optional contributions with  
17 respect to only a portion of his years of service credit, his  
18 retirement annuity will first be determined in accordance with  
19 this Section to the extent such additional optional  
20 contributions were made, and then in accordance with the  
21 remaining Sections of this Article to the extent of years of  
22 service credit with respect to which additional optional  
23 contributions were not made.

24 (c) In lieu of the disability benefits otherwise payable  
25 under this Article, any county officer elected by vote of the  
26 people who (1) has elected to participate in the Fund, and (2)

1 has become permanently disabled and as a consequence is unable  
2 to perform the duties of his office, and (3) was making  
3 optional contributions in accordance with this Section at the  
4 time the disability was incurred, may elect to receive a  
5 disability annuity calculated in accordance with the formula in  
6 subsection (b). For the purposes of this subsection, such  
7 elected county officer shall be considered permanently  
8 disabled only if: (i) disability occurs while in service as an  
9 elected county officer and is of such a nature as to prevent  
10 him from reasonably performing the duties of his office at the  
11 time; and (ii) the board has received a written certification  
12 by at least 2 licensed physicians appointed by it stating that  
13 such officer is disabled and that the disability is likely to  
14 be permanent.

15 (d) Refunds of additional optional contributions shall be  
16 made on the same basis and under the same conditions as  
17 provided under Section 9-164, 9-166 and 9-167. Interest shall  
18 be credited at the effective rate on the same basis and under  
19 the same conditions as for other contributions. Optional  
20 contributions under this Section shall be included in the  
21 amount of employee contributions used to compute the tax levy  
22 under Section 9-169.

23 (e) The effective date of this plan of optional alternative  
24 benefits and contributions shall be January 1, 1988, or the  
25 date upon which approval is received from the U.S. Internal  
26 Revenue Service, whichever is later. The plan of optional



1 alternative benefits and contributions shall not be available  
2 to any former county officer or employee receiving an annuity  
3 from the Fund on the effective date of the plan, unless he  
4 re-enters service as an elected county officer and renders at  
5 least 3 years of additional service after the date of re-entry.

6 (f) Any elected county officer who was entitled to receive  
7 a stipend from the State on or after July 1, 2009 and on or  
8 before June 30, 2010 may establish earnings credit for the  
9 amount of stipend not received, if the elected county official  
10 applies in writing to the fund within 6 months after the  
11 effective date of this amendatory Act of the 96th General  
12 Assembly and pays to the fund an amount equal to (i) employee  
13 contributions on the amount of stipend not received, (ii)  
14 employer contributions determined by the Board equal to the  
15 employer's normal cost of the benefit on the amount of stipend  
16 not received, plus (iii) interest on items (i) and (ii) at the  
17 actuarially assumed rate.

18 (g) ~~(f)~~ The plan of optional alternative benefits and  
19 contributions authorized under this Section applies only to  
20 county officers elected by vote of the people on or before  
21 January 1, 2008 (the effective date of Public Act 95-654).

22 (Source: P.A. 95-369, eff. 8-23-07; 95-654, eff. 1-1-08;  
23 95-876, eff. 8-21-08.)

24 (40 ILCS 5/9-128.2 new)

25 Sec. 9-128.2. Stipends. Any elected county officer who was

1 entitled to receive a stipend from the State on or after July  
2 1, 2009 and on or before June 30, 2010 may establish earnings  
3 credit for the amount of stipend not received, if the elected  
4 county official applies in writing to the fund within 6 months  
5 after the effective date of this amendatory Act of the 96th  
6 General Assembly and pays to the fund an amount equal to (i)  
7 employee contributions on the amount of stipend not received,  
8 (ii) employer contributions determined by the Board equal to  
9 the employer's normal cost of the benefit on the amount of  
10 stipend not received, plus (iii) interest on items (i) and (ii)  
11 at the actuarially assumed rate.

12 (40 ILCS 5/14-104) (from Ch. 108 1/2, par. 14-104)

13 Sec. 14-104. Service for which contributions permitted.  
14 Contributions provided for in this Section shall cover the  
15 period of service granted. Except as otherwise provided in this  
16 Section, the contributions shall be based upon the employee's  
17 compensation and contribution rate in effect on the date he  
18 last became a member of the System; provided that for all  
19 employment prior to January 1, 1969 the contribution rate shall  
20 be that in effect for a noncovered employee on the date he last  
21 became a member of the System. Except as otherwise provided in  
22 this Section, contributions permitted under this Section shall  
23 include regular interest from the date an employee last became  
24 a member of the System to the date of payment.

25 These contributions must be paid in full before retirement

1 either in a lump sum or in installment payments in accordance  
2 with such rules as may be adopted by the board.

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

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

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

17 (d) Any employee who rendered service in a State office to  
18 which he was elected, or rendered service in the elective  
19 office of Clerk of the Appellate Court prior to the date he  
20 became a member, may make contributions for such service as  
21 required in this Section. Any member who served by appointment  
22 of the Governor under the Civil Administrative Code of Illinois  
23 and did not participate in this System may make contributions  
24 as required in this Section for such service.

25 (e) Any person employed by the United States government or  
26 any instrumentality or agency thereof from January 1, 1942

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

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

1           (g) Any employee who executed a waiver of membership within  
2 60 days prior to January 1, 1944 may, at any time while in the  
3 service of a department, file with the board a rescission of  
4 such waiver. Upon making the contributions required by this  
5 Section, the member shall be granted the creditable service  
6 that would have been received if the waiver had not been  
7 executed.

8           (h) Until May 1, 1990, an employee who was employed on a  
9 full-time basis by a regional planning commission for at least  
10 5 continuous years may establish creditable service for such  
11 employment by making the contributions required under this  
12 Section, provided that any credits earned by the employee in  
13 the commission's retirement plan have been terminated.

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

19           (j) By paying the contributions otherwise required under  
20 this Section, plus an amount determined by the Board to be  
21 equal to the employer's normal cost of the benefit plus  
22 interest, but with all of the interest calculated from the date  
23 the employee last became a member of the System or November 19,  
24 1991, whichever is later, to the date of payment, an employee  
25 may establish service credit for a period of up to 4 years  
26 spent in active military service for which he does not qualify

1 for credit under Section 14-105, provided that (1) he was not  
2 dishonorably discharged from such military service, and (2) the  
3 amount of service credit established by a member under this  
4 subsection (j), when added to the amount of military service  
5 credit granted to the member under subsection (b) of Section  
6 14-105, shall not exceed 5 years. The change in the manner of  
7 calculating interest under this subsection (j) made by this  
8 amendatory Act of the 92nd General Assembly applies to credit  
9 purchased by an employee on or after its effective date and  
10 does not entitle any person to a refund of contributions or  
11 interest already paid. In compliance with Section 14-152.1 of  
12 this Act concerning new benefit increases, any new benefit  
13 increase as a result of the changes to this subsection (j) made  
14 by Public Act 95-483 is funded through the employee  
15 contributions provided for in this subsection (j). Any new  
16 benefit increase as a result of the changes made to this  
17 subsection (j) by Public Act 95-483 is exempt from the  
18 provisions of subsection (d) of Section 14-152.1.

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

1 Section.

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

18 (1-5) By paying the contributions otherwise required under  
19 this Section, plus an amount determined by the Board to be  
20 equal to the employer's normal cost of the benefit plus  
21 interest, a member may establish service credit for periods of  
22 up to 2 years spent on authorized leave of absence from  
23 service, provided that during that leave the member represented  
24 or was employed as an officer or employee of a statewide labor  
25 organization that represents members of this System. In  
26 determining the contributions required for establishing

1 service credit under this subsection, the interest shall be  
2 calculated from the beginning of the leave of absence to the  
3 date of payment.

4 (m) Any person who rendered contractual services to a  
5 member of the General Assembly as a worker in the member's  
6 district office may establish creditable service for up to 3  
7 years of those contractual services by making the contributions  
8 required under this Section. The System shall determine a  
9 full-time salary equivalent for the purpose of calculating the  
10 required contribution. To establish credit under this  
11 subsection, the applicant must apply to the System by March 1,  
12 1998.

13 (n) Any person who rendered contractual services to a  
14 member of the General Assembly as a worker providing  
15 constituent services to persons in the member's district may  
16 establish creditable service for up to 8 years of those  
17 contractual services by making the contributions required  
18 under this Section. The System shall determine a full-time  
19 salary equivalent for the purpose of calculating the required  
20 contribution. To establish credit under this subsection, the  
21 applicant must apply to the System by March 1, 1998.

22 (o) A member who participated in the Illinois Legislative  
23 Staff Internship Program may establish creditable service for  
24 up to one year of that participation by making the contribution  
25 required under this Section. The System shall determine a  
26 full-time salary equivalent for the purpose of calculating the



1 required contribution. Credit may not be established under this  
2 subsection for any period for which service credit is  
3 established under any other provision of this Code.

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

12 This subsection (p) applies without regard to whether the  
13 person was in service on or after the effective date of this  
14 amendatory Act of the 94th General Assembly. In the case of a  
15 person who is receiving a retirement annuity on that effective  
16 date, the increase, if any, shall begin to accrue on the first  
17 annuity payment date following receipt by the System of the  
18 contributions required under this subsection (p).

19 (q) By paying the required contributions under this  
20 Section, plus an amount determined by the Board to be equal to  
21 the employer's normal cost of the benefit plus interest, an  
22 employee who was laid off but returned to State employment  
23 under circumstances in which the employee is considered to have  
24 been in continuous service for purposes of determining  
25 seniority may establish creditable service for the period of  
26 the layoff, provided that (1) the applicant applies for the

1     creditable service under this subsection (q) within 6 months  
2     after the effective date of this amendatory Act of the 94th  
3     General Assembly, (2) the applicant does not receive credit for  
4     that period under any other provision of this Code, (3) at the  
5     time of the layoff, the applicant is not in an initial  
6     probationary status consistent with the rules of the Department  
7     of Central Management Services, and (4) the total amount of  
8     creditable service established by the applicant under this  
9     subsection (q) does not exceed 3 years. For service established  
10    under this subsection (q), the required employee contribution  
11    shall be based on the rate of compensation earned by the  
12    employee on the date of returning to employment after the  
13    layoff and the contribution rate then in effect, and the  
14    required interest shall be calculated from the date of  
15    returning to employment after the layoff to the date of  
16    payment.

17         (r) A member who participated in the University of Illinois  
18    Government Public Service Internship Program (GPSI) may  
19    establish creditable service for up to 2 years of that  
20    participation by making the contribution required under this  
21    Section, plus an amount determined by the Board to be equal to  
22    the employer's normal cost of the benefit plus interest. The  
23    System shall determine a full-time salary equivalent for the  
24    purpose of calculating the required contribution. Credit may  
25    not be established under this subsection for any period for  
26    which service credit is established under any other provision

1 of this Code.

2 (s) A member who worked as a nurse under a contractual  
3 agreement for the Department of Public Aid, or its successor  
4 agency, the Department of Human Services, in the Client  
5 Assessment Unit and was subsequently determined to be a State  
6 employee by the United States Internal Revenue Service and the  
7 Illinois Labor Relations Board may establish creditable  
8 service for those contractual services by making the  
9 contributions required under this Section. To establish credit  
10 under this subsection, the applicant must apply to the System  
11 by July 1, 2008.

12 The Department of Human Services shall pay an employer  
13 contribution based upon an amount determined by the Board to be  
14 equal to the employer's normal cost of the benefit, plus  
15 interest.

16 In compliance with Section 14-152.1 added by Public Act  
17 94-4, the cost of the benefits provided by Public Act 95-583  
18 are offset by the required employee and employer contributions.

19 (t) Any person who rendered contractual services on a  
20 full-time basis to the Illinois Institute of Natural Resources  
21 and the Illinois Department of Energy and Natural Resources may  
22 establish creditable service for up to 4 years of those  
23 contractual services by making the contributions required  
24 under this Section, plus an amount determined by the Board to  
25 be equal to the employer's normal cost of the benefit plus  
26 interest at the actuarially assumed rate from the first day of

1 the service for which credit is being established to the date  
2 of payment. To establish credit under this subsection (t), the  
3 applicant must apply to the System within 6 months after August  
4 28, 2009 (the effective date of Public Act 96-775) ~~this~~  
5 ~~amendatory Act of the 96th General Assembly.~~

6 (u) ~~(t)~~ A member may establish creditable service and  
7 earnings credit for a period of voluntary or involuntary  
8 furlough, not exceeding 5 days, beginning on or after July 1,  
9 2008 and ending on or before June 30, 2009, that is utilized as  
10 a means of addressing a State fiscal emergency. To receive this  
11 credit, the member must apply in writing to the System before  
12 July 1, 2012, and make contributions required under this  
13 Section, plus an amount determined by the Board to be equal to  
14 the employer's normal cost of the benefit, plus interest at the  
15 actuarially assumed rate.

16 A member may establish creditable service and earnings  
17 credit for a period of voluntary or involuntary furlough, not  
18 exceeding 24 days, beginning on or after July 1, 2009 and  
19 ending on or before June 30, 2011, that is utilized as a means  
20 of addressing a State fiscal emergency. To receive this credit,  
21 the member must, before December 31, 2011, (i) apply in writing  
22 to the System and (ii) make the contributions required under  
23 this Section, plus an amount determined by the Board to be  
24 equal to the employer's normal cost of the benefit, plus  
25 interest at the actuarially assumed rate.

26 (v) ~~(t)~~ Any member who rendered full-time contractual

1 services to an Illinois Veterans Home operated by the  
2 Department of Veterans' Affairs may establish service credit  
3 for up to 8 years of such services by making the contributions  
4 required under this Section, plus an amount determined by the  
5 Board to be equal to the employer's normal cost of the benefit,  
6 plus interest at the actuarially assumed rate. To establish  
7 credit under this subsection, the applicant must apply to the  
8 System no later than 6 months after July 27, 2009 (the  
9 effective date of Public Act 96-97) ~~this amendatory Act of the~~  
10 ~~96th General Assembly.~~

11 (Source: P.A. 95-483, eff. 8-28-07; 95-583, eff. 8-31-07;  
12 95-652, eff. 10-11-07; 95-876, eff. 8-21-08; 96-97, eff.  
13 7-27-09; 96-718, eff. 8-25-09; 96-775, eff. 8-28-09; revised  
14 9-9-09.)

15 (40 ILCS 5/15-113.11 new)

16 Sec. 15-113.11. Service for periods of voluntary or  
17 involuntary furlough. A participant may establish creditable  
18 service and earnings credit for periods of furlough beginning  
19 on or after July 1, 2009 and ending on or before June 30, 2011.  
20 To receive this credit, the participant must (i) apply in  
21 writing to the System before December 31, 2011; (ii) not  
22 receive compensation from an employer for any furlough period;  
23 and (iii) make employee contributions required under Section  
24 15-157 based on the rate of basic compensation during the  
25 periods of furlough, plus an amount determined by the Board to

1 be equal to the employer's normal cost of the benefit, plus  
2 compounded interest at the actuarially assumed rate from the  
3 date of voluntary or involuntary furlough to the date of  
4 payment. The participant shall provide, at the time of  
5 application, written certification from the employer providing  
6 the total number of furlough days a participant has been  
7 required to take.

8 Section 90. The State Mandates Act is amended by adding  
9 Section 8.34 as follows:

10 (30 ILCS 805/8.34 new)

11 Sec. 8.34. Exempt mandate. Notwithstanding Sections 6 and 8  
12 of this Act, no reimbursement by the State is required for the  
13 implementation of any mandate created by this amendatory Act of  
14 the 96th General Assembly.

15 Section 99. Effective date. This Act takes effect upon  
16 becoming law."