



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB2779

Introduced 2/6/2025, by Rep. Stephanie A. Kifowit

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Pension Code. Provides that a Tier 2 investigator for the Department of the Lottery is entitled to an annuity under the alternative retirement annuity provisions only if the person has withdrawn from service with not less than 20 years of eligible creditable service and has attained age 55. Authorizes an investigator for the Department of the Lottery to establish eligible creditable service under the alternative retirement annuity provisions. Provides that a specified educational requirement for persons employed by the Department of Juvenile Justice shall no longer determine eligibility to earn eligible creditable service under the alternative retirement annuity provisions and authorizes the conversion of service credit to eligible creditable service. Establishes a deferred retirement option plan for certain police officers, firefighters, sheriff's law enforcement employees, and deputy sheriffs in the Cook County Police Department who are otherwise eligible to retire under which a participant may continue in active service for up to 5 years while having his or her retirement pension paid into a special account. Provides that the election to participate in the deferred retirement option plan must be made before January 1, 2030. Provides that the Retirement Systems Reciprocal Act (Article 20 of the Code) is adopted and made a part of the Downstate Police, Downstate Firefighter, Chicago Police, and Chicago Firefighter Articles. In the Chicago Teacher Article of the Code, makes changes to how days of validated service are computed. Amends the State Mandates Act to require implementation without reimbursement. Makes other changes.

LRB104 08605 RPS 18657 b

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

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, 14-152.1, and 17-114 and by
6 adding Sections 1-168, 3-144.3, 4-138.15, 5-240, and 6-232 as
7 follows:

8 (40 ILCS 5/1-160)

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

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

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

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

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

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

26 This Section does not apply to a person who elects under

1 subsection (c-5) of Section 1-161 to receive the benefits
2 under Section 1-161.

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

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

23 (1) (Blank).

24 (2) In Articles 8, 9, 10, 11, and 12, "highest average
25 annual salary for any 4 consecutive years within the last
26 10 years of service immediately preceding the date of

1 withdrawal".

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

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

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

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

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

13 (A) the amount otherwise calculated under the first
14 paragraph of this subsection; or

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

24 (b-5) Beginning on January 1, 2011, for all purposes under
25 this Code (including without limitation the calculation of
26 benefits and employee contributions), the annual earnings,

1 salary, or wages (based on the plan year) of a member or
2 participant to whom this Section applies shall not exceed
3 \$106,800; however, that amount shall annually thereafter be
4 increased by the lesser of (i) 3% of that amount, including all
5 previous adjustments, or (ii) one-half the annual unadjusted
6 percentage increase (but not less than zero) in the consumer
7 price index-u for the 12 months ending with the September
8 preceding each November 1, including all previous adjustments.

9 For the purposes of this Section, "consumer price index-u"
10 means the index published by the Bureau of Labor Statistics of
11 the United States Department of Labor that measures the
12 average change in prices of goods and services purchased by
13 all urban consumers, United States city average, all items,
14 1982-84 = 100. The new amount resulting from each annual
15 adjustment shall be determined by the Public Pension Division
16 of the Department of Insurance and made available to the
17 boards of the retirement systems and pension funds by November
18 1 of each year.

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

1 and benefit base established for the applicable year by the
2 Commissioner of the Social Security Administration under the
3 federal Social Security Act.

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

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

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

1 and has at least 10 years of service credit and is otherwise
2 eligible under the requirements of the applicable Article.

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

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

22 (d) The retirement annuity of a member or participant who
23 is retiring after attaining age 62 (age 60, with respect to
24 service under Article 12 that is subject to this Section, for a
25 member or participant under Article 12 who first becomes a
26 member or participant under Article 12 on or after January 1,

1 2022 or who makes the election under item (i) of subsection
2 (d-15) of this Section) with at least 10 years of service
3 credit shall be reduced by one-half of 1% for each full month
4 that the member's age is under age 67 (age 65, with respect to
5 service under Article 12 that is subject to this Section, for a
6 member or participant under Article 12 who first becomes a
7 member or participant under Article 12 on or after January 1,
8 2022 or who makes the election under item (i) of subsection
9 (d-15) of this Section).

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

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

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

1 11-170 of this Code (for service under Article 11); or

2 (ii) to not agree to item (i) of this subsection
3 (d-10), in which case the member or participant shall
4 continue to be subject to the retirement age provisions in
5 subsections (c) and (d) of this Section and the employee
6 contributions for age and service annuity as provided in
7 subsection (a) of Section 8-174 of this Code (for service
8 under Article 8) or subsection (a) of Section 11-170 of
9 this Code (for service under Article 11).

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

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

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

1 (ii) to not agree to item (i) of this subsection
2 (d-15), in which case the member or participant shall not
3 be eligible for the reduced retirement age specified in
4 subsections (c) and (d) of this Section and shall not be
5 subject to the increase in employee contributions for
6 service annuities specified in subsection (b) of Section
7 12-150.

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

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

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

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

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

21 (f) The initial survivor's or widow's annuity of an
22 otherwise eligible survivor or widow of a retired member or
23 participant who first became a member or participant on or
24 after January 1, 2011 shall be in the amount of 66 2/3% of the
25 retired member's or participant's retirement annuity at the
26 date of death. In the case of the death of a member or

1 participant who has not retired and who first became a member
2 or participant on or after January 1, 2011, eligibility for a
3 survivor's or widow's annuity shall be determined by the
4 applicable Article of this Code. The initial benefit shall be
5 66 2/3% of the earned annuity without a reduction due to age. A
6 child's annuity of an otherwise eligible child shall be in the
7 amount prescribed under each Article if applicable. Any
8 survivor's or widow's annuity shall be increased (1) on each
9 January 1 occurring on or after the commencement of the
10 annuity if the deceased member died while receiving a
11 retirement annuity or (2) in other cases, on each January 1
12 occurring after the first anniversary of the commencement of
13 the annuity. Each annual increase shall be calculated at 3% or
14 one-half the annual unadjusted percentage increase (but not
15 less than zero) in the consumer price index-u for the 12 months
16 ending with the September preceding each November 1, whichever
17 is less, of the originally granted survivor's annuity. If the
18 annual unadjusted percentage change in the consumer price
19 index-u for the 12 months ending with the September preceding
20 each November 1 is zero or there is a decrease, then the
21 annuity shall not be increased.

22 (g) The benefits in Section 14-110 apply if the person is a
23 fire fighter in the fire protection service of a department, a
24 security employee of the Department of Corrections or the
25 Department of Juvenile Justice, or a security employee of the
26 Department of Innovation and Technology, as those terms are

1 defined in subsection (b) and subsection (c) of Section
2 14-110. A person who meets the requirements of this Section is
3 entitled to an annuity calculated under the provisions of
4 Section 14-110, in lieu of the regular or minimum retirement
5 annuity, only if the person has withdrawn from service with
6 not less than 20 years of eligible creditable service and has
7 attained age 60, regardless of whether the attainment of age
8 60 occurs while the person is still in service.

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

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

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

24 If a person who first becomes a member of a retirement
25 system or pension fund subject to this Section on or after
26 January 1, 2012 and is receiving a retirement annuity or

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

17 (i) (Blank).

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

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

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

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

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

25 This Section does not apply to a person who first becomes a
26 noncovered employee under Article 14 on or after the

1 implementation date of the plan created under Section 1-161
2 for that Article, unless that person elects under subsection
3 (b) of Section 1-161 to instead receive the benefits provided
4 under this Section and the applicable provisions of that
5 Article.

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

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

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

23 (b) "Final average salary" means, except as otherwise
24 provided in this subsection, the average monthly (or annual)
25 salary obtained by dividing the total salary or earnings
26 calculated under the Article applicable to the member or

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

10 (1) (Blank).

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

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

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

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

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

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

26 (A) the amount otherwise calculated under the first

1 paragraph of this subsection; or

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

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

22 For the purposes of this Section, "consumer price index-u"
23 means the index published by the Bureau of Labor Statistics of
24 the United States Department of Labor that measures the
25 average change in prices of goods and services purchased by
26 all urban consumers, United States city average, all items,

1 1982-84 = 100. The new amount resulting from each annual
2 adjustment shall be determined by the Public Pension Division
3 of the Department of Insurance and made available to the
4 boards of the retirement systems and pension funds by November
5 1 of each year.

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

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

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

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

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

26 (c-5) A person who first becomes a member or a participant

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

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

23 (d-5) The retirement annuity payable under Article 8 or
24 Article 11 to an eligible person subject to subsection (c-5)
25 of this Section who is retiring at age 60 with at least 10
26 years of service credit shall be reduced by one-half of 1% for

1 each full month that the member's age is under age 65.

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

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

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

23 The election provided for in this subsection shall be made
24 between October 1, 2017 and November 15, 2017. A person
25 subject to this subsection who makes the required election
26 shall remain bound by that election. A person subject to this

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

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

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

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

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

1 made the election under item (ii).

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

24 For the purposes of Section 1-103.1 of this Code, the
25 changes made to this Section by Public Act 102-263 are
26 applicable without regard to whether the employee was in

1 active service on or after August 6, 2021 (the effective date
2 of Public Act 102-263).

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

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

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

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

1 the person is still in service.

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

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

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

20 (i) (Blank).

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

24 (Source: P.A. 102-16, eff. 6-17-21; 102-210, eff. 1-1-22;
25 102-263, eff. 8-6-21; 102-956, eff. 5-27-22; 103-529, eff.
26 8-11-23.)

1 (40 ILCS 5/1-168 new)

2 Sec. 1-168. Deferred retirement option plan.

3 (a) In this Section:

4 "Applicable pension fund or retirement system" means the
5 pension fund or retirement system established under Article 3,
6 4, 5, 6, 7, 9, 14, or 15 under which the eligible member or
7 DROP member participates.

8 "Deferred retirement option plan" or "DROP" means the plan
9 created under this Section that provides an alternative method
10 of benefit accrual in the pension fund or retirement system.

11 "DROP member" means an eligible member who makes an
12 election to participate in the DROP no later than January 1,
13 2030.

14 "Eligible member" means a participating member under a
15 pension fund or retirement system established under Article 3,
16 4, 5, 6, 7, 9, 14, or 15 who, at the time of the member's
17 election to participate in the DROP:

18 (1) is otherwise eligible to retire under the
19 applicable Article with a pension or annuity, as
20 determined by the retirement system or pension fund of
21 which the member is an active member at the time of the
22 election to participate in the DROP, under any of the
23 following provisions:

24 (A) Section 1-160 for service as a deputy sheriff
25 in the Cook County Police Department;

- 1 (B) Section 3-111;
2 (C) Section 4-109;
3 (D) Section 5-132;
4 (E) Section 5-238;
5 (F) Section 6-128;
6 (G) Section 6-229;
7 (H) Section 7-142.1;
8 (I) Section 9-128.1;
9 (J) Section 14-110 for eligible creditable service
10 as a State policeman or a fire fighter in the fire
11 protection service of a department; or
12 (K) Rule 4 of Section 15-136 for service as a
13 police officer;
14 (2) is not in receipt of a disability benefit or
15 retirement annuity from the applicable retirement system
16 or pension fund at the time of his or her election to
17 participate in the DROP;
18 (3) is actively employed as a police officer,
19 firefighter, policeman, fireman, sheriff's law enforcement
20 employee, deputy sheriff in the Cook County Police
21 Department, State policeman, or fire fighter in the fire
22 protection service of a department, as described or
23 defined under the applicable Article; and
24 (4) is not subject to mandatory retirement under the
25 law and will not become subject to mandatory retirement
26 under the law during participation in the DROP.

1 (b) The DROP shall be made available to eligible members
2 no later than January 1, 2027.

3 (c) Eligible members must make their election to
4 participate in the DROP in writing with the applicable pension
5 fund or retirement system in a form acceptable to the
6 applicable pension fund or retirement system. The applicable
7 pension fund or retirement system must process the election
8 and begin crediting an account on behalf of the DROP member as
9 soon as is practicable after the election has been received.

10 At the time of or prior to electing to participate in the
11 DROP, a member must, unless otherwise provided by law, make
12 all other elections required to be made at or before the date
13 of retirement, including, but not limited to, purchase of
14 optional service, election of an accelerated pension benefit
15 payment, or any other election identified by the retirement
16 system or pension fund.

17 (d) An eligible member may participate in the DROP for a
18 period not to exceed 5 years from the date of the eligible
19 member's election.

20 (e) During the period of the DROP member's participation
21 in the DROP, the applicable pension fund or retirement system
22 shall transfer and credit into a notional account on behalf of
23 the DROP member an amount equal to the monthly amount of
24 retirement annuity the DROP member would otherwise be eligible
25 to receive if the DROP member had retired on the date of the
26 election under this Section. A DROP member who is entitled to a

1 benefit from a participating system under the Retirement
2 Systems Reciprocal Act shall be eligible to have the benefit
3 the DROP member would have otherwise been eligible to receive
4 if the DROP member retired on the date of the election under
5 this Section deposited with the applicable pension fund or
6 retirement system in the DROP member's DROP account and
7 administered in a manner consistent with the requirements of
8 this Section. The applicable pension fund or retirement system
9 shall deduct any amounts required to be deducted under State
10 or federal law, including, but not limited to, payments
11 required under a Qualified Illinois Domestic Relations Order
12 under Section 1-119. Any automatic annual increases that would
13 have otherwise been applied to the DROP member's benefit if
14 the DROP member had elected to retire instead of participate
15 in the DROP shall accrue to the DROP member's monthly payment
16 placed into the account prior to the expiration of the DROP and
17 shall otherwise apply to the DROP member's annuity upon
18 expiration of the DROP. The account shall be held on behalf of
19 the DROP member.

20 (f) DROP members shall make contributions to the
21 applicable pension fund or retirement system during their
22 participation in the DROP in an amount equal to the employee
23 contributions under the applicable Article that would
24 otherwise be required if the DROP member were an active
25 participant of the applicable pension fund or retirement
26 system. Those amounts shall be credited to the member's DROP

1 account, minus any administrative costs determined by the
2 pension fund or retirement system to be attributable to the
3 administration of the DROP benefits experienced by the
4 applicable pension fund or retirement system.

5 (g) The amounts credited to the DROP account shall be held
6 in notional accounts by the applicable pension fund or
7 retirement system. The amounts in the DROP account shall
8 accrue interest based on the actual rate of return on
9 investment experienced by the applicable pension fund or
10 retirement system, as determined annually by the applicable
11 pension fund or retirement system. If, in any year, the actual
12 rate of return on investment experienced by the applicable
13 pension fund or retirement system is less than zero, the
14 interest accrual for that year shall be zero. The applicable
15 pension fund or retirement system shall reduce the amounts in
16 the DROP account on a schedule set by the applicable pension
17 fund or retirement system to cover all of the administrative
18 costs of the applicable pension fund or retirement system that
19 are deemed to be attributable to the administration of the
20 DROP account and any duties required under this Section.

21 (h) Upon expiration or termination of the DROP member's
22 participation in the DROP, the account balance shall be paid
23 to the DROP member as a lump sum. The applicable pension fund
24 or retirement system shall provide options for the transfer of
25 the account consistent with its fiduciary duty and any
26 applicable State or federal law. The expiration or termination

1 of a DROP member's participation in the DROP may not occur
2 after January 1, 2035.

3 (i) The DROP election is irrevocable, and the DROP member
4 may not, except as otherwise provided in this Section, access
5 the account prior to the date established as the last day of
6 the DROP when the DROP member made the initial election to
7 participate in the DROP. The DROP member must terminate
8 employment with the employer upon expiration of his or her
9 participation in the DROP. The DROP member's participation in
10 the DROP shall terminate prior to the expiration date:

11 (1) if the DROP member terminates employment with the
12 employer prior to the expiration of the designated DROP
13 period;

14 (2) if the DROP member becomes eligible for and begins
15 collecting a disability benefit from the pension fund or
16 retirement system; or

17 (3) upon the death of the DROP member.

18 Upon termination from the DROP, the member shall commence
19 his or her retirement annuity from the pension fund or
20 retirement system. After termination or expiration of a
21 member's participation in the DROP, the member may not
22 participate in employment in any way that would require the
23 member to become an active contributing member of the
24 retirement system or pension fund.

25 The applicable pension fund or retirement system may allow
26 for the payment of the balance of the DROP account prior to the

1 last date of participation in the DROP established by the DROP
2 member when the DROP member made the initial election to
3 participate in the DROP if (i) the member's participation in
4 the DROP terminated and (ii) the applicable pension fund or
5 retirement system determines the DROP member should have
6 access to the DROP account balance due to hardship or
7 necessity as determined by the applicable pension fund or
8 retirement system.

9 (j) A DROP member shall be considered in active service
10 for purposes of eligibility for death and disability benefits
11 and access to any health care benefits provided for by the
12 employer and shall retain all rights of employment as
13 established under the DROP member's collective bargaining
14 agreement.

15 The DROP member shall not accrue additional service credit
16 in the pension fund or retirement system while participating
17 in the DROP, regardless of any service accruals, future pay
18 increases, active cost of living adjustments, or promotions.
19 Additionally, the DROP member shall not be eligible to
20 purchase any optional service credit or to repay any refunds.

21 Eligibility for a surviving spouse benefit shall be
22 determined at the time of the DROP election.

23 Any amounts due to an alternate payee under a Qualified
24 Illinois Domestic Relations Order under Section 1-119 shall be
25 calculated at the time of the DROP election and such amounts
26 shall be payable at the time of election.

1 If the DROP member's designated beneficiary predeceases
2 the DROP member and the DROP member dies before designating a
3 new beneficiary, the DROP member's DROP account shall be paid
4 to the DROP member's estate.

5 When determining if a member is owed a refund of
6 contributions due to the member's death prior to collecting an
7 amount equal to or greater than the member's contributions,
8 the proceeds of the DROP account shall be considered part of
9 the total payment made to the member or the member's estate.

10 (k) It is intended that the DROP shall not jeopardize the
11 tax qualified status of the pension fund or retirement system.
12 The pension fund or retirement system shall have the authority
13 to adopt rules necessary or appropriate for the DROP to
14 maintain compliance with applicable federal laws and
15 regulations. Notwithstanding any other provision of this Code,
16 all benefits provided under the DROP shall be subject to the
17 requirements and limits of the Internal Revenue Code of 1986,
18 as amended.

19 (l) Each applicable pension fund or retirement system
20 shall be the administrator of the DROP plan created in this
21 Section. The administration shall be subject to any applicable
22 laws, and the pension fund or retirement system shall
23 administer the program in the best interest of the DROP
24 members in a way that a prudent person in a similar
25 circumstance would.

1 (40 ILCS 5/3-144.3 new)

2 Sec. 3-144.3. Retirement Systems Reciprocal Act. The
3 Retirement Systems Reciprocal Act, Article 20 of this Code, is
4 adopted and made a part of this Article, but only with respect
5 to a person who, on or after the effective date of this
6 amendatory Act of the 104th General Assembly, is entitled
7 under this Article or through a participating system under the
8 Retirement Systems Reciprocal Act, as defined in Section
9 20-108, to begin receiving a retirement annuity or survivor's
10 annuity (as those terms are defined in Article 20) and who
11 elects to proceed under the Retirement Systems Reciprocal Act.

12 (40 ILCS 5/4-138.15 new)

13 Sec. 4-138.15. Retirement Systems Reciprocal Act. The
14 Retirement Systems Reciprocal Act, Article 20 of this Code, is
15 adopted and made a part of this Article, but only with respect
16 to a person who, on or after the effective date of this
17 amendatory Act of the 104th General Assembly, is entitled
18 under this Article or through a participating system under the
19 Retirement Systems Reciprocal Act, as defined in Section
20 20-108, to begin receiving a retirement annuity or survivor's
21 annuity (as those terms are defined in Article 20) and who
22 elects to proceed under the Retirement Systems Reciprocal Act.

23 (40 ILCS 5/5-240 new)

24 Sec. 5-240. Retirement Systems Reciprocal Act. The

1 Retirement Systems Reciprocal Act, Article 20 of this Code, is
2 adopted and made a part of this Article, but only with respect
3 to a person who, on or after the effective date of this
4 amendatory Act of the 104th General Assembly, is entitled
5 under this Article or through a participating system under the
6 Retirement Systems Reciprocal Act, as defined in Section
7 20-108, to begin receiving a retirement annuity or survivor's
8 annuity (as those terms are defined in Article 20) and who
9 elects to proceed under the Retirement Systems Reciprocal Act.

10 (40 ILCS 5/6-232 new)

11 Sec. 6-232. Retirement Systems Reciprocal Act. The
12 Retirement Systems Reciprocal Act, Article 20 of this Code, is
13 adopted and made a part of this Article, but only with respect
14 to a person who, on or after the effective date of this
15 amendatory Act of the 104th General Assembly, is entitled
16 under this Article or through a participating system under the
17 Retirement Systems Reciprocal Act, as defined in Section
18 20-108, to begin receiving a retirement annuity or survivor's
19 annuity (as those terms are defined in Article 20) and who
20 elects to proceed under the Retirement Systems Reciprocal Act.

21 (40 ILCS 5/14-110) (from Ch. 108 1/2, par. 14-110)

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

23 Sec. 14-110. Alternative retirement annuity.

24 (a) Any member who has withdrawn from service with not

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

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

18 (ii) for periods of eligible creditable service as a
19 covered employee: if retirement occurs on or after January
20 1, 2001, 2.5% of final average compensation for each year
21 of creditable service; if retirement occurs before January
22 1, 2001, 1.67% of final average compensation for each of
23 the first 10 years of such service, 1.90% for each of the
24 next 10 years of such service, 2.10% for each year of such
25 service in excess of 20 but not exceeding 30, and 2.30% for
26 each year in excess of 30.

1 Such annuity shall be subject to a maximum of 75% of final
2 average compensation if retirement occurs before January 1,
3 2001 or to a maximum of 80% of final average compensation if
4 retirement occurs on or after January 1, 2001.

5 These rates shall not be applicable to any service
6 performed by a member as a covered employee which is not
7 eligible creditable service. Service as a covered employee
8 which is not eligible creditable service shall be subject to
9 the rates and provisions of Section 14-108.

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

13 (1) State policeman;

14 (2) fire fighter in the fire protection service of a
15 department;

16 (3) air pilot;

17 (4) special agent;

18 (5) investigator for the Secretary of State;

19 (6) conservation police officer;

20 (7) investigator for the Department of Revenue or the
21 Illinois Gaming Board;

22 (8) security employee of the Department of Human
23 Services;

24 (9) Central Management Services security police
25 officer;

26 (10) security employee of the Department of

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

16 A person employed in one of the positions specified in

17 this subsection is entitled to eligible creditable service for

18 service credit earned under this Article while undergoing the

19 basic police training course approved by the Illinois Law

20 Enforcement Training Standards Board, if completion of that

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

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

23 police training course shall be deemed performance of the

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

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

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

1 creditable service for service credit earned under this
2 Article on and after his or her transfer by Executive Order No.
3 2003-10, Executive Order No. 2004-2, or Executive Order No.
4 2016-1.

5 (c) For the purposes of this Section:

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

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

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

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

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

10 (5) The term "investigator for the Secretary of State"
11 means any person employed by the Office of the Secretary
12 of State and vested with such investigative duties as
13 render him ineligible for coverage under the Social
14 Security Act by reason of Sections 218(d)(5)(A),
15 218(d)(8)(D) and 218(1)(1) of that Act.

16 A person who became employed as an investigator for
17 the Secretary of State between January 1, 1967 and
18 December 31, 1975, and who has served as such until
19 attainment of age 60, either continuously or with a single
20 break in service of not more than 3 years duration, which
21 break terminated before January 1, 1976, shall be entitled
22 to have his retirement annuity calculated in accordance
23 with subsection (a), notwithstanding that he has less than
24 20 years of credit for such service.

25 (6) The term "Conservation Police Officer" means any
26 person employed by the Division of Law Enforcement of the

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

8 (7) The term "investigator for the Department of
9 Revenue" means any person employed by the Department of
10 Revenue and vested with such investigative duties as
11 render him 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 The term "investigator for the Illinois Gaming Board"
15 means any person employed as such by the Illinois Gaming
16 Board and vested with such peace officer duties as render
17 the person 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.

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

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

21 The changes made to this subdivision (c)(8) by Public
22 Act 92-14 apply to persons who retire on or after January
23 1, 2001, notwithstanding Section 1-103.1.

24 (9) "Central Management Services security police
25 officer" means any person employed by the Department of
26 Central Management Services who is vested with such law

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

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

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

1 Services.

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

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

19 (14) "Controlled substance inspector" means any person
20 who is employed as such by the Department of Professional
21 Regulation and is vested with such law enforcement duties
22 as 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. The term
25 "controlled substance inspector" includes the Program
26 Executive of Enforcement and the Assistant Program

1 Executive of Enforcement.

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

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

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

1 to persons with the same social security status earning
2 eligible creditable service on the date of application.

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

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

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

1 traffic.

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

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

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

1 of the Lottery.

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

10 (i) 25 years of eligible creditable service and age
11 55; or

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

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

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

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

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

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

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

18 (f) For purposes of calculating retirement annuities under
19 this Section, periods of service rendered after December 31,
20 1968 and before October 1, 1975 as a covered employee in the
21 position of special agent, conservation police officer, mental
22 health police officer, or investigator for the Secretary of
23 State, shall be deemed to have been service as a noncovered
24 employee, provided that the employee pays to the System prior
25 to retirement an amount equal to (1) the difference between
26 the employee contributions that would have been required for

1 such service as a noncovered employee, and the amount of
2 employee contributions actually paid, plus (2) if payment is
3 made after July 31, 1987, regular interest on the amount
4 specified in item (1) from the date of service to the date of
5 payment.

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

18 (g) A State policeman may elect, not later than January 1,
19 1990, to establish eligible creditable service for up to 10
20 years of his service as a policeman under Article 3, by filing
21 a written election with the Board, accompanied by payment of
22 an amount to be determined by the Board, equal to (i) the
23 difference between the amount of employee and employer
24 contributions transferred to the System under Section 3-110.5,
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), a State
5 policeman may elect, not later than July 1, 1993, to establish
6 eligible creditable service for up to 10 years of his service
7 as a member of the County Police Department under Article 9, by
8 filing a written election with the Board, accompanied by
9 payment of an amount to be determined by the Board, equal to
10 (i) the difference between the amount of employee and employer
11 contributions transferred to the System under Section 9-121.10
12 and the amounts that would have been contributed had those
13 contributions been made at the rates applicable to State
14 policemen, plus (ii) interest thereon at the effective rate
15 for each year, compounded annually, from the date of service
16 to the date of payment.

17 (h) Subject to the limitation in subsection (i), a State
18 policeman or investigator for the Secretary of State may elect
19 to establish eligible creditable service for up to 12 years of
20 his service as a policeman under Article 5, by filing a written
21 election with the Board on or before January 31, 1992, and
22 paying to the System by January 31, 1994 an amount to be
23 determined by the Board, equal to (i) the difference between
24 the amount of employee and employer contributions transferred
25 to the System under Section 5-236, and the amounts that would
26 have been contributed had such contributions been made at the

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

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

18 Subject to the limitation in subsection (i), a State
19 policeman, conservation police officer, or investigator for
20 the Secretary of State may elect to establish eligible
21 creditable service for up to 5 years of service as a police
22 officer under Article 3, a policeman under Article 5, a
23 sheriff's law enforcement employee under Article 7, a member
24 of the county police department under Article 9, or a police
25 officer under Article 15 by filing a written election with the
26 Board and paying to the System an amount to be determined by

1 the Board, equal to (i) the difference between the amount of
2 employee and employer contributions transferred to the System
3 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4
4 and the amounts that would have been contributed had such
5 contributions been made at the rates applicable to State
6 policemen, plus (ii) interest thereon at the effective rate
7 for each year, compounded annually, from the date of service
8 to the date of payment.

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

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

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

1 officer under Article 9, or a firefighter under Article 4 by
2 filing a written election with the Board within 6 months after
3 July 30, 2021 (the effective date of Public Act 102-210) and
4 paying to the System an amount to be determined by the Board
5 equal to (i) the difference between the amount of employee and
6 employer contributions transferred to the System under
7 Sections 4-108.8, 7-139.8, and 9-121.10 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 actuarially assumed rate for each year,
11 compounded annually, from the date of service to the date of
12 payment.

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

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

24 (j) Subject to the limitation in subsection (i), an
25 investigator for the Office of the State's Attorneys Appellate
26 Prosecutor or a controlled substance inspector may elect to

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

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

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

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

23 (1-5) Subject to the limitation in subsection (i) of this
24 Section, a State policeman may elect to establish eligible
25 creditable service for up to 5 years of service as a full-time
26 law enforcement officer employed by the federal government or

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

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

1 subsection (b) of Section 3-2.5-15 of the Unified Code of
2 Corrections to have any bachelor's or advanced degree from an
3 accredited college or university or, in the case of persons
4 who provide vocational training, who are required to have
5 adequate knowledge in the skill for which they are providing
6 the vocational training.

7 Beginning with the pay period that immediately follows the
8 effective date of this amendatory Act of the 104th General
9 Assembly, the bachelor's or advanced degree requirement of
10 subsection (b) of Section 3-2.5-15 of the Unified Code of
11 Corrections shall no longer determine the eligibility to earn
12 eligible creditable service for a person employed by the
13 Department of Juvenile Justice.

14 An employee may elect to convert into eligible creditable
15 service his or her creditable service earned with the
16 Department of Juvenile Justice while employed in a position
17 that required the employee to do any one or more of the
18 following: (1) participate or assist in the rehabilitative and
19 vocational training of delinquent youths; (2) supervise the
20 daily activities and assume direct and continuing
21 responsibility for the youth's security, welfare, and
22 development; or (3) participate in the personal rehabilitation
23 of delinquent youth by training, supervising, and assisting
24 lower-level personnel. To convert that creditable service to
25 eligible creditable service, the employee must pay to the
26 System the difference between the employee contributions

1 actually paid for that service and the amounts that would have
2 been contributed if the applicant were contributing at the
3 rate applicable to persons with the same Social Security
4 status earning eligible creditable service on the date of
5 application.

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

17 (o) Subject to the limitation in subsection (i), a
18 conservation police officer, investigator for the Secretary of
19 State, Commerce Commission police officer, investigator for
20 the Department of Revenue or the Illinois Gaming Board, or
21 arson investigator subject to subsection (g) of Section 1-160
22 may elect to convert up to 8 years of service credit
23 established before January 1, 2020 (the effective date of
24 Public Act 101-610) as a conservation police officer,
25 investigator for the Secretary of State, Commerce Commission
26 police officer, investigator for the Department of Revenue or

1 the Illinois Gaming Board, or arson investigator under this
2 Article into eligible creditable service by filing a written
3 election with the Board no later than one year after January 1,
4 2020 (the effective date of Public Act 101-610), accompanied
5 by payment of an amount to be determined by the Board equal to
6 (i) the difference between the amount of the employee
7 contributions actually paid for that service and the amount of
8 the employee contributions that would have been paid had the
9 employee contributions been made as a noncovered employee
10 serving in a position in which eligible creditable service, as
11 defined in this Section, may be earned, plus (ii) interest
12 thereon at the effective rate for each year, compounded
13 annually, from the date of service to the date of payment.

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

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

17 Sec. 14-110. Alternative retirement annuity.

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

1 a retirement annuity computed as follows:

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

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

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

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

1 which is not eligible creditable service shall be subject to
2 the rates and provisions of Section 14-108.

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

6 (1) State policeman;

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

9 (3) air pilot;

10 (4) special agent;

11 (5) investigator for the Secretary of State;

12 (6) conservation police officer;

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

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

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

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

21 (11) dangerous drugs investigator;

22 (12) investigator for the Illinois State Police;

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

25 (14) controlled substance inspector;

26 (15) investigator for the Office of the State's

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

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

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

24 (c) For the purposes of this Section:

25 (1) The term "State policeman" includes any title or
26 position in the Illinois State Police that is held by an

1 individual employed under the Illinois State Police Act.

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

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

16 (4) The term "special agent" means any person who by
17 reason of employment by the Division of Narcotic Control,
18 the Bureau of Investigation or, after July 1, 1977, the
19 Division of Criminal Investigation, the Division of
20 Internal Investigation, the Division of Operations, the
21 Division of Patrol, or any other Division or
22 organizational entity in the Illinois State Police is
23 vested by law with duties to maintain public order,
24 investigate violations of the criminal law of this State,
25 enforce the laws of this State, make arrests and recover
26 property. The term "special agent" 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 (5) The term "investigator for the Secretary of State"
4 means any person employed by the Office of the Secretary
5 of State 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 A person who became employed as an investigator for
10 the Secretary of State between January 1, 1967 and
11 December 31, 1975, and who has served as such until
12 attainment of age 60, either continuously or with a single
13 break in service of not more than 3 years duration, which
14 break terminated before January 1, 1976, shall be entitled
15 to have his retirement annuity calculated in accordance
16 with subsection (a), notwithstanding that he has less than
17 20 years of credit for such service.

18 (6) The term "Conservation Police Officer" means any
19 person employed by the Division of Law Enforcement of the
20 Department of Natural Resources and 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. The
24 term "Conservation Police Officer" includes the positions
25 of Chief Conservation Police Administrator and Assistant
26 Conservation Police Administrator.

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

7 The term "investigator for the Illinois Gaming Board"
8 means any person employed as such by the Illinois Gaming
9 Board and vested with such peace officer 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.

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

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

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

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

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

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

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

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

1 218(d)(8)(D) and 218(1)(1) of that Act.

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

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

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

26 (16) "Commerce Commission police officer" means any

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

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

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

24 (i) A person employed on a full-time basis by the
25 Illinois Department of Transportation in the position
26 of highway maintainer, highway maintenance lead

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

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

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

1 job functions under that Department.

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

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

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

1 he or she meets the following minimum age and service
2 requirements at the time of retirement:

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

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

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

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

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

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

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

1 establishing such eligibility, and not for the purpose of
2 increasing or calculating any benefit.

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

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

25 For purposes of calculating retirement annuities under
26 this Section, periods of service rendered after December 31,

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

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

23 Subject to the limitation in subsection (i), a State
24 policeman may elect, not later than July 1, 1993, to establish
25 eligible creditable service for up to 10 years of his service
26 as a member of the County Police Department under Article 9, by

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

10 (h) Subject to the limitation in subsection (i), a State
11 policeman or investigator for the Secretary of State may elect
12 to establish eligible creditable service for up to 12 years of
13 his service as a policeman under Article 5, by filing a written
14 election with the Board on or before January 31, 1992, and
15 paying to the System by January 31, 1994 an amount to be
16 determined by the Board, equal to (i) the difference between
17 the amount of employee and employer contributions transferred
18 to the System under Section 5-236, and the amounts that would
19 have been contributed had such contributions been made at the
20 rates applicable to State policemen, 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 Subject to the limitation in subsection (i), a State
24 policeman, conservation police officer, or investigator for
25 the Secretary of State may elect to establish eligible
26 creditable service for up to 10 years of service as a sheriff's

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

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

1 to the date of payment.

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

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

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

14 Subject to the limitation in subsection (i), a State
15 policeman, arson investigator, or Commerce Commission police
16 officer may elect to establish eligible creditable service for
17 up to 5 years of service as a person employed by a
18 participating municipality to perform police duties under
19 Article 7, a county corrections officer, a court services
20 officer under Article 9, or a firefighter under Article 4 by
21 filing a written election with the Board within 6 months after
22 July 30, 2021 (the effective date of Public Act 102-210) and
23 paying to the System an amount to be determined by the Board
24 equal to (i) the difference between the amount of employee and
25 employer contributions transferred to the System under
26 Sections 4-108.8, 7-139.8, and 9-121.10 and the amounts that

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

6 Subject to the limitation in subsection (i), a
7 conservation police officer may elect to establish eligible
8 creditable service for up to 5 years of service as a person
9 employed by a participating municipality to perform police
10 duties under Article 7, a county corrections officer, or a
11 court services officer under Article 9 by filing a written
12 election with the Board within 6 months after July 30, 2021
13 (the effective date of Public Act 102-210) and paying to the
14 System an amount to be determined by the Board equal to (i) the
15 difference between the amount of employee and employer
16 contributions transferred to the System under Sections 7-139.8
17 and 9-121.10 and the amounts that would have been contributed
18 had such contributions been made at the rates applicable to
19 State 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), an
23 investigator for the Department of Revenue, investigator for
24 the Illinois Gaming Board, investigator for the Secretary of
25 State, or arson investigator may elect to establish eligible
26 creditable service for up to 5 years of service as a person

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

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

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

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

1 each year, compounded annually, from the date of service to
2 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 104th 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 (Source: P.A. 102-210, eff. 7-30-21; 102-538, eff. 8-20-21;
24 102-856, eff. 1-1-23; 103-34, eff. 1-1-24.)

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

1 Sec. 14-110. Alternative retirement annuity.

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

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

20 (ii) for periods of eligible creditable service as a
21 covered employee: if retirement occurs on or after January
22 1, 2001, 2.5% of final average compensation for each year
23 of creditable service; if retirement occurs before January
24 1, 2001, 1.67% of final average compensation for each of
25 the first 10 years of such service, 1.90% for each of the
26 next 10 years of such service, 2.10% for each year of such

1 service in excess of 20 but not exceeding 30, and 2.30% for
2 each year in excess of 30.

3 Such annuity shall be subject to a maximum of 75% of final
4 average compensation if retirement occurs before January 1,
5 2001 or to a maximum of 80% of final average compensation if
6 retirement occurs on or after January 1, 2001.

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

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

15 (1) State policeman;

16 (2) fire fighter in the fire protection service of a
17 department;

18 (3) air pilot;

19 (4) special agent;

20 (5) investigator for the Secretary of State;

21 (6) conservation police officer;

22 (7) investigator for the Department of Revenue or the
23 Illinois Gaming Board;

24 (8) security employee of the Department of Human
25 Services;

26 (9) Central Management Services security police

1 officer;

2 (10) security employee of the Department of
3 Corrections or the Department of Juvenile Justice;

4 (11) dangerous drugs investigator;

5 (12) investigator for the Illinois State Police;

6 (13) investigator for the Office of the Attorney
7 General;

8 (14) controlled substance inspector;

9 (15) investigator for the Office of the State's
10 Attorneys Appellate Prosecutor;

11 (16) Commerce Commission police officer;

12 (17) arson investigator;

13 (18) State highway maintenance worker;

14 (19) security employee of the Department of Innovation
15 and Technology; ~~or~~

16 (20) transferred employee; or ~~or~~

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

18 A person employed in one of the positions specified in
19 this subsection is entitled to eligible creditable service for
20 service credit earned under this Article while undergoing the
21 basic police training course approved by the Illinois Law
22 Enforcement Training Standards Board, if completion of that
23 training is required of persons serving in that position. For
24 the purposes of this Code, service during the required basic
25 police training course shall be deemed performance of the
26 duties of the specified position, even though the person is

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

2 A person under paragraph (20) is entitled to eligible
3 creditable service for service credit earned under this
4 Article on and after his or her transfer by Executive Order No.
5 2003-10, Executive Order No. 2004-2, or Executive Order No.
6 2016-1.

7 (c) For the purposes of this Section:

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

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

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

25 (4) The term "special agent" means any person who by
26 reason of employment by the Division of Narcotic Control,

1 the Bureau of Investigation or, after July 1, 1977, the
2 Division of Criminal Investigation, the Division of
3 Internal Investigation, the Division of Operations, the
4 Division of Patrol, or any other Division or
5 organizational entity in the Illinois State Police is
6 vested by law with duties to maintain public order,
7 investigate violations of the criminal law of this State,
8 enforce the laws of this State, make arrests and recover
9 property. The term "special agent" includes any title or
10 position in the Illinois State Police that is held by an
11 individual employed under the Illinois State Police Act.

12 (5) The term "investigator for the Secretary of State"
13 means any person employed by the Office of the Secretary
14 of State and vested with such investigative duties as
15 render him ineligible for coverage under the Social
16 Security Act by reason of Sections 218(d)(5)(A),
17 218(d)(8)(D) and 218(1)(1) of that Act.

18 A person who became employed as an investigator for
19 the Secretary of State between January 1, 1967 and
20 December 31, 1975, and who has served as such until
21 attainment of age 60, either continuously or with a single
22 break in service of not more than 3 years duration, which
23 break terminated before January 1, 1976, shall be entitled
24 to have his retirement annuity calculated in accordance
25 with subsection (a), notwithstanding that he has less than
26 20 years of credit for such service.

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

10 (7) The term "investigator for the Department of
11 Revenue" means any person employed by the Department of
12 Revenue and vested with such investigative duties as
13 render him ineligible for coverage under the Social
14 Security Act by reason of Sections 218(d)(5)(A),
15 218(d)(8)(D) and 218(1)(1) of that Act.

16 The term "investigator for the Illinois Gaming Board"
17 means any person employed as such by the Illinois Gaming
18 Board and vested with such peace officer duties as render
19 the person ineligible for coverage under the Social
20 Security Act by reason of Sections 218(d)(5)(A),
21 218(d)(8)(D), and 218(1)(1) of that Act.

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

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

23 The changes made to this subdivision (c)(8) by Public
24 Act 92-14 apply to persons who retire on or after January
25 1, 2001, notwithstanding Section 1-103.1.

26 (9) "Central Management Services security police

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

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

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

4 (12) The term "investigator for the Illinois State
5 Police" means a person employed by the Illinois State
6 Police who is vested under Section 4 of the Narcotic
7 Control Division Abolition Act with such law enforcement
8 powers as render him ineligible for coverage under the
9 Social Security Act by reason of Sections 218(d)(5)(A),
10 218(d)(8)(D) and 218(1)(1) of that Act.

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

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

1 "controlled substance inspector" includes the Program
2 Executive of Enforcement and the Assistant Program
3 Executive of Enforcement.

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

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

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

1 service and the amounts that would have been contributed
2 if the applicant were contributing at the rate applicable
3 to persons with the same social security status earning
4 eligible creditable service on the date of application.

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

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

17 (ii) A person employed on a full-time basis by the
18 Illinois State Toll Highway Authority in the position
19 of equipment operator/laborer H-4, equipment
20 operator/laborer H-6, welder H-4, welder H-6,
21 mechanical/electrical H-4, mechanical/electrical H-6,
22 water/sewer H-4, water/sewer H-6, sign maker/hanger
23 H-4, sign maker/hanger H-6, roadway lighting H-4,
24 roadway lighting H-6, structural H-4, structural H-6,
25 painter H-4, or painter H-6; and whose principal
26 responsibility is to perform, on the roadway, the

1 actual maintenance necessary to keep the Authority's
2 tollways in serviceable condition for vehicular
3 traffic.

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

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

18 (21) "Investigator for the Department of the Lottery"
19 means any person who is employed by the Department of the
20 Lottery and is vested with such investigative duties which
21 render him or her ineligible for coverage under the Social
22 Security Act by reason of Sections 218(d)(5)(A),
23 218(d)(8)(D), and 218(1)(1) of that Act. An investigator
24 for the Department of the Lottery who qualifies under this
25 Section shall earn eligible creditable service and be
26 required to make contributions at the rate specified in

1 paragraph (3) of subsection (a) of Section 14-133 for all
2 periods of service as an investigator for the Department
3 of the Lottery.

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

12 (i) 25 years of eligible creditable service and age
13 55; or

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

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

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

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

26 (vi) beginning January 1, 1991, 25 years of eligible

1 creditable service and age 50, or 20 years of eligible
2 creditable service and age 55.

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

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

20 (f) For purposes of calculating retirement annuities under
21 this Section, periods of service rendered after December 31,
22 1968 and before October 1, 1975 as a covered employee in the
23 position of special agent, conservation police officer, mental
24 health police officer, or investigator for the Secretary of
25 State, shall be deemed to have been service as a noncovered
26 employee, provided that the employee pays to the System prior

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

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

20 (g) A State policeman may elect, not later than January 1,
21 1990, to establish eligible creditable service for up to 10
22 years of his service as a policeman under Article 3, by filing
23 a written election with the Board, accompanied by payment of
24 an amount to be determined by the Board, equal to (i) the
25 difference between the amount of employee and employer
26 contributions transferred to the System under Section 3-110.5,

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

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

1 to the System under Section 5-236, and the amounts that would
2 have been contributed had such contributions been made at the
3 rates applicable to State policemen, plus (ii) interest
4 thereon at the effective rate for each year, compounded
5 annually, from the date of service to the date of payment.

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

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

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

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

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

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

15 Subject to the limitation in subsection (i), a
16 conservation police officer may elect to establish eligible
17 creditable service for up to 5 years of service as a person
18 employed by a participating municipality to perform police
19 duties under Article 7, a county corrections officer, or a
20 court services officer under Article 9 by filing a written
21 election with the Board within 6 months after July 30, 2021
22 (the effective date of Public Act 102-210) and paying to the
23 System an amount to be determined by the Board equal to (i) the
24 difference between the amount of employee and employer
25 contributions transferred to the System under Sections 7-139.8
26 and 9-121.10 and the amounts that would have been contributed

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

5 Notwithstanding the limitation in subsection (i), a State
6 policeman or conservation police officer may elect to convert
7 service credit earned under this Article to eligible
8 creditable service, as defined by this Section, by filing a
9 written election with the board within 6 months after July 30,
10 2021 (the effective date of Public Act 102-210) and paying to
11 the System an amount to be determined by the Board equal to (i)
12 the difference between the amount of employee contributions
13 originally paid for that service and the amounts that would
14 have been contributed had such contributions been made at the
15 rates applicable to State policemen, plus (ii) the difference
16 between the employer's normal cost of the credit prior to the
17 conversion authorized by Public Act 102-210 and the employer's
18 normal cost of the credit converted in accordance with Public
19 Act 102-210, plus (iii) 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 (i) The total amount of eligible creditable service
23 established by any person under subsections (g), (h), (j),
24 (k), (l), (l-5), (o), and (p) of this Section shall not exceed
25 12 years.

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

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

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

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

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

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

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

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

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

9 Beginning with the pay period that immediately follows the
10 effective date of this amendatory Act of the 104th General
11 Assembly, the bachelor's or advanced degree requirement of
12 subsection (b) of Section 3-2.5-15 of the Unified Code of
13 Corrections shall no longer determine the eligibility to earn
14 eligible creditable service for a person employed by the
15 Department of Juvenile Justice.

16 An employee may elect to convert into eligible creditable
17 service his or her creditable service earned with the
18 Department of Juvenile Justice while employed in a position
19 that required the employee to do any one or more of the
20 following: (1) participate or assist in the rehabilitative and
21 vocational training of delinquent youths; (2) supervise the
22 daily activities and assume direct and continuing
23 responsibility for the youth's security, welfare, and
24 development; or (3) participate in the personal rehabilitation
25 of delinquent youth by training, supervising, and assisting
26 lower-level personnel. To convert that creditable service to

1 eligible creditable service, the employee must pay to the
2 System the difference between the employee contributions
3 actually paid for that service and the amounts that would have
4 been contributed if the applicant were contributing at the
5 rate applicable to persons with the same Social Security
6 status earning eligible creditable service on the date of
7 application.

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

19 (o) Subject to the limitation in subsection (i), a
20 conservation police officer, investigator for the Secretary of
21 State, Commerce Commission police officer, investigator for
22 the Department of Revenue or the Illinois Gaming Board, or
23 arson investigator subject to subsection (g) of Section 1-160
24 may elect to convert up to 8 years of service credit
25 established before January 1, 2020 (the effective date of
26 Public Act 101-610) as a conservation police officer,

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

16 (p) Subject to the limitation in subsection (i), an
17 investigator for the Office of the Attorney General subject to
18 subsection (g) of Section 1-160 may elect to convert up to 8
19 years of service credit established before the effective date
20 of this amendatory Act of the 102nd General Assembly as an
21 investigator for the Office of the Attorney General under this
22 Article into eligible creditable service by filing a written
23 election with the Board no later than one year after the
24 effective date of this amendatory Act of the 102nd General
25 Assembly, accompanied by payment of an amount to be determined
26 by the Board equal to (i) the difference between the amount of

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

9 (Source: P.A. 102-210, eff. 7-30-21; 102-538, eff. 8-20-21;
10 102-956, eff. 5-27-22; 103-34, eff. 1-1-24.)

11 (40 ILCS 5/14-152.1)

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

14 (a) As used in this Section, "new benefit increase" means
15 an increase in the amount of any benefit provided under this
16 Article, or an expansion of the conditions of eligibility for
17 any benefit under this Article, that results from an amendment
18 to this Code that takes effect after June 1, 2005 (the
19 effective date of Public Act 94-4). "New benefit increase",
20 however, does not include any benefit increase resulting from
21 the changes made to Article 1 or this Article by Public Act
22 96-37, Public Act 100-23, Public Act 100-587, Public Act
23 100-611, Public Act 101-10, Public Act 101-610, Public Act
24 102-210, Public Act 102-856, Public Act 102-956, or this
25 amendatory Act of the 104th General Assembly ~~this amendatory~~

1 ~~Act of the 102nd General Assembly.~~

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

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

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

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

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

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

20 (40 ILCS 5/17-114) (from Ch. 108 1/2, par. 17-114)

21 Sec. 17-114. Computation of service.

22 (a) When computing days of validated service, contributors
23 shall receive the greater of: (1) one day of service credit for
24 each day for which they are paid salary representing a partial
25 or a full day of employment rendered to an Employer or the

1 Board; or (2) 10 days of service credit for each 10-day period
2 of employment in which the contributor worked 50% or more of
3 the regularly scheduled hours.

4 (b) When computing months of validated service, 17 or more
5 days of service rendered to an Employer or the Board in a
6 calendar month shall entitle a contributor to one month of
7 service credit for purposes of this Article.

8 (c) When computing years of validated service rendered,
9 170 or more days of service in a fiscal year or 10 or more
10 months of service in a fiscal year shall constitute one year of
11 service credit.

12 (d) Notwithstanding subsections (b) and (c) of this
13 Section, validated service in any fiscal year shall be that
14 fraction of a year equal to the ratio of the number of days of
15 service to 170 days.

16 (e) For purposes of this Section, no contributor shall
17 earn (i) more than one year of service credit per fiscal year,
18 (ii) more than one day of service credit per calendar day, or
19 (iii) more than 10 days of service credit in a 2 calendar week
20 period as determined by the Fund.

21 (Source: P.A. 99-176, eff. 7-29-15.)

22 Section 90. The State Mandates Act is amended by adding
23 Section 8.49 as follows:

24 (30 ILCS 805/8.49 new)

1 Sec. 8.49. Exempt mandate. Notwithstanding Sections 6 and
2 8 of this Act, no reimbursement by the State is required for
3 the implementation of any mandate created by this amendatory
4 Act of the 104th General Assembly.

1 INDEX

2 Statutes amended in order of appearance

3 40 ILCS 5/1-160

4 40 ILCS 5/1-168 new

5 40 ILCS 5/3-144.3 new

6 40 ILCS 5/4-138.15 new

7 40 ILCS 5/5-240 new

8 40 ILCS 5/6-232 new

9 40 ILCS 5/14-110 from Ch. 108 1/2, par. 14-110

10 40 ILCS 5/14-152.1

11 40 ILCS 5/17-114 from Ch. 108 1/2, par. 17-114

12 30 ILCS 805/8.49 new