



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB0183

Introduced 1/17/2025, by Sen. Terri Bryant

SYNOPSIS AS INTRODUCED:

40 ILCS 5/1-160

40 ILCS 5/14-110

40 ILCS 5/14-152.1

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

Amends the General Provisions and State Employee Articles of the Illinois Pension Code. Provides that the alternative retirement annuity under the State Employee Article applies to a security employee of the Department of Human Services subject to the Tier 2 provisions. Provides that a security employee of the Department of Human Services subject to the Tier 2 provisions may convert up to 8 years of service credit established before the effective date of the amendatory Act as a security employee of the Department of Human Services under the State Employee Article into eligible creditable service by filing a written election with the Board under that Article, accompanied by a specified payment. Excludes a benefit increase resulting from the amendatory Act from the definition of "new benefit increase". Effective immediately.

LRB104 05826 RPS 15857 b

1 AN ACT concerning public employee benefits.

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

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

6 (40 ILCS 5/1-160)

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

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

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

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

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

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

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

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

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

21 (1) (Blank).

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

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

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

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

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

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

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

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

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

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

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

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

1 federal Social Security Act.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8 (g-5) The benefits in Section 14-110 apply if the person
9 is a State policeman, investigator for the Secretary of State,
10 conservation police officer, investigator for the Department
11 of Revenue or the Illinois Gaming Board, investigator for the
12 Office of the Attorney General, Commerce Commission police
13 officer, or arson investigator, as those terms are defined in
14 subsection (b) and subsection (c) of Section 14-110. A person
15 who meets the requirements of this Section is entitled to an
16 annuity calculated under the provisions of Section 14-110, in
17 lieu of the regular or minimum retirement annuity, only if the
18 person has withdrawn from service with not less than 20 years
19 of eligible creditable service and has attained age 55,
20 regardless of whether the attainment of age 55 occurs while
21 the person is still in service.

22 (h) If a person who first becomes a member or a participant
23 of a retirement system or pension fund subject to this Section
24 on or after January 1, 2011 is receiving a retirement annuity
25 or retirement pension under that system or fund and becomes a
26 member or participant under any other system or fund created

1 by this Code and is employed on a full-time basis, except for
2 those members or participants exempted from the provisions of
3 this Section under subsection (a) of this Section, then the
4 person's retirement annuity or retirement pension under that
5 system or fund shall be suspended during that employment. Upon
6 termination of that employment, the person's retirement
7 annuity or retirement pension payments shall resume and be
8 recalculated if recalculation is provided for under the
9 applicable Article of this Code.

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

1 retirement pension payments shall resume and, if appropriate,
2 be recalculated under the applicable provisions of this Code.

3 (i) (Blank).

4 (j) In the case of a conflict between the provisions of
5 this Section and any other provision of this Code, the
6 provisions of this Section shall control.

7 (Source: P.A. 101-610, eff. 1-1-20; 102-16, eff. 6-17-21;
8 102-210, eff. 1-1-22; 102-263, eff. 8-6-21; 102-719, eff.
9 5-6-22; 103-529, eff. 8-11-23.)

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

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

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

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

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

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

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

1 under Section 1-161.

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

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

22 (1) (Blank).

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

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

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

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

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

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

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

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

23 (b-5) Beginning on January 1, 2011, for all purposes under
24 this Code (including without limitation the calculation of
25 benefits and employee contributions), the annual earnings,
26 salary, or wages (based on the plan year) of a member or

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

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

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

1 Commissioner of the Social Security Administration under the
2 federal Social Security Act.

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

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

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

1 eligible under the requirements of the applicable Article.

2 A member or participant who has attained age 62 (age 60,
3 with respect to service under Article 12 that is subject to
4 this 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) of this Section) and has at least 10 years
8 of service credit and is otherwise eligible under the
9 requirements of the applicable Article may elect to receive
10 the lower retirement annuity provided in subsection (d) of
11 this Section.

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

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

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

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

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

19 (i) to be eligible for the reduced retirement age
20 provided in subsections (c-5) and (d-5) of this Section,
21 the eligibility for which is conditioned upon the member
22 or participant agreeing to the increases in employee
23 contributions for age and service annuities provided in
24 subsection (a-5) of Section 8-174 of this Code (for
25 service under Article 8) or subsection (a-5) of Section
26 11-170 of this Code (for service under Article 11); or

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

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

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

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

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

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

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

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

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

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

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

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

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

21 (g) The benefits in Section 14-110 apply only if the
22 person is a State policeman, a fire fighter in the fire
23 protection service of a department, a conservation police
24 officer, an investigator for the Secretary of State, an arson
25 investigator, a Commerce Commission police officer,
26 investigator for the Department of Revenue or the Illinois

1 Gaming Board, a security employee of the Department of
2 Corrections or the Department of Juvenile Justice, a security
3 employee of the Department of Human Services, or a security
4 employee of the Department of Innovation and Technology, as
5 those terms are defined in subsection (b) and subsection (c)
6 of Section 14-110. A person who meets the requirements of this
7 Section is entitled to an annuity calculated under the
8 provisions of Section 14-110, in lieu of the regular or
9 minimum retirement annuity, only if the person has withdrawn
10 from service with not less than 20 years of eligible
11 creditable service and has attained age 60, regardless of
12 whether the attainment of age 60 occurs while the person is
13 still in service.

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

1 applicable Article of this Code.

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

21 (i) (Blank).

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

25 (Source: P.A. 101-610, eff. 1-1-20; 102-16, eff. 6-17-21;
26 102-210, eff. 1-1-22; 102-263, eff. 8-6-21; 102-813, eff.

1 5-13-22; 103-529, eff. 8-11-23.)

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

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

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

1 date of Public Act 96-889), notwithstanding the provisions of
2 Section 1-103.1 of this Code.

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

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

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

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

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

14 (1) (Blank).

15 (2) In Articles 8, 9, 10, 11, and 12, "highest average
16 annual salary for any 4 consecutive years within the last
17 10 years of service immediately preceding the date of
18 withdrawal".

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

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

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

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

24 A member of the Teachers' Retirement System of the State
25 of Illinois who retires on or after June 1, 2021 and for whom
26 the 2020-2021 school year is used in the calculation of the

1 member's final average salary shall use the higher of the
2 following for the purpose of determining the member's final
3 average salary:

4 (A) the amount otherwise calculated under the first
5 paragraph of this subsection; or

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

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

26 For the purposes of this Section, "consumer price index-u"

1 means the index published by the Bureau of Labor Statistics of
2 the United States Department of Labor that measures the
3 average change in prices of goods and services purchased by
4 all urban consumers, United States city average, all items,
5 1982-84 = 100. The new amount resulting from each annual
6 adjustment shall be determined by the Public Pension Division
7 of the Department of Insurance and made available to the
8 boards of the retirement systems and pension funds by November
9 1 of each year.

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

21 However, in no event shall the annual earnings, salary, or
22 wages for the purposes of this Article and Article 9 exceed any
23 limitation imposed on annual earnings, salary, or wages under
24 Section 1-117. Under no circumstances shall the maximum amount
25 of annual earnings, salary, or wages be greater than the
26 amount set forth in this subsection (b-10) as a result of

1 reciprocal service or any provisions regarding reciprocal
2 services, nor shall the Fund under Article 9 be required to pay
3 any refund as a result of the application of this maximum
4 annual earnings, salary, and wage cap.

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

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

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

1 requirements of the applicable Article may elect to receive
2 the lower retirement annuity provided in subsection (d) of
3 this Section.

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

13 (d) The retirement annuity of a member or participant who
14 is retiring after attaining age 62 (age 60, with respect to
15 service under Article 12 that is subject to this Section, for a
16 member or participant under Article 12 who first becomes a
17 member or participant under Article 12 on or after January 1,
18 2022 or who makes the election under item (i) of subsection
19 (d-15) of this Section) with at least 10 years of service
20 credit shall be reduced by one-half of 1% for each full month
21 that the member's age is under age 67 (age 65, with respect to
22 service under Article 12 that is subject to this Section, for a
23 member or participant under Article 12 who first becomes a
24 member or participant under Article 12 on or after January 1,
25 2022 or who makes the election under item (i) of subsection
26 (d-15) of this Section).

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

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

11 (i) to be eligible for the reduced retirement age
12 provided in subsections (c-5) and (d-5) of this Section,
13 the eligibility for which is conditioned upon the member
14 or participant agreeing to the increases in employee
15 contributions for age and service annuities provided in
16 subsection (a-5) of Section 8-174 of this Code (for
17 service under Article 8) or subsection (a-5) of Section
18 11-170 of this Code (for service under Article 11); or

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

1 The election provided for in this subsection shall be made
2 between October 1, 2017 and November 15, 2017. A person
3 subject to this subsection who makes the required election
4 shall remain bound by that election. A person subject to this
5 subsection who fails for any reason to make the required
6 election within the time specified in this subsection shall be
7 deemed to have made the election under item (ii).

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

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

18 (ii) to not agree to item (i) of this subsection
19 (d-15), in which case the member or participant shall not
20 be eligible for the reduced retirement age specified in
21 subsections (c) and (d) of this Section and shall not be
22 subject to the increase in employee contributions for
23 service annuities specified in subsection (b) of Section
24 12-150.

25 The election provided for in this subsection shall be made
26 between January 1, 2022 and April 1, 2022. A person subject to

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

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

1 decrease, then the annuity shall not be increased.

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

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

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

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

13 (g) The benefits in Section 14-110 apply only if the
14 person is a State policeman, a fire fighter in the fire
15 protection service of a department, a conservation police
16 officer, an investigator for the Secretary of State, an
17 investigator for the Office of the Attorney General, an arson
18 investigator, a Commerce Commission police officer,
19 investigator for the Department of Revenue or the Illinois
20 Gaming Board, a security employee of the Department of
21 Corrections or the Department of Juvenile Justice, a security
22 employee of the Department of Human Services, or a security
23 employee of the Department of Innovation and Technology, as
24 those terms are defined in subsection (b) and subsection (c)
25 of Section 14-110. A person who meets the requirements of this
26 Section is entitled to an annuity calculated under the

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

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

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

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

14 (i) (Blank).

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

18 (Source: P.A. 102-16, eff. 6-17-21; 102-210, eff. 1-1-22;
19 102-263, eff. 8-6-21; 102-956, eff. 5-27-22; 103-529, eff.
20 8-11-23.)

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
25 less than 20 years of eligible creditable service and has

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

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

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

26 Such annuity shall be subject to a maximum of 75% of final

1 average compensation if retirement occurs before January 1,
2 2001 or to a maximum of 80% of final average compensation if
3 retirement occurs on or after January 1, 2001.

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

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

12 (1) State policeman;

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

15 (3) air pilot;

16 (4) special agent;

17 (5) investigator for the Secretary of State;

18 (6) conservation police officer;

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

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

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

25 (10) security employee of the Department of
26 Corrections or the Department of Juvenile Justice;

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

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

24 A person under paragraph (20) is entitled to eligible
25 creditable service for service credit earned under this
26 Article on and after his or her transfer by Executive Order No.

1 2003-10, Executive Order No. 2004-2, or Executive Order No.
2 2016-1.

3 (c) For the purposes of this Section:

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

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

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

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

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

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

23 (6) The term "Conservation Police Officer" means any
24 person employed by the Division of Law Enforcement of the
25 Department of Natural Resources and vested with such law
26 enforcement duties as render him ineligible for coverage

1 under the Social Security Act by reason of Sections
2 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The
3 term "Conservation Police Officer" includes the positions
4 of Chief Conservation Police Administrator and Assistant
5 Conservation Police Administrator.

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

12 The term "investigator for the Illinois Gaming Board"
13 means any person employed as such by the Illinois Gaming
14 Board and vested with such peace officer duties as render
15 the person 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 (8) The term "security employee of the Department of
19 Human Services" means any person employed by the
20 Department of Human Services who (i) is employed at the
21 Chester Mental Health Center and has daily contact with
22 the residents thereof, (ii) is employed within a security
23 unit at a facility operated by the Department and has
24 daily contact with the residents of the security unit,
25 (iii) is employed at a facility operated by the Department
26 that includes a security unit and is regularly scheduled

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

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

22 (9) "Central Management Services security police
23 officer" means any person employed by the Department of
24 Central Management Services who is vested with such law
25 enforcement duties as render him ineligible for coverage
26 under the Social Security Act by reason of Sections

1 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act.

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

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

26 (12) The term "investigator for the Illinois State

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

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

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

26 (15) The term "investigator for the Office of the

1 State's Attorneys Appellate Prosecutor" means a person
2 employed in that capacity on a full-time basis under the
3 authority of Section 7.06 of the State's Attorneys
4 Appellate Prosecutor's Act.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 Subject to the limitation in subsection (i), an
22 investigator for the Office of the Attorney General, or an
23 investigator for the Department of Revenue, may elect to
24 establish eligible creditable service for up to 5 years of
25 service as a police officer under Article 3, a policeman under
26 Article 5, a sheriff's law enforcement employee under Article

1 7, or a member of the county police department under Article 9
2 by filing a written election with the Board within 6 months
3 after August 25, 2009 (the effective date of Public Act
4 96-745) and paying to the System an amount to be determined by
5 the Board, equal to (i) the difference between the amount of
6 employee and employer contributions transferred to the System
7 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the
8 amounts that would have been contributed had such
9 contributions been made at the rates applicable to State
10 policemen, plus (ii) interest thereon at the actuarially
11 assumed rate for each year, compounded annually, from the date
12 of service to the date of payment.

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

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

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

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

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

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

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

25 (k) Subject to the limitation in subsection (i) of this
26 Section, an alternative formula employee may elect to

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

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

1 Board, equal to (i) the difference between the amount of
2 employee and employer contributions transferred to the System
3 under Section 3-110.5, and the amounts that would have been
4 contributed had such contributions been made at the rates
5 applicable to security employees of the Department of
6 Corrections, 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 (1-5) Subject to the limitation in subsection (i) of this
10 Section, a State policeman may elect to establish eligible
11 creditable service for up to 5 years of service as a full-time
12 law enforcement officer employed by the federal government or
13 by a state or local government located outside of Illinois for
14 which credit is not held in any other public employee pension
15 fund or retirement system. To obtain this credit, the
16 applicant must file a written application with the Board no
17 later than 3 years after January 1, 2020 (the effective date of
18 Public Act 101-610), accompanied by evidence of eligibility
19 acceptable to the Board and payment of an amount to be
20 determined by the Board, equal to (1) employee contributions
21 for the credit being established, based upon the applicant's
22 salary on the first day as an alternative formula employee
23 after the employment for which credit is being established and
24 the rates then applicable to alternative formula employees,
25 plus (2) an amount determined by the Board to be the employer's
26 normal cost of the benefits accrued for the credit being

1 established, plus (3) regular interest on the amounts in items
2 (1) and (2) from the first day as an alternative formula
3 employee after the employment for which credit is being
4 established to the date of payment.

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

19 (n) A person employed in a position under subsection (b)
20 of this Section who has purchased service credit under
21 subsection (j) of Section 14-104 or subsection (b) of Section
22 14-105 in any other capacity under this Article may convert up
23 to 5 years of that service credit into service credit covered
24 under this Section by paying to the Fund an amount equal to (1)
25 the additional employee contribution required under Section
26 14-133, plus (2) the additional employer contribution required

1 under Section 14-131, plus (3) interest on items (1) and (2) at
2 the actuarially assumed rate from the date of the service to
3 the date of payment.

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

1 (g) Subject to the limitation in subsection (i), a
2 security employee of the Department of Human Services who is
3 subject to subsection (g) of Section 1-160 may elect to
4 convert up to 8 years of service credit established before the
5 effective date of this amendatory Act of the 104th General
6 Assembly as a security employee of the Department of Human
7 Services to eligible creditable service by filing a written
8 election with the Board no later than 6 years after the
9 effective date of this amendatory Act of the 104th General
10 Assembly, accompanied by payment of an amount, to be
11 determined by the Board, equal to (i) the difference between
12 the amount of the employee contributions actually paid for
13 that service and the amount of the employee contributions that
14 would have been paid had the employee contributions been made
15 as a covered employee serving in a position in which eligible
16 creditable service, as defined in this Section, may be earned,
17 plus (ii) interest thereon at the effective rate for each
18 year, compounded annually, from the date of service to the
19 date of payment.

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

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

23 Sec. 14-110. Alternative retirement annuity.

24 (a) Any member who has withdrawn from service with not
25 less than 20 years of eligible creditable service and has

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

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

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

26 Such annuity shall be subject to a maximum of 75% of final

1 average compensation if retirement occurs before January 1,
2 2001 or to a maximum of 80% of final average compensation if
3 retirement occurs on or after January 1, 2001.

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

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

12 (1) State policeman;

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

15 (3) air pilot;

16 (4) special agent;

17 (5) investigator for the Secretary of State;

18 (6) conservation police officer;

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

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

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

25 (10) security employee of the Department of
26 Corrections or the Department of Juvenile Justice;

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

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

24 A person under paragraph (20) is entitled to eligible
25 creditable service for service credit earned under this
26 Article on and after his or her transfer by Executive Order No.

1 2003-10, Executive Order No. 2004-2, or Executive Order No.
2 2016-1.

3 (c) For the purposes of this Section:

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

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

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

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

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

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

23 (6) The term "Conservation Police Officer" means any
24 person employed by the Division of Law Enforcement of the
25 Department of Natural Resources and vested with such law
26 enforcement duties as render him ineligible for coverage

1 under the Social Security Act by reason of Sections
2 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The
3 term "Conservation Police Officer" includes the positions
4 of Chief Conservation Police Administrator and Assistant
5 Conservation Police Administrator.

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

12 The term "investigator for the Illinois Gaming Board"
13 means any person employed as such by the Illinois Gaming
14 Board and vested with such peace officer duties as render
15 the person 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 (8) The term "security employee of the Department of
19 Human Services" means any person employed by the
20 Department of Human Services who (i) is employed at the
21 Chester Mental Health Center and has daily contact with
22 the residents thereof, (ii) is employed within a security
23 unit at a facility operated by the Department and has
24 daily contact with the residents of the security unit,
25 (iii) is employed at a facility operated by the Department
26 that includes a security unit and is regularly scheduled

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

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

22 (9) "Central Management Services security police
23 officer" means any person employed by the Department of
24 Central Management Services who is vested with such law
25 enforcement duties as render him ineligible for coverage
26 under the Social Security Act by reason of Sections

1 218(d) (5) (A), 218(d) (8) (D) and 218(1) (1) of that Act.

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

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

26 (12) The term "investigator for the Illinois State

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

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

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

26 (15) The term "investigator for the Office of the

1 State's Attorneys Appellate Prosecutor" means a person
2 employed in that capacity on a full-time basis under the
3 authority of Section 7.06 of the State's Attorneys
4 Appellate Prosecutor's Act.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 Subject to the limitation in subsection (i), an
22 investigator for the Office of the Attorney General, or an
23 investigator for the Department of Revenue, may elect to
24 establish eligible creditable service for up to 5 years of
25 service as a police officer under Article 3, a policeman under
26 Article 5, a sheriff's law enforcement employee under Article

1 7, or a member of the county police department under Article 9
2 by filing a written election with the Board within 6 months
3 after August 25, 2009 (the effective date of Public Act
4 96-745) and paying to the System an amount to be determined by
5 the Board, equal to (i) the difference between the amount of
6 employee and employer contributions transferred to the System
7 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the
8 amounts that would have been contributed had such
9 contributions been made at the rates applicable to State
10 policemen, plus (ii) interest thereon at the actuarially
11 assumed rate for each year, compounded annually, from the date
12 of service to the date of payment.

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

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

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

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

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

15 Subject to the limitation in subsection (i), an
16 investigator for the Department of Revenue, investigator for
17 the Illinois Gaming Board, investigator for the Secretary of
18 State, or arson investigator may elect to establish eligible
19 creditable service for up to 5 years of service as a person
20 employed by a participating municipality to perform police
21 duties under Article 7, a county corrections officer, a court
22 services officer under Article 9, or a firefighter under
23 Article 4 by filing a written election with the Board within 6
24 months after the effective date of this amendatory Act of the
25 102nd General Assembly and paying to the System an amount to be
26 determined by the Board equal to (i) the difference between

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

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

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

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

22 (i) The total amount of eligible creditable service
23 established by any person under subsections (g), (h), (j),
24 (k), (l), (l-5), ~~and (o)~~, and (g) of this Section shall not
25 exceed 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 (n) A person employed in a position under subsection (b)
10 of this Section who has purchased service credit under
11 subsection (j) of Section 14-104 or subsection (b) of Section
12 14-105 in any other capacity under this Article may convert up
13 to 5 years of that service credit into service credit covered
14 under this Section by paying to the Fund an amount equal to (1)
15 the additional employee contribution required under Section
16 14-133, plus (2) the additional employer contribution required
17 under Section 14-131, plus (3) interest on items (1) and (2) at
18 the actuarially assumed rate from the date of the service to
19 the date of payment.

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

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

17 (g) Subject to the limitation in subsection (i), a
18 security employee of the Department of Human Services who is
19 subject to subsection (g) of Section 1-160 may elect to
20 convert up to 8 years of service credit established before the
21 effective date of this amendatory Act of the 104th General
22 Assembly as a security employee of the Department of Human
23 Services to eligible creditable service by filing a written
24 election with the Board no later than 6 years after the
25 effective date of this amendatory Act of the 104th General
26 Assembly, accompanied by payment of an amount, to be

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

10 (Source: P.A. 102-210, eff. 7-30-21; 102-538, eff. 8-20-21;
11 102-856, eff. 1-1-23; 103-34, eff. 1-1-24.)

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

13 Sec. 14-110. Alternative retirement annuity.

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

23 (i) for periods of service as a noncovered employee:
24 if retirement occurs on or after January 1, 2001, 3% of
25 final average compensation for each year of creditable

1 service; if retirement occurs before January 1, 2001, 2
2 1/4% of final average compensation for each of the first
3 10 years of creditable service, 2 1/2% for each year above
4 10 years to and including 20 years of creditable service,
5 and 2 3/4% for each year of creditable service above 20
6 years; and

7 (ii) for periods of eligible creditable service as a
8 covered employee: if retirement occurs on or after January
9 1, 2001, 2.5% of final average compensation for each year
10 of creditable service; if retirement occurs before January
11 1, 2001, 1.67% of final average compensation for each of
12 the first 10 years of such service, 1.90% for each of the
13 next 10 years of such service, 2.10% for each year of such
14 service in excess of 20 but not exceeding 30, and 2.30% for
15 each year in excess of 30.

16 Such annuity shall be subject to a maximum of 75% of final
17 average compensation if retirement occurs before January 1,
18 2001 or to a maximum of 80% of final average compensation if
19 retirement occurs on or after January 1, 2001.

20 These rates shall not be applicable to any service
21 performed by a member as a covered employee which is not
22 eligible creditable service. Service as a covered employee
23 which is not eligible creditable service shall be subject to
24 the rates and provisions of Section 14-108.

25 (b) For the purpose of this Section, "eligible creditable
26 service" means creditable service resulting from service in

1 one or more of the following positions:

2 (1) State policeman;

3 (2) fire fighter in the fire protection service of a
4 department;

5 (3) air pilot;

6 (4) special agent;

7 (5) investigator for the Secretary of State;

8 (6) conservation police officer;

9 (7) investigator for the Department of Revenue or the
10 Illinois Gaming Board;

11 (8) security employee of the Department of Human
12 Services;

13 (9) Central Management Services security police
14 officer;

15 (10) security employee of the Department of
16 Corrections or the Department of Juvenile Justice;

17 (11) dangerous drugs investigator;

18 (12) investigator for the Illinois State Police;

19 (13) investigator for the Office of the Attorney
20 General;

21 (14) controlled substance inspector;

22 (15) investigator for the Office of the State's
23 Attorneys Appellate Prosecutor;

24 (16) Commerce Commission police officer;

25 (17) arson investigator;

26 (18) State highway maintenance worker;

1 (19) security employee of the Department of Innovation
2 and Technology; or

3 (20) transferred employee.

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

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

19 (c) For the purposes of this Section:

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

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

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

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

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

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

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

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

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

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

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

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

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

9 The changes made to this subdivision (c)(8) by Public
10 Act 92-14 apply to persons who retire on or after January
11 1, 2001, notwithstanding Section 1-103.1.

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

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

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

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

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

23 (13) "Investigator for the Office of the Attorney
24 General" means any person who is employed as such by the
25 Office of the Attorney General and is vested with such
26 investigative duties as render him ineligible for coverage

1 under the Social Security Act by reason of Sections
2 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act. For
3 the period before January 1, 1989, the term includes all
4 persons who were employed as investigators by the Office
5 of the Attorney General, without regard to social security
6 status.

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

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

21 (16) "Commerce Commission police officer" means any
22 person employed by the Illinois Commerce Commission who is
23 vested with such law enforcement duties as render him
24 ineligible for coverage under the Social Security Act by
25 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and
26 218(1)(1) of that Act.

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

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

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

1 form a part of the State highway system in serviceable
2 condition for vehicular traffic.

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

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

23 (20) "Transferred employee" means an employee who was
24 transferred to the Department of Central Management
25 Services by Executive Order No. 2003-10 or Executive Order
26 No. 2004-2 or transferred to the Department of Innovation

1 and Technology by Executive Order No. 2016-1, or both, and
2 was entitled to eligible creditable service for services
3 immediately preceding the transfer.

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), (1-5), (o), ~~and~~ (p), and (q) of this Section shall
25 not exceed 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 (n) A person employed in a position under subsection (b)
10 of this Section who has purchased service credit under
11 subsection (j) of Section 14-104 or subsection (b) of Section
12 14-105 in any other capacity under this Article may convert up
13 to 5 years of that service credit into service credit covered
14 under this Section by paying to the Fund an amount equal to (1)
15 the additional employee contribution required under Section
16 14-133, plus (2) the additional employer contribution required
17 under Section 14-131, plus (3) interest on items (1) and (2) at
18 the actuarially assumed rate from the date of the service to
19 the date of payment.

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

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

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

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

10 (g) Subject to the limitation in subsection (i), a
11 security employee of the Department of Human Services who is
12 subject to subsection (g) of Section 1-160 may elect to
13 convert up to 8 years of service credit established before the
14 effective date of this amendatory Act of the 104th General
15 Assembly as a security employee of the Department of Human
16 Services to eligible creditable service by filing a written
17 election with the Board no later than 6 years after the
18 effective date of this amendatory Act of the 104th General
19 Assembly, accompanied by payment of an amount, to be
20 determined by the Board, equal to (i) the difference between
21 the amount of the employee contributions actually paid for
22 that service and the amount of the employee contributions that
23 would have been paid had the employee contributions been made
24 as a covered employee serving in a position in which eligible
25 creditable service, as defined in this Section, may be earned,
26 plus (ii) interest thereon at the effective rate for each

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

3 (Source: P.A. 102-210, eff. 7-30-21; 102-538, eff. 8-20-21;
4 102-956, eff. 5-27-22; 103-34, eff. 1-1-24.)

5 (40 ILCS 5/14-152.1)

6 Sec. 14-152.1. Application and expiration of new benefit
7 increases.

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

21 (b) Notwithstanding any other provision of this Code or
22 any subsequent amendment to this Code, every new benefit
23 increase is subject to this Section and shall be deemed to be
24 granted only in conformance with and contingent upon
25 compliance with the provisions of this Section.

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

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

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

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

11 (Source: P.A. 101-10, eff. 6-5-19; 101-81, eff. 7-12-19;
12 101-610, eff. 1-1-20; 102-210, eff. 7-30-21; 102-856, eff.
13 1-1-23; 102-956, eff. 5-27-22.)

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