

1 AN ACT to amend the Illinois Pension Code by changing
2 Section 14-104.

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

5 Section 5. The Illinois Pension Code is amended by
6 changing Section 14-104 as follows:

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

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

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

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

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

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

7 (d) Any employee who rendered service in a State office
8 to which he was elected, or rendered service in the elective
9 office of Clerk of the Appellate Court prior to the date he
10 became a member, may make contributions for such service as
11 required in this Section. Any member who served by
12 appointment of the Governor under the Civil Administrative
13 Code of Illinois and did not participate in this System may
14 make contributions as required in this Section for such
15 service.

16 (e) Any person employed by the United States government
17 or any instrumentality or agency thereof from January 1, 1942
18 through November 15, 1946 as the result of a transfer from
19 State service by executive order of the President of the
20 United States shall be entitled to prior service credit
21 covering the period from January 1, 1942 through December 31,
22 1943 as provided for in this Article and to membership
23 service credit for the period from January 1, 1944 through
24 November 15, 1946 by making the contributions required in
25 this Section. A person so employed on January 1, 1944 but
26 whose employment began after January 1, 1942 may qualify for
27 prior service and membership service credit under the same
28 conditions.

29 (f) An employee of the Department of Labor of the State
30 of Illinois who performed services for and under the
31 supervision of that Department prior to January 1, 1944 but
32 who was compensated for those services directly by federal
33 funds and not by a warrant of the Auditor of Public Accounts
34 paid by the State Treasurer may establish credit for such

1 employment by making the contributions required in this
2 Section. An employee of the Department of Agriculture of the
3 State of Illinois, who performed services for and under the
4 supervision of that Department prior to June 1, 1963, but was
5 compensated for those services directly by federal funds and
6 not paid by a warrant of the Auditor of Public Accounts paid
7 by the State Treasurer, and who did not contribute to any
8 other public employee retirement system for such service, may
9 establish credit for such employment by making the
10 contributions required in this Section.

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

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

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

31 (j) By paying the contributions otherwise required under
32 this Section, plus an amount determined by the Board to be
33 equal to the employer's normal cost of the benefit plus
34 interest, an employee may establish service credit for a

1 period of up to 2 years spent in active military service for
2 which he does not qualify for credit under Section 14-105,
3 provided that (1) he was not dishonorably discharged from
4 such military service, and (2) the amount of service credit
5 established by a member under this subsection (j), when added
6 to the amount of military service credit granted to the
7 member under subsection (b) of Section 14-105, shall not
8 exceed 5 years.

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

18 (l) By paying the contributions otherwise required under
19 this Section, plus an amount determined by the Board to be
20 equal to the employer's normal cost of the benefit plus
21 interest, a member may establish service credit for periods
22 of less than one year spent on authorized leave of absence
23 from service, provided that (1) the period of leave began on
24 or after January 1, 1982 and (2) any credit established by
25 the member for the period of leave in any other public
26 employee retirement system has been terminated. A member may
27 establish service credit under this subsection for more than
28 one period of authorized leave, and in that case the total
29 period of service credit established by the member under this
30 subsection may exceed one year. In determining the
31 contributions required for establishing service credit under
32 this subsection, the interest shall be calculated from the
33 beginning of the leave of absence to the date of payment.

34 (m) Any person who rendered contractual services to a

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

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

18 (o) A member who participated in the Illinois
19 Legislative Staff Internship Program may establish creditable
20 service for up to one year of that participation by making
21 the contribution required under this Section. The System
22 shall determine a full-time salary equivalent for the purpose
23 of calculating the required contribution. Credit may not be
24 established under this subsection for any period for which
25 service credit is established under any other provision of
26 this Code.

27 (p) By paying the contributions required under this
28 Section, plus an amount determined by the Board to be equal
29 to the employer's normal cost of the benefit plus interest,
30 an employee who was laid off but returned to State employment
31 under circumstances in which the employee is considered to
32 have been in continuous service for purposes of determining
33 seniority may establish creditable service for the period of
34 the layoff, provided that (1) the applicant does not receive

1 credit for that period under any other provision of this Code
2 and (2) the total amount of creditable service established by
3 the applicant under this subsection does not exceed 2 years.
4 For service established under this subsection, the required
5 employee contribution shall be based on the rate of
6 compensation earned by the employee on the date of returning
7 to employment after the layoff and the contribution rate then
8 in effect, and the required interest shall be be calculated
9 from the date of returning to employment after the layoff to
10 the date of payment.

11 (Source: P.A. 90-32, eff. 6-27-97; 90-448, eff. 8-16-97;
12 90-511, eff. 8-22-97; 90-655, eff. 7-30-98; 90-766, eff.
13 8-14-98.)

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