



Rep. Curtis J. Tarver, II

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10400HB2721ham001

LRB104 09005 RPS 22446 a

1 AMENDMENT TO HOUSE BILL 2721

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2721 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by  
5 changing Sections 16-199 and 17-149.1 as follows:

6 (40 ILCS 5/16-199) (from Ch. 108 1/2, par. 16-199)

7 Sec. 16-199. Felony conviction; sex offenses. None of the  
8 benefits provided for in this Article shall be paid to any  
9 person who is convicted of any felony relating to or arising  
10 out of or in connection with his or her service as a teacher.

11 None of the benefits provided for in this Article shall be  
12 paid to any person who is convicted of any crime under Article  
13 11 of the Criminal Code of 2012 or a crime that requires  
14 registration under the Sex Offender Registration Act.

15 None of the benefits provided for in this Article shall be  
16 paid to any person who otherwise would receive a survivor

1 benefit who is convicted of any felony relating to or arising  
2 out of or in connection with the service of the teacher from  
3 whom the benefit results.

4 This Section shall not operate to impair any contract or  
5 vested right acquired prior to July 9, 1955 under any law or  
6 laws continued in this Article, nor to preclude the right to a  
7 refund, and for the changes under this amendatory Act of the  
8 100th General Assembly, shall not impair any contract or  
9 vested right acquired by a survivor prior to the effective  
10 date of this amendatory Act of the 100th General Assembly. The  
11 System may sue any such person to collect all moneys paid in  
12 excess of refundable contributions.

13 All teachers entering or re-entering service after July 9,  
14 1955 shall be deemed to have consented to the provisions of  
15 this Section as a condition of membership, and all  
16 participants entering service subsequent to the effective date  
17 of this amendatory Act of the 100th General Assembly shall be  
18 deemed to have consented to the provisions of this amendatory  
19 Act as a condition of participation. All teachers entering  
20 service after the effective date of this amendatory Act of the  
21 104th General Assembly shall be deemed to have consented to  
22 the provisions of this amendatory Act of the 104th General  
23 Assembly as a condition of participation.

24 This Section applies without regard to whether the person  
25 resigned or was terminated from employment. The changes made  
26 to this Section by this amendatory Act of the 104th General

1 Assembly apply only to persons who first become a teacher on or  
2 after the effective date of this amendatory Act of the 104th  
3 General Assembly.

4 (Source: P.A. 100-334, eff. 8-25-17.)

5 (40 ILCS 5/17-149.1) (from Ch. 108 1/2, par. 17-149.1)

6 Sec. 17-149.1. Felony conviction; sex offenses. None of  
7 the benefits provided for in this Article shall be paid to any  
8 person who is convicted of any felony relating to or arising  
9 out of or in connection with his or her service as a teacher.

10 None of the benefits provided for in this Article shall be  
11 paid to any person who is convicted of any crime under Article  
12 11 of the Criminal Code of 2012 or a crime that requires  
13 registration under the Sex Offender Registration Act.

14 None of the benefits provided for in this Article shall be  
15 paid to any person who otherwise would receive a survivor  
16 benefit who is convicted of any felony relating to or arising  
17 out of or in connection with the service of the teacher from  
18 whom the benefit results.

19 This Section shall not operate to impair any contract or  
20 vested right acquired prior to January 1, 1988, nor to  
21 preclude the right to a refund, and for the changes under this  
22 amendatory Act of the 100th General Assembly, shall not impair  
23 any contract or vested right acquired by a survivor prior to  
24 the effective date of this amendatory Act of the 100th General  
25 Assembly.

1 All teachers entering service after January 1, 1988 shall  
2 be deemed to have consented to the provisions of this Section  
3 as a condition of membership, and all participants entering  
4 service subsequent to the effective date of this amendatory  
5 Act of the 100th General Assembly shall be deemed to have  
6 consented to the provisions of this amendatory Act as a  
7 condition of participation. All teachers entering service  
8 after the effective date of this amendatory Act of the 104th  
9 General Assembly shall be deemed to have consented to the  
10 provisions of this amendatory Act of the 104th General  
11 Assembly as a condition of participation.

12 This Section applies without regard to whether the person  
13 resigned or was terminated from employment. The changes made  
14 to this Section by this amendatory Act of the 104th General  
15 Assembly apply only to persons who first become a teacher on or  
16 after the effective date of this amendatory Act of the 104th  
17 General Assembly.

18 (Source: P.A. 100-334, eff. 8-25-17.)".