



Rep. Curtis J. Tarver, II

Filed: 4/12/2021

10200HB1429ham001

LRB102 03445 RPS 24995 a

1 AMENDMENT TO HOUSE BILL 1429

2 AMENDMENT NO. _____. Amend House Bill 1429 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Counties Code is amended by changing
5 Section 3-9013 as follows:

6 (55 ILCS 5/3-9013)

7 Sec. 3-9013. Pension funds; job-related felony. If an
8 employee who is covered under a retirement system or pension
9 fund created under the Illinois Pension Code is convicted of a
10 disqualifying offense as that term is defined in the Illinois
11 Pension Code or of a felony relating to or arising out of or in
12 connection with the employment for which the employee is
13 covered under the retirement system or pension fund, the
14 State's Attorney must notify the board of trustees for that
15 retirement system or pension fund.

16 (Source: P.A. 95-836, eff. 8-15-08.)

1 Section 10. The Illinois Pension Code is amended by
2 changing Sections 3-147, 5-227, 7-219, 8-251, 9-235, 10-109,
3 14-149, and 15-187 as follows:

4 (40 ILCS 5/3-147) (from Ch. 108 1/2, par. 3-147)

5 Sec. 3-147. Felony conviction. None of the benefits
6 provided in this Article shall be paid to any person who is
7 convicted of any felony relating to or arising out of or in
8 connection with his or her service as a police officer.

9 Upon petition by the Board or on its own motion, a circuit
10 court may order that none of the benefits provided in this
11 Article be paid to a person who first becomes a police officer
12 on or after the effective date of this amendatory Act of the
13 102nd General Assembly and who has been convicted of a
14 disqualifying offense if the court finds that: (1) the
15 disqualifying offense was committed with the use of police
16 authority, resources, or other materials; (2) the
17 disqualifying offense threatened public safety; or (3) the
18 totality of the circumstances of the disqualifying offense are
19 against the guiding principles and training of law
20 enforcement.

21 None of the benefits provided for in this Article shall be
22 paid to any person who otherwise would receive a survivor
23 benefit who is convicted of any felony relating to or arising
24 out of or in connection with the service of the police officer

1 from whom the benefit results.

2 Upon petition by the Board or on its own motion, a court
3 may order that none of the benefits provided for in this
4 Article be paid to any person who otherwise would receive a
5 survivor benefit if the benefit results from the service of a
6 police officer who first became a police officer on or after
7 the effective date of this amendatory Act of the 102nd General
8 Assembly and who was convicted of a disqualifying offense if
9 the court finds that: (1) the disqualifying offense was
10 committed with the use of police authority, resources, or
11 other materials; (2) the disqualifying offense threatened
12 public safety; or (3) the totality of the circumstances of the
13 disqualifying offense are against the guiding principles and
14 training of law enforcement.

15 This Section shall not impair any contract or vested right
16 acquired prior to July 11, 1955 under any law continued in this
17 Article, nor preclude the right to a refund, and for the
18 changes under this amendatory Act of the 100th General
19 Assembly, shall not impair any contract or vested right
20 acquired by a survivor prior to the effective date of this
21 amendatory Act of the 100th General Assembly. The changes made
22 by this amendatory Act of the 102nd General Assembly shall not
23 impair any contract or vested right acquired by a survivor
24 prior to the effective date of this amendatory Act of the 102nd
25 General Assembly.

26 All persons entering service subsequent to July 11, 1955

1 are deemed to have consented to the provisions of this Section
2 as a condition of coverage, and all participants entering
3 service subsequent to the effective date of this amendatory
4 Act of the 100th General Assembly shall be deemed to have
5 consented to the provisions of this amendatory Act as a
6 condition of participation. All persons entering service after
7 the effective date of this amendatory Act of the 102nd General
8 Assembly shall be deemed to have consented to the provisions
9 of this amendatory Act of the 102nd General Assembly as a
10 condition of participation.

11 In this Section, "disqualifying offense" means any of the
12 following offenses set forth in the Criminal Code of 1961 or
13 the Criminal Code of 2012 or any substantially similar offense
14 in federal law, the Uniform Code of Military Justice, or state
15 law:

16 (1) Indecent solicitation of a child.

17 (2) Sexual exploitation of a child.

18 (3) Custodial sexual misconduct.

19 (4) Exploitation of a child.

20 (5) Child pornography.

21 (6) Aggravated child pornography.

22 (7) First degree murder.

23 (8) Second degree murder.

24 (9) Predatory criminal sexual assault of a child.

25 (10) Aggravated criminal sexual assault.

26 (11) Criminal sexual assault.

1 (12) Aggravated kidnaping.

2 (13) Aggravated battery resulting in great bodily harm
3 or permanent disability or disfigurement.

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

5 (40 ILCS 5/5-227) (from Ch. 108 1/2, par. 5-227)

6 Sec. 5-227. Felony conviction. None of the benefits
7 provided for in this Article shall be paid to any person who is
8 convicted of any felony relating to or arising out of or in
9 connection with his service as a policeman.

10 Upon petition by the Board or on its own motion, a circuit
11 court may order that none of the benefits provided in this
12 Article be paid to a person who first becomes a policeman on or
13 after the effective date of this amendatory Act of the 102nd
14 General Assembly and who has been convicted of a disqualifying
15 offense if the court finds that: (1) the disqualifying offense
16 was committed with the use of police authority, resources, or
17 other materials; (2) the disqualifying offense threatened
18 public safety; or (3) the totality of the circumstances of the
19 disqualifying offense are against the guiding principles and
20 training of law enforcement.

21 None of the benefits provided for in this Article shall be
22 paid to any person who otherwise would receive a survivor
23 benefit who is convicted of any felony relating to or arising
24 out of or in connection with the service of the policeman from
25 whom the benefit results.

1 Upon petition by the Board or on its own motion, a court
2 may order that none of the benefits provided for in this
3 Article be paid to any person who otherwise would receive a
4 survivor benefit if the benefit results from the service of a
5 policeman who first became a policeman on or after the
6 effective date of this amendatory Act of the 102nd General
7 Assembly and who was convicted of a disqualifying offense if
8 the court finds that: (1) the disqualifying offense was
9 committed with the use of police authority, resources, or
10 other materials; (2) the disqualifying offense threatened
11 public safety; or (3) the totality of the circumstances of the
12 disqualifying offense are against the guiding principles and
13 training of law enforcement.

14 None of the benefits provided for in this Article shall be
15 paid to any person who is convicted of any felony while in
16 receipt of disability benefits.

17 None of the benefits provided for in this Article shall be
18 paid to any person who is convicted of any felony relating to
19 or arising out of or in connection with the intentional and
20 wrongful death of a police officer, either active or retired,
21 through whom such person would become eligible to receive, or
22 is receiving, an annuity under this Article.

23 A person who intentionally and unjustifiably causes delay
24 in proceedings in which the person is ultimately convicted of
25 a felony relating to or arising out of or in connection with
26 his service as a policeman shall not be entitled to any

1 benefits provided for in this Article on and after the filing
2 date of the related indictment or charges. This paragraph
3 applies to all persons whose felony conviction was entered on
4 or after January 1, 2019.

5 Any refund required under this Article shall be calculated
6 based on that person's contributions to the Fund, less the
7 amount of any annuity benefit previously received by the
8 person or his or her beneficiaries. This paragraph applies to
9 all persons who make an application for refund to the Fund on
10 or after January 1, 2019.

11 This Section shall not operate to impair any contract or
12 vested right heretofore acquired under any law or laws
13 continued in this Article, nor to preclude the right to a
14 refund, and for the changes under this amendatory Act of the
15 100th General Assembly, shall not impair any contract or
16 vested right acquired by a survivor prior to the effective
17 date of this amendatory Act of the 100th General Assembly. The
18 changes made by this amendatory Act of the 102nd General
19 Assembly shall not impair any contract or vested right
20 acquired by a survivor prior to the effective date of this
21 amendatory Act of the 102nd General Assembly.

22 All future entrants entering service subsequent to July
23 11, 1955, shall be deemed to have consented to the provisions
24 of this Section as a condition of coverage, and all
25 participants entering service subsequent to the effective date
26 of this amendatory Act of the 100th General Assembly shall be

1 deemed to have consented to the provisions of this amendatory
2 Act as a condition of participation. All persons entering
3 service after the effective date of this amendatory Act of the
4 102nd General Assembly shall be deemed to have consented to
5 the provisions of this amendatory Act of the 102nd General
6 Assembly as a condition of participation.

7 In this Section, "disqualifying offense" means any of the
8 following offenses set forth in the Criminal Code of 1961 or
9 the Criminal Code of 2012 or any substantially similar offense
10 in federal law, the Uniform Code of Military Justice, or state
11 law:

12 (1) Indecent solicitation of a child.

13 (2) Sexual exploitation of a child.

14 (3) Custodial sexual misconduct.

15 (4) Exploitation of a child.

16 (5) Child pornography.

17 (6) Aggravated child pornography.

18 (7) First degree murder.

19 (8) Second degree murder.

20 (9) Predatory criminal sexual assault of a child.

21 (10) Aggravated criminal sexual assault.

22 (11) Criminal sexual assault.

23 (12) Aggravated kidnaping.

24 (13) Aggravated battery resulting in great bodily harm
25 or permanent disability or disfigurement.

26 (Source: P.A. 100-334, eff. 8-25-17; 101-387, eff. 8-16-19.)

1 (40 ILCS 5/7-219) (from Ch. 108 1/2, par. 7-219)

2 Sec. 7-219. Felony conviction. None of the benefits
3 provided for in this Article shall be paid to any person who is
4 convicted of any felony relating to or arising out of or in
5 connection with his service as an employee.

6 Upon petition by the Board or on its own motion, a circuit
7 court may order that none of the benefits provided in this
8 Article be paid to a person who first becomes a sheriff's law
9 enforcement employee on or after the effective date of this
10 amendatory Act of the 102nd General Assembly and who has been
11 convicted of a disqualifying offense if the court finds that:
12 (1) the disqualifying offense was committed with the use of
13 police authority, resources, or other materials; (2) the
14 disqualifying offense threatened public safety; or (3) the
15 totality of the circumstances of the disqualifying offense are
16 against the guiding principles and training of law
17 enforcement.

18 None of the benefits provided for in this Article shall be
19 paid to any person who otherwise would receive a survivor
20 benefit who is convicted of any felony relating to or arising
21 out of or in connection with the service of the employee from
22 whom the benefit results.

23 Upon petition by the Board or on its own motion, a court
24 may order that none of the benefits provided for in this
25 Article be paid to any person who otherwise would receive a

1 survivor benefit if the benefit results from the service of a
2 sheriff's law enforcement employee who first became a
3 sheriff's law enforcement employee on or after the effective
4 date of this amendatory Act of the 102nd General Assembly and
5 who was convicted of a disqualifying offense if the court
6 finds that: (1) the disqualifying offense was committed with
7 the use of police authority, resources, or other materials;
8 (2) the disqualifying offense threatened public safety; or (3)
9 the totality of the circumstances of the disqualifying offense
10 are against the guiding principles and training of law
11 enforcement.

12 This Section shall not operate to impair any contract or
13 vested right heretofore acquired under any law or laws
14 continued in this Article, nor to preclude the right to a
15 refund, and for the changes under this amendatory Act of the
16 100th General Assembly, shall not impair any contract or
17 vested right acquired by a survivor prior to the effective
18 date of this amendatory Act of the 100th General Assembly. The
19 changes made by this amendatory Act of the 102nd General
20 Assembly shall not impair any contract or vested right
21 acquired by a survivor prior to the effective date of this
22 amendatory Act of the 102nd General Assembly.

23 All future entrants entering service subsequent to July 9,
24 1955 shall be deemed to have consented to the provisions of
25 this Section as a condition of coverage, and all participants
26 entering service subsequent to the effective date of this

1 amendatory Act of the 100th General Assembly shall be deemed
2 to have consented to the provisions of this amendatory Act as a
3 condition of participation. All persons entering service after
4 the effective date of this amendatory Act of the 102nd General
5 Assembly shall be deemed to have consented to the provisions
6 of this amendatory Act of the 102nd General Assembly as a
7 condition of participation.

8 In this Section, "disqualifying offense" means any of the
9 following offenses set forth in the Criminal Code of 1961 or
10 the Criminal Code of 2012 or any substantially similar offense
11 in federal law, the Uniform Code of Military Justice, or state
12 law:

13 (1) Indecent solicitation of a child.

14 (2) Sexual exploitation of a child.

15 (3) Custodial sexual misconduct.

16 (4) Exploitation of a child.

17 (5) Child pornography.

18 (6) Aggravated child pornography.

19 (7) First degree murder.

20 (8) Second degree murder.

21 (9) Predatory criminal sexual assault of a child.

22 (10) Aggravated criminal sexual assault.

23 (11) Criminal sexual assault.

24 (12) Aggravated kidnaping.

25 (13) Aggravated battery resulting in great bodily harm
26 or permanent disability or disfigurement.

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

2 (40 ILCS 5/8-251) (from Ch. 108 1/2, par. 8-251)

3 Sec. 8-251. Felony conviction. None of the benefits
4 provided for in this Article shall be paid to any person who is
5 convicted of any felony relating to or arising out of or in
6 connection with his service as a municipal employee.

7 Upon petition by the Board or on its own motion, a circuit
8 court may order that none of the benefits provided in this
9 Article be paid to a person who first becomes a police officer
10 on or after the effective date of this amendatory Act of the
11 102nd General Assembly and who has been convicted of a
12 disqualifying offense if the court finds that: (1) the
13 disqualifying offense was committed with the use of police
14 authority, resources, or other materials; (2) the
15 disqualifying offense threatened public safety; or (3) the
16 totality of the circumstances of the disqualifying offense are
17 against the guiding principles and training of law
18 enforcement.

19 None of the benefits provided for in this Article shall be
20 paid to any person who otherwise would receive a survivor
21 benefit who is convicted of any felony relating to or arising
22 out of or in connection with the service of the employee from
23 whom the benefit results.

24 Upon petition by the Board or on its own motion, a court
25 may order that none of the benefits provided for in this

1 Article be paid to any person who otherwise would receive a
2 survivor benefit if the benefit results from the service of a
3 police officer who first became a police officer on or after
4 the effective date of this amendatory Act of the 102nd General
5 Assembly and who was convicted of a disqualifying offense if
6 the court finds that: (1) the disqualifying offense was
7 committed with the use of police authority, resources, or
8 other materials; (2) the disqualifying offense threatened
9 public safety; or (3) the totality of the circumstances of the
10 disqualifying offense are against the guiding principles and
11 training of law enforcement.

12 This Section shall not operate to impair any contract or
13 vested right heretofore acquired under any law or laws
14 continued in this Article, nor to preclude the right to a
15 refund, and for the changes under Public Act 100-334, shall
16 not impair any contract or vested right acquired by a survivor
17 prior to August 25, 2017 (the effective date of Public Act
18 100-334). The changes made by this amendatory Act of the 102nd
19 General Assembly shall not impair any contract or vested right
20 acquired by a survivor prior to the effective date of this
21 amendatory Act of the 102nd General Assembly.

22 Any refund required under this Article shall be calculated
23 based on that person's contributions to the Fund, less the
24 amount of any annuity benefit previously received by the
25 person or his or her beneficiaries. The changes made to this
26 Section by Public Act 100-23 apply only to persons who first

1 become participants under this Article on or after July 6,
2 2017 (the effective date of Public Act 100-23).

3 All future entrants entering service subsequent to July
4 11, 1955 shall be deemed to have consented to the provisions of
5 this Section as a condition of coverage, and all participants
6 entering service subsequent to August 25, 2017 (the effective
7 date of Public Act 100-334) shall be deemed to have consented
8 to the provisions of Public Act 100-334 as a condition of
9 participation. All persons entering service after the
10 effective date of this amendatory Act of the 102nd General
11 Assembly shall be deemed to have consented to the provisions
12 of this amendatory Act of the 102nd General Assembly as a
13 condition of participation.

14 In this Section:

15 "Disqualifying offense" means any of the following
16 offenses set forth in the Criminal Code of 1961 or the Criminal
17 Code of 2012 or any substantially similar offense in federal
18 law, the Uniform Code of Military Justice, or state law:

19 (1) Indecent solicitation of a child.

20 (2) Sexual exploitation of a child.

21 (3) Custodial sexual misconduct.

22 (4) Exploitation of a child.

23 (5) Child pornography.

24 (6) Aggravated child pornography.

25 (7) First degree murder.

26 (8) Second degree murder.

1 (9) Predatory criminal sexual assault of a child.

2 (10) Aggravated criminal sexual assault.

3 (11) Criminal sexual assault.

4 (12) Aggravated kidnaping.

5 (13) Aggravated battery resulting in great bodily harm
6 or permanent disability or disfigurement.

7 "Police officer" means an employee who renders service as
8 a police officer and member of the regularly constituted
9 police department of the city.

10 (Source: P.A. 100-23, eff. 7-6-17; 100-334, eff. 8-25-17;
11 100-863, eff. 8-14-18.)

12 (40 ILCS 5/9-235) (from Ch. 108 1/2, par. 9-235)

13 Sec. 9-235. Felony conviction. None of the benefits
14 provided in this Article shall be paid to any person who is
15 convicted of any felony relating to or arising out of or in
16 connection with his service as an employee.

17 Upon petition by the Board or on its own motion, a circuit
18 court may order that none of the benefits provided in this
19 Article be paid to a person who first becomes a police officer
20 on or after the effective date of this amendatory Act of the
21 102nd General Assembly and who has been convicted of a
22 disqualifying offense if the court finds that: (1) the
23 disqualifying offense was committed with the use of police
24 authority, resources, or other materials; (2) the
25 disqualifying offense threatened public safety; or (3) the

1 totality of the circumstances of the disqualifying offense are
2 against the guiding principles and training of law
3 enforcement.

4 None of the benefits provided for in this Article shall be
5 paid to any person who otherwise would receive a survivor
6 benefit who is convicted of any felony relating to or arising
7 out of or in connection with the service of the employee from
8 whom the benefit results.

9 Upon petition by the Board or on its own motion, a court
10 may order that none of the benefits provided for in this
11 Article be paid to any person who otherwise would receive a
12 survivor benefit if the benefit results from the service of a
13 police officer who first became a police officer on or after
14 the effective date of this amendatory Act of the 102nd General
15 Assembly and who was convicted of a disqualifying offense if
16 the court finds that: (1) the disqualifying offense was
17 committed with the use of police authority, resources, or
18 other materials; (2) the disqualifying offense threatened
19 public safety; or (3) the totality of the circumstances of the
20 disqualifying offense are against the guiding principles and
21 training of law enforcement.

22 This Section shall not operate to impair any contract or
23 vested right heretofore acquired under any law or laws
24 continued in this Article, nor to preclude the right to a
25 refund, and for the changes under this amendatory Act of the
26 100th General Assembly, shall not impair any contract or

1 vested right acquired by a survivor prior to the effective
2 date of this amendatory Act of the 100th General Assembly. The
3 changes made by this amendatory Act of the 102nd General
4 Assembly shall not impair any contract or vested right
5 acquired by a survivor prior to the effective date of this
6 amendatory Act of the 102nd General Assembly.

7 All future entrants entering service after July 11, 1955,
8 shall be deemed to have consented to the provisions of this
9 section as a condition of coverage, and all participants
10 entering service subsequent to the effective date of this
11 amendatory Act of the 100th General Assembly shall be deemed
12 to have consented to the provisions of this amendatory Act as a
13 condition of participation. All persons entering service after
14 the effective date of this amendatory Act of the 102nd General
15 Assembly shall be deemed to have consented to the provisions
16 of this amendatory Act of the 102nd General Assembly as a
17 condition of participation.

18 In this Section:

19 "Disqualifying offense" means any of the following
20 offenses set forth in the Criminal Code of 1961 or the Criminal
21 Code of 2012 or any substantially similar offense in federal
22 law, the Uniform Code of Military Justice, or state law:

23 (1) Indecent solicitation of a child.

24 (2) Sexual exploitation of a child.

25 (3) Custodial sexual misconduct.

26 (4) Exploitation of a child.

1 (5) Child pornography.

2 (6) Aggravated child pornography.

3 (7) First degree murder.

4 (8) Second degree murder.

5 (9) Predatory criminal sexual assault of a child.

6 (10) Aggravated criminal sexual assault.

7 (11) Criminal sexual assault.

8 (12) Aggravated kidnaping.

9 (13) Aggravated battery resulting in great bodily harm
10 or permanent disability or disfigurement.

11 "Police officer" means an employee of the county employed
12 in any position under the County Police Merit Board as a deputy
13 sheriff in the County Police Department.

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

15 (40 ILCS 5/10-109)

16 Sec. 10-109. Felony conviction. None of the benefits
17 provided in this Article shall be paid to any person who is
18 convicted of any felony relating to or arising out of or in
19 connection with his service as an employee.

20 Upon petition by the Board or on its own motion, a circuit
21 court may order that none of the benefits provided in this
22 Article be paid to a person who first becomes a police officer
23 on or after the effective date of this amendatory Act of the
24 102nd General Assembly and who has been convicted of a
25 disqualifying offense if the court finds that: (1) the

1 disqualifying offense was committed with the use of police
2 authority, resources, or other materials; (2) the
3 disqualifying offense threatened public safety; or (3) the
4 totality of the circumstances of the disqualifying offense are
5 against the guiding principles and training of law
6 enforcement.

7 None of the benefits provided for in this Article shall be
8 paid to any person who otherwise would receive a survivor
9 benefit who is convicted of any felony relating to or arising
10 out of or in connection with the service of the employee from
11 whom the benefit results.

12 Upon petition by the Board or on its own motion, a court
13 may order that none of the benefits provided for in this
14 Article be paid to any person who otherwise would receive a
15 survivor benefit if the benefit results from the service of a
16 police officer who first became a police officer on or after
17 the effective date of this amendatory Act of the 102nd General
18 Assembly and who was convicted of a disqualifying offense if
19 the court finds that: (1) the disqualifying offense was
20 committed with the use of police authority, resources, or
21 other materials; (2) the disqualifying offense threatened
22 public safety; or (3) the totality of the circumstances of the
23 disqualifying offense are against the guiding principles and
24 training of law enforcement.

25 This Section shall not operate to impair any contract or
26 vested right heretofore acquired under any law or laws

1 continued in this Article, nor to preclude the right to a
2 refund, and for the changes under this amendatory Act of the
3 100th General Assembly, shall not impair any contract or
4 vested right acquired by a survivor prior to the effective
5 date of this amendatory Act of the 100th General Assembly. The
6 changes made by this amendatory Act of the 102nd General
7 Assembly shall not impair any contract or vested right
8 acquired by a survivor prior to the effective date of this
9 amendatory Act of the 102nd General Assembly.

10 All future entrants entering service after the effective
11 date of this amendatory Act of the 95th General Assembly shall
12 be deemed to have consented to the provisions of this Section
13 as a condition of coverage, and all participants entering
14 service subsequent to the effective date of this amendatory
15 Act of the 100th General Assembly shall be deemed to have
16 consented to the provisions of this amendatory Act as a
17 condition of participation. All persons entering service after
18 the effective date of this amendatory Act of the 102nd General
19 Assembly shall be deemed to have consented to the provisions
20 of this amendatory Act of the 102nd General Assembly as a
21 condition of participation.

22 In this Section:

23 "Disqualifying offense" means any of the following
24 offenses set forth in the Criminal Code of 1961 or the Criminal
25 Code of 2012 or any substantially similar offense in federal
26 law, the Uniform Code of Military Justice, or state law:

1 (1) Indecent solicitation of a child.

2 (2) Sexual exploitation of a child.

3 (3) Custodial sexual misconduct.

4 (4) Exploitation of a child.

5 (5) Child pornography.

6 (6) Aggravated child pornography.

7 (7) First degree murder.

8 (8) Second degree murder.

9 (9) Predatory criminal sexual assault of a child.

10 (10) Aggravated criminal sexual assault.

11 (11) Criminal sexual assault.

12 (12) Aggravated kidnaping.

13 (13) Aggravated battery resulting in great bodily harm
14 or permanent disability or disfigurement.

15 "Police officer" means a member of the police force of the
16 district, as provided for in Section 15 of the Cook County
17 Forest Preserve District Act.

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

19 (40 ILCS 5/14-149) (from Ch. 108 1/2, par. 14-149)

20 Sec. 14-149. Felony conviction. None of the benefits
21 herein provided for shall be paid to any person who is
22 convicted of any felony relating to or arising out of or in
23 connection with his service as an employee.

24 Upon petition by the Board or on its own motion, a circuit
25 court may order that none of the benefits provided in this

1 Article be paid to a person who first becomes a police officer
2 on or after the effective date of this amendatory Act of the
3 102nd General Assembly and who has been convicted of a
4 disqualifying offense if the court finds that: (1) the
5 disqualifying offense was committed with the use of police
6 authority, resources, or other materials; (2) the
7 disqualifying offense threatened public safety; or (3) the
8 totality of the circumstances of the disqualifying offense are
9 against the guiding principles and training of law
10 enforcement.

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

16 Upon petition by the Board or on its own motion, a court
17 may order that none of the benefits provided for in this
18 Article be paid to any person who otherwise would receive a
19 survivor benefit if the benefit results from the service of a
20 police officer who first became a police officer on or after
21 the effective date of this amendatory Act of the 102nd General
22 Assembly and who was convicted of a disqualifying offense if
23 the court finds that: (1) the disqualifying offense was
24 committed with the use of police authority, resources, or
25 other materials; (2) the disqualifying offense threatened
26 public safety; or (3) the totality of the circumstances of the

1 disqualifying offense are against the guiding principles and
2 training of law enforcement.

3 This Section shall not operate to impair any contract or
4 vested right heretofore acquired under any law or laws
5 continued in this Article nor to preclude the right to a
6 refund, and for the changes under this amendatory Act of the
7 100th General Assembly, shall not impair any contract or
8 vested right acquired by a survivor prior to the effective
9 date of this amendatory Act of the 100th General Assembly. The
10 changes made by this amendatory Act of the 102nd General
11 Assembly shall not impair any contract or vested right
12 acquired by a survivor prior to the effective date of this
13 amendatory Act of the 102nd General Assembly.

14 All future entrants entering service subsequent to July 9,
15 1955 shall be deemed to have consented to the provisions of
16 this section as a condition of coverage, and all participants
17 entering service subsequent to the effective date of this
18 amendatory Act of the 100th General Assembly shall be deemed
19 to have consented to the provisions of this amendatory Act as a
20 condition of participation. All persons entering service after
21 the effective date of this amendatory Act of the 102nd General
22 Assembly shall be deemed to have consented to the provisions
23 of this amendatory Act of the 102nd General Assembly as a
24 condition of participation.

25 In this Section:

26 "Disqualifying offense" means any of the following

1 offenses set forth in the Criminal Code of 1961 or the Criminal
2 Code of 2012 or any substantially similar offense in federal
3 law, the Uniform Code of Military Justice, or state law:

4 (1) Indecent solicitation of a child.

5 (2) Sexual exploitation of a child.

6 (3) Custodial sexual misconduct.

7 (4) Exploitation of a child.

8 (5) Child pornography.

9 (6) Aggravated child pornography.

10 (7) First degree murder.

11 (8) Second degree murder.

12 (9) Predatory criminal sexual assault of a child.

13 (10) Aggravated criminal sexual assault.

14 (11) Criminal sexual assault.

15 (12) Aggravated kidnaping.

16 (13) Aggravated battery resulting in great bodily harm
17 or permanent disability or disfigurement.

18 "Police officer" means a State policeman, special agent,
19 investigator for the Secretary of State, conservation police
20 officer, investigator for the Department of Revenue or the
21 Illinois Gaming Board, security employee of the Department of
22 Human Services, Central Management Services security police
23 officer, security employee of the Department of Corrections or
24 the Department of Juvenile Justice, dangerous drugs
25 investigator, investigator for the Department of State Police,
26 investigator for the Office of the Attorney General,

1 controlled substance inspector, investigator for the Office of
2 the State's Attorneys Appellate Prosecutor, Commerce
3 Commission police officer, arson investigator, or security
4 employee of the Department of Innovation and Technology.

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

6 (40 ILCS 5/15-187) (from Ch. 108 1/2, par. 15-187)

7 Sec. 15-187. Felony conviction. None of the benefits
8 provided under this Article shall be paid to any person who is
9 convicted of any felony relating to or arising out of or in
10 connection with a person's service as an employee from which
11 the benefit derives.

12 Upon petition by the Board or on its own motion, a circuit
13 court may order that none of the benefits provided in this
14 Article be paid to a person who first becomes a police officer
15 on or after the effective date of this amendatory Act of the
16 102nd General Assembly and who has been convicted of a
17 disqualifying offense if the court finds that: (1) the
18 disqualifying offense was committed with the use of police
19 authority, resources, or other materials; (2) the
20 disqualifying offense threatened public safety; or (3) the
21 totality of the circumstances of the disqualifying offense are
22 against the guiding principles and training of law
23 enforcement.

24 Upon petition by the Board or on its own motion, a court
25 may order that none of the benefits provided for in this

1 Article be paid to any person who otherwise would receive a
2 survivor benefit if the benefit results from the service of a
3 police officer who first became a police officer on or after
4 the effective date of this amendatory Act of the 102nd General
5 Assembly and who was convicted of a disqualifying offense if
6 the court finds that: (1) the disqualifying offense was
7 committed with the use of police authority, resources, or
8 other materials; (2) the disqualifying offense threatened
9 public safety; or (3) the totality of the circumstances of the
10 disqualifying offense are against the guiding principles and
11 training of law enforcement.

12 This Section shall not operate to impair any contract or
13 vested right heretofore acquired under any law or laws
14 continued in this Article, nor to preclude the right to a
15 refund. The changes made to this Section by this amendatory
16 Act of the 100th General Assembly shall not impair any
17 contract or vested right acquired prior to the effective date
18 of this amendatory Act of the 100th General Assembly. No
19 refund paid based on a court order that none of the benefits
20 provided for in this Article be paid to a person or to any
21 person who is convicted of a felony relating to or arising out
22 of or in connection with the person's service as an employee
23 shall include employer contributions or interest or, in the
24 case of the self-managed plan authorized under Section
25 15-158.2, any employer contributions or investment return on
26 such employer contributions.

1 All persons entering service subsequent to July 9, 1955
2 shall be deemed to have consented to the provisions of this
3 Section as a condition of coverage, and all participants
4 entering service on or subsequent to the effective date of
5 this amendatory Act of the 100th General Assembly shall be
6 deemed to have consented to the provisions of this amendatory
7 Act as a condition of participation. All persons entering
8 service after the effective date of this amendatory Act of the
9 102nd General Assembly shall be deemed to have consented to
10 the provisions of this amendatory Act of the 102nd General
11 Assembly as a condition of participation.

12 In this Section, "disqualifying offense" means any of the
13 following offenses set forth in the Criminal Code of 1961 or
14 the Criminal Code of 2012 or any substantially similar offense
15 in federal law, the Uniform Code of Military Justice, or state
16 law:

17 (1) Indecent solicitation of a child.

18 (2) Sexual exploitation of a child.

19 (3) Custodial sexual misconduct.

20 (4) Exploitation of a child.

21 (5) Child pornography.

22 (6) Aggravated child pornography.

23 (7) First degree murder.

24 (8) Second degree murder.

25 (9) Predatory criminal sexual assault of a child.

26 (10) Aggravated criminal sexual assault.

1 (11) Criminal sexual assault.

2 (12) Aggravated kidnaping.

3 (13) Aggravated battery resulting in great bodily harm
4 or permanent disability or disfigurement.

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

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.".