



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB6276

by Rep. John M. Cabello

SYNOPSIS AS INTRODUCED:

40 ILCS 5/2-156

from Ch. 108 1/2, par. 2-156

Amends the General Assembly Article of the Illinois Pension Code. Provides that upon a participant being charged with any felony relating to or arising out of or in connection with his or her service as a member, the participant's active participation in this System is suspended, and no additional contributions shall be accepted from that person or service credits granted to that person by the System during that suspension. Directs that any such contribution inadvertently accepted by the System during the period of suspension shall be promptly refunded. Provides that if the charge is dropped or the person so charged is found not guilty or otherwise not convicted of the felony, his or her rights to active participation in the System and to make contributions and establish service credit under the System shall thereupon be restored, retroactive to the beginning of the suspension. Provides that none of the benefits under the System shall be paid to any person who is found guilty (rather than convicted) of any felony relating to or arising out of or in connection with his or her service as a member. Provides that if such a person is later not convicted of the felony or his or her conviction is reversed, then his or her rights to benefits under this System shall be restored, including interest on any benefit payment that was delayed under this Section. Effective immediately.

LRB098 21534 EFG 60133 b

PENSION IMPACT
NOTE ACT MAY
APPLY

A BILL FOR

1 AN ACT concerning public employee benefits.

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

4 Section 5. The Illinois Pension Code is amended by changing
5 Section 2-156 as follows:

6 (40 ILCS 5/2-156) (from Ch. 108 1/2, par. 2-156)
7 Sec. 2-156. Felony conviction.

8 (a) Upon a participant being charged with any felony
9 relating to or arising out of or in connection with his or her
10 service as a member, the participant's active participation in
11 this System is suspended, and no additional contributions shall
12 be accepted from that person or service credits granted to that
13 person by the System during that suspension. Any such
14 contribution inadvertently accepted by the System during the
15 period of suspension shall be promptly refunded.

16 If the charge is dropped or the person so charged is found
17 not guilty or otherwise not convicted of the felony, his or her
18 rights to active participation in the System and to make
19 contributions and establish service credit under the System
20 shall thereupon be restored, retroactive to the beginning of
21 the suspension.

22 (b) None of the benefits herein provided for shall be paid
23 to any person who is found guilty or convicted of any felony

1 relating to or arising out of or in connection with his or her
2 service as a member. If such a person is later not convicted of
3 the felony or his or her conviction is reversed, then his or
4 her rights to benefits under this System shall be restored,
5 including interest on any benefit payment that was delayed
6 under this Section.

7 (c) This Section shall not operate to impair any contract
8 or vested right acquired prior to July 11, 1955 under any law
9 or laws continued in this Article, nor to preclude the right to
10 a refund.

11 All participants entering service subsequent to July 11,
12 1955 shall be deemed to have consented to the provisions of
13 this Section as a condition of participation.

14 (Source: P.A. 83-1440.)

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