



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB3670

by Rep. Sandra M. Pihos

#### 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, if a member or annuitant is indicted for or charged with a felony, then the Board shall suspend the payment to that person of any benefit provided under the General Assembly Article of the Code from the date of that indictment or charging to the date of conviction, entry of a plea of guilty, or acquittal or dismissal of charges for that offense. Provides that, if a member or annuitant is convicted of pleads guilty to a felony, other than a felony already requiring pension forfeiture under the General Assembly Article, then none of the benefits provided as a result of participation in the General Assembly Retirement System shall be paid to that person. Provides that a member or annuitant whose benefit payments are suspended and who is subsequently acquitted of or has charges dismissed for all offenses requiring suspension of those payments is entitled to all of the suspended payments that were due him or her and all earnings attributable to those payments. Effective immediately.

LRB098 13671 JDS 48197 b

FISCAL NOTE ACT  
MAY APPLY

PENSION IMPACT  
NOTE ACT MAY  
APPLY

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 indictment or conviction.

8 (a) If a member or annuitant is indicted for or charged  
9 with a felony, then the Board shall suspend the payment to that  
10 person of any benefit provided under this Article from the date  
11 of that indictment or charging to the date of conviction, entry  
12 of a plea of guilty, or acquittal or dismissal of charges for  
13 that offense.

14 (b) None of the benefits herein provided for shall be paid  
15 to any person who is convicted of any felony relating to or  
16 arising out of or in connection with his or her service as a  
17 member.

18 (c) If a member or annuitant is convicted of or pleads  
19 guilty to a felony, other than a felony to which subsection (b)  
20 applies, then none of the benefits provided under this Article  
21 shall be paid to that person.

22 (d) A member or annuitant whose benefit payments are  
23 suspended under subsection (a) and who is subsequently

1 acquitted of or has charges dismissed for all offenses  
2 requiring suspension of those payments is entitled to all of  
3 the suspended payments that were due him or her and all  
4 earnings attributable to those payments.

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

9 (f) All participants entering service subsequent to July  
10 11, 1955 shall be deemed to have consented to the provisions of  
11 this Section as a condition of participation.

12 (g) The changes made to this Section by this amendatory Act  
13 of the 98th General Assembly apply without regard to whether  
14 the person was in active service on or after the effective date  
15 of this amendatory Act of the 98th General Assembly.

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

17 Section 99. Effective date. This Act takes effect upon  
18 becoming law.