



Rep. Darlene J. Senger

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09800HB5816ham003

LRB098 15892 RPM 58316 a

1 AMENDMENT TO HOUSE BILL 5816

2 AMENDMENT NO. _____. Amend House Bill 5816 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by adding
5 Section 1-136 as follows:

6 (40 ILCS 5/1-136 new)

7 Sec. 1-136. Public corruption and other disqualifying
8 felony convictions.

9 (a) If a member or participant of a pension fund or
10 retirement system established under this Code is convicted of,
11 or pleads guilty to, a job-related felony, including, but not
12 limited to, violating paragraph (6) of subsection (a) of
13 Section 12-6, subsection (a) of Section 33-1, Section 33-3,
14 subsection (a) of Section 33E-7, or subsection (d) of Section
15 17-10.3 of the Criminal Code of 2012, or is sentenced for theft
16 of governmental property under paragraph (4.1), (5.1), or (6.1)

1 of subsection (b) of Section 16-1 of the Criminal Code of 2012,
2 then none of the benefits that are provided under this Code and
3 that are attributable to the service of that person shall be
4 paid.

5 (b) If a member or participant of a pension fund or
6 retirement system established under this Code is receiving an
7 annuity or pension from a pension fund or retirement system
8 established under this Code and is convicted of, or pleads
9 guilty to, a Class X or a Class 1 felony, other than a felony
10 requiring the forfeiture of that annuity or pension under
11 subsection (a) of this Section or any other provision of this
12 Code, then the board of trustees of that fund or system shall
13 suspend the payment of the annuity or pension for the duration
14 of that member's or participant's incarceration for that
15 offense. Upon completion of the term of incarceration for that
16 offense, the member or participant may seek reinstatement of
17 his or her annuity or pension by filing a request for
18 reinstatement of benefits with the applicable pension fund or
19 retirement system in the manner prescribed by that fund or
20 system.

21 (c) A person who forfeits his or her benefits under this
22 Section is entitled to a refund of his or her employee
23 contributions only if a refund of those contributions is
24 necessary in order for the pension fund or retirement system to
25 maintain qualified plan status under the federal Internal
26 Revenue Code of 1986.

1 (d) This Section applies without regard to whether the
2 member or participant is in service on or after the effective
3 date of this amendatory Act of the 98th General Assembly."