



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3177

by Rep. Sam Yingling

SYNOPSIS AS INTRODUCED:

40 ILCS 5/1-136 new

Amends the General Provisions Article of the Illinois Pension Code. Provides that if a member or participant of a retirement system or pension fund is convicted of, or pleads guilty to, a felony, other than a felony requiring forfeiture of that annuity or pension, then the board of trustees for that system or fund shall suspend the payment of that annuity or pension during that member's or participant's incarceration for that offense. Provides that, upon completion of the term of incarceration for that offense, the member or participant may seek reinstatement of his or her annuity or pension by filing a request for reinstatement of benefits with the applicable pension fund or retirement system in the manner prescribed by the applicable fund or system. Applies without regard to whether a member or participant is in service on or after the effective date. Effective immediately.

LRB099 03896 RPS 23912 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 adding
5 Section 1-136 as follows:

6 (40 ILCS 5/1-136 new)

7 Sec. 1-136. Suspension of benefits while incarcerated for a
8 felony. If a member or participant of a pension fund or
9 retirement system established under this Code is receiving an
10 annuity or pension from a pension fund or retirement system
11 established under this Code and is convicted of, or pleads
12 guilty to, a felony, other than a felony requiring the
13 forfeiture of that annuity or pension under any provision of
14 this Code, then the board of trustees of that fund or system
15 shall suspend the payment of the annuity or pension for the
16 duration of that member's or participant's incarceration for
17 that offense. Upon completion of the term of incarceration for
18 that offense, the member or participant may seek reinstatement
19 of his or her annuity or pension by filing a request for
20 reinstatement of benefits with the applicable pension fund or
21 retirement system in the manner prescribed by that fund or
22 system.

23 This Section applies without regard to whether the member

1 or participant is in service on or after the effective date of
2 this amendatory Act of the 99th General Assembly.

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.