



Sen. Pamela J. Althoff

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09900SB1049sam001

LRB099 05382 RPS 48756 a

1 AMENDMENT TO SENATE BILL 1049

2 AMENDMENT NO. _____. Amend Senate Bill 1049 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by
5 changing Sections 2-156, 3-147, 4-138, 5-227, 6-221, 7-219,
6 8-251, 9-235, 10-109, 11-230, 12-191, 13-807, 14-149, 15-187,
7 16-199, 17-149.1, and 18-163 as follows:

8 (40 ILCS 5/2-156) (from Ch. 108 1/2, par. 2-156)

9 Sec. 2-156. Felony conviction. None of the benefits herein
10 provided for shall be paid to any person who is convicted of
11 any felony relating to or arising out of or in connection with
12 his or her service as a member.

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

1 whom the benefit results.

2 This Section shall not operate to impair any contract or
3 vested right acquired prior to July 11, 1955 under any law or
4 laws continued in this Article, nor to preclude the right to a
5 refund, and for the changes under this amendatory Act of the
6 99th General Assembly, shall not impair any contract or vested
7 right acquired by a survivor prior to the effective date of
8 this amendatory Act of the 99th General Assembly.

9 All participants entering service subsequent to July 11,
10 1955 shall be deemed to have consented to the provisions of
11 this Section as a condition of participation, and all
12 participants entering service subsequent to the effective date
13 of this amendatory Act of the 99th General Assembly shall be
14 deemed to have consented to the provisions of this amendatory
15 Act as a condition of participation.

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

17 (40 ILCS 5/3-147) (from Ch. 108 1/2, par. 3-147)

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

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

1 from whom the benefit results.

2 This Section shall not impair any contract or vested right
3 acquired prior to July 11, 1955 under any law continued in this
4 Article, nor preclude the right to a refund, and for the
5 changes under this amendatory Act of the 99th General Assembly,
6 shall not impair any contract or vested right acquired by a
7 survivor prior to the effective date of this amendatory Act of
8 the 99th General Assembly.

9 All persons entering service subsequent to July 11, 1955
10 are deemed to have consented to the provisions of this Section
11 as a condition of coverage, and all participants entering
12 service subsequent to the effective date of this amendatory Act
13 of the 99th General Assembly shall be deemed to have consented
14 to the provisions of this amendatory Act as a condition of
15 participation.

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

17 (40 ILCS 5/4-138) (from Ch. 108 1/2, par. 4-138)

18 Sec. 4-138. Felony conviction. None of the benefits
19 provided under this Article shall be paid to any person who is
20 convicted of any felony relating to or arising out of or in
21 connection with service as a firefighter.

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

1 from whom the benefit results.

2 This Section shall not impair any contract or vested right
3 acquired prior to July 11, 1955 under any law continued in this
4 Article, nor preclude the right to a refund, and for the
5 changes under this amendatory Act of the 99th General Assembly,
6 shall not impair any contract or vested right acquired by a
7 survivor prior to the effective date of this amendatory Act of
8 the 99th General Assembly.

9 All persons entering service subsequent to July 11, 1955,
10 are deemed to have consented to the provisions of this Section
11 as a condition of coverage, and all participants entering
12 service subsequent to the effective date of this amendatory Act
13 of the 99th General Assembly shall be deemed to have consented
14 to the provisions of this amendatory Act as a condition of
15 participation.

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

17 (40 ILCS 5/5-227) (from Ch. 108 1/2, par. 5-227)

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

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

1 whom the benefit results.

2 None of the benefits provided for in this Article shall be
3 paid to any person who is convicted of any felony while in
4 receipt of disability benefits.

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

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 99th General Assembly, shall not impair any contract or vested
16 right acquired by a survivor prior to the effective date of
17 this amendatory Act of the 99th General Assembly.

18 All future entrants entering service subsequent to July 11,
19 1955, shall be deemed to have consented to the provisions of
20 this Section as a condition of coverage, and all participants
21 entering service subsequent to the effective date of this
22 amendatory Act of the 99th General Assembly shall be deemed to
23 have consented to the provisions of this amendatory Act as a
24 condition of participation.

25 (Source: P.A. 83-809.)

1 (40 ILCS 5/6-221) (from Ch. 108 1/2, par. 6-221)

2 Sec. 6-221. Felony conviction. None of the benefits
3 provided 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 a fireman.

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

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 99th General Assembly, shall not impair any contract or vested
16 right acquired by a survivor prior to the effective date of
17 this amendatory Act of the 99th General Assembly.

18 All future entrants after July 11, 1955 shall be deemed to
19 have consented to the provisions of this section as a condition
20 of coverage, and all participants entering service subsequent
21 to the effective date of this amendatory Act of the 99th
22 General Assembly shall be deemed to have consented to the
23 provisions of this amendatory Act as a condition of
24 participation.

25 (Source: Laws 1963, p. 161.)

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

2 Sec. 7-219. Felony conviction.

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

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 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 99th General Assembly, shall not impair any contract or vested
17 right acquired by a survivor prior to the effective date of
18 this amendatory Act of the 99th General Assembly.

19 All future entrants entering service subsequent to July 9,
20 1955 shall be deemed to have consented to the provisions of
21 this Section as a condition of coverage, and all participants
22 entering service subsequent to the effective date of this
23 amendatory Act of the 99th General Assembly shall be deemed to
24 have consented to the provisions of this amendatory Act as a
25 condition of participation.

26 (Source: Laws 1963, p. 161.)

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

2 Sec. 8-251. Felony conviction.

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

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 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 99th General Assembly, shall not impair any contract or vested
17 right acquired by a survivor prior to the effective date of
18 this amendatory Act of the 99th General Assembly.

19 All future entrants entering service subsequent to July 11,
20 1955 shall be deemed to have consented to the provisions of
21 this section as a condition of coverage, and all participants
22 entering service subsequent to the effective date of this
23 amendatory Act of the 99th General Assembly shall be deemed to
24 have consented to the provisions of this amendatory Act as a
25 condition of participation.

1 (Source: Laws 1963, p. 161.)

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

3 Sec. 9-235. Felony conviction.

4 None of the benefits provided in this Article shall be paid
5 to any person who is convicted of any felony relating to or
6 arising out of or in connection with his service as an
7 employee.

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

13 This section shall not operate to impair any contract or
14 vested right heretofore acquired under any law or laws
15 continued in this Article, nor to preclude the right to a
16 refund, and for the changes under this amendatory Act of the
17 99th General Assembly, shall not impair any contract or vested
18 right acquired by a survivor prior to the effective date of
19 this amendatory Act of the 99th General Assembly.

20 All future entrants entering service after July 11, 1955,
21 shall be deemed to have consented to the provisions of this
22 section as a condition of coverage, and all participants
23 entering service subsequent to the effective date of this
24 amendatory Act of the 99th General Assembly shall be deemed to
25 have consented to the provisions of this amendatory Act as a

1 condition of participation.

2 (Source: Laws 1963, p. 161.)

3 (40 ILCS 5/10-109)

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

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

13 This Section shall not operate to impair any contract or
14 vested right heretofore acquired under any law or laws
15 continued in this Article, nor to preclude the right to a
16 refund, and for the changes under this amendatory Act of the
17 99th General Assembly, shall not impair any contract or vested
18 right acquired by a survivor prior to the effective date of
19 this amendatory Act of the 99th General Assembly.

20 All future entrants entering service after the effective
21 date of this amendatory Act of the 95th General Assembly shall
22 be deemed to have consented to the provisions of this Section
23 as a condition of coverage, and all participants entering
24 service subsequent to the effective date of this amendatory Act
25 of the 99th General Assembly shall be deemed to have consented

1 to the provisions of this amendatory Act as a condition of
2 participation.

3 (Source: P.A. 95-1036, eff. 2-17-09.)

4 (40 ILCS 5/11-230) (from Ch. 108 1/2, par. 11-230)

5 Sec. 11-230. Felony conviction.

6 None of the benefits provided in this Article shall be paid
7 to any person who is convicted of any felony relating to or
8 arising out of or in connection with his service as employee.

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

14 This section shall not operate to impair any contract or
15 vested right heretofore acquired under any law or laws
16 continued in this Article, nor to preclude the right to a
17 refund, and for the changes under this amendatory Act of the
18 99th General Assembly, shall not impair any contract or vested
19 right acquired by a survivor prior to the effective date of
20 this amendatory Act of the 99th General Assembly.

21 All future entrants entering service after July 11, 1955,
22 shall be deemed to have consented to the provisions of this
23 section as a condition of coverage, and all participants
24 entering service subsequent to the effective date of this
25 amendatory Act of the 99th General Assembly shall be deemed to

1 have consented to the provisions of this amendatory Act as a
2 condition of participation.

3 (Source: Laws 1963, p. 161.)

4 (40 ILCS 5/12-191) (from Ch. 108 1/2, par. 12-191)

5 Sec. 12-191. Felony conviction.

6 None of the benefits provided for in this Article shall be
7 paid to any person who is convicted of any felony relating to
8 or arising out of or in connection with his service as an
9 employee.

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

15 This section shall not operate to impair any contract or
16 vested right heretofore acquired under any law or laws
17 continued in this Article, nor to preclude the right to a
18 refund, and for the changes under this amendatory Act of the
19 99th General Assembly, shall not impair any contract or vested
20 right acquired by a survivor prior to the effective date of
21 this amendatory Act of the 99th General Assembly.

22 All future entrants entering service subsequent to July 11,
23 1955 shall be deemed to have consented to the provisions of
24 this section as a condition of coverage, and all participants
25 entering service subsequent to the effective date of this

1 amendatory Act of the 99th General Assembly shall be deemed to
2 have consented to the provisions of this amendatory Act as a
3 condition of participation.

4 (Source: Laws 1963, p. 161.)

5 (40 ILCS 5/13-807) (from Ch. 108 1/2, par. 13-807)

6 Sec. 13-807. Felony conviction. None of the benefits
7 provided 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 service as an employee.

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

15 This section shall not operate to impair any contract or
16 vested right heretofore acquired under any law or laws
17 continued in this Article, nor to preclude the right to a
18 refund, and for the changes under this amendatory Act of the
19 99th General Assembly, shall not impair any contract or vested
20 right acquired by a survivor prior to the effective date of
21 this amendatory Act of the 99th General Assembly.

22 All persons entering service subsequent to July 11, 1955
23 shall be deemed to have consented to the provisions of this
24 Section as a condition of coverage, and all participants
25 entering service subsequent to the effective date of this

1 amendatory Act of the 99th General Assembly shall be deemed to
2 have consented to the provisions of this amendatory Act as a
3 condition of participation.

4 (Source: P.A. 87-794.)

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

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

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

15 This Section shall not operate to impair any contract or
16 vested right heretofore acquired under any law or laws
17 continued in this Article nor to preclude the right to a
18 refund, and for the changes under this amendatory Act of the
19 99th General Assembly, shall not impair any contract or vested
20 right acquired by a survivor prior to the effective date of
21 this amendatory Act of the 99th General Assembly.

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

1 amendatory Act of the 99th General Assembly shall be deemed to
2 have consented to the provisions of this amendatory Act as a
3 condition of participation.

4 (Source: P.A. 80-841.)

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

6 Sec. 15-187. Felony conviction. None of the benefits
7 provided under 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 the person's service as an employee.

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

15 This Section shall not operate to impair any contract or
16 vested right heretofore acquired under any law or laws
17 continued in this Article, nor to preclude the right to a
18 refund, and for the changes under this amendatory Act of the
19 99th General Assembly, shall not impair any contract or vested
20 right acquired by a survivor prior to the effective date of
21 this amendatory Act of the 99th General Assembly. No refund
22 paid to any person who is convicted of a felony relating to or
23 arising out of or in connection with the person's service as an
24 employee shall include employer contributions or interest or,
25 in the case of the self-managed plan authorized under Section

1 15-158.2, any employer contributions or investment return on
2 such employer contributions.

3 All persons entering service subsequent to July 9, 1955
4 shall be deemed to have consented to the provisions of this
5 Section as a condition of coverage, and all participants
6 entering service subsequent to the effective date of this
7 amendatory Act of the 99th General Assembly shall be deemed to
8 have consented to the provisions of this amendatory Act as a
9 condition of participation.

10 (Source: P.A. 93-347, eff. 7-24-03.)

11 (40 ILCS 5/16-199) (from Ch. 108 1/2, par. 16-199)

12 Sec. 16-199. Felony conviction. None of the benefits
13 provided for in this Article shall be paid to any person who is
14 convicted of any felony relating to or arising out of or in
15 connection with his or her service as a teacher.

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

21 This Section shall not operate to impair any contract or
22 vested right acquired prior to July 9, 1955 under any law or
23 laws continued in this Article, nor to preclude the right to a
24 refund, and for the changes under this amendatory Act of the
25 99th General Assembly, shall not impair any contract or vested

1 right acquired by a survivor prior to the effective date of
2 this amendatory Act of the 99th General Assembly. The System
3 may sue any such person to collect all moneys paid in excess of
4 refundable contributions.

5 All teachers entering or re-entering service after July 9,
6 1955 shall be deemed to have consented to the provisions of
7 this Section as a condition of membership, and all participants
8 entering service subsequent to the effective date of this
9 amendatory Act of the 99th General Assembly shall be deemed to
10 have consented to the provisions of this amendatory Act as a
11 condition of participation.

12 (Source: P.A. 85-1008.)

13 (40 ILCS 5/17-149.1) (from Ch. 108 1/2, par. 17-149.1)

14 Sec. 17-149.1. Felony conviction. None of the benefits
15 provided for in this Article shall be paid to any person who is
16 convicted of any felony relating to or arising out of or in
17 connection with his or her service as a teacher.

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 teacher from
22 whom the benefit results.

23 This Section shall not operate to impair any contract or
24 vested right acquired prior to January 1, 1988, nor to preclude
25 the right to a refund, and for the changes under this

1 amendatory Act of the 99th General Assembly, shall not impair
2 any contract or vested right acquired by a survivor prior to
3 the effective date of this amendatory Act of the 99th General
4 Assembly.

5 All teachers entering service after January 1, 1988 shall
6 be deemed to have consented to the provisions of this Section
7 as a condition of membership, and all participants entering
8 service subsequent to the effective date of this amendatory Act
9 of the 99th General Assembly shall be deemed to have consented
10 to the provisions of this amendatory Act as a condition of
11 participation.

12 (Source: P.A. 85-964.)

13 (40 ILCS 5/18-163) (from Ch. 108 1/2, par. 18-163)

14 Sec. 18-163. Felony conviction. None of the benefits herein
15 provided shall be paid to any person who is convicted of any
16 felony relating to or arising out of or in connection with his
17 or her service as a judge.

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 judge from whom
22 the benefit results.

23 This Section shall not operate to impair any contract or
24 vested right acquired before July 9, 1955 under any law or laws
25 continued in this Article, nor to preclude the right to a

1 refund, and for the changes under this amendatory Act of the
2 99th General Assembly, shall not impair any contract or vested
3 right acquired by a survivor prior to the effective date of
4 this amendatory Act of the 99th General Assembly.

5 All participants entering service subsequent to July 9,
6 1955 are deemed to have consented to the provisions of this
7 Section as a condition of participation, and all participants
8 entering service subsequent to the effective date of this
9 amendatory Act of the 99th General Assembly shall be deemed to
10 have consented to the provisions of this amendatory Act as a
11 condition of participation.

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

13 Section 99. Effective date. This Act takes effect upon
14 becoming law."