

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 Sections 5-227 and 5-228 as follows:

6 (40 ILCS 5/5-227) (from Ch. 108 1/2, par. 5-227)

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

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

16 None of the benefits provided for in this Article shall be
17 paid to any person who is convicted of any felony while in
18 receipt of disability benefits.

19 None of the benefits provided for in this Article shall be
20 paid to any person who is convicted of any felony relating to
21 or arising out of or in connection with the intentional and
22 wrongful death of a police officer, either active or retired,
23 through whom such person would become eligible to receive, or

1 is receiving, an annuity under this Article.

2 A person who intentionally and unjustifiably causes delay
3 in proceedings in which the person is ultimately convicted of a
4 felony relating to or arising out of or in connection with his
5 service as a policeman shall not be entitled to any benefits
6 provided for in this Article on and after the filing date of
7 the related indictment or charges. This paragraph applies to
8 all persons whose felony conviction was entered on or after
9 January 1, 2019.

10 Any refund required under this Article shall be calculated
11 based on that person's contributions to the Fund, less the
12 amount of any annuity benefit previously received by the person
13 or his or her beneficiaries. This paragraph applies to all
14 persons who make an application for refund to the Fund on or
15 after January 1, 2019.

16 This Section shall not operate to impair any contract or
17 vested right heretofore acquired under any law or laws
18 continued in this Article, nor to preclude the right to a
19 refund, and for the changes under this amendatory Act of the
20 100th General Assembly, shall not impair any contract or vested
21 right acquired by a survivor prior to the effective date of
22 this amendatory Act of the 100th General Assembly.

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

1 amendatory Act of the 100th 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. 100-334, eff. 8-25-17.)

5 (40 ILCS 5/5-228) (from Ch. 108 1/2, par. 5-228)

6 Sec. 5-228. Administrative review.

7 (a) The provisions of the Administrative Review Law, and
8 all amendments and modifications thereof and the rules adopted
9 pursuant thereto, shall apply to and govern all proceedings for
10 the judicial review of final administrative decisions of the
11 retirement board provided for under this Article. The term
12 "administrative decision" is as defined in Section 3-101 of the
13 Code of Civil Procedure.

14 (b) If any policeman whose application for either a duty
15 disability benefit under Section 5-154 or for an occupational
16 disease disability benefit under Section 5-154.1 has been
17 denied by the Retirement Board brings an action for
18 administrative review challenging the denial of disability
19 benefits and the policeman prevails in the action in
20 administrative review, then the prevailing policeman shall be
21 entitled to recover from the Fund court costs and litigation
22 expenses, including reasonable attorney's fees, as part of the
23 costs of the action.

24 (Source: P.A. 82-783.)

1 Section 90. The State Mandates Act is amended by adding
2 Section 8.43 as follows:

3 (30 ILCS 805/8.43 new)

4 Sec. 8.43. Exempt mandate. Notwithstanding Sections 6 and 8
5 of this Act, no reimbursement by the State is required for the
6 implementation of any mandate created by this amendatory Act of
7 the 101st General Assembly.

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.