



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB1277

Introduced 1/31/2023, by Rep. Amy Elik and Tony M. McCombie

SYNOPSIS AS INTRODUCED:

40 ILCS 5/1-170 new
30 ILCS 805/8.47 new

Amends the General Provisions Article of the Illinois Pension Code. Provides that benefit or annuity payments to a member or participant in a retirement system or pension fund shall be suspended if the member or participant is indicted or charged by information with a felony and the board of the retirement system or pension fund determines that the felony relates to or arises out of or in connection with his or her service as a member or participant of the retirement system or pension fund. Provides that if the member or participant is not convicted of that felony, payment of the benefit or annuity shall resume and the retirement system or pension fund shall pay to the member or participant the amount of the suspended annuity or benefit payments with interest. Provides that if the member or participant is convicted of that felony, the suspended annuity or benefit payments shall not be paid to the member or participant. Provides that the amendatory Act applies without regard to whether the member or participant first became a member or participant of a retirement system or pension fund before the effective date of the amendatory Act. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB103 05884 RPS 50905 b

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

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 1-170 as follows:

6 (40 ILCS 5/1-170 new)

7 Sec. 1-170. Suspension of benefits; felony indictment or
8 charge. Notwithstanding any other provision of this Code,
9 benefit or annuity payments to a member or participant in a
10 retirement system or pension fund established under this Code
11 shall be suspended if the member or participant is indicted or
12 charged by information with a felony and the board of the
13 retirement system or pension fund determines that the felony
14 relates to or arises out of or in connection with his or her
15 service as a member or participant of the retirement system or
16 pension fund. If the member or participant is not convicted of
17 that felony, payment of the benefit or annuity shall resume
18 and the retirement system or pension fund shall pay to the
19 member or participant the amount of the suspended annuity or
20 benefit payments with interest, at a rate determined by the
21 board of the retirement system or pension fund. If the member
22 or participant is convicted of that felony, the suspended
23 annuity or benefit payments shall not be paid to the member or

1 participant; however, the member or participant shall be
2 entitled to a refund of his or her contributions as provided in
3 the applicable provisions concerning forfeiture of benefits
4 for certain felony convictions. This Section applies without
5 regard to whether the member or participant first became a
6 member or participant of a retirement system or pension fund
7 before the effective date of this amendatory Act of the 103rd
8 General Assembly.

9 Section 90. The State Mandates Act is amended by adding
10 Section 8.47 as follows:

11 (30 ILCS 805/8.47 new)

12 Sec. 8.47. Exempt mandate. Notwithstanding Sections 6 and
13 8 of this Act, no reimbursement by the State is required for
14 the implementation of any mandate created by this amendatory
15 Act of the 103rd General Assembly.

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