



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB1552

Introduced 1/31/2023, by Rep. Curtis J. Tarver, II

SYNOPSIS AS INTRODUCED:

See Index

Amends the Counties Code. Provides that if a person who is covered under a retirement system or pension fund created under the Illinois Pension Code is convicted of a disqualifying offense as that term is defined in the Illinois Pension Code, the State's Attorney must notify the board of trustees for that retirement system or pension fund. Amends the Downstate Police, Chicago Police, Illinois Municipal Retirement Fund (IMRF), Chicago Municipal, Cook County, Cook County Forest Preserve, State Employee, and State Universities Articles of the Illinois Pension Code. Provides that upon petition by the Board or on its own motion, a circuit court may order that none of the benefits provided under the Article be paid to a person who first becomes a police officer on or after the effective date of the amendatory Act and who has been convicted of a disqualifying offense if the court finds that: (1) the disqualifying offense was committed with the use of police authority, resources, or other materials; (2) the disqualifying offense threatened public safety; or (3) the totality of the circumstances of the disqualifying offense are against the guiding principles and training of law enforcement. Provides that upon petition by the Board or on its own motion, a court may order that none of the benefits provided for in the Article be paid to any person who otherwise would receive a survivor benefit if the benefit results from the service of a police officer who first became a police officer on or after the effective date of the amendatory Act and who was convicted of a disqualifying offense if the court finds that: (1) the disqualifying offense was committed with the use of police authority, resources, or other materials; (2) the disqualifying offense threatened public safety; or (3) the totality of the circumstances of the disqualifying offense are against the guiding principles and training of law enforcement. Defines "disqualifying offense" and "police officer". Makes conforming and other changes. Effective immediately.

LRB103 25778 RPS 52127 b

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 Counties Code is amended by changing
5 Section 3-9013 as follows:

6 (55 ILCS 5/3-9013)

7 Sec. 3-9013. Pension funds; job-related felony. If a
8 person ~~an employee~~ who is covered under a retirement system or
9 pension fund created under the Illinois Pension Code is
10 convicted of a disqualifying offense as that term is defined
11 in the Illinois Pension Code or of a felony relating to or
12 arising out of or in connection with the employment for which
13 the person ~~employee~~ is covered under the retirement system or
14 pension fund, the State's Attorney must notify the board of
15 trustees for that retirement system or pension fund.

16 (Source: P.A. 95-836, eff. 8-15-08.)

17 Section 10. The Illinois Pension Code is amended by
18 changing Sections 3-147, 5-227, 7-219, 8-251, 9-235, 10-109,
19 14-149, and 15-187 as follows:

20 (40 ILCS 5/3-147) (from Ch. 108 1/2, par. 3-147)

21 Sec. 3-147. Felony conviction. None of the benefits

1 provided in this Article shall be paid to any person who is
2 convicted of any felony relating to or arising out of or in
3 connection with his or her service as a police officer.

4 Upon petition by the Board or on its own motion, a circuit
5 court may order that none of the benefits provided in this
6 Article be paid to a person who first becomes a police officer
7 on or after the effective date of this amendatory Act of the
8 103rd General Assembly and who has been convicted of a
9 disqualifying offense if the court finds that: (1) the
10 disqualifying offense was committed with the use of police
11 authority, resources, or other materials; (2) the
12 disqualifying offense threatened public safety; or (3) the
13 totality of the circumstances of the disqualifying offense are
14 against the guiding principles and training of law
15 enforcement.

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 police officer
20 from whom the benefit results.

21 Upon petition by the Board or on its own motion, a court
22 may order that none of the benefits provided for in this
23 Article be paid to any person who otherwise would receive a
24 survivor benefit if the benefit results from the service of a
25 police officer who first became a police officer on or after
26 the effective date of this amendatory Act of the 103rd General

1 Assembly and who was convicted of a disqualifying offense if
2 the court finds that: (1) the disqualifying offense was
3 committed with the use of police authority, resources, or
4 other materials; (2) the disqualifying offense threatened
5 public safety; or (3) the totality of the circumstances of the
6 disqualifying offense are against the guiding principles and
7 training of law enforcement.

8 This Section shall not impair any contract or vested right
9 acquired prior to July 11, 1955 under any law continued in this
10 Article, nor preclude the right to a refund, and for the
11 changes under this amendatory Act of the 100th General
12 Assembly, shall not impair any contract or vested right
13 acquired by a survivor prior to the effective date of this
14 amendatory Act of the 100th General Assembly. The changes made
15 by this amendatory Act of the 103rd General Assembly shall not
16 impair any contract or vested right acquired by a survivor
17 prior to the effective date of this amendatory Act of the 103rd
18 General Assembly.

19 All persons entering service subsequent to July 11, 1955
20 are deemed to have consented to the provisions of this Section
21 as a condition of coverage, and all participants entering
22 service subsequent to the effective date of this amendatory
23 Act of the 100th General Assembly shall be deemed to have
24 consented to the provisions of this amendatory Act as a
25 condition of participation. All persons entering service after
26 the effective date of this amendatory Act of the 103rd General

1 Assembly shall be deemed to have consented to the provisions
2 of this amendatory Act of the 103rd General Assembly as a
3 condition of participation.

4 In this Section, "disqualifying offense" means any of the
5 following offenses set forth in the Criminal Code of 1961 or
6 the Criminal Code of 2012 or any substantially similar offense
7 in federal law, the Uniform Code of Military Justice, or state
8 law:

9 (1) Indecent solicitation of a child.

10 (2) Sexual exploitation of a child.

11 (3) Custodial sexual misconduct.

12 (4) Exploitation of a child.

13 (5) Child pornography.

14 (6) Aggravated child pornography.

15 (7) First degree murder.

16 (8) Second degree murder.

17 (9) Predatory criminal sexual assault of a child.

18 (10) Aggravated criminal sexual assault.

19 (11) Criminal sexual assault.

20 (12) Aggravated kidnaping.

21 (13) Aggravated battery resulting in great bodily harm
22 or permanent disability or disfigurement.

23 (Source: P.A. 100-334, eff. 8-25-17.)

24 (40 ILCS 5/5-227) (from Ch. 108 1/2, par. 5-227)

25 Sec. 5-227. Felony conviction. None of the benefits

1 provided for in this Article shall be paid to any person who is
2 convicted of any felony relating to or arising out of or in
3 connection with his service as a policeman.

4 Upon petition by the Board or on its own motion, a circuit
5 court may order that none of the benefits provided in this
6 Article be paid to a person who first becomes a policeman on or
7 after the effective date of this amendatory Act of the 103rd
8 General Assembly and who has been convicted of a disqualifying
9 offense if the court finds that: (1) the disqualifying offense
10 was committed with the use of police authority, resources, or
11 other materials; (2) the disqualifying offense threatened
12 public safety; or (3) the totality of the circumstances of the
13 disqualifying offense are against the guiding principles and
14 training of law enforcement.

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

20 Upon petition by the Board or on its own motion, a court
21 may order that none of the benefits provided for in this
22 Article be paid to any person who otherwise would receive a
23 survivor benefit if the benefit results from the service of a
24 policeman who first became a policeman on or after the
25 effective date of this amendatory Act of the 103rd General
26 Assembly and who was convicted of a disqualifying offense if

1 the court finds that: (1) the disqualifying offense was
2 committed with the use of police authority, resources, or
3 other materials; (2) the disqualifying offense threatened
4 public safety; or (3) the totality of the circumstances of the
5 disqualifying offense are against the guiding principles and
6 training of law enforcement.

7 None of the benefits provided for in this Article shall be
8 paid to any person who is convicted of any felony while in
9 receipt of disability benefits.

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

16 A person who intentionally and unjustifiably causes delay
17 in proceedings in which the person is ultimately convicted of
18 a felony relating to or arising out of or in connection with
19 his service as a policeman shall not be entitled to any
20 benefits provided for in this Article on and after the filing
21 date of the related indictment or charges. This paragraph
22 applies to all persons whose felony conviction was entered on
23 or after January 1, 2019.

24 Any refund required under this Article shall be calculated
25 based on that person's contributions to the Fund, less the
26 amount of any annuity benefit previously received by the

1 person or his or her beneficiaries. This paragraph applies to
2 all persons who make an application for refund to the Fund on
3 or after January 1, 2019.

4 This Section shall not operate to impair any contract or
5 vested right heretofore acquired under any law or laws
6 continued in this Article, nor to preclude the right to a
7 refund, and for the changes under this amendatory Act of the
8 100th General Assembly, shall not impair any contract or
9 vested right acquired by a survivor prior to the effective
10 date of this amendatory Act of the 100th General Assembly. The
11 changes made by this amendatory Act of the 103rd General
12 Assembly shall not impair any contract or vested right
13 acquired by a survivor prior to the effective date of this
14 amendatory Act of the 103rd General Assembly.

15 All future entrants entering service subsequent to July
16 11, 1955, shall be deemed to have consented to the provisions
17 of this Section as a condition of coverage, and all
18 participants entering service subsequent to the effective date
19 of this amendatory Act of the 100th General Assembly shall be
20 deemed to have consented to the provisions of this amendatory
21 Act as a condition of participation. All persons entering
22 service after the effective date of this amendatory Act of the
23 103rd General Assembly shall be deemed to have consented to
24 the provisions of this amendatory Act of the 103rd General
25 Assembly as a condition of participation.

26 In this Section, "disqualifying offense" means any of the

1 following offenses set forth in the Criminal Code of 1961 or
2 the Criminal Code of 2012 or any substantially similar offense
3 in federal law, the Uniform Code of Military Justice, or state
4 law:

5 (1) Indecent solicitation of a child.

6 (2) Sexual exploitation of a child.

7 (3) Custodial sexual misconduct.

8 (4) Exploitation of a child.

9 (5) Child pornography.

10 (6) Aggravated child pornography.

11 (7) First degree murder.

12 (8) Second degree murder.

13 (9) Predatory criminal sexual assault of a child.

14 (10) Aggravated criminal sexual assault.

15 (11) Criminal sexual assault.

16 (12) Aggravated kidnaping.

17 (13) Aggravated battery resulting in great bodily harm
18 or permanent disability or disfigurement.

19 (Source: P.A. 100-334, eff. 8-25-17; 101-387, eff. 8-16-19.)

20 (40 ILCS 5/7-219) (from Ch. 108 1/2, par. 7-219)

21 Sec. 7-219. Felony conviction. None of the benefits
22 provided for in this Article shall be paid to any person who is
23 convicted of any felony relating to or arising out of or in
24 connection with his service as an employee.

25 Upon petition by the Board or on its own motion, a circuit

1 court may order that none of the benefits provided in this
2 Article be paid to a person who first becomes a sheriff's law
3 enforcement employee on or after the effective date of this
4 amendatory Act of the 103rd General Assembly and who has been
5 convicted of a disqualifying offense if the court finds that:
6 (1) the disqualifying offense was committed with the use of
7 police authority, resources, or other materials; (2) the
8 disqualifying offense threatened public safety; or (3) the
9 totality of the circumstances of the disqualifying offense are
10 against the guiding principles and training of law
11 enforcement.

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

17 Upon petition by the Board or on its own motion, a court
18 may order that none of the benefits provided for in this
19 Article be paid to any person who otherwise would receive a
20 survivor benefit if the benefit results from the service of a
21 sheriff's law enforcement employee who first became a
22 sheriff's law enforcement employee on or after the effective
23 date of this amendatory Act of the 103rd General Assembly and
24 who was convicted of a disqualifying offense if the court
25 finds that: (1) the disqualifying offense was committed with
26 the use of police authority, resources, or other materials;

1 (2) the disqualifying offense threatened public safety; or (3)
2 the totality of the circumstances of the disqualifying offense
3 are against the guiding principles and training of law
4 enforcement.

5 This Section shall not operate to impair any contract or
6 vested right heretofore acquired under any law or laws
7 continued in this Article, nor to preclude the right to a
8 refund, and for the changes under this amendatory Act of the
9 100th General Assembly, shall not impair any contract or
10 vested right acquired by a survivor prior to the effective
11 date of this amendatory Act of the 100th General Assembly. The
12 changes made by this amendatory Act of the 103rd General
13 Assembly shall not impair any contract or vested right
14 acquired by a survivor prior to the effective date of this
15 amendatory Act of the 103rd General Assembly.

16 All future entrants entering service subsequent to July 9,
17 1955 shall be deemed to have consented to the provisions of
18 this Section as a condition of coverage, and all participants
19 entering service subsequent to the effective date of this
20 amendatory Act of the 100th General Assembly shall be deemed
21 to have consented to the provisions of this amendatory Act as a
22 condition of participation. All persons entering service after
23 the effective date of this amendatory Act of the 103rd General
24 Assembly shall be deemed to have consented to the provisions
25 of this amendatory Act of the 103rd General Assembly as a
26 condition of participation.

1 In this Section, "disqualifying offense" means any of the
2 following offenses set forth in the Criminal Code of 1961 or
3 the Criminal Code of 2012 or any substantially similar offense
4 in federal law, the Uniform Code of Military Justice, or state
5 law:

6 (1) Indecent solicitation of a child.

7 (2) Sexual exploitation of a child.

8 (3) Custodial sexual misconduct.

9 (4) Exploitation of a child.

10 (5) Child pornography.

11 (6) Aggravated child pornography.

12 (7) First degree murder.

13 (8) Second degree murder.

14 (9) Predatory criminal sexual assault of a child.

15 (10) Aggravated criminal sexual assault.

16 (11) Criminal sexual assault.

17 (12) Aggravated kidnaping.

18 (13) Aggravated battery resulting in great bodily harm
19 or permanent disability or disfigurement.

20 (Source: P.A. 100-334, eff. 8-25-17.)

21 (40 ILCS 5/8-251) (from Ch. 108 1/2, par. 8-251)

22 Sec. 8-251. Felony conviction. None of the benefits
23 provided for in this Article shall be paid to any person who is
24 convicted of any felony relating to or arising out of or in
25 connection with his service as a municipal employee.

1 Upon petition by the Board or on its own motion, a circuit
2 court may order that none of the benefits provided in this
3 Article be paid to a person who first becomes a police officer
4 on or after the effective date of this amendatory Act of the
5 103rd General Assembly and who has been convicted of a
6 disqualifying offense if the court finds that: (1) the
7 disqualifying offense was committed with the use of police
8 authority, resources, or other materials; (2) the
9 disqualifying offense threatened public safety; or (3) the
10 totality of the circumstances of the disqualifying offense are
11 against the guiding principles and training of law
12 enforcement.

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 employee from
17 whom the benefit results.

18 Upon petition by the Board or on its own motion, a court
19 may order that none of the benefits provided for in this
20 Article be paid to any person who otherwise would receive a
21 survivor benefit if the benefit results from the service of a
22 police officer who first became a police officer on or after
23 the effective date of this amendatory Act of the 103rd General
24 Assembly and who was convicted of a disqualifying offense if
25 the court finds that: (1) the disqualifying offense was
26 committed with the use of police authority, resources, or

1 other materials; (2) the disqualifying offense threatened
2 public safety; or (3) the totality of the circumstances of the
3 disqualifying offense are against the guiding principles and
4 training of law enforcement.

5 This Section shall not operate to impair any contract or
6 vested right heretofore acquired under any law or laws
7 continued in this Article, nor to preclude the right to a
8 refund, and for the changes under Public Act 100-334, shall
9 not impair any contract or vested right acquired by a survivor
10 prior to August 25, 2017 (the effective date of Public Act
11 100-334). The changes made by this amendatory Act of the 103rd
12 General Assembly shall not impair any contract or vested right
13 acquired by a survivor prior to the effective date of this
14 amendatory Act of the 103rd General Assembly.

15 Any refund required under this Article shall be calculated
16 based on that person's contributions to the Fund, less the
17 amount of any annuity benefit previously received by the
18 person or his or her beneficiaries. The changes made to this
19 Section by Public Act 100-23 apply only to persons who first
20 become participants under this Article on or after July 6,
21 2017 (the effective date of Public Act 100-23).

22 All future entrants entering service subsequent to July
23 11, 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 August 25, 2017 (the effective
26 date of Public Act 100-334) shall be deemed to have consented

1 to the provisions of Public Act 100-334 as a condition of
2 participation. All persons entering service after the
3 effective date of this amendatory Act of the 103rd General
4 Assembly shall be deemed to have consented to the provisions
5 of this amendatory Act of the 103rd General Assembly as a
6 condition of participation.

7 In this Section:

8 "Disqualifying offense" means any of the following
9 offenses set forth in the Criminal Code of 1961 or the Criminal
10 Code of 2012 or any substantially similar offense in federal
11 law, the Uniform Code of Military Justice, or state law:

12 (1) Indecent solicitation of a child.

13 (2) Sexual exploitation of a child.

14 (3) Custodial sexual misconduct.

15 (4) Exploitation of a child.

16 (5) Child pornography.

17 (6) Aggravated child pornography.

18 (7) First degree murder.

19 (8) Second degree murder.

20 (9) Predatory criminal sexual assault of a child.

21 (10) Aggravated criminal sexual assault.

22 (11) Criminal sexual assault.

23 (12) Aggravated kidnaping.

24 (13) Aggravated battery resulting in great bodily harm
25 or permanent disability or disfigurement.

26 "Police officer" means an employee who renders service as

1 a police officer and member of the regularly constituted
2 police department of the city.

3 (Source: P.A. 100-23, eff. 7-6-17; 100-334, eff. 8-25-17;
4 100-863, eff. 8-14-18.)

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

6 Sec. 9-235. 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 his service as an employee.

10 Upon petition by the Board or on its own motion, a circuit
11 court may order that none of the benefits provided in this
12 Article be paid to a person who first becomes a police officer
13 on or after the effective date of this amendatory Act of the
14 103rd General Assembly and who has been convicted of a
15 disqualifying offense if the court finds that: (1) the
16 disqualifying offense was committed with the use of police
17 authority, resources, or other materials; (2) the
18 disqualifying offense threatened public safety; or (3) the
19 totality of the circumstances of the disqualifying offense are
20 against the guiding principles and training of law
21 enforcement.

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 employee from

1 whom the benefit results.

2 Upon petition by the Board or on its own motion, a court
3 may order that none of the benefits provided for in this
4 Article be paid to any person who otherwise would receive a
5 survivor benefit if the benefit results from the service of a
6 police officer who first became a police officer on or after
7 the effective date of this amendatory Act of the 103rd General
8 Assembly and who was convicted of a disqualifying offense if
9 the court finds that: (1) the disqualifying offense was
10 committed with the use of police authority, resources, or
11 other materials; (2) the disqualifying offense threatened
12 public safety; or (3) the totality of the circumstances of the
13 disqualifying offense are against the guiding principles and
14 training of law enforcement.

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 100th General Assembly, shall not impair any contract or
20 vested right acquired by a survivor prior to the effective
21 date of this amendatory Act of the 100th General Assembly. The
22 changes made by this amendatory Act of the 103rd General
23 Assembly shall not impair any contract or vested right
24 acquired by a survivor prior to the effective date of this
25 amendatory Act of the 103rd General Assembly.

26 All future entrants entering service after July 11, 1955,

1 shall be deemed to have consented to the provisions of this
2 section as a condition of coverage, and all participants
3 entering service subsequent to the effective date of this
4 amendatory Act of the 100th General Assembly shall be deemed
5 to have consented to the provisions of this amendatory Act as a
6 condition of participation. All persons entering service after
7 the effective date of this amendatory Act of the 103rd General
8 Assembly shall be deemed to have consented to the provisions
9 of this amendatory Act of the 103rd General Assembly as a
10 condition of participation.

11 In this Section:

12 "Disqualifying offense" means any of the following
13 offenses set forth in the Criminal Code of 1961 or the Criminal
14 Code of 2012 or any substantially similar offense in federal
15 law, the Uniform Code of Military Justice, or state law:

16 (1) Indecent solicitation of a child.

17 (2) Sexual exploitation of a child.

18 (3) Custodial sexual misconduct.

19 (4) Exploitation of a child.

20 (5) Child pornography.

21 (6) Aggravated child pornography.

22 (7) First degree murder.

23 (8) Second degree murder.

24 (9) Predatory criminal sexual assault of a child.

25 (10) Aggravated criminal sexual assault.

26 (11) Criminal sexual assault.

1 (12) Aggravated kidnaping.

2 (13) Aggravated battery resulting in great bodily harm
3 or permanent disability or disfigurement.

4 "Police officer" means an employee of the county employed
5 in any position under the County Police Merit Board as a deputy
6 sheriff in the County Police Department.

7 (Source: P.A. 100-334, eff. 8-25-17.)

8 (40 ILCS 5/10-109)

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

13 Upon petition by the Board or on its own motion, a circuit
14 court may order that none of the benefits provided in this
15 Article be paid to a person who first becomes a police officer
16 on or after the effective date of this amendatory Act of the
17 103rd General Assembly and who has been convicted of a
18 disqualifying offense if the court finds that: (1) the
19 disqualifying offense was committed with the use of police
20 authority, resources, or other materials; (2) the
21 disqualifying offense threatened public safety; or (3) the
22 totality of the circumstances of the disqualifying offense are
23 against the guiding principles and training of law
24 enforcement.

25 None of the benefits provided for in this Article shall be

1 paid to any person who otherwise would receive a survivor
2 benefit who is convicted of any felony relating to or arising
3 out of or in connection with the service of the employee from
4 whom the benefit results.

5 Upon petition by the Board or on its own motion, a court
6 may order that none of the benefits provided for in this
7 Article be paid to any person who otherwise would receive a
8 survivor benefit if the benefit results from the service of a
9 police officer who first became a police officer on or after
10 the effective date of this amendatory Act of the 103rd General
11 Assembly and who was convicted of a disqualifying offense if
12 the court finds that: (1) the disqualifying offense was
13 committed with the use of police authority, resources, or
14 other materials; (2) the disqualifying offense threatened
15 public safety; or (3) the totality of the circumstances of the
16 disqualifying offense are against the guiding principles and
17 training of law enforcement.

18 This Section shall not operate to impair any contract or
19 vested right heretofore acquired under any law or laws
20 continued in this Article, nor to preclude the right to a
21 refund, and for the changes under this amendatory Act of the
22 100th General Assembly, shall not impair any contract or
23 vested right acquired by a survivor prior to the effective
24 date of this amendatory Act of the 100th General Assembly. The
25 changes made by this amendatory Act of the 103rd General
26 Assembly shall not impair any contract or vested right

1 acquired by a survivor prior to the effective date of this
2 amendatory Act of the 103rd General Assembly.

3 All future entrants entering service after the effective
4 date of this amendatory Act of the 95th General Assembly shall
5 be deemed to have consented to the provisions of this Section
6 as a condition of coverage, and all participants entering
7 service subsequent to the effective date of this amendatory
8 Act of the 100th General Assembly shall be deemed to have
9 consented to the provisions of this amendatory Act as a
10 condition of participation. All persons entering service after
11 the effective date of this amendatory Act of the 103rd General
12 Assembly shall be deemed to have consented to the provisions
13 of this amendatory Act of the 103rd General Assembly as a
14 condition of participation.

15 In this Section:

16 "Disqualifying offense" means any of the following
17 offenses set forth in the Criminal Code of 1961 or the Criminal
18 Code of 2012 or any substantially similar offense in federal
19 law, the Uniform Code of Military Justice, or state law:

20 (1) Indecent solicitation of a child.

21 (2) Sexual exploitation of a child.

22 (3) Custodial sexual misconduct.

23 (4) Exploitation of a child.

24 (5) Child pornography.

25 (6) Aggravated child pornography.

26 (7) First degree murder.

- 1 (8) Second degree murder.
2 (9) Predatory criminal sexual assault of a child.
3 (10) Aggravated criminal sexual assault.
4 (11) Criminal sexual assault.
5 (12) Aggravated kidnaping.
6 (13) Aggravated battery resulting in great bodily harm
7 or permanent disability or disfigurement.

8 "Police officer" means a member of the police force of the
9 district, as provided for in Section 15 of the Cook County
10 Forest Preserve District Act.

11 (Source: P.A. 100-334, eff. 8-25-17.)

12 (40 ILCS 5/14-149) (from Ch. 108 1/2, par. 14-149)

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

17 Upon petition by the Board or on its own motion, a circuit
18 court may order that none of the benefits provided in this
19 Article be paid to a person who first becomes a police officer
20 on or after the effective date of this amendatory Act of the
21 103rd General Assembly and who has been convicted of a
22 disqualifying offense if the court finds that: (1) the
23 disqualifying offense was committed with the use of police
24 authority, resources, or other materials; (2) the
25 disqualifying offense threatened public safety; or (3) the

1 totality of the circumstances of the disqualifying offense are
2 against the guiding principles and training of law
3 enforcement.

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

9 Upon petition by the Board or on its own motion, a court
10 may order that none of the benefits provided for in this
11 Article be paid to any person who otherwise would receive a
12 survivor benefit if the benefit results from the service of a
13 police officer who first became a police officer on or after
14 the effective date of this amendatory Act of the 103rd General
15 Assembly and who was convicted of a disqualifying offense if
16 the court finds that: (1) the disqualifying offense was
17 committed with the use of police authority, resources, or
18 other materials; (2) the disqualifying offense threatened
19 public safety; or (3) the totality of the circumstances of the
20 disqualifying offense are against the guiding principles and
21 training of law enforcement.

22 This Section shall not operate to impair any contract or
23 vested right heretofore acquired under any law or laws
24 continued in this Article nor to preclude the right to a
25 refund, and for the changes under this amendatory Act of the
26 100th General Assembly, shall not impair any contract or

1 vested right acquired by a survivor prior to the effective
2 date of this amendatory Act of the 100th General Assembly. The
3 changes made by this amendatory Act of the 103rd General
4 Assembly shall not impair any contract or vested right
5 acquired by a survivor prior to the effective date of this
6 amendatory Act of the 103rd General Assembly.

7 All future entrants entering service subsequent to July 9,
8 1955 shall be deemed to have consented to the provisions of
9 this section as a condition of coverage, and all participants
10 entering service subsequent to the effective date of this
11 amendatory Act of the 100th General Assembly shall be deemed
12 to have consented to the provisions of this amendatory Act as a
13 condition of participation. All persons entering service after
14 the effective date of this amendatory Act of the 103rd General
15 Assembly shall be deemed to have consented to the provisions
16 of this amendatory Act of the 103rd General Assembly as a
17 condition of participation.

18 In this Section:

19 "Disqualifying offense" means any of the following
20 offenses set forth in the Criminal Code of 1961 or the Criminal
21 Code of 2012 or any substantially similar offense in federal
22 law, the Uniform Code of Military Justice, or state law:

23 (1) Indecent solicitation of a child.

24 (2) Sexual exploitation of a child.

25 (3) Custodial sexual misconduct.

26 (4) Exploitation of a child.

- 1 (5) Child pornography.
2 (6) Aggravated child pornography.
3 (7) First degree murder.
4 (8) Second degree murder.
5 (9) Predatory criminal sexual assault of a child.
6 (10) Aggravated criminal sexual assault.
7 (11) Criminal sexual assault.
8 (12) Aggravated kidnaping.
9 (13) Aggravated battery resulting in great bodily harm
10 or permanent disability or disfigurement.

11 "Police officer" means a State policeman, special agent,
12 investigator for the Secretary of State, conservation police
13 officer, investigator for the Department of Revenue or the
14 Illinois Gaming Board, security employee of the Department of
15 Human Services, Central Management Services security police
16 officer, security employee of the Department of Corrections or
17 the Department of Juvenile Justice, dangerous drugs
18 investigator, investigator for the Illinois State Police,
19 investigator for the Office of the Attorney General,
20 controlled substance inspector, investigator for the Office of
21 the State's Attorneys Appellate Prosecutor, Commerce
22 Commission police officer, arson investigator, or security
23 employee of the Department of Innovation and Technology.

24 (Source: P.A. 100-334, eff. 8-25-17.)

25 (40 ILCS 5/15-187) (from Ch. 108 1/2, par. 15-187)

1 Sec. 15-187. Felony conviction. None of the benefits
2 provided under this Article shall be paid to any person who is
3 convicted of any felony relating to or arising out of or in
4 connection with a person's service as an employee from which
5 the benefit derives.

6 Upon petition by the Board or on its own motion, a circuit
7 court may order that none of the benefits provided in this
8 Article be paid to a person who first becomes a police officer
9 on or after the effective date of this amendatory Act of the
10 103rd General Assembly and who has been convicted of a
11 disqualifying offense if the court finds that: (1) the
12 disqualifying offense was committed with the use of police
13 authority, resources, or other materials; (2) the
14 disqualifying offense threatened public safety; or (3) the
15 totality of the circumstances of the disqualifying offense are
16 against the guiding principles and training of law
17 enforcement.

18 Upon petition by the Board or on its own motion, a court
19 may order that none of the benefits provided for in this
20 Article be paid to any person who otherwise would receive a
21 survivor benefit if the benefit results from the service of a
22 police officer who first became a police officer on or after
23 the effective date of this amendatory Act of the 103rd General
24 Assembly and who was convicted of a disqualifying offense if
25 the court finds that: (1) the disqualifying offense was
26 committed with the use of police authority, resources, or

1 other materials; (2) the disqualifying offense threatened
2 public safety; or (3) the totality of the circumstances of the
3 disqualifying offense are against the guiding principles and
4 training of law enforcement.

5 This Section shall not operate to impair any contract or
6 vested right heretofore acquired under any law or laws
7 continued in this Article, nor to preclude the right to a
8 refund. The changes made to this Section by this amendatory
9 Act of the 100th General Assembly shall not impair any
10 contract or vested right acquired prior to the effective date
11 of this amendatory Act of the 100th General Assembly. No
12 refund paid based on a court order that none of the benefits
13 provided for in this Article be paid to a person or to any
14 person who is convicted of a felony relating to or arising out
15 of or in connection with the person's service as an employee
16 shall include employer contributions or interest or, in the
17 case of the self-managed plan authorized under Section
18 15-158.2, any employer contributions or investment return on
19 such employer contributions.

20 All persons entering service subsequent to July 9, 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 on or subsequent to the effective date of
24 this amendatory Act of the 100th General Assembly shall be
25 deemed to have consented to the provisions of this amendatory
26 Act as a condition of participation. All persons entering

1 service after the effective date of this amendatory Act of the
2 103rd General Assembly shall be deemed to have consented to
3 the provisions of this amendatory Act of the 103rd General
4 Assembly as a condition of participation.

5 In this Section, "disqualifying offense" means any of the
6 following offenses set forth in the Criminal Code of 1961 or
7 the Criminal Code of 2012 or any substantially similar offense
8 in federal law, the Uniform Code of Military Justice, or state
9 law:

10 (1) Indecent solicitation of a child.

11 (2) Sexual exploitation of a child.

12 (3) Custodial sexual misconduct.

13 (4) Exploitation of a child.

14 (5) Child pornography.

15 (6) Aggravated child pornography.

16 (7) First degree murder.

17 (8) Second degree murder.

18 (9) Predatory criminal sexual assault of a child.

19 (10) Aggravated criminal sexual assault.

20 (11) Criminal sexual assault.

21 (12) Aggravated kidnaping.

22 (13) Aggravated battery resulting in great bodily harm
23 or permanent disability or disfigurement.

24 (Source: P.A. 100-334, eff. 8-25-17.)

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.

1 INDEX

2 Statutes amended in order of appearance

3 55 ILCS 5/3-9013

4 40 ILCS 5/3-147 from Ch. 108 1/2, par. 3-147

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

6 40 ILCS 5/7-219 from Ch. 108 1/2, par. 7-219

7 40 ILCS 5/8-251 from Ch. 108 1/2, par. 8-251

8 40 ILCS 5/9-235 from Ch. 108 1/2, par. 9-235

9 40 ILCS 5/10-109

10 40 ILCS 5/14-149 from Ch. 108 1/2, par. 14-149

11 40 ILCS 5/15-187 from Ch. 108 1/2, par. 15-187