



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB1614

Introduced 2/1/2023, by Rep. Curtis J. Tarver, II

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/1-170 new

Amends the General Provisions Article of the Illinois Pension Code. Provides that none of the benefits provided for in the Code shall be paid to any person who first becomes a member or participant under any Article of the Code on or after the effective date of the amendatory Act and is convicted of a disqualifying offense. Provides that with respect to benefits attributable to a member or participant who first becomes a member or participant on or after the effective date of the amendatory Act, none of the benefits provided for in the Code shall be paid to any person who otherwise would receive a survivor benefit who is convicted of a disqualifying offense. Specifies that the provisions are an additional cause for forfeiture of benefits under the Code and does not limit the causes for forfeiting pension benefits in any Article of the Code. Defines "disqualifying offense". Makes other changes. Effective immediately.

LRB103 25802 RPS 52153 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 Illinois Pension Code is amended by adding  
5 Section 1-170 as follows:

6 (40 ILCS 5/1-170 new)

7 Sec. 1-170. Forfeiture of pension benefits for  
8 disqualifying offenses. Notwithstanding any other provision of  
9 this Code, none of the benefits provided for in this Code shall  
10 be paid to any person who first becomes a member or participant  
11 under any Article of this Code on or after the effective date  
12 of this amendatory Act of the 103rd General Assembly and is  
13 convicted of a disqualifying offense.

14 With respect to benefits attributable to a member or  
15 participant who first becomes a member or participant under  
16 any Article of this Code on or after the effective date of this  
17 amendatory Act of the 103rd General Assembly, none of the  
18 benefits provided for in this Code shall be paid to any person  
19 who otherwise would receive a survivor benefit who is  
20 convicted of a disqualifying offense.

21 This Section shall not preclude a right to a refund and  
22 shall not impair any contract or vested right acquired by a  
23 participant, member, or survivor prior to the effective date

1 of this amendatory Act of the 103rd General Assembly.

2 All persons entering service under any Article of this  
3 Code on or after the effective date of this amendatory Act of  
4 the 103rd General Assembly shall be deemed to have consented  
5 to the provisions of this Section as a condition of  
6 participation.

7 This Section is an additional cause for forfeiture of  
8 benefits under this Code and does not limit the causes for  
9 forfeiture of benefits in any Article of this Code.

10 In this Section, "disqualifying offense" means any of the  
11 following offenses set forth in the Criminal Code of 1961 or  
12 the Criminal Code of 2012 or any substantially similar offense  
13 in federal law, the Uniform Code of Military Justice, or state  
14 law:

15 (1) Indecent solicitation of a child.

16 (2) Sexual exploitation of a child.

17 (3) Custodial sexual misconduct.

18 (4) Exploitation of a child.

19 (5) Child pornography.

20 (6) Aggravated child pornography.

21 (7) First degree murder.

22 (8) Second degree murder.

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

24 (10) Aggravated criminal sexual assault.

25 (11) Criminal sexual assault.

26 (12) Aggravated kidnaping.

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

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