



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

SB0049

Introduced 1/26/2005, by Sen. Ira I. Silverstein

SYNOPSIS AS INTRODUCED:

40 ILCS 5/7-219

from Ch. 108 1/2, par. 7-219

Amends the IMRF Article of the Illinois Pension Code. Prohibits a person convicted of a felony relating to or arising out of or in connection with his or her service as an employee who is an employee of more than one employer that participates in the Fund from receiving benefits based on any of his or her service as an employee for all employers that participate in the Fund. Provides that, if, as a result of the felony, the employee is ordered by the court to pay restitution to the employer, then (i) the employer may apply for a refund of employee contributions on the employee's behalf and (ii) pursuant to appropriate documentation from the employer and the court, the Fund shall pay to the employer all or a portion of the refund in a sum sufficient to satisfy the court-ordered restitution. Effective immediately.

LRB094 05344 AMC 35388 b

FISCAL NOTE ACT
MAY APPLY

PENSION IMPACT
NOTE ACT MAY
APPLY

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 Section 7-219 as follows:

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

7 Sec. 7-219. Felony conviction.

8 None of the benefits provided for in this Article shall be
9 paid to any person who is convicted of any felony relating to
10 or arising out of or in connection with his service as an
11 employee. If the person convicted of such a felony is an
12 employee of more than one employer that participates in the
13 Fund, then the person may not receive benefits based on any of
14 his or her service as an employee for all employers that
15 participate in the Fund.

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; except that, notwithstanding Section 7-217 and the
20 other provisions of this Code, if, as a result of the felony,
21 the person is ordered by the court to pay restitution to the
22 employer, then (i) the employer may apply for a refund of
23 employee contributions on the employee's behalf and (ii)
24 pursuant to appropriate documentation from the employer and the
25 court, the Fund shall pay to the employer all or a portion of
26 the refund in a sum sufficient to satisfy the court-ordered
27 restitution.

28 All future entrants entering service subsequent to July 9,
29 1955 shall be deemed to have consented to the provisions of
30 this Section as a condition of coverage.

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

32 Section 99. Effective date. This Act takes effect upon

1 becoming law.