



Rep. Darlene J. Senger

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09800HB5816ham002

LRB098 15892 RPM 57984 a

1 AMENDMENT TO HOUSE BILL 5816

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5816 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by adding  
5 Section 1-136 as follows:

6 (40 ILCS 5/1-136 new)

7 Sec. 1-136. Public corruption and other disqualifying  
8 felony convictions.

9 (a) If a person is convicted of, or pleads guilty to, a  
10 Class X felony or a Class 1 felony, then none of the benefits  
11 that are provided under this Code and that are attributable to  
12 the service of that person shall be paid.

13 (b) If a person is receiving an annuity or pension from a  
14 pension fund or retirement system established under this Code  
15 and is convicted of, or pleads guilty to, a felony, other than  
16 a felony requiring the forfeiture of that annuity or pension

1 under subsection (a) of this Section or any other provision of  
2 this Code, then the board of trustees of that fund or system  
3 shall suspend the payment of the annuity or pension for the  
4 duration of that person's incarceration for that offense. Upon  
5 completion of the term of incarceration for that offense, the  
6 person may seek reinstatement of his or her annuity or pension  
7 by filing a request for reinstatement of benefits with the  
8 applicable pension fund or retirement system in the manner  
9 prescribed by that fund or system.

10 (c) A person who forfeits his or her benefits under this  
11 Section is entitled to a refund of his or her unused employee  
12 contributions to the extent that the refund of those  
13 contributions is necessary in order for the pension fund or  
14 retirement system to maintain qualified plan status under the  
15 federal Internal Revenue Code of 1986.

16 (d) A board of trustees of a pension fund or retirement  
17 system established under this Code may take action in addition  
18 to the provisions of subsections (a) and (b) of this Section  
19 regarding a person subject this Section. A board of trustees of  
20 a pension fund or retirement system established under this Code  
21 may not take action that is less stringent than the provisions  
22 of this Section.

23 (e) This Section applies without regard to whether the  
24 member or participant is in active service on or after the  
25 effective date of this amendatory Act of the 98th General  
26 Assembly."