COMMISSION ON GOVERNMENT FORECASTING AND ACCOUNTABILITY

PENSION IMPACT NOTE

101ST GENERAL ASSEMBLY

BILL NO: **HB 2470, as amended by SA 1** May 28, 2019

SPONSOR (S): Burke – Hurley (Cunningham)

SYSTEM(S): Chicago Police

FISCAL IMPACT: There is no readily discernible fiscal impact associated with HB 2470, as amended by SA 1. To the extent that administrative review appeals of disability judgments rendered by the board of trustees are decided in the appellant's favor, the pension fund would incur all associated court costs and litigation expenses. Additionally, SA 1 specifies that in certain cases, a member convicted of a felony would not receive benefits beginning when an indictment or charge was filed.

SUBJECT MATTER: HB 2470, as amended by SA 1 amends the Chicago Police Article of the Illinois Pension Code to allow police officers to recover court costs and attorney's fees in situations where an administrative review proceeding leads to a reversal of a denial of certain disability benefits. SA 1 also specifies that a member who is found guilty of intentionally and unjustifiably prolonging proceedings in which they are convicted of a felony shall not be entitled to benefits beginning on or after the filing date of indictments or charges.

COMMENT: HB 2470, as amended by SA 1, amends the Chicago Police Article of the Illinois Pension Code. The bill stipulates that if a police officer has his or her application for an occupational disease disability benefit or a duty disability benefit denied by the board of the pension fund, and then later prevails in an administrative review action, the prevailing police officer shall be entitled to payment of court costs and litigation expenses from the fund, including reasonable attorney's fees.

As amended by SA 1, this bill also specifies that a member will lose benefits on the filing date of indictments or charges, should the member be found to have intentionally or unjustifiably caused delays in proceedings in which they are ultimately convicted of a felony. SA 1 also specifies that if a refund is required, it would be calculated based on the member's contributions to the fund, less any benefits previously received.

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