

COMMISSION ON GOVERNMENT FORECASTING AND ACCOUNTABILITY

PENSION IMPACT NOTE

102ND GENERAL ASSEMBLY

BILL NO: **HB 447** February 24, 2021

SPONSOR (S): Tarver

SYSTEM(S): Downstate Police, Chicago Police, Illinois Municipal Retirement Fund (IMRF), Chicago Municipal, Cook County, State Employee Retirement System (SERS), and State Universities (SURS)

FISCAL IMPACT: Under HB 447, “disqualifying offenses” that could be non-job related offenses shall disqualify a police officer or sheriff’s law enforcement employee from receiving all benefits as explained below. This rule would not have any impact on current police officers or sheriff’s law enforcement employees as this would apply to a person who first starts his or her position on or after the effective date of this legislation.

SUBJECT MATTER: HB 477 amends the Downstate Police, Chicago Police, Illinois Municipal Retirement Fund (IMRF), Chicago Municipal, Cook County, State Employee, and State Universities Articles of the Illinois Pension Code. This legislation proposes that all benefits shall not be paid to a member who is convicted of a felony relating to the member’s position as a police officer or sheriff’s law enforcement employee or “who is convicted of committing a disqualifying offense.”

COMMENT: Under current law, a felony relating to a member’s position as a police officer or sheriff’s law enforcement employee shall disqualify the member from receiving all benefits, including survivor benefits. In other words, the current law states that only job-related felonies would result in termination of benefits.

HB 477 proposes that a “disqualifying offense” shall terminate a police officer or sheriff’s law enforcement employee’s eligibility for all benefits, in addition to job-related felonies. This rule would apply to a police officer or sheriff’s law enforcement employee who first starts his or her position on or after the effective date of this legislation.

“Disqualifying offenses” could be any of the following offenses:

1. Indecent solicitation of a child
2. Sexual exploitation of a child
3. Custodial sexual misconduct
4. Exploitation of a child

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

The change made by this legislation shall not impair any contract or vested right acquired by a survivor prior to the effective date of this legislation.

JB:bs

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