COMMISSION ON GOVERNMENT FORECASTING AND ACCOUNTABILITY

PENSION IMPACT NOTE

102nd GENERAL ASSEMBLY

BILL NO:	HB 4231

December 14, 2021

SPONSOR (S): Reick

SYSTEM(S): Downstate Teachers and Chicago Teachers Articles

FISCAL IMPACT: The fiscal impact of HB 4231 cannot be determined as the number of future annuitants that would be subjected to administrative hearings regarding sexual assault accusations is unknown.

<u>SUBJECT MATTER</u>: HB 4231 amends the Downstate Teachers and Chicago Teachers articles of the Illinois Pension Code. The bill requires that employers notify the boards of the respective funds if a retiring member has been accused of sexually assaulting a student. The bill gives the boards of the respective systems the power to strip any and all benefits payable to a member if the boards determine that a member has sexually abused a student.

<u>COMMENT:</u> Currently, both the Downstate and Chicago Teachers Articles of the Pension Code contain felony forfeiture provisions that ban members from receiving pension benefits if the member is convicted of a felony in connection with their service as a teacher. HB 4231 adds a new provision for suspending annuities in the case of teachers who are found to have sexually abused a student. The bill gives the two respective boards of trustees the power to conduct administrative hearings regarding sexual abuse claims against teachers, whose benefits may be forfeited if so ordered by the board. HB 4231 does not specify the burden of proof that the respective boards must meet in order to strip an accused teacher of his or her pension. The bill only applies to members hired on or after the effective date of the bill; newly hired teachers will be deemed to have consented to the new sexual abuse pension forfeiture provision as a condition of membership in the respective systems.

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