



## Commission on Government Forecasting and Accountability

### PENSION IMPACT NOTE *103<sup>RD</sup> General Assembly*

BILL NO: HB 1247

January 23, 2023

SPONSOR (S): Reick – Niemerg

SYSTEM: Downstate Teachers and Chicago Teachers Articles

---

#### FISCAL IMPACT

**The fiscal impact of HB 1247 cannot be determined as the number of future annuitants that would be subjected to administrative hearings regarding sexual assault accusations is unknown.**

---

SUBJECT MATTER: HB 1247 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 discretion to conduct an investigation into the abuse allegations, and the power to strip any and all benefits payable to a retiring member if the pertinent board determines that the member has sexually abused a student.

COMMENT: 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 1247 adds a new provision for suspending annuities in the case of retiring teachers who are found to have sexually abused a student. The bill gives the two respective boards of trustees the discretionary power to conduct administrative hearings regarding sexual abuse claims against teachers, whose benefits may be forfeited if so ordered by the board. Employers under both systems must notify the pertinent board of instances where a claim of sexual abuse has been made against a retiring member.

HB 1247 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 also does not require a criminal conviction for a pension forfeiture to occur. HB 1247 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 system.

GR:bs

LRB103 04928 RPS 49938 b