



# Illinois Municipal Retirement Fund

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## SPECIAL MEMORANDUM

**Number:** 324

**Date:** May 31, 2012

**To:** Authorized Agents of Counties (State's Attorneys)

**Subject:** State's Attorneys required by law to advise IMRF of members convicted of a job-related felony

### **Please share the following information with your State's Attorney.**

If an active or inactive IMRF member is convicted of a felony in connection with his or her IMRF employment, the member is not eligible for an IMRF pension. If a retired IMRF member receiving an IMRF pension is convicted of a felony in connection with his or her IMRF employment, the pension is terminated.

In all cases, a member convicted of a job-related felony is eligible only for a refund of his or her member contributions without interest.

#### **State's Attorneys required by law to advise IMRF**

The Illinois Counties Code requires State's Attorneys to notify IMRF if an IMRF member is convicted of a job related felony; 55 ILCS 5/3-9013 states:

“Sec. 3-9013. Pension funds; job-related felony. If an employee who is covered under a retirement system or pension fund created under the Illinois Pension Code is convicted of a felony relating to or arising out of or in connection with the employment for which the employee is covered under the retirement system or pension fund, the State's Attorney must notify the board of trustees for that retirement system or pension fund.”

IMRF benefits are an important part of a public employee's compensation and are not payable to a member who violates the public's trust by committing a job-related felony.

It is imperative—and required under law—that State's Attorneys inform IMRF if a member is convicted of a job-related felony.

#### **Questions / advising IMRF of a job-related felony**

If you have any questions, please call IMRF Associate General Counsel Beth Janicki Clark at 630-368-4365. To advise IMRF of a member who was convicted of a job-related felony, please contact Ms. Janicki Clark in writing (U.S. mail or email [bclark@imrf.org](mailto:bclark@imrf.org)) and advise her of the member's name and case number.

Sincerely,

Louis W. Kosiba  
Executive Director