



Rep. Michael J. Madigan

**Filed: 12/3/2013**

09800SB1961ham003

LRB098 10237 RPM 50281 a

1 AMENDMENT TO SENATE BILL 1961

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1961, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The Illinois Pension Code is amended by  
6 changing Sections 15-169 and 16-171 as follows:

7 (40 ILCS 5/15-169) (from Ch. 108 1/2, par. 15-169)

8 Sec. 15-169. To elect officers and appoint employees. To  
9 elect officers; to appoint a secretary and treasurer; to have a  
10 seal; to employ and fix the rate of pay of such actuarial,  
11 legal, clerical, audit, medical, or other services, or  
12 corporate trustee organized under the laws of this State with a  
13 capital of not less than \$1,000,000, or investment counsel and  
14 other persons as shall be required for the efficient  
15 administration of the system. All actions brought by or against  
16 the board shall be prosecuted or defended by the Attorney

1 General ~~or by other counsel, as the board may decide.~~ If the  
2 board pursues a mandamus action under Section 15-156 of this  
3 Code as amended by Senate Bill No. 1 of the 98th General  
4 Assembly in the form passed by the General Assembly, then the  
5 board may select the counsel of their choice.

6 (Source: P.A. 98-92, eff. 7-16-13.)

7 (40 ILCS 5/16-171) (from Ch. 108 1/2, par. 16-171)

8 Sec. 16-171. To sue and be sued. To sue and be sued in the  
9 name of the board. The board shall not be a corporation. The  
10 board may sue to protect any rights of the retirement system.  
11 All actions brought by or against the board shall be prosecuted  
12 or defended, as the case may be, by the Attorney General ~~or~~  
13 ~~other counsel.~~ If the board pursues a mandamus action under  
14 Section 16-158.2 of this Code as amended by Senate Bill No. 1  
15 of the 98th General Assembly in the form passed by the General  
16 Assembly, then the board may select the counsel of their  
17 choice.

18 (Source: P.A. 83-1440.)

19 Section 99. Effective date. This Act takes effect upon  
20 becoming law."