



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB1710

Introduced 2/5/2025, by Sen. Robert F. Martwick

SYNOPSIS AS INTRODUCED:

40 ILCS 5/1-107

from Ch. 108 1/2, par. 1-107

30 ILCS 805/8.49 new

Amends the General Provisions Article of the Illinois Pension Code. Provides that every retirement system, pension fund, or other system or fund established under the Code shall (instead of may) indemnify and protect the trustees, staff, and consultants against all damage claims and suits, including the defense thereof, when damages are sought for negligent or wrongful acts alleged to have been committed in the scope of employment or under the direction of the trustees. Amends the State Mandates Act to require implementation without reimbursement.

LRB104 11099 RPS 21181 b

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning public employee benefits.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Pension Code is amended by
5 changing Section 1-107 as follows:

6 (40 ILCS 5/1-107) (from Ch. 108 1/2, par. 1-107)

7 Sec. 1-107. Indemnification of trustees, consultants, and
8 employees of retirement systems and pension funds. Every
9 retirement system, pension fund, or other system or fund
10 established under this Code shall ~~may~~ indemnify and protect
11 the trustees, staff, and consultants against all damage claims
12 and suits, including the defense thereof, when damages are
13 sought for negligent or wrongful acts alleged to have been
14 committed in the scope of employment or under the direction of
15 the trustees. However, the trustees, staff and consultants
16 shall not be indemnified for willful ~~wilful~~ misconduct and
17 gross negligence. Each board is authorized to insure against
18 loss or liability of the trustees, staff and consultants which
19 may result from these damage claims. This insurance shall be
20 carried in a company which is licensed to write such coverage
21 in this State.

22 (Source: P.A. 80-1364.)

1 Section 90. The State Mandates Act is amended by adding
2 Section 8.49 as follows:

3 (30 ILCS 805/8.49 new)

4 Sec. 8.49. Exempt mandate. Notwithstanding Sections 6 and
5 8 of this Act, no reimbursement by the State is required for
6 the implementation of any mandate created by this amendatory
7 Act of the 104th General Assembly.