



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

**HB4672**

Introduced 1/21/2022, by Rep. William Davis

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/17-138

from Ch. 108 1/2, par. 17-138

Amends the Chicago Teacher Article of the Illinois Pension Code. Provides that elections to the Board for teacher trustees, administrator trustees, and pensioner trustees shall occur during the first week of November or as soon as possible thereafter, but not later than the third week of November (instead of occurring during the first week of November). Effective immediately.

LRB102 23378 RPS 32546 b

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 17-138 as follows:

6 (40 ILCS 5/17-138) (from Ch. 108 1/2, par. 17-138)

7 Sec. 17-138. Board membership. At the first meeting of the  
8 Board of Education in November of each year, the Board of  
9 Education shall appoint one of its members to serve, while a  
10 member of the Board of Education, on the Board of Trustees for  
11 a term of 2 years.

12 During the first week of November or as soon as possible  
13 thereafter, but not later than the third week of November,  
14 there shall be elected 2 members of the Board from the teachers  
15 other than administrators, who shall hold office for terms of  
16 3 years, provided the trustee retains his or her status as a  
17 teacher other than an administrator, and other members to fill  
18 any unexpired terms. The election shall be by secret ballot  
19 conducted in person or by secure electronic ballot, and shall  
20 be held in such manner as the Board by bylaws or rules shall  
21 provide. Only teachers who are not administrators shall be  
22 eligible to vote in the election.

23 During the first week of November of 1995 and every third

1 year thereafter, one contributor who is an administrator shall  
2 be elected a member of the Board. Beginning in November of  
3 2022, the election under this paragraph shall take place  
4 during the first week of November or as soon as possible  
5 thereafter, but not later than the third week of November.

6 This trustee shall hold office for a term of 3 years, provided  
7 the trustee retains his or her status as an administrator. The  
8 election shall be by mail ballot or by secure electronic  
9 ballot, and only contributors who are administrators shall be  
10 eligible to vote. The election shall be held in the manner  
11 provided by the Board by rule or bylaw.

12 During the first week of November or as soon as possible  
13 thereafter, but not later than the third week of November, of  
14 each odd-numbered year there shall be elected 3 members of the  
15 Board from the pensioners, who shall hold office for a term of  
16 2 years while retaining their status as pensioners. The  
17 election shall be by mail ballot or secure electronic ballot  
18 to all service and disability pensioners, and shall be held in  
19 such manner as the Board by bylaws or rules shall provide.

20 All trustees, while members of the Board of Education or  
21 while administrators, teachers other than administrators, or  
22 pensioners, as the case may be, shall hold their offices until  
23 their successors shall have been appointed or elected and  
24 qualified by subscribing to the constitutional oath of office  
25 at the immediately succeeding regular meeting of the Board.

26 (Source: P.A. 98-449, eff. 8-16-13.)

1           Section 99. Effective date. This Act takes effect upon  
2           becoming law.