



Sen. Kwame Raoul

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LRB095 05515 AMC 50050 a

1 AMENDMENT TO SENATE BILL 813

2 AMENDMENT NO. _____. Amend Senate Bill 813 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by adding
5 Section 1A-20 as follows:

6 (40 ILCS 5/1A-20 new)

7 Sec. 1A-20. Pension Oversight Board.

8 (a) There is created a Pension Oversight Board. The Board
9 shall consist of 12 members of the General Assembly, 3 of whom
10 shall be appointed by the President of the Senate, 3 of whom
11 shall be appointed by the Minority Leader of the Senate, 3 of
12 whom shall be appointed by the Speaker of the House of
13 Representatives, and 3 of whom shall be appointed by the
14 Minority Leader of the House of Representatives. All
15 appointments shall be in writing and filed with the Secretary
16 of State as a public record.

1 The Speaker of the House of Representatives and the
2 President of the Senate shall select from the members of the
3 Board 2 co-chairmen. The co-chairmen of the Board shall each
4 serve a 2-year term, beginning February 1 of the odd-numbered
5 year, and the 2 co-chairmen shall not be members of or
6 identified with the same house.

7 Members shall serve a 2-year term and must be appointed
8 during the month of January in each odd-numbered year for terms
9 beginning February 1. Any vacancy in the Board shall be filled
10 by appointment for the balance of the term in the same manner
11 as the original appointment. A vacancy shall exist when a
12 member no longer holds the elected legislative office held at
13 the time of the appointment or at the termination of the
14 member's legislative service.

15 The Pension Oversight Board shall meet twice annually or
16 more often upon the call of the chair or any 9 members. A
17 quorum of the Board shall consist of a majority of the
18 appointed members. Members of the Board shall serve without
19 compensation, but shall be reimbursed for expenses incurred in
20 carrying out the duties of the Board pursuant to rules adopted
21 by the Joint Committee on Legislative Support Services.

22 Creation of the Pension Oversight Board does not relieve
23 the funds' boards of trustees from their fiduciary and other
24 duties to the funds, nor does it create any liability for the
25 funds on the part of the State.

26 Should any person fail to obey the summons of the Board,

1 refuse to surrender or afford access to the Board members to
2 any such record, book, paper, contract, or other document, the
3 co-chairs may apply to the circuit court, in the name of the
4 Board, of the county in which the principal office of the
5 pension fund involved is located, and the court, if it finds
6 that the Board has not exceeded its authority in the matter,
7 may, by order duly entered, require the attendance of witnesses
8 and the production of all relevant documents required by the
9 Board in carrying out its responsibilities under this Code.
10 Upon refusal or neglect to obey the order of the court, the
11 court may compel obedience by proceedings for contempt of
12 court.

13 (b) The Pension Oversight Board has the power to:

14 (1) enter into contracts, sue and be sued, to implead
15 and be impleaded;

16 (2) adopt and enforce bylaws and rules for the
17 management and conduct of its affairs;

18 (3) make, amend, and repeal bylaws, rules, and
19 procedures consistent with the provisions of this Section;
20 and

21 (4) do all things necessary and appropriate to
22 implement this Section and assist the Board in performance
23 of its duties.

24 (c) The Board shall have all of the following powers and
25 duties:

26 (1) To establish minimum requirements for training to

1 be completed by each member of the board of trustees of any
2 pension fund established under this Code. The requirements
3 must include, but are not be limited to, training in
4 ethics, fiduciary duty, and investment responsibilities.

5 (2) To investigate conflicts of interests regarding
6 consultants, executive directors, investment officers, and
7 trustees. The Board shall report any current or potential
8 criminal violations to the appropriate local, county,
9 state, and federal law enforcement officials.

10 (3) To examine the extent to which pension funds
11 embrace qualified Illinois-headquartered money managers
12 and broker dealers. The Board shall also examine the funds
13 use of minority and women owned firms.

14 (4) To investigate discriminatory treatment in the
15 procurement process.

16 (d) On or before October 1 following the convening of a
17 regular session of the General Assembly, the Board shall submit
18 a report to the Governor and General Assembly setting forth the
19 examinations and investigations that have been conducted in
20 accordance with this Section since the date of the last such
21 report submitted by the Board.

22 The requirement for reporting to the General Assembly shall
23 be satisfied by filing copies of the report with the Speaker,
24 the Minority Leader, and the Clerk of the House of
25 Representatives, the President, the Minority Leader, and the
26 Secretary of the Senate, and the Legislative Research Unit, as

1 required by Section 3.1 of the General Assembly Organization
2 Act, and filing additional copies with the State Government
3 Report Distribution Center for the General Assembly as required
4 under paragraph (t) of Section 7 of the State Library Act.

5 Upon request, the Board shall distribute additional copies
6 of the report, at no charge to the secretary, to any pension
7 fund established under this Code, the treasurer, executive
8 director, or fiscal officer of each fund, to public libraries,
9 and State agencies active in the public pension area.

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.".