



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB5109

Introduced 2/8/2012, by Rep. Frank J. Mautino

#### SYNOPSIS AS INTRODUCED:

215 ILCS 110/17

from Ch. 32, par. 690.17

Amends the Dental Service Plan Act in the provision concerning a dental service plan corporation board of trustees. Deletes the requirement that each trustee shall be a resident of Illinois. Provides that those designated as dental trustees shall comprise at least one-third (instead of a majority) of the trustees and shall be participating dentists of the corporation (instead of only dentists) licensed in Illinois to practice dentistry and adds the requirement that such trustees shall be residents of Illinois. Deletes the requirement that the remaining trustees, designated as public trustees, shall be representative of the subscribers to the dental service plan and that not more than one-third of the public trustees shall be licensed dentists. Makes a change in a provision concerning the expiration of the terms of dental trustees. Deletes a provision concerning meetings of subscribers for the election of public trustees.

LRB097 17908 RPM 63131 b

1 AN ACT concerning insurance.

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

4 Section 5. The Dental Service Plan Act is amended by  
5 changing Section 17 as follows:

6 (215 ILCS 110/17) (from Ch. 32, par. 690.17)

7 Sec. 17. The business and affairs of a dental service plan  
8 corporation shall be managed by a board of trustees, which  
9 shall have the power to adopt and to amend, from time to time,  
10 by-laws governing the conduct of the corporation's business.  
11 The number of trustees shall be not less than 9 nor more than  
12 21. Subject to such limitation, the number of trustees shall be  
13 fixed by the by-laws, except as to the number of the first  
14 board of trustees which number shall be fixed by the charter,  
15 and the number of trustees may be increased or decreased from  
16 time to time by amendment to the by-laws. In the absence of a  
17 by-law fixing the number of trustees, the number shall be the  
18 same as that stated in the charter. The trustees constituting  
19 the first board of trustees shall be named in the charter and  
20 shall hold office for such period or periods as may be  
21 specified in the charter or the by-laws. Trustees may be  
22 divided into classes and the terms of office of the several  
23 classes need not be uniform, but no such term shall exceed 3

1 years. Each trustee shall hold office for the term for which he  
2 is elected and until his successor has been elected and  
3 qualified. Any vacancy occurring in the board of trustees and  
4 any trusteeship to be filled by reason of an increase in the  
5 number of trustees may be filled by the board of trustees. A  
6 trustee appointed to fill a vacancy shall be appointed for the  
7 unexpired term of his predecessor in office. Each trustee shall  
8 be of legal age, ~~a resident of Illinois,~~ and a citizen of the  
9 United States. At least one-third ~~A majority~~ of the trustees  
10 shall be participating dentists of the corporation licensed in  
11 Illinois to practice dentistry who are also residents of  
12 Illinois, and they shall be designated as "dental trustees".  
13 The remaining trustees shall be ~~representative of the~~  
14 ~~subscribers to the dental service plan and shall be~~ designated  
15 as "public trustees", ~~and not more than one third of the public~~  
16 ~~trustees shall be licensed dentists.~~ As the terms of dental  
17 trustees expire, they shall be replaced, from time to time, by  
18 participating dentists of the corporation licensed in Illinois  
19 to practice dentistry who are also residents of Illinois, and  
20 elected by the corporation's participating dentists, in the  
21 manner prescribed by the by-laws. As the terms of public  
22 trustees expire, they shall be replaced, from time to time, by  
23 election by the corporation's subscribers, in the manner  
24 prescribed by the by-laws. ~~A statement in the subscription~~  
25 ~~certificate or in any endorsement issued for attachment~~  
26 ~~thereto, of the time and place for holding a meeting of~~

1 ~~subscribers for the election of public trustees shall~~  
2 ~~constitute notice of such meeting.~~ Voting by proxy shall be  
3 permitted.

4 (Source: Laws 1965, p. 2179.)