

SB1714



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB1714

Introduced 2/9/2017, by Sen. James F. Clayborne, Jr.

SYNOPSIS AS INTRODUCED:

40 ILCS 5/1-113.22 new
40 ILCS 5/1-113.23 new

Amends the General Provisions Article of the Illinois Pension Code. Requires a consultant to annually disclose to the board of the retirement system, board of the pension fund, or the investment board that retains the consultant certain information concerning searches for investment services from minority owned businesses, female owned businesses, and businesses owned by persons with a disability. Requires a consultant to disclose any compensation or economic opportunity received in the last 24 months from investment advisors retained by the board of a retirement system, board of a pension fund, or investment board. Requires consideration of these disclosures before awarding a contract for consulting services. Effective immediately.

LRB100 08308 RPS 18412 b

FISCAL NOTE ACT
MAY APPLY

PENSION IMPACT
NOTE ACT MAY
APPLY

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 adding
5 Sections 1-113.22 and 1-113.23 as follows:

6 (40 ILCS 5/1-113.22 new)

7 Sec. 1-113.22. Required disclosures from consultants;
8 minority owned businesses, female owned businesses, and
9 businesses owned by persons with a disability.

10 (a) No later than January 1, 2018 and each January 1
11 thereafter, each consultant retained by the board of a
12 retirement system, board of a pension fund, or investment board
13 shall disclose to that board of the retirement system, board of
14 the pension fund, or investment board:

15 (1) the total number of searches for investment
16 services made by the consultant in the prior calendar year;

17 (2) the total number of searches for investment
18 services made by the consultant in the prior calendar year
19 that included (i) a minority owned business, (ii) a female
20 owned business, or (iii) a business owned by a person with
21 a disability;

22 (3) the total number of searches for investment
23 services made by the consultant in the prior calendar year

1 in which the consultant recommended for selection (i) a
2 minority owned business, (ii) a female owned business, or
3 (iii) a business owned by a person with a disability;

4 (4) the total number of searches for investment
5 services made by the consultant in the prior calendar year
6 that resulted in the selection of (i) a minority owned
7 business, (ii) a female owned business, or (iii) a business
8 owned by a person with a disability; and

9 (5) the total dollar amount of investment made in the
10 previous calendar year with (i) a minority owned business,
11 (ii) a female owned business, or (iii) a business owned by
12 a person with a disability that was selected after a search
13 for investment services performed by the consultant.

14 (b) Beginning January 1, 2018, no contract, oral or
15 written, for consulting services shall be awarded by a board of
16 a retirement system, a board of a pension fund, or an
17 investment board without first requiring the consultant to make
18 the disclosures required in subsection (a) of this Section.

19 (c) The disclosures required by subsection (b) of this
20 Section shall be considered, within the bounds of financial and
21 fiduciary prudence, prior to the awarding of a contract, oral
22 or written, for consulting services.

23 (d) As used in this Section, the terms "minority person",
24 "female", "person with a disability", "minority owned
25 business", "female owned business", and "business owned by a
26 person with a disability" have the same meaning as those terms

1 have in the Business Enterprise for Minorities, Females, and
2 Persons with Disabilities Act.

3 (40 ILCS 5/1-113.23 new)

4 Sec. 1-113.23. Required disclosures from consultants;
5 compensation and economic opportunity received.

6 (a) As used in this Section:

7 "Compensation" means any money, thing of value, or economic
8 benefit conferred on, or received by, a consultant in return
9 for services rendered, or to be rendered, by himself, herself,
10 or another.

11 "Economic opportunity" means any purchase, sale, lease,
12 contract, option, or other transaction or arrangement
13 involving property or services wherein a consultant may gain an
14 economic benefit.

15 (b) No later than January 1, 2018 and each January 1
16 thereafter, a consultant retained by the board of a retirement
17 system, the board of a pension fund, or an investment board
18 shall disclose to the board of the retirement system, the board
19 of the pension fund, or the investment board all compensation
20 and economic opportunity received in the last 24 months from
21 investment advisors retained by the board of a retirement
22 system, board of a pension fund, or investment board.

23 (c) Beginning January 1, 2018, a consultant shall disclose
24 to the board of a retirement system, the board of a pension
25 fund, or an investment board any compensation or economic

1 opportunity received in the last 24 months from an investment
2 advisor that is recommended for selection by the consultant. A
3 consultant shall make this disclosure prior to the board
4 selecting an investment advisor for appointment.

5 (d) Beginning January 1, 2018, no contract, oral or
6 written, for consulting services shall be awarded by a board of
7 a retirement system, board of a pension fund, or an investment
8 board without first requiring the consultant to make the
9 disclosures required in subsection (c) of this Section.

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