

1 AN ACT concerning government.

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

4 Section 5. The State Treasurer Act is amended by changing
5 Section 17 and by adding Section 30 as follows:

6 (15 ILCS 505/17) (from Ch. 130, par. 17)

7 Sec. 17. The State Treasurer may establish and administer
8 both a Public Treasurers' Investment Pool and an E-Pay program
9 to supplement and enhance both the investment opportunities and
10 the secure electronic payment options otherwise available to
11 other custodians of public funds for public agencies in this
12 State.

13 The Treasurer, in administering the Public Treasurers'
14 Investment Pool, may receive public funds paid into the pool by
15 any other custodian of such funds and may serve as the fiscal
16 agent of that custodian of public funds for the purpose of
17 holding and investing those funds.

18 The Treasurer may invest the public funds constituting the
19 Public Treasurers' Investment Pool in the same manner, in the
20 same types of investments and subject to the same limitations
21 provided for the investment of funds in the State Treasury. The
22 Treasurer shall develop, publish, and implement an investment
23 policy covering the management of funds in the Public

1 Treasurers' Investment Pool. The policy shall be published each
2 year as part of the audit of the Public Treasurers' Investment
3 Pool by the Auditor General, which shall be distributed to all
4 participants. The Treasurer shall notify all Public
5 Treasurers' Investment Pool participants in writing, and the
6 Treasurer shall publish in at least one newspaper of general
7 circulation in both Springfield and Chicago any changes to a
8 previously published investment policy at least 30 calendar
9 days before implementing the policy. Any such investment policy
10 adopted by the Treasurer shall be reviewed, and updated if
11 necessary, within 90 days following the installation of a new
12 Treasurer.

13 The Treasurer shall promulgate such rules and regulations
14 as he deems necessary for the efficient administration of the
15 Public Treasurers' Investment Pool and the E-Pay program,
16 including specification of minimum amounts which may be
17 deposited in the Pool and minimum periods of time for which
18 deposits shall be retained in the Pool. The rules shall provide
19 for the administration expenses of the Pool to be paid from its
20 earnings and for the interest earnings in excess of such
21 expenses to be credited or paid monthly to the several
22 custodians of public funds participating in the Pool in a
23 manner which equitably reflects the differing amounts of their
24 respective investments in the Pool and the differing periods of
25 time for which such amounts were in the custody of the Pool.

26 Upon creating a Public Treasurers' Investment Pool the

1 State Treasurer shall give bond with 2 or more sufficient
2 sureties, payable to custodians of public funds who participate
3 in the Pool for the benefit of the public agencies whose funds
4 are paid into the Pool for investment, in the penal sum of
5 \$150,000, conditioned for the faithful discharge of his duties
6 in relation to the Public Treasurers' Investment Pool.

7 "Public agency", as used in this Section, means the State
8 of Illinois or any political subdivision, or any agency, board,
9 or department thereof, any special district, any municipality,
10 or any unit of local government.

11 "Public funds", as used in this Section, means current
12 operating funds, special funds, and funds of any kind or
13 character belonging to or in the custody of any public agency.

14 ~~"Public funds" and "public agency", as used in this Section~~
15 ~~have the meanings ascribed to them in Section 1 of "An Act~~
16 ~~relating to certain investments of public funds by public~~
17 ~~agencies", approved July 23, 1943, as amended.~~

18 This amendatory Act of 1975 is not a limit on any home rule
19 unit.

20 After the effective date of this amendatory Act of the 99th
21 General Assembly, participation in the Public Treasurers'
22 Investment Pool shall not be a prerequisite for participation
23 in the Treasurer's E-Pay program.

24 (Source: P.A. 99-856, eff. 8-19-16.)

1 Sec. 30. Preferences for veterans, minorities, women, and
2 persons with disabilities.

3 (a) As used in this Section:

4 (1) the terms "minority person", "woman", "person with
5 a disability", "minority-owned business", "women-owned
6 business", "business owned by a person with a disability",
7 and "control" have the meanings provided in Section 1 of
8 the Business Enterprise for Minorities, Women, and Persons
9 with Disabilities Act; and

10 (2) the terms "veteran", "qualified veteran-owned
11 small business", "qualified service-disabled veteran-owned
12 small business", "qualified service-disabled veteran", and
13 "armed forces of the United States" have the meanings
14 provided in Article 1 of the Illinois Procurement Code.

15 (b) It is hereby declared to be the policy of the State
16 Treasurer to promote and encourage the use of businesses owned
17 by or under the control of qualified veterans of the armed
18 forces of the United States, qualified service-disabled
19 veterans, minority persons, women, or persons with a disability
20 in the area of goods and services. Furthermore, the State
21 Treasurer shall utilize such businesses to the greatest extent
22 feasible within the bounds of financial and fiduciary prudence,
23 and take affirmative steps to remove any barriers to the full
24 participation of such firms in the procurement and contracting
25 opportunities afforded.

26 (c) It shall be an aspirational goal of the State Treasurer

1 to use businesses owned by or under the control of qualified
2 veterans of the armed forces of the United States, qualified
3 service-disabled veterans, minority persons, women, or persons
4 with a disability for not less than 25% of the total dollar
5 amount of funds under management, purchases of investment
6 securities, and other contracts, including, but not limited to,
7 the use of broker-dealers. The State Treasurer is authorized to
8 establish additional aspirational goals.

9 (d) When the State Treasurer procures goods and services,
10 whether through a request for proposal or otherwise, he or she
11 is authorized to incorporate preferences in the scoring process
12 for: (1) a minority-owned business, a women-owned business, a
13 business owned by a person with a disability, a qualified
14 veteran-owned small business, or a qualified service-disabled
15 veteran-owned small business; and (2) businesses having a
16 record of support for increasing diversity and inclusion in
17 board membership, management, employment, philanthropy, and
18 supplier diversity, including investment professionals and
19 investment sourcing.

20 When the State Treasurer utilizes a financial institution
21 or determines the eligibility of a financial institution to
22 participate in a banking contract, investment contract,
23 investment activity, or other financial program of the State
24 Treasurer, he or she shall review the financial institution's
25 Community Reinvestment Act rating, record, and current level of
26 financial commitment to the community prior to making a

1 decision to utilize or determine the eligibility of such
2 financial institution.

3 (e) Beginning with fiscal year 2019, and at least annually
4 thereafter, the State Treasurer shall report on his or her
5 utilization of minority-owned businesses, women-owned
6 businesses, businesses owned by a person with a disability,
7 qualified veteran-owned small businesses, or qualified
8 service-disabled veteran-owned small businesses. The report
9 shall be published on the State Treasurer's official website.

10 (f) The provisions of this Section take precedence over any
11 goals established under the Business Enterprise for
12 Minorities, Women, and Persons with Disabilities Act.

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.