

1 AMENDMENT TO HOUSE BILL 277

2 AMENDMENT NO. _____. Amend House Bill 277 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Deposit of State Moneys Act is amended
5 by adding Section 16.3 as follows:

6 (15 ILCS 520/16.3 new)

7 Sec. 16.3. Consideration of financial institution's
8 commitment to its community.

9 (a) In addition to any other requirements of this Act,
10 the State Treasurer shall consider the financial
11 institution's record and current level of financial
12 commitment to its local community when deciding whether to
13 deposit State funds in that financial institution. The State
14 Treasurer shall consider factors including, but not
15 necessarily limited to:

16 (1) the current and historical ratings that the
17 financial institution has received, to the extent that
18 those ratings are publicly available, under the federal
19 Community Reinvestment Act of 1977;

20 (2) any changes in ownership, management, policies,
21 or practices of the financial institution that may affect
22 the level of the financial institution's commitment to

1 its community;

2 (3) the financial impact that the withdrawal or
3 denial of deposits of State funds might have on the
4 financial institution; and

5 (4) the financial impact to the State as a result
6 of withdrawing State funds or refusing to deposit
7 additional State funds in the financial institution.

8 (b) Nothing in this Section shall be construed as
9 authorizing the State Treasurer to conduct an examination or
10 investigation of a financial institution or to receive
11 information that is not publicly available and the disclosure
12 of which is otherwise prohibited by law.

13 Section 10. The Public Funds Investment Act is amended
14 by adding Section 8 as follows:

15 (30 ILCS 235/8 new)

16 Sec. 8. Consideration of financial institution's
17 commitment to its community.

18 (a) In addition to any other requirements of this Act, a
19 public agency is authorized to consider the financial
20 institution's record and current level of financial
21 commitment to its local community when deciding whether to
22 deposit public funds in that financial institution. The
23 public agency may consider factors including, but not
24 necessarily limited to:

25 (1) the current and historical ratings that the
26 financial institution has received, to the extent that
27 those ratings are publicly available, under the federal
28 Community Reinvestment Act of 1977;

29 (2) any changes in ownership, management, policies,
30 or practices of the financial institution that may affect
31 the level of the financial institution's commitment to
32 its community;

1 (3) the financial impact that the withdrawal or
2 denial of deposits of public funds might have on the
3 financial institution;

4 (4) the financial impact to the public agency as a
5 result of withdrawing public funds or refusing to deposit
6 additional public funds in the financial institution; and

7 (5) any additional burden on the resources of the
8 public agency that might result from ceasing to maintain
9 deposits of public funds at the financial institution
10 under consideration.

11 (b) Nothing in this Section shall be construed as
12 authorizing the public agency to conduct an examination or
13 investigation of a financial institution or to receive
14 information that is not publicly available and the disclosure
15 of which is otherwise prohibited by law.

16 Section 99. Effective date. This Act takes effect on
17 July 1, 2004."