



Rep. Daniel Biss

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1 AMENDMENT TO SENATE BILL 107

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 107 on page 4, by  
3 replacing line 1 with the following:

4 "Illinois. Any fund created by an Illinois venture capital firm  
5 in which the State Treasurer places money under this Section  
6 ("TDA II-Recipient Fund") shall invest a minimum of twice (2x)  
7 the aggregate amount of investable capital that is received  
8 from the State Treasurer under this Section in Illinois  
9 companies during the life of the fund. "Illinois companies", as  
10 used in this Section, are companies that are headquartered or  
11 that otherwise have a significant presence in the State at the  
12 time of initial or follow-on investment. Investable capital is  
13 calculated as committed capital, as defined in the firm's  
14 applicable fund's governing documents, less related estimated  
15 fees and expenses to be incurred during the life of the fund.

16 Any TDA II-Recipient Fund shall also invest additional  
17 capital in Illinois companies during the life of the fund if,

1 as determined by the fund's manager, the investment:

2 (1) is consistent with the firm's fiduciary  
3 responsibility to its limited partners;

4 (2) is consistent with the fund manager's investment  
5 strategy; and

6 (3) demonstrates the potential to create risk-adjusted  
7 financial returns consistent with the fund manager's  
8 investment goals.

9 In addition to any reporting requirements set forth in  
10 Section 10 of this Act, any TDA II-Recipient Fund shall report  
11 the following additional information to the Treasurer on a  
12 quarterly basis for all investments:

13 (1) the names of portfolio companies invested in during  
14 the applicable investment period;

15 (2) the addresses of reported portfolio companies;

16 (3) the date of the initial (and follow-on) investment;

17 (4) the cost of the investment;

18 (5) the current fair market value of the investment;

19 (6) for Illinois companies, the number of Illinois  
20 employees on the investment date; and

21 (7) for Illinois companies, the current number of  
22 Illinois employees.

23 If, as of the earlier to occur of (i) the fourth year of  
24 the investment period of any TDA II-Recipient Fund or (ii) when  
25 that TDA II-Recipient fund has drawn more than 60% of the  
26 investable capital of all limited partners, that TDA

1 II-Recipient Fund has failed to invest the minimum amount  
2 required under this subsection (d) in Illinois companies, then  
3 the Treasurer shall deliver written notice to the manager of  
4 that fund seeking compliance with the minimum amount  
5 requirement under this subsection (d). If, after 180 days of  
6 delivery of notice, the TDA II-Recipient Fund has still failed  
7 to invest the minimum amount required under this subsection (d)  
8 in Illinois companies, then the Treasurer may elect, in  
9 writing, to terminate any further commitment to make capital  
10 contributions to that fund which otherwise would have been made  
11 under this Section."