

1 AN ACT in relation to Second World War forced labor and
2 slave labor victims.

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

5 Section 5. The State Treasurer Act is amended by adding
6 Section 15.5 as follows:

7 (15 ILCS 505/15.5 new)

8 Sec. 15.5. Victims of Second World War forced or slave
9 labor; monitoring; reports.

10 (a) The State Treasurer and the Illinois State Board of
11 Investment created under Article 22A of the Illinois Pension
12 Code shall jointly monitor all investments of moneys in
13 pension funds or retirement systems governed by Articles 1
14 through 18 of the Illinois Pension Code to determine whether
15 any of those moneys are invested in companies doing business
16 in Illinois, or affiliates of such companies, that owe
17 compensation to Second World War forced labor or slave labor
18 victims under Article XXIII of the Code of Civil Procedure.
19 Not later than December 31 of each year, the State Treasurer
20 and the Illinois State Board of Investment shall submit a
21 joint report of their findings and recommendations to the
22 General Assembly.

23 (b) The State Treasurer shall monitor all investments of
24 State moneys other than those described in subsection (a) to
25 determine whether any of those moneys are invested in
26 companies doing business in Illinois, or affiliates of such
27 companies, that owe compensation to Second World War forced
28 labor or slave labor victims under Article XXIII of the Code
29 of Civil Procedure. Not later than December 31 of each year,
30 the State Treasurer shall submit a report of his or her
31 findings and recommendations to the General Assembly.

1 (c) The reports required under subsections (a) and (b)
2 may be combined into a single report for purposes of
3 submission to the General Assembly.

4 Section 10. The Illinois Pension Code is amended by
5 adding Section 22A-117 as follows:

6 (40 ILCS 5/22A-117 new)

7 Sec. 22A-117. Victims of Second World War forced or slave
8 labor; monitoring; reports. The Board and the State Treasurer
9 shall jointly monitor all investments of moneys in pension
10 funds or retirement systems governed by Articles 1 through 18
11 of this Code to determine whether any of those moneys are
12 invested in companies doing business in Illinois, or
13 affiliates of such companies, that owe compensation to Second
14 World War forced labor or slave labor victims under Article
15 XXIII of the Code of Civil Procedure. Not later than
16 December 31 of each year, the Board and the State Treasurer
17 shall submit a joint report of their findings and
18 recommendations to the General Assembly.

19 Section 15. The Code of Civil Procedure is amended by
20 adding Article XXIII as follows:

21 (735 ILCS 5/Art. XXIII heading new)

22 ARTICLE XXIII. VICTIMS OF SECOND WORLD
23 WAR FORCED OR SLAVE LABOR

24 (735 ILCS 5/23-5 new)

25 Sec. 23-5. Purpose. Thousands of victims of Nazi
26 persecution, and the heirs of victims of Nazi persecution,
27 are residents of the State of Illinois. These victims of
28 Nazi persecution have been deprived of their entitlement to
29 compensation for their labor and for injuries sustained while

1 performing that labor as forced or slave laborers before and
2 during the Second World War. The State of Illinois has a
3 moral and public policy interest in ensuring that its
4 residents and citizens are given a reasonable opportunity to
5 claim their entitlement to compensation for forced or slave
6 labor performed before and during the Second World War.

7 To the extent that the statute of limitations applicable
8 to claims for compensation is extended by this Article, that
9 extension of the limitations period is intended to be applied
10 retroactively, irrespective of whether the claims were
11 otherwise barred by any applicable statute of limitations
12 under any other provision of law prior to the effective date
13 of this amendatory Act of the 92nd General Assembly.

14 (735 ILCS 5/23-10 new)

15 Sec. 23-10. Additional public policy. It is the intent of
16 the General Assembly to enact, in addition to the provisions
17 of this Article, additional public policy in any other case
18 of proven patterns of slave labor employed by firms presently
19 doing business in Illinois that served as the basis of
20 ill-gotten wealth at the expense of victims who are residents
21 of this State.

22 (735 ILCS 5/23-15 new)

23 Sec. 23-15. Cause of action.

24 (a) In this Article:

25 "Compensation" means the present value of wages and
26 benefits that individuals should have been paid and damages
27 for injuries sustained in connection with the labor
28 performed. Present value shall be calculated on the basis of
29 the market value of the services at the time they were
30 performed, plus interest from the time the services were
31 performed, compounded annually to the date of full payment
32 without diminution for wartime or postwar currency

1 devaluation.

2 "Second World War forced labor victim" means any person
3 who was a member of a civilian population conquered by the
4 Nazi regime or its allies or sympathizers, or who was a
5 prisoner-of-war of the Nazi regime or its allies or
6 sympathizers, and who was forced to perform labor without pay
7 for any period of time between 1929 and 1945 by the Nazi
8 regime or its allies or sympathizers or by an enterprise
9 transacting business in any of the areas occupied by or under
10 control of the Nazi regime or its allies or sympathizers.

11 "Second World War slave labor victim" means any person
12 taken from a concentration camp or ghetto or diverted from
13 transportation to a concentration camp or from a ghetto to
14 perform labor without pay for any period of time between 1929
15 and 1945 by the Nazi regime or its allies or sympathizers or
16 by an enterprise transacting business in any of the areas
17 occupied by or under control of the Nazi regime or its allies
18 or sympathizers.

19 (b) A Second World War forced labor victim or Second
20 World War slave labor victim, or an heir of a Second World
21 War forced labor victim or Second World War slave labor
22 victim, may bring an action to recover compensation for labor
23 performed as a Second World War forced labor victim or Second
24 World War slave labor victim. The plaintiff may recover the
25 compensation from any entity for whom that labor was
26 performed, or from any successor in interest of such an
27 entity, regardless of whether that labor was performed for
28 that entity directly or for a subsidiary or affiliate of that
29 entity.

30 (c) An action under this Section shall be brought in the
31 circuit court, which shall have jurisdiction over the action
32 until its completion or resolution.

1 Sec. 23-20. Limitations. An action brought under this
2 Article may not be dismissed for failure to comply with the
3 applicable statute of limitations under this Code if the
4 action is commenced before January 1, 2013.

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.