Rep. Stephanie A. Kifowit

Filed: 4/9/2026

AMENDMENT TO HOUSE BILL 5134

AMENDMENT NO. _____. Amend House Bill 5134 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Section 15-159 as follows:

(40 ILCS 5/15-159) (from Ch. 108 1/2, par. 15-159)

Sec. 15-159. Board created.

(a) A board of trustees constituted as provided in this Section shall administer this System. The board shall be known as the Board of Trustees of the State Universities Retirement System.

(b) (Blank).

(c) (Blank).

(d) The ~~Beginning on the 90th day after April 3, 2009 (the effective date of Public Act 96-6), the~~ Board of Trustees shall be constituted as follows:

(1) The Chairperson of the Board of Higher Education.

(2) Seven ~~Four~~ trustees appointed by the Governor with the advice and consent of the Senate who may not be members of the system or hold an elective State office and who shall serve for a term of 6 years, except that: (A) the terms of the initial appointees under Public Act 96-6 ~~this subsection (d)~~ shall be as follows: 2 for a term of 3 years and 2 for a term of 6 years; and (B) the terms of the initial appointees under this amendatory Act of the 104th General Assembly shall be as follows: one for a term of 3 years and 2 for a term of 6 years. The term of an appointed trustee shall terminate immediately upon becoming a member of the system or being sworn into an elective State office, and the position shall be considered to be vacant and shall be filled pursuant to subsection (f) of this Section.

(3) Five ~~Four~~ participating employees of the system to be elected from the contributing membership of the system by the contributing members, no more than 2 of which may be from any of the University of Illinois campuses, who shall serve for a term of 6 years, except that: (A) the terms of the initial electees under Public Act 96-6 shall be as follows: 2 for a term of 3 years and 2 for a term of 6 years; and (B) the term of the member added by this amendatory Act of the 104th General Assembly shall be 6 years.

(3.5) One participating employee of the system who is an employee of a community college to be elected from the contributing membership of the system by the contributing members and shall serve for a term of 6 years.

(4) Three ~~Two~~ annuitants of the system who have been annuitants for at least one full year, to be elected from and by the annuitants of the system, no more than one of which may be from any of the University of Illinois campuses, who shall serve for a term of 6 years, except that: (A) the terms of the initial electees shall be as follows: one for a term of 3 years and one for a term of 6 years; and (B) the term of the member added by this amendatory Act of the 104th General Assembly shall be 6 years.

The chairperson of the Board shall be appointed by the Governor from among the trustees.

For the purposes of this Section, the Governor may make a nomination and the Senate may confirm the nominee in advance of the commencement of the nominee's term of office.

(e) The 6 elected trustees shall be elected within 90 days after April 3, 2009 (the effective date of Public Act 96-6) for a term beginning on the 90th day after that effective date. The 3 elected trustees added by this amendatory Act of the 104th General Assembly shall be elected within 90 days after the effective date of this amendatory Act of the 104th General Assembly. Trustees shall be elected thereafter as terms expire

for a 6-year term beginning July 15 next following their election, and such election shall be held on May 1, or on May 2 when May 1 falls on a Sunday. The board may establish rules for the election of trustees to implement the provisions of Public Act 96-6 and this amendatory Act of the 104th General Assembly and for future elections. Candidates for the participating trustee shall be nominated by petitions in writing, signed by not less than 400 participants with their addresses shown opposite their names. Candidates for the annuitant trustee shall be nominated by petitions in writing, signed by not less than 100 annuitants with their addresses shown opposite their names. Petitions must be notarized and submitted in paper form only. If there is more than one qualified nominee for each elected trustee, then the board shall conduct a secret ballot election by mail for that trustee, in accordance with rules as established by the board. If there is only one qualified person nominated by petition for each elected trustee, then the election as required by this Section shall not be conducted for that trustee and the board shall declare such nominee duly elected. A vacancy occurring in the elective membership of the board shall be filled for the unexpired term by the elected trustees serving on the board for the remainder of the term. Nothing in this subsection shall preclude the adoption of rules providing for internet or phone balloting in addition, or as an alternative, to election by mail.

(e-5) Beginning on the effective date of this amendatory

Act of the 104th General Assembly, no more than 4 of the 6 participants elected to the Board of Trustees under paragraphs (3) and (3.5) of subsection (d) may be active members of the same statewide labor organization. For the purposes of this Section, "statewide labor organization" means a labor organization (1) in which membership is not restricted to persons living or working within a limited geographical area of this State and (2) that has among its membership at least 3,500 persons who participate in this System.

(f) A vacancy in the appointed membership on the board of trustees caused by resignation, death, expiration of term of office, or other reason shall be filled by a qualified person appointed by the Governor for the remainder of the unexpired term.

(g) Trustees shall continue in office until their respective successors are appointed and have qualified, except that a trustee elected to one of the participating employee positions after the effective date of this amendatory Act of the 102nd General Assembly shall be disqualified immediately upon the termination of his or her status as a participating employee and a trustee elected to one of the annuitant positions after the effective date of this amendatory Act of the 102nd General Assembly shall be disqualified immediately upon the termination of his or her status as an annuitant receiving a retirement annuity.

An elected trustee who is incumbent on the effective date

of this amendatory Act of the 102nd General Assembly whose status as a participating employee or annuitant has terminated after having been elected shall continue to serve in the participating employee or annuitant position to which he or she was elected for the remainder of the term.

(h) Each trustee must take an oath of office before a notary public of this State and shall qualify as a trustee upon the presentation to the board of a certified copy of the oath. The oath must state that the person will diligently and honestly administer the affairs of the retirement system, and will not knowingly violate or willfully permit to be violated any provisions of this Article.

Each trustee shall serve without compensation but shall be reimbursed for expenses necessarily incurred in attending board meetings and carrying out his or her duties as a trustee or officer of the system.

(Source: P.A. 101-610, eff. 1-1-20; 102-210, eff. 7-30-21.)".