



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB0209

Introduced 2/17/2021, by Sen. Robert F. Martwick

SYNOPSIS AS INTRODUCED:

40 ILCS 5/15-159

from Ch. 108 1/2, par. 15-159

Amends the State Universities Article of the Illinois Pension Code. Provides that 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. Provides that an elected trustee who is incumbent on the effective date of the amendatory Act 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. Provides that trustees shall continue in office until their respective successors are appointed and have qualified, except that a trustee elected (instead of appointed) to one of the participating employee (instead of participant) positions after the effective date of the amendatory Act shall be disqualified immediately upon the termination of his or her status as a participating employee (instead of participant) and a trustee elected (instead of appointed) to one of the annuitant positions after the effective date of the amendatory Act shall be disqualified immediately upon the termination of his or her status as an annuitant receiving a retirement annuity. Effective immediately.

LRB102 00210 RPS 10212 b

PENSION IMPACT
NOTE ACT MAY
APPLY

A BILL FOR

1 AN ACT concerning public employee benefits.

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

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

6 (40 ILCS 5/15-159) (from Ch. 108 1/2, par. 15-159)
7 Sec. 15-159. Board created.

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

12 (b) (Blank).

13 (c) (Blank).

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

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

18 (2) Four trustees appointed by the Governor with the
19 advice and consent of the Senate who may not be members of
20 the system or hold an elective State office and who shall
21 serve for a term of 6 years, except that the terms of the
22 initial appointees under this subsection (d) shall be as
23 follows: 2 for a term of 3 years and 2 for a term of 6

1 years. The term of an appointed trustee shall terminate
2 immediately upon becoming a member of the system or being
3 sworn into an elective State office, and the position
4 shall be considered to be vacant and shall be filled
5 pursuant to subsection (f) of this Section.

6 (3) Four participating employees ~~active participants~~
7 of the system to be elected from the contributing
8 membership of the system by the contributing members, no
9 more than 2 of which may be from any of the University of
10 Illinois campuses, who shall serve for a term of 6 years,
11 except that the terms of the initial electees shall be as
12 follows: 2 for a term of 3 years and 2 for a term of 6
13 years.

14 (4) Two annuitants of the system who have been
15 annuitants for at least one full year, to be elected from
16 and by the annuitants of the system, no more than one of
17 which may be from any of the University of Illinois
18 campuses, who shall serve for a term of 6 years, except
19 that the terms of the initial electees shall be as
20 follows: one for a term of 3 years and one for a term of 6
21 years.

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

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

1 (e) The 6 elected trustees shall be elected within 90 days
2 after April 3, 2009 (the effective date of Public Act 96-6) for
3 a term beginning on the 90th day after that effective date.
4 Trustees shall be elected thereafter as terms expire for a
5 6-year term beginning July 15 next following their election,
6 and such election shall be held on May 1, or on May 2 when May
7 1 falls on a Sunday. The board may establish rules for the
8 election of trustees to implement the provisions of Public Act
9 96-6 and for future elections. Candidates for the
10 participating trustee shall be nominated by petitions in
11 writing, signed by not less than 400 participants with their
12 addresses shown opposite their names. Candidates for the
13 annuitant trustee shall be nominated by petitions in writing,
14 signed by not less than 100 annuitants with their addresses
15 shown opposite their names. If there is more than one
16 qualified nominee for each elected trustee, then the board
17 shall conduct a secret ballot election by mail for that
18 trustee, in accordance with rules as established by the board.
19 If there is only one qualified person nominated by petition
20 for each elected trustee, then the election as required by
21 this Section shall not be conducted for that trustee and the
22 board shall declare such nominee duly elected. A vacancy
23 occurring in the elective membership of the board shall be
24 filled for the unexpired term by the elected trustees serving
25 on the board for the remainder of the term. Nothing in this
26 subsection shall preclude the adoption of rules providing for

1 internet or phone balloting in addition, or as an alternative,
2 to election by mail.

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

8 (g) Trustees ~~(other than the trustees incumbent on June~~
9 ~~30, 1995 or as provided in subsection (c) of this Section)~~
10 shall continue in office until their respective successors are
11 appointed and have qualified, except that a trustee elected
12 ~~appointed~~ to one of the participating employee participant
13 positions after the effective date of this amendatory Act of
14 the 102nd General Assembly shall be disqualified immediately
15 upon the termination of his or her status as a participating
16 employee participant and a trustee elected ~~appointed~~ to one of
17 the annuitant positions after the effective date of this
18 amendatory Act of the 102nd General Assembly shall be
19 disqualified immediately upon the termination of his or her
20 status as an annuitant receiving a retirement annuity.

21 An elected trustee who is incumbent on the effective date
22 of this amendatory Act of the 102nd General Assembly whose
23 status as a participating employee or annuitant has terminated
24 after having been elected shall continue to serve in the
25 participating employee or annuitant position to which he or
26 she was elected for the remainder of the term.

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

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

12 (Source: P.A. 101-610, eff. 1-1-20.)

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