

# HB3850



## 99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3850

by Rep. Elgie R. Sims, Jr.

### SYNOPSIS AS INTRODUCED:

40 ILCS 5/7-174

from Ch. 108 1/2, par. 7-174

Amends the IMRF Article of the Illinois Pension Code. Allows an action or decision taken at a board committee meeting to become effective without a regular or special meeting of the whole board. Effective immediately.

LRB099 08062 EFG 28207 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 changing  
5 Section 7-174 as follows:

6 (40 ILCS 5/7-174) (from Ch. 108 1/2, par. 7-174)

7 Sec. 7-174. Board created.

8 (a) A board of 8 members shall constitute a board of  
9 trustees authorized to carry out the provisions of this  
10 Article. Each trustee shall be a participating employee of a  
11 participating municipality or participating instrumentality or  
12 an annuitant of the Fund and no person shall be eligible to  
13 become a trustee after January 1, 1979 who does not have at  
14 least 8 years of creditable service.

15 (b) The board shall consist of representatives of various  
16 groups as follows:

17 1. 4 trustees shall be a chief executive officer, chief  
18 finance officer, or other officer, executive or department  
19 head of a participating municipality or participating  
20 instrumentality, and each such trustee shall be designated  
21 as an executive trustee.

22 2. 3 trustees shall be employees of a participating  
23 municipality or participating instrumentality and each

1           such trustee shall be designated as an employee trustee.

2           3. One trustee shall be an annuitant of the Fund, who  
3           shall be designated the annuitant trustee.

4           (c) A person elected as a trustee shall qualify as a  
5           trustee, after declaration by the board that he has been duly  
6           elected, upon taking and subscribing to the constitutional oath  
7           of office and filing same in the office of the Fund.

8           (d) The term of office of each trustee shall begin upon  
9           January 1 of the year following the year in which he is elected  
10          and shall continue for a period of 5 years and until a  
11          successor has been elected and qualified, or until prior  
12          resignation, death, incapacity or disqualification.

13          (e) Any elected trustee (other than the annuitant trustee)  
14          shall be disqualified immediately upon termination of  
15          employment with all participating municipalities and  
16          instrumentalities thereof or upon any change in status which  
17          removes any such trustee from all employments within the group  
18          he represents. The annuitant trustee shall be disqualified upon  
19          termination of his or her annuity.

20          (f) The trustees shall fill any vacancy in the board by  
21          appointment, for the period until the next election of  
22          trustees, or, if the remaining term is less than 2 years, for  
23          the remainder of the term, and until his successor has been  
24          elected and qualified.

25          (g) Trustees shall serve without compensation, but shall be  
26          reimbursed for any reasonable expenses incurred in attending

1 meetings of the board and in performing duties on behalf of the  
2 Fund and for the amount of any earnings withheld by any  
3 employing municipality or participating instrumentality  
4 because of attendance at any board meeting.

5 (h) Each trustee shall be entitled to one vote on any and  
6 all actions before the board. At least 5 concurring votes shall  
7 be necessary for every decision or action by the board at any  
8 of its meetings. No decision or action shall become effective  
9 unless presented and so approved at a regular or duly called  
10 special meeting of the board or at any board committee meeting.

11 (Source: P.A. 95-890, eff. 8-22-08.)

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