



Sen. Napoleon Harris, III

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09900SB3340sam001

LRB099 19571 RPS 45953 a

1 AMENDMENT TO SENATE BILL 3340

2 AMENDMENT NO. _____. Amend Senate Bill 3340 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by adding
5 Section 1-127 as follows:

6 (40 ILCS 5/1-127 new)

7 Sec. 1-127. Accountability of trustees; suspension and
8 termination.

9 (a) A member of the board of trustees of a pension fund,
10 retirement system, or investment board established under any of
11 Articles 2 through 18 or 22A of this Code shall, by operation
12 of law, be suspended from that position, and any other
13 fiduciary or administrative position under that pension fund,
14 retirement system, or investment board, upon being charged by
15 information or indictment with a felony offense arising out of
16 or in relation to that position. While so suspended, the member

1 may attend and participate in board meetings (except meetings
2 relating to decisions or policies specific to that member), but
3 shall not vote on any matter, be counted for establishing a
4 quorum, or be compensated for attendance or expenses.

5 (b) The suspension shall be lifted upon the happening of
6 any of the following events:

7 (1) dismissal of the charge;

8 (2) acquittal; or

9 (3) a determination, after hearing by the remaining
10 members of the board or by a court or judicial officer,
11 that the charge does not arise out of or in relation to
12 that member's position; such a determination, when made by
13 the board, must be by majority vote of the remaining
14 members.

15 (c) The suspension becomes termination of participation on
16 the board upon the happening of any of the following events:

17 (1) conviction of the charge;

18 (2) loss of employment or professional qualification
19 based on the subject matter of the charge, where such
20 employment or professional qualification is a
21 qualification for continuing participation on the board;
22 or

23 (3) expiration of the member's term without lifting of
24 the suspension pursuant to subsection (b).

25 Upon such termination the position shall be deemed vacant
26 and may be filled in the manner provided for vacancies under

1 the applicable Article of this Code.

2 (d) Upon termination under subsection (c), the terminated
3 member shall thereafter be ineligible to serve on any other
4 board of trustees established under any of Articles 2 through
5 18 or 22A of this Code.

6 (e) A member who resigns from the board, either prior to or
7 after being so charged, is not subject to subsection (d) of
8 this Section unless convicted of the charge.

9 (f) This Section applies to persons who are board members
10 on or after the effective date of this amendatory Act of the
11 99th General Assembly, without regard to whether the charged
12 offense or the events leading up to that charge occurred before
13 that date.

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