



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB1698

Introduced 2/15/2019, by Sen. Iris Y. Martinez

SYNOPSIS AS INTRODUCED:

40 ILCS 5/1-113.16
30 ILCS 805/8.43 new

Amends the General Provisions Article of the Illinois Pension Code. Provides that any open meeting of the board of trustees of a retirement system or pension fund or any committee established by a retirement system or pension fund must be broadcast to the public and maintained in real-time on the retirement system's or pension fund's website using a high-speed Internet connection. Provides that the broadcast and maintenance requirements for open meetings do not apply to a pension fund established under the Downstate Police Article or the Downstate Firefighter Article of the Code or to the portion of a hearing or meeting of any pension fund or retirement system during which medical information or other privileged information of participants and beneficiaries will be discussed or presented. Amends the State Mandates Act to require implementation without reimbursement by the State. Effective July 1, 2020.

LRB101 07920 RPS 52975 b

FISCAL NOTE ACT
MAY APPLY

PENSION IMPACT
NOTE ACT MAY
APPLY

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 1-113.16 as follows:

6 (40 ILCS 5/1-113.16)

7 Sec. 1-113.16. Investment transparency.

8 (a) The purpose of this Section is to provide for
9 transparency in the investment of retirement or pension funds
10 and require the reporting of full and complete information
11 regarding the investments by pension funds, retirement
12 systems, and investment boards.

13 (b) A retirement system, pension fund, or investment board
14 subject to this Code and any committees established by such
15 system, fund, or board must comply with the Open Meetings Act.
16 Except as otherwise provided under this subsection, any open
17 meeting of the board of trustees of a retirement system or
18 pension fund or any committee established by a retirement
19 system or pension fund must be broadcast to the public and
20 maintained in real-time on the retirement system's or pension
21 fund's website using a high-speed Internet connection. A
22 retirement system or pension fund must make audio and video
23 available for a meeting broadcast and maintained under this

1 subsection. The broadcast and maintenance requirements under
2 this subsection do not apply to a pension fund established
3 under Article 3 or 4 or to the portion of a hearing or meeting
4 of any pension fund or retirement system during which medical
5 information or other privileged information of participants
6 and beneficiaries will be discussed or presented.

7 (c) Any retirement system, pension fund, or investment
8 board subject to this Code that establishes a committee shall
9 ensure that the majority of the members on such committee are
10 board members. If any member of a committee is not a member of
11 the board for the system, fund, or board, then that committee
12 member shall be a fiduciary.

13 (d) A retirement system, pension fund, or investment board
14 subject to this Code, except those whose investments are
15 restricted by Section 1-113.2, shall maintain an official web
16 site and make available in a clear and conspicuous manner, and
17 update at least quarterly, all of the following information
18 concerning the investment of funds:

19 (1) The total amount of funds held by the pension fund,
20 retirement system, or investment board.

21 (2) The asset allocation for the investments made by
22 the pension fund, retirement system, or investment board.

23 (3) Current and historic return information.

24 (4) A detailed listing of the investment advisers for
25 all asset classes.

26 (5) Performance of investments compared against

1 established benchmarks.

2 (6) A detailed list of all consultants doing business
3 with the retirement system, pension fund, or investment
4 board.

5 (7) A detailed list of all contractors, other than
6 investment advisers and consultants, doing business with
7 the retirement system, pension fund, or investment board.

8 (8) Any requests for investment services.

9 (9) The names and email addresses of all board members,
10 directors, and senior staff.

11 (10) The report required under Section 1-109.1 of this
12 Code, if applicable.

13 (11) The description of each contract required under
14 subsection (g) of Section 1-113.14 of this Code, if
15 applicable.

16 (e) A pension fund whose investments are restricted by
17 Section 1-113.2 of this Code shall make the information
18 required in subsection (d) of this Section available on its web
19 site or in a location that allows the information to be
20 available for inspection by the public.

21 (f) Nothing in this Section requires the pension fund,
22 retirement system, or investment board to make information
23 available on the Internet that is exempt from inspection and
24 copying under the Freedom of Information Act.

25 (Source: P.A. 96-6, eff. 4-3-09.)

1 Section 90. The State Mandates Act is amended by adding
2 Section 8.43 as follows:

3 (30 ILCS 805/8.43 new)

4 Sec. 8.43. Exempt mandate. Notwithstanding Sections 6 and 8
5 of this Act, no reimbursement by the State is required for the
6 implementation of any mandate created by this amendatory Act of
7 the 101st General Assembly.

8 Section 99. Effective date. This Act takes effect July 1,
9 2020.