

# SB3653



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB3653

Introduced 1/21/2022, by Sen. Robert F. Martwick

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/1-109.5

Amends the General Provisions Article of the Illinois Pension Code. Provides that no individual who is an employee of a pension fund, investment board, or retirement system may serve as a trustee of that pension fund, investment board, or retirement system within 12 months after his or her termination of employment. Effective January 1, 2023.

LRB102 22512 RPS 31653 b

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 1-109.5 as follows:

6 (40 ILCS 5/1-109.5)

7 (This Section may contain text from a Public Act with a  
8 delayed effective date)

9 Sec. 1-109.5. Prohibition on employment for board members.

10 (a) Except as otherwise provided in this Section and in  
11 accordance with Section 5-45 of the State Officials and  
12 Employees Ethics Act, no individual who is a board member of a  
13 pension fund, investment board, or retirement system may be  
14 employed by that pension fund, investment board, or retirement  
15 system at any time during his or her service and for a period  
16 of 12 months after he or she ceases to be a board member.

17 If a senior administrative staff position becomes vacant  
18 and no executive member of the staff is willing to accept the  
19 position, an individual serving as a board member may  
20 temporarily serve as an interim member of the senior  
21 administrative staff of the fund under the following  
22 conditions:

23 (1) the senior administrative staff position is vacant

1 and the board is conducting and documenting a public  
2 search for a new permanent replacement who is not a member  
3 of the board of trustees of the fund;

4 (2) a majority of the board of trustees of the fund  
5 votes to designate a specific board member to serve in the  
6 senior administrative staff position;

7 (3) the board-designated interim member of the senior  
8 administrative staff does not receive any salary or  
9 benefits associated with the position;

10 (4) the board-designated interim member of the senior  
11 administrative staff serves for a period of not more than  
12 6 months; and

13 (5) the trustee vacates his or her position as a  
14 trustee while serving as an interim member of the senior  
15 administrative staff.

16 (b) Except as otherwise provided in this Section, no  
17 individual who is an employee of a pension fund, investment  
18 board, or retirement system may serve as a trustee of that  
19 pension fund, investment board, or retirement system within 12  
20 months after his or her termination of employment.

21 (Source: P.A. 102-603, eff. 1-1-22.)

22 Section 99. Effective date. This Act takes effect January  
23 1, 2023.