

1 AMENDMENT TO HOUSE BILL 277

2 AMENDMENT NO. _____. Amend House Bill 277 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Deposit of State Moneys Act is amended by
5 adding Sections 16.3, 16.4, and 16.5 as follows:

6 (15 ILCS 520/16.3 new)

7 Sec. 16.3. Large financial institutions; compliance with
8 the Community Reinvestment Act of 1977.

9 (a) In addition to any other requirements of this Act,
10 the State Treasurer may not deposit State moneys in large
11 financial institutions that do not meet the requirements of
12 subsections (b) and (c) of this Section.

13 (b) If the depository is subject to federal Community
14 Reinvestment Act of 1977 provisions applicable to a large
15 financial institution, the State Treasurer may not deposit
16 State moneys with the depository unless the depository has an
17 overall rating of satisfactory or better under the Community
18 Reinvestment Act of 1977. If, after State moneys have been
19 deposited, the depository's rating under the Community
20 Reinvestment Act of 1977 falls below a satisfactory rating,
21 the State Treasurer may not make any additional deposits of
22 State moneys with that depository. Existing deposits,

1 however, may remain at the depository until maturity.

2 (c) In addition to the requirements of subsection (b),
3 if the depository is subject to the federal Community
4 Reinvestment Act of 1977, the State Treasurer may not deposit
5 State moneys with a depository if that depository has a less
6 than satisfactory rating for the depositories performance
7 tests for lending, investment, or service under the Community
8 Reinvestment Act of 1977. If, after State moneys have been
9 deposited, the depository's rating under the Community
10 Reinvestment Act of 1977 falls below a satisfactory rating
11 for any of its performance tests for lending, investment, or
12 service, the State Treasurer may not make any additional
13 deposits of State moneys with that depository. Existing
14 deposits, however, may remain at the depository until
15 maturity.

16 (d) As used in this Section, "large financial
17 institution" means a financial institution that has total
18 assets of \$250,000,000 or more.

19 (15 ILCS 520/16.4 new)

20 Sec. 16.4. Small financial institutions; Compliance with
21 the Community Reinvestment Act of 1977.

22 (a) In addition to any other requirements of this Act,
23 the State Treasurer may not deposit State moneys in small
24 financial institutions that do not meet the requirements of
25 subsections (b) and (c) of this Section.

26 (b) If the depository is subject to federal Community
27 Reinvestment Act of 1977 provisions applicable to a small
28 financial institution, the State Treasurer may not deposit
29 State moneys with the depository unless the depository has an
30 overall rating of satisfactory or better under the Community
31 Reinvestment Act of 1977. If after State moneys have been
32 deposited, the depository's rating under the Community
33 Reinvestment Act of 1977 falls below a satisfactory rating,

1 the State Treasurer may not make any additional deposits of
2 State moneys with that depository. Existing deposits,
3 however, may remain at the depository until maturity.

4 (c) In addition to the requirements of subsection (b),
5 if the depository is subject to the federal Community
6 Reinvestment Act of 1977, the State Treasurer may not deposit
7 State moneys with a depository if that depository has a less
8 than satisfactory rating for the depositories performance
9 tests for lending, investment, or service under the Community
10 Reinvestment Act of 1977. If, after State moneys have been
11 deposited, the depository's rating under the Community
12 Reinvestment Act of 1977 falls below a satisfactory rating
13 for any of its performance tests for lending, investment, or
14 service, the State Treasurer may not make any additional
15 deposits of State moneys with that depository. Existing
16 deposits, however, may remain at the depository until
17 maturity.

18 (d) As used in this Section, "small financial
19 institution" means a financial institution that has total
20 assets of less than \$250,000,000.

21 (15 ILCS 520/16.5 new)

22 Sec. 16.5. Review of records for violations of fair
23 lending practices.

24 (a) At least once each year, the State Treasurer shall
25 examine the public records of the Office of Banks and Real
26 Estate, the Office of the Comptroller of the Currency, the
27 Board of Governors of the Federal Reserve System, the Federal
28 Deposit Insurance Corporation, and the Office of Thrift
29 Supervision to identify depositories that have violated fair
30 lending laws. If the Treasurer learns that a depository has
31 been the subject of a final administrative adjudication by
32 any of these agencies and such final administrative
33 adjudication has determined a violation of fair lending laws

1 within the preceding 5 years, the depository shall be removed
2 from the list of approved depositories and shall not be
3 eligible for the deposit of State moneys.

4 (b) The State Treasurer shall make the results of the
5 examination made under this Section available to public
6 agencies.

7 Section 10. The Public Funds Investment Act is amended
8 by adding Sections 8, 9, and 10 as follows:

9 (30 ILCS 235/8 new)

10 Sec. 8. Large financial institutions; compliance with
11 the Community Reinvestment Act of 1977.

12 (a) In addition to any other requirements of this Act, a
13 public agency may not deposit public funds in large financial
14 institutions that do not meet the requirements of subsections
15 (b) and (c) of this Section.

16 (b) If the depository is subject to federal Community
17 Reinvestment Act of 1977 provisions applicable to a large
18 financial institution, a public agency may not deposit public
19 funds with the depository unless the depository has an
20 overall rating of satisfactory or better under the Community
21 Reinvestment Act of 1977. If, after public funds have been
22 deposited, the depository's rating under the Community
23 Reinvestment Act of 1977 falls below a satisfactory rating,
24 the State Treasurer may not make any additional deposits of
25 public funds with that depository. Existing deposits,
26 however, may remain at the depository until maturity.

27 (c) In addition to the requirements of subsection (b),
28 if the depository is subject to the federal Community
29 Reinvestment Act of 1977, a public agency may not deposit
30 public funds with a depository if that depository has a less
31 than satisfactory rating for the depositories performance
32 tests for lending, investment, or service under the Community

1 Reinvestment Act of 1977. If, after public funds have been
2 deposited, the depository's rating under the Community
3 Reinvestment Act of 1977 falls below a satisfactory rating
4 for any of its performance tests for lending, investment, or
5 service, a public agency may not make any additional deposits
6 of public funds with that depository. Existing deposits,
7 however, may remain at the depository until maturity.

8 (d) As used in this Section, "large financial
9 institution" means a financial institution that has total
10 assets of \$250,000,000 or more.

11 (30 ILCS 235/9 new)

12 Sec. 9. Small financial institutions; Compliance with
13 the Community Reinvestment Act of 1977.

14 (a) In addition to any other requirements of this Act, a
15 public agency may not deposit public funds in small financial
16 institutions that do not meet the requirements of subsections
17 (b) and (c) of this Section.

18 (b) If the depository is subject to federal Community
19 Reinvestment Act of 1977 provisions applicable to a small
20 financial institution, a public agency may not deposit public
21 funds with the depository unless the depository has an
22 overall rating of satisfactory or better under the Community
23 Reinvestment Act of 1977. If after public funds have been
24 deposited, the depository's rating under the Community
25 Reinvestment Act of 1977 falls below a satisfactory rating, a
26 public agency may not make any additional deposits of public
27 funds with that depository. Existing deposits, however, may
28 remain at the depository until maturity.

29 (c) In addition to the requirements of subsection (b),
30 if the depository is subject to the federal Community
31 Reinvestment Act of 1977, a public agency may not deposit
32 public funds with a depository if that depository has a less
33 than satisfactory rating for the depositories performance

1 tests for lending, investment, or service under the Community
2 Reinvestment Act of 1977. If, after public funds have been
3 deposited, the depository's rating under the Community
4 Reinvestment Act of 1977 falls below a satisfactory rating
5 for any of its performance tests for lending, investment, or
6 service, a public agency may not make any additional deposits
7 of public funds with that depository. Existing deposits,
8 however, may remain at the depository until maturity.

9 (d) As used in this Section, "small financial
10 institution" means a financial institution that has total
11 assets of less than \$250,000,000.

12 (30 ILCS 235/10 new)

13 Sec. 10. Review of records for violations of fair
14 lending practices. At least once each year, a public agency
15 shall contact the State Treasurer to ascertain the results of
16 the State Treasurer's examination conducted under Section
17 16.5 of the Deposit of State Moneys Act. If the State
18 Treasurer has removed a depository from the list of approved
19 depositories, a public agency may not deposit public funds
20 with that depository."