

1 AN ACT in relation to 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 Sections 16-163 and 16-165 as follows:

6 (40 ILCS 5/16-163) (from Ch. 108 1/2, par. 16-163)

7 Sec. 16-163. Board created. A board of 11 members
8 constitutes the a board of trustees authorized to carry out
9 the provisions of this Article and is responsible for the
10 general administration of the System. The board shall be is
11 known as the Board of Trustees of the Teachers' Retirement
12 System of the State of Illinois. The board shall be is
13 composed of the Superintendent of Education, ex officio, who
14 shall be the president of the board; 4 persons, not members
15 of the System, to be appointed by the Governor, who shall
16 hold no elected State office; 4 persons who, at the time of
17 their election, are teachers, as defined in Section 16-106,
18 elected by the contributing members; and 2 annuitant members
19 elected by the annuitants of the System, as provided in
20 Section 16-165.

21 (Source: P.A. 90-511, eff. 8-22-97; 91-941, eff. 2-6-01.)

22 (40 ILCS 5/16-165) (from Ch. 108 1/2, par. 16-165)

23 Sec. 16-165. Board; elected members; vacancies.

24 (a) In each odd-numbered year, there shall be elected 2
25 teachers who shall hold office for a term of 4 years
26 beginning July 15 next following their election, in the
27 manner provided under this Section. An elected teacher
28 member of the board who ceases to be a teacher as defined in
29 Section 16-106 may continue to serve on the board for the
30 remainder of the term to which he or she was elected.

1 (b) One elected annuitant trustee shall first be elected
2 in 1987, and in every fourth year thereafter, for a term of 4
3 years beginning July 15 next following his or her election.

4 (c) The elected annuitant position created by this
5 amendatory Act of the 91st General Assembly shall be filled
6 as soon as possible in the manner provided for vacancies, for
7 an initial term ending July 15, 2001. One elected annuitant
8 trustee shall be elected in 2001, and in every fourth year
9 thereafter, for a term of 4 years beginning July 15 next
10 following his or her election.

11 (d) Elections shall be held on May 1, unless May 1 falls
12 on a Saturday or Sunday, in which event the election shall be
13 conducted on the following Monday. Candidates shall be
14 nominated by petitions in writing, signed by not less than
15 500 teachers or annuitants, as the case may be, with their
16 addresses shown opposite their names. The petitions shall be
17 filed with the board's Secretary not less than 90 nor more
18 than 120 days prior to May 1. The Secretary shall determine
19 their validity not less than 75 days before the election.

20 (e) If, for either teacher or annuitant members, the
21 number of qualified nominees exceeds the number of available
22 positions, the system shall prepare an appropriate ballot
23 with the names of the candidates in alphabetical order and
24 shall mail one copy thereof, at least 10 days prior to the
25 election day, to each teacher or annuitant of this system as
26 of the latest date practicable, at the latest known address,
27 together with a return envelope addressed to the board and
28 also a smaller envelope marked "For Ballot Only", and a slip
29 for signature. Each voter, upon marking his ballot with a
30 cross mark in the square before the name of the person voted
31 for, shall place the ballot in the envelope marked "For
32 Ballot Only", seal the envelope, write on the slip provided
33 therefor his signature and address, enclose both the slip and
34 sealed envelope containing the marked ballot in the return

1 envelope addressed to the board, and mail it. Whether a
2 person is eligible to vote for the teacher nominees or the
3 annuitant nominees shall be determined from system payroll
4 records as of March 1.

5 Upon receipt of the return envelopes, the system shall
6 open them and set aside unopened the envelopes marked "For
7 Ballot Only". On election day ballots shall be publicly
8 opened and counted by the trustees or canvassers appointed
9 therefor. Each vote cast for a candidate represents one vote
10 only. No ballot arriving after 10 o'clock a.m. on election
11 day shall be counted. The 2 teacher candidates and the
12 annuitant candidate receiving the highest number of votes
13 shall be elected. The board shall declare the results of the
14 election, keep a record thereof, and notify the candidates of
15 the results thereof within 30 days after the election.

16 If, for either class of members, there are only as many
17 qualified nominees as there are positions available, the
18 balloting as described in this Section shall not be conducted
19 for those nominees, and the board shall declare them duly
20 elected.

21 (f) A vacancy occurring in the elective membership of ~~on~~
22 the board shall be filled for the unexpired term by ~~the board~~
23 with a person qualified for the vacant position, selected by
24 the remaining elected members of the board.

25 (Source: P.A. 91-941, eff. 2-6-01.)

26 Section 99. Effective date. This Act takes effect upon
27 becoming law.