

1 AN ACT concerning financial regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Savings Bank Act is amended by changing
5 Section 11003 as follows:

6 (205 ILCS 205/11003) (from Ch. 17, par. 7311-3)

7 Sec. 11003. Removal and prohibition authority.

8 (a) In addition to other provisions of this Act concerning
9 officers and directors, the Commissioner may remove or suspend
10 from any savings bank operating under this Act any officer,
11 director, employee, or agent of a savings bank, and the
12 Commissioner may prohibit participation in the affairs of any
13 savings bank by any current, former, or prospective officer,
14 director, employee, or agent of a savings bank, if he finds
15 that:

16 (1) The person or persons have directly or indirectly
17 violated any law, regulation, or order including orders,
18 conditions, and agreements between the savings bank and the
19 Commissioner or between the savings bank and its federal
20 regulators.

21 (2) The person or persons have breached their fiduciary
22 or professional responsibilities to the savings bank.

23 (3) The person or persons have similarly behaved
24 towards any other insured depository institution or
25 otherwise regulated entity or that the person or persons
26 are the subject of any final order issued by the federal
27 insurer, the Office of the Comptroller of the Currency, the
28 Board of Governors of the Federal Reserve Board, a Federal
29 Reserve Bank, the U.S. Office of Thrift Supervision, the
30 National Credit Union Administration, a state financial
31 institutions regulator, the Securities and Exchange
32 Commission, other federal or state financial institution

1 regulators, or by a state or federal court of law.

2 (b) The Commissioner may serve upon a party a written
3 notice of the Commissioner's intention to remove or suspend the
4 party from office in the savings bank or to prohibit any
5 participation in any manner by the party in the affairs of any
6 savings bank, if the Commissioner finds because of a violation
7 of subsection (a) that:

8 (1) Any savings bank, other insured depository
9 institution, or other regulated entity has or probably will
10 suffer financial loss or other damage.

11 (2) The interests of savings bank's depositors or other
12 insured depository institution's depositors have been or
13 could be prejudiced.

14 (3) The party has received financial gain or other
15 benefit by reason of the violation.

16 (4) The violation or breach involves personal
17 dishonesty on the part of the party or demonstrates willful
18 or continuing disregard by the party for the safety and
19 soundness of the savings bank or other insured depository
20 institution.

21 (Source: P.A. 92-483, eff. 8-23-01.)