

**SB1957**



**95TH GENERAL ASSEMBLY**

**State of Illinois**

**2007 and 2008**

**SB1957**

Introduced 2/7/2008, by Sen. James F. Clayborne, Jr.

**SYNOPSIS AS INTRODUCED:**

40 ILCS 5/7-174

from Ch. 108 1/2, par. 7-174

Amends the Illinois Municipal Retirement Fund Article of the Illinois Pension Code. Gives the annuitant trustee the right to vote on any and all actions before the board of trustees and increases from 4 to 5 the number of concurring votes necessary for every decision or action by the board of trustees. Effective immediately.

LRB095 16317 AMC 42341 b

PENSION IMPACT  
NOTE ACT MAY  
APPLY

**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 changing  
5 Section 7-174 as follows:

6 (40 ILCS 5/7-174) (from Ch. 108 1/2, par. 7-174)

7 Sec. 7-174. Board created.

8 (a) A board of 8 members shall constitute a board of  
9 trustees authorized to carry out the provisions of this  
10 Article. Each trustee shall be a participating employee of a  
11 participating municipality or participating instrumentality or  
12 an annuitant of the Fund and no person shall be eligible to  
13 become a trustee after January 1, 1979 who does not have at  
14 least 8 years of creditable service.

15 (b) The board shall consist of representatives of various  
16 groups as follows:

17 1. 4 trustees shall be a chief executive officer, chief  
18 finance officer, or other officer, executive or department  
19 head of a participating municipality or participating  
20 instrumentality, and each such trustee shall be designated  
21 as an executive trustee.

22 2. 3 trustees shall be employees of a participating  
23 municipality or participating instrumentality and each

1 such trustee shall be designated as an employee trustee.

2 3. One trustee shall be an annuitant of the Fund, who  
3 shall be designated the annuitant trustee.

4 (c) A person elected as a trustee shall qualify as a  
5 trustee, after declaration by the board that he has been duly  
6 elected, upon taking and subscribing to the constitutional oath  
7 of office and filing same in the office of the Fund.

8 (d) The term of office of each trustee shall begin upon  
9 January 1 of the year following the year in which he is elected  
10 and shall continue for a period of 5 years and until a  
11 successor has been elected and qualified, or until prior  
12 resignation, death, incapacity or disqualification.

13 (e) Any elected trustee (other than the annuitant trustee)  
14 shall be disqualified immediately upon termination of  
15 employment with all participating municipalities and  
16 instrumentalities thereof or upon any change in status which  
17 removes any such trustee from all employments within the group  
18 he represents. The annuitant trustee shall be disqualified upon  
19 termination of his or her annuity.

20 (f) The trustees shall fill any vacancy in the board by  
21 appointment, for the period until the next election of  
22 trustees, or, if the remaining term is less than 2 years, for  
23 the remainder of the term, and until his successor has been  
24 elected and qualified.

25 (g) Trustees shall serve without compensation, but shall be  
26 reimbursed for any reasonable expenses incurred in attending

1 meetings of the board and in performing duties on behalf of the  
2 Fund and for the amount of any earnings withheld by any  
3 employing municipality or participating instrumentality  
4 because of attendance at any board meeting.

5 (h) Each trustee ~~other than the annuitant trustee~~ shall be  
6 entitled to one vote on any and all actions before the board,  
7 ~~the annuitant trustee is not entitled to vote on any matter~~. At  
8 least 5 ~~4~~ concurring votes shall be necessary for every  
9 decision or action by the board at any of its meetings. No  
10 decision or action shall become effective unless presented and  
11 so approved at a regular or duly called special meeting of the  
12 board.

13 (Source: P.A. 89-136, eff. 7-14-95.)

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law.