



Sen. Bill Cunningham

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09900SB2159sam001

LRB099 12932 SXM 38313 a

1 AMENDMENT TO SENATE BILL 2159

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2159 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The University of Illinois Act is amended by  
5 adding Sections 90 and 95 as follows:

6 (110 ILCS 305/90 new)

7 Sec. 90. Employment contract limitations. This Section  
8 applies to the employment contracts of the president or all  
9 chancellors of the University entered into, amended, renewed,  
10 or extended after the effective date of this amendatory Act of  
11 the 99th General Assembly. This Section does not apply to  
12 collective bargaining agreements. With respect to employment  
13 contracts entered into with the president or all chancellors of  
14 the University:

15 (1) Severance under the contract may not exceed one  
16 year salary and applicable benefits.

1           (2) A contract with a determinate start and end date  
2           may not exceed 4 years.

3           (3) The contract may not include any automatic rollover  
4           clauses.

5           (4) Severance payments or contract buyouts may not  
6           occur if there are pending criminal charges against the  
7           president or all chancellors of the University related to  
8           their employment.

9           (5) Final action on the formation, renewal, extension,  
10           or termination of the employment contracts of the president  
11           or all chancellors of the University must be made during an  
12           open meeting of the Board of Trustees.

13           (6) Public notice, compliant with the provisions of the  
14           Open Meetings Act, must be given prior to final action on  
15           the formation, renewal, extension, or termination of the  
16           employment contracts of the president or all chancellors of  
17           the University and must include a copy of the Board item or  
18           other documentation providing, at a minimum, a description  
19           of the proposed principal financial components of the  
20           president's or all chancellors' appointments.

21           (7) Any performance-based bonus or incentive-based  
22           compensation to the president or all chancellors of the  
23           University must be approved by the Board in an open  
24           meeting. The performance upon which the bonus is based must  
25           be made available to the public no less than 48 hours  
26           before Board approval of the performance-based bonus or

1 incentive-based compensation.

2 (8) Board minutes, board packets, and annual  
3 performance reviews concerning the president or all  
4 chancellors of the University must be made available to the  
5 public on the University's Internet website.

6 (9) Performance-based bonus payments or  
7 incentive-based compensation that result in an increase in  
8 the final rate of earnings under Section 15-112 of the  
9 Illinois Pension Code may not be paid with taxpayer or  
10 tuition funds.

11 (110 ILCS 305/95 new)

12 Sec. 95. Executive accountability. The Board of Trustees  
13 must complete an annual performance review of the president and  
14 any chancellors of the University. Such annual performance  
15 review must be considered when the Board contemplates a bonus,  
16 incentive-based compensation, raise, or severance agreement  
17 for the president or all chancellors of the University.

18 Section 10. The Southern Illinois University Management  
19 Act is amended by adding Sections 75 and 80 as follows:

20 (110 ILCS 520/75 new)

21 Sec. 75. Employment contract limitations. This Section  
22 applies to the employment contracts of the president or all  
23 chancellors of the University entered into, amended, renewed,

1 or extended after the effective date of this amendatory Act of  
2 the 99th General Assembly. This Section does not apply to  
3 collective bargaining agreements. With respect to employment  
4 contracts entered into with the president or all chancellors of  
5 the University:

6 (1) Severance under the contract may not exceed one  
7 year salary and applicable benefits.

8 (2) A contract with a determinate start and end date  
9 may not exceed 4 years.

10 (3) The contract may not include any automatic rollover  
11 clauses.

12 (4) Severance payments or contract buyouts may not  
13 occur if there are pending criminal charges against the  
14 president or all chancellors of the University related to  
15 their employment.

16 (5) Final action on the formation, renewal, extension,  
17 or termination of the employment contracts of the president  
18 or all chancellors of the University must be made during an  
19 open meeting of the Board.

20 (6) Public notice, compliant with the provisions of the  
21 Open Meetings Act, must be given prior to final action on  
22 the formation, renewal, extension, or termination of the  
23 employment contracts of the president or all chancellors of  
24 the University and must include a copy of the Board item or  
25 other documentation providing, at a minimum, a description  
26 of the proposed principal financial components of the

1 president's or all chancellors' appointments.

2 (7) Any performance-based bonus or incentive-based  
3 compensation to the president or all chancellors of the  
4 University must be approved by the Board in an open  
5 meeting. The performance upon which the bonus is based must  
6 be made available to the public no less than 48 hours  
7 before Board approval of the performance-based bonus or  
8 incentive-based compensation.

9 (8) Board minutes, board packets, and annual  
10 performance reviews concerning the president or all  
11 chancellors of the University must be made available to the  
12 public on the University's Internet website.

13 (9) Performance-based bonus payments or  
14 incentive-based compensation that result in an increase in  
15 the final rate of earnings under Section 15-112 of the  
16 Illinois Pension Code may not be paid with taxpayer or  
17 tuition funds.

18 (110 ILCS 520/80 new)

19 Sec. 80. Executive accountability. The Board must complete  
20 an annual performance review of the president and any  
21 chancellors of the University. Such annual performance review  
22 must be considered when the Board contemplates a bonus,  
23 incentive-based compensation, raise, or severance agreement  
24 for the president or all chancellors of the University.

1 Section 15. The Chicago State University Law is amended by  
2 adding Sections 5-185 and 5-190 as follows:

3 (110 ILCS 660/5-185 new)

4 Sec. 5-185. Employment contract limitations. This Section  
5 applies to the employment contracts of the president or all  
6 chancellors of the University entered into, amended, renewed,  
7 or extended after the effective date of this amendatory Act of  
8 the 99th General Assembly. This Section does not apply to  
9 collective bargaining agreements. With respect to employment  
10 contracts entered into with the president or all chancellors of  
11 the University:

12 (1) Severance under the contract may not exceed one  
13 year salary and applicable benefits.

14 (2) A contract with a determinate start and end date  
15 may not exceed 4 years.

16 (3) The contract may not include any automatic rollover  
17 clauses.

18 (4) Severance payments or contract buyouts may not  
19 occur if there are pending criminal charges against the  
20 president or all chancellors of the University related to  
21 their employment.

22 (5) Final action on the formation, renewal, extension,  
23 or termination of the employment contracts of the president  
24 or all chancellors of the University must be made during an  
25 open meeting of the Board.

1           (6) Public notice, compliant with the provisions of the  
2 Open Meetings Act, must be given prior to final action on  
3 the formation, renewal, extension, or termination of the  
4 employment contracts of the president or all chancellors of  
5 the University and must include a copy of the Board item or  
6 other documentation providing, at a minimum, a description  
7 of the proposed principal financial components of the  
8 president's or all chancellors' appointments.

9           (7) Any performance-based bonus or incentive-based  
10 compensation to the president or all chancellors of the  
11 University must be approved by the Board in an open  
12 meeting. The performance upon which the bonus is based must  
13 be made available to the public no less than 48 hours  
14 before Board approval of the performance-based bonus or  
15 incentive-based compensation.

16           (8) Board minutes, board packets, and annual  
17 performance reviews concerning the president or all  
18 chancellors of the University must be made available to the  
19 public on the University's Internet website.

20           (9) Performance-based bonus payments or  
21 incentive-based compensation that result in an increase in  
22 the final rate of earnings under Section 15-112 of the  
23 Illinois Pension Code may not be paid with taxpayer or  
24 tuition funds.

1       Sec. 5-190. Executive accountability. The Board must  
2 complete an annual performance review of the president and any  
3 chancellors of the University. Such annual performance review  
4 must be considered when the Board contemplates a bonus,  
5 incentive-based compensation, raise, or severance agreement  
6 for the president or all chancellors of the University.

7       Section 20. The Eastern Illinois University Law is amended  
8 by adding Sections 10-185 and 10-190 as follows:

9       (110 ILCS 665/10-185 new)

10       Sec. 10-185. Employment contract limitations. This Section  
11 applies to the employment contracts of the president or all  
12 chancellors of the University entered into, amended, renewed,  
13 or extended after the effective date of this amendatory Act of  
14 the 99th General Assembly. This Section does not apply to  
15 collective bargaining agreements. With respect to employment  
16 contracts entered into with the president or all chancellors of  
17 the University:

18           (1) Severance under the contract may not exceed one  
19 year salary and applicable benefits.

20           (2) A contract with a determinate start and end date  
21 may not exceed 4 years.

22           (3) The contract may not include any automatic rollover  
23 clauses.

24           (4) Severance payments or contract buyouts may not



1       occur if there are pending criminal charges against the  
2       president or all chancellors of the University related to  
3       their employment.

4       (5) Final action on the formation, renewal, extension,  
5       or termination of the employment contracts of the president  
6       or all chancellors of the University must be made during an  
7       open meeting of the Board.

8       (6) Public notice, compliant with the provisions of the  
9       Open Meetings Act, must be given prior to final action on  
10      the formation, renewal, extension, or termination of the  
11      employment contracts of the president or all chancellors of  
12      the University and must include a copy of the Board item or  
13      other documentation providing, at a minimum, a description  
14      of the proposed principal financial components of the  
15      president's or all chancellors' appointments.

16      (7) Any performance-based bonus or incentive-based  
17      compensation to the president or all chancellors of the  
18      University must be approved by the Board in an open  
19      meeting. The performance upon which the bonus is based must  
20      be made available to the public no less than 48 hours  
21      before Board approval of the performance-based bonus or  
22      incentive-based compensation.

23      (8) Board minutes, board packets, and annual  
24      performance reviews concerning the president or all  
25      chancellors of the University must be made available to the  
26      public on the University's Internet website.

1           (9) Performance-based bonus payments or  
2           incentive-based compensation that result in an increase in  
3           the final rate of earnings under Section 15-112 of the  
4           Illinois Pension Code may not be paid with taxpayer or  
5           tuition funds.

6           (110 ILCS 665/10-190 new)

7           Sec. 10-190. Executive accountability. The Board must  
8           complete an annual performance review of the president and any  
9           chancellors of the University. Such annual performance review  
10           must be considered when the Board contemplates a bonus,  
11           incentive-based compensation, raise, or severance agreement  
12           for the president or all chancellors of the University.

13           Section 25. The Governors State University Law is amended  
14           by adding Sections 15-185 and 15-190 as follows:

15           (110 ILCS 670/15-185 new)

16           Sec. 15-185. Employment contract limitations. This Section  
17           applies to the employment contracts of the president or all  
18           chancellors of the University entered into, amended, renewed,  
19           or extended after the effective date of this amendatory Act of  
20           the 99th General Assembly. This Section does not apply to  
21           collective bargaining agreements. With respect to employment  
22           contracts entered into with the president or all chancellors of  
23           the University:

1           (1) Severance under the contract may not exceed one  
2           year salary and applicable benefits.

3           (2) A contract with a determinate start and end date  
4           may not exceed 4 years.

5           (3) The contract may not include any automatic rollover  
6           clauses.

7           (4) Severance payments or contract buyouts may not  
8           occur if there are pending criminal charges against the  
9           president or all chancellors of the University related to  
10           their employment.

11           (5) Final action on the formation, renewal, extension,  
12           or termination of the employment contracts of the president  
13           or all chancellors of the University must be made during an  
14           open meeting of the Board.

15           (6) Public notice, compliant with the provisions of the  
16           Open Meetings Act, must be given prior to final action on  
17           the formation, renewal, extension, or termination of the  
18           employment contracts of the president or all chancellors of  
19           the University and must include a copy of the Board item or  
20           other documentation providing, at a minimum, a description  
21           of the proposed principal financial components of the  
22           president's or all chancellors' appointments.

23           (7) Any performance-based bonus or incentive-based  
24           compensation to the president or all chancellors of the  
25           University must be approved by the Board in an open  
26           meeting. The performance upon which the bonus is based must

1 be made available to the public no less than 48 hours  
2 before Board approval of the performance-based bonus or  
3 incentive-based compensation.

4 (8) Board minutes, board packets, and annual  
5 performance reviews concerning the president or all  
6 chancellors of the University must be made available to the  
7 public on the University's Internet website.

8 (9) Performance-based bonus payments or  
9 incentive-based compensation that result in an increase in  
10 the final rate of earnings under Section 15-112 of the  
11 Illinois Pension Code may not be paid with taxpayer or  
12 tuition funds.

13 (110 ILCS 670/15-190 new)

14 Sec. 15-190. Executive accountability. The Board must  
15 complete an annual performance review of the president and any  
16 chancellors of the University. Such annual performance review  
17 must be considered when the Board contemplates a bonus,  
18 incentive-based compensation, raise, or severance agreement  
19 for the president or all chancellors of the University.

20 Section 30. The Illinois State University Law is amended by  
21 adding Sections 20-190 and 20-195 as follows:

22 (110 ILCS 675/20-190 new)

23 Sec. 20-190. Employment contract limitations. This Section

1 applies to the employment contracts of the president or all  
2 chancellors of the University entered into, amended, renewed,  
3 or extended after the effective date of this amendatory Act of  
4 the 99th General Assembly. This Section does not apply to  
5 collective bargaining agreements. With respect to employment  
6 contracts entered into with the president or all chancellors of  
7 the University:

8 (1) Severance under the contract may not exceed one  
9 year salary and applicable benefits.

10 (2) A contract with a determinate start and end date  
11 may not exceed 4 years.

12 (3) The contract may not include any automatic rollover  
13 clauses.

14 (4) Severance payments or contract buyouts may not  
15 occur if there are pending criminal charges against the  
16 president or all chancellors of the University related to  
17 their employment.

18 (5) Final action on the formation, renewal, extension,  
19 or termination of the employment contracts of the president  
20 or all chancellors of the University must be made during an  
21 open meeting of the Board.

22 (6) Public notice, compliant with the provisions of the  
23 Open Meetings Act, must be given prior to final action on  
24 the formation, renewal, extension, or termination of the  
25 employment contracts of the president or all chancellors of  
26 the University and must include a copy of the Board item or

1       other documentation providing, at a minimum, a description  
2       of the proposed principal financial components of the  
3       president's or all chancellors' appointments.

4       (7) Any performance-based bonus or incentive-based  
5       compensation to the president or all chancellors of the  
6       University must be approved by the Board in an open  
7       meeting. The performance upon which the bonus is based must  
8       be made available to the public no less than 48 hours  
9       before Board approval of the performance-based bonus or  
10       incentive-based compensation.

11       (8) Board minutes, board packets, and annual  
12       performance reviews concerning the president or all  
13       chancellors of the University must be made available to the  
14       public on the University's Internet website.

15       (9) Performance-based bonus payments or  
16       incentive-based compensation that result in an increase in  
17       the final rate of earnings under Section 15-112 of the  
18       Illinois Pension Code may not be paid with taxpayer or  
19       tuition funds.

20       (110 ILCS 675/20-195 new)

21       Sec. 20-195. Executive accountability. The Board must  
22       complete an annual performance review of the president and any  
23       chancellors of the University. Such annual performance review  
24       must be considered when the Board contemplates a bonus,  
25       incentive-based compensation, raise, or severance agreement

1 for the president or all chancellors of the University.

2 Section 35. The Northeastern Illinois University Law is  
3 amended by adding Sections 25-185 and 25-190 as follows:

4 (110 ILCS 680/25-185 new)

5 Sec. 25-185. Employment contract limitations. This Section  
6 applies to the employment contracts of the president or all  
7 chancellors of the University entered into, amended, renewed,  
8 or extended after the effective date of this amendatory Act of  
9 the 99th General Assembly. This Section does not apply to  
10 collective bargaining agreements. With respect to employment  
11 contracts entered into with the president or all chancellors of  
12 the University:

13 (1) Severance under the contract may not exceed one  
14 year salary and applicable benefits.

15 (2) A contract with a determinate start and end date  
16 may not exceed 4 years.

17 (3) The contract may not include any automatic rollover  
18 clauses.

19 (4) Severance payments or contract buyouts may not  
20 occur if there are pending criminal charges against the  
21 president or all chancellors of the University related to  
22 their employment.

23 (5) Final action on the formation, renewal, extension,  
24 or termination of the employment contracts of the president

1       or all chancellors of the University must be made during an  
2       open meeting of the Board.

3       (6) Public notice, compliant with the provisions of the  
4       Open Meetings Act, must be given prior to final action on  
5       the formation, renewal, extension, or termination of the  
6       employment contracts of the president or all chancellors of  
7       the University and must include a copy of the Board item or  
8       other documentation providing, at a minimum, a description  
9       of the proposed principal financial components of the  
10       president's or all chancellors' appointments.

11       (7) Any performance-based bonus or incentive-based  
12       compensation to the president or all chancellors of the  
13       University must be approved by the Board in an open  
14       meeting. The performance upon which the bonus is based must  
15       be made available to the public no less than 48 hours  
16       before Board approval of the performance-based bonus or  
17       incentive-based compensation.

18       (8) Board minutes, board packets, and annual  
19       performance reviews concerning the president or all  
20       chancellors of the University must be made available to the  
21       public on the University's Internet website.

22       (9) Performance-based bonus payments or  
23       incentive-based compensation that result in an increase in  
24       the final rate of earnings under Section 15-112 of the  
25       Illinois Pension Code may not be paid with taxpayer or  
26       tuition funds.



1 (110 ILCS 680/25-190 new)

2 Sec. 25-190. Executive accountability. The Board must  
3 complete an annual performance review of the president and any  
4 chancellors of the University. Such annual performance review  
5 must be considered when the Board contemplates a bonus,  
6 incentive-based compensation, raise, or severance agreement  
7 for the president or all chancellors of the University.

8 Section 40. The Northern Illinois University Law is amended  
9 by adding Sections 30-195 and 30-200 as follows:

10 (110 ILCS 685/30-195 new)

11 Sec. 30-195. Employment contract limitations. This Section  
12 applies to the employment contracts of the president or all  
13 chancellors of the University entered into, amended, renewed,  
14 or extended after the effective date of this amendatory Act of  
15 the 99th General Assembly. This Section does not apply to  
16 collective bargaining agreements. With respect to employment  
17 contracts entered into with the president or all chancellors of  
18 the University:

19 (1) Severance under the contract may not exceed one  
20 year salary and applicable benefits.

21 (2) A contract with a determinate start and end date  
22 may not exceed 4 years.

23 (3) The contract may not include any automatic rollover

1 clauses.

2 (4) Severance payments or contract buyouts may not  
3 occur if there are pending criminal charges against the  
4 president or all chancellors of the University related to  
5 their employment.

6 (5) Final action on the formation, renewal, extension,  
7 or termination of the employment contracts of the president  
8 or all chancellors of the University must be made during an  
9 open meeting of the Board.

10 (6) Public notice, compliant with the provisions of the  
11 Open Meetings Act, must be given prior to final action on  
12 the formation, renewal, extension, or termination of the  
13 employment contracts of the president or all chancellors of  
14 the University and must include a copy of the Board item or  
15 other documentation providing, at a minimum, a description  
16 of the proposed principal financial components of the  
17 president's or all chancellors' appointments.

18 (7) Any performance-based bonus or incentive-based  
19 compensation to the president or all chancellors of the  
20 University must be approved by the Board in an open  
21 meeting. The performance upon which the bonus is based must  
22 be made available to the public no less than 48 hours  
23 before Board approval of the performance-based bonus or  
24 incentive-based compensation.

25 (8) Board minutes, board packets, and annual  
26 performance reviews concerning the president or all

1 chancellors of the University must be made available to the  
2 public on the University's Internet website.

3 (9) Performance-based bonus payments or  
4 incentive-based compensation that result in an increase in  
5 the final rate of earnings under Section 15-112 of the  
6 Illinois Pension Code may not be paid with taxpayer or  
7 tuition funds.

8 (110 ILCS 685/30-200 new)

9 Sec. 30-200. Executive accountability. The Board must  
10 complete an annual performance review of the president and any  
11 chancellors of the University. Such annual performance review  
12 must be considered when the Board contemplates a bonus,  
13 incentive-based compensation, raise, or severance agreement  
14 for the president or all chancellors of the University.

15 Section 45. The Western Illinois University Law is amended  
16 by adding Sections 35-190 and 35-195 as follows:

17 (110 ILCS 690/35-190 new)

18 Sec. 35-190. Employment contract limitations. This Section  
19 applies to the employment contracts of the president or all  
20 chancellors of the University entered into, amended, renewed,  
21 or extended after the effective date of this amendatory Act of  
22 the 99th General Assembly. This Section does not apply to  
23 collective bargaining agreements. With respect to employment

1 contracts entered into with the president or all chancellors of  
2 the University:

3 (1) Severance under the contract may not exceed one  
4 year salary and applicable benefits.

5 (2) A contract with a determinate start and end date  
6 may not exceed 4 years.

7 (3) The contract may not include any automatic rollover  
8 clauses.

9 (4) Severance payments or contract buyouts may not  
10 occur if there are pending criminal charges against the  
11 president or all chancellors of the University related to  
12 their employment.

13 (5) Final action on the formation, renewal, extension,  
14 or termination of the employment contracts of the president  
15 or all chancellors of the University must be made during an  
16 open meeting of the Board.

17 (6) Public notice, compliant with the provisions of the  
18 Open Meetings Act, must be given prior to final action on  
19 the formation, renewal, extension, or termination of the  
20 employment contracts of the president or all chancellors of  
21 the University and must include a copy of the Board item or  
22 other documentation providing, at a minimum, a description  
23 of the proposed principal financial components of the  
24 president's or all chancellors' appointments.

25 (7) Any performance-based bonus or incentive-based  
26 compensation to the president or all chancellors of the

1       University must be approved by the Board in an open  
2       meeting. The performance upon which the bonus is based must  
3       be made available to the public no less than 48 hours  
4       before Board approval of the performance-based bonus or  
5       incentive-based compensation.

6       (8) Board minutes, board packets, and annual  
7       performance reviews concerning the president or all  
8       chancellors of the University must be made available to the  
9       public on the University's Internet website.

10       (9) Performance-based bonus payments or  
11       incentive-based compensation that result in an increase in  
12       the final rate of earnings under Section 15-112 of the  
13       Illinois Pension Code may not be paid with taxpayer or  
14       tuition funds.

15       (110 ILCS 690/35-195 new)

16       Sec. 35-195. Executive accountability. The Board must  
17       complete an annual performance review of the president and any  
18       chancellors of the University. Such annual performance review  
19       must be considered when the Board contemplates a bonus,  
20       incentive-based compensation, raise, or severance agreement  
21       for the president or all chancellors of the University.

22       Section 50. The Public Community College Act is amended by  
23       adding Sections 3-70 and 3-75 as follows:

1 (110 ILCS 805/3-70 new)

2 Sec. 3-70. Employment contract transparency. This Section  
3 applies to the employment contracts of the president or all  
4 chancellors of the community college entered into, amended,  
5 renewed, or extended after the effective date of this  
6 amendatory Act of the 99th General Assembly. This Section does  
7 not apply to collective bargaining agreements. With respect to  
8 employment contracts entered into with the president or all  
9 chancellors of the community college:

10 (1) Severance payments or contract buyouts may not  
11 occur if there are pending criminal charges against the  
12 president or all chancellors of the community college  
13 related to their employment.

14 (2) Final action on the formation, renewal, extension,  
15 or termination of the employment contracts of the president  
16 or all chancellors of the community college must be made  
17 during an open meeting of the board.

18 (3) Public notice, compliant with the Open Meetings  
19 Act, must be given prior to final action on the formation,  
20 renewal, extension, or termination of the employment  
21 contracts of the president or all chancellors of the  
22 community college and must include a copy of the board item  
23 or other documentation providing, at a minimum, a  
24 description of the proposed principal financial components  
25 of the president's or any chancellor's appointment.

26 (4) Any performance-based bonus or incentive-based

1       compensation to the president or all chancellors of the  
2       community college must be approved by the board in an open  
3       meeting. The performance criteria and goals upon which the  
4       bonus or incentive-based compensation is based must be made  
5       available to the public no less than 48 hours before board  
6       approval of the performance-based bonus or incentive-based  
7       compensation.

8       (5) Board minutes, board packets, and annual  
9       performance criteria and goals concerning the president or  
10      any chancellors must be made available to the public on the  
11      community college district's Internet website.

12      (6) Performance-based bonus payments or  
13      incentive-based compensation that result in an increase in  
14      the final rate of earnings under Section 15-112 of the  
15      Illinois Pension Code may not be paid with taxpayer or  
16      tuition funds.

17      (110 ILCS 805/3-75 new)

18      Sec. 3-75. Executive accountability. Each board must  
19      complete an annual performance review of the president and all  
20      chancellors of the community college. Such annual performance  
21      reviews must be considered when the board contemplates a bonus,  
22      raise, or severance agreement for the president or  
23      chancellor."