

MINUTES

Quarterly Meeting of the Legal & Legislative Committee
of the Board of Trustees of the
State Universities Retirement System
Friday, December 8, 2023, 10:30 a.m.
Northern Trust – 333 S. Wabash Ave. – 44th Floor – Chicago, IL
Optional Remote Connection for Members of the Public

This meeting was held in person at Northern Trust in Chicago, IL.

The following trustees were present: Dr. Andriy Bodnaruk, Mr. Richard Figueroa, Dr. Fred Giertz, Mr. Scott Hendrie, Mr. John Lyons, Dr. Steven Rock, Mr. Pranav Kothari; Mr. Antonio Vasquez, Mr. Collin Van Meter and Mr. Mitch Vogel.

Others present: Ms. Suzanne Mayer, Executive Director; Mr. Douglas Wesley, Chief Investment Officer (CIO); Mr. Michael Schlachter, CIO Designee; Ms. Tara Myers, Chief Financial Officer; Ms. Bianca Green, General Counsel; Ms. Nichole Hemming, Chief Human Resources Officer; Ms. Jackie Hohn, Chief Internal Auditor; Mr. Jefferey Saiger, Chief Technology Officer; Mr. Albert Lee, Associate General Counsel; Ms. Anna Dempsey, Investment Counsel; Ms. Heather Kimmons, Associate Legal Counsel; Ms. Kristen Houch, Director of Legislative and Stakeholder Relations; Ms. Alicia Route, Legislative Analyst; Ms. Kelly Carson, Ms. Chelsea McCarty, and Ms. Annette Ackerman, Executive Assistants; and Mr. Michael Calabrese of Foley.

Legal & Legislative Committee roll call attendance was taken. Trustee Bodnaruk, present; Trustee Giertz, present; Trustee Lyons, present; and Trustee Rock, present.

APPROVAL OF MINUTES

Trustee Rock presented the minutes from the Legal & Legislative Committee meeting of September 8, 2023.

Trustee rock made the following motion:

• That the minutes from the September 8, 2023 Legal & Legislative Committee meeting be approved as presented.

Trustee Bodnaruk seconded the motion which passed via the following roll call vote:

Trustee Bodnaruk - aye Trustee Giertz - aye Trustee Lyons - aye

CHAIRPERSON'S REPORT

Trustee Rock provided a brief chairperson report noting that Linda Brookhart, SUAA Executive Director, was retiring and thanking her for her many years of service. Trustee Rock also reviewed the SUAA platform for 2024.

LEGISLATIVE UPDATE

Ms. Kristen Houch provided the legislative update, which included a recap of the veto session. She also provided an anticipated session outlook for 2024. Ms. Houch reviewed the 2024 spring session calendars for the House and Senate with the committee.

A copy of the report titled "103rd General Assembly" is incorporated as part of these minutes as **Exhibit**1. A copy of the "Illinois House of Representatives Spring 2024 Session Calendar" is included as **Exhibit**2 and "Illinois Senate Spring 2024 Session Calendar" is included as **Exhibit** 3

APPROVAL OF JANUARY 2024 REGULATORY AGENDA

Ms. Bianca Green presented the proposed January 2024 Regulatory Agenda. She noted that twice each year, in January and July, a regulatory agenda must be filed with the Illinois Secretary of State's Office in Springfield, IL. Ms. Green explained that there were no new proposed changes as compared to the July 2023 regulatory agenda previously filed. She also answered questions raised by the trustees.

Trustee Giertz made the following motion:

• That the proposed January 2024 Regulatory Agenda be approved as presented and be filed in substantially the same format.

Trustee Bodnaruk seconded the motion which passed via the following roll call vote:

Trustee Bodnaruk - aye
Trustee Giertz - aye
Trustee Lyons - aye
Trustee Rock - aye

A copy of the "Draft Proposed January 2024 Regulatory Agenda" is incorporated as part of these minutes as **Exhibit 4**.

RULEMAKING COMPLIANCE UPDATE

Status of Pending Rules

Mr. Albert Lee provided an informational update on the status of the proposed rulemakings. There is one pending rule that pertains to Candidate Informational Communication. This rule allows SURS to provide one email communication per election cycle for each board election candidate to be sent to eligible voters

in their election. The current rule only allows SURS to provide blind mailing lists and email addresses to third-party service firms that are hired by the candidate or hired by a legitimate organization on behalf of the candidate for a one-time communication per election cycle. This rule has been filed for second notice. The JCAR committee is currently reviewing the language and SURS is hopeful it will be adopted this spring.

A copy of the memo to the Legal and Legislative Committee titled "Rulemaking Update" is incorporated as part of these minutes as **Exhibit 5**.

Compliance Stop Light Report

Ms. Green reviewed and discussed the current compliance stop light report which reflects SURS' compliance with its reporting requirements. She noted that certain trustees still need to complete certain 2023 mandatory training requirements.

A copy of the report titled "November 2023 Spotlight Report" is incorporated as part of these minutes as **Exhibit 6**.

PUBLIC COMMENT

There were no public comments presented to the Legal & Legislative Committee.

There was no further business brought before the committee and Trustee Giertz moved that the meeting be adjourned. The motion was seconded by Trustee Bodnaruk and the motion passed via the following roll call vote:

Trustee Bodnaruk - aye
Trustee Giertz - aye
Trustee Lyons - aye
Trustee Rock - aye

Respectfully submitted,

Ms. Suzanne M. Mayer

Executive Director and Secretary, Board of Trustees

SMM:aa



103RD GENERAL ASSEMBLY - 2023

			103RD GENERAL ASSEMBLY - 2023		
			Legislation amending the Illinois Pension Code is highlighted in yellow		
Bill Number	Sponsor(s)	Short Title	Short Summary	Notes	Status
HB 2089 (ENRL)	Rep. Jones (Sen. Harris)	Pension Code - Department of Insurance References	Amends the General Provisions, GARS, Downstate Police, Downstate Firefighters, Judges and Miscellaneous Collateral Provisions Articles of the Illinois Pension Code to change outdated references from the "Public Pension Division of the Illinois Department of Financial and Professional Regulation" to the "Public Pension Division of the Illinois Department of Insurance." Makes other changes.		Governor Pritzker Signed into Law on 8/4/23 as Public Act 103-0426 (House: 68-34-0; Senate: 56- 0-0)
	Rep. Burke (Sen. Feigenholtz)	RUUPA - Age 73 and State Agency Unclaimed Property	tax-deferred pension account or retirement account is presumed abandoned if it is unclaimed by the later of: (1) 3 years after that date a communication sent by the holder by first-class mail is returned	Identical to SB 1637 (Sen. Feigenholtz)	Governor Pritzker Signed into Law on 6/30/23 as Public Act 103-0148 (House: 103-3-0; Senate: 53-2-0)
HB 2782 (ENRL)	Rep. A. Williams (Sen. Villivalam)	Illinois Sustainable Investing Act - Investment Manager Annual Disclosures	process through which the manager prudently integrates the sustainability factors into their investment	Identical to SA #2 to SB 2429 (Sen. Villivalam)	Governor Pritzker Signed into Law on 7/28/23 as Public Act 103-0324 (House: 79-26-1; Senate: 35-19-0)

Last Updated: 11/20/23

Contact: Office of Legislative Affairs



103RD GENERAL ASSEMBLY - 2023

			Logislation amonding the Illinois Pension Code is highlighted in vellow		
Bill Number	Sponsor(s)	Short Title	Legislation amending the Illinois Pension Code is highlighted in yellow Short Summary	Notes	Status
HB 3817 (ENRL)	Sims)	Budget Implementation Bill	Creates the FY 2024 Budget Implementation Act to make changes in State programs that are necessary to implement the State budget for Fiscal Year 2024. Amends the State Employees Group Insurance Act of 1971 to require the Illinois Department of Central Management Services (CMS) to present the rate-setting methodology for the College Insurance Program (CIP) insurance rates and premiums to SURS by April 15 of each calendar year. Creates a Community College Insurance Program Committee of 7 members appointed by the Governor: 2 members who represent organized labor and are members of different unions; 1 member who represents community college retirees; 1 member who represents community college trustees; 1 member who represents community college presidents; 1 member who represents SURS. Requires the Committee to convene at least 4 times each year and review and make recommendations on program contribution rates once CIP is forecasted to have satisfied the outstanding program debt existing on June 30, 2023 and is operating on a no-hold payment cycle. Establishes the CIP contribution rates for FY 2024 as 0.75% of salary. Allows CMS to increase CIP contribution rates by 0.1% annually for FY 2025 and FY 2026. Allows CMS to establish CIP contribution rates of up to 105% from the previous fiscal year, beginning in FY 2027. Requires SURS to recalculate and recertify the FY 2024 State contribution to CIP by June 30, 2023. Amends the State Finance Act to: authorize up to \$50 million in interfund borrowing from the Health Insurance Reserve Fund to the Community College Health Insurance Security Fund; authorize the use of money in the State Pensions Fund as part of the FY 2024 State contribution to SURS; and authorize the transfer of \$200 million from the General Revenue Fund to the Pension Stabilization Fund by June 30, 2023. Makes other changes.		Governor Pritzker Signed into Law on 6/7/23 as Public Act 103-8 (House: 73-38- 0; Senate: 36-20-0)
SB 250 (ENRL)	Sen. Sims (Rep. Gordon- Booth)	FY 2023 Supplemental Budget and FY 2024 Budget	State Pensions Fund.) Appropriates \$7,712,026 from the Education Assistance Fund to SURS for deposit into the Community College Health Insurance Security Fund for the State contribution to the College Insurance Program (CIP) for FY 2024. (CIP is used to provide retiree health insurance benefits for certain retired community college employees and their dependent beneficiaries.) Increases the supplemental appropriations to reduce the unfunded liabilities of the State-funded retirement	Governor reduced the amount of the Governor's salary for FY 2024 to \$216,000	Item/Reduction Veto Stands; Governor Pritzker Approved with Appropriations Items Reduced on 6/7/23 as Public Act 103-6 (Senate: 34- 22-0; House: 73-38- 0)



	103RD GENERAL ASSEMBLY - 2023									
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Bill	Sponsor(s)	Short Title	Short Summary	Notes	Status					
Number										
<u>SB 1115</u>	Sen. Rose	Police Line of	Amends the SURS Article of the Illinois Pension Code to create a line of duty disability benefit for		Governor Pritzker					
(ENRL)	(Rep. Stuart)		police officers injured in the line of duty. Establishes the amount of the benefit as the greater of: (1)		Signed into Law on					
		Benefit	65% of the basic compensation that would have been paid had the participant continued in		6/9/23 as Public Act					
			employment for the entire period during which disability benefits are payable, excluding wage or		103-0800 (Senate:					
			salary increases subsequent to the date of disability; or (2) 65% of the participant's average earnings		57-0-0; House: 104-					
			during the 24 months immediately preceding the month in which disability occurs. Applies to		0-0)					
			participants whose line of duty disability occurred on or after January 1, 2022. Increases the amount of							
			the disability retirement annuity for police officers injured in the line of duty to 65% of the basic							
			compensation that was payable to the participant at the time that disability began. Makes other							
<u>SB 1235</u>	Sen.	Part-Time and	Amends the SURS Article of the Illinois Pension Code to allow a SURS participant to receive one		Governor Pritzker					
(ENRL)	Martwick		month of service credit for a calendar month during which the participant: (1) qualifies as an employee		Signed into Law on					
	(Rep.	Bill	and contributes to the System; and (2) receives any earnings as an employee. Applies the changes to		8/11/23 as Public					
	Kifowit)		all service periods of a member who is a participant on or after September 1, 2024 (with the exception		Act 103-0548					
			of service credit purchases, repayments, and transfers commenced before September 1, 2024).		(Senate: 55-0-0;					
			Eliminates the part-time adjustment for members who are participants on or after September 1, 2024.		House: 85-28-2)					
			(The part-time adjustment provides that if a participant has been employed at 50% time or less for 3 or							
			more years, service is granted for such employment in excess of 3 years, in the proportion that the							
			percentage of time employed for such year of employment bears to the average annual percentage of							
			time employed during the period on which the final rate of earnings is based.) Clarifies that an							
			employee who has been employed at 50% time or less for 3 or more years is subject to the 20%							
			limitation on pensionable salary increases during the FRE period. Makes the changes under the							
			legislation inseverable.							



103RD GENERAL ASSEMBLY - 2023

	103RD GENERAL ASSEMBLY - 2023								
			Legislation amending the Illinois Pension Code is highlighted in yellow						
Bill	Sponsor(s)	Short Title	Short Summary	Notes	Status				
Number									
<u>SB 1646</u>	Sen.	Pensions	Amends several provisions of the Illinois Pension Code to combine several legislative proposals into a		Governor Pritzker				
(ENRL)	Martwick	Omnibus	single bill. Amends the SURS Article of the Illinois Pension Code to provide that, in administering the		Signed into Law on				
	(Rep.		deferred compensation plan, SURS must require the recordkeeper to agree that, in performing services		8/11/23 as Public				
	Kifowit)		with respect to the deferred compensation plan, the recordkeeper: (1) will not use information received		Act 103-0552				
			as a result of providing services with respect to the deferred compensation plan or the participants in		(Senate: 57-0-0;				
			the deferred compensation plan to solicit the participants in the deferred compensation plan for the		House 78-32-1)				
			purpose of cross-selling nonplan products and services, unless in response to a request by a participant						
			in the deferred compensation plan; and (2) will not promote, recommend, endorse, or solicit						
			participants in the deferred compensation plan to purchase any financial products or services outside of						
			the deferred compensation plan, except for links to parts of the recordkeeper's website that are						
			generally available to the public, are about commercial products, and may be encountered by a						
			participant in the regular course of navigating the recordkeeper's website. Amends the General						
			Provisions Article of the Illinois Pension Code to allow certain information prohibited from disclosure						
			under the Illinois Pension Code to be disclosed to the Municipal Employees Society of Chicago.						
			Makes other changes.						
SB 1824	Sen. Villa	Prudent Person	Amends the General Provisions Article of the Illinois Pension Code to change a reference from a		Governor Pritzker				
(ENRL)	(Rep. Yang	Rule Technical	"prudent man" to a "prudent person" under the duties of fiduciaries. Makes other changes.		Signed into Law on				
	Rohr)	Correction			8/4/23 as Public Act				
					103-0464 (Senate:				
					57-0-0; House: 107-				
					0-1)				



103RD GENERAL ASSEMBLY - 2023

			105RD GENERAL ASSEMBLT - 2025		
			Legislation amending the Illinois Pension Code is highlighted in yellow		
Bill	Sponsor(s)	Short Title	Short Summary	Notes	Status
Number					
SB 2152	Sen.	Treasurer Vote	Amends the SURS, TRS, and ISBI Articles of the Illinois Pension Code to provide that the State		Governor Pritzker
(ENRL)	Cunningham	Proxies and	Treasurer, upon request of the applicable Board, will manage the domestic and international proxy		Signed into Law on
	(Rep.	Illinois	voting activity for shares held directly by the system and execute required ballots on behalf of the		8/7/23 as Public Act
	Kifowit)	Sustainable	system and provide the Board with comprehensive proxy voting reports on a quarterly basis and as		103-0468 (Senate:
		Investing	requested by the Board. Repeals the provision on January 1, 2027. Requires the Board of each system		50-5-0; House: 73-
		Report	to produce an annual report beginning September 1, 2023 that includes its guidelines for voting proxy		38-1)
			ballots and a detailed report on its website describing how the Board is considering sustainability		
			factors as defined in the Illinois Sustainable Investing Act. Requires the report to: (1) describe the		
			Board's strategy as it relates to the consideration of sustainable investment factors; (2) outline the		
			process for regular assessment across the total portfolio of potential effects from systemic and		
			regulatory risks and opportunities, including, but not limited to, environmental factors on the assets of		
			the plan; (3) disclose how each investment manager serving as a fiduciary to the Board integrates		
			sustainability factors into the investment manager's investment decision-making process; (4) provide a		
			comprehensive proxy voting report; (5) provide an overview of all corporate engagement and		
			stewardship activities; and (6) include any other information the Board deems necessary.		
<u>SR 7</u>	Sen. Fine	Urge Repeal of	Urges Congress to enact legislation to repeal the Government Pension Offset (GPO) and Windfall		Resolution Adopted
		GPO/WEP	Elimination Provision (WEP) from the Social Security Act and for President Biden to sign that		in the Senate on
			legislation into law. (These provisions of federal law reduce Social Security benefits for certain SURS		5/19/23
			benefit recipients.)		

103RD GENERAL ASSEMBLY - 2023 - OTHER LEGISLATION

Last Updated: 11/20/23



Contact: Office of Legislative Affairs

changes.

	103RD GENERAL ASSEMBLY - 2023									
	Legislation amending the Illinois Pension Code is highlighted in yellow									
Bill	Sponsor(s)	Short Title	Short Summary	Notes	Status					
Number										
HB 4098	Rep. Kifowit	Tier 2 Pensions	Amends several articles of the Illinois Pension Code. Increases the Tier 2 pensionable earnings		House Referred to					
		Omnibus	limitation to the Social Security Taxable Wage Base over an 8-year period. Modifies the Tier 2		Rules Committee on					
			automatic annual increases to be the 3-year rolling average of the greater of 3% or 1/2 of CPI-U, non-		5/18/23					
			compounded. Creates Deferred Retirement Option Plans ("DROP plans") under the State-funded							
			retirement systems for defined benefit plan participants who are within 5 years of meeting the							
			eligibility requirement for receiving a retirement annuity and have at least 20 years of service credit.							
			Provides that the participant's DROP plan account consists of the following: the participant's monthly							
			retirement annuity (including any automatic annual increases); employee contributions; and interest at							
			7% annually, paid and compounded monthly. Requires a participant's termination of participation in							
			the DROP plan no later than 3 years after commencing participation in the DROP plan. Allows the							
			DROP plan account balance to be distributed in the form of a lump sum or an annuity. Changes the							
			statutory funding formula from 90% by the end of FY 2045 to 100% by the end of FY 2050. Requires							
			the State to make additional contributions to the State-funded retirement systems equal to the							
			difference between the contribution under the statutory funding formula and an actuarially determined							
			contribution. Requires the actuarially determined contribution to be determined by the State Actuary							
			in accordance with GASB 67 and 68. Allows a Tier 2 member to retire at age 62 with 35 years of							
			service credit, age 64 with 20 years of service credit, or age 67 with 10 years of service credit. Repeals							
			provisions related to Tier 3 pension reform. Amends the General Obligation Bond Act and the State							
			Finance Act to authorize \$500 million to be used to reduce the unfunded liability of the State-funded							
			retirement systems and CTPF, once the bond authorized by Public Act 93-2 are retired. Makes other							



January 2024

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1	1 New Years Day STATE HOLIDAY	2	3	4	5	6
7	8	9	10	11	12	13
14	15 Martin Luther King Jr. Day STATE HOLIDAY	SESSION	SESSION	18 SESSION	DEADLINE LRB—Requests	20
21	22	23	24	25	26	27
28	29	30	31			

February 2024

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1	1	2	3
4	5	SESSION	7 SESSION	8 SESSION	9 DEADLINE Intro. of House Bills	10
11	12 Lincoln's Birthday STATE HOLIDAY	13	Ash Wednesday Valentine's Day	15	16	17
18	19 Presidents' Day STATE HOLIDAY	SESSION	21 SESSION Gov. Budget Address & State of the State	SESSION	23	24
25	26	27	28	29		

March 2024

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
					1	2
3	4	5	6	7	8	9
		SESSION	SESSION	SESSION		
10	11	12	13	14	15	16
Ramadan Begins		SESSION	SESSION	SESSION		
17	18	19	20	21	22	23
		Primary Election	SESSION	SESSION	SESSION	
24	25	26	27	28	29	30
-	-				Good Friday	
31 Easter Sunday						
Laster Sanday		1				



ILLINOIS HOUSE OF REPRESENTATIVES **103rd** General Assembly ~ Emanuel "Chris" Welch, Speaker

April 2024

10314 Ochci	at Assembly ~ El	manuel Chris	weich, Speaker			
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1	2	3	4	5 <u>SESSION</u>	6
		SESSION	<u>SESSION</u>	SESSION	DEADLINE- Committee Substantive HB's	
7	8	9	10	11	12	13
		Ramadan Ends				
			SESSION	SESSION	SESSION	
14	15	16	17	18	19 SESSION	20
	<u>SESSION</u>	<u>SESSION</u>	SESSION	<u>SESSION</u>	DEADLINE HB's 3rd Reading	
21	22	23	24	25	26	27
	Passover Begins					
28	29	30				
		<u>SESSION</u>				

May 2024

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1	2	3 SESSION	4
			SESSION	SESSION	DEADLINE Committee SBs	
5	6	9	8	9	10	11
	SESSION	SESSION	SESSION	SESSION	SESSION	
12	13	14	15	16	17 SESSION	18
Mother's Day	SESSION	SESSION	SESSION	SESSION	DEADLINE 3rd Reading SBs	<u>SESSION</u>
19	20	21	22	23	SESSION	25
¹ SESSION	<u>SESSION</u>	SESSION	SESSION	SESSION	ADJOURNMENT	BUDGET HOLD DATE
26	27	28	29	30	31	
	STATE HOLIDAY Memorial Day					
BUDGET HOLD DATE	BUDGET HOLD DATE	BUDGET HOLD DATE	BUDGET HOLD DATE	BUDGET HOLD DATE	BUDGET HOLD DATE	

JANUARY

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1	2	3	4	5	6
	New Year's Day State Holiday					
7	8	9	10	11	12	13
14	15 MARTIN LUTHER KING JR. DAY STATE HOLIDAY	16 SESSION H	17 SESSION H	18 SESSION H	DEADLINE House & Senate LRB Requests LRB Black Out Period Begins	20
21	22	23	24	25	26	27
28	29	30	31			

IMPORTANT DATES

January 19 - DEADLINE - House & Senate LRB Requests / LRB Black Out Period Begins (No requests accepted)

FEBRUARY

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
				1	2	3
4	5	6 SESSION H	7 SESSION H	8 SESSION H	DEADLINE Introduction of Senate and House Bills LRB Amendment Requests Begin	10
11	LINCOLN'S BIRTHDAY STATE HOLIDAY	13	14 ASH WEDNESDAY VALENTINE'S DAY	15	16	17
18	PRESIDENTS DAY STATE HOLIDAY	20 SESSION H	GOVERNOR'S BUDGET & STATE OF THE STATE ADDRESS	22 SESSION H	23	24
25	26	27	28	29		

IMPORTANT DATES

February 09 - DEADLINE - Introduction of Senate and House Bills / LRB Amendment Requests Begin **February 21** - Governor's Budget & State of the State Address

MARCH

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
					1	2
3	4	5 SESSION H	6 SESSION H	7 SESSION H	8 SESSION	9
		5 52551014	0 52551014	7 52551014	0 51551614	
10		4 6 III	4 0 III	4 4	4 -	4.6
10	11	12 SESSION III	13 SESSION III	14 SESSION H	15 SESSION	16
Daylight Saving Begins					DEADLINE	
RAMADAN BEGINS					DEADLINE Substantive Senate Bills Out of Committee	
17	18	19	20 SESSION H	21 SESSION H	22 SESSION H	23
ST. PATRICK'S DAY		Primary Election				
	2.5		2.5	20	20	20
24 PALM SUNDAY	25	26	27	28	29	30
LACTER						
EASTER SUNDAY 31					GOOD FRIDAY	

IMPORTANT DATES

March 15 - DEADLINE - Substantive Senate Bills Out of Committee

March 19 - Primary Election

APRIL

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1	2	3	4	5	6
7	8	9 SESSION	10 SESSION H	11 SESSION H	12 SESSION H	13
		Ramadan Ends Eid al-Fitr	EID AL-FITR		DEADLINE Third Reading Substantive Senate Bills	
14	15 H	16 SESSION H	17 SESSION H	18 SESSION H	19 SESSION H	20
21	22	23	24	25	26	27
	Passover Begins		Administrative Professionals Day			
28	29	30 SESSION H				
		Passover Ends				

IMPORTANT DATES

April 12 - DEADLINE - Third Reading Substantive Senate Bills

MAY

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1 SESSION H	2 SESSION H	3 SESSION H	4
					DEADLINE	
					Substantive House Bills Out of Committee	
5	6 H	7 SESSION H	8 SESSION H	9 SESSION H	10 H	11
CINCO DE MAYO	PM SESSION					
12	13 H	14 SESSION H	15 SESSION H	16 SESSION H	17 SESSION H	18 H
					DE ADI INE	
MOTHER'S DAY	PM SESSION				DEADLINE Third Reading Substantive House Bills	
19 H	20 SESSION H	21 SESSION H	22 SESSION H	23 SESSION H	24 SESSION H	25
					ADJOURNMENT	CONTINGENT SESSION
26	27	28	29	30	31	
	MEMORIAL DAY					
CONTINGENT SESSION	STATE HOLIDAY	CONTINGENT SESSION	CONTINGENT SESSION	CONTINGENT SESSION	CONTINGENT SESSION	
CONTINGENT SESSION	STATE HOLIDAY CONTINGENT SESSION	CONTINGENT SESSION	CONTINGENT SESSION	CONTINGENT SESSION	CONTINGENT SESSION	

IMPORTANT DATES

May 03 - DEADLINE - Substantive House Bills Out of Committee

May 17 - DEADLINE - Third Reading Substantive House Bills

May 24 - Adjournment

ILLINOIS REGISTER

STATE UNIVERSITIES RETIREMENT SYSTEM

JANUARY 2024 REGULATORY AGENDA

- a) Part (Heading and Code Citation): Universities Retirement (80 III. Adm. Code 1600)
 - 1) <u>Rulemaking</u>:
 - A) <u>Description</u>: The System anticipates rulemaking affecting the following:

Amend SURS administrative rules to include necessary substantive changes and technical corrections to reflect the impact of new statutory changes.

Amend Section 1600.270 (Employer Contributions for Benefit Increases Resulting from Earnings Increases Exceeding 6%) to add exclusion concerning any earnings increase resulting from overload work performed in an academic year subsequent to an academic year in which the employer was unable to offer or allow to be conducted overload work due to an emergency declaration limiting such activities under (40 ILCS 5/15-155(h-5)).

Amend Section 1600.420 (Making Preliminary Estimated Payments) to include procedures for holding payments when the member has not responded to informational requests, and to suspend the benefit after a period of non-compliance with the request.

Amend Section 1600.450 (Overpayment Recovery) to address *de minimis* revisions to benefit calculations and deductions for overpayments of less than \$100.

Amend Section 1600.460 (Accelerated Pension Benefit Payment In Lieu of Any Pension Benefit) to reflect the extended deadline of June 30, 2026 as referenced in Public Act 102-718, effective May 5, 2022.

Amend Section 1600.461 (Accelerated Pension Benefit Payment for a Reduction and Delay in AAI) to reflect the extended deadline of June 30, 2026 as referenced Public Act 102-718, effective May 5, 2022.

Promulgate rules to establish acceptable documentary evidence for demographic information such as birth dates and marital status.

Promulgate rules to provide specific definitions and procedures to implement 40 ILCS 5/15-168 (concerning information requests necessary

ILLINOIS REGISTER

STATE UNIVERSITIES RETIREMENT SYSTEM

JANUARY 2024 REGULATORY AGENDA

for the proper administration of the System and suspensions for non-compliance by members and penalties for non-compliance by employers).

Promulgate rules to clarify SURS' benefit forfeiture procedures and refund calculation methods arising from work-related felonies under Section 15-187 of the Illinois Pension Code (40 ILCS 5/15-187).

Amend Section 1600.710 (Petitions) to remove any reference to the required or permissive use of the last four digits of the social security numbers of SURS members on nominating petitions for contributing member candidates and annuitant candidates.

- B) <u>Statutory Authority</u>: Article 15 of the Illinois Pension Code, (40 ILCS 5/15-177).
- C) <u>Scheduled meeting/hearing dates</u>: Written comments may be submitted during the 45-day public comment period following publication of the proposed rule in the *Illinois Register*. No public hearings are anticipated.
- D) <u>Date agency anticipates First Notice</u>: Spring 2024 through Summer 2024
- E) <u>Affect on small businesses, small municipalities or not for profit</u> corporations: None
- F) Agency contact person for information:

Bianca T. Green, General Counsel State Universities Retirement System 1901 Fox Drive Champaign, IL 61820

(217) 378-8825 Fax: (217) 378-9801 bgreen@surs.org

G) <u>Related rulemakings and other pertinent information</u>: Other Amendments may be necessary based on emergent issues.



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Legal Department

MEMORANDUM

To: Legal & Legislative Committee

From: Albert J. Lee, Associate General Counsel

Date: November 27, 2023

Re: Rulemaking Update

Candidate Informational Communication Rulemaking Update

The Board approved proposed amendments to Title 80, Section 1600.745 of the Illinois Administrative Code at its June 2023 quarterly meeting. The section is entitled "Candidate Informational Communication" and allows SURS to provide one email communication per election cycle for each board election candidate to be sent to eligible voters in their election. The current rule allows SURS to provide blind mailing lists and e-mail addresses to third-party service firms that are hired by the candidate or by an organization on behalf of the candidate for a one-time communication per election cycle. However, due to difficulties involved with securing a third-party email service provider, candidates encounter difficulties sending their email communication to prospective voters. The proposed rulemaking would allow SURS to use its own third-party email service firm to send one e-mail communication on behalf of any candidate who requests the same, thereby ensuring that each candidate has at least one email communication that will go out to the voters in their election. The cost of sending these emails is expected to be covered by the fee SURS already pays to its email service provider. In the unforeseen event that SURS has to pay extra for these communications, the cost to SURS would be approximately \$300.00-350.00 per candidate.

The First Notice version was published in the Illinois Register on September 29, 2023, in Volume 47, Issue 39, Page 13879 (47 Ill. Reg. 13879). As of the date of this memorandum, Legal staff is in the process of filing the application for Second Notice review by the Joint Committee on Administrative Rules (JCAR). Absent any objections from JCAR, final adoption is anticipated in early Spring 2024. Please note that until final adoption, the Board and SURS staff must comply with the *ex parte* communication rules under Section 5-165 of the Illinois Administrative Procedure Act and Section 5-50 of the State Officials and Employees Ethics Act. All communications from the public and responses thereto pertaining to the substance of the rulemakings are to be forwarded to the SURS Ethics Officer (Bianca Green) so that they are made part of the record and reported to the Executive Ethics Commission. Any trustees or SURS staff who need an *Ex Parte* Communication Report form should contact the SURS Legal Department.

			Complete/Next due > 30 days		Due < 30 days		Past Due/Missed
	ompliance Officer		ew requirement/change in	•	EOQ= End of Qua		EOM=End of Month
Department	Report	Filed With	Frequency	Statute/Rule	Last Filed	Next Due	Status Notes This is due by
Administration	Travel Exception Report	IHETCB	Quarterly - due the 15th of the month after the quarter ends	80 IL 2900.105	10/3/2023	1/15/2024	the 15th of the month after the Q ends.
Administration	Drivers License & Insurance Certification	U of I	Annual	625 ILCS 5/7-203, 625 ILCS 5/10-101(b) & JCAR 44 Sec 5040.500	6/30/2022	6/30/2023*	All staff have completed the filing requirements 6/30. All trustees have completed the forms with the exception of Figueora.* W leave this opeuntil he files.
Administration	Certification of Board Training Requirement	DFPR-Public Pension/Insurance Div	Annual	40 ILCS 5/1/113.18	7/6/2023	6/30/2024	
Administration	Notice of Regularly Scheduled Board Meetings	SURS Lobby and SURS website	Annual	5 ILCS 120.202	Jun-23	Dec-24	
Administration	Oath of Office	Internal	Ad Hoc	40 ILCS 5/15-159(h)	As needed	As needed	
Administration	Disclosure of Appointee Interest in State Contracts	SOS	Ad Hoc	5 ILCS 420/3A.30	As needed	As needed	
Administration	Trustee Indemnification Agreements	Internal & Fiduciary Council	Ad Hoc	40 ILCS 5/1-107 & Board Governance Bylaws 1.1	As needed	As needed	
Administration	IPad User Agreements	Internal	Ad Hoc	Internal Requirement	As needed	As needed	
Audit	Deceased Annuitant Reporting	Per internal audit - death matches are still done but are not reported to the board anymore. Policy change pending.	No actual report required	40 ILCS 5/1-140	6/2/2023	No longer reported	
Audit	Fiscal Year Audit Completion Report	Internal - Filed with the Executive Director	Annual	Fiscal Control & Internal Auditing Act; 30 ILCS 10/2003	8/25/2023	9/30/2024	
Audit	FCIAA Internal Control Certification	Auditor General	Annual (filed by 5/1)	Fiscal Control & Internal Auditing Act; 30 ILCS 10/3003	4/24/2023	5/1/2024	
Audit	Two Year Audit Plan	Internal/ ED approval/A & R Committee	Annual	30 ILCS 10/2003	6/27/2023	6/30/2024	
Audit	Submission of System Audit (due after FY end)	Governor - submitted by SURS and by the Auditor General	Annual	State Auditing Act and 30 ILCS 5/3-14 and 40 ILCS 5/15-174	FY22 - 2/9/2023	FY23	
Finance	GAAP	Comptroller	Annual (by 10/15)	PA 097-1055/ Financial Reporting Standards Board Act	Prelim filed 9/23/2023 - Final due when final numbers are done - updated filed 10/20/2023	10/15/2024	
Finance	Public Accountability Report	Comptroller	Annual (by 11/15)	SAMS	12/14/2022	12/15/2023	
Finance	IRS Form 941-Employer Fed Tax Return Form	IRS	Quarterly	IRS CODE	10/17/2023	1/31/2024	
Finance	IRS Form 945 Annual Return of Withheld Federal Tax	IRS	Annual	IRS Code	1/31/2023	1/31/2024	
Finance	Cash Receipts and Disbursement Reports	Comptroller	Quarterly	SAMS	10/31/2023	1/31/2024	
Finance	Agency Fixed Asset Report	Comptroller	Quarterly	SAMS	10/26/2023	1/31/2024	
Finance	Accounts Receivable	Comptroller	Quarterly	SAMS	10/19/2023	1/31/2024	
Finance	Report on SMP Participation Rate	COGFA	Annual	40 ILCS 5/15-158.3	10/24/2023	11/15/2024	
Finance	Cert. of State Contribution and CIP	Governor, CMS, and Comptroller	Annual (final by 1/15)	40 ILCS 15/1.4 *	1/3/2023	1/15/2024	
Finance	Department of Insurance Report	Pension Division of Illinois Dept. of Ins.	Annual	40 ILCS 5/1A-109	12/28/2022	12/31/2023	
Finance	IRS Form 1099R (FIRE)	IRS	Annual	IRS CODE	3/28/2023	4/30/2024	
Finance	IRS 1042: Withholding US income of Foreign Persons	IRS	Annual	IRS CODE	3/9/2023	3/15/2024	
Human Resources	Report on State Employees Combined Appeal (SECA) Voluntary Deductions	Comptroller	Annual (by 3/1)	5 ILCS 340/8(c)	1/10/2023	3/1/2024	
Finance	Comptroller Agency Invoice	Comptroller	Annual	PA 98-0228 30 ILCS 105/9.08	9/21/2017	No longer required	By law, we file monthly Debt Transparency Reports inste Statute was rewritten.
Finance	Fee Imposition Report	to Comptroller who sends to Gen. Assembly by 9/1	Annual - to Comptroller by 7/31; Comptroller to GA by 9/1	15 ILCS 405/16.2	7/31/2022	7/31/2024	

Finance	5 year review of 90% funding target	COGFA	5 years	40 ICLS 1-103.3	10/27/2021	12/31/2026	lett	ne ED sends tter to COGF, this issue.
Finance	Certification of Overpayments	Internal and Board of Trustees	Determined Internally	80 III Adm. Code Sec.1600.450	As needed	As needed		
Finance	IRS W-3	IRS	Annual	IRS Code	1/23/2023	1/31/2024		
Finance	Information to COGFA	COGFA	Ad Hoc/At will	40 ILCS 5/22-803	As needed	As needed		
Finance	Debt Transparency Report	Comptroller	Now annual (due by 7/31)	30 ILCS 105/9.08	8/1/2023	7/31/2024	a w mo rep of 8 nov to f	JRS received waiver of onthly porting and a 8/30/23 we ow only have file an annua port.
Finance/Mem Serv	Illinois Revised Unclaimed Property Act	Treasurer's Office	Annual report due 11/1 reporting period covers 7/1- 6/30 of the preceding year	765 ILCS 1026/15-403	1/10/2022* partial report filed for 2022 filing period. FY23 RUUPA reports for RMD and death were filed on 8/14/2023. These are the only reports we can provide until the PAS project is done.	Report for FY24 due on 11/1/2024	Officor the hav this cor sta PA	ne Treasurer's fifice has onfirmed that e reports we ave provided a is point will our AS project is omplete.
Finance/Mem Serv	Fin. Stmts to Participants/ Serv. Cred Stmts	Annuitants	As requested	40 ILCS 5/15-175	Ongoing	ongoing		
Finance/Mem Serv	Reports to Reciprocals	Recip Systems	As requested	40 ILCS 5/20-126	Ongoing	ongoing		
Human Resources	Separation Report	State Universities Civil Service System	Monthly (w/n 10 days EOM)	Civil Service Rule 250.30	11/1/2023	12/10/2023		
Human Resources	Monthly Wage Report	IDES taxnet Online	Monthly (EXCEPT 1/4/7/10)	IDES PA 97-0689	11/2/2023	12/31/2023		
Human Resources	Form UI-3	IDES taxnet Online	Quarterly (1/31, 4/30, 7/31,	IDES PA 97-0689	10/1/2023			
			10/31			1/31/2024		
Human Resources	Report of Employee Served	State Universities Civil Service System	Quarterly (w/n 10 days EOQ)	Civil Service Rule 250.30	10/2/2023	1/10/2024		
Human Resources	Exempt Employees Report	State Universities Civil Service System	Quarterly	110 ILCS 70/36e	10/2/2023	1/31/2024		
Human Resources	Occupational Ethnic and Gender Report	State Universities Civil Service System	Quarterly (w/n 10 days EOQ)		10/2/2023	1/10/2024		
Human Resources	Agency Workforce Report	Secretary of State; Office of Governor	Annual	5 ILCS 410/15 and 5 ILCS 410/20	12/21/2022	12/31/2023		
Human Resources	TA-2	Lanielativa Avelit Commission	Bi-Annually	St. Fin. Act 30 ILCS 105/12-3	7/1/2023	1/31/2024		
Human Resources	I-9 Eligibility	Legislative Audit Commission Internal In File Notice to resident "in the most expedient	Ad Hoc w/n 20 days of hire	Dept. Homeland Security	Time of Hire	As needed		
Information Technology	Data Breach Report - Personal Info Protection Act	time possible and without unreasonable	Ad Hoc	815 ILCS 530/10	Eff. 1/1/20	As needed		
Human Resources	SSA 1945	delay." Internal In File	Ad Hoc w/n 20 days of hire	SSA	Time of Hire	As needed		
Investments	Investment Update Report	Online Surs.org	75 days after month end	Internal procedure - monthly	Sept posted	Oct due 12/15/2023	are del	nese reports e often elayed -
		·	•		11/21/2023		priv	aiting for ivate equity formation
Investments	Investments Information Report - Monthly	Online Surs.org	Monthly (by the 15th)	30 ILCS 237/10, PA 93-0499	11/14/2023	12/15/2023	Inic	omation
Investments	Report to Gov. on MWDB Firms/HR/Vendors	Governor	Annual by January 1	40 ILCS 5/1-109.1(8)	12/19/2022	1/1/2024		
3011101110	report to Sov. on Mirror I miles in visitable	00101101	by ouridary I	.0 1200 0,1 100.1(0)	12/10/2022	1/1/2027	The	nese are filed
Investments	Consultant Report on MWDB searches*	Consultant must disclose to the SURS Board of Trustees	Annual by January 1	40 ILCS 5/1-113.22	Both - 12/16/22	1/1/2024	in t doo the	the same ocument with e item below. oth statutes,
Investments	Consultant Report on Economic Opportunities*	Consultant must disclose to the SURS Board of Trustees	Annual by January 1	40 ILCS 5/1-113.23	Both - 12/16/22	1/1/2024	as imp me hav	s written, are apossible to eet. Auditors ave accepted 31 as the due

Investments	Quinquennial Rep. US Owned Foreign Securities**	Federal Reserve Bank	Only upon request 5 years	22 USC Sec 3101	2022 (no report required)	Not due until 2027	*req. threshold for reporting not met for 2017. Next reporting year = 2027 and only if we meet the reporting threshold.
Investments	Restricted Companies Divestiture Reporting*	Illinois Investment Policy Board	Annual by April 1	40 ILCS 5/1-110.16(g)	3/27/2023	4/1/2024	trileshold.
Investments	Illinois Finance Entity/High Risk Home Loan Act Cert.	Public Pension Division of the Department of Insurance	Annual	40 ILCS 5/1-110.10	8/23/2023	9/30/2024	
Investments	Invest in Illinois - Report of Economic Opportunity Investements in Illinois	Governor and General Assembly	Annual by September 1	40 ILCS 5/1A-108.5(c)	8/31/2023	9/1/2024	
Investments	Annual SEC ADV's from Financial managers	SEC	Annual-120 days from FY end	US Investment Advisors Act of 1940	Ongoing	Ongoing	*not all managers are required to file by 4/1
Investments	Investment Manager and Consutant Fee Disclosure - DB Fees and Description of every investment contract	SURS.org website	Quarterly	40 ILCS 5/1-113.14(e) and (g) and 40 ILCS 5/1-113.16(d)	11/9/2023	3/31/2024	
Investments	Investment Manager and Consultant Fee Disclosure - DC Fees and Description of every investment contract	SURS.org website	Quarterly	40 ILCS 5/1-113.14(e) and (g) and 40 ILCS 5/1-113.16(d)	10/23/2023	3/31/2024	This Q report is due by the end of the next Q
Investments	Written SURS Investment Policies (general DB, DC and Investment Procurement)	Illinois Department of Insurance, Illinois Procurement Policy Board and SURS.org website	Ad Hoc - within 30 days after policy is amended	40 ILCS 5/1-113.14(b) and 40 ILCS 5/1-113.17	As needed	As needed	
Investments Investments Investments Investments	Investment Services Policy Procurement Exceptions Qualified FOF Mgmt. Services Contract Summaries Annual Certification of Fiduciary Duty and Insurance Investment Policy - Initial Filing and Updates	SURS.org website SURS.org website Internal on file Illinois Department of Insurance	Ad Hoc Ongoing Annual Ad Hoc	40 ILCS 5/1-113.14(b) 40 ILCS 5/1-113.15(b) contract provision 40 ILCS 5/1-113.17	As needed As needed 9/1/2023 9/28/2022	As needed As needed 9/1/2024 w/30 days of update	
Investments	Fiduciary Report: Proxy Voting Guidelines for Voting Proxy Ballots and detailed report regarding how the board considers sustainability factors in investments	Posted to SURS website	Annual - due by 9/1	40 ILCS 5/15-177.6	9/1/2023	9/1/2024	
Investments	Illinois Sustainable Investing Act - Inv. Policy New Requirements (eff. 1-1-2020)	Illinois Department of Insurance	Ad Hoc	30 ILCS 238/15 and 40 ILCS 5/1-113.17	1/31/2020	w/30 days of update	New statute requires inv. policy to include sustainabiliity factors
Legal & Ethics	Anti-Discrimination and Harassment Training for Lobbyists	OEIG	Annual	25 ILCS 170/4.7	No longer required	No longer required	SURS is no
Legal & Ethics	Ethics Training for Registered Lobbyists	Secretary of State	Annual	25 ILCS 170/4.5	No longer required	No longer required	longer registered as a lobbyist. This item will be removed.
Legal & Ethics	Lobbying Expenditure Report (20th)	Secretary of State	Monthly	25 ILCS 170/6	No longer required	No longer required	We sent this
Legal & Ethics	Lobbyist Registration Act Exemption Letter	Secretary of State	Annual	25 ILCS 170/3(a)(4 and 5) and 2 III. Admin. Code Sec. 560.210(e-f)	1/27/2021	No longer required	letter as a courtesy to inform that SURS is no longer a registered lobbyist.
Legal & Ethics	Lobbying Expenditure Report (5th)	Secretary of State	Monthly	25 ILCS 170/6	No longer required 5/1/2023 - staff	-	
Legal & Ethics	Statement of Economic Interests (Board and Execs)	Secretary of State	Annual	5 ILCS 420/4A-101	5/4/2023* trustees	5/1/2024	

Legal & Ethics	Annual Ethics Training for Trustees	8-hour training under Sec. 5/1-113.18- Cert of Completion by ED to Public Pension Division of Department of Insurance; Regular Annual Ethics Act training goes to OEIG	Annual (to be completed by 6/30)	5 ILCS 430/5-10 and 40 ILCS 5/1-113.18 (8-hour training)	2/7/2023	6/30/2023*	All trustees have compelted their ethics training except Trustee Figueroa. He technically has until 12/31/23 to complete it.
Legal & Ethics	Ethics Training Plan/Ethics Training State Employees- staff only online	SURS Internal Auditor - OEIG at end of year	Annual	5 ILCS 430/5-10	3/7/2023	6/30/2024	
Legal & Ethics	ARDC Registration FOIA Officer Training & Annual Certification Ethics Officer Designation Notice Revolving Door Policy Sign off Ex Parte Communications Reports OMA Trustee Training QILDRO Forms Electronically Available OMA Officer Training Annual Completed Ethics Training and Reporting- Staff and Board -online & paper format Ethics Orientation for State of Illinois Employees-Paper Cybersecurity Training for Staff and Trustees	ARDC IAG IL Executive Ethics Commission Executive Inspector General Executive Ethics Commission IAG SURS.org website IAG OEIG	Annual Annual As Needed/Ad Hoc As Needed/Ad Hoc As Needed/Ad Hoc One Time Ongoing requirement Annual W/n 30 days of hire Annual	128 III.2d 351, 538 NE 2d 1152 5 ILCS 140/3.5 2 IL 1620.83 5 ILCS 430/5-5-45 5 ILCS 430/5-50 5 ILCS 120/1.05 40 ILCS 5/1-119 5 ILCS 120/1.05 5 ILCS 430/5-10 5 ILCS 430/5-10 20 ILCS 450/25	12/31/2022 Dec-22 As needed Time of Hire 9/13/2017 current various dates current 12/31/2022 1/15/2023 As needed 12/31/2022	12/31/2023 12/31/2023 as needed As needed As needed As needed as updated 12/31/2023 1/15/2024 As needed 12/31/2023	
Legal & Ethics	Sexual Harassment Training for Staff and Trustees	OEIG	Annual - report due by 1/15 of following year	5 ILCS 450/5-10.5	1/15/2023	1/15/2024	
Legal & Ethics	Anti-Discrimination and Harassment Training for Staff and Trustees	OEIG	Annual - report due by 1/15 of following year & w/in 30 days of commencing elected or appointed position/office	5 ILCS 430/5-10.5	1/15/2023	1/15/2024	
Legal & Ethics	Fraud	SURS Board of Trustees and/or Appropriate State's Attorney	As needed	40 ILCS 5/1-135 and 40 ILCS 5/15-186	6/3/2022	As needed	