



## Commission on Government Forecasting and Accountability

### **PENSION IMPACT NOTE** *103<sup>RD</sup> General Assembly*

BILL NO: **HB 2057, as amended by HA 002**

March 2, 2023

SPONSOR (S): Burke

SYSTEM: Chicago Laborers Fund and Park District Employees' Fund

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#### **FISCAL IMPACT**

**HB 2057, as amended by HA 002, would have no fiscal impact relating to the powers granted to the Board of Trustees for the Chicago Laborers' Fund and the Park District Employees' Fund to subpoena witnesses. The pension funds claim that attaching witness fees for board proceedings to the compensation granted to witnesses before the Illinois circuit courts would have a negligible fiscal impact.**

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**SUBJECT MATTER:** HB 2057, as amended by HA 002, provides the Boards of Trustees of the Chicago Laborers Pension Fund and the Park District Employees' Fund, respectively, the power to use subpoenas to compel witnesses to attend hearings and produce documents and materials necessary for the boards to conduct their business. The fees associated with these witnesses are to be set at the same rate as the fees granted to witnesses in the circuit courts of Illinois.

**COMMENT:** Under current law, the Chicago Laborers Article of the Pension Code contains very sparse language regarding the subpoena powers of the Boards of Trustees. Current statute simply states that the Board is empowered to compel witnesses to testify on any matter concerning the fund. Current law also permits the board to pay witness fees "not in excess of \$6 per day."

Under current law, the Park District Employees' Article of the Pension code does not contain explicit language providing the Board of Trustees with the power to issue subpoenas or compensate witnesses.

HB 2057, as amended by HA 002, would expand the subpoena powers of both pension fund boards by allowing them to compel the production of records and to compel the attendance of witnesses on any matter concerning the respective funds in conjunction with the following:

- Disability claims;
- Administrative review hearings;
- Attempts to obtain information to assist in the collection of sums due to the funds;
- Obtaining any and all personal identifying information necessary for the administration of benefits;
- The determination of the death of an annuitant or a potential benefit recipient; or
- A felony forfeiture investigation.

The bill states that the fees paid to witnesses for attendance and travel to board proceedings shall be the same as the fees paid to witnesses before the circuit courts of Illinois, and shall be paid by the respective boards when a subpoena is issued.

Under the Circuit Courts Act, witnesses in circuit courts are entitled to receive the sum of \$20 for each day's attendance and \$0.20 per mile each way for necessary travel. HB 2057, as amended by HA 002, would grant the aforementioned reimbursement for subpoenaed parties before both respective boards, and the bill would delete the aforementioned cap on witness fees of \$6 per day that is currently enshrined into the Chicago Laborers Article.

Impact of HA 002: HA 002 amends HB 2057 by granting the aforementioned subpoena powers to the Board of the Park District Employee's Fund. The introduced bill only impacted the Board of the Chicago Laborers Fund.

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