



## Commission on Government Forecasting and Accountability

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

BILL NO: SB 0332

February 8, 2023

SPONSOR (S): Martwick

SYSTEM: Chicago Laborers Fund

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#### FISCAL IMPACT

**SB 0332 clarifies and expands the Chicago Laborers' Fund Board of Trustees powers to subpoena witnesses, and the matters in which the subpoena power may be used. The amount of witness fees that the board is permitted to pay is being raised slightly from no more than \$6 per day to \$20 per day, plus \$0.20 per mile for travel. This should have a very slight fiscal impact upon the pension fund.**

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SUBJECT MATTER: SB 0332 provides the Board of Trustees of the Chicago Laborers Fund the power to issue subpoenas to compel witnesses to attend hearings and produce documents and materials necessary to carry out the duties and functions of the board. The fees associated with compensating witnesses are to be substantially similar to those granted by the circuit courts of Illinois. The bill also removes language in statute that placed a \$6 daily limit on compensatory fees for witnesses.

COMMENT: Under current law, the Chicago Laborers Article of the Pension Code contains very sparse language regarding the subpoena powers of the Board of Trustees. Current statute simply states that the Board is empowered to compel witnesses to testify before it on any matter concerning the fund. The Board is permitted to pay witness fees up to \$6 per day.

SB 0332 would expand the subpoena powers of the board by allowing it to compel the attendance of witnesses and to compel the production of documents and records upon any matter concerning the fund in conjunction with the following:

- Disability claims;
- Administrative review hearings;
- Attempts to obtain information to assist in the collection of sums due to the Fund;

- Obtaining any and all personal identifying information necessary for the administration of benefits;
- The determination of the death of an annuitant; or
- A felony forfeiture investigation.

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

Under the Circuit Courts Act, witnesses are entitled to receive the sum of \$20 for each day's attendance and \$0.20 per mile each way for necessary travel. SB 0332 would grant the aforementioned reimbursement for subpoenaed parties before the pension board, and the bill would delete the aforementioned language on not granting fees in excess of \$6 per day that is currently enshrined into law.

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