



Rep. Frances Ann Hurley

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10100HB2976ham001

LRB101 09836 RPS 57925 a

1 AMENDMENT TO HOUSE BILL 2976

2 AMENDMENT NO. _____. Amend House Bill 2976 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by
5 changing Section 22-306 as follows:

6 (40 ILCS 5/22-306) (from Ch. 108 1/2, par. 22-306)

7 Sec. 22-306. The corporate authorities of any city or the
8 village may provide by ordinance that in case of an accident
9 resulting in an injury to or death of a policeman or fireman in
10 the employ of such city or village while in the performance of
11 his duties, the officer at the head of the department or such
12 other officer as may be designated may secure and provide
13 proper medical care and hospital treatment for any such
14 policeman or fireman. The city or village may incur the expense
15 aforesaid and appropriate and pay for the same; however, a city
16 with a population of 1,000,000 or more shall incur the expense

1 aforesaid and appropriate and pay for the same, unless and
2 until there is a final determination made that the accident
3 resulting in the injury or death of the policeman or fireman
4 did not occur while in the performance of his or her duties.

5 For a city with a population of 1,000,000 or more, if there
6 is a final determination made that the accident resulting in
7 the injury or death of the policeman or fireman in its employ
8 was not in the performance of his or her duties, the city may
9 recover expenses paid under this Section from the policeman or
10 fireman, the policeman's or fireman's health plan, or any other
11 appropriate source as if the accident was initially not deemed
12 to be in the performance of the policeman's or fireman's
13 duties.

14 If any such accident shall be due to the negligence of some
15 person or corporation that would be liable in damages therefor,
16 the city or village may recover any expense of medical care and
17 hospital treatment expended by it from the person or
18 corporation liable.

19 The corporate authorities of any city or village may
20 provide by ordinance for the payment by said city or village of
21 all or any part of the cost of a hospital plan or
22 medical-surgical plan, or both, for the dependents of any
23 policeman or fireman killed in the line of duty or who dies as
24 the result of duty connected injuries, and for any policeman or
25 fireman and his dependents, provided his retirement is caused
26 by a duty injury or occupational disease disability and for any

1 policeman and fireman and his dependents, provided he has
2 reached compulsory retirement age or has served in the employ
3 of the city or village for at least 20 years. "Dependent" as
4 used in this paragraph shall mean the wife of the policeman or
5 fireman and his minor children less than 20 years of age and
6 living at home and dependent on the policeman or fireman for
7 support.

8 This amendatory Act of 1971 does not apply to any city or
9 village which is a home rule unit.

10 (Source: P.A. 77-754.)

11 Section 90. The State Mandates Act is amended by adding
12 Section 8.43 as follows:

13 (30 ILCS 805/8.43 new)

14 Sec. 8.43. Exempt mandate. Notwithstanding Sections 6 and 8
15 of this Act, no reimbursement by the State is required for the
16 implementation of any mandate created by this amendatory Act of
17 the 101st General Assembly.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law."