



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2976

by Rep. Frances Ann Hurley

SYNOPSIS AS INTRODUCED:

40 ILCS 5/22-306

from Ch. 108 1/2, par. 22-306

30 ILCS 805/8.43 new

Amends the Collateral Provisions Article of the Illinois Pension Code. For the City of Chicago, provides that an ordinance providing policemen and firemen with medical care and hospital treatment for accidents resulting in injury or death shall provide (1) a requirement to notify an injured employee whether he or she is entitled to benefits under the provision within a reasonable period of time after the accident causing the injury and (2) a requirement that the city provide the injured employee with benefits prior to issuing that notice, regardless of the determination made by the city. Preempts home rule powers. Amends the State Mandates Act to require implementation without reimbursement by the State. Effective immediately.

LRB101 09836 RPS 54938 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

PENSION IMPACT
NOTE ACT MAY
APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning public employee benefits.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Pension Code is amended by changing
5 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.

16 For a city with a population of more than 1,000,000
17 inhabitants, an ordinance providing policeman and fireman
18 medical care and hospital treatment under this Section shall
19 provide:

20 (1) a requirement to notify an injured employee whether
21 he or she is entitled to benefits under this Section within
22 a reasonable period of time after the accident causing the
23 injury; and

1 (2) a requirement that the city provide the injured
2 employee with benefits under this Section prior to issuing
3 the required notice in paragraph (1), regardless of the
4 determination made by the city.

5 If any such accident shall be due to the negligence of some
6 person or corporation that would be liable in damages therefor,
7 the city or village may recover any expense of medical care and
8 hospital treatment expended by it from the person or
9 corporation liable.

10 The corporate authorities of any city or village may
11 provide by ordinance for the payment by said city or village of
12 all or any part of the cost of a hospital plan or
13 medical-surgical plan, or both, for the dependents of any
14 policeman or fireman killed in the line of duty or who dies as
15 the result of duty connected injuries, and for any policeman or
16 fireman and his dependents, provided his retirement is caused
17 by a duty injury or occupational disease disability and for any
18 policeman and fireman and his dependents, provided he has
19 reached compulsory retirement age or has served in the employ
20 of the city or village for at least 20 years. "Dependent" as
21 used in this paragraph shall mean the wife of the policeman or
22 fireman and his minor children less than 20 years of age and
23 living at home and dependent on the policeman or fireman for
24 support.

25 This amendatory Act of the 101st General Assembly applies
26 only to a city that is a home rule unit with a population of

1 more than 1,000,000 inhabitants and is a limitation under
2 subsection (i) of Section 6 of Article VII of the Illinois
3 Constitution on the concurrent exercise by home rule units of
4 powers and functions exercised by the State.

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

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

8 Section 90. The State Mandates Act is amended by adding
9 Section 8.43 as follows:

10 (30 ILCS 805/8.43 new)

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

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.