

**SB2756**



**101ST GENERAL ASSEMBLY**

**State of Illinois**

**2019 and 2020**

**SB2756**

Introduced 2/4/2020, by Sen. Donald P. DeWitte

**SYNOPSIS AS INTRODUCED:**

40 ILCS 5/13-310

from Ch. 108 1/2, par. 13-310

Amends the Metropolitan Water Reclamation District Article of the Illinois Pension Code. Provides that payments of an ordinary disability benefit shall be made at least monthly (instead of intervals of not more than 30 days). Effective immediately.

LRB101 17566 RPS 66984 b

PENSION IMPACT  
NOTE ACT MAY  
APPLY

**A BILL FOR**

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 13-310 as follows:

6 (40 ILCS 5/13-310) (from Ch. 108 1/2, par. 13-310)

7 Sec. 13-310. Ordinary disability benefit.

8 (a) Any employee who becomes disabled as the result of any  
9 cause other than injury or illness incurred in the performance  
10 of duty for the employer or any other employer, or while  
11 engaged in self-employment activities, shall be entitled to an  
12 ordinary disability benefit. The eligible period for this  
13 benefit shall be 25% of the employee's total actual service  
14 prior to the date of disability with a cumulative maximum  
15 period of 5 years.

16 (b) The benefit shall be allowed only if the employee files  
17 an application in writing with the Board, and a medical report  
18 is submitted by at least one licensed and practicing physician  
19 as part of the employee's application.

20 The benefit is not payable for any disability which begins  
21 during any period of unpaid leave of absence. No benefit shall  
22 be allowed for any period of disability prior to 30 days before  
23 application is made, unless the Board finds good cause for the

1 delay in filing the application. The benefit shall not be paid  
2 during any period for which the employee receives or is  
3 entitled to receive any part of salary.

4 The benefit is not payable for any disability which begins  
5 during any period of absence from duty other than allowable  
6 vacation time in any calendar year. An employee whose  
7 disability begins during any such ineligible period of absence  
8 from service may not receive benefits until the employee  
9 recovers from the disability and is in service for at least 15  
10 consecutive working days after such recovery.

11 In the case of an employee who first enters service on or  
12 after June 13, 1997, an ordinary disability benefit is not  
13 payable for the first 3 days of disability that would otherwise  
14 be payable under this Section if the disability does not  
15 continue for at least 11 additional days.

16 Beginning on the effective date of this amendatory Act of  
17 the 94th General Assembly, an employee who first entered  
18 service on or after June 13, 1997 is also eligible for ordinary  
19 disability benefits on the 31st day after the last day worked,  
20 provided all sick leave is exhausted.

21 (c) The benefit shall be 50% of the employee's salary at  
22 the date of disability, and shall terminate when the earliest  
23 of the following occurs:

24 (1) The employee returns to work or receives a  
25 retirement annuity paid wholly or in part under this  
26 Article;

1 (2) The disability ceases;

2 (3) The employee willfully and continuously refuses to  
3 follow medical advice and treatment to enable the employee  
4 to return to work. However this provision does not apply to  
5 an employee who relies in good faith on treatment by prayer  
6 through spiritual means alone in accordance with the tenets  
7 and practice of a recognized church or religious  
8 denomination, by a duly accredited practitioner thereof;

9 (4) The employee (i) refuses to submit to a reasonable  
10 physical examination within 30 days of application by a  
11 physician appointed by the Board, (ii) in the case of  
12 chronic alcoholism, the employee refuses to join a  
13 rehabilitation program licensed by the Department of  
14 Public Health of the State of Illinois and certified by the  
15 Joint Commission on the Accreditation of Hospitals, (iii)  
16 fails or refuses to consent to and sign an authorization  
17 allowing the Board to receive copies of or to examine the  
18 employee's medical and hospital records, or (iv) fails or  
19 refuses to provide complete information regarding any  
20 other employment for compensation he or she has received  
21 since becoming disabled; or

22 (5) The eligible period for this benefit has been  
23 exhausted.

24 The first payment of the benefit shall be made not later  
25 than one month after the same has been granted, and subsequent  
26 payments shall be made at least monthly ~~intervals of not more~~

1 ~~than 30 days.~~

2 (Source: P.A. 94-621, eff. 8-18-05.)

3 Section 99. Effective date. This Act takes effect upon  
4 becoming law.