



Sen. Robert F. Martwick

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10200HB0275sam001

LRB102 10029 SMS 27141 a

1 AMENDMENT TO HOUSE BILL 275

2 AMENDMENT NO. _____. Amend House Bill 275 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by adding
5 Section 3-110.11a and by changing Section 8-151 as follows:

6 (40 ILCS 5/3-110.11a new)

7 Sec. 3-110.11a. Optional credit under Article 5. A police
8 officer may establish optional credit for up to 5 years of
9 service as a participant under Article 5, provided that the
10 police officer (i) was certified under the law governing the
11 certification of police officers at the time the service was
12 rendered, (ii) applies in writing on or before December 31,
13 2023, (iii) supplies satisfactory evidence of the employment,
14 (iv) completes 10 years of contributing service as a police
15 officer as defined in Section 3-106, and (v) pays into the fund
16 the amount the police officer would have contributed if he or

1 she had been a regular contributor during such period, plus an
2 amount determined by the Board to be equal to the
3 municipality's normal cost of the benefit, plus interest at
4 the actuarially assumed rate calculated from the date the
5 employee last became a police officer under this Article.

6 A police officer may not establish credit under this
7 Section for any service for which the police officer is
8 eligible to receive benefits under Article 5 of this Code.

9 (40 ILCS 5/8-151) (from Ch. 108 1/2, par. 8-151)

10 Sec. 8-151. Compensation annuity and supplemental annuity.

11 When annuity otherwise provided in this Article for the
12 widow of an employee whose death results solely from injury
13 incurred in the performance of an act of duty is less than 60%
14 of his salary in effect at the time of the injury,
15 "Compensation Annuity" equal to the difference between such
16 annuity and 60% of such salary, shall be payable to her until
17 the date when the employee, if alive, would have attained age
18 65; and in any case where the employee's death is only partly
19 due to the duty incurred injury, the "Compensation Annuity"
20 shall be based on an amount equal to 40% of such salary.

21 Thereafter, the widow shall be entitled to "Supplemental
22 Annuity" equal to the difference between the annuity otherwise
23 provided in this Article and the annuity to which she would be
24 entitled if the employee had lived and continued in the
25 service at the salary in effect at the date of the injury until

1 he attained age 65, and based upon her age as it would be on
2 the date he would have attained 65.

3 "Compensation" or "Supplemental Annuity" shall not be
4 payable unless the widow was the wife of the employee when the
5 injury was incurred.

6 The city shall contribute to the fund each year the amount
7 required for all compensation annuities payable during any
8 such year. Supplemental Annuity shall be provided from city
9 contributions after the date of the employee's death of such
10 equal sums annually which when improved by interest at the
11 effective rate, will be sufficient, at the time payment of
12 Compensation Annuity to the widow ceases to provide
13 Supplemental Annuity, as stated, for the widow throughout her
14 life thereafter.

15 Unless the performance of an act or acts of duty results
16 solely in the death of the employee, the annuity provided in
17 this Section shall not be paid. For the purposes of this
18 Section only, the death of any employee as a result of the
19 exposure to and contraction of COVID-19, as evidenced by
20 either (i) a confirmed positive laboratory test for COVID-19
21 or COVID-19 antibodies or (ii) a confirmed diagnosis of
22 COVID-19 from a licensed medical professional, shall be
23 rebuttably presumed to have been contracted while in the
24 performance of an act or acts of duty and the employee shall be
25 rebuttably presumed to have been fatally injured while in
26 active service. The presumption shall apply to any employee

1 who was exposed to and contracted COVID-19 on or after March 9,
2 2020 and on or before June 30, 2021; except that the
3 presumption shall not apply if the employee was on a leave of
4 absence from his or her employment or otherwise not required
5 to report for duty at the physical work space generally
6 assigned to the employee, including, but not limited to,
7 working remotely, for a period of 14 or more consecutive days
8 immediately prior to the date of contraction of COVID-19. For
9 the purposes of determining when an employee contracted
10 COVID-19 under this paragraph, the date of contraction is
11 either the date that the employee was diagnosed with COVID-19
12 or was unable to work due to symptoms that were later diagnosed
13 as COVID-19, whichever occurred first.

14 (Source: Laws 1963, p. 161.)

15 Section 90. The State Mandates Act is amended by adding
16 Section 8.45 as follows:

17 (30 ILCS 805/8.45 new)

18 Sec. 8.45. Exempt mandate. Notwithstanding Sections 6 and
19 8 of this Act, no reimbursement by the State is required for
20 the implementation of any mandate created by this amendatory
21 Act of the 102nd General Assembly."

22 Section 999. Effective date. This Act takes effect upon
23 becoming law."