



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3385

Introduced 2/8/2024, by Sen. Robert Peters

SYNOPSIS AS INTRODUCED:

5 ILCS 345/1	from Ch. 70, par. 91
5 ILCS 345/2	
820 ILCS 315/2	from Ch. 48, par. 282
820 ILCS 315/3	from Ch. 48, par. 283
820 ILCS 315/3.5	
820 ILCS 315/4	from Ch. 48, par. 284
820 ILCS 320/3	

Amends the Public Employee Disability Act, the Line of Duty Compensation Act, and the Public Safety Employee Benefits Act. Includes mental health professionals within the scope of the Acts. Defines "mental health professional" as any person employed and dispatched by a unit of local government to respond to crisis calls received on public emergency service lines instead of or in conjunction with law enforcement.

LRB103 37712 SPS 67839 b

1 AN ACT concerning employment.

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

4 Section 5. The Public Employee Disability Act is amended
5 by changing Sections 1 and 2 as follows:

6 (5 ILCS 345/1) (from Ch. 70, par. 91)

7 Sec. 1. Disability benefit.

8 (a) For the purposes of this Section, "eligible employee"
9 means any part-time or full-time State correctional officer or
10 any other full or part-time employee of the Department of
11 Corrections, any full or part-time employee of the Prisoner
12 Review Board, any full or part-time employee of the Department
13 of Human Services working within a penal institution or a
14 State mental health or developmental disabilities facility
15 operated by the Department of Human Services, ~~and~~ any
16 full-time law enforcement officer or full-time firefighter,
17 including a full-time paramedic or a firefighter who performs
18 paramedic duties, who is employed by the State of Illinois,
19 any unit of local government (including any home rule unit),
20 any State supported college or university, or any other public
21 entity granted the power to employ persons for such purposes
22 by law, and any full-time mental health professional employed
23 and dispatched by any unit of local government, including any

1 home rule unit, to respond to crisis calls received on public
2 emergency service lines instead of or in conjunction with law
3 enforcement.

4 (b) Whenever an eligible employee suffers any injury in
5 the line of duty which causes him to be unable to perform his
6 duties, he shall continue to be paid by the employing public
7 entity on the same basis as he was paid before the injury, with
8 no deduction from his sick leave credits, compensatory time
9 for overtime accumulations or vacation, or service credits in
10 a public employee pension fund during the time he is unable to
11 perform his duties due to the result of the injury, but not
12 longer than one year in relation to the same injury, except as
13 otherwise provided under subsection (b-5). However, no injury
14 to an employee of the Department of Corrections or the
15 Prisoner Review Board working within a penal institution or an
16 employee of the Department of Human Services working within a
17 departmental mental health or developmental disabilities
18 facility shall qualify the employee for benefits under this
19 Section unless the injury is the direct or indirect result of
20 violence by inmates of the penal institution or residents of
21 the mental health or developmental disabilities facility.

22 (b-5) Upon the occurrence of circumstances, directly or
23 indirectly attributable to COVID-19, occurring on or after
24 March 9, 2020 and on or before June 30, 2021 (including the
25 period between December 31, 2020 and the effective date of
26 this amendatory Act of the 101st General Assembly) which would

1 hinder the physical recovery from an injury of an eligible
2 employee within the one-year period as required under
3 subsection (b), the eligible employee shall be entitled to an
4 extension of no longer than 60 days by which he or she shall
5 continue to be paid by the employing public entity on the same
6 basis as he or she was paid before the injury. The employing
7 public entity may require proof of the circumstances hindering
8 an eligible employee's physical recovery before granting the
9 extension provided under this subsection (b-5).

10 (c) At any time during the period for which continuing
11 compensation is required by this Act, the employing public
12 entity may order at the expense of that entity physical or
13 medical examinations of the injured person to determine the
14 degree of disability.

15 (d) During this period of disability, the injured person
16 shall not be employed in any other manner, with or without
17 monetary compensation. Any person who is employed in violation
18 of this paragraph forfeits the continuing compensation
19 provided by this Act from the time such employment begins. Any
20 salary compensation due the injured person from workers'
21 compensation or any salary due him from any type of insurance
22 which may be carried by the employing public entity shall
23 revert to that entity during the time for which continuing
24 compensation is paid to him under this Act. Any person with a
25 disability receiving compensation under the provisions of this
26 Act shall not be entitled to any benefits for which he would

1 qualify because of his disability under the provisions of the
2 Illinois Pension Code.

3 (e) Any employee of the State of Illinois, as defined in
4 Section 14-103.05 of the Illinois Pension Code, who becomes
5 permanently unable to perform the duties of such employment
6 due to an injury received in the active performance of his
7 duties as a State employee as a result of a willful act of
8 violence by another employee of the State of Illinois, as so
9 defined, committed during such other employee's course of
10 employment and after January 1, 1988, shall be eligible for
11 benefits pursuant to the provisions of this Section. For
12 purposes of this Section, permanent disability is defined as a
13 diagnosis or prognosis of an inability to return to current
14 job duties by a physician licensed to practice medicine in all
15 of its branches.

16 (f) The compensation and other benefits provided to
17 part-time employees covered by this Section shall be
18 calculated based on the percentage of time the part-time
19 employee was scheduled to work pursuant to his or her status as
20 a part-time employee.

21 (g) Pursuant to paragraphs (h) and (i) of Section 6 of
22 Article VII of the Illinois Constitution, this Act
23 specifically denies and limits the exercise by home rule units
24 of any power which is inconsistent herewith, and all existing
25 laws and ordinances which are inconsistent herewith are hereby
26 superseded. This Act does not preempt the concurrent exercise

1 by home rule units of powers consistent herewith.

2 This Act does not apply to any home rule unit with a
3 population of over 1,000,000.

4 (h) In those cases where the injury to a State employee for
5 which a benefit is payable under this Act was caused under
6 circumstances creating a legal liability for damages on the
7 part of some person other than the State employer, all of the
8 rights and privileges, including the right to notice of suit
9 brought against such other person and the right to commence or
10 join in such suit, as given the employer, together with the
11 conditions or obligations imposed under paragraph (b) of
12 Section 5 of the Workers' Compensation Act, are also given and
13 granted to the State, to the end that, with respect to State
14 employees only, the State may be paid or reimbursed for the
15 amount of benefit paid or to be paid by the State to the
16 injured employee or his or her personal representative out of
17 any judgment, settlement, or payment for such injury obtained
18 by such injured employee or his or her personal representative
19 from such other person by virtue of the injury.

20 (Source: P.A. 100-1143, eff. 1-1-19; 101-651, eff. 8-7-20;
21 101-653, eff. 2-28-21.)

22 (5 ILCS 345/2)

23 Sec. 2. Illness disability benefit.

24 (a) As used in this Section:

25 "Eligible employee" means any full-time law enforcement

1 officer, any ~~or~~ full-time firefighter, including a full-time
2 paramedic or a firefighter who performs paramedic duties, who
3 is employed by any unit of local government, including any
4 home rule unit, and any full-time mental health professional
5 employed and dispatched by any unit of local government,
6 including any home rule unit, to respond to crisis calls
7 received on public emergency service lines instead of or in
8 conjunction with law enforcement.

9 "Illness" means any illness, disease, or condition the
10 presence of which in a community results in the declaration of
11 a disaster or emergency by a State, county, or municipal
12 official.

13 (b) Whenever an eligible employee suffers an illness in
14 the line of duty which causes the employee to be unable to
15 perform the employee's duties, the employee shall continue to
16 be paid by the employing public entity on the same basis as the
17 employee was paid before the illness, with no deduction from
18 the employee's sick leave credits, compensatory time for
19 overtime accumulations or vacation, or service credits in a
20 public pension fund during the time the employee is unable to
21 perform the employee's duties due to the result of the
22 illness, but not longer than one year in relation to the same
23 illness.

24 (c) At any time during the period for which continuing
25 compensation is required by this Act, the employing public
26 entity may order at the expense of that entity physical or

1 medical examinations of the ill person to determine the degree
2 of disability.

3 (d) During this period of disability, the ill person shall
4 not be employed in any other manner, with or without a monetary
5 compensation. Any person who is employed in violation of this
6 subsection forfeits the continuing compensation provided by
7 this Act from the time such employment begins. Any salary
8 compensation due to the ill person from workers' compensation
9 or any salary due to the employee from any type of insurance
10 which may be carried by the employing public entity shall
11 revert to that entity during the time for which continuing
12 compensation is paid to the employee under this Act. Any
13 person with a disability receiving compensation under the
14 provisions of this Act shall not be entitled to any benefits
15 for which the employee would qualify because of the employee's
16 disability under the provisions of the Illinois Pension Code.

17 (e) Pursuant to paragraphs (h) and (i) of Section 6 of
18 Article VII of the Illinois Constitution, this Act
19 specifically denies and limits the exercise by home rule units
20 of any power which is inconsistent herewith, and all existing
21 laws and ordinances which are inconsistent herewith are hereby
22 superseded. This Act does not preempt the concurrent exercise
23 by home rule units of powers consistent herewith.

24 This Act does not apply to any home rule unit with a
25 population of over 1,000,000.

26 (Source: P.A. 103-63, eff. 1-1-24.)

1 Section 10. The Line of Duty Compensation Act is amended
2 by changing Sections 2, 3, 3.5, and 4 as follows:

3 (820 ILCS 315/2) (from Ch. 48, par. 282)

4 Sec. 2. As used in this Act, unless the context otherwise
5 requires:

6 (a) "Law enforcement officer" or "officer" means any
7 person employed by the State or a local governmental entity as
8 a policeman, peace officer, auxiliary policeman or in some
9 like position involving the enforcement of the law and
10 protection of the public interest at the risk of that person's
11 life. This includes supervisors, wardens, superintendents and
12 their assistants, guards and keepers, correctional officers,
13 youth supervisors, parole agents, aftercare specialists,
14 school teachers and correctional counsellors in all facilities
15 of both the Department of Corrections and the Department of
16 Juvenile Justice, while within the facilities under the
17 control of the Department of Corrections or the Department of
18 Juvenile Justice or in the act of transporting inmates or
19 wards from one location to another or while performing their
20 official duties, and all other Department of Correction or
21 Department of Juvenile Justice employees who have daily
22 contact with inmates. For the purposes of this Act, "law
23 enforcement officer" or "officer" also means a probation
24 officer, as defined in Section 9b of the Probation and

1 Probation Officers Act.

2 The death of the foregoing employees of the Department of
3 Corrections or the Department of Juvenile Justice in order to
4 be included herein must be by the direct or indirect willful
5 act of an inmate, ward, work-releasee, parolee, aftercare
6 releasee, parole violator, aftercare release violator, person
7 under conditional release, or any person sentenced or
8 committed, or otherwise subject to confinement in or to the
9 Department of Corrections or the Department of Juvenile
10 Justice.

11 (b) "Fireman" means any person employed by the State or a
12 local governmental entity as, or otherwise serving as, a
13 member or officer of a fire department either for the purpose
14 of the prevention or control of fire or the underwater
15 recovery of drowning victims, including volunteer firemen.

16 (c) "Local governmental entity" includes counties,
17 municipalities and municipal corporations.

18 (d) "State" means the State of Illinois and its
19 departments, divisions, boards, bureaus, commissions,
20 authorities and colleges and universities.

21 (e) "Killed in the line of duty" means losing one's life as
22 a result of injury received in the active performance of
23 duties as a law enforcement officer, civil defense worker,
24 civil air patrol member, paramedic, fireman, mental health
25 professional, or chaplain if the death occurs within one year
26 from the date the injury was received and if that injury arose

1 from violence or other accidental cause. In the case of a State
2 employee, "killed in the line of duty" means losing one's life
3 as a result of injury received in the active performance of
4 one's duties as a State employee, if the death occurs within
5 one year from the date the injury was received and if that
6 injury arose from a willful act of violence by another State
7 employee committed during such other employee's course of
8 employment and after January 1, 1988. The term excludes death
9 resulting from the willful misconduct or intoxication of the
10 officer, civil defense worker, civil air patrol member,
11 paramedic, fireman, mental health professional, chaplain, or
12 State employee. However, the burden of proof of such willful
13 misconduct or intoxication of the officer, civil defense
14 worker, civil air patrol member, paramedic, fireman, mental
15 health professional, chaplain, or State employee is on the
16 Attorney General. Subject to the conditions set forth in
17 subsection (a) with respect to inclusion under this Act of
18 Department of Corrections and Department of Juvenile Justice
19 employees described in that subsection, for the purposes of
20 this Act, instances in which a law enforcement officer
21 receives an injury in the active performance of duties as a law
22 enforcement officer include but are not limited to instances
23 when:

- 24 (1) the injury is received as a result of a wilful act
25 of violence committed other than by the officer and a
26 relationship exists between the commission of such act and

1 the officer's performance of his duties as a law
2 enforcement officer, whether or not the injury is received
3 while the officer is on duty as a law enforcement officer;

4 (2) the injury is received by the officer while the
5 officer is attempting to prevent the commission of a
6 criminal act by another or attempting to apprehend an
7 individual the officer suspects has committed a crime,
8 whether or not the injury is received while the officer is
9 on duty as a law enforcement officer;

10 (3) the injury is received by the officer while the
11 officer is travelling to or from his employment as a law
12 enforcement officer or during any meal break, or other
13 break, which takes place during the period in which the
14 officer is on duty as a law enforcement officer.

15 In the case of an Armed Forces member, "killed in the line
16 of duty" means losing one's life while on active duty in
17 connection with the September 11, 2001 terrorist attacks on
18 the United States, Operation Enduring Freedom, Operation
19 Freedom's Sentinel, Operation Iraqi Freedom, Operation New
20 Dawn, or Operation Inherent Resolve.

21 (f) "Volunteer fireman" means a person having principal
22 employment other than as a fireman, but who is carried on the
23 rolls of a regularly constituted fire department either for
24 the purpose of the prevention or control of fire or the
25 underwater recovery of drowning victims, the members of which
26 are under the jurisdiction of the corporate authorities of a

1 city, village, incorporated town, or fire protection district,
2 and includes a volunteer member of a fire department organized
3 under the "General Not for Profit Corporation Act", approved
4 July 17, 1943, as now or hereafter amended, which is under
5 contract with any city, village, incorporated town, fire
6 protection district, or persons residing therein, for fire
7 fighting services. "Volunteer fireman" does not mean an
8 individual who volunteers assistance without being regularly
9 enrolled as a fireman.

10 (g) "Civil defense worker" means any person employed by
11 the State or a local governmental entity as, or otherwise
12 serving as, a member of a civil defense work force, including
13 volunteer civil defense work forces engaged in serving the
14 public interest during periods of disaster, whether natural or
15 man-made.

16 (h) "Civil air patrol member" means any person employed by
17 the State or a local governmental entity as, or otherwise
18 serving as, a member of the organization commonly known as the
19 "Civil Air Patrol", including volunteer members of the
20 organization commonly known as the "Civil Air Patrol".

21 (i) "Paramedic" means an Emergency Medical
22 Technician-Paramedic certified by the Illinois Department of
23 Public Health under the Emergency Medical Services (EMS)
24 Systems Act, and all other emergency medical personnel
25 certified by the Illinois Department of Public Health who are
26 members of an organized body or not-for-profit corporation

1 under the jurisdiction of a city, village, incorporated town,
2 fire protection district or county, that provides emergency
3 medical treatment to persons of a defined geographical area.

4 (j) "State employee" means any employee as defined in
5 Section 14-103.05 of the Illinois Pension Code, as now or
6 hereafter amended.

7 (k) "Chaplain" means an individual who:

8 (1) is a chaplain of (i) a fire department or (ii) a
9 police department or other agency consisting of law
10 enforcement officers; and

11 (2) has been designated a chaplain by (i) the fire
12 department, police department, or other agency or an
13 officer or body having jurisdiction over the department or
14 agency or (ii) a labor organization representing the
15 firemen or law enforcement officers.

16 (l) "Armed Forces member" means an Illinois resident who
17 is: a member of the Armed Forces of the United States; a member
18 of the Illinois National Guard while on active military
19 service pursuant to an order of the President of the United
20 States; or a member of any reserve component of the Armed
21 Forces of the United States while on active military service
22 pursuant to an order of the President of the United States.

23 (m) "Mental health professional" means any person employed
24 and dispatched by a unit of local government to respond to
25 crisis calls received on public emergency service lines
26 instead of or in conjunction with law enforcement.

1 (Source: P.A. 102-221, eff. 1-1-22.)

2 (820 ILCS 315/3) (from Ch. 48, par. 283)

3 Sec. 3. Duty death benefit.

4 (a) If a claim therefor is made within 2 years of the date
5 of death of a law enforcement officer, civil defense worker,
6 civil air patrol member, paramedic, fireman, chaplain, mental
7 health professional, or State employee killed in the line of
8 duty, or if a claim therefor is made within 2 years of the date
9 of death of an Armed Forces member killed in the line of duty,
10 compensation shall be paid to the person designated by the law
11 enforcement officer, civil defense worker, civil air patrol
12 member, paramedic, fireman, chaplain, mental health
13 professional, State employee, or Armed Forces member. However,
14 if the Armed Forces member was killed in the line of duty
15 before October 18, 2004, the claim must be made within one year
16 of October 18, 2004. In addition, if a death occurred after
17 December 31, 2016 and before January 1, 2021, the claim may be
18 made no later than December 31, 2022 notwithstanding any other
19 deadline established under this Act with respect to filing a
20 claim for a duty death benefit.

21 (b) The amount of compensation, except for an Armed Forces
22 member, shall be \$10,000 if the death in the line of duty
23 occurred prior to January 1, 1974; \$20,000 if such death
24 occurred after December 31, 1973 and before July 1, 1983;
25 \$50,000 if such death occurred on or after July 1, 1983 and

1 before January 1, 1996; \$100,000 if the death occurred on or
2 after January 1, 1996 and before May 18, 2001; \$118,000 if the
3 death occurred on or after May 18, 2001 and before July 1,
4 2002; and \$259,038 if the death occurred on or after July 1,
5 2002 and before January 1, 2003. For an Armed Forces member
6 killed in the line of duty (i) at any time before January 1,
7 2005, the compensation is \$259,038 plus amounts equal to the
8 increases for 2003 and 2004 determined under subsection (c)
9 and (ii) on or after January 1, 2005, the compensation is the
10 amount determined under item (i) plus the applicable increases
11 for 2005 and thereafter determined under subsection (c).

12 (c) Except as provided in subsection (b), for deaths
13 occurring on or after January 1, 2003, the death compensation
14 rate for death in the line of duty occurring in a particular
15 calendar year shall be the death compensation rate for death
16 occurring in the previous calendar year (or in the case of
17 deaths occurring in 2003, the rate in effect on December 31,
18 2002) increased by a percentage thereof equal to the
19 percentage increase, if any, in the index known as the
20 Consumer Price Index for All Urban Consumers: U.S. city
21 average, unadjusted, for all items, as published by the United
22 States Department of Labor, Bureau of Labor Statistics, for
23 the 12 months ending with the month of June of that previous
24 calendar year.

25 (d) If no beneficiary is designated or if no designated
26 beneficiary survives at the death of the law enforcement

1 officer, civil defense worker, civil air patrol member,
2 paramedic, fireman, mental health professional, chaplain, or
3 State employee killed in the line of duty, the compensation
4 shall be paid in accordance with a legally binding will left by
5 the law enforcement officer, civil defense worker, civil air
6 patrol member, paramedic, fireman, mental health professional,
7 chaplain, or State employee. If the law enforcement officer,
8 civil defense worker, civil air patrol member, paramedic,
9 fireman, mental health professional, chaplain, or State
10 employee did not leave a legally binding will, the
11 compensation shall be paid as follows:

12 (1) when there is a surviving spouse, the entire sum
13 shall be paid to the spouse;

14 (2) when there is no surviving spouse, but a surviving
15 descendant of the decedent, the entire sum shall be paid
16 to the decedent's descendants per stirpes;

17 (3) when there is neither a surviving spouse nor a
18 surviving descendant, the entire sum shall be paid to the
19 parents of the decedent in equal parts, allowing to the
20 surviving parent, if one is dead, the entire sum; and

21 (4) when there is no surviving spouse, descendant or
22 parent of the decedent, but there are surviving brothers
23 or sisters, or descendants of a brother or sister, who
24 were receiving their principal support from the decedent
25 at his death, the entire sum shall be paid, in equal parts,
26 to the dependent brothers or sisters or dependent

1 descendant of a brother or sister. Dependency shall be
2 determined by the Court of Claims based upon the
3 investigation and report of the Attorney General.

4 The changes made to this subsection (d) by this amendatory Act
5 of the 94th General Assembly apply to any pending case as long
6 as compensation has not been paid to any party before the
7 effective date of this amendatory Act of the 94th General
8 Assembly.

9 (d-1) For purposes of subsection (d), in the case of a
10 person killed in the line of duty who was born out of wedlock
11 and was not an adoptive child at the time of the person's
12 death, a person shall be deemed to be a parent of the person
13 killed in the line of duty only if that person would be an
14 eligible parent, as defined in Section 2-2 of the Probate Act
15 of 1975, of the person killed in the line of duty. This
16 subsection (d-1) applies to any pending claim if compensation
17 was not paid to the claimant of the pending claim before the
18 effective date of this amendatory Act of the 94th General
19 Assembly.

20 (d-2) If no beneficiary is designated or if no designated
21 beneficiary survives at the death of the Armed Forces member
22 killed in the line of duty, the compensation shall be paid in
23 entirety according to the designation made on the most recent
24 version of the Armed Forces member's Servicemembers' Group
25 Life Insurance Election and Certificate ("SGLI").

26 If no SGLI form exists at the time of the Armed Forces

1 member's death, the compensation shall be paid in accordance
2 with a legally binding will left by the Armed Forces member.

3 If no SGLI form exists for the Armed Forces member and the
4 Armed Forces member did not leave a legally binding will, the
5 compensation shall be paid to the persons and in the priority
6 as set forth in paragraphs (1) through (4) of subsection (d) of
7 this Section.

8 This subsection (d-2) applies to any pending case as long
9 as compensation has not been paid to any party before the
10 effective date of this amendatory Act of the 94th General
11 Assembly.

12 (e) If there is no beneficiary designated or if no
13 designated beneficiary survives at the death of the law
14 enforcement officer, civil defense worker, civil air patrol
15 member, paramedic, fireman, mental health professional,
16 chaplain, State employee, or Armed Forces member killed in the
17 line of duty and there is no other person or entity to whom
18 compensation is payable under this Section, no compensation
19 shall be payable under this Act.

20 (f) No part of such compensation may be paid to any other
21 person for any efforts in securing such compensation.

22 (g) This amendatory Act of the 93rd General Assembly
23 applies to claims made on or after October 18, 2004 with
24 respect to an Armed Forces member killed in the line of duty.

25 (h) In any case for which benefits have not been paid
26 within 6 months of the claim being filed in accordance with

1 this Section, which is pending as of the effective date of this
2 amendatory Act of the 96th General Assembly, and in which
3 there are 2 or more beneficiaries, at least one of whom would
4 receive at least a portion of the total benefit regardless of
5 the manner in which the Court of Claims resolves the claim, the
6 Court shall direct the Comptroller to pay the minimum amount
7 of money which the determinate beneficiary would receive
8 together with all interest payment penalties which have
9 accrued on that portion of the award being paid within 30 days
10 of the effective date of this amendatory Act of the 96th
11 General Assembly. For purposes of this subsection (h),
12 "determinate beneficiary" means the beneficiary who would
13 receive any portion of the total benefit claimed regardless of
14 the manner in which the Court of Claims adjudicates the claim.

15 (i) The Court of Claims shall ensure that all individuals
16 who have filed an application to claim the duty death benefit
17 for a deceased member of the Armed Forces pursuant to this
18 Section or for a fireman pursuant to this Section, or their
19 designated representative, shall have access, on a timely
20 basis and in an efficient manner, to all information related
21 to the court's consideration, processing, or adjudication of
22 the claim, including, but not limited to, the following:

23 (1) a reliable estimate of when the Court of Claims
24 will adjudicate the claim, or if the Court cannot estimate
25 when it will adjudicate the claim, a full written
26 explanation of the reasons for this inability; and

1 (2) a reliable estimate, based upon consultation with
2 the Comptroller, of when the benefit will be paid to the
3 claimant.

4 (j) The Court of Claims shall send written notice to all
5 claimants within 2 weeks of the initiation of a claim
6 indicating whether or not the application is complete. For
7 purposes of this subsection (j), an application is complete if
8 a claimant has submitted to the Court of Claims all documents
9 and information the Court requires for adjudicating and paying
10 the benefit amount. For purposes of this subsection (j), a
11 claim for the duty death benefit is initiated when a claimant
12 submits any of the application materials required for
13 adjudicating the claim to the Court of Claims. In the event a
14 claimant's application is incomplete, the Court shall include
15 in its written notice a list of the information or documents
16 which the claimant must submit in order for the application to
17 be complete. In no case may the Court of Claims deny a claim
18 and subsequently re-adjudicate the same claim for the purpose
19 of evading or reducing the interest penalty payment amount
20 payable to any claimant.

21 (Source: P.A. 102-215, eff. 7-30-21; 103-8, eff. 6-7-23.)

22 (820 ILCS 315/3.5)

23 Sec. 3.5. Burial benefit. A burial benefit of up to a
24 maximum of \$20,000 shall be payable to the surviving spouse or
25 estate of a law enforcement officer, mental health

1 professional, or fireman who is killed in the line of duty
2 after June 30, 2018.

3 The Attorney General and the Court of Claims may jointly
4 adopt rules and procedures for the implementation of this
5 Section.

6 (Source: P.A. 101-28, eff. 1-1-20.)

7 (820 ILCS 315/4) (from Ch. 48, par. 284)

8 Sec. 4. Notwithstanding Section 3, no compensation is
9 payable under this Act unless a claim therefor is filed,
10 within the time specified by that Section with the Court of
11 Claims on an application prescribed and furnished by the
12 Attorney General and setting forth:

13 (a) the name, address and title or designation of the
14 position in which the officer, civil defense worker, civil
15 air patrol member, paramedic, fireman, chaplain, State
16 employee, or Armed Forces member was serving at the time
17 of his death;

18 (b) the names and addresses of person or persons
19 designated by the officer, civil defense worker, civil air
20 patrol member, paramedic, fireman, chaplain, mental health
21 professional, State employee, or Armed Forces member to
22 receive the compensation and, if more than one, the
23 percentage or share to be paid to each such person, or if
24 there has been no such designation, the name and address
25 of the personal representative of the estate of the

1 officer, civil defense worker, civil air patrol member,
2 paramedic, fireman, mental health professional, chaplain,
3 State employee, or Armed Forces member;

4 (c) a full, factual account of the circumstances
5 resulting in or the course of events causing the death of
6 the officer, civil defense worker, civil air patrol
7 member, paramedic, fireman, mental health professional,
8 chaplain, State employee, or Armed Forces member; and

9 (d) such other information as the Court of Claims
10 reasonably requires.

11 When a claim is filed, the Attorney General shall make an
12 investigation for substantiation of matters set forth in such
13 an application.

14 For the 2 years immediately following the effective date
15 of this amendatory act of the 96th General Assembly, the Court
16 of Claims shall direct the Comptroller to pay a
17 "Modified-Eligibility Line of Duty Benefit" to eligible late
18 claimants who file a claim for the benefit. A claim for a
19 Modified-Eligibility Line of Duty Benefit must include all the
20 application materials and documents required for all other
21 claims payable under this Act, except as otherwise provided in
22 this Section 4. For purposes of this Section 4 only, an
23 "eligible late claimant" is a person who would have been
24 eligible, at any time after September 11, 2001, to apply for
25 and receive payment of a claim pursuant to this Act in
26 connection with the death of an Armed Forces member killed in

1 the line of duty or a fireman killed in the line of duty, but
2 did not receive the award payment because:

3 (1) the claim was rejected only because the claim was
4 not filed within the time limitation set forth in
5 subsection (a) of Section 3 of this Act; or

6 (2) having met all other preconditions for applying
7 for and receiving the award payment, the claimant did not
8 file a claim because the claim would not have been filed
9 within the time limitation set forth in subsection (a) of
10 Section 3 of this Act. For purposes of this Section 4 only,
11 the "Modified-Eligibility Line of Duty Benefit" is an
12 amount of money payable to eligible late claimants equal
13 to the amount set forth in Section 3 of this Act payable to
14 claimants seeking payment of awards under Section 3 of
15 this Act for claims made thereunder in the year in which
16 the claim for the Modified-Eligibility Line of Duty
17 Benefit is made. Within 6 months of receiving a complete
18 claim for the Modified-Eligibility Line of Duty Benefit,
19 the Court of Claims must direct the Comptroller to pay the
20 benefit amount to the eligible late claimant.

21 (Source: P.A. 96-539, eff. 1-1-10; 96-923, eff. 1-1-11.)

22 Section 15. The Public Safety Employee Benefits Act is
23 amended by changing Section 3 as follows:

24 (820 ILCS 320/3)

1 Sec. 3. Definition. For the purposes of this Act, the term
2 "firefighter" includes, without limitation, a licensed
3 emergency medical technician (EMT) who is a sworn member of a
4 public fire department, a paramedic employed by a unit of
5 local government, or an EMT, emergency medical
6 technician-intermediate (EMT-I), or advanced emergency medical
7 technician (A-EMT) employed by a unit of local government.

8 For the purposes of this Act, the term "health insurance
9 plan" is limited to the insurance plan options that are
10 codified in the employee's collective bargaining agreement. If
11 the collective bargaining agreement is silent on plan options,
12 the available plans for the employee shall be negotiated with
13 the authorized representative and subject to the grievance
14 process.

15 For the purposes of this Act, the term "full-time law
16 enforcement" includes mental health professionals employed and
17 dispatched by a unit of local government to respond to crisis
18 calls received on public emergency service lines instead of or
19 in conjunction with law enforcement.

20 (Source: P.A. 102-439, eff. 1-1-22.)