

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 1. Short title. This Act may be cited as the Child
5 Labor Law of 2024.

6 Section 5. Findings. The General Assembly finds that
7 minors engaged in work are deserving of enhanced workplace
8 protections. It is the intent of the General Assembly, in
9 enacting this Child Labor Law of 2024, to safeguard all
10 working minors' health, safety, welfare, and access to
11 education and the provisions of this Act shall be interpreted
12 to provide the greatest protection of a minor's well-being.

13 Section 10. Definitions. As used in this Act:

14 "Construction" means any constructing, altering,
15 reconstructing, repairing, rehabilitating, refinishing,
16 refurbishing, remodeling, remediating, renovating, custom
17 fabricating, maintenance, landscaping, improving, wrecking,
18 painting, decorating, demolishing, and adding to or
19 subtracting from any building, structure, highway, roadway,
20 street, bridge, alley, sewer, ditch, sewage disposal plant,
21 water works, parking facility, railroad, excavation or other
22 structure, project, development, real property or improvement,

1 or to do any part thereof, whether or not the performance of
2 the work herein described involves the addition to, or
3 fabrication into, any structure, project, development, real
4 property or improvement herein described of any material or
5 article of merchandise. "Construction" also includes moving
6 construction-related materials on the job site to or from the
7 job site.

8 "Department" means the Department of Labor.

9 "Director" means the Director of Labor.

10 "District superintendent of schools" means an individual
11 employed by a board of education in accordance with Section
12 10-21.4 of the School Code and the chief executive officer of a
13 school district in a city with over 500,000 inhabitants.

14 "Duly authorized agent" means an individual who has been
15 designated by a regional or district superintendent of schools
16 as his or her agent for the limited purpose of issuing
17 employment certificates to minors under the age of 16 and may
18 include officials of any public school district, charter
19 school, or any State-recognized, non-public school.

20 "Employ" means to allow, suffer, or permit to work.

21 "Employer" means a person who employs a minor to work.

22 "Family" means a group of persons related by blood or
23 marriage, including civil partnerships, or whose close
24 relationship with each other is considered equivalent to a
25 family relationship by the individuals.

26 "Minor" means any person under the age of 16.

1 "Online platform" means any public-facing website, web
2 application, or digital application, including a mobile
3 application. "Online platform" includes a social network,
4 advertising network, mobile operating system, search engine,
5 email service, or Internet access service.

6 "Person" means any natural person, individual,
7 corporation, business enterprise, or other legal entity,
8 either public or private, and any legal successor,
9 representative, agent, or agency of that individual,
10 corporation, business enterprise, or legal entity.

11 "Regional superintendent of schools" means the chief
12 administrative officer of an educational service region as
13 described in Section 3A-2 of the School Code.

14 "School hours" means, for a minor of compulsory school age
15 who is enrolled in a public or non-public school that is
16 registered with or recognized by the State Board of Education,
17 the hours the minor's school is in session. "School hours"
18 means, for a minor of compulsory school age who is not enrolled
19 in a public or non-public school that is registered with or
20 recognized by the State Board of Education, the hours that the
21 minor's local public school in the district where the minor
22 resides is in session.

23 "School issuing officer" means a regional or district
24 superintendent of schools, or his or her duly authorized
25 agent.

26 "Vlog" means content shared on an online platform in

1 exchange for compensation.

2 "Vlogger" means an individual or family that creates video
3 content, performed in Illinois, in exchange for compensation,
4 and includes any proprietorship, partnership, company, or
5 other corporate entity assuming the name or identity of a
6 particular individual or family for the purposes of that
7 content creation. "Vlogger" does not include any person under
8 the age of 16 who produces his or her own vlogs.

9 Section 15. Employment of minors.

10 (a) A person shall not employ, allow, or permit a minor to
11 work in Illinois unless that work meets the requirements of
12 this Act and any rules adopted under this Act.

13 (b) A person may employ, allow, or permit a minor 14 or 15
14 years of age to work outside of school hours, except at work
15 sites prohibited under Section 55, after being issued a
16 certificate authorizing that employment.

17 (c) A person shall not employ, allow, or permit a minor 13
18 years of age or younger to work in any occupation or at any
19 work site not explicitly authorized by or exempted from this
20 Act.

21 Section 20. Exemptions.

22 (a) Nothing in this Act applies to the work of a minor
23 engaged in agricultural pursuits, except that no minor under
24 12 years of age, except members of the farmer's own family who

1 live with the farmer at his principal place of residence, at
2 any time shall be employed, allowed, or permitted to work in
3 any gainful occupation in connection with agriculture, except
4 that any minor of 10 years of age or older shall be permitted
5 to work in a gainful occupation in connection with agriculture
6 during school vacations or outside of school hours.

7 (b) Nothing in this Act applies to the work of a minor
8 engaged in the sale and distribution of magazines and
9 newspapers outside of school hours.

10 (c) Nothing in this Act applies a minor's performance of
11 household chores or babysitting outside of school hours if
12 that work is performed in or about a private residence and not
13 in connection with an established business, trade, or
14 profession of the person employing, allowing, or permitting
15 the minor to perform the activities.

16 (d) Nothing in this Act applies to the work of a minor 13
17 years of age or older in caddying at a golf course.

18 (e) Nothing in this Act applies to a minor 14 or 15 years
19 of age who is, under the direction of the minor's school,
20 participating in work-based learning programs in accordance
21 with the School Code.

22 (f) Nothing in this Act prohibits an employer from
23 employing, allowing, or permitting a minor 12 or 13 years of
24 age to work as an officiant or an assistant instructor of youth
25 sports activities for a not-for-profit youth club, park
26 district, or municipal parks and recreation department if the

1 employer obtains certification as provided for in Section 55
2 and:

3 (1) the parent or guardian of the minor who is working
4 as an officiant or an assistant instructor, or an adult
5 designated by the parent or guardian, shall be present at
6 the youth sports activity while the minor is working;

7 (2) the minor may work as an officiant or an assistant
8 instructor for a maximum of 3 hours per day on school days
9 and a maximum of 4 hours per day on non-school days;

10 (3) the minor shall not exceed 10 hours of officiating
11 and working as assistant instructor in any week;

12 (4) the minor shall not work later than 9:00 p.m. on
13 any day of the week; and

14 (5) the participants in the youth sports activity are
15 at least 3 years younger than the minor unless an
16 individual 16 years of age or older is officiating or
17 instructing the same youth sports activity with the minor.

18 The failure to satisfy the requirements of this subsection
19 may result in the revocation of the minor's employment
20 certificate.

21 Section 25. Allowable work hours. Except as allowed under
22 Section 30, no employer shall employ, allow, or permit a minor
23 to work:

24 (1) more than 18 hours during a week when school is in
25 session;

1 (2) more than 40 hours during a week when school is not
2 in session;

3 (3) more than 8 hours in any single 24-hour period;

4 (4) between 7 p.m. and 7 a.m. from Labor Day until June
5 1 or between 9 p.m. and 7 a.m. from June 1 until Labor Day;
6 or

7 (5) more than 3 hours per day or more than 8 hours
8 total of work and school hours on days when school is in
9 session.

10 Section 30. Exceptions to allowable work hours.

11 (a) An employer may employ, allow, or permit a minor under
12 the age of 16 to work a maximum of 8 hours on each Saturday and
13 on Sunday during the school year if:

14 (1) the minor does not work outside of school hours
15 more than 6 consecutive days in any one week; and

16 (2) the number of hours worked by the minor outside of
17 school hours in any week does not exceed 24.

18 (b) A minor working as a live theatrical performer as
19 described in Section 45 shall be permitted to work until 11
20 p.m. on nights when performances are held.

21 (c) A minor under 16 years of age working as a performer as
22 described in Section 50 shall be permitted to work until 10
23 p.m.

24 (d) A park district, not-for-profit youth club, or
25 municipal parks and recreation department may allow a minor 14

1 years of age or older to work in a recreational or educational
2 activity beyond the hours identified in Section 25 as follows:

3 (1) From Labor Day until June 1, an employer may allow
4 a minor to work until 9 p.m. on school days if the
5 following conditions are met:

6 (A) the minor does not work more than 3 hours per
7 day;

8 (B) the minor does not work on more than 2 school
9 days in that week; and

10 (C) the minor does not work more than 24 total
11 hours outside school hours in that week.

12 (2) From June 1 to Labor Day, an employer may allow a
13 minor to work until 10 p.m. and no earlier than 7 a.m.

14 (3) For a minor who attends a school that operates a
15 year-round schedule, an employer may allow the minor to
16 work until 10 p.m. and no earlier than 7 a.m. during
17 periods when school is not in session for the minor. If
18 school is in session, then the minor who attends a school
19 that operates a year-round schedule may work until 9 p.m.
20 on school days and no earlier than 7 a.m., if the following
21 conditions are met:

22 (A) the minor does not work more than 3 hours per
23 day;

24 (B) the minor does not work on more than 2 school
25 days in that week; and

26 (C) the minor does not work more than 24 total

1 hours outside school hours in that week.

2 Section 35. Employer requirements.

3 (a) It shall be unlawful for any person to employ, allow,
4 or permit any minor to work unless the minor obtains an
5 employment certificate authorizing the minor to work for that
6 person. Any person seeking to employ, allow, or permit any
7 minor to work shall provide that minor with a notice of
8 intention to employ to be submitted by the minor to the minor's
9 school issuing officer with the minor's application for an
10 employment certificate.

11 (b) Every employer of one or more minors shall maintain,
12 on the premises where the work is being done, records that
13 include the name, date of birth, and place of residence of
14 every minor who works for that employer, notice of intention
15 to employ the minor, and the minor's employment certificate.
16 Authorized officers and employees of the Department, truant
17 officers, and other school officials charged with the
18 enforcement of school attendance requirements described in
19 Section 26-1 of the School Code may inspect the records
20 without notice at any time.

21 (c) Every employer of minors shall ensure that all minors
22 are supervised by an adult 21 years of age or older, on site,
23 at all times while the minor is working.

24 (d) No person shall employ, allow, or permit any minor to
25 work for more than 5 hours continuously without an interval of

1 at least 30 minutes for a meal period. No period of less than
2 30 minutes shall be deemed to interrupt a continuous period of
3 work.

4 (e) Every employer who employs one or more minors shall
5 post in a conspicuous place where minors are employed,
6 allowed, or permitted to work, a notice summarizing the
7 requirements of this Act, including a list of the occupations
8 prohibited to minors and the Department's toll free telephone
9 number described in Section 85. An employer with employees who
10 do not regularly report to a physical workplace, such as
11 employees who work remotely or travel for work, shall also
12 provide the summary and notice by email to its employees or
13 conspicuous posting on the employer's website or intranet
14 site, if the site is regularly used by the employer to
15 communicate work-related information to employees and is able
16 to be regularly accessed by all employees, freely and without
17 interference. The notice shall be furnished by the Department.

18 (f) Every employer, during the period of employment of a
19 minor and for 3 years thereafter, shall keep on file, at the
20 place of employment, a copy of the employment certificate
21 issued for the minor. An employment certificate shall be valid
22 only for the employer for whom issued and a new certificate
23 shall not be issued for the employment of a minor except on the
24 presentation of a new statement of intention to employ the
25 minor. The failure of any employer to produce for inspection
26 the employment certificate for each minor in the employer's

1 establishment shall be a violation of this Act. The Department
2 may specify any other record keeping requirements by rule.

3 (g) In the event of the work-related death of a minor
4 engaged in work subject to this Act, the employer shall,
5 within 24 hours, report the death to the Department and to the
6 school official who issued the minor's work certificate for
7 that employer. In the event of a work-related injury or
8 illness of a minor that requires the employer to file a report
9 with the Illinois Workers' Compensation Commission under
10 Section 6 of the Workers' Compensation Act or Section 6 of the
11 Workers' Occupational Diseases Act, the employer shall submit
12 a copy of the report to the Department and to the school
13 official who issued the minor's work certificate for that
14 employer within 72 hours of the deadline by which the employer
15 must file the report to the Illinois Workers' Compensation
16 Commission. The report shall be subject to the confidentiality
17 provisions of Section 6 of the Workers' Compensation Act or
18 Section 6 of the Workers' Occupational Diseases Act.

19 Section 40. Restrictions on employment of minors.

20 (a) No person shall employ, allow, or permit a minor to
21 work:

22 (1) in any mechanic's garage, including garage pits,
23 repairing cars, trucks, or other vehicles or using garage
24 lifting racks;

25 (2) in the oiling, cleaning, or wiping of machinery or

1 shafting;

2 (3) in or about any mine or quarry;

3 (4) in stone cutting or polishing;

4 (5) in any factory work;

5 (6) in or about any plant manufacturing explosives or
6 articles containing explosive components, or in the use or
7 transportation of same;

8 (7) in or about plants manufacturing iron or steel,
9 ore reduction works, smelters, foundries, forging shops,
10 hot rolling mills or any other place in which the heating,
11 melting, or heat treatment of metals is carried on;

12 (8) in the operation of machinery used in the cold
13 rolling of heavy metal stock, or in the operation of
14 power-driven punching, shearing, stamping, or metal plate
15 bending machines;

16 (9) in or about logging, sawmills or lath, shingle, or
17 cooperage-stock mills;

18 (10) in the operation of power-driven woodworking
19 machines, or off-bearing from circular saws;

20 (11) in the operation and repair of freight elevators
21 or hoisting machines and cranes;

22 (12) in spray painting;

23 (13) in occupations involving exposure to lead or its
24 compounds;

25 (14) in occupations involving exposure to acids, dyes,
26 chemicals, dust, gases, vapors, or fumes that are known or

1 suspected to be dangerous to humans;

2 (15) in any occupation subject to the Amusement Ride
3 and Attraction Safety Act;

4 (16) in oil refineries, gasoline blending plants, or
5 pumping stations on oil transmission lines;

6 (17) in the operation of laundry, dry cleaning, or
7 dyeing machinery;

8 (18) in occupations involving exposure to radioactive
9 substances;

10 (19) in or about any filling station or service
11 station, except that this prohibition does not extend to
12 employment within attached convenience stores, food
13 service, or retail establishments;

14 (20) in construction work, including demolition and
15 repair;

16 (21) in any energy generation or transmission service;

17 (22) in public and private utilities and related
18 services;

19 (23) in operations in or in connection with
20 slaughtering, meat packing, poultry processing, and fish
21 and seafood processing;

22 (24) in operations which involve working on an
23 elevated surface, with or without use of equipment,
24 including, but not limited to, ladders and scaffolds;

25 (25) in security positions or any occupations that
26 require the use or carrying of a firearm or other weapon;

1 (26) in occupations which involve the handling or
2 storage of human blood, human blood products, human body
3 fluids, or human body tissues;

4 (27) in any mill, cannery, factory, workshop, or coal,
5 brick, or lumber yard;

6 (28) any occupation which is prohibited for minors
7 under federal law; or

8 (29) in any other occupation or working condition
9 determined by the Director to be hazardous.

10 (b) No person shall employ, allow, or permit a minor to
11 work at:

12 (1) any cannabis business establishment subject to the
13 Cannabis Regulation and Tax Act or Compassionate Use of
14 Medical Cannabis Program Act;

15 (2) any establishment subject to the Live Adult
16 Entertainment Facility Surcharge Act;

17 (3) any firearm range or gun range used for
18 discharging a firearm in a sporting event, for practice or
19 instruction in the use of a firearm, or the testing of a
20 firearm;

21 (4) any establishment in which items containing
22 alcohol for consumption are manufactured, distilled,
23 brewed, or bottled;

24 (5) any establishment where the primary activity is
25 the sale of alcohol or tobacco;

26 (6) an establishment operated by any holder of an

1 owners license subject to the Illinois Gambling Act; or

2 (7) any other establishment which State or federal law
3 prohibits minors from entering or patronizing.

4 (c) An employer shall not allow minors to draw, mix, pour,
5 or serve any item containing alcohol or otherwise handle any
6 open containers of alcohol. An employer shall make reasonable
7 efforts to ensure that minors are unable to access alcohol.

8 (d) An employer may allow minors aged 14 and 15 to work in
9 retail stores, except that an employer shall not allow minors
10 to handle or be able to access any goods or products which are
11 illegal for minors to purchase or possess.

12 (e) No person shall employ, allow, or permit an unlicensed
13 minor to perform work in the practice of barber, cosmetology,
14 esthetics, hair braiding, and nail technology services
15 requiring a license under the Barber, Cosmetology, Esthetics,
16 Hair Braiding, and Nail Technology Act of 1985, except for
17 students enrolled in a school and performing barber,
18 cosmetology, esthetics, hair braiding, and nail technology
19 services in accordance with that Act and rules adopted under
20 that Act.

21 (f) A person may employ, allow, or permit a minor to
22 perform office or administrative support work that does not
23 expose the minor to the work prohibited in this Section.

24 Section 45. Minors employed in live theatrical
25 performances. In addition to the other requirements of this

1 Act, an employer of a minor working in live theatrical
2 performances, including plays, musicals, recitals, or
3 concerts, is subject to the following requirements:

4 (1) An employer shall not allow a minor to work in more
5 than 2 performances in any 24-hour period.

6 (2) An employer shall not allow a minor to work in more
7 than 8 performances in any 7-day period or 9 performances
8 if a State holiday occurs during that 7-day period.

9 (3) A minor shall be accompanied by a parent,
10 guardian, or chaperone at all times while at the work
11 site.

12 (4) A minor shall not work, including performing,
13 rehearsing, or otherwise being present at the work site,
14 in connection with the performance, for more than 8 hours
15 in any 24-hour period, more than 6 days in any 7-day
16 period, more than 24 hours in any 7-day period, or after 11
17 p.m. on any night.

18 (5) A minor shall not be excused from attending school
19 except as authorized by Section 26-1 of the School Code.

20 Section 50. Minors employed in live or pre-recorded,
21 distributed, broadcast performances and modeling.

22 (a) Notwithstanding the provisions of this Act, minors
23 under 16 years of age may be employed as models or performers
24 on live or pre-recorded radio or television, in motion
25 pictures, or in other entertainment-related performances,

1 subject to conditions that may be imposed by rule by the
2 Department.

3 (b) A child performer who works in a television, motion
4 picture, or related entertainment production may be permitted
5 to be at the place of employment, within a 24-hour time period,
6 as follows:

7 (1) Minors who have reached the age of 15 days but have
8 not reached the age of 6 months may be permitted to remain
9 at the place of employment for a maximum of 2 hours. The
10 2-hour period shall consist of not more than 20 minutes of
11 work.

12 (2) Minors who have reached the age of 6 months but who
13 have not attained the age of 2 years may be permitted at
14 the place of employment for a maximum of 4 hours. The
15 4-hour period shall consist of not more than 2 hours of
16 work with the balance of the 4-hour period being rest and
17 recreation.

18 (3) Minors who have reached the age of 2 years but who
19 have not attained the age of 6 years may be permitted at
20 the place of employment for a maximum of 6 hours. The
21 6-hour period shall consist of not more than 3 hours of
22 work with the balance of the 6-hour period being rest,
23 recreation, and education.

24 (4) Minors who have reached the age of 6 years but have
25 not attained the age of 9 years may be permitted at the
26 place of employment for a maximum of 8 hours. The 8-hour

1 period shall consist of not more than 4 hours of work and
2 at least 3 hours of schooling when the minor's school is in
3 session. The studio teacher shall ensure that the minor
4 receives up to one hour of rest and recreation. On days
5 when the minor's school is not in session, working hours
6 may be a maximum of 6 hours and one hour of rest and
7 recreation.

8 (5) Minors who have reached the age of 9 years but who
9 have not attained the age of 16 years may be permitted at
10 the place of employment for a maximum of 9 hours. The
11 9-hour period shall consist of not more than 5 hours of
12 work and at least 3 hours of schooling when the minor's
13 school is in session. The studio teacher shall ensure that
14 the minor receives at least one hour of rest and
15 recreation. On days when the minor's school is not in
16 session, working hours may be a maximum of 7 hours and one
17 hour of rest and recreation.

18 (c) Notwithstanding the provisions of this Act, an
19 employer who employs a minor under 16 years of age in a
20 television, motion picture, or related entertainment
21 production may allow the minor to work until 10 p.m. without
22 seeking a waiver from the Department. An employer may apply to
23 the Director, or the Director's authorized representative, for
24 a waiver permitting a minor to work outside of the hours
25 allowed by this Act.

26 (1) A waiver request for a minor to work between 10

1 p.m. and 12:30 a.m. or between 5 a.m. and 7 a.m. shall be
2 granted if the Director, or the Director's authorized
3 representative, is satisfied that all of the following
4 conditions are met:

5 (A) the employment shall not be detrimental to the
6 health or welfare of the minor;

7 (B) the minor shall be supervised adequately;

8 (C) the education of the minor shall not be
9 neglected; and

10 (D) the total number of hours to be worked that day
11 and week is not over the limits established in this Act
12 or any rules adopted under this Act.

13 (2) A waiver request for a minor to work between 12:30
14 a.m. and 5 a.m. shall be granted if the Director, or the
15 Director's authorized representative, is satisfied that
16 all of the following conditions are met:

17 (A) the employment shall not be detrimental to the
18 health or welfare of the minor;

19 (B) the minor shall be supervised adequately;

20 (C) the education of the minor shall not be
21 jeopardized;

22 (D) performance by the minor during that time is
23 critical to the success of the production, as
24 demonstrated by true and accurate statements by the
25 employer that filming cannot be completed at any other
26 time of day;

1 (E) the filming primarily requires exterior
2 footage of sunset, nighttime, or dawn;

3 (F) the filming is scheduled on the most optimal
4 day of the week for the minor's schooling;

5 (G) the employer provides a schedule to the
6 Department of schooling and rest periods on the day
7 before, the day of, and the day after the overnight
8 hours to be worked;

9 (H) the age of the minor is taken into account as
10 provided by this Act or any rules adopted under this
11 Act;

12 (I) the total number of hours to be worked that day
13 and week is not over the limits established in this Act
14 or any rules adopted under this Act; and

15 (J) the waiver request was received by the
16 Department at least 72 hours prior to the overnight
17 hours to be worked.

18 (d) An employer applying for the waiver shall submit to
19 the Director, or the Director's authorized representative, a
20 completed application on the form that the Director provides.
21 The waiver shall contain signatures that show the consent of a
22 parent or legal guardian of the minor, the employer, and an
23 authorized representative of a collective bargaining unit if a
24 collective bargaining unit represents the minor upon
25 employment.

1 Section 55. Employment certificates.

2 (a) Any employer who employs, allows, or permits a minor
3 to work shall ensure that the minor holds a valid employment
4 certificate issued by a school issuing officer.

5 (b) An application for an employment certificate must be
6 submitted by the minor and the minor's parent or legal
7 guardian to the minor's school issuing officer as follows.

8 (1) The application shall be signed by the applicant's
9 parent or legal guardian.

10 (2) The application shall be submitted in person by
11 the minor desiring employment, unless the school issuing
12 officer determines that the minor may utilize a remote
13 application process.

14 (3) The minor shall be accompanied by his or her
15 parent, guardian, or custodian, whether applying in person
16 or remotely.

17 (4) The following papers shall be submitted with the
18 application:

19 (A) A statement of intention to employ signed by
20 the prospective employer, or by someone duly
21 authorized by the prospective employer, setting forth
22 the specific nature of the occupation in which the
23 prospective employer intends to employ the minor and
24 the exact hours of the day and number of hours per day
25 and days per week during which the minor shall be
26 employed.

1 (B) Evidence of age showing that the minor is of
2 the age required by this Act, which evidence shall be
3 documentary, and shall be required in the order
4 designated, as follows:

5 (i) a birth certificate; or

6 (ii) if a birth certificate is unavailable,
7 the parent or legal guardian may present other
8 reliable proof of the minor's identity and age
9 that is supported by a sworn statement explaining
10 why the birth certificate is not available. Other
11 reliable proof of the minor's identity and age
12 includes a passport, visa, or other governmental
13 documentation of the minor's identity. If the
14 student was not born in the United States, the
15 school issuing officer must accept birth
16 certificates or other reliable proof from a
17 foreign government.

18 (C) A statement on a form approved by the
19 Department and signed by the school issuing officer,
20 showing the minor's name, address, grade last
21 completed, the hours the minor's school is in session,
22 and other relevant information, as determined by the
23 school issuing officer, about the minor's school
24 schedule, and the names of the minor's parent or legal
25 guardian. If any of the information required to be on
26 the work permit changes, the issuing officer must

1 update the work permit and provide an updated copy to
2 the Department, the minor's employer, and the minor's
3 parent or legal guardian. If the minor does not have a
4 permanent home address or is otherwise eligible for
5 services under the federal McKinney-Vento Homeless
6 Assistance Act, the lack of a birth certificate or
7 permanent home address alone shall not be a barrier to
8 receiving an employment certificate.

9 (D) A statement of physical fitness signed by a
10 health care professional who has examined the minor,
11 certifying that the minor is physically fit to be
12 employed in all legal occupations or to be employed in
13 legal occupations under limitations specified, or, at
14 the discretion of the school issuing officer, the
15 minor's most recent school physical. If the statement
16 of physical fitness is limited, the employment
17 certificate issued thereon shall state clearly the
18 limitations upon its use, and shall be valid only when
19 used under the limitations so stated. In any case
20 where the health care professional deems it advisable
21 that he or she may issue a certificate of physical
22 fitness for a specified period of time, at the
23 expiration of which the person for whom it was issued
24 shall appear and be re-examined before being permitted
25 to continue work. Examinations shall be made in
26 accordance with the standards and procedures

1 prescribed by the Director, in consultation with the
2 Director of the Department of Public Health and the
3 State Superintendent of Education, and shall be
4 recorded on a form furnished by the Department. When
5 made by public health or public school physicians, the
6 examination shall be made without charge to the minor.
7 If a public health or public school health care
8 professional is not available, a statement from a
9 private health care professional who has examined the
10 minor may be accepted, provided that the examination
11 is made in accordance with the standards and
12 procedures established by the Department. For purposes
13 of this paragraph, "health care professional" means a
14 physician licensed to practice medicine in all its
15 branches, a licensed advanced practice registered
16 nurse, or a licensed physician assistant.

17 (5) The school issuing officer shall have authority to
18 verify the representations provided in the employment
19 certificate application as required by Section 55. A
20 school issuing officer shall not charge a fee for the
21 consideration of an employment certificate application.

22 (6) It shall be the duty of the school board or local
23 school authority to designate a place or places where
24 certificates shall be issued and recorded, and physical
25 examinations made without fee, and to establish and
26 maintain the necessary records and clerical services for

1 carrying out the provisions of this Act.

2 (c) Upon receipt of an application for an employment
3 certificate, a school issuing officer shall issue an
4 employment certificate only after examining and approving the
5 written application and other papers required under this
6 Section, and determining that the employment shall not be
7 detrimental to the minor's health, welfare, and education. The
8 school issuing officer shall consider any report of death,
9 injury, or illness of a minor at that workplace, received
10 under the requirements of Section 35, in the prior 2 years in
11 determining whether the employment shall be detrimental to the
12 minor's health, welfare, and education. Upon issuing an
13 employment certificate to a minor, the school issuing officer
14 shall notify the principal of the school attended by the
15 minor, and provide copies to the Department, the minor's
16 employer, and the minor's parent or legal guardian. The
17 employment certificate shall be valid for a period of one year
18 from the date of issuance, unless suspended or revoked.

19 (d) If the school issuing officer refuses to issue a
20 certificate to a minor, the school issuing officer shall send
21 to the principal of the school attended by the minor a notice
22 of the refusal, including the name and address of the minor and
23 of the minor's parent or legal guardian, and the reason for the
24 refusal to issue the certificate.

25 (e) If a minor from another state seeks to obtain an
26 Illinois employment certificate, the Department shall work

1 with the State Superintendent of Education, or his or her duly
2 authorized agents, to issue the certificate if the State
3 Superintendent of Education deems that all requirements for
4 issuance have been met.

5 (f) Upon request, the school issuing officer shall issue a
6 certificate of age to any person between 16 and 20 years of age
7 upon presentation of the same proof of age as is required for
8 the issuance of employment certificates under this Act.

9 (g) Any certificate duly issued in accordance with this
10 Act shall be prima facie evidence of the age of the minor for
11 whom issued in any proceeding involving the employment of the
12 minor under this Act, as to any act occurring subsequent to its
13 issuance, or until revoked.

14 (h) The Department may suspend any certificate as an
15 emergency action imperatively required for the health, safety,
16 welfare, or education of the minor if:

17 (1) the parent or legal guardian of a minor, the
18 school issuing officer, or the principal of the school
19 attended by the minor for whom an employment certificate
20 has been issued has asked for the revocation of the
21 certificate by petition to the Department in writing,
22 stating the reasons he or she believes that the employment
23 is interfering with the health, safety, welfare, or
24 education of the minor; or

25 (2) in the judgment of the Director, the employment
26 certificate was improperly issued or if the minor is

1 illegally employed.

2 If the certificate is suspended, the Department shall
3 notify the employer of the minor, the parent or guardian of the
4 minor, the minor's school principal, and the school issuing
5 officer of the suspension in writing and shall schedule an
6 administrative hearing to take place within 21 days after the
7 date of any suspension. The minor shall not thereafter be
8 employed, allowed, or permitted to work unless and until his
9 or her employment certificate has been reinstated. After the
10 hearing, an administrative law judge shall issue a final order
11 either reinstating or revoking the employment certificate. If
12 the certificate is revoked, the employer shall not thereafter
13 employ, permit, or allow the minor to work until the minor has
14 obtained a new employment certificate authorizing the minor's
15 employment by that employer.

16 Section 57. Prohibition on retaliation.

17 (a) An employer, or agent or officer of an employer,
18 violates this Act if he or she takes an adverse action against,
19 or in any other manner discriminates against, any person
20 because that person has:

21 (1) exercised a right under this Act;

22 (2) made a complaint to the minor's employer or to the
23 Director, or the Director's authorized representative;

24 (3) caused to be instituted or is about to cause to be
25 instituted any proceeding under or related to this Act;

1 (4) participated in or cooperated with an
2 investigation or proceeding under this Act; or

3 (5) testified or is about to testify in an
4 investigation or proceeding under this Act.

5 (b) An employer, or agent or officer of an employer, does
6 not violate this Act if he or she discharges a minor from
7 employment because the employment was found to be unlawful or
8 the Department suspended or revoked the minor's employment
9 certificate.

10 Section 60. Department powers.

11 (a) The Department shall make, adopt, and enforce
12 reasonable rules relating to the administration and
13 enforcement of the provisions of this Act, including the
14 issuance of employment certificates authorized under this Act,
15 as may be deemed expedient. The rules shall be designed to
16 protect the health, safety, welfare, and education of minors
17 and to ensure that the conditions under which minors are
18 employed, allowed, or permitted to work shall not impair their
19 health, welfare, development, or education.

20 (b) In order to promote uniformity and efficiency of
21 issuance, the Department shall, in consultation with the State
22 Superintendent of Education, formulate the forms on which
23 certificates shall be issued and also forms needed in
24 connection with the issuance, and it shall supply the forms to
25 the school issuing officers.

1 Section 65. Investigation.

2 (a) It shall be the duty of the Department to enforce the
3 provisions of this Act. The Department shall have the power to
4 conduct investigations in connection with the administration
5 and enforcement of this Act and the authorized officers and
6 employees of the Department are hereby authorized and
7 empowered, to visit and inspect, at all reasonable times and
8 as often as possible, all places covered by this Act.

9 (b) The Director, or the Director's authorized
10 representative, may compel by subpoena, the attendance and
11 testimony of witnesses and the production of books, payrolls,
12 records, papers, and other evidence in any investigation or
13 hearing and may administer oaths to witnesses.

14 (c) No employer may interfere with or obstruct an
15 investigation conducted under this Act.

16 Section 70. Enforcement.

17 (a) The Department shall conduct hearings in accordance
18 with the Illinois Administrative Procedure Act if, upon
19 investigation, the Department finds cause to believe the Act,
20 or any rules adopted thereunder, has been violated; or to
21 consider whether to reinstate or revoke a minor's employment
22 certificate in accordance with Section 55.

23 (b) After the hearing, if supported by the evidence, the
24 Department may issue and cause to be served on any party an

1 order to cease and desist from violation of the Act, take
2 further affirmative or other action as deemed reasonable to
3 eliminate the effect of the violation, and may revoke any
4 certificate issued under the Act and determine the amount of
5 any civil penalty allowed by the Act. The Department may serve
6 orders by certified mail or by sending a copy by email to an
7 email address previously designated by the party for purposes
8 of receiving notice under this Act. An email address provided
9 by the party in the course of the administrative proceeding
10 shall not be used in any subsequent proceedings, unless the
11 party designates that email address for the subsequent
12 proceeding.

13 (c) Any party to a proceeding under the Act may apply for
14 and obtain judicial review of an order of the Department
15 entered under this Act in accordance with the provisions of
16 the Administrative Review Law, and the Department in
17 proceedings under this Section may obtain an order of court
18 for the enforcement of its order.

19 (d) Whenever it appears that any employer has violated a
20 valid order of the Department issued under this Act, the
21 Director may commence an action and obtain from the court an
22 order upon the employer commanding them to obey the order of
23 the Department or be adjudged guilty of contempt of court and
24 punished accordingly.

25 Section 75. Civil penalties.

1 (a) Any person employing, allowing, or permitting a minor
2 to work who violates any of the provisions of this Act or any
3 rule adopted under the Act shall be subject to civil penalties
4 as follows:

5 (1) if a minor dies while working for an employer who
6 is found by the Department to have been employing,
7 allowing, or permitting the minor to work in violation of
8 this Act, the employer is subject to a penalty not to
9 exceed \$60,000, payable to the Department;

10 (2) if a minor receives an illness or an injury that is
11 required to be reported to the Department under Section 35
12 while working for an employer who is found by the
13 Department to have been employing, allowing, or permitting
14 the minor to work in violation of this Act, the employer is
15 subject to a penalty not to exceed \$30,000, payable to the
16 Department;

17 (3) an employer who employs, allows, or permits a
18 minor to work in violation of Section 40 shall be subject
19 to a penalty not to exceed \$15,000, payable to the
20 Department;

21 (4) an employer who fails to post or provide the
22 required notice under subsection (g) of Section 35 shall
23 be subject to a penalty not to exceed \$500, payable to the
24 Department; and

25 (5) an employer who commits any other violation of
26 this Act shall be subject to a penalty not to exceed

1 \$10,000, payable to the Department.

2 In determining the amount of the penalty, the
3 appropriateness of the penalty to the size of the business of
4 the employer charged and the gravity of the violation shall be
5 considered.

6 Each day during which any violation of this Act continues
7 shall constitute a separate and distinct offense, and the
8 employment of any minor in violation of the Act shall, with
9 respect to each minor so employed, constitute a separate and
10 distinct offense.

11 (b) Any administrative determination by the Department of
12 the amount of each penalty shall be final unless reviewed as
13 provided in Section 70.

14 (c) The amount of the penalty, when finally determined,
15 may be recovered in a civil action brought by the Director in
16 any circuit court, in which litigation the Director shall be
17 represented by the Attorney General. In an action brought by
18 the Department, the Department may request, and the Court may
19 impose on a defendant employer, an additional civil penalty of
20 up to an amount equal to the penalties assessed by the
21 Department to be distributed to an impacted minor. In an
22 action concerning multiple minors, any such penalty imposed by
23 the Court shall be distributed equally among the minors
24 employed in violation of this Act by the defendant employer.

25 (d) Penalties recovered under this Section shall be paid
26 by certified check, money order, or by an electronic payment

1 system designated by the Department, and deposited into the
2 Child Labor and Day and Temporary Labor Services Enforcement
3 Fund, a special fund in the State treasury. Moneys in the Fund
4 shall be used, subject to appropriation, for exemplary
5 programs, demonstration projects, and other activities or
6 purposes related to the enforcement of this Act or for the
7 activities or purposes related to the enforcement of the Day
8 and Temporary Labor Services Act, or for the activities or
9 purposes related to the enforcement of the Private Employment
10 Agency Act.

11 Section 80. Criminal penalties.

12 (a) Any person who engages in any of the following
13 activities shall be guilty of a Class A misdemeanor and shall
14 be subject to a civil penalty of no less than \$500 and no more
15 than \$2,500:

16 (1) employs, allows, or permits any minor to work in
17 violation of this Act, or of any rule, order, or ruling
18 issued under the provisions of this Act;

19 (2) obstructs the Department, its inspectors or
20 deputies, or any other person authorized to inspect places
21 of employment under this Act; or

22 (3) willfully fails to comply with the provisions of
23 this Act.

24 (b) Whenever in the opinion of the Department a violation
25 of this Act has occurred, it shall report the violation to the

1 Attorney General who shall prosecute all violations reported.

2 (c) The amount of the penalty, when finally determined,
3 shall be ordered by the court, in an action brought for a
4 criminal violation, to be paid to the Department.

5 (d) Penalties recovered under this Section shall be paid
6 into the Child Labor and Day and Temporary Labor Services
7 Enforcement Fund.

8 Section 85. Department reporting and outreach.

9 (a) The Department shall maintain a toll-free telephone
10 number to facilitate information requests concerning the
11 issuance of certificates under this Act and the reporting of
12 violations of this Act.

13 (b) The Department shall conduct ongoing outreach and
14 education efforts concerning this Act targeted toward school
15 districts, employers, and other appropriate community
16 organizations. The Department shall, to the extent possible,
17 coordinate these outreach and education activities with other
18 appropriate local, State, and federal agencies.

19 (c) The Department shall file with the General Assembly,
20 no later than January 1 each year, a report of its activities
21 regarding administration and enforcement of this Act for the
22 preceding fiscal year.

23 Section 90. Child performers; trust fund.

24 (a) As used in this Section:

1 "Artistic or creative services" includes, but is not
2 limited to, services as: an actor, actress, dancer, musician,
3 comedian, singer, stunt person, voice-over artist, runway or
4 print model, other performer or entertainer, songwriter,
5 musical producer, arranger, writer, director, producer,
6 production executive, choreographer, composer, conductor, or
7 designer.

8 "Child performer" means an unemancipated person under the
9 age of 16 who is employed in this State and who agrees to
10 render artistic or creative services.

11 (b) In addition to the requirements of Section 55, the
12 person authorized to issue employment certificates must
13 determine that a trust account, established by the child
14 performer's parent or guardian, that meets the requirements of
15 subsection (c) has been established designating the minor as
16 the beneficiary of the trust account before an employment
17 certificate for work as a child performer may be issued for a
18 minor under the age of 16 years. The person authorized to issue
19 employment certificates shall issue a temporary employment
20 certificate having a duration of not more than 15 days without
21 the establishment of a trust fund to permit a minor to provide
22 artistic or creative services. No more than one temporary
23 employment certificate may be issued for each child performer.
24 The Department shall prescribe the form in which temporary
25 employment certificates shall be issued and shall make the
26 forms available on its website.

1 (c) A trust account subject to this Section must provide,
2 at a minimum, the following:

3 (1) that at least 15% of the gross earnings of the
4 child performer shall be deposited into the account;

5 (2) that the funds in the account shall be available
6 only to the child performer;

7 (3) that the account shall be held by a bank,
8 corporate fiduciary, or trust company, as those terms are
9 defined in the Corporate Fiduciary Act;

10 (4) that the funds in the account shall become
11 available to the child performer upon the child performer
12 attaining the age of 18 years or upon the child performer
13 being declared emancipated; and

14 (5) that the account meets the requirements of the
15 Illinois Uniform Transfers to Minors Act.

16 (d) The parent or guardian of the child performer shall
17 provide the employer with the information necessary to
18 transfer moneys into the trust account. Once the child
19 performer's employer deposits the money into the trust
20 account, the child performer's employer shall have no further
21 obligation or duty to monitor or account for the money. The
22 trustee or trustees of the trust shall be the only individual,
23 individuals, entity, or entities with the obligation or duty
24 to monitor and account for money once it has been deposited by
25 the child performer's employer.

26 (e) If the parent or guardian of the child performer fails

1 to provide the employer with the information necessary to
2 transfer funds into the trust account within 30 days after an
3 employment certificate has been issued, the funds that were to
4 be transferred to the trust account shall be transferred to
5 the Office of the State Treasurer in accordance with Section
6 15-608 of the Revised Uniform Unclaimed Property Act.

7 (f) This Section does not apply to an employer of a child
8 performer employed to perform services as an extra, services
9 as a background performer, or services in a similar capacity.

10 (g) The Department may adopt rules to implement this
11 Section.

12 Section 95. Minors featured in vlogs.

13 (a) A minor under the age of 16 is considered engaged in
14 the work of vlogging when the following criteria are met at any
15 time during the previous 12-month period:

16 (1) at least 30% of the vlogger's compensated video
17 content produced within a 30-day period included the
18 likeness, name, or photograph of the minor. Content
19 percentage is measured by the percentage of time the
20 likeness, name, or photograph of the minor visually
21 appears or is the subject of an oral narrative in a video
22 segment, as compared to the total length of the segment;
23 and

24 (2) the number of views received per video segment on
25 any online platform met the online platform's threshold

1 for the generation of compensation or the vlogger received
2 actual compensation for video content equal to or greater
3 than \$0.10 per view.

4 (b) With the exception of Section 100, the provisions of
5 this Act do not apply to a minor engaged in the work of
6 vlogging.

7 (c) All vloggers whose content features a minor under the
8 age of 16 engaged in the work of vlogging shall maintain the
9 following records and shall provide them to the minor on an
10 ongoing basis:

11 (1) the name and documentary proof of the age of the
12 minor engaged in the work of vlogging;

13 (2) the number of vlogs that generated compensation as
14 described in subsection (a) during the reporting period;

15 (3) the total number of minutes of the vlogs that the
16 vlogger received compensation for during the reporting
17 period;

18 (4) the total number of minutes each minor was
19 featured in vlogs during the reporting period;

20 (5) the total compensation generated from vlogs
21 featuring a minor during the reporting period; and

22 (6) the amount deposited into the trust account for
23 the benefit of the minor engaged in the work of vlogging,
24 as required by Section 100.

25 (d) If a vlogger whose vlog content features minors under
26 the age of 16 engaged in the work of vlogging fails to maintain

1 the records as provided in subsection (c), the minor may
2 commence a civil action to enforce the provisions of this
3 Section.

4 Section 100. Minor engaged in the work of vlogging; trust
5 fund.

6 (a) A minor satisfying the criteria described in
7 subsection (a) of Section 95 must be compensated by the
8 vlogger. The vlogger must set aside gross earnings on the
9 video content, including the likeness, name, or photograph of
10 the minor in a trust account to be preserved for the benefit of
11 the minor upon reaching the age of majority, according to the
12 following distribution:

13 (1) where only one minor meets the content threshold
14 described in Section 95, the percentage of total gross
15 earnings on any video segment, including the likeness,
16 name, or photograph of the minor that is equal to or
17 greater than half of the content percentage that includes
18 the minor as described in Section 95; or

19 (2) where more than one minor meets the content
20 threshold described in Section 95 and a video segment
21 includes more than one of those minors, the percentage
22 described in paragraph (1) for all minors in any segment
23 must be equally divided between the minors, regardless of
24 differences in percentage of content provided by the
25 individual minors.

1 (b) A trust account required under this Section must
2 provide, at a minimum, the following:

3 (1) that the funds in the account shall be available
4 only to the minor engaged in the work of vlogging;

5 (2) that the account shall be held by a bank,
6 corporate fiduciary, or trust company, as those terms are
7 defined in the Corporate Fiduciary Act;

8 (3) that the funds in the account shall become
9 available to the minor engaged in the work of vlogging
10 upon the minor attaining the age of 18 years or upon the
11 minor being declared emancipated; and

12 (4) that the account meets the requirements of the
13 Illinois Uniform Transfers to Minors Act.

14 (c) If a vlogger knowingly or recklessly violates this
15 Section, a minor satisfying the criteria described in
16 subsection (a) of Section 95 may commence an action to enforce
17 the provisions of this Section regarding the trust account.
18 The court may award, to a minor who prevails in any action
19 brought in accordance with this Section, the following
20 damages:

21 (1) actual damages;

22 (2) punitive damages; and

23 (3) the costs of the action, including attorney's fees
24 and litigation costs.

25 (d) This Section does not affect a right or remedy
26 available under any other law of the State.

1 (e) Nothing in this Section shall be interpreted to have
2 any effect on a party that is neither the vlogger nor the minor
3 engaged in the work of vlogging.

4 Section 105. No limitations on other laws. Nothing in this
5 Act shall limit another State agency's authority to enforce
6 violations of any other State law.

7 Section 110. Severability. If any part of this Act is
8 decided to be unconstitutional and void, the decision shall
9 not affect the validity of the remaining parts of this Act
10 unless the part held void is indispensable to the operation of
11 the remaining parts.

12 Section 115. Procedural changes from prior law. In
13 accordance with Section 4 of the Statute on Statutes, any
14 procedural change as compared to prior law effected by the
15 repeal of the Child Labor Law and the enactment of this Act
16 shall be applied retroactively. Any substantive change as
17 compared to prior law effected by the repeal of the Child Labor
18 Law and the enactment of this Act shall be applied
19 prospectively only. Any changes to the remedies available to
20 redress a legal violation are procedural in nature.

21 (820 ILCS 205/Act rep.)

22 Section 900. The Child Labor Law is repealed.

1 Section 905. The School Code is amended by changing
2 Section 26-1 as follows:

3 (105 ILCS 5/26-1) (from Ch. 122, par. 26-1)

4 Sec. 26-1. Compulsory school age; exemptions. Whoever has
5 custody or control of any child (i) between the ages of 7 and
6 17 years (unless the child has already graduated from high
7 school) for school years before the 2014-2015 school year or
8 (ii) between the ages of 6 (on or before September 1) and 17
9 years (unless the child has already graduated from high
10 school) beginning with the 2014-2015 school year shall cause
11 such child to attend some public school in the district
12 wherein the child resides the entire time it is in session
13 during the regular school term, except as provided in Section
14 10-19.1, and during a required summer school program
15 established under Section 10-22.33B; provided, that the
16 following children shall not be required to attend the public
17 schools:

18 1. Any child attending a private or a parochial school
19 where children are taught the branches of education taught
20 to children of corresponding age and grade in the public
21 schools, and where the instruction of the child in the
22 branches of education is in the English language;

23 2. Any child who is physically or mentally unable to
24 attend school, such disability being certified to the

1 county or district truant officer by a competent physician
2 licensed in Illinois to practice medicine and surgery in
3 all its branches, a chiropractic physician licensed under
4 the Medical Practice Act of 1987, a licensed advanced
5 practice registered nurse, a licensed physician assistant,
6 or a Christian Science practitioner residing in this State
7 and listed in the Christian Science Journal; or who is
8 excused for temporary absence for cause by the principal
9 or teacher of the school which the child attends, with
10 absence for cause by illness being required to include the
11 mental or behavioral health of the child for up to 5 days
12 for which the child need not provide a medical note, in
13 which case the child shall be given the opportunity to
14 make up any school work missed during the mental or
15 behavioral health absence and, after the second mental
16 health day used, may be referred to the appropriate school
17 support personnel; the exemptions in this paragraph (2) do
18 not apply to any female who is pregnant or the mother of
19 one or more children, except where a female is unable to
20 attend school due to a complication arising from her
21 pregnancy and the existence of such complication is
22 certified to the county or district truant officer by a
23 competent physician;

24 3. Any child necessarily and lawfully employed
25 according to the provisions of the Child Labor Law of 2024
26 ~~law regulating child labor~~ may be excused from attendance

1 at school by the county superintendent of schools or the
2 superintendent of the public school which the child should
3 be attending, on certification of the facts by and the
4 recommendation of the school board of the public school
5 district in which the child resides. In districts having
6 part-time continuation schools, children so excused shall
7 attend such schools at least 8 hours each week;

8 4. Any child over 12 and under 14 years of age while in
9 attendance at confirmation classes;

10 5. Any child absent from a public school on a
11 particular day or days or at a particular time of day for
12 the reason that he is unable to attend classes or to
13 participate in any examination, study, or work
14 requirements on a particular day or days or at a
15 particular time of day because of religious reasons,
16 including the observance of a religious holiday or
17 participation in religious instruction, or because the
18 tenets of his religion forbid secular activity on a
19 particular day or days or at a particular time of day. A
20 school board may require the parent or guardian of a child
21 who is to be excused from attending school because of
22 religious reasons to give notice, not exceeding 5 days, of
23 the child's absence to the school principal or other
24 school personnel. Any child excused from attending school
25 under this paragraph 5 shall not be required to submit a
26 written excuse for such absence after returning to school.

1 A district superintendent shall develop and distribute to
2 schools appropriate procedures regarding a student's
3 absence for religious reasons, how schools are notified of
4 a student's impending absence for religious reasons, and
5 the requirements of Section 26-2b of this Code;

6 6. Any child 16 years of age or older who (i) submits
7 to a school district evidence of necessary and lawful
8 employment pursuant to paragraph 3 of this Section and
9 (ii) is enrolled in a graduation incentives program
10 pursuant to Section 26-16 of this Code or an alternative
11 learning opportunities program established pursuant to
12 Article 13B of this Code;

13 7. A child in any of grades 6 through 12 absent from a
14 public school on a particular day or days or at a
15 particular time of day for the purpose of sounding "Taps"
16 at a military honors funeral held in this State for a
17 deceased veteran. In order to be excused under this
18 paragraph 7, the student shall notify the school's
19 administration at least 2 days prior to the date of the
20 absence and shall provide the school's administration with
21 the date, time, and location of the military honors
22 funeral. The school's administration may waive this 2-day
23 notification requirement if the student did not receive at
24 least 2 days advance notice, but the student shall notify
25 the school's administration as soon as possible of the
26 absence. A student whose absence is excused under this

1 paragraph 7 shall be counted as if the student attended
2 school for purposes of calculating the average daily
3 attendance of students in the school district. A student
4 whose absence is excused under this paragraph 7 must be
5 allowed a reasonable time to make up school work missed
6 during the absence. If the student satisfactorily
7 completes the school work, the day of absence shall be
8 counted as a day of compulsory attendance and he or she may
9 not be penalized for that absence; and

10 8. Any child absent from a public school on a
11 particular day or days or at a particular time of day for
12 the reason that his or her parent or legal guardian is an
13 active duty member of the uniformed services and has been
14 called to duty for, is on leave from, or has immediately
15 returned from deployment to a combat zone or
16 combat-support postings. Such a student shall be granted 5
17 days of excused absences in any school year and, at the
18 discretion of the school board, additional excused
19 absences to visit the student's parent or legal guardian
20 relative to such leave or deployment of the parent or
21 legal guardian. In the case of excused absences pursuant
22 to this paragraph 8, the student and parent or legal
23 guardian shall be responsible for obtaining assignments
24 from the student's teacher prior to any period of excused
25 absence and for ensuring that such assignments are
26 completed by the student prior to his or her return to

1 school from such period of excused absence.

2 Any child from a public middle school or high school,
3 subject to guidelines established by the State Board of
4 Education, shall be permitted by a school board one school
5 day-long excused absence per school year for the child who is
6 absent from school to engage in a civic event. The school board
7 may require that the student provide reasonable advance notice
8 of the intended absence to the appropriate school
9 administrator and require that the student provide
10 documentation of participation in a civic event to the
11 appropriate school administrator.

12 (Source: P.A. 102-266, eff. 1-1-22; 102-321, eff. 1-1-22;
13 102-406, eff. 8-19-21; 102-813, eff. 5-13-22; 102-981, eff.
14 1-1-23.)

15 Section 910. The Child Care Act of 1969 is amended by
16 changing Section 2.17 as follows:

17 (225 ILCS 10/2.17) (from Ch. 23, par. 2212.17)

18 Sec. 2.17. "Foster family home" means the home of an
19 individual or family:

20 (1) that is licensed or approved by the state in which it
21 is situated as a foster family home that meets the standards
22 established for the licensing or approval; and

23 (2) in which a child in foster care has been placed in the
24 care of an individual who resides with the child and who has

1 been licensed or approved by the state to be a foster parent
2 and:

3 (A) who the Department of Children and Family Services
4 deems capable of adhering to the reasonable and prudent
5 parent standard;

6 (B) who provides 24-hour substitute care for children
7 placed away from their parents or other caretakers; and

8 (3) who provides the care for no more than 6 children,
9 except the Director of Children and Family Services, pursuant
10 to Department regulations, may waive the numerical limitation
11 of foster children who may be cared for in a foster family home
12 for any of the following reasons to allow: (i) a parenting
13 youth in foster care to remain with the child of the parenting
14 youth; (ii) siblings to remain together; (iii) a child with an
15 established meaningful relationship with the family to remain
16 with the family; or (iv) a family with special training or
17 skills to provide care to a child who has a severe disability.
18 The family's or relative's own children, under 18 years of
19 age, shall be included in determining the maximum number of
20 children served.

21 For purposes of this Section, a "relative" includes any
22 person, 21 years of age or over, other than the parent, who (i)
23 is currently related to the child in any of the following ways
24 by blood or adoption: grandparent, sibling, great-grandparent,
25 uncle, aunt, nephew, niece, first cousin, great-uncle, or
26 great-aunt; or (ii) is the spouse of such a relative; or (iii)

1 is a child's step-father, step-mother, or adult step-brother
2 or step-sister; or (iv) is a fictive kin; "relative" also
3 includes a person related in any of the foregoing ways to a
4 sibling of a child, even though the person is not related to
5 the child, when the child and its sibling are placed together
6 with that person. For purposes of placement of children
7 pursuant to Section 7 of the Children and Family Services Act
8 and for purposes of licensing requirements set forth in
9 Section 4 of this Act, for children under the custody or
10 guardianship of the Department pursuant to the Juvenile Court
11 Act of 1987, after a parent signs a consent, surrender, or
12 waiver or after a parent's rights are otherwise terminated,
13 and while the child remains in the custody or guardianship of
14 the Department, the child is considered to be related to those
15 to whom the child was related under this Section prior to the
16 signing of the consent, surrender, or waiver or the order of
17 termination of parental rights.

18 The term "foster family home" includes homes receiving
19 children from any State-operated institution for child care;
20 or from any agency established by a municipality or other
21 political subdivision of the State of Illinois authorized to
22 provide care for children outside their own homes. The term
23 "foster family home" does not include an "adoption-only home"
24 as defined in Section 2.23 of this Act. The types of foster
25 family homes are defined as follows:

26 (a) "Boarding home" means a foster family home which

1 receives payment for regular full-time care of a child or
2 children.

3 (b) "Free home" means a foster family home other than
4 an adoptive home which does not receive payments for the
5 care of a child or children.

6 (c) "Adoptive home" means a foster family home which
7 receives a child or children for the purpose of adopting
8 the child or children, but does not include an
9 adoption-only home.

10 (d) "Work-wage home" means a foster family home which
11 receives a child or children who pay part or all of their
12 board by rendering some services to the family not
13 prohibited by the Child Labor Law of 2024 or by standards
14 or regulations of the Department prescribed under this
15 Act. The child or children may receive a wage in
16 connection with the services rendered the foster family.

17 (e) "Agency-supervised home" means a foster family
18 home under the direct and regular supervision of a
19 licensed child welfare agency, of the Department of
20 Children and Family Services, of a circuit court, or of
21 any other State agency which has authority to place
22 children in child care facilities, and which receives no
23 more than 8 children, unless of common parentage, who are
24 placed and are regularly supervised by one of the
25 specified agencies.

26 (f) "Independent home" means a foster family home,

1 other than an adoptive home, which receives no more than 4
2 children, unless of common parentage, directly from
3 parents, or other legally responsible persons, by
4 independent arrangement and which is not subject to direct
5 and regular supervision of a specified agency except as
6 such supervision pertains to licensing by the Department.

7 (g) "Host home" means an emergency foster family home
8 under the direction and regular supervision of a licensed
9 child welfare agency, contracted to provide short-term
10 crisis intervention services to youth served under the
11 Comprehensive Community-Based Youth Services program,
12 under the direction of the Department of Human Services.
13 The youth shall not be under the custody or guardianship
14 of the Department pursuant to the Juvenile Court Act of
15 1987.

16 (Source: P.A. 102-688, eff. 7-1-22; 103-564, eff. 11-17-23.)

17 Section 915. The Private Employment Agency Act is amended
18 by changing Sections 10 and 12.6 as follows:

19 (225 ILCS 515/10) (from Ch. 111, par. 910)

20 Sec. 10. Licensee prohibitions. No licensee shall send or
21 cause to be sent any female help or servants, inmate, or
22 performer to enter any questionable place, or place of bad
23 repute, house of ill-fame, or assignation house, or to any
24 house or place of amusement kept for immoral purposes, or

1 place resorted to for the purpose of prostitution or gambling
2 house, the character of which licensee knows either actually
3 or by reputation.

4 No licensee shall permit questionable characters,
5 prostitutes, gamblers, intoxicated persons, or procurers to
6 frequent the agency.

7 No licensee shall accept any application for employment
8 made by or on behalf of any child, or shall place or assist in
9 placing any such child in any employment whatever, in
10 violation of the Child Labor Law of 2024. A violation of any
11 provision of this Section shall be a Class A misdemeanor.

12 No licensee shall publish or cause to be published any
13 fraudulent or misleading notice or advertisement of its
14 employment agencies by means of cards, circulars, or signs, or
15 in newspapers or other publications; and all letterheads,
16 receipts, and blanks shall contain the full name and address
17 of the employment agency and licensee shall state in all
18 notices and advertisements the fact that licensee is, or
19 conducts, a private employment agency.

20 No licensee shall print, publish, or paint on any sign or
21 window, or insert in any newspaper or publication, a name
22 similar to that of the Illinois Public Employment Office.

23 No licensee shall print or stamp on any receipt or on any
24 contract used by that agency any part of this Act, unless the
25 entire Section from which that part is taken is printed or
26 stamped thereon.

1 All written communications sent out by any licensee,
2 directly or indirectly, to any person or firm with regard to
3 employees or employment shall contain therein definite
4 information that such person is a private employment agency.

5 No licensee or his or her employees shall knowingly give
6 any false or misleading information, or make any false or
7 misleading promise to any applicant who shall apply for
8 employment or employees.

9 (Source: P.A. 90-372, eff. 7-1-98.)

10 (225 ILCS 515/12.6)

11 Sec. 12.6. Child Labor and Day and Temporary Labor
12 Services Enforcement Fund. All moneys received as fees and
13 penalties under this Act shall be deposited into the Child
14 Labor and Day and Temporary Labor Services Enforcement Fund
15 and may be used for the purposes set forth in Section 75 ~~17.3~~
16 of the Child Labor Law of 2024.

17 (Source: P.A. 99-422, eff. 1-1-16.)

18 Section 920. The Day and Temporary Labor Services Act is
19 amended by changing Section 67 as follows:

20 (820 ILCS 175/67)

21 Sec. 67. Action for civil penalties brought by an
22 interested party.

23 (a) Upon a reasonable belief that a day and temporary

1 labor service agency or a third party client covered by this
2 Act is in violation of any part of this Act, an interested
3 party may initiate a civil action in the county where the
4 alleged offenses occurred or where any party to the action
5 resides, asserting that a violation of the Act has occurred,
6 pursuant to the following sequence of events:

7 (1) The interested party submits to the Department of
8 Labor a complaint describing the violation and naming the
9 day or temporary labor service agency or third party
10 client alleged to have violated this Act.

11 (2) The Department sends notice of complaint to the
12 named parties alleged to have violated this Act and the
13 interested party. The named parties may either contest the
14 alleged violation or cure the alleged violation.

15 (3) The named parties contest or cure the alleged
16 violation within 30 days after the receipt of the notice
17 of complaint or, if the named party does not respond
18 within 30 days, the Department issues a notice of right to
19 sue to the interested party as described in paragraph (4).

20 (4) The Department issues a notice of right to sue to
21 the interested party, if one or more of the following has
22 occurred:

23 (i) the named party has cured the alleged
24 violation to the satisfaction of the Director;

25 (ii) the Director has determined that the
26 allegation is unjustified or that the Department does

1 not have jurisdiction over the matter or the parties;
2 or

3 (iii) the Director has determined that the
4 allegation is justified or has not made a
5 determination, and either has decided not to exercise
6 jurisdiction over the matter or has concluded
7 administrative enforcement of the matter.

8 (b) If within 180 days after service of the notice of
9 complaint to the parties, the Department has not (i) resolved
10 the contest and cure period, (ii) with the mutual agreement of
11 the parties, extended the time for the named party to cure the
12 violation and resolve the complaint, or (iii) issued a right
13 to sue letter, the interested party may initiate a civil
14 action for penalties. The parties may extend the 180-day
15 period by mutual agreement. The limitations period for the
16 interested party to bring an action for the alleged violation
17 of the Act shall be tolled for the 180-day period and for the
18 period of any mutually agreed extensions. At the end of the
19 180-day period, or any mutually agreed extensions, the
20 Department shall issue a right to sue letter to the interested
21 party.

22 (c) Any claim or action filed under this Section must be
23 made within 3 years of the alleged conduct resulting in the
24 complaint plus any period for which the limitations period has
25 been tolled.

26 (d) In an action brought pursuant to this Section, an

1 interested party may recover against the covered entity any
2 statutory penalties set forth in Section 70 and injunctive
3 relief. An interested party who prevails in a civil action
4 shall receive 10% of any statutory penalties assessed, plus
5 any attorneys' fees and expenses in bringing the action. The
6 remaining 90% of any statutory penalties assessed shall be
7 deposited into the Child Labor and Day and Temporary Labor
8 Services Enforcement Fund and shall be used exclusively for
9 the purposes set forth in Section 75 ~~17.3~~ of the Child Labor
10 Law of 2024.

11 (Source: P.A. 103-437, eff. 8-4-23.)

12 Section 925. The Workers' Compensation Act is amended by
13 changing Sections 7 and 8 as follows:

14 (820 ILCS 305/7) (from Ch. 48, par. 138.7)

15 Sec. 7. The amount of compensation which shall be paid for
16 an accidental injury to the employee resulting in death is:

17 (a) If the employee leaves surviving a widow, widower,
18 child or children, the applicable weekly compensation rate
19 computed in accordance with subparagraph 2 of paragraph (b) of
20 Section 8, shall be payable during the life of the widow or
21 widower and if any surviving child or children shall not be
22 physically or mentally incapacitated then until the death of
23 the widow or widower or until the youngest child shall reach
24 the age of 18, whichever shall come later; provided that if

1 such child or children shall be enrolled as a full time student
2 in any accredited educational institution, the payments shall
3 continue until such child has attained the age of 25. In the
4 event any surviving child or children shall be physically or
5 mentally incapacitated, the payments shall continue for the
6 duration of such incapacity.

7 The term "child" means a child whom the deceased employee
8 left surviving, including a posthumous child, a child legally
9 adopted, a child whom the deceased employee was legally
10 obligated to support or a child to whom the deceased employee
11 stood in loco parentis. The term "children" means the plural
12 of "child".

13 The term "physically or mentally incapacitated child or
14 children" means a child or children incapable of engaging in
15 regular and substantial gainful employment.

16 In the event of the remarriage of a widow or widower, where
17 the decedent did not leave surviving any child or children
18 who, at the time of such remarriage, are entitled to
19 compensation benefits under this Act, the surviving spouse
20 shall be paid a lump sum equal to 2 years compensation benefits
21 and all further rights of such widow or widower shall be
22 extinguished.

23 If the employee leaves surviving any child or children
24 under 18 years of age who at the time of death shall be
25 entitled to compensation under this paragraph (a) of this
26 Section, the weekly compensation payments herein provided for

1 such child or children shall in any event continue for a period
2 of not less than 6 years.

3 Any beneficiary entitled to compensation under this
4 paragraph (a) of this Section shall receive from the special
5 fund provided in paragraph (f) of this Section, in addition to
6 the compensation herein provided, supplemental benefits in
7 accordance with paragraph (g) of Section 8.

8 (b) If no compensation is payable under paragraph (a) of
9 this Section and the employee leaves surviving a parent or
10 parents who at the time of the accident were totally dependent
11 upon the earnings of the employee then weekly payments equal
12 to the compensation rate payable in the case where the
13 employee leaves surviving a widow or widower, shall be paid to
14 such parent or parents for the duration of their lives, and in
15 the event of the death of either, for the life of the survivor.

16 (c) If no compensation is payable under paragraphs (a) or
17 (b) of this Section and the employee leaves surviving any
18 child or children who are not entitled to compensation under
19 the foregoing paragraph (a) but who at the time of the accident
20 were nevertheless in any manner dependent upon the earnings of
21 the employee, or leaves surviving a parent or parents who at
22 the time of the accident were partially dependent upon the
23 earnings of the employee, then there shall be paid to such
24 dependent or dependents for a period of 8 years weekly
25 compensation payments at such proportion of the applicable
26 rate if the employee had left surviving a widow or widower as

1 such dependency bears to total dependency. In the event of the
2 death of any such beneficiary the share of such beneficiary
3 shall be divided equally among the surviving beneficiaries and
4 in the event of the death of the last such beneficiary all the
5 rights under this paragraph shall be extinguished.

6 (d) If no compensation is payable under paragraphs (a),
7 (b) or (c) of this Section and the employee leaves surviving
8 any grandparent, grandparents, grandchild or grandchildren or
9 collateral heirs dependent upon the employee's earnings to the
10 extent of 50% or more of total dependency, then there shall be
11 paid to such dependent or dependents for a period of 5 years
12 weekly compensation payments at such proportion of the
13 applicable rate if the employee had left surviving a widow or
14 widower as such dependency bears to total dependency. In the
15 event of the death of any such beneficiary the share of such
16 beneficiary shall be divided equally among the surviving
17 beneficiaries and in the event of the death of the last such
18 beneficiary all rights hereunder shall be extinguished.

19 (e) The compensation to be paid for accidental injury
20 which results in death, as provided in this Section, shall be
21 paid to the persons who form the basis for determining the
22 amount of compensation to be paid by the employer, the
23 respective shares to be in the proportion of their respective
24 dependency at the time of the accident on the earnings of the
25 deceased. The Commission or an Arbitrator thereof may, in its
26 or his discretion, order or award the payment to the parent or

1 grandparent of a child for the latter's support the amount of
2 compensation which but for such order or award would have been
3 paid to such child as its share of the compensation payable,
4 which order or award may be modified from time to time by the
5 Commission in its discretion with respect to the person to
6 whom shall be paid the amount of the order or award remaining
7 unpaid at the time of the modification.

8 The payments of compensation by the employer in accordance
9 with the order or award of the Commission discharges such
10 employer from all further obligation as to such compensation.

11 (f) The sum of \$8,000 for burial expenses shall be paid by
12 the employer to the widow or widower, other dependent, next of
13 kin or to the person or persons incurring the expense of
14 burial.

15 In the event the employer failed to provide necessary
16 first aid, medical, surgical or hospital service, he shall pay
17 the cost thereof to the person or persons entitled to
18 compensation under paragraphs (a), (b), (c) or (d) of this
19 Section, or to the person or persons incurring the obligation
20 therefore, or providing the same.

21 On January 15 and July 15, 1981, and on January 15 and July
22 15 of each year thereafter the employer shall within 60 days
23 pay a sum equal to 1/8 of 1% of all compensation payments made
24 by him after July 1, 1980, either under this Act or the
25 Workers' Occupational Diseases Act, whether by lump sum
26 settlement or weekly compensation payments, but not including

1 hospital, surgical or rehabilitation payments, made during the
2 first 6 months and during the second 6 months respectively of
3 the fiscal year next preceding the date of the payments, into a
4 special fund which shall be designated the "Second Injury
5 Fund", of which the State Treasurer is ex-officio custodian,
6 such special fund to be held and disbursed for the purposes
7 hereinafter stated in paragraphs (f) and (g) of Section 8,
8 either upon the order of the Commission or of a competent
9 court. Said special fund shall be deposited the same as are
10 State funds and any interest accruing thereon shall be added
11 thereto every 6 months. It is subject to audit the same as
12 State funds and accounts and is protected by the General bond
13 given by the State Treasurer. It is considered always
14 appropriated for the purposes of disbursements as provided in
15 Section 8, paragraph (f), of this Act, and shall be paid out
16 and disbursed as therein provided and shall not at any time be
17 appropriated or diverted to any other use or purpose.

18 On January 15, 1991, the employer shall further pay a sum
19 equal to one half of 1% of all compensation payments made by
20 him from January 1, 1990 through June 30, 1990 either under
21 this Act or under the Workers' Occupational Diseases Act,
22 whether by lump sum settlement or weekly compensation
23 payments, but not including hospital, surgical or
24 rehabilitation payments, into an additional Special Fund which
25 shall be designated as the "Rate Adjustment Fund". On March
26 15, 1991, the employer shall pay into the Rate Adjustment Fund

1 a sum equal to one half of 1% of all such compensation payments
2 made from July 1, 1990 through December 31, 1990. Within 60
3 days after July 15, 1991, the employer shall pay into the Rate
4 Adjustment Fund a sum equal to one half of 1% of all such
5 compensation payments made from January 1, 1991 through June
6 30, 1991. Within 60 days after January 15 of 1992 and each
7 subsequent year through 1996, the employer shall pay into the
8 Rate Adjustment Fund a sum equal to one half of 1% of all such
9 compensation payments made in the last 6 months of the
10 preceding calendar year. Within 60 days after July 15 of 1992
11 and each subsequent year through 1995, the employer shall pay
12 into the Rate Adjustment Fund a sum equal to one half of 1% of
13 all such compensation payments made in the first 6 months of
14 the same calendar year. Within 60 days after January 15 of 1997
15 and each subsequent year through 2005, the employer shall pay
16 into the Rate Adjustment Fund a sum equal to three-fourths of
17 1% of all such compensation payments made in the last 6 months
18 of the preceding calendar year. Within 60 days after July 15 of
19 1996 and each subsequent year through 2004, the employer shall
20 pay into the Rate Adjustment Fund a sum equal to three-fourths
21 of 1% of all such compensation payments made in the first 6
22 months of the same calendar year. Within 60 days after July 15
23 of 2005, the employer shall pay into the Rate Adjustment Fund a
24 sum equal to 1% of such compensation payments made in the first
25 6 months of the same calendar year. Within 60 days after
26 January 15 of 2006 and each subsequent year, the employer

1 shall pay into the Rate Adjustment Fund a sum equal to 1.25% of
2 such compensation payments made in the last 6 months of the
3 preceding calendar year. Within 60 days after July 15 of 2006
4 and each subsequent year, the employer shall pay into the Rate
5 Adjustment Fund a sum equal to 1.25% of such compensation
6 payments made in the first 6 months of the same calendar year.
7 The administrative costs of collecting assessments from
8 employers for the Rate Adjustment Fund shall be paid from the
9 Rate Adjustment Fund. The cost of an actuarial audit of the
10 Fund shall be paid from the Rate Adjustment Fund. The State
11 Treasurer is ex officio custodian of such Special Fund and the
12 same shall be held and disbursed for the purposes hereinafter
13 stated in paragraphs (f) and (g) of Section 8 upon the order of
14 the Commission or of a competent court. The Rate Adjustment
15 Fund shall be deposited the same as are State funds and any
16 interest accruing thereon shall be added thereto every 6
17 months. It shall be subject to audit the same as State funds
18 and accounts and shall be protected by the general bond given
19 by the State Treasurer. It is considered always appropriated
20 for the purposes of disbursements as provided in paragraphs
21 (f) and (g) of Section 8 of this Act and shall be paid out and
22 disbursed as therein provided and shall not at any time be
23 appropriated or diverted to any other use or purpose. Within 5
24 days after the effective date of this amendatory Act of 1990,
25 the Comptroller and the State Treasurer shall transfer
26 \$1,000,000 from the General Revenue Fund to the Rate

1 Adjustment Fund. By February 15, 1991, the Comptroller and the
2 State Treasurer shall transfer \$1,000,000 from the Rate
3 Adjustment Fund to the General Revenue Fund. The Comptroller
4 and Treasurer are authorized to make transfers at the request
5 of the Chairman up to a total of \$19,000,000 from the Second
6 Injury Fund, the General Revenue Fund, and the Workers'
7 Compensation Benefit Trust Fund to the Rate Adjustment Fund to
8 the extent that there is insufficient money in the Rate
9 Adjustment Fund to pay claims and obligations. Amounts may be
10 transferred from the General Revenue Fund only if the funds in
11 the Second Injury Fund or the Workers' Compensation Benefit
12 Trust Fund are insufficient to pay claims and obligations of
13 the Rate Adjustment Fund. All amounts transferred from the
14 Second Injury Fund, the General Revenue Fund, and the Workers'
15 Compensation Benefit Trust Fund shall be repaid from the Rate
16 Adjustment Fund within 270 days of a transfer, together with
17 interest at the rate earned by moneys on deposit in the Fund or
18 Funds from which the moneys were transferred.

19 Upon a finding by the Commission, after reasonable notice
20 and hearing, that any employer has willfully and knowingly
21 failed to pay the proper amounts into the Second Injury Fund or
22 the Rate Adjustment Fund required by this Section or if such
23 payments are not made within the time periods prescribed by
24 this Section, the employer shall, in addition to such
25 payments, pay a penalty of 20% of the amount required to be
26 paid or \$2,500, whichever is greater, for each year or part

1 thereof of such failure to pay. This penalty shall only apply
2 to obligations of an employer to the Second Injury Fund or the
3 Rate Adjustment Fund accruing after the effective date of this
4 amendatory Act of 1989. All or part of such a penalty may be
5 waived by the Commission for good cause shown.

6 Any obligations of an employer to the Second Injury Fund
7 and Rate Adjustment Fund accruing prior to the effective date
8 of this amendatory Act of 1989 shall be paid in full by such
9 employer within 5 years of the effective date of this
10 amendatory Act of 1989, with at least one-fifth of such
11 obligation to be paid during each year following the effective
12 date of this amendatory Act of 1989. If the Commission finds,
13 following reasonable notice and hearing, that an employer has
14 failed to make timely payment of any obligation accruing under
15 the preceding sentence, the employer shall, in addition to all
16 other payments required by this Section, be liable for a
17 penalty equal to 20% of the overdue obligation or \$2,500,
18 whichever is greater, for each year or part thereof that
19 obligation is overdue. All or part of such a penalty may be
20 waived by the Commission for good cause shown.

21 The Chairman of the Illinois Workers' Compensation
22 Commission shall, annually, furnish to the Director of the
23 Department of Insurance a list of the amounts paid into the
24 Second Injury Fund and the Rate Adjustment Fund by each
25 insurance company on behalf of their insured employers. The
26 Director shall verify to the Chairman that the amounts paid by

1 each insurance company are accurate as best as the Director
2 can determine from the records available to the Director. The
3 Chairman shall verify that the amounts paid by each
4 self-insurer are accurate as best as the Chairman can
5 determine from records available to the Chairman. The Chairman
6 may require each self-insurer to provide information
7 concerning the total compensation payments made upon which
8 contributions to the Second Injury Fund and the Rate
9 Adjustment Fund are predicated and any additional information
10 establishing that such payments have been made into these
11 funds. Any deficiencies in payments noted by the Director or
12 Chairman shall be subject to the penalty provisions of this
13 Act.

14 The State Treasurer, or his duly authorized
15 representative, shall be named as a party to all proceedings
16 in all cases involving claim for the loss of, or the permanent
17 and complete loss of the use of one eye, one foot, one leg, one
18 arm or one hand.

19 The State Treasurer or his duly authorized agent shall
20 have the same rights as any other party to the proceeding,
21 including the right to petition for review of any award. The
22 reasonable expenses of litigation, such as medical
23 examinations, testimony, and transcript of evidence, incurred
24 by the State Treasurer or his duly authorized representative,
25 shall be borne by the Second Injury Fund.

26 If the award is not paid within 30 days after the date the

1 award has become final, the Commission shall proceed to take
2 judgment thereon in its own name as is provided for other
3 awards by paragraph (g) of Section 19 of this Act and take the
4 necessary steps to collect the award.

5 Any person, corporation or organization who has paid or
6 become liable for the payment of burial expenses of the
7 deceased employee may in his or its own name institute
8 proceedings before the Commission for the collection thereof.

9 For the purpose of administration, receipts and
10 disbursements, the Special Fund provided for in paragraph (f)
11 of this Section shall be administered jointly with the Special
12 Fund provided for in Section 7, paragraph (f) of the Workers'
13 Occupational Diseases Act.

14 (g) All compensation, except for burial expenses provided
15 in this Section to be paid in case accident results in death,
16 shall be paid in installments equal to the percentage of the
17 average earnings as provided for in Section 8, paragraph (b)
18 of this Act, at the same intervals at which the wages or
19 earnings of the employees were paid. If this is not feasible,
20 then the installments shall be paid weekly. Such compensation
21 may be paid in a lump sum upon petition as provided in Section
22 9 of this Act. However, in addition to the benefits provided by
23 Section 9 of this Act where compensation for death is payable
24 to the deceased's widow, widower or to the deceased's widow,
25 widower and one or more children, and where a partial lump sum
26 is applied for by such beneficiary or beneficiaries within 18

1 months after the deceased's death, the Commission may, in its
2 discretion, grant a partial lump sum of not to exceed 100 weeks
3 of the compensation capitalized at their present value upon
4 the basis of interest calculated at 3% per annum with annual
5 rests, upon a showing that such partial lump sum is for the
6 best interest of such beneficiary or beneficiaries.

7 (h) In case the injured employee is under 16 years of age
8 at the time of the accident and is illegally employed, the
9 amount of compensation payable under paragraphs (a), (b), (c),
10 (d) and (f) of this Section shall be increased 50%.

11 Nothing herein contained repeals or amends the provisions
12 of the Child Labor Law of 2024 relating to the employment of
13 minors under the age of 16 years.

14 However, where an employer has on file an employment
15 certificate issued pursuant to the Child Labor Law of 2024 or
16 work permit issued pursuant to the Federal Fair Labor
17 Standards Act, as amended, or a birth certificate properly and
18 duly issued, such certificate, permit or birth certificate is
19 conclusive evidence as to the age of the injured minor
20 employee for the purposes of this Section only.

21 (i) Whenever the dependents of a deceased employee are
22 noncitizens not residing in the United States, Mexico or
23 Canada, the amount of compensation payable is limited to the
24 beneficiaries described in paragraphs (a), (b) and (c) of this
25 Section and is 50% of the compensation provided in paragraphs
26 (a), (b) and (c) of this Section, except as otherwise provided

1 by treaty.

2 In a case where any of the persons who would be entitled to
3 compensation is living at any place outside of the United
4 States, then payment shall be made to the personal
5 representative of the deceased employee. The distribution by
6 such personal representative to the persons entitled shall be
7 made to such persons and in such manner as the Commission
8 orders.

9 (Source: P.A. 102-1030, eff. 5-27-22.)

10 (820 ILCS 305/8) (from Ch. 48, par. 138.8)

11 Sec. 8. The amount of compensation which shall be paid to
12 the employee for an accidental injury not resulting in death
13 is:

14 (a) The employer shall provide and pay the negotiated
15 rate, if applicable, or the lesser of the health care
16 provider's actual charges or according to a fee schedule,
17 subject to Section 8.2, in effect at the time the service was
18 rendered for all the necessary first aid, medical and surgical
19 services, and all necessary medical, surgical and hospital
20 services thereafter incurred, limited, however, to that which
21 is reasonably required to cure or relieve from the effects of
22 the accidental injury, even if a health care provider sells,
23 transfers, or otherwise assigns an account receivable for
24 procedures, treatments, or services covered under this Act. If
25 the employer does not dispute payment of first aid, medical,

1 surgical, and hospital services, the employer shall make such
2 payment to the provider on behalf of the employee. The
3 employer shall also pay for treatment, instruction and
4 training necessary for the physical, mental and vocational
5 rehabilitation of the employee, including all maintenance
6 costs and expenses incidental thereto. If as a result of the
7 injury the employee is unable to be self-sufficient the
8 employer shall further pay for such maintenance or
9 institutional care as shall be required.

10 The employee may at any time elect to secure his own
11 physician, surgeon and hospital services at the employer's
12 expense, or,

13 Upon agreement between the employer and the employees, or
14 the employees' exclusive representative, and subject to the
15 approval of the Illinois Workers' Compensation Commission, the
16 employer shall maintain a list of physicians, to be known as a
17 Panel of Physicians, who are accessible to the employees. The
18 employer shall post this list in a place or places easily
19 accessible to his employees. The employee shall have the right
20 to make an alternative choice of physician from such Panel if
21 he is not satisfied with the physician first selected. If, due
22 to the nature of the injury or its occurrence away from the
23 employer's place of business, the employee is unable to make a
24 selection from the Panel, the selection process from the Panel
25 shall not apply. The physician selected from the Panel may
26 arrange for any consultation, referral or other specialized

1 medical services outside the Panel at the employer's expense.
2 Provided that, in the event the Commission shall find that a
3 doctor selected by the employee is rendering improper or
4 inadequate care, the Commission may order the employee to
5 select another doctor certified or qualified in the medical
6 field for which treatment is required. If the employee refuses
7 to make such change the Commission may relieve the employer of
8 his obligation to pay the doctor's charges from the date of
9 refusal to the date of compliance.

10 Any vocational rehabilitation counselors who provide
11 service under this Act shall have appropriate certifications
12 which designate the counselor as qualified to render opinions
13 relating to vocational rehabilitation. Vocational
14 rehabilitation may include, but is not limited to, counseling
15 for job searches, supervising a job search program, and
16 vocational retraining including education at an accredited
17 learning institution. The employee or employer may petition to
18 the Commission to decide disputes relating to vocational
19 rehabilitation and the Commission shall resolve any such
20 dispute, including payment of the vocational rehabilitation
21 program by the employer.

22 The maintenance benefit shall not be less than the
23 temporary total disability rate determined for the employee.
24 In addition, maintenance shall include costs and expenses
25 incidental to the vocational rehabilitation program.

26 When the employee is working light duty on a part-time

1 basis or full-time basis and earns less than he or she would be
2 earning if employed in the full capacity of the job or jobs,
3 then the employee shall be entitled to temporary partial
4 disability benefits. Temporary partial disability benefits
5 shall be equal to two-thirds of the difference between the
6 average amount that the employee would be able to earn in the
7 full performance of his or her duties in the occupation in
8 which he or she was engaged at the time of accident and the
9 gross amount which he or she is earning in the modified job
10 provided to the employee by the employer or in any other job
11 that the employee is working.

12 Every hospital, physician, surgeon or other person
13 rendering treatment or services in accordance with the
14 provisions of this Section shall upon written request furnish
15 full and complete reports thereof to, and permit their records
16 to be copied by, the employer, the employee or his dependents,
17 as the case may be, or any other party to any proceeding for
18 compensation before the Commission, or their attorneys.

19 Notwithstanding the foregoing, the employer's liability to
20 pay for such medical services selected by the employee shall
21 be limited to:

- 22 (1) all first aid and emergency treatment; plus
23 (2) all medical, surgical and hospital services
24 provided by the physician, surgeon or hospital initially
25 chosen by the employee or by any other physician,
26 consultant, expert, institution or other provider of

1 services recommended by said initial service provider or
2 any subsequent provider of medical services in the chain
3 of referrals from said initial service provider; plus

4 (3) all medical, surgical and hospital services
5 provided by any second physician, surgeon or hospital
6 subsequently chosen by the employee or by any other
7 physician, consultant, expert, institution or other
8 provider of services recommended by said second service
9 provider or any subsequent provider of medical services in
10 the chain of referrals from said second service provider.
11 Thereafter the employer shall select and pay for all
12 necessary medical, surgical and hospital treatment and the
13 employee may not select a provider of medical services at
14 the employer's expense unless the employer agrees to such
15 selection. At any time the employee may obtain any medical
16 treatment he desires at his own expense. This paragraph
17 shall not affect the duty to pay for rehabilitation
18 referred to above.

19 (4) The following shall apply for injuries occurring
20 on or after June 28, 2011 (the effective date of Public Act
21 97-18) and only when an employer has an approved preferred
22 provider program pursuant to Section 8.1a on the date the
23 employee sustained his or her accidental injuries:

24 (A) The employer shall, in writing, on a form
25 promulgated by the Commission, inform the employee of
26 the preferred provider program;

1 (B) Subsequent to the report of an injury by an
2 employee, the employee may choose in writing at any
3 time to decline the preferred provider program, in
4 which case that would constitute one of the two
5 choices of medical providers to which the employee is
6 entitled under subsection (a) (2) or (a) (3); and

7 (C) Prior to the report of an injury by an
8 employee, when an employee chooses non-emergency
9 treatment from a provider not within the preferred
10 provider program, that would constitute the employee's
11 one choice of medical providers to which the employee
12 is entitled under subsection (a) (2) or (a) (3).

13 When an employer and employee so agree in writing, nothing
14 in this Act prevents an employee whose injury or disability
15 has been established under this Act, from relying in good
16 faith, on treatment by prayer or spiritual means alone, in
17 accordance with the tenets and practice of a recognized church
18 or religious denomination, by a duly accredited practitioner
19 thereof, and having nursing services appropriate therewith,
20 without suffering loss or diminution of the compensation
21 benefits under this Act. However, the employee shall submit to
22 all physical examinations required by this Act. The cost of
23 such treatment and nursing care shall be paid by the employee
24 unless the employer agrees to make such payment.

25 Where the accidental injury results in the amputation of
26 an arm, hand, leg or foot, or the enucleation of an eye, or the

1 loss of any of the natural teeth, the employer shall furnish an
2 artificial of any such members lost or damaged in accidental
3 injury arising out of and in the course of employment, and
4 shall also furnish the necessary braces in all proper and
5 necessary cases. In cases of the loss of a member or members by
6 amputation, the employer shall, whenever necessary, maintain
7 in good repair, refit or replace the artificial limbs during
8 the lifetime of the employee. Where the accidental injury
9 accompanied by physical injury results in damage to a denture,
10 eye glasses or contact eye lenses, or where the accidental
11 injury results in damage to an artificial member, the employer
12 shall replace or repair such denture, glasses, lenses, or
13 artificial member.

14 The furnishing by the employer of any such services or
15 appliances is not an admission of liability on the part of the
16 employer to pay compensation.

17 The furnishing of any such services or appliances or the
18 servicing thereof by the employer is not the payment of
19 compensation.

20 (b) If the period of temporary total incapacity for work
21 lasts more than 3 working days, weekly compensation as
22 hereinafter provided shall be paid beginning on the 4th day of
23 such temporary total incapacity and continuing as long as the
24 total temporary incapacity lasts. In cases where the temporary
25 total incapacity for work continues for a period of 14 days or
26 more from the day of the accident compensation shall commence

1 on the day after the accident.

2 1. The compensation rate for temporary total
3 incapacity under this paragraph (b) of this Section shall
4 be equal to 66 2/3% of the employee's average weekly wage
5 computed in accordance with Section 10, provided that it
6 shall be not less than 66 2/3% of the sum of the Federal
7 minimum wage under the Fair Labor Standards Act, or the
8 Illinois minimum wage under the Minimum Wage Law,
9 whichever is more, multiplied by 40 hours. This percentage
10 rate shall be increased by 10% for each spouse and child,
11 not to exceed 100% of the total minimum wage calculation,
12 nor exceed the employee's average weekly wage computed in
13 accordance with the provisions of Section 10, whichever is
14 less.

15 2. The compensation rate in all cases other than for
16 temporary total disability under this paragraph (b), and
17 other than for serious and permanent disfigurement under
18 paragraph (c) and other than for permanent partial
19 disability under subparagraph (2) of paragraph (d) or
20 under paragraph (e), of this Section shall be equal to 66
21 2/3% of the employee's average weekly wage computed in
22 accordance with the provisions of Section 10, provided
23 that it shall be not less than 66 2/3% of the sum of the
24 Federal minimum wage under the Fair Labor Standards Act,
25 or the Illinois minimum wage under the Minimum Wage Law,
26 whichever is more, multiplied by 40 hours. This percentage

1 rate shall be increased by 10% for each spouse and child,
2 not to exceed 100% of the total minimum wage calculation,
3 nor exceed the employee's average weekly wage computed in
4 accordance with the provisions of Section 10, whichever is
5 less.

6 2.1. The compensation rate in all cases of serious and
7 permanent disfigurement under paragraph (c) and of
8 permanent partial disability under subparagraph (2) of
9 paragraph (d) or under paragraph (e) of this Section shall
10 be equal to 60% of the employee's average weekly wage
11 computed in accordance with the provisions of Section 10,
12 provided that it shall be not less than 66 2/3% of the sum
13 of the Federal minimum wage under the Fair Labor Standards
14 Act, or the Illinois minimum wage under the Minimum Wage
15 Law, whichever is more, multiplied by 40 hours. This
16 percentage rate shall be increased by 10% for each spouse
17 and child, not to exceed 100% of the total minimum wage
18 calculation, nor exceed the employee's average weekly wage
19 computed in accordance with the provisions of Section 10,
20 whichever is less.

21 3. As used in this Section the term "child" means a
22 child of the employee including any child legally adopted
23 before the accident or whom at the time of the accident the
24 employee was under legal obligation to support or to whom
25 the employee stood in loco parentis, and who at the time of
26 the accident was under 18 years of age and not

1 emancipated. The term "children" means the plural of
2 "child".

3 4. All weekly compensation rates provided under
4 subparagraphs 1, 2 and 2.1 of this paragraph (b) of this
5 Section shall be subject to the following limitations:

6 The maximum weekly compensation rate from July 1,
7 1975, except as hereinafter provided, shall be 100% of the
8 State's average weekly wage in covered industries under
9 the Unemployment Insurance Act, that being the wage that
10 most closely approximates the State's average weekly wage.

11 The maximum weekly compensation rate, for the period
12 July 1, 1984, through June 30, 1987, except as hereinafter
13 provided, shall be \$293.61. Effective July 1, 1987 and on
14 July 1 of each year thereafter the maximum weekly
15 compensation rate, except as hereinafter provided, shall
16 be determined as follows: if during the preceding 12 month
17 period there shall have been an increase in the State's
18 average weekly wage in covered industries under the
19 Unemployment Insurance Act, the weekly compensation rate
20 shall be proportionately increased by the same percentage
21 as the percentage of increase in the State's average
22 weekly wage in covered industries under the Unemployment
23 Insurance Act during such period.

24 The maximum weekly compensation rate, for the period
25 January 1, 1981 through December 31, 1983, except as
26 hereinafter provided, shall be 100% of the State's average

1 weekly wage in covered industries under the Unemployment
2 Insurance Act in effect on January 1, 1981. Effective
3 January 1, 1984 and on January 1, of each year thereafter
4 the maximum weekly compensation rate, except as
5 hereinafter provided, shall be determined as follows: if
6 during the preceding 12 month period there shall have been
7 an increase in the State's average weekly wage in covered
8 industries under the Unemployment Insurance Act, the
9 weekly compensation rate shall be proportionately
10 increased by the same percentage as the percentage of
11 increase in the State's average weekly wage in covered
12 industries under the Unemployment Insurance Act during
13 such period.

14 From July 1, 1977 and thereafter such maximum weekly
15 compensation rate in death cases under Section 7, and
16 permanent total disability cases under paragraph (f) or
17 subparagraph 18 of paragraph (3) of this Section and for
18 temporary total disability under paragraph (b) of this
19 Section and for amputation of a member or enucleation of
20 an eye under paragraph (e) of this Section shall be
21 increased to 133-1/3% of the State's average weekly wage
22 in covered industries under the Unemployment Insurance
23 Act.

24 For injuries occurring on or after February 1, 2006,
25 the maximum weekly benefit under paragraph (d)1 of this
26 Section shall be 100% of the State's average weekly wage

1 in covered industries under the Unemployment Insurance
2 Act.

3 4.1. Any provision herein to the contrary
4 notwithstanding, the weekly compensation rate for
5 compensation payments under subparagraph 18 of paragraph
6 (e) of this Section and under paragraph (f) of this
7 Section and under paragraph (a) of Section 7 and for
8 amputation of a member or enucleation of an eye under
9 paragraph (e) of this Section, shall in no event be less
10 than 50% of the State's average weekly wage in covered
11 industries under the Unemployment Insurance Act.

12 4.2. Any provision to the contrary notwithstanding,
13 the total compensation payable under Section 7 shall not
14 exceed the greater of \$500,000 or 25 years.

15 5. For the purpose of this Section this State's
16 average weekly wage in covered industries under the
17 Unemployment Insurance Act on July 1, 1975 is hereby fixed
18 at \$228.16 per week and the computation of compensation
19 rates shall be based on the aforesaid average weekly wage
20 until modified as hereinafter provided.

21 6. The Department of Employment Security of the State
22 shall on or before the first day of December, 1977, and on
23 or before the first day of June, 1978, and on the first day
24 of each December and June of each year thereafter, publish
25 the State's average weekly wage in covered industries
26 under the Unemployment Insurance Act and the Illinois

1 Workers' Compensation Commission shall on the 15th day of
2 January, 1978 and on the 15th day of July, 1978 and on the
3 15th day of each January and July of each year thereafter,
4 post and publish the State's average weekly wage in
5 covered industries under the Unemployment Insurance Act as
6 last determined and published by the Department of
7 Employment Security. The amount when so posted and
8 published shall be conclusive and shall be applicable as
9 the basis of computation of compensation rates until the
10 next posting and publication as aforesaid.

11 7. The payment of compensation by an employer or his
12 insurance carrier to an injured employee shall not
13 constitute an admission of the employer's liability to pay
14 compensation.

15 (c) For any serious and permanent disfigurement to the
16 hand, head, face, neck, arm, leg below the knee or the chest
17 above the axillary line, the employee is entitled to
18 compensation for such disfigurement, the amount determined by
19 agreement at any time or by arbitration under this Act, at a
20 hearing not less than 6 months after the date of the accidental
21 injury, which amount shall not exceed 150 weeks (if the
22 accidental injury occurs on or after the effective date of
23 this amendatory Act of the 94th General Assembly but before
24 February 1, 2006) or 162 weeks (if the accidental injury
25 occurs on or after February 1, 2006) at the applicable rate
26 provided in subparagraph 2.1 of paragraph (b) of this Section.

1 No compensation is payable under this paragraph where
2 compensation is payable under paragraphs (d), (e) or (f) of
3 this Section.

4 A duly appointed member of a fire department in a city, the
5 population of which exceeds 500,000 according to the last
6 federal or State census, is eligible for compensation under
7 this paragraph only where such serious and permanent
8 disfigurement results from burns.

9 (d) 1. If, after the accidental injury has been sustained,
10 the employee as a result thereof becomes partially
11 incapacitated from pursuing his usual and customary line of
12 employment, he shall, except in cases compensated under the
13 specific schedule set forth in paragraph (e) of this Section,
14 receive compensation for the duration of his disability,
15 subject to the limitations as to maximum amounts fixed in
16 paragraph (b) of this Section, equal to 66-2/3% of the
17 difference between the average amount which he would be able
18 to earn in the full performance of his duties in the occupation
19 in which he was engaged at the time of the accident and the
20 average amount which he is earning or is able to earn in some
21 suitable employment or business after the accident. For
22 accidental injuries that occur on or after September 1, 2011,
23 an award for wage differential under this subsection shall be
24 effective only until the employee reaches the age of 67 or 5
25 years from the date the award becomes final, whichever is
26 later.

1 2. If, as a result of the accident, the employee sustains
2 serious and permanent injuries not covered by paragraphs (c)
3 and (e) of this Section or having sustained injuries covered
4 by the aforesaid paragraphs (c) and (e), he shall have
5 sustained in addition thereto other injuries which injuries do
6 not incapacitate him from pursuing the duties of his
7 employment but which would disable him from pursuing other
8 suitable occupations, or which have otherwise resulted in
9 physical impairment; or if such injuries partially
10 incapacitate him from pursuing the duties of his usual and
11 customary line of employment but do not result in an
12 impairment of earning capacity, or having resulted in an
13 impairment of earning capacity, the employee elects to waive
14 his right to recover under the foregoing subparagraph 1 of
15 paragraph (d) of this Section then in any of the foregoing
16 events, he shall receive in addition to compensation for
17 temporary total disability under paragraph (b) of this
18 Section, compensation at the rate provided in subparagraph 2.1
19 of paragraph (b) of this Section for that percentage of 500
20 weeks that the partial disability resulting from the injuries
21 covered by this paragraph bears to total disability. If the
22 employee shall have sustained a fracture of one or more
23 vertebra or fracture of the skull, the amount of compensation
24 allowed under this Section shall be not less than 6 weeks for a
25 fractured skull and 6 weeks for each fractured vertebra, and
26 in the event the employee shall have sustained a fracture of

1 any of the following facial bones: nasal, lachrymal, vomer,
2 zygoma, maxilla, palatine or mandible, the amount of
3 compensation allowed under this Section shall be not less than
4 2 weeks for each such fractured bone, and for a fracture of
5 each transverse process not less than 3 weeks. In the event
6 such injuries shall result in the loss of a kidney, spleen or
7 lung, the amount of compensation allowed under this Section
8 shall be not less than 10 weeks for each such organ.
9 Compensation awarded under this subparagraph 2 shall not take
10 into consideration injuries covered under paragraphs (c) and
11 (e) of this Section and the compensation provided in this
12 paragraph shall not affect the employee's right to
13 compensation payable under paragraphs (b), (c) and (e) of this
14 Section for the disabilities therein covered.

15 (e) For accidental injuries in the following schedule, the
16 employee shall receive compensation for the period of
17 temporary total incapacity for work resulting from such
18 accidental injury, under subparagraph 1 of paragraph (b) of
19 this Section, and shall receive in addition thereto
20 compensation for a further period for the specific loss herein
21 mentioned, but shall not receive any compensation under any
22 other provisions of this Act. The following listed amounts
23 apply to either the loss of or the permanent and complete loss
24 of use of the member specified, such compensation for the
25 length of time as follows:

26 1. Thumb-

1 70 weeks if the accidental injury occurs on or
2 after the effective date of this amendatory Act of the
3 94th General Assembly but before February 1, 2006.

4 76 weeks if the accidental injury occurs on or
5 after February 1, 2006.

6 2. First, or index finger-

7 40 weeks if the accidental injury occurs on or
8 after the effective date of this amendatory Act of the
9 94th General Assembly but before February 1, 2006.

10 43 weeks if the accidental injury occurs on or
11 after February 1, 2006.

12 3. Second, or middle finger-

13 35 weeks if the accidental injury occurs on or
14 after the effective date of this amendatory Act of the
15 94th General Assembly but before February 1, 2006.

16 38 weeks if the accidental injury occurs on or
17 after February 1, 2006.

18 4. Third, or ring finger-

19 25 weeks if the accidental injury occurs on or
20 after the effective date of this amendatory Act of the
21 94th General Assembly but before February 1, 2006.

22 27 weeks if the accidental injury occurs on or
23 after February 1, 2006.

24 5. Fourth, or little finger-

25 20 weeks if the accidental injury occurs on or
26 after the effective date of this amendatory Act of the

1 94th General Assembly but before February 1, 2006.

2 22 weeks if the accidental injury occurs on or
3 after February 1, 2006.

4 6. Great toe-

5 35 weeks if the accidental injury occurs on or
6 after the effective date of this amendatory Act of the
7 94th General Assembly but before February 1, 2006.

8 38 weeks if the accidental injury occurs on or
9 after February 1, 2006.

10 7. Each toe other than great toe-

11 12 weeks if the accidental injury occurs on or
12 after the effective date of this amendatory Act of the
13 94th General Assembly but before February 1, 2006.

14 13 weeks if the accidental injury occurs on or
15 after February 1, 2006.

16 8. The loss of the first or distal phalanx of the thumb
17 or of any finger or toe shall be considered to be equal to
18 the loss of one-half of such thumb, finger or toe and the
19 compensation payable shall be one-half of the amount above
20 specified. The loss of more than one phalanx shall be
21 considered as the loss of the entire thumb, finger or toe.
22 In no case shall the amount received for more than one
23 finger exceed the amount provided in this schedule for the
24 loss of a hand.

25 9. Hand-

26 190 weeks if the accidental injury occurs on or

1 after the effective date of this amendatory Act of the
2 94th General Assembly but before February 1, 2006.

3 205 weeks if the accidental injury occurs on or
4 after February 1, 2006.

5 190 weeks if the accidental injury occurs on or
6 after June 28, 2011 (the effective date of Public Act
7 97-18) and if the accidental injury involves carpal
8 tunnel syndrome due to repetitive or cumulative
9 trauma, in which case the permanent partial disability
10 shall not exceed 15% loss of use of the hand, except
11 for cause shown by clear and convincing evidence and
12 in which case the award shall not exceed 30% loss of
13 use of the hand.

14 The loss of 2 or more digits, or one or more phalanges
15 of 2 or more digits, of a hand may be compensated on the
16 basis of partial loss of use of a hand, provided, further,
17 that the loss of 4 digits, or the loss of use of 4 digits,
18 in the same hand shall constitute the complete loss of a
19 hand.

20 10. Arm-

21 235 weeks if the accidental injury occurs on or
22 after the effective date of this amendatory Act of the
23 94th General Assembly but before February 1, 2006.

24 253 weeks if the accidental injury occurs on or
25 after February 1, 2006.

26 Where an accidental injury results in the amputation

1 of an arm below the elbow, such injury shall be
2 compensated as a loss of an arm. Where an accidental
3 injury results in the amputation of an arm above the
4 elbow, compensation for an additional 15 weeks (if the
5 accidental injury occurs on or after the effective date of
6 this amendatory Act of the 94th General Assembly but
7 before February 1, 2006) or an additional 17 weeks (if the
8 accidental injury occurs on or after February 1, 2006)
9 shall be paid, except where the accidental injury results
10 in the amputation of an arm at the shoulder joint, or so
11 close to shoulder joint that an artificial arm cannot be
12 used, or results in the disarticulation of an arm at the
13 shoulder joint, in which case compensation for an
14 additional 65 weeks (if the accidental injury occurs on or
15 after the effective date of this amendatory Act of the
16 94th General Assembly but before February 1, 2006) or an
17 additional 70 weeks (if the accidental injury occurs on or
18 after February 1, 2006) shall be paid.

19 11. Foot-

20 155 weeks if the accidental injury occurs on or
21 after the effective date of this amendatory Act of the
22 94th General Assembly but before February 1, 2006.

23 167 weeks if the accidental injury occurs on or
24 after February 1, 2006.

25 12. Leg-

26 200 weeks if the accidental injury occurs on or

1 after the effective date of this amendatory Act of the
2 94th General Assembly but before February 1, 2006.

3 215 weeks if the accidental injury occurs on or
4 after February 1, 2006.

5 Where an accidental injury results in the amputation
6 of a leg below the knee, such injury shall be compensated
7 as loss of a leg. Where an accidental injury results in the
8 amputation of a leg above the knee, compensation for an
9 additional 25 weeks (if the accidental injury occurs on or
10 after the effective date of this amendatory Act of the
11 94th General Assembly but before February 1, 2006) or an
12 additional 27 weeks (if the accidental injury occurs on or
13 after February 1, 2006) shall be paid, except where the
14 accidental injury results in the amputation of a leg at
15 the hip joint, or so close to the hip joint that an
16 artificial leg cannot be used, or results in the
17 disarticulation of a leg at the hip joint, in which case
18 compensation for an additional 75 weeks (if the accidental
19 injury occurs on or after the effective date of this
20 amendatory Act of the 94th General Assembly but before
21 February 1, 2006) or an additional 81 weeks (if the
22 accidental injury occurs on or after February 1, 2006)
23 shall be paid.

24 13. Eye-

25 150 weeks if the accidental injury occurs on or
26 after the effective date of this amendatory Act of the

1 94th General Assembly but before February 1, 2006.

2 162 weeks if the accidental injury occurs on or
3 after February 1, 2006.

4 Where an accidental injury results in the enucleation
5 of an eye, compensation for an additional 10 weeks (if the
6 accidental injury occurs on or after the effective date of
7 this amendatory Act of the 94th General Assembly but
8 before February 1, 2006) or an additional 11 weeks (if the
9 accidental injury occurs on or after February 1, 2006)
10 shall be paid.

11 14. Loss of hearing of one ear-

12 50 weeks if the accidental injury occurs on or
13 after the effective date of this amendatory Act of the
14 94th General Assembly but before February 1, 2006.

15 54 weeks if the accidental injury occurs on or
16 after February 1, 2006.

17 Total and permanent loss of hearing of both ears-

18 200 weeks if the accidental injury occurs on or
19 after the effective date of this amendatory Act of the
20 94th General Assembly but before February 1, 2006.

21 215 weeks if the accidental injury occurs on or
22 after February 1, 2006.

23 15. Testicle-

24 50 weeks if the accidental injury occurs on or
25 after the effective date of this amendatory Act of the
26 94th General Assembly but before February 1, 2006.

1 54 weeks if the accidental injury occurs on or
2 after February 1, 2006.

3 Both testicles-

4 150 weeks if the accidental injury occurs on or
5 after the effective date of this amendatory Act of the
6 94th General Assembly but before February 1, 2006.

7 162 weeks if the accidental injury occurs on or
8 after February 1, 2006.

9 16. For the permanent partial loss of use of a member
10 or sight of an eye, or hearing of an ear, compensation
11 during that proportion of the number of weeks in the
12 foregoing schedule provided for the loss of such member or
13 sight of an eye, or hearing of an ear, which the partial
14 loss of use thereof bears to the total loss of use of such
15 member, or sight of eye, or hearing of an ear.

16 (a) Loss of hearing for compensation purposes
17 shall be confined to the frequencies of 1,000, 2,000
18 and 3,000 cycles per second. Loss of hearing ability
19 for frequency tones above 3,000 cycles per second are
20 not to be considered as constituting disability for
21 hearing.

22 (b) The percent of hearing loss, for purposes of
23 the determination of compensation claims for
24 occupational deafness, shall be calculated as the
25 average in decibels for the thresholds of hearing for
26 the frequencies of 1,000, 2,000 and 3,000 cycles per

1 second. Pure tone air conduction audiometric
2 instruments, approved by nationally recognized
3 authorities in this field, shall be used for measuring
4 hearing loss. If the losses of hearing average 30
5 decibels or less in the 3 frequencies, such losses of
6 hearing shall not then constitute any compensable
7 hearing disability. If the losses of hearing average
8 85 decibels or more in the 3 frequencies, then the same
9 shall constitute and be total or 100% compensable
10 hearing loss.

11 (c) In measuring hearing impairment, the lowest
12 measured losses in each of the 3 frequencies shall be
13 added together and divided by 3 to determine the
14 average decibel loss. For every decibel of loss
15 exceeding 30 decibels an allowance of 1.82% shall be
16 made up to the maximum of 100% which is reached at 85
17 decibels.

18 (d) If a hearing loss is established to have
19 existed on July 1, 1975 by audiometric testing the
20 employer shall not be liable for the previous loss so
21 established nor shall he be liable for any loss for
22 which compensation has been paid or awarded.

23 (e) No consideration shall be given to the
24 question of whether or not the ability of an employee
25 to understand speech is improved by the use of a
26 hearing aid.

1 (f) No claim for loss of hearing due to industrial
2 noise shall be brought against an employer or allowed
3 unless the employee has been exposed for a period of
4 time sufficient to cause permanent impairment to noise
5 levels in excess of the following:

6 Sound Level DBA

7 Slow Response	8 Hours Per Day
9 90	10 8
11 92	12 6
13 95	14 4
15 97	16 3
17 100	18 2
19 102	20 1-1/2
21 105	22 1
23 110	24 1/2
25 115	26 1/4

17 This subparagraph (f) shall not be applied in cases of
18 hearing loss resulting from trauma or explosion.

19 17. In computing the compensation to be paid to any
20 employee who, before the accident for which he claims
21 compensation, had before that time sustained an injury
22 resulting in the loss by amputation or partial loss by
23 amputation of any member, including hand, arm, thumb or
24 fingers, leg, foot or any toes, such loss or partial loss
25 of any such member shall be deducted from any award made
26 for the subsequent injury. For the permanent loss of use

1 or the permanent partial loss of use of any such member or
2 the partial loss of sight of an eye, for which
3 compensation has been paid, then such loss shall be taken
4 into consideration and deducted from any award for the
5 subsequent injury.

6 18. The specific case of loss of both hands, both
7 arms, or both feet, or both legs, or both eyes, or of any
8 two thereof, or the permanent and complete loss of the use
9 thereof, constitutes total and permanent disability, to be
10 compensated according to the compensation fixed by
11 paragraph (f) of this Section. These specific cases of
12 total and permanent disability do not exclude other cases.

13 Any employee who has previously suffered the loss or
14 permanent and complete loss of the use of any of such
15 members, and in a subsequent independent accident loses
16 another or suffers the permanent and complete loss of the
17 use of any one of such members the employer for whom the
18 injured employee is working at the time of the last
19 independent accident is liable to pay compensation only
20 for the loss or permanent and complete loss of the use of
21 the member occasioned by the last independent accident.

22 19. In a case of specific loss and the subsequent
23 death of such injured employee from other causes than such
24 injury leaving a widow, widower, or dependents surviving
25 before payment or payment in full for such injury, then
26 the amount due for such injury is payable to the widow or

1 widower and, if there be no widow or widower, then to such
2 dependents, in the proportion which such dependency bears
3 to total dependency.

4 Beginning July 1, 1980, and every 6 months thereafter, the
5 Commission shall examine the Second Injury Fund and when,
6 after deducting all advances or loans made to such Fund, the
7 amount therein is \$500,000 then the amount required to be paid
8 by employers pursuant to paragraph (f) of Section 7 shall be
9 reduced by one-half. When the Second Injury Fund reaches the
10 sum of \$600,000 then the payments shall cease entirely.
11 However, when the Second Injury Fund has been reduced to
12 \$400,000, payment of one-half of the amounts required by
13 paragraph (f) of Section 7 shall be resumed, in the manner
14 herein provided, and when the Second Injury Fund has been
15 reduced to \$300,000, payment of the full amounts required by
16 paragraph (f) of Section 7 shall be resumed, in the manner
17 herein provided. The Commission shall make the changes in
18 payment effective by general order, and the changes in payment
19 become immediately effective for all cases coming before the
20 Commission thereafter either by settlement agreement or final
21 order, irrespective of the date of the accidental injury.

22 On August 1, 1996 and on February 1 and August 1 of each
23 subsequent year, the Commission shall examine the special fund
24 designated as the "Rate Adjustment Fund" and when, after
25 deducting all advances or loans made to said fund, the amount
26 therein is \$4,000,000, the amount required to be paid by

1 employers pursuant to paragraph (f) of Section 7 shall be
2 reduced by one-half. When the Rate Adjustment Fund reaches the
3 sum of \$5,000,000 the payment therein shall cease entirely.
4 However, when said Rate Adjustment Fund has been reduced to
5 \$3,000,000 the amounts required by paragraph (f) of Section 7
6 shall be resumed in the manner herein provided.

7 (f) In case of complete disability, which renders the
8 employee wholly and permanently incapable of work, or in the
9 specific case of total and permanent disability as provided in
10 subparagraph 18 of paragraph (e) of this Section, compensation
11 shall be payable at the rate provided in subparagraph 2 of
12 paragraph (b) of this Section for life.

13 An employee entitled to benefits under paragraph (f) of
14 this Section shall also be entitled to receive from the Rate
15 Adjustment Fund provided in paragraph (f) of Section 7 of the
16 supplementary benefits provided in paragraph (g) of this
17 Section 8.

18 If any employee who receives an award under this paragraph
19 afterwards returns to work or is able to do so, and earns or is
20 able to earn as much as before the accident, payments under
21 such award shall cease. If such employee returns to work, or is
22 able to do so, and earns or is able to earn part but not as
23 much as before the accident, such award shall be modified so as
24 to conform to an award under paragraph (d) of this Section. If
25 such award is terminated or reduced under the provisions of
26 this paragraph, such employees have the right at any time

1 within 30 months after the date of such termination or
2 reduction to file petition with the Commission for the purpose
3 of determining whether any disability exists as a result of
4 the original accidental injury and the extent thereof.

5 Disability as enumerated in subdivision 18, paragraph (e)
6 of this Section is considered complete disability.

7 If an employee who had previously incurred loss or the
8 permanent and complete loss of use of one member, through the
9 loss or the permanent and complete loss of the use of one hand,
10 one arm, one foot, one leg, or one eye, incurs permanent and
11 complete disability through the loss or the permanent and
12 complete loss of the use of another member, he shall receive,
13 in addition to the compensation payable by the employer and
14 after such payments have ceased, an amount from the Second
15 Injury Fund provided for in paragraph (f) of Section 7, which,
16 together with the compensation payable from the employer in
17 whose employ he was when the last accidental injury was
18 incurred, will equal the amount payable for permanent and
19 complete disability as provided in this paragraph of this
20 Section.

21 The custodian of the Second Injury Fund provided for in
22 paragraph (f) of Section 7 shall be joined with the employer as
23 a party respondent in the application for adjustment of claim.
24 The application for adjustment of claim shall state briefly
25 and in general terms the approximate time and place and manner
26 of the loss of the first member.

1 In its award the Commission or the Arbitrator shall
2 specifically find the amount the injured employee shall be
3 weekly paid, the number of weeks compensation which shall be
4 paid by the employer, the date upon which payments begin out of
5 the Second Injury Fund provided for in paragraph (f) of
6 Section 7 of this Act, the length of time the weekly payments
7 continue, the date upon which the pension payments commence
8 and the monthly amount of the payments. The Commission shall
9 30 days after the date upon which payments out of the Second
10 Injury Fund have begun as provided in the award, and every
11 month thereafter, prepare and submit to the State Comptroller
12 a voucher for payment for all compensation accrued to that
13 date at the rate fixed by the Commission. The State
14 Comptroller shall draw a warrant to the injured employee along
15 with a receipt to be executed by the injured employee and
16 returned to the Commission. The endorsed warrant and receipt
17 is a full and complete acquittance to the Commission for the
18 payment out of the Second Injury Fund. No other appropriation
19 or warrant is necessary for payment out of the Second Injury
20 Fund. The Second Injury Fund is appropriated for the purpose
21 of making payments according to the terms of the awards.

22 As of July 1, 1980 to July 1, 1982, all claims against and
23 obligations of the Second Injury Fund shall become claims
24 against and obligations of the Rate Adjustment Fund to the
25 extent there is insufficient money in the Second Injury Fund
26 to pay such claims and obligations. In that case, all

1 references to "Second Injury Fund" in this Section shall also
2 include the Rate Adjustment Fund.

3 (g) Every award for permanent total disability entered by
4 the Commission on and after July 1, 1965 under which
5 compensation payments shall become due and payable after the
6 effective date of this amendatory Act, and every award for
7 death benefits or permanent total disability entered by the
8 Commission on and after the effective date of this amendatory
9 Act shall be subject to annual adjustments as to the amount of
10 the compensation rate therein provided. Such adjustments shall
11 first be made on July 15, 1977, and all awards made and entered
12 prior to July 1, 1975 and on July 15 of each year thereafter.
13 In all other cases such adjustment shall be made on July 15 of
14 the second year next following the date of the entry of the
15 award and shall further be made on July 15 annually
16 thereafter. If during the intervening period from the date of
17 the entry of the award, or the last periodic adjustment, there
18 shall have been an increase in the State's average weekly wage
19 in covered industries under the Unemployment Insurance Act,
20 the weekly compensation rate shall be proportionately
21 increased by the same percentage as the percentage of increase
22 in the State's average weekly wage in covered industries under
23 the Unemployment Insurance Act. The increase in the
24 compensation rate under this paragraph shall in no event bring
25 the total compensation rate to an amount greater than the
26 prevailing maximum rate at the time that the annual adjustment

1 is made. Such increase shall be paid in the same manner as
2 herein provided for payments under the Second Injury Fund to
3 the injured employee, or his dependents, as the case may be,
4 out of the Rate Adjustment Fund provided in paragraph (f) of
5 Section 7 of this Act. Payments shall be made at the same
6 intervals as provided in the award or, at the option of the
7 Commission, may be made in quarterly payment on the 15th day of
8 January, April, July and October of each year. In the event of
9 a decrease in such average weekly wage there shall be no change
10 in the then existing compensation rate. The within paragraph
11 shall not apply to cases where there is disputed liability and
12 in which a compromise lump sum settlement between the employer
13 and the injured employee, or his dependents, as the case may
14 be, has been duly approved by the Illinois Workers'
15 Compensation Commission.

16 Provided, that in cases of awards entered by the
17 Commission for injuries occurring before July 1, 1975, the
18 increases in the compensation rate adjusted under the
19 foregoing provision of this paragraph (g) shall be limited to
20 increases in the State's average weekly wage in covered
21 industries under the Unemployment Insurance Act occurring
22 after July 1, 1975.

23 For every accident occurring on or after July 20, 2005 but
24 before the effective date of this amendatory Act of the 94th
25 General Assembly (Senate Bill 1283 of the 94th General
26 Assembly), the annual adjustments to the compensation rate in

1 awards for death benefits or permanent total disability, as
2 provided in this Act, shall be paid by the employer. The
3 adjustment shall be made by the employer on July 15 of the
4 second year next following the date of the entry of the award
5 and shall further be made on July 15 annually thereafter. If
6 during the intervening period from the date of the entry of the
7 award, or the last periodic adjustment, there shall have been
8 an increase in the State's average weekly wage in covered
9 industries under the Unemployment Insurance Act, the employer
10 shall increase the weekly compensation rate proportionately by
11 the same percentage as the percentage of increase in the
12 State's average weekly wage in covered industries under the
13 Unemployment Insurance Act. The increase in the compensation
14 rate under this paragraph shall in no event bring the total
15 compensation rate to an amount greater than the prevailing
16 maximum rate at the time that the annual adjustment is made. In
17 the event of a decrease in such average weekly wage there shall
18 be no change in the then existing compensation rate. Such
19 increase shall be paid by the employer in the same manner and
20 at the same intervals as the payment of compensation in the
21 award. This paragraph shall not apply to cases where there is
22 disputed liability and in which a compromise lump sum
23 settlement between the employer and the injured employee, or
24 his or her dependents, as the case may be, has been duly
25 approved by the Illinois Workers' Compensation Commission.

26 The annual adjustments for every award of death benefits

1 or permanent total disability involving accidents occurring
2 before July 20, 2005 and accidents occurring on or after the
3 effective date of this amendatory Act of the 94th General
4 Assembly (Senate Bill 1283 of the 94th General Assembly) shall
5 continue to be paid from the Rate Adjustment Fund pursuant to
6 this paragraph and Section 7(f) of this Act.

7 (h) In case death occurs from any cause before the total
8 compensation to which the employee would have been entitled
9 has been paid, then in case the employee leaves any widow,
10 widower, child, parent (or any grandchild, grandparent or
11 other lineal heir or any collateral heir dependent at the time
12 of the accident upon the earnings of the employee to the extent
13 of 50% or more of total dependency) such compensation shall be
14 paid to the beneficiaries of the deceased employee and
15 distributed as provided in paragraph (g) of Section 7.

16 (h-1) In case an injured employee is under legal
17 disability at the time when any right or privilege accrues to
18 him or her under this Act, a guardian may be appointed pursuant
19 to law, and may, on behalf of such person under legal
20 disability, claim and exercise any such right or privilege
21 with the same effect as if the employee himself or herself had
22 claimed or exercised the right or privilege. No limitations of
23 time provided by this Act run so long as the employee who is
24 under legal disability is without a conservator or guardian.

25 (i) In case the injured employee is under 16 years of age
26 at the time of the accident and is illegally employed, the

1 amount of compensation payable under paragraphs (b), (c), (d),
2 (e) and (f) of this Section is increased 50%.

3 However, where an employer has on file an employment
4 certificate issued pursuant to the Child Labor Law of 2024 or
5 work permit issued pursuant to the Federal Fair Labor
6 Standards Act, as amended, or a birth certificate properly and
7 duly issued, such certificate, permit or birth certificate is
8 conclusive evidence as to the age of the injured minor
9 employee for the purposes of this Section.

10 Nothing herein contained repeals or amends the provisions
11 of the Child Labor Law of 2024 relating to the employment of
12 minors under the age of 16 years.

13 (j) 1. In the event the injured employee receives
14 benefits, including medical, surgical or hospital benefits
15 under any group plan covering non-occupational disabilities
16 contributed to wholly or partially by the employer, which
17 benefits should not have been payable if any rights of
18 recovery existed under this Act, then such amounts so paid to
19 the employee from any such group plan as shall be consistent
20 with, and limited to, the provisions of paragraph 2 hereof,
21 shall be credited to or against any compensation payment for
22 temporary total incapacity for work or any medical, surgical
23 or hospital benefits made or to be made under this Act. In such
24 event, the period of time for giving notice of accidental
25 injury and filing application for adjustment of claim does not
26 commence to run until the termination of such payments. This

1 paragraph does not apply to payments made under any group plan
2 which would have been payable irrespective of an accidental
3 injury under this Act. Any employer receiving such credit
4 shall keep such employee safe and harmless from any and all
5 claims or liabilities that may be made against him by reason of
6 having received such payments only to the extent of such
7 credit.

8 Any excess benefits paid to or on behalf of a State
9 employee by the State Employees' Retirement System under
10 Article 14 of the Illinois Pension Code on a death claim or
11 disputed disability claim shall be credited against any
12 payments made or to be made by the State of Illinois to or on
13 behalf of such employee under this Act, except for payments
14 for medical expenses which have already been incurred at the
15 time of the award. The State of Illinois shall directly
16 reimburse the State Employees' Retirement System to the extent
17 of such credit.

18 2. Nothing contained in this Act shall be construed to
19 give the employer or the insurance carrier the right to credit
20 for any benefits or payments received by the employee other
21 than compensation payments provided by this Act, and where the
22 employee receives payments other than compensation payments,
23 whether as full or partial salary, group insurance benefits,
24 bonuses, annuities or any other payments, the employer or
25 insurance carrier shall receive credit for each such payment
26 only to the extent of the compensation that would have been

1 payable during the period covered by such payment.

2 3. The extension of time for the filing of an Application
3 for Adjustment of Claim as provided in paragraph 1 above shall
4 not apply to those cases where the time for such filing had
5 expired prior to the date on which payments or benefits
6 enumerated herein have been initiated or resumed. Provided
7 however that this paragraph 3 shall apply only to cases
8 wherein the payments or benefits hereinabove enumerated shall
9 be received after July 1, 1969.

10 (Source: P.A. 97-18, eff. 6-28-11; 97-268, eff. 8-8-11;
11 97-813, eff. 7-13-12.)

12 Section 999. Effective date. This Act shall take effect
13 January 1, 2025, with the exception of Sections 95 and 100,
14 which shall take effect July 1, 2024.