

1 AN ACT in relation to public employee benefits.

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

4 Section 5. The Illinois Pension Code is amended by
5 changing Section 5-154 as follows:

6 (40 ILCS 5/5-154) (from Ch. 108 1/2, par. 5-154)
7 Sec. 5-154. Duty disability benefit; child's disability
8 benefit.

9 (a) An active policeman who becomes disabled before ~~on~~
10 ~~or~~-after the effective date of this amendatory Act of the
11 93rd General Assembly as the result of injury incurred on or
12 after such date in the performance of an act of duty, has a
13 right to receive duty disability benefit during any period of
14 such disability for which he does not have a right to receive
15 salary, equal to 75% of his salary, as salary is defined in
16 this Article, at the time the disability is allowed; or in
17 the case of a policeman on duty disability who returns to
18 active employment at any time for a period of at least 2
19 years and is again disabled from the same cause or causes,
20 75% of his salary, as salary is defined in this Article, at
21 the time disability is allowed; provided, however, that:

22 (i) If the disability resulted from any physical
23 defect or mental disorder or any disease which existed at
24 the time the injury was sustained, or if the disability
25 is less than 50% of total disability for any service of a
26 remunerative character, the duty disability benefit shall
27 be 50% of salary as defined in this Article.

28 (ii) Beginning January 1, 1996, no duty disability
29 benefit that has been payable under this Section for at
30 least 10 years shall be less than 50% of the current
31 salary attached from time to time to the rank held by the

1 policeman at the time of removal from the police
2 department payroll, regardless of whether that removal
3 occurred before the effective date of this amendatory Act
4 of 1995.

5 Beginning on January 1, 2000, no duty disability
6 benefit that has been payable under this Section for at
7 least 7 years shall be less than 60% of the current
8 salary attached from time to time to the rank held by the
9 policeman at the time of removal from the police
10 department payroll, regardless of whether that removal
11 occurred before the effective date of this amendatory Act
12 of the 92nd General Assembly.

13 (iii) If the Board finds that the disability of the
14 policeman is of such a nature as to permanently render
15 him totally disabled for any service of a remunerative
16 character, the duty disability benefit shall be 75% of
17 the current salary attached from time to time to the rank
18 held by the policeman at the time of removal from the
19 police department payroll. In the case of a policeman
20 receiving a duty disability benefit under this Section on
21 the effective date of this amendatory Act of the 92nd
22 General Assembly, the increase in benefit provided by
23 this amendatory Act, if any, shall begin to accrue as of
24 the date that the Board makes the required finding of
25 permanent total disability, regardless of whether removal
26 from the payroll occurred before the effective date of
27 this amendatory Act.

28 (a-1) An active policeman who becomes disabled on or
29 after the effective date of this amendatory Act of the 93rd
30 General Assembly as the result of injury incurred on or after
31 that date in the performance of an act of duty has a right to
32 receive duty disability benefit during any period of such
33 disability for which he or she does not have a right to
34 receive salary, equal to 80% of the current salary attached

1 from time to time to the rank held by the policeman at the
2 time of removal from the police department payroll.

3 (a-5) Notwithstanding any other provision of this
4 Section, beginning on January 1, 2004, no duty disability
5 benefit that has been payable under this Section for at least
6 5 years shall be less than 70% of the current salary attached
7 from time to time to the rank held by the policeman at the
8 time of removal from the police department payroll,
9 regardless of whether that removal occurred before the
10 effective date of this amendatory Act of the 93rd General
11 Assembly.

12 (b) The policeman shall also have a right to child's
13 disability benefit of \$100 per month for each unmarried
14 child, the issue of the policeman, less than age 18, but the
15 total amount of child's disability benefit shall not exceed
16 25% of his salary as defined in this Article. The increase
17 in child's disability benefit provided by this amendatory Act
18 of the 92nd General Assembly applies beginning January 1,
19 2000 to all such benefits payable on or after that date,
20 regardless of whether the disabled policeman is in active
21 service on or after the effective date of this amendatory
22 Act.

23 (c) Duty disability benefit shall be payable until the
24 policeman becomes age 63 or would have been retired by
25 operation of law, whichever is later, and child's disability
26 benefit shall be paid during any such period of disability
27 until the child attains age 18. Thereafter the policeman
28 shall receive the annuity provided in accordance with the
29 other provisions of this Article.

30 (d) A policeman who suffers a heart attack during the
31 performance and discharge of his or her duties as a policeman
32 shall be considered injured in the performance of an act of
33 duty and shall be eligible for all benefits that the City
34 provides for police officers injured in the performance of an

1 act of duty. This subsection (d) is a restatement of
2 existing law and applies without regard to whether the
3 policeman is in service on or after the effective date of
4 Public Act 89-12 or this amendatory Act of 1996.

5 (Source: P.A. 92-52, eff. 7-12-01.)

6 Section 90. The State Mandates Act is amended by adding
7 Section 8.27 as follows:

8 (30 ILCS 805/8.27 new)

9 Sec. 8.27. Exempt mandate. Notwithstanding Sections 6
10 and 8 of this Act, no reimbursement by the State is required
11 for the implementation of any mandate created by this
12 amendatory Act of the 93rd General Assembly.

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.