



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

SB1955

Introduced 2/20/2009, by Sen. Toi W. Hutchinson

#### SYNOPSIS AS INTRODUCED:

20 ILCS 1805/22	from Ch. 129, par. 220.22
20 ILCS 1805/27	from Ch. 129, par. 220.27
20 ILCS 1805/52	from Ch. 129, par. 220.52
20 ILCS 1805/55	from Ch. 129, par. 220.55

Amends the Military Code of Illinois. Provides for the Adjutant General (i) to order Illinois National Guard personnel into active service for certain nonemergency functions and (ii) to make rules concerning military installations in conformity with federal rules. Provides for personnel to receive medical and dental treatment for injuries incurred "while on duty and lawfully performing the same" and to be treated for injuries, wounds, and disabilities at the nearest appropriate medical facility if a medical officer is not detailed. Provides for payment of medical treatment by the State.

LRB096 07703 RCE 17804 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Military Code of Illinois is amended by  
5 changing Sections 22, 27, 52, and 55 as follows:

6 (20 ILCS 1805/22) (from Ch. 129, par. 220.22)

7 Sec. 22. Adjutant General; duties. The Adjutant General  
8 shall be charged with carrying out the policies of the  
9 Commander-in-Chief and shall issue orders in his name. Orders  
10 of the ~~The~~ Adjutant General shall be considered as emanating  
11 from the Commander-in-Chief.

12 (a) He shall be the immediate adviser of the  
13 Commander-in-Chief on all matters relating to the militia and  
14 shall be charged with the planning, development and execution  
15 of the program of the military forces of the State. He shall be  
16 responsible for the preparation and execution of plans, for  
17 organizing, supplying, equipping and mobilizing the Organized  
18 Militia, for use in the national defense, and for State  
19 defense, and emergencies.

20 (b) He shall hold major organization commanders  
21 responsible for the training of their commands, and shall issue  
22 all orders and instructions for the government of the militia  
23 and of the officers, warrant officers, and enlisted personnel

1 therein.

2 (c) He shall make such returns and reports as may be  
3 prescribed by the Commander-in-Chief or required by the laws or  
4 regulations of the State or of the United States.

5 (d) He shall, subject to the appropriation of funds by the  
6 General Assembly for this purpose, order such personnel of the  
7 Illinois National Guard into active service of the State as are  
8 required by the Commander-in-Chief to support non-emergency  
9 functions of the State, including but not limited to National  
10 Guard involvement in training exercises conducted in  
11 conjunction with the Illinois Emergency Management Agency.  
12 Illinois National Guard personnel placed on duty pursuant to  
13 this item (d) shall be paid in accordance with the provisions  
14 of Sections 48 and 49.

15 (e) ~~(d)~~ The Adjutant General shall be the head of the  
16 Department of Military Affairs of the Executive Branch of the  
17 government of the State.

18 (Source: P.A. 85-1241.)

19 (20 ILCS 1805/27) (from Ch. 129, par. 220.27)

20 Sec. 27. Military installations; supervision, safety,  
21 health, and security. The Adjutant General shall be responsible  
22 for and have supervision of all military installations,  
23 facilities, armories, grounds, buildings, property, and  
24 equipment of the Illinois Army and Air National Guard. The  
25 Adjutant General may make rules governing the safety, health,

1 and security of the personnel, facilities, property, and  
2 equipment on those military installations in conformity with  
3 rules and regulations in effect on federal military  
4 installations.

5 (Source: P.A. 85-1241.)

6 (20 ILCS 1805/52) (from Ch. 129, par. 220.52)

7 Sec. 52. Injured or disabled personnel; treatment;  
8 compensation. Officers, warrant officers, or enlisted  
9 personnel of the Illinois National Guard who may be injured in  
10 any way, including without limitation through illness, while on  
11 duty and lawfully performing the same, are entitled to be  
12 treated by an officer of the medical or dental department  
13 detailed by the Adjutant General, or at the nearest appropriate  
14 medical treatment facility if such an officer is not detailed.  
15 Officers, warrant officers, or enlisted personnel of the  
16 Illinois National Guard who may be wounded or disabled in any  
17 way, while on duty and lawfully performing the same, so as to  
18 prevent their working at their profession, trade, or other  
19 occupation from which they gain their living, are entitled to  
20 be treated by an officer of the medical or dental department  
21 detailed by the ~~The~~ Adjutant General, or at the nearest  
22 appropriate medical treatment facility if such an officer is  
23 not detailed, and, as long as the Illinois National Guard has  
24 not been called into federal service, are entitled to all  
25 privileges due them as State employees under the "Workers'

1 Compensation Act", approved July 9, 1951, as now or hereafter  
2 amended, and the "Workers' Occupational Diseases Act",  
3 approved July 9, 1951, as now or hereafter amended. For  
4 purposes of this Section, injured, wounded, or disabled "while  
5 on duty and lawfully performing the same" means incurring an  
6 injury, wound, or disability while in a State military status  
7 pursuant to orders of the Commander-in-Chief, except when the  
8 injury, wound, or disability is caused by the officer's,  
9 warrant officer's, or enlisted personnel's own misconduct.

10 (Source: P.A. 85-1241.)

11 (20 ILCS 1805/55) (from Ch. 129, par. 220.55)

12 Sec. 55. Medical and hospital charges paid by State.  
13 Necessary medical treatment and hospital charges incurred in  
14 cases stated in Sections 52 and 53 hereof, and for beds in open  
15 or general wards shall be paid by the State on proper vouchers  
16 made out by the attending medical or dental officers and  
17 approved by the ~~The~~ Adjutant General.

18 (Source: Laws 1957, p. 2141.)