

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 Sections 5-154 and 5-154.1 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 on or after  
10 the effective date as the result of injury incurred on or  
11 after such date in the performance of an act of duty, has a  
12 right to receive duty disability benefit during any period of  
13 such disability for which he does not have a right to receive  
14 salary, equal to 75% of his salary, as salary is defined in  
15 this Article, at the time the disability is allowed; or in  
16 the case of a policeman on duty disability who returns to  
17 active employment at any time for a period of at least 2  
18 years and is again disabled from the same cause or causes,  
19 75% of his salary, as salary is defined in this Article, at  
20 the time disability is allowed; provided, that if the  
21 disability resulted from any physical defect or mental  
22 disorder or any disease which existed at the time the injury  
23 was sustained, or if the disability is less than 50% of total  
24 disability for any service of a remunerative character, the  
25 duty disability benefit shall be 50% of salary as defined in  
26 this Article. However, beginning January 1, 1996, no duty  
27 disability benefit that has been payable under this Section  
28 for at least 10 years shall be less than 50% of the current  
29 salary attached from time to time to the rank held by the  
30 policeman at the time of removal from the police department  
31 payroll. In the case of a person receiving a duty disability

1 benefit under this Section on the effective date of this  
 2 amendatory Act of the 92nd General Assembly, the increase in  
 3 benefit provided by this amendatory Act, if any, shall begin  
 4 to accrue on January 1, 2001, regardless of whether the that  
 5 removal from payroll occurred before the effective date of  
 6 this amendatory Act of the 92nd General Assembly 1995.

7 (b) The policeman shall also have a right to child's  
 8 disability benefit of \$100 \$30 per month for each unmarried  
 9 child, the issue of the policeman, less than age 18, but the  
 10 total amount of child's disability benefit shall not exceed  
 11 25% of his salary as defined in this Article. The increase  
 12 in child's disability benefit provided by this amendatory Act  
 13 of the 92nd General Assembly applies beginning January 1,  
 14 2000 to all such benefits payable on or after that date,  
 15 regardless of whether the disabled policeman is in active  
 16 service on or after the effective date of this amendatory  
 17 Act.

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

25 (d) A policeman who suffers a heart attack during the  
 26 performance and discharge of his or her duties as a policeman  
 27 shall be considered injured in the performance of an act of  
 28 duty and shall be eligible for all benefits that the City  
 29 provides for police officers injured in the performance of an  
 30 act of duty. This subsection (d) is a restatement of  
 31 existing law and applies without regard to whether the  
 32 policeman is in service on or after the effective date of  
 33 Public Act 89-12 or this amendatory Act of 1996.

34 (Source: P.A. 89-12, eff. 4-20-95; 89-643, eff. 8-9-96.)

1 (40 ILCS 5/5-154.1) (from Ch. 108 1/2, par. 5-154.1)  
2 Sec. 5-154.1. Occupational disease disability benefit.

3 (a) The General Assembly finds that service in the  
4 police department requires police officers in times of stress  
5 and danger to perform unusual tasks; that police officers are  
6 subject to exposure to extreme heat or extreme cold in  
7 certain seasons while performing their duties; and that these  
8 conditions exist and arise out of or in the course of  
9 employment.

10 (b) Any police officer with at least 10 years of service  
11 who suffers a heart attack or any other disabling heart  
12 disease but is not entitled to a benefit under Section 5-154  
13 is entitled to receive an occupational disease disability  
14 benefit under this Section. The occupational disease  
15 disability benefit shall be 65% of the salary attached to the  
16 rank held by the police officer in the police service at the  
17 time of his or her removal from the police department  
18 payroll. However, no occupational disease disability benefit  
19 that has been payable under this Section for at least 10  
20 years shall be less than 50% of the current salary attached  
21 from time to time to the rank held by the police officer at  
22 the time of his or her removal from the police department  
23 payroll.

24 The police officer is also entitled to a child's  
25 disability benefit of \$100 ~~\$50~~ per month for each natural or  
26 legally adopted unmarried child less than age 18 dependent  
27 upon the police officer for support. The total child's  
28 disability benefit shall not exceed 10% of the police  
29 officer's salary at the time of removal from the police  
30 department payroll. The increase in child's disability  
31 benefit provided by this amendatory Act of the 92nd General  
32 Assembly applies beginning January 1, 2000 to all such  
33 benefits payable on or after that date, regardless of whether  
34 the disabled policeman is in active service on or after the

1 effective date of this amendatory Act.

2 The occupational disease disability benefit is payable  
3 during the period of disability until the police officer  
4 attains age 63 or compulsory retirement age, whichever occurs  
5 later; thereafter the police officer shall receive the  
6 benefits provided under the other provisions of this Article.  
7 If the police officer ceases to be disabled, the occupational  
8 disease disability benefit shall cease.

9 The child's disability benefit is payable during the  
10 period of disability until the child attains age 18 or  
11 marries, whichever event occurs first, except that a benefit  
12 payable on account of a child under this Section shall not be  
13 reduced or terminated by reason of the child's attainment of  
14 age 18 if he or she is then dependent by reason of a physical  
15 or mental disability, but shall continue to be paid as long  
16 as the child's dependency and disability continue.

17 (Source: P.A. 89-12, eff. 4-20-95; 89-643, eff. 8-9-96.)

18 Section 90. The State Mandates Act is amended by adding  
19 Section 8.25 as follows:

20 (30 ILCS 805/8.25 new)

21 Sec. 8.25. Exempt mandate. Notwithstanding Sections 6  
22 and 8 of this Act, no reimbursement by the State is required  
23 for the implementation of any mandate created by this  
24 amendatory Act of the 92nd General Assembly.

25 Section 99. Effective date. This Act takes effect upon  
26 becoming law.