



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB5083

Introduced 2/8/2024, by Rep. Lilian Jiménez

#### SYNOPSIS AS INTRODUCED:

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

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

LRB103 37713 SPS 67840 b

1 AN ACT concerning employment.

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

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

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

7 Sec. 1. Disability benefit.

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

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

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

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

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

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

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

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

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

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

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

1 by home rule units of powers consistent herewith.

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

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

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

22 (5 ILCS 345/2)

23 Sec. 2. Illness disability benefit.

24 (a) As used in this Section:

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

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

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

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

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

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

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

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

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

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



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

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

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

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

1 Probation Officers Act.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 Sec. 3. Duty death benefit.

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22           (820 ILCS 315/3.5)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 (820 ILCS 320/3)



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

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

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

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