



Rep. Jay Hoffman

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LRB103 38081 RPS 71265 a

1 AMENDMENT TO HOUSE BILL 5104

2 AMENDMENT NO. _____. Amend House Bill 5104 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by
5 changing Sections 5-144, 5-153, 5-154, 6-140, 6-150, and 6-151
6 as follows:

7 (40 ILCS 5/5-144) (from Ch. 108 1/2, par. 5-144)

8 Sec. 5-144. Death from injury in the performance of acts
9 of duty; compensation annuity and supplemental annuity.

10 (a) Beginning January 1, 1986, and without regard to
11 whether or not the annuity in question began before that date,
12 if the annuity for the widow of a policeman whose death, on or
13 after January 1, 1940, results from injury incurred in the
14 performance of an act or acts of duty, is not equal to the sum
15 hereinafter stated, "compensation annuity" equal to the
16 difference between the annuity and an amount equal to 75% of

1 the policeman's salary attached to the position he held by
2 certification and appointment as a result of competitive civil
3 service examination that would ordinarily have been paid to
4 him as though he were in active discharge of his duties shall
5 be payable to the widow until the policeman, had he lived,
6 would have attained age 63. The total amount of the widow's
7 annuity and children's awards payable to the family of such
8 policeman shall not exceed the amounts stated in Section
9 5-152.

10 For the purposes of this Section only, the death of any
11 policeman as a result of the exposure to and contraction of
12 COVID-19, as evidenced by either (i) a confirmed positive
13 laboratory test for COVID-19 or COVID-19 antibodies or (ii) a
14 confirmed diagnosis of COVID-19 from a licensed medical
15 professional, shall be rebuttably presumed to have been
16 contracted while in the performance of an act or acts of duty
17 and the policeman shall be rebuttably presumed to have been
18 fatally injured while in active service. The presumption shall
19 apply to any policeman who was exposed to and contracted
20 COVID-19 on or after March 9, 2020 and on or before January 31,
21 2022 ~~June 30, 2021~~ (including the period between December 31,
22 2020 and the effective date of this amendatory Act of the 101st
23 General Assembly); except that the presumption shall not apply
24 if the policeman was on a leave of absence from his or her
25 employment or otherwise not required to report for duty for a
26 period of 14 or more consecutive days immediately prior to the

1 date of contraction of COVID-19. For the purposes of
2 determining when a policeman contracted COVID-19 under this
3 paragraph, the date of contraction is either the date that the
4 policeman was diagnosed with COVID-19 or was unable to work
5 due to symptoms that were later diagnosed as COVID-19,
6 whichever occurred first.

7 The provisions of this Section, as amended by Public Act
8 84-1104, including the reference to the date upon which the
9 deceased policeman would have attained age 63, shall apply to
10 all widows of policemen whose death occurs on or after January
11 1, 1940 due to injury incurred in the performance of an act of
12 duty, regardless of whether such death occurred prior to
13 September 17, 1969. For those widows of policemen that died
14 prior to September 17, 1969, who became eligible for
15 compensation annuity by the action of Public Act 84-1104, such
16 compensation annuity shall begin and be calculated from
17 January 1, 1986. The provisions of this amendatory Act of 1987
18 are intended to restate and clarify the intent of Public Act
19 84-1104, and do not make any substantive change.

20 (b) Upon termination of the compensation annuity,
21 "supplemental annuity" shall become payable to the widow,
22 equal to the difference between the annuity for the widow and
23 an amount equal to 75% of the annual salary (including all
24 salary increases and longevity raises) that the policeman
25 would have been receiving when he attained age 63 if the
26 policeman had continued in service at the same rank (whether

1 career service or exempt) that he last held in the police
2 department. The increase in supplemental annuity resulting
3 from this amendatory Act of the 92nd General Assembly applies
4 without regard to whether the deceased policeman was in
5 service on or after the effective date of this amendatory Act
6 and is payable from July 1, 2002 or the date upon which the
7 supplemental annuity begins, whichever is later.

8 (c) Neither compensation nor supplemental annuity shall be
9 paid unless the death of the policeman was a direct result of
10 the injury, or the injury was of such character as to prevent
11 him from subsequently resuming service as a policeman; nor
12 shall compensation or supplemental annuity be paid unless the
13 widow was the wife of the policeman when the injury occurred.

14 (Source: P.A. 101-633, eff. 6-5-20; 101-653, eff. 2-28-21.)

15 (40 ILCS 5/5-153) (from Ch. 108 1/2, par. 5-153)

16 Sec. 5-153. Death benefit.

17 (a) Effective January 1, 1962, an ordinary death benefit
18 is payable on account of any policeman in service and in
19 receipt of salary on or after such date, which benefit is in
20 addition to all other annuities and benefits herein provided.
21 This benefit is payable upon death of a policeman:

22 (1) occurring in active service while in receipt of
23 salary;

24 (2) on an authorized and approved leave of absence,
25 without salary, beginning on or after January 1, 1962, if

1 the death occurs within 60 days from the date the employee
2 was in receipt of salary; or otherwise in the service and
3 not separated by resignation or discharge beginning
4 January 1, 1962 if death occurs before his resignation or
5 discharge from the service;

6 (3) receiving duty disability or ordinary disability
7 benefit;

8 (4) occurring within 60 days from the date of
9 termination of duty disability or ordinary disability
10 benefit payments if re-entry into service had not
11 occurred; or

12 (5) occurring on retirement and while in receipt of an
13 age and service annuity, Tier 2 monthly retirement
14 annuity, or prior service annuity; provided (a) retirement
15 on such annuity occurred on or after January 1, 1962, and
16 (b) such separation from service was effective on or after
17 the policeman's attainment of age 50, and (c) application
18 for such annuity was made within 60 days after separation
19 from service.

20 (b) The ordinary death benefit is payable to such
21 beneficiary or beneficiaries as the policeman has nominated by
22 written direction duly signed and acknowledged before an
23 officer authorized to take acknowledgments, and filed with the
24 board. If no such written direction has been filed or if the
25 designated beneficiaries do not survive the policeman, payment
26 of the benefit shall be made to his estate.

1 (c) Until December 31, 1977, if death occurs prior to
2 retirement on annuity and before the policeman's attainment of
3 age 50, the amount of the benefit payable is \$6,000. If death
4 occurs prior to retirement, at age 50 or over, the benefit of
5 \$6,000 shall be reduced \$400 for each year (commencing on the
6 policeman's attainment of age 50, and thereafter on each
7 succeeding birthdate) that the policeman's age, at date of
8 death, is more than age 50, but in no event below the amount of
9 \$2,000. However, if death results from injury incurred in the
10 performance of an act or acts of duty, prior to retirement on
11 annuity, the amount of the benefit payable is \$6,000
12 notwithstanding the age attained.

13 Until December 31, 1977, if the policeman's death occurs
14 while he is in receipt of an annuity, the benefit is \$2,000 if
15 retirement was effective upon attainment of age 55 or greater.
16 If the policeman retired at age 50 or over and before age 55,
17 the benefit of \$2,000 shall be reduced \$100 for each year or
18 fraction of a year that the policeman's age at retirement was
19 less than age 55 to a minimum payment of \$1,500.

20 After December 31, 1977, and on or before January 1, 1986,
21 if death occurs prior to retirement on annuity and before the
22 policeman's attainment of age 50, the amount of the benefit
23 payable is \$7,000. If death occurs prior to retirement, at age
24 50 or over, the benefit of \$7,000 shall be reduced \$400 for
25 each year (commencing on the policeman's attainment of age 50,
26 and thereafter on each succeeding birthdate) that the

1 policeman's age, at date of death, is more than age 50, but in
2 no event below the amount of \$3,000. However, if death results
3 from injury incurred in the performance of an act or acts of
4 duty, prior to retirement on annuity, the amount of the
5 benefit payable is \$7,000 notwithstanding the age attained.

6 After December 31, 1977, and on or before January 1, 1986,
7 if the policeman's death occurs while he is in receipt of an
8 annuity, the benefit is \$2,250 if retirement was effective
9 upon attainment of age 55 or greater. If the policeman retired
10 at age 50 or over and before age 55, the benefit of \$2,250
11 shall be reduced \$100 for each year or fraction of a year that
12 the policeman's age at retirement was less than age 55 to a
13 minimum payment of \$1,750.

14 After January 1, 1986, if death occurs prior to retirement
15 on annuity and before the policeman's attainment of age 50,
16 the amount of benefit payable is \$12,000. If death occurs
17 prior to retirement, at age 50 or over, the benefit of \$12,000
18 shall be reduced \$400 for each year (commencing on the
19 policeman's attainment of age 50, and thereafter on each
20 succeeding birthdate) that the policeman's age, at date of
21 death, is more than age 50, but in no event below the amount of
22 \$6,000. However, if death results from injury in the
23 performance of an act or acts of duty, prior to retirement on
24 annuity, the amount of benefit payable is \$12,000
25 notwithstanding the age attained.

26 After January 1, 1986, if the policeman's death occurs

1 while he is in receipt of an annuity, the benefit is \$6,000.

2 (d) For the purposes of this Section only, the death of any
3 policeman as a result of the exposure to and contraction of
4 COVID-19, as evidenced by either (i) a confirmed positive
5 laboratory test for COVID-19 or COVID-19 antibodies or (ii) a
6 confirmed diagnosis of COVID-19 from a licensed medical
7 professional, shall be rebuttably presumed to have been
8 contracted while in the performance of an act or acts of duty
9 and the policeman shall be rebuttably presumed to have been
10 fatally injured while in active service. The presumption shall
11 apply to any policeman who was exposed to and contracted
12 COVID-19 on or after March 9, 2020 and on or before January 31,
13 2022 ~~June 30, 2021~~ (including the period between December 31,
14 2020 and the effective date of this amendatory Act of the 101st
15 General Assembly); except that the presumption shall not apply
16 if the policeman was on a leave of absence from his or her
17 employment or otherwise not required to report for duty for a
18 period of 14 or more consecutive days immediately prior to the
19 date of contraction of COVID-19. For the purposes of
20 determining when a policeman contracted COVID-19 under this
21 subsection, the date of contraction is either the date that
22 the policeman was diagnosed with COVID-19 or was unable to
23 work due to symptoms that were later diagnosed as COVID-19,
24 whichever occurred first.

25 (Source: P.A. 101-633, eff. 6-5-20; 101-653, eff. 2-28-21.)

1 (40 ILCS 5/5-154) (from Ch. 108 1/2, par. 5-154)

2 Sec. 5-154. Duty disability benefit; child's disability
3 benefit.

4 (a) An active policeman who becomes disabled on or after
5 the effective date as the result of injury incurred on or after
6 such date in the performance of an act of duty, has a right to
7 receive duty disability benefit during any period of such
8 disability for which he does not have a right to receive
9 salary, equal to 75% of his salary, as salary is defined in
10 this Article, at the time the disability is allowed; or in the
11 case of a policeman on duty disability who returns to active
12 employment at any time for a period of at least 2 years and is
13 again disabled from the same cause or causes, 75% of his
14 salary, as salary is defined in this Article, at the time
15 disability is allowed; provided, however, that:

16 (i) If the disability resulted from any physical
17 defect or mental disorder or any disease which existed at
18 the time the injury was sustained, or if the disability is
19 less than 50% of total disability for any service of a
20 remunerative character, the duty disability benefit shall
21 be 50% of salary as defined in this Article.

22 (ii) Beginning January 1, 1996, no duty disability
23 benefit that has been payable under this Section for at
24 least 10 years shall be less than 50% of the current salary
25 attached from time to time to the rank held by the
26 policeman at the time of removal from the police

1 department payroll, regardless of whether that removal
2 occurred before the effective date of this amendatory Act
3 of 1995. Beginning on January 1, 2000, no duty disability
4 benefit that has been payable under this Section for at
5 least 7 years shall be less than 60% of the current salary
6 attached from time to time to the rank held by the
7 policeman at the time of removal from the police
8 department payroll, regardless of whether that removal
9 occurred before the effective date of this amendatory Act
10 of the 92nd General Assembly.

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

26 (b) The policeman shall also have a right to child's

1 disability benefit of \$100 per month for each unmarried child,
2 the issue of the policeman, less than age 18, but the total
3 amount of child's disability benefit shall not exceed 25% of
4 his salary as defined in this Article. The increase in child's
5 disability benefit provided by this amendatory Act of the 92nd
6 General Assembly applies beginning January 1, 2000 to all such
7 benefits payable on or after that date, regardless of whether
8 the disabled policeman is in active service on or after the
9 effective date of this amendatory Act.

10 (c) Duty disability benefit shall be payable until the
11 policeman becomes age 63 or would have been retired by
12 operation of law, whichever is later, and child's disability
13 benefit shall be paid during any such period of disability
14 until the child attains age 18. Thereafter the policeman shall
15 receive the annuity provided in accordance with the other
16 provisions of this Article.

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

26 (e) For the purposes of this Section only, any policeman

1 who becomes disabled as a result of exposure to and
2 contraction of COVID-19, as evidenced by either a confirmed
3 positive laboratory test for COVID-19 or COVID-19 antibodies
4 or a confirmed diagnosis of COVID-19 from a licensed medical
5 professional, shall:

6 (1) be rebuttably presumed to have contracted COVID-19
7 while in the performance of an act or acts of duty;

8 (2) be rebuttably presumed to have been injured while
9 in the performance of an act or acts of duty; and

10 (3) be entitled to receive a duty disability benefit
11 during any period of such disability for which the
12 policeman does not have a right to receive salary, in an
13 amount equal to 75% of the policeman's salary, as salary
14 is defined in this Article, at the time the disability is
15 allowed, in accordance with subsection (a).

16 The presumption shall apply to any policeman who was
17 exposed to and contracted COVID-19 on or after March 9, 2020
18 and on or before January 31, 2022 ~~June 30, 2021~~; except that
19 the presumption shall not apply if the policeman was on a leave
20 of absence from his or her employment or otherwise not
21 required to report for duty for a period of 14 or more
22 consecutive days immediately prior to the date of contraction
23 of COVID-19. For the purposes of determining when a policeman
24 contracted COVID-19 under this paragraph, the date of
25 contraction is either the date that the policeman was
26 diagnosed with COVID-19 or was unable to work due to symptoms

1 that were later diagnosed as COVID-19, whichever occurred
2 first.

3 It is the intent of the General Assembly that the change
4 made in this subsection (e) by this amendatory Act shall apply
5 retroactively to March 9, 2020, and any policeman who has been
6 previously denied a duty disability benefit that would
7 otherwise be entitled to duty disability benefit under this
8 subsection (e) shall be entitled to retroactive benefits and
9 duty disability benefit.

10 (Source: P.A. 103-2, eff. 5-10-23.)

11 (40 ILCS 5/6-140) (from Ch. 108 1/2, par. 6-140)

12 Sec. 6-140. Death in the line of duty.

13 (a) The annuity for the widow of a fireman whose death
14 results from the performance of an act or acts of duty shall be
15 an amount equal to 50% of the current annual salary attached to
16 the classified position to which the fireman was certified at
17 the time of his death and 75% thereof after December 31, 1972.

18 Unless the performance of an act or acts of duty results
19 directly in the death of the fireman, or prevents him from
20 subsequently resuming active service in the fire department,
21 the annuity herein provided shall not be paid; nor shall such
22 annuities be paid unless the widow was the wife of the fireman
23 at the time of the act or acts of duty which resulted in his
24 death.

25 For the purposes of this Section only, the death of any

1 fireman as a result of the exposure to and contraction of
2 COVID-19, as evidenced by either (i) a confirmed positive
3 laboratory test for COVID-19 or COVID-19 antibodies or (ii) a
4 confirmed diagnosis of COVID-19 from a licensed medical
5 professional, shall be rebuttably presumed to have been
6 contracted while in the performance of an act or acts of duty
7 and the fireman shall be rebuttably presumed to have been
8 fatally injured while in active service. The presumption shall
9 apply to any fireman who was exposed to and contracted
10 COVID-19 on or after March 9, 2020 and on or before January 31,
11 2022 ~~June 30, 2021~~ (including the period between December 31,
12 2020 and the effective date of this amendatory Act of the 101st
13 General Assembly); except that the presumption shall not apply
14 if the fireman was on a leave of absence from his or her
15 employment or otherwise not required to report for duty for a
16 period of 14 or more consecutive days immediately prior to the
17 date of contraction of COVID-19. For the purposes of
18 determining when a fireman contracted COVID-19 under this
19 paragraph, the date of contraction is either the date that the
20 fireman was diagnosed with COVID-19 or was unable to work due
21 to symptoms that were later diagnosed as COVID-19, whichever
22 occurred first.

23 (b) The changes made to this Section by this amendatory
24 Act of the 92nd General Assembly apply without regard to
25 whether the deceased fireman was in service on or after the
26 effective date of this amendatory Act. In the case of a widow

1 receiving an annuity under this Section that has been reduced
2 to 40% of current salary because the fireman, had he lived,
3 would have attained the age prescribed for compulsory
4 retirement, the annuity shall be restored to the amount
5 provided in subsection (a), with the increase beginning to
6 accrue on the later of January 1, 2001 or the day the annuity
7 first became payable.

8 (Source: P.A. 101-633, eff. 6-5-20; 101-653, eff. 2-28-21.)

9 (40 ILCS 5/6-150) (from Ch. 108 1/2, par. 6-150)

10 Sec. 6-150. Death benefit.

11 (a) Effective January 1, 1962, an ordinary death benefit
12 shall be payable on account of any fireman in service and in
13 receipt of salary on or after such date, which benefit shall be
14 in addition to all other annuities and benefits herein
15 provided. This benefit shall be payable upon death of a
16 fireman:

17 (1) occurring in active service while in receipt of
18 salary;

19 (2) on an authorized and approved leave of absence,
20 without salary, beginning on or after January 1, 1962, if
21 the death occurs within 60 days from the date the fireman
22 was in receipt of salary;

23 (3) receiving duty, occupational disease, or ordinary
24 disability benefit;

25 (4) occurring within 60 days from the date of

1 termination of duty disability, occupational disease
2 disability or ordinary disability benefit payments if
3 re-entry into service had not occurred; or

4 (5) occurring on retirement and while in receipt of an
5 age and service annuity, prior service annuity, Tier 2
6 monthly retirement annuity, or minimum annuity; provided
7 (a) retirement on such annuity occurred on or after
8 January 1, 1962, and (b) such separation from service was
9 effective on or after the fireman's attainment of age 50,
10 and (c) application for such annuity was made within 60
11 days after separation from service.

12 (b) The ordinary death benefit shall be payable to such
13 beneficiary or beneficiaries as the fireman has nominated by
14 written direction duly signed and acknowledged before an
15 officer authorized to take acknowledgments, and filed with the
16 board. If no such written direction has been filed or if the
17 designated beneficiaries do not survive the fireman, payment
18 of the benefit shall be made to his estate.

19 (c) Beginning July 1, 1983, if death occurs prior to
20 retirement on annuity and before the fireman's attainment of
21 age 50, the amount of the benefit payable shall be \$12,000.
22 Beginning July 1, 1983, if death occurs prior to retirement,
23 at age 50 or over, the benefit of \$12,000 shall be reduced \$400
24 for each year (commencing on the fireman's attainment of age
25 50 and thereafter on each succeeding birth date) that the
26 fireman's age, at date of death, is more than age 49, but in no

1 event below the amount of \$6,000.

2 Beginning July 1, 1983, if the fireman's death occurs
3 while he is in receipt of an annuity, the benefit shall be
4 \$6,000.

5 (d) For the purposes of this Section only, the death of any
6 fireman as a result of the exposure to and contraction of
7 COVID-19, as evidenced by either (i) a confirmed positive
8 laboratory test for COVID-19 or COVID-19 antibodies or (ii) a
9 confirmed diagnosis of COVID-19 from a licensed medical
10 professional, shall be rebuttably presumed to have been
11 contracted while in the performance of an act or acts of duty
12 and the fireman shall be rebuttably presumed to have been
13 fatally injured while in active service. The presumption shall
14 apply to any fireman who was exposed to and contracted
15 COVID-19 on or after March 9, 2020 and on or before January 31,
16 2022 ~~June 30, 2021~~ (including the period between December 31,
17 2020 and the effective date of this amendatory Act of the 101st
18 General Assembly); except that the presumption shall not apply
19 if the fireman was on a leave of absence from his or her
20 employment or otherwise not required to report for duty for a
21 period of 14 or more consecutive days immediately prior to the
22 date of contraction of COVID-19. For the purposes of
23 determining when a fireman contracted COVID-19 under this
24 subsection, the date of contraction is either the date that
25 the fireman was diagnosed with COVID-19 or was unable to work
26 due to symptoms that were later diagnosed as COVID-19,

1 whichever occurred first.

2 (Source: P.A. 101-633, eff. 6-5-20; 101-653, eff. 2-28-21.)

3 (40 ILCS 5/6-151) (from Ch. 108 1/2, par. 6-151)

4 Sec. 6-151. An active fireman who is or becomes disabled
5 on or after the effective date as the result of a specific
6 injury, or of cumulative injuries, or of specific sickness
7 incurred in or resulting from an act or acts of duty, shall
8 have the right to receive duty disability benefit during any
9 period of such disability for which he does not receive or have
10 a right to receive salary, equal to 75% of his salary at the
11 time the disability is allowed. However, beginning January 1,
12 1994, no duty disability benefit that has been payable under
13 this Section for at least 10 years shall be less than 50% of
14 the current salary attached from time to time to the rank and
15 grade held by the fireman at the time of his removal from the
16 Department payroll, regardless of whether that removal
17 occurred before the effective date of this amendatory Act of
18 1993.

19 Whenever an active fireman is or becomes so injured or
20 sick, as to require medical or hospital attention, the chief
21 officer of the fire department of the city shall file, or cause
22 to be filed, with the board a report of the nature and cause of
23 his disability, together with the certificate or report of the
24 physician attending or treating, or who attended or treated
25 the fireman, and a copy of any hospital record concerning the

1 disability. Any injury or sickness not reported to the board
2 in time to permit the board's physician to examine the fireman
3 before his recovery, and any injury or sickness for which a
4 physician's report or copy of the hospital record is not on
5 file with the board shall not be considered for the payment of
6 duty disability benefit.

7 Such fireman shall also receive a child's disability
8 benefit of \$30 per month on account of each unmarried child,
9 the issue of the fireman or legally adopted by him, who is less
10 than 18 years of age or handicapped and dependent upon the
11 fireman for support. The total amount of child's disability
12 benefit shall not exceed 25% of his salary at the time the
13 disability is allowed.

14 The first payment of duty disability or child's disability
15 benefit shall be made not later than one month after the
16 benefit is granted. Each subsequent payment shall be made not
17 later than one month after the date of the latest payment.

18 Duty disability benefit shall be payable during the period
19 of the disability until the fireman reaches the age of
20 compulsory retirement. Child's disability benefit shall be
21 paid to such a fireman during the period of disability until
22 such child or children attain age 18 or marries, whichever
23 event occurs first; except that attainment of age 18 by a child
24 who is so physically or mentally handicapped as to be
25 dependent upon the fireman for support, shall not render the
26 child ineligible for child's disability benefit. The fireman

1 shall thereafter receive such annuity or annuities as are
2 provided for him in accordance with other provisions of this
3 Article.

4 For the purposes of this Section only, any fireman who
5 becomes disabled as a result of exposure to and contraction of
6 COVID-19, as evidenced by either a confirmed positive
7 laboratory test for COVID-19 or COVID-19 antibodies or a
8 confirmed diagnosis of COVID-19 from a licensed medical
9 professional shall:

10 (1) be rebuttably presumed to have contracted COVID-19
11 while in the performance of an act or acts of duty;

12 (2) be rebuttably presumed to have been injured while
13 in the performance of an act or acts of duty; and

14 (3) be entitled to receive a duty disability benefit
15 during any period of such disability for which the fireman
16 does not have a right to receive salary, in an amount equal
17 to 75% of the fireman's salary, as salary is defined in
18 this Article, at the time the disability is allowed, in
19 accordance with this Section.

20 The presumption shall apply to any fireman who was exposed
21 to and contracted COVID-19 on or after March 9, 2020 and on or
22 before January 31, 2022 ~~June 30, 2021~~; except that the
23 presumption shall not apply if the fireman was on a leave of
24 absence from his or her employment or otherwise not required
25 to report for duty for a period of 14 or more consecutive days
26 immediately prior to the date of contraction of COVID-19. For

1 the purposes of determining when a fireman contracted COVID-19
2 under this paragraph, the date of contraction is either the
3 date that the fireman was diagnosed with COVID-19 or was
4 unable to work due to symptoms that were later diagnosed as
5 COVID-19, whichever occurred first.

6 It is the intent of the General Assembly that the change
7 made by this amendatory Act shall apply retroactively to March
8 9, 2020, and any fireman who has been previously denied a duty
9 disability benefit that would otherwise be entitled to duty
10 disability benefit under this Section shall be entitled to
11 retroactive benefits and duty disability benefit.

12 (Source: P.A. 103-2, eff. 5-10-23.)

13 Section 90. The State Mandates Act is amended by adding
14 Section 8.48 as follows:

15 (30 ILCS 805/8.48 new)

16 Sec. 8.48. Exempt mandate. Notwithstanding Sections 6 and
17 8 of this Act, no reimbursement by the State is required for
18 the implementation of any mandate created by this amendatory
19 Act of the 103rd General Assembly.

20 Section 99. Effective date. This Act takes effect upon
21 becoming law."