

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 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 or she does not have a right to
14 receive salary, equal to 75% of the current salary attached
15 from time to time to the rank held by the policeman at the
16 time of removal from the police department payroll. In the
17 case of a policeman receiving a duty disability benefit under
18 this Section on the effective date of this amendatory Act of
19 the 92nd General Assembly, the increase in benefit provided
20 by this amendatory Act, if any, shall begin to accrue on
21 January 1, 2002, regardless of whether removal from the
22 payroll occurred before the effective date of this amendatory
23 Act. his--salary,--as-salary-is-defined-in-this-Article,--at
24 the-time-the-disability-is-allowed;--or--in--the--case--of--a
25 policeman-on-duty-disability-who-returns-to-active-employment
26 at--any--time--for--a-period-of-at-least-2-years-and-is-again
27 disabled-from-the-same-cause-or-causes,--75%-of-his-salary,--as
28 salary-is-defined-in-this-Article,--at-the-time-disability--is
29 allowed;--provided,--however,--that:

30 (i) --If--the--disability--resulted--from--any--physical
31 defect--or--mental-disorder--or--any--disease--which--existed--at

1 the-time-the-injury-was-sustained, or-if--the--disability
2 is-less-than-50%-of-total-disability-for-any-service-of-a
3 remunerative-character, the-duty-disability-benefit-shall
4 be-50%-of-salary-as-defined-in-this-Article.

5 (ii)--Beginning--January-1, 1996, no-duty-disability
6 benefit-that-has-been-payable-under-this-Section--for--at
7 least--10--years--shall--be--less-than-50%-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-1995. Beginning-on-January-1, 2000, no-duty-disability
13 benefit-that-has-been-payable-under-this-Section--for--at
14 least--7--years--shall--be--less--than-60%-of-the-current
15 salary-attached-from-time-to-time-to-the-rank-held-by-the
16 policeman--at--the--time--of--removal--from--the--police
17 department--payroll,--regardless--of-whether-that-removal
18 occurred-before-the-effective-date-of-this-amendatory-Act
19 of-the-92nd-General-Assembly.

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

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

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

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

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

29 Section 90. The State Mandates Act is amended by adding
30 Section 8.26 as follows:

31 (30 ILCS 805/8.26 new)

32 Sec. 8.26. Exempt mandate. Notwithstanding Sections 6

1 and 8 of this Act, no reimbursement by the State is required
2 for the implementation of any mandate created by this
3 amendatory Act of the 92nd General Assembly.

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.