

# SB1562



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

SB1562

Introduced 2/15/2019, by Sen. Thomas Cullerton

#### SYNOPSIS AS INTRODUCED:

820 ILCS 320/20

Amends the Public Safety Employee Benefits Act. Provides that the regulation of the provision of benefits for public safety employees is an exclusive power of the State and that units of local government, including home rule units, may not regulate the provision of benefits under the Act. Provides for retroactive application. Effective immediately.

LRB101 08703 JLS 53788 b

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

A BILL FOR

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 Safety Employee Benefits Act is  
5 amended by changing Section 20 as follows:

6 (820 ILCS 320/20)

7 Sec. 20. Home rule.

8 (a) The regulation of the provision of benefits to persons  
9 covered under this Act is an exclusive power and function of  
10 the State. A unit of local government, including a home rule  
11 unit, may not regulate the provision of benefits to persons  
12 covered under this Act. This Act is a denial and limitation of  
13 home rule powers and functions under subsection (h) of Section  
14 6 of Article VII of the Illinois Constitution. All powers under  
15 this Act are within the exclusive jurisdiction of the State and  
16 the courts. A unit of local government, including a home rule  
17 unit, may not exercise any authority with respect to the  
18 benefits required under this Act, including, but not limited  
19 to, the interpretation of this Act and any administrative  
20 proceedings for the determination of entitlement to benefits  
21 under this Act. Any remedy for any dispute under this Act shall  
22 be determined in the circuit court of the county in which the  
23 employee was employed or in which the catastrophic injury

1 occurred and under Part 7 of the Civil Practice Law. An  
2 employer, including a home rule unit, that employs a full-time  
3 law enforcement, correctional or correctional probation  
4 officer, or firefighter must ~~may not~~ provide benefits to  
5 persons covered under this Act in the ~~a~~ manner required under  
6 ~~inconsistent with the requirements of this Act. This Act is a~~  
7 ~~limitation under subsection (i) of Section 6 of Article VII of~~  
8 ~~the Illinois Constitution on the concurrent exercise of powers~~  
9 ~~and functions exercised by the State.~~

10 (b) This amendatory Act of the 101st General Assembly is  
11 intended to be applied retroactively to November 14, 1997 (the  
12 effective date of Public Act 90-535).

13 (Source: P.A. 90-535, eff. 11-14-97.)

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law.