

104TH GENERAL ASSEMBLY**State of Illinois****2025 and 2026****HB1820**

Introduced 1/28/2025, by Rep. Dave Vella

SYNOPSIS AS INTRODUCED:

40 ILCS 5/3-114.5
40 ILCS 5/4-114.2
30 ILCS 805/8.49 new

from Ch. 108 1/2, par. 3-114.5
from Ch. 108 1/2, par. 4-114.2

Amends the Downstate Police and Downstate Firefighter Articles of the Illinois Pension Code. In a provision concerning reductions of disability and survivor's benefits for corresponding benefits payable under the Workers' Compensation and Workers' Occupational Diseases Acts, provides that if a person is entitled to a survivor's benefit as a result of the decedent's sickness, accident, or injury incurred in or resulting from the performance of an act of duty or from the cumulative effects of acts of duty, then there shall be no reduction in the benefits payable to that person under the Article. Amends the State Mandates Act to require implementation without reimbursement by the State.

LRB104 06012 RPS 16045 b

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning 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 3-114.5 and 4-114.2 as follows:

6 (40 ILCS 5/3-114.5) (from Ch. 108 1/2, par. 3-114.5)

7 Sec. 3-114.5. Reduction of disability and survivor's
8 benefits for corresponding benefits payable under Workers'
9 Compensation and Workers' Occupational Diseases Acts.

10 (a) Whenever a person is entitled to a disability or
11 survivor's benefit under this Article and to benefits under
12 the Workers' Compensation Act or the Workers' Occupational
13 Diseases Act for the same injury or disease, the benefits
14 payable under this Article shall be reduced by an amount
15 computed in accordance with subsection (b) of this Section.
16 There shall be no reduction, however, for any of the
17 following: payments for medical, surgical and hospital
18 services, non-medical remedial care and treatment rendered in
19 accordance with a religious method of healing recognized by
20 the laws of this State and for artificial appliances; payments
21 made for scheduled losses for the loss of or permanent and
22 complete or permanent and partial loss of the use of any bodily
23 member or the body taken as a whole under subdivision (d) 2 or

1 subsection (e) of Section 8 of the Workers' Compensation Act
2 or Section 7 of the Workers' Occupational Diseases Act;
3 payments made for statutorily prescribed losses under
4 subdivision (d)2 of Section 8 of the Workers' Compensation Act
5 or Section 7 of the Workers' Occupational Diseases Act; and
6 that portion of the payments which is utilized to pay
7 attorneys' fees and the costs of securing the workers'
8 compensation benefits under either the Workers' Compensation
9 Act or Workers' Occupational Diseases Act.

10 In addition, if a person is entitled to a survivor's
11 benefit under Section 3-112 as a result of the decedent's
12 sickness, accident, or injury incurred in or resulting from
13 the performance of an act of duty or from the cumulative
14 effects of acts of duty, then there shall be no reduction in
15 the benefits payable to that person under this Article.

16 (b) The reduction prescribed by this Section shall be
17 computed as follows:

18 (1) In the event that a person entitled to benefits
19 under this Article incurs costs or attorneys' fees in
20 order to establish his entitlement, the reduction
21 prescribed by this Section shall itself be reduced by the
22 amount of such costs and attorneys' fees.

23 (2) If the benefits deductible under this Section are
24 stated in a weekly amount, the monthly amount for the
25 purpose of this Section shall be 52 times the weekly
26 amount, divided by 12.

1 (Source: P.A. 84-1472.)

2 (40 ILCS 5/4-114.2) (from Ch. 108 1/2, par. 4-114.2)

3 Sec. 4-114.2. Reduction of disability and survivor's
4 benefits for corresponding benefits payable under Workers'
5 Compensation and Workers' Occupational Diseases Acts.

6 (a) Whenever a person is entitled to a disability or
7 survivor's benefit under this Article and to benefits under
8 the Workers' Compensation Act or the Workers' Occupational
9 Diseases Act for the same injury or disease, the benefits
10 payable under this Article shall be reduced by an amount
11 computed in accordance with subsection (b) of this Section.
12 There shall be no reduction, however, for any of the
13 following: payments for medical, surgical and hospital
14 services, non-medical remedial care and treatment rendered in
15 accordance with a religious method of healing recognized by
16 the laws of this State and for artificial appliances; payments
17 made for scheduled losses for the loss of or permanent and
18 complete or permanent and partial loss of the use of any bodily
19 member or the body taken as a whole under subdivision (d)2 or
20 subsection (e) of Section 8 of the Workers' Compensation Act
21 or Section 7 of the Workers' Occupational Diseases Act;
22 payments made for statutorily prescribed losses under
23 subdivision (d)2 of Section 8 of the Workers' Compensation Act
24 or Section 7 of the Workers' Occupational Diseases Act; and
25 that portion of the payments which is utilized to pay

1 attorneys' fees and the costs of securing the workers'
2 compensation benefits under either the Workers' Compensation
3 Act or Workers' Occupational Diseases Act.

4 In addition, if a person is entitled to a survivor's
5 benefit under Section 4-114 as a result of the decedent's
6 sickness, accident, or injury incurred in or resulting from
7 the performance of an act of duty or from the cumulative
8 effects of acts of duty, then there shall be no reduction in
9 the benefits payable to that person under this Article.

10 (b) The reduction prescribed by this Section shall be
11 computed as follows:

12 (1) In the event that a person entitled to benefits
13 under this Article incurs costs or attorneys' fees in
14 order to establish his entitlement, the reduction
15 prescribed by this Section shall itself be reduced by the
16 amount of such costs and attorneys' fees.

17 (2) If the benefits deductible under this Section are
18 stated in a weekly amount, the monthly amount for the
19 purpose of this Section shall be 52 times the weekly
20 amount, divided by 12.

21 (Source: P.A. 84-1039.)

22 Section 90. The State Mandates Act is amended by adding
23 Section 8.49 as follows:

24 (30 ILCS 805/8.49 new)

1 Sec. 8.49. Exempt mandate. Notwithstanding Sections 6 and
2 8 of this Act, no reimbursement by the State is required for
3 the implementation of any mandate created by this amendatory
4 Act of the 104th General Assembly.