

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 Section 13-310 as follows:

6 (40 ILCS 5/13-310) (from Ch. 108 1/2, par. 13-310)

7 Sec. 13-310. Ordinary disability benefit.

8 (a) Any employee who becomes disabled as the result of any  
9 cause other than injury or illness incurred in the performance  
10 of duty for the employer or any other employer, or while  
11 engaged in self-employment activities, shall be entitled to an  
12 ordinary disability benefit. The eligible period for this  
13 benefit shall be 25% of the employee's total actual service  
14 prior to the date of disability with a cumulative maximum  
15 period of 5 years.

16 (b) The benefit shall be allowed only if the employee  
17 files an application in writing with the Board, and a medical  
18 report is submitted by at least one licensed health care  
19 professional as part of the employee's application.

20 The benefit is not payable for any disability which begins  
21 during any period of unpaid leave of absence. No benefit shall  
22 be allowed for any period of disability prior to 60 ~~30~~ days  
23 before application is made, unless the Board finds good cause

1 for the delay in filing the application. The benefit shall not  
2 be paid during any period for which the employee receives or is  
3 entitled to receive any part of salary.

4 The benefit is not payable for any disability which begins  
5 during any period of absence from duty other than allowable  
6 vacation time in any calendar year. An employee whose  
7 disability begins during any such ineligible period of absence  
8 from service may not receive benefits until the employee  
9 recovers from the disability and is in service for at least 15  
10 consecutive working days after such recovery.

11 In the case of an employee who first enters service on or  
12 after June 13, 1997, an ordinary disability benefit is not  
13 payable for the first 3 days of disability that would  
14 otherwise be payable under this Section if the disability does  
15 not continue for at least 11 additional days.

16 Beginning on August 18, 2005 (the effective date of Public  
17 Act 94-621) ~~this amendatory Act of the 94th General Assembly,~~  
18 an employee who first entered service on or after June 13, 1997  
19 is also eligible for ordinary disability benefits on the 31st  
20 day after the last day worked, provided all sick leave is  
21 exhausted.

22 (c) The benefit shall be 50% of the employee's salary at  
23 the date of disability, and shall terminate when the earliest  
24 of the following occurs:

25 (1) The employee returns to work or receives a  
26 retirement annuity paid wholly or in part under this

1 Article;

2 (2) The disability ceases;

3 (3) The employee willfully and continuously refuses to  
4 follow medical advice and treatment to enable the employee  
5 to return to work. However, this provision does not apply  
6 to an employee who relies in good faith on treatment by  
7 prayer through spiritual means alone in accordance with  
8 the tenets and practice of a recognized church or  
9 religious denomination, by a duly accredited practitioner  
10 thereof;

11 (4) The employee (i) refuses to submit to a reasonable  
12 physical examination within 30 days of application by a  
13 licensed health care professional appointed by the Board,  
14 (ii) in the case of chronic alcoholism, the employee  
15 refuses to join a rehabilitation program licensed by the  
16 Department of Public Health of the State of Illinois and  
17 certified by the Joint Commission on the Accreditation of  
18 Hospitals, (iii) fails or refuses to consent to and sign  
19 an authorization allowing the Board to receive copies of  
20 or to examine the employee's medical and hospital records,  
21 or (iv) fails or refuses to provide complete information  
22 regarding any other employment for compensation he or she  
23 has received since becoming disabled; or

24 (5) The eligibility ~~eligible~~ period for this benefit  
25 has been exhausted.

26 The first payment of the benefit shall be made not later

1 than one month after the same has been granted, and subsequent  
2 payments shall be made at least monthly.

3 (Source: P.A. 102-210, eff. 7-30-21; 103-523, eff. 1-1-24;  
4 revised 7-17-24.)