



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4491

Introduced 1/20/2026, by Rep. Marcus C. Evans, Jr.

SYNOPSIS AS INTRODUCED:

5 ILCS 345/1

from Ch. 70, par. 91

Amends the Public Employee Disability Act. Provides that, whenever an eligible employee suffers any injury or illness in the line of duty (rather than suffers any injury in the line of duty) which causes that employee to be unable to perform the employee's duties, the employee shall continue to be paid by the employing public entity on the same gross pay basis, inclusive of all pensionable salary, as the employee was paid before the injury (rather than paid by the employing public entity on the same basis as he was paid before the injury), with no deduction from and with continued accrual of any sick leave credits (rather than with no deduction from his sick leave credits) and specified other compensation, with other requirements. Makes technical changes.

LRB104 16691 BDA 30095 b

1 AN ACT concerning government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Public Employee Disability Act is amended
5 by changing Section 1 as follows:

6 (5 ILCS 345/1) (from Ch. 70, par. 91)

7 Sec. 1. Disability benefit.

8 (a) For the purposes of this Section, "eligible employee"
9 means any part-time or full-time State correctional officer or
10 any other full or part-time employee of the Department of
11 Corrections, any full or part-time employee of the Prisoner
12 Review Board, any full or part-time employee of the Department
13 of Human Services working within a penal institution or a
14 State mental health or developmental disabilities facility
15 operated by the Department of Human Services, and any
16 full-time law enforcement officer or full-time firefighter,
17 including a full-time paramedic or a firefighter who performs
18 paramedic duties, who is employed by the State of Illinois,
19 any unit of local government (including any home rule unit),
20 any State supported college or university, or any other public
21 entity granted the power to employ persons for such purposes
22 by law.

23 (b) Whenever an eligible employee suffers any injury or

1 illness in the line of duty which causes that employee ~~him~~ to
2 be unable to perform the employee's ~~his~~ duties, the employee
3 ~~he~~ shall continue to be paid by the employing public entity on
4 the same gross pay basis, inclusive of all pensionable salary,
5 as the employee ~~he~~ was paid before the injury, with no
6 deduction from and with continued accrual of any ~~his~~ sick
7 leave credits, compensatory time for overtime accumulations or
8 vacation, or service credits in a public employee pension fund
9 during the time the employee ~~he~~ is unable to perform the
10 employee's ~~his~~ duties due to the result of the injury, but not
11 longer than one year in relation to the same injury, except as
12 otherwise provided under subsection (b-5). However, no injury
13 to an employee of the Department of Corrections or the
14 Prisoner Review Board working within a penal institution or an
15 employee of the Department of Human Services working within a
16 departmental mental health or developmental disabilities
17 facility shall qualify the employee for benefits under this
18 Section unless the injury is the direct or indirect result of
19 violence by inmates of the penal institution or residents of
20 the mental health or developmental disabilities facility.

21 (b-5) Upon the occurrence of circumstances, directly or
22 indirectly attributable to COVID-19, occurring on or after
23 March 9, 2020 and on or before June 30, 2021 (including the
24 period between December 31, 2020 and the effective date of
25 this amendatory Act of the 101st General Assembly) which would
26 hinder the physical recovery from an injury of an eligible

1 employee within the one-year period as required under
2 subsection (b), the eligible employee shall be entitled to an
3 extension of no longer than 60 days by which he or she shall
4 continue to be paid by the employing public entity on the same
5 basis as he or she was paid before the injury. The employing
6 public entity may require proof of the circumstances hindering
7 an eligible employee's physical recovery before granting the
8 extension provided under this subsection (b-5).

9 (c) At any time during the period for which continuing
10 compensation is required by this Act, the employing public
11 entity may order at the expense of that entity physical or
12 medical examinations of the injured person to determine the
13 degree of disability.

14 (d) During this period of disability, the injured person
15 shall not be employed in any other manner, with or without
16 monetary compensation. Any person who is employed in violation
17 of this paragraph forfeits the continuing compensation
18 provided by this Act from the time such employment begins. Any
19 salary compensation due the injured person from workers'
20 compensation or any salary due the injured person ~~him~~ from any
21 type of insurance which may be carried by the employing public
22 entity shall revert to that entity during the time for which
23 continuing compensation is paid to the injured person ~~him~~
24 under this Act. Any person with a disability receiving
25 compensation under the provisions of this Act shall not be
26 entitled to any benefits for which that person ~~he~~ would

1 qualify because of the person's ~~his~~ disability under the
2 provisions of the Illinois Pension Code.

3 (e) Any employee of the State of Illinois, as defined in
4 Section 14-103.05 of the Illinois Pension Code, who becomes
5 permanently unable to perform the duties of such employment
6 due to an injury received in the active performance of that
7 employee's ~~his~~ duties as a State employee as a result of a
8 willful act of violence by another employee of the State of
9 Illinois, as so defined, committed during such other
10 employee's course of employment and after January 1, 1988,
11 shall be eligible for benefits pursuant to the provisions of
12 this Section. For purposes of this Section, permanent
13 disability is defined as a diagnosis or prognosis of an
14 inability to return to current job duties by a physician
15 licensed to practice medicine in all of its branches.

16 (f) The compensation and other benefits provided to
17 part-time employees covered by this Section shall be
18 calculated based on the percentage of time the part-time
19 employee was scheduled to work pursuant to his or her status as
20 a part-time employee.

21 (g) Pursuant to paragraphs (h) and (i) of Section 6 of
22 Article VII of the Illinois Constitution, this Act
23 specifically denies and limits the exercise by home rule units
24 of any power which is inconsistent herewith, and all existing
25 laws and ordinances which are inconsistent herewith are hereby
26 superseded. This Act does not preempt the concurrent exercise

1 by home rule units of powers consistent herewith.

2 This Act does not apply to any home rule unit with a
3 population of over 1,000,000.

4 (h) In those cases where the injury to a State employee for
5 which a benefit is payable under this Act was caused under
6 circumstances creating a legal liability for damages on the
7 part of some person other than the State employer, all of the
8 rights and privileges, including the right to notice of suit
9 brought against such other person and the right to commence or
10 join in such suit, as given the employer, together with the
11 conditions or obligations imposed under paragraph (b) of
12 Section 5 of the Workers' Compensation Act, are also given and
13 granted to the State, to the end that, with respect to State
14 employees only, the State may be paid or reimbursed for the
15 amount of benefit paid or to be paid by the State to the
16 injured employee or his or her personal representative out of
17 any judgment, settlement, or payment for such injury obtained
18 by such injured employee or his or her personal representative
19 from such other person by virtue of the injury.

20 (Source: P.A. 100-1143, eff. 1-1-19; 101-651, eff. 8-7-20;
21 101-653, eff. 2-28-21.)