

**SB1189**



**104TH GENERAL ASSEMBLY**

**State of Illinois**

**2025 and 2026**

**SB1189**

Introduced 1/24/2025, by Sen. Robert F. Martwick

**SYNOPSIS AS INTRODUCED:**

40 ILCS 5/5-156.5 new  
30 ILCS 805/8.49 new

Amends the Chicago Police Article of the Illinois Pension Code. Provides that a policeman who applies for disability benefits under the Article and has been denied reinstatement as a policeman by his or her employer because of a physical or mental incapacity shall be presumed to be disabled as that term is used in the Article. Provides that no policeman who otherwise meets the requirements for a disability benefit shall be denied a disability benefit unless and until the policeman's employer reinstates him or her as a policeman or offers him or her a limited-duty position. Provides that any policeman who has been denied a disability benefit without an offer of reinstatement or a limited-duty position after the effective date of the amendatory Act is entitled to disability benefits. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB104 07473 RPS 17515 b

**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 adding  
5 Section 5-156.5 as follows:

6 (40 ILCS 5/5-156.5 new)

7 Sec. 5-156.5. Presumption of disability; reinstatement.

8 (a) A policeman who applies for disability benefits under  
9 this Article and has been denied reinstatement as a policeman  
10 by his or her employer because of a physical or mental  
11 incapacity shall be presumed to be disabled as that term is  
12 used in this Article.

13 (b) No policeman who otherwise meets the requirements for  
14 a disability benefit shall be denied a disability benefit  
15 unless and until the policeman's employer reinstates him or  
16 her as a policeman or offers him or her a limited-duty  
17 position.

18 (c) Any policeman who has been denied a disability benefit  
19 without an offer of reinstatement or a limited-duty position  
20 after the effective date of this amendatory Act of the 104th  
21 General Assembly is entitled to disability benefits.

22 Section 90. The State Mandates Act is amended by adding

1       Section 8.49 as follows:

2                   (30 ILCS 805/8.49 new)

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

7                   Section 99. Effective date. This Act takes effect upon  
8                   becoming law.