

SB3076



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3076

Introduced 1/29/2026, by Sen. Mary Edly-Allen

SYNOPSIS AS INTRODUCED:

5 ILCS 345/1
5 ILCS 345/2

from Ch. 70, par. 91

Amends the Public Employee Disability Act. Provides that, for purposes of provisions in the Act concerning disability benefits, "eligible employee" includes any part-time or full-time county correctional officer or any other full-time or part-time employee of a county sheriff. Provides that, when an eligible employee suffers an injury in the line of duty that causes the employee to be unable to perform the employee's duties, the employing public entity shall continue to provide health insurance benefits on the same terms and conditions as were in effect immediately prior to the injury.

LRB104 17660 BDA 31091 b

A BILL FOR

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 Sections 1 and 2 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, any part-time or
16 full-time county correctional officer or any other part-time
17 or full-time employee of a county sheriff, and any full-time
18 law enforcement officer or full-time firefighter, including a
19 full-time paramedic or a firefighter who performs paramedic
20 duties, who is employed by the State of Illinois, any unit of
21 local government (including any home rule unit), any State
22 supported college or university, or any other public entity
23 granted the power to employ persons for such purposes by law.

1 (b) Whenever an eligible employee suffers any injury in
2 the line of duty that ~~which~~ causes the employee ~~him~~ to be
3 unable to perform the employee's ~~his~~ duties, the employee ~~he~~
4 shall continue to be paid by the employing public entity on the
5 same basis as the employee ~~he~~ was paid before the injury, with
6 no deduction from the employee's ~~his~~ sick leave credits,
7 compensatory time for overtime accumulations or vacation, or
8 service credits in a public employee pension fund during the
9 time he is unable to perform his duties due to the result of
10 the injury, but not longer than one year in relation to the
11 same injury, except as otherwise provided under subsection
12 (b-5). During the period in which the employee continues to be
13 paid under this Section, the employing public entity shall
14 also continue to provide health insurance benefits to the
15 employee and, if applicable, to the employee's eligible
16 dependents on the same terms and conditions as in effect
17 immediately before the injury, including, but not limited to,
18 by requiring the employee to pay no greater premium
19 contribution rate than that which the employee was paying
20 before the injury. However, no injury to an employee of the
21 Department of Corrections or the Prisoner Review Board working
22 within a penal institution or an employee of the Department of
23 Human Services working within a departmental mental health or
24 developmental disabilities facility shall qualify the employee
25 for benefits under this Section unless the injury is the
26 direct or indirect result of violence by inmates of the penal

1 institution or residents of the mental health or developmental
2 disabilities facility.

3 (b-5) Upon the occurrence of circumstances, directly or
4 indirectly attributable to COVID-19, occurring on or after
5 March 9, 2020 and on or before June 30, 2021 (including the
6 period between December 31, 2020 and the effective date of
7 this amendatory Act of the 101st General Assembly) which would
8 hinder the physical recovery from an injury of an eligible
9 employee within the one-year period as required under
10 subsection (b), the eligible employee shall be entitled to an
11 extension of no longer than 60 days by which he or she shall
12 continue to be paid by the employing public entity on the same
13 basis as he or she was paid before the injury. The employing
14 public entity may require proof of the circumstances hindering
15 an eligible employee's physical recovery before granting the
16 extension provided under this subsection (b-5).

17 (c) At any time during the period for which continuing
18 compensation is required by this Act, the employing public
19 entity may order at the expense of that entity physical or
20 medical examinations of the injured person to determine the
21 degree of disability.

22 (d) During this period of disability, the injured person
23 shall not be employed in any other manner, with or without
24 monetary compensation. Any person who is employed in violation
25 of this paragraph forfeits the continuing compensation
26 provided by this Act from the time such employment begins. Any

1 salary compensation due the injured person from workers'
2 compensation or any salary due the injured person ~~him~~ from any
3 type of insurance which may be carried by the employing public
4 entity shall revert to that entity during the time for which
5 continuing compensation is paid to the injured person ~~him~~
6 under this Act. Any person with a disability receiving
7 compensation under the provisions of this Act shall not be
8 entitled to any benefits for which the person ~~he~~ would qualify
9 because of the person's ~~his~~ disability under the provisions of
10 the Illinois Pension Code.

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

24 (f) The compensation and other benefits provided to
25 part-time employees covered by this Section shall be
26 calculated based on the percentage of time the part-time

1 employee was scheduled to work pursuant to the employee's ~~his~~
2 ~~or her~~ status as a part-time employee.

3 (g) Pursuant to paragraphs (h) and (i) of Section 6 of
4 Article VII of the Illinois Constitution, this Act
5 specifically denies and limits the exercise by home rule units
6 of any power which is inconsistent herewith, and all existing
7 laws and ordinances which are inconsistent herewith are hereby
8 superseded. This Act does not preempt the concurrent exercise
9 by home rule units of powers consistent herewith.

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

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

1 injured employee's ~~his or her~~ personal representative from
2 such other person by virtue of the injury.

3 (Source: P.A. 100-1143, eff. 1-1-19; 101-651, eff. 8-7-20;
4 101-653, eff. 2-28-21.)

5 (5 ILCS 345/2)

6 Sec. 2. Illness disability benefit.

7 (a) As used in this Section:

8 "Eligible employee" means any full-time law enforcement
9 officer or full-time firefighter, including a full-time
10 paramedic or a firefighter who performs paramedic duties, who
11 is employed by any unit of local government, including any
12 home rule unit, and any part-time or full-time county
13 correctional officer or any other full or part-time employee
14 of a county sheriff.

15 "Illness" means any illness, disease, or condition the
16 presence of which in a community results in the declaration of
17 a disaster or emergency by a State, county, or municipal
18 official.

19 (b) Whenever an eligible employee suffers an illness in
20 the line of duty which causes the employee to be unable to
21 perform the employee's duties, the employee shall continue to
22 be paid by the employing public entity on the same basis as the
23 employee was paid before the illness, with no deduction from
24 the employee's sick leave credits, compensatory time for
25 overtime accumulations or vacation, or service credits in a

1 public pension fund during the time the employee is unable to
2 perform the employee's duties due to the result of the
3 illness, but not longer than one year in relation to the same
4 illness.

5 (c) At any time during the period for which continuing
6 compensation is required by this Act, the employing public
7 entity may order at the expense of that entity physical or
8 medical examinations of the ill person to determine the degree
9 of disability.

10 (d) During this period of disability, the ill person shall
11 not be employed in any other manner, with or without a monetary
12 compensation. Any person who is employed in violation of this
13 subsection forfeits the continuing compensation provided by
14 this Act from the time such employment begins. Any salary
15 compensation due to the ill person from workers' compensation
16 or any salary due to the employee from any type of insurance
17 which may be carried by the employing public entity shall
18 revert to that entity during the time for which continuing
19 compensation is paid to the employee under this Act. Any
20 person with a disability receiving compensation under the
21 provisions of this Act shall not be entitled to any benefits
22 for which the employee would qualify because of the employee's
23 disability under the provisions of the Illinois Pension Code.

24 (e) Pursuant to paragraphs (h) and (i) of Section 6 of
25 Article VII of the Illinois Constitution, this Act
26 specifically denies and limits the exercise by home rule units

1 of any power which is inconsistent herewith, and all existing
2 laws and ordinances which are inconsistent herewith are hereby
3 superseded. This Act does not preempt the concurrent exercise
4 by home rule units of powers consistent herewith.

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

7 (Source: P.A. 103-63, eff. 1-1-24.)