

1 AN ACT concerning employment.

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

4 Section 1. Short title. This Act may be cited as the Child
5 Labor Law of 2024.

6 Section 5. Findings. The General Assembly finds that
7 minors engaged in work are deserving of enhanced workplace
8 protections. It is the intent of the General Assembly, in
9 enacting this Child Labor Law of 2024, to safeguard all
10 working minors' health, safety, welfare, and access to
11 education and the provisions of this Act shall be interpreted
12 to provide the greatest protection of a minor's well-being.

13 Section 10. Definitions. As used in this Act:

14 "Construction" means any constructing, altering,
15 reconstructing, repairing, rehabilitating, refinishing,
16 refurbishing, remodeling, remediating, renovating, custom
17 fabricating, maintenance, landscaping, improving, wrecking,
18 painting, decorating, demolishing, and adding to or
19 subtracting from any building, structure, highway, roadway,
20 street, bridge, alley, sewer, ditch, sewage disposal plant,
21 water works, parking facility, railroad, excavation or other
22 structure, project, development, real property or improvement,

1 or to do any part thereof, whether or not the performance of
2 the work herein described involves the addition to, or
3 fabrication into, any structure, project, development, real
4 property or improvement herein described of any material or
5 article of merchandise. "Construction" also includes moving
6 construction-related materials on the job site to or from the
7 job site.

8 "Department" means the Department of Labor.

9 "Director" means the Director of Labor.

10 "District superintendent of schools" means an individual
11 employed by a board of education in accordance with Section
12 10-21.4 of the School Code and the chief executive officer of a
13 school district in a city with over 500,000 inhabitants.

14 "Duly authorized agent" means an individual who has been
15 designated by a regional or district superintendent of schools
16 as his or her agent for the limited purpose of issuing
17 employment certificates to minors under the age of 16 and may
18 include officials of any public school district, charter
19 school, or any State-recognized, non-public school.

20 "Employ" means to allow, suffer, or permit to work.

21 "Employer" means a person who employs a minor to work.

22 "Family" means a group of persons related by blood or
23 marriage, including civil partnerships, or whose close
24 relationship with each other is considered equivalent to a
25 family relationship by the individuals.

26 "Minor" means any person under the age of 16.

1 "Online platform" means any public-facing website, web
2 application, or digital application, including a mobile
3 application. "Online platform" includes a social network,
4 advertising network, mobile operating system, search engine,
5 email service, or Internet access service.

6 "Person" means any natural person, individual,
7 corporation, business enterprise, or other legal entity,
8 either public or private, and any legal successor,
9 representative, agent, or agency of that individual,
10 corporation, business enterprise, or legal entity.

11 "Regional superintendent of schools" means the chief
12 administrative officer of an educational service region as
13 described in Section 3A-2 of the School Code.

14 "School hours" means, for a minor of compulsory school age
15 who is enrolled in a public or non-public school that is
16 registered with or recognized by the State Board of Education,
17 the hours the minor's school is in session. "School hours"
18 means, for a minor of compulsory school age who is not enrolled
19 in a public or non-public school that is registered with or
20 recognized by the State Board of Education, the hours that the
21 minor's local public school in the district where the minor
22 resides is in session.

23 "School issuing officer" means a regional or district
24 superintendent of schools, or his or her duly authorized
25 agent.

26 "Vlog" means content shared on an online platform in

1 exchange for compensation.

2 "Vlogger" means an individual or family that creates video
3 content, performed in Illinois, in exchange for compensation,
4 and includes any proprietorship, partnership, company, or
5 other corporate entity assuming the name or identity of a
6 particular individual or family for the purposes of that
7 content creation. "Vlogger" does not include any person under
8 the age of 16 who produces his or her own vlogs.

9 Section 15. Employment of minors.

10 (a) A person shall not employ, allow, or permit a minor to
11 work in Illinois unless that work meets the requirements of
12 this Act and any rules adopted under this Act.

13 (b) A person may employ, allow, or permit a minor 14 or 15
14 years of age to work outside of school hours, except at work
15 sites prohibited under Section 55, after being issued a
16 certificate authorizing that employment.

17 (c) A person shall not employ, allow, or permit a minor 13
18 years of age or younger to work in any occupation or at any
19 work site not explicitly authorized by or exempted from this
20 Act.

21 Section 20. Exemptions.

22 (a) Nothing in this Act applies to the work of a minor
23 engaged in agricultural pursuits, except that no minor under
24 12 years of age, except members of the farmer's own family who

1 live with the farmer at his principal place of residence, at
2 any time shall be employed, allowed, or permitted to work in
3 any gainful occupation in connection with agriculture, except
4 that any minor of 10 years of age or more shall be permitted to
5 work in a gainful occupation in connection with agriculture
6 during school vacations or outside of school hours.

7 (b) Nothing in this Act applies to the work of a minor
8 engaged in the sale and distribution of magazines and
9 newspapers outside of school hours.

10 (c) Nothing in this Act applies a minor's performance of
11 household chores or babysitting outside of school hours if
12 that work is performed in or about a private residence and not
13 in connection with an established business, trade, or
14 profession of the person employing, allowing, or permitting
15 the minor to perform the activities.

16 (d) Nothing in this Act applies to the work of a minor 13
17 years of age or more in caddying at a golf course.

18 (e) Nothing in this Act applies to a minor 14 or 15 years
19 of age who is, under the direction of the minor's school,
20 participating in work-based learning programs in accordance
21 with the School Code.

22 (f) Nothing in this Act prohibits an employer from
23 employing, allowing, or permitting a minor 12 or 13 years of
24 age to work as an officiant or an assistant instructor of youth
25 sports activities for a not-for-profit youth club, park
26 district, or municipal parks and recreation department if the

1 employer obtains certification as provided for in Section 55
2 and:

3 (1) the parent or guardian of the minor who is working
4 as an officiant or an assistant instructor, or an adult
5 designated by the parent or guardian, shall be present at
6 the youth sports activity while the minor is working;

7 (2) the minor may work as an officiant or an assistant
8 instructor for a maximum of 3 hours per day on school days
9 and a maximum of 4 hours per day on non-school days;

10 (3) the minor shall not exceed 10 hours of officiating
11 and working as assistant instructor in any week;

12 (4) the minor shall not work later than 9:00 p.m. on
13 any day of the week; and

14 (5) the participants in the youth sports activity are
15 at least 3 years younger than the minor unless an
16 individual 16 years of age or older is officiating or
17 instructing the same youth sports activity with the minor.

18 The failure to satisfy the requirements of this subsection
19 may result in the revocation of the minor's employment
20 certificate.

21 Section 25. Allowable work hours. Except as allowed under
22 Section 30, no employer shall employ, allow, or permit a minor
23 to work:

24 (1) more than 18 hours during a week when school is in
25 session;

1 (2) more than 40 hours during a week when school is not
2 in session;

3 (3) more than 8 hours in any single 24-hour period;

4 (4) between 7 p.m. and 7 a.m. from Labor Day until June
5 1 or between 9 p.m. and 7 a.m. from June 1 until Labor Day;
6 or

7 (5) more than 3 hours per day or more than 8 hours
8 total of work and school hours on days when school is in
9 session.

10 Section 30. Exceptions to allowable work hours.

11 (a) An employer may employ, allow, or permit a minor under
12 the age of 16 to work a maximum of 8 hours on each Saturday and
13 on Sunday during the school year if:

14 (1) the minor does not work outside of school hours
15 more than 6 consecutive days in any one week; and

16 (2) the number of hours worked by the minor outside of
17 school hours in any week does not exceed 24.

18 (b) A minor working as a live theatrical performer as
19 described in Section 45 shall be permitted to work until 11
20 p.m. on nights when performances are held.

21 (c) A minor under 16 years of age working as a performer as
22 described in Section 50 shall be permitted to work until 10
23 p.m.

24 (d) A park district, not-for-profit youth club, or
25 municipal parks and recreation department may allow a minor 14

1 years of age or older to work in a recreational or educational
2 activity beyond the hours identified in Section 25 as follows:

3 (1) From Labor Day until June 1, an employer may allow
4 a minor to work until 9 p.m. on school days if the
5 following conditions are met:

6 (A) the minor does not work more than 3 hours per
7 day;

8 (B) the minor does not work on more than 2 school
9 days in that week; and

10 (C) the minor does not work more than 24 total
11 hours outside school hours in that week.

12 (2) From June 1 to Labor Day, an employer may allow a
13 minor to work until 10 p.m. and no earlier than 7 a.m.

14 (3) For a minor who attends a school that operates a
15 year-round schedule, an employer may allow the minor to
16 work until 10 p.m. and no earlier than 7 a.m. during
17 periods when school is not in session for the minor. If
18 school is in session, then the minor who attends a school
19 that operates a year-round schedule may work until 9 p.m.
20 on school days and no earlier than 7 a.m., if the following
21 conditions are met:

22 (A) the minor does not work more than 3 hours per
23 day;

24 (B) the minor does not work on more than 2 school
25 days in that week; and

26 (C) the minor does not work more than 24 total

1 hours outside school hours in that week.

2 Section 35. Employer requirements.

3 (a) It shall be unlawful for any person to employ, allow,
4 or permit any minor to work unless the minor obtains an
5 employment certificate authorizing the minor to work for that
6 person. Any person seeking to employ, allow, or permit any
7 minor to work shall provide that minor with a notice of
8 intention to employ to be submitted by the minor to the minor's
9 school issuing officer with the minor's application for an
10 employment certificate.

11 (b) Every employer of one or more minors shall maintain,
12 on the premises where the work is being done, records that
13 include the name, date of birth, and place of residence of
14 every minor who works for that employer, notice of intention
15 to employ the minor, and the minor's employment certificate.
16 Authorized officers and employees of the Department, truant
17 officers, and other school officials charged with the
18 enforcement of school attendance requirements described in
19 Section 26-1 of the School Code may inspect the records
20 without notice at any time.

21 (c) Every employer of minors shall ensure that all minors
22 are supervised by an adult 21 years of age or older, on site,
23 at all times while the minor is working.

24 (d) No person shall employ, allow, or permit any minor to
25 work for more than 5 hours continuously without an interval of

1 at least 30 minutes for a meal period. No period of less than
2 30 minutes shall be deemed to interrupt a continuous period of
3 work.

4 (e) Every employer who employs one or more minors shall
5 post in a conspicuous place where minors are employed,
6 allowed, or permitted to work, a notice summarizing the
7 requirements of this Act, including a list of the occupations
8 prohibited to minors and the Department's toll free telephone
9 number described in Section 85. An employer with employees who
10 do not regularly report to a physical workplace, such as
11 employees who work remotely or travel for work, shall also
12 provide the summary and notice by email to its employees or
13 conspicuous posting on the employer's website or intranet
14 site, if the site is regularly used by the employer to
15 communicate work-related information to employees and is able
16 to be regularly accessed by all employees, freely and without
17 interference. The notice shall be furnished by the Department.

18 (f) Every employer, during the period of employment of a
19 minor and for 3 years thereafter, shall keep on file, at the
20 place of employment, a copy of the employment certificate
21 issued for the minor. An employment certificate shall be valid
22 only for the employer for whom issued and a new certificate
23 shall not be issued for the employment of a minor except on the
24 presentation of a new statement of intention to employ the
25 minor. The failure of any employer to produce for inspection
26 the employment certificate for each minor in the employer's

1 establishment shall be a violation of this Act. The Department
2 may specify any other record keeping requirements by rule.

3 (g) In the event of the work-related death of a minor
4 engaged in work subject to this Act, the employer shall,
5 within 24 hours, report the death to the Department and to the
6 school official who issued the minor's work certificate for
7 that employer. In the event of a work-related injury or
8 illness of a minor that requires the employer to file a report
9 with the Illinois Workers' Compensation Commission under
10 Section 6 of the Workers' Compensation Act or Section 6 of the
11 Workers' Occupational Diseases Act, the employer shall submit
12 a copy of the report to the Department and to the school
13 official who issued the minor's work certificate for that
14 employer within 72 hours of the deadline by which the employer
15 must file the report to the Illinois Workers' Compensation
16 Commission. The report shall be subject to the confidentiality
17 provisions of Section 6 of the Workers' Compensation Act or
18 Section 6 of the Workers' Occupational Diseases Act.

19 Section 40. Restrictions on employment of minors.

20 (a) No person shall employ, allow, or permit a minor to
21 work:

22 (1) in any mechanic's garage, including garage pits,
23 repairing cars, trucks, or other vehicles or using garage
24 lifting racks;

25 (2) in the oiling, cleaning, or wiping of machinery or

1 shafting;

2 (3) in or about any mine or quarry;

3 (4) in stone cutting or polishing;

4 (5) in any factory work;

5 (6) in or about any plant manufacturing explosives or
6 articles containing explosive components, or in the use or
7 transportation of same;

8 (7) in or about plants manufacturing iron or steel,
9 ore reduction works, smelters, foundries, forging shops,
10 hot rolling mills or any other place in which the heating,
11 melting, or heat treatment of metals is carried on;

12 (8) in the operation of machinery used in the cold
13 rolling of heavy metal stock, or in the operation of
14 power-driven punching, shearing, stamping, or metal plate
15 bending machines;

16 (9) in or about logging, sawmills or lath, shingle, or
17 cooperage-stock mills;

18 (10) in the operation of power-driven woodworking
19 machines, or off-bearing from circular saws;

20 (11) in the operation and repair of freight elevators
21 or hoisting machines and cranes;

22 (12) in spray painting;

23 (13) in occupations involving exposure to lead or its
24 compounds;

25 (14) in occupations involving exposure to acids, dyes,
26 chemicals, dust, gases, vapors, or fumes that are known or

1 suspected to be dangerous to humans;

2 (15) in any occupation subject to the Amusement Ride
3 and Attraction Safety Act;

4 (16) in oil refineries, gasoline blending plants, or
5 pumping stations on oil transmission lines;

6 (17) in the operation of laundry, dry cleaning, or
7 dyeing machinery;

8 (18) in occupations involving exposure to radioactive
9 substances;

10 (19) in or about any filling station or service
11 station, except that this prohibition does not extend to
12 employment within attached convenience stores, food
13 service, or retail establishments;

14 (20) in construction work, including demolition and
15 repair;

16 (21) in any energy generation or transmission service;

17 (22) in public and private utilities and related
18 services;

19 (23) in operations in or in connection with
20 slaughtering, meat packing, poultry processing, and fish
21 and seafood processing;

22 (24) in operations which involve working on an
23 elevated surface, with or without use of equipment,
24 including, but not limited to, ladders and scaffolds;

25 (25) in security positions or any occupations that
26 require the use or carrying of a firearm or other weapon;

1 (26) in occupations which involve the handling or
2 storage of human blood, human blood products, human body
3 fluids, or human body tissues;

4 (27) in any mill, cannery, factory, workshop, coal
5 brick or lumber yard;

6 (28) any occupation which is prohibited for minors
7 under federal law; or

8 (29) in any other occupation or working condition
9 determined by the Director to be hazardous.

10 (b) No person shall employ, allow, or permit a minor to
11 work at:

12 (1) any cannabis business establishment subject to the
13 Cannabis Regulation and Tax Act or Compassionate Use of
14 Medical Cannabis Program Act;

15 (2) any establishment subject to the Live Adult
16 Entertainment Facility Surcharge Act;

17 (3) any firearm range or gun range used for
18 discharging a firearm in a sporting event, for practice or
19 instruction in the use of a firearm, or the testing of a
20 firearm;

21 (4) any establishment in which items containing
22 alcohol for consumption are manufactured, distilled,
23 brewed, or bottled;

24 (5) any establishment where the primary activity is
25 the sale of alcohol or tobacco;

26 (6) an establishment operated by any holder of an

1 owners license subject to the Illinois Gambling Act; or

2 (7) any other establishment which State or federal law
3 prohibits minors from entering or patronizing.

4 (c) An employer shall not allow minors to draw, mix, pour,
5 or serve any item containing alcohol or otherwise handle any
6 open containers of alcohol. An employer shall make reasonable
7 efforts to ensure that minors are unable to access alcohol.

8 (d) An employer may allow minors aged 14 and 15 to work in
9 retail stores, except that an employer shall not allow minors
10 to handle or be able to access any goods or products which are
11 illegal for minors to purchase or possess.

12 (e) No person shall employ, allow, or permit an unlicensed
13 minor to perform work in the practice of barber, cosmetology,
14 esthetics, hair braiding, and nail technology services
15 requiring a license under the Barber, Cosmetology, Esthetics,
16 Hair Braiding, and Nail Technology Act of 1985, except for
17 students enrolled in a school and performing barber,
18 cosmetology, esthetics, hair braiding, and nail technology
19 services in accordance with that Act and rules adopted under
20 that Act.

21 (f) A person may employ, allow, or permit a minor to
22 perform office or administrative support work that does not
23 expose the minor to the work prohibited in this Section.

24 Section 45. Minors employed in live theatrical
25 performances. In addition to the other requirements of this

1 Act, an employer of a minor working in live theatrical
2 performances, including plays, musicals, recitals, or
3 concerts, is subject to the following requirements:

4 (1) An employer shall not allow a minor to work in more
5 than 2 performances in any 24-hour period.

6 (2) An employer shall not allow a minor to work in more
7 than 8 performances in any 7-day period or 9 performances
8 if a State holiday occurs during that 7-day period.

9 (3) A minors shall be accompanied by a parent,
10 guardian, or chaperone at all times while at the work
11 site.

12 (4) A minor shall not work, including performing,
13 rehearsing, or otherwise being present at the work site,
14 in connection with the performance, for more than 8 hours
15 in any 24-hour period, more than 6 days in any 7-day
16 period, more than 24 hours in any 7-day period, or after 11
17 p.m. on any night.

18 (5) A minor shall not be excused from attending school
19 except as authorized by Section 26-1 of the School Code.

20 Section 50. Minors employed in live or pre-recorded,
21 distributed, broadcast performances and modeling.

22 (a) Notwithstanding the provisions of this Act, minors
23 under 16 years of age may be employed as models or performers
24 on live or pre-recorded radio or television, in motion
25 pictures, or in other entertainment-related performances,

1 subject to conditions that may be imposed by rule by the
2 Department.

3 (b) Notwithstanding the provisions of this Act, an
4 employer who employs a minor under 16 years of age in a
5 television, motion picture, or related entertainment
6 production may allow the minor to work until 10 p.m. without
7 seeking a waiver from the Department. An employer may apply to
8 the Director, or the Director's authorized representative, for
9 a waiver permitting a minor to work outside of the hours
10 allowed by this Act.

11 (1) A waiver request for a minor to work between 10
12 p.m. and 12:30 a.m. or between 5 a.m. and 7 a.m. shall be
13 granted if the Director, or the Director's authorized
14 representative, is satisfied that all of the following
15 conditions are met:

16 (A) the employment shall not be detrimental to the
17 health or welfare of the minor;

18 (B) the minor shall be supervised adequately;

19 (C) the education of the minor shall not be
20 neglected; and

21 (D) the total number of hours to be worked that day
22 and week is not over the limits established in this Act
23 or any rules adopted under this Act.

24 (2) A waiver request for a minor to work between 12:30
25 a.m. and 5 a.m. shall be granted if the Director, or the
26 Director's authorized representative, is satisfied that

1 all of the following conditions are met:

2 (A) the employment shall not be detrimental to the
3 health or welfare of the minor;

4 (B) the minor shall be supervised adequately;

5 (C) the education of the minor shall not be
6 jeopardized;

7 (D) performance by the minor during that time is
8 critical to the success of the production, as
9 demonstrated by true and accurate statements by the
10 employer that filming cannot be completed at any other
11 time of day;

12 (E) the filming primarily requires exterior
13 footage of sunset, nighttime, or dawn;

14 (F) the filming is scheduled on the most optimal
15 day of the week for the minor's schooling;

16 (G) the employer provides a schedule to the
17 Department of schooling and rest periods on the day
18 before, the day of, and the day after the overnight
19 hours to be worked;

20 (H) the age of the minor is taken into account as
21 provided by this Act or any rules adopted under this
22 Act;

23 (I) the total number of hours to be worked that day
24 and week is not over the limits established in this Act
25 or any rules adopted under this Act; and

26 (J) the waiver request was received by the

1 Department at least 72 hours prior to the overnight
2 hours to be worked.

3 (c) An employer applying for the waiver shall submit to
4 the Director, or the Director's authorized representative, a
5 completed application on the form that the Director provides.
6 The waiver shall contain signatures that show the consent of a
7 parent or legal guardian of the minor, the employer, and an
8 authorized representative of a collective bargaining unit if a
9 collective bargaining unit represents the minor upon
10 employment.

11 Section 55. Employment certificates.

12 (a) Any employer who employs, allows, or permits a minor
13 to work shall ensure that the minor holds a valid employment
14 certificate issued by a school issuing officer.

15 (b) An application for an employment certificate must be
16 submitted by the minor and the minor's parent or legal
17 guardian to the minor's school issuing officer as follows.

18 (1) The application shall be signed by the applicant's
19 parent or legal guardian.

20 (2) The application shall be submitted in person by
21 the minor desiring employment, unless the school issuing
22 officer determines that the minor may utilize a remote
23 application process.

24 (3) The minor shall be accompanied by his or her
25 parent, guardian, or custodian, whether applying in person

1 or remotely.

2 (4) The following papers shall be submitted with the
3 application:

4 (A) A statement of intention to employ signed by
5 the prospective employer, or by someone duly
6 authorized by them, setting forth the specific nature
7 of the occupation in which he intends to employ the
8 minor and the exact hours of the day and number of
9 hours per day and days per week during which the minor
10 shall be employed.

11 (B) Evidence of age showing that the minor is of
12 the age required by this Act, which evidence shall be
13 documentary, and shall be required in the order
14 designated, as follows:

15 (i) a birth certificate; or

16 (ii) if a birth certificate is unavailable,
17 the parent or legal guardian may present other
18 reliable proof of the minor's identity and age
19 that is supported by a sworn statement explaining
20 why the birth certificate is not available. Other
21 reliable proof of the minor's identity and age
22 includes a passport, visa, or other governmental
23 documentation of the minor's identity. If the
24 student was not born in the United States, the
25 school issuing officer must accept birth
26 certificates or other reliable proof from a

1 foreign government.

2 (C) A statement on a form approved by the
3 Department and signed by the school issuing officer,
4 showing the minor's name, address, grade last
5 completed, the hours the minor's school is in session,
6 and other relevant information, as determined by the
7 school issuing officer, about the minor's school
8 schedule, and the names of the minor's parent or legal
9 guardian. If any of the information required to be on
10 the work permit changes, the issuing officer must
11 update the work permit and provide an updated copy to
12 the Department, the minor's employer, and the minor's
13 parent or legal guardian. If the minor does not have a
14 permanent home address or is otherwise eligible for
15 services under the federal McKinney-Vento Homeless
16 Assistance Act, the lack of a birth certificate or
17 permanent home address alone shall not be a barrier to
18 receiving an employment certificate.

19 (D) A statement of physical fitness signed by a
20 health care professional who has examined the minor,
21 certifying that the minor is physically fit to be
22 employed in all legal occupations or to be employed in
23 legal occupations under limitations specified, or, at
24 the discretion of the school issuing officer, the
25 minor's most recent school physical. If the statement
26 of physical fitness is limited, the employment

1 certificate issued thereon shall state clearly the
2 limitations upon its use, and shall be valid only when
3 used under the limitations so stated. In any case
4 where the health care professional deems it advisable
5 that he or she may issue a certificate of physical
6 fitness for a specified period of time, at the
7 expiration of which the person for whom it was issued
8 shall appear and be re-examined before being permitted
9 to continue work. Examinations shall be made in
10 accordance with the standards and procedures
11 prescribed by the Director, in consultation with the
12 Director of the Department of Public Health and the
13 State Superintendent of Education, and shall be
14 recorded on a form furnished by the Department. When
15 made by public health or public school physicians, the
16 examination shall be made without charge to the minor.
17 If a public health or public school health care
18 professional is not available, a statement from a
19 private health care professional who has examined the
20 minor may be accepted, provided that the examination
21 is made in accordance with the standards and
22 procedures established by the Department. For purposes
23 of this paragraph, "health care professional" means a
24 physician licensed to practice medicine in all its
25 branches, a licensed advanced practice registered
26 nurse, or a licensed physician assistant.

1 (5) The school issuing officer shall have authority to
2 verify the representations provided in the employment
3 certificate application as required by Section 55. A
4 school issuing officer shall not charge a fee for the
5 consideration of an employment certificate application.

6 (6) It shall be the duty of the school board or local
7 school authority to designate a place or places where
8 certificates shall be issued and recorded, and physical
9 examinations made without fee, and to establish and
10 maintain the necessary records and clerical services for
11 carrying out the provisions of this Act.

12 (c) Upon receipt of an application for an employment
13 certificate, a school issuing officer shall issue an
14 employment certificate only after examining and approving the
15 written application and other papers required under this
16 Section, and determining that the employment shall not be
17 detrimental to the minor's health, welfare, and education. The
18 school issuing officer shall consider any report of death,
19 injury, or illness of a minor at that workplace, received
20 under the requirements of Section 35, in the prior 2 years in
21 determining whether the employment shall be detrimental to the
22 minor's health, welfare, and education. Upon issuing an
23 employment certificate to a minor, the school issuing officer
24 shall notify the principal of the school attended by the
25 minor, and provide copies to the Department, the minor's
26 employer, and the minor's parent or legal guardian. The

1 employment certificate shall be valid for a period of one year
2 from the date of issuance, unless suspended or revoked.

3 (d) If the school issuing officer refuses to issue a
4 certificate to a minor, the school issuing officer shall send
5 to the principal of the school attended by the minor a notice
6 of the refusal, including the name and address of the minor and
7 of the minor's parent or legal guardian, and the reason for the
8 refusal to issue the certificate.

9 (e) If a minor from another state seeks to obtain an
10 Illinois employment certificate, the Department shall work
11 with the State Superintendent of Education, or his or her duly
12 authorized agents, to issue the certificate if the State
13 Superintendent of Education deems that all requirements for
14 issuance have been met.

15 (f) Upon request, the school issuing officer shall issue a
16 certificate of age to any person between 16 and 20 years of age
17 upon presentation of the same proof of age as is required for
18 the issuance of employment certificates under this Act.

19 (g) Any certificate duly issued in accordance with this
20 Act shall be prima facie evidence of the age of the minor for
21 whom issued in any proceeding involving the employment of the
22 minor under this Act, as to any act occurring subsequent to its
23 issuance, or until revoked.

24 (h) The Department may suspend any certificate as an
25 emergency action imperatively required for the health, safety,
26 welfare, or education of the minor if:

1 (1) the parent or legal guardian of a minor, the
2 school issuing officer, or the principal of the school
3 attended by the minor for whom an employment certificate
4 has been issued has asked for the revocation of the
5 certificate by petition to the Department in writing,
6 stating the reasons he or she believes that the employment
7 is interfering with the health, safety, welfare, or
8 education of the minor; or

9 (2) in the judgment of the Director, the employment
10 certificate was improperly issued or if the minor is
11 illegally employed.

12 If the certificate is suspended, the Department shall
13 notify the employer of the minor, the parent or guardian of the
14 minor, the minor's school principal, and the school issuing
15 officer of the suspension in writing and shall schedule an
16 administrative hearing to take place within 21 days after the
17 date of any suspension. The minor shall not thereafter be
18 employed, allowed, or permitted to work unless and until his
19 or her employment certificate has been reinstated. After the
20 hearing, an administrative law judge shall issue a final order
21 either reinstating or revoking the employment certificate. If
22 the certificate is revoked, the employer shall not thereafter
23 employ, permit, or allow the minor to work until the minor has
24 obtained a new employment certificate authorizing the minor's
25 employment by that employer.

1 Section 57. Prohibition on retaliation. An employer, or
2 agent or officer of an employer, violates this Act if he or she
3 takes an adverse action against, or in any other manner
4 discriminates against, any person because that person has:

5 (1) exercised a right under this Act;

6 (2) made a complaint to the minor's employer or to the
7 Director, or the Director's authorized representative;

8 (3) caused to be instituted or is about to cause to be
9 instituted any proceeding under or related to this Act;

10 (4) participated in or cooperated with an
11 investigation or proceeding under this Act; or

12 (5) testified or is about to testify in an
13 investigation or proceeding under this Act.

14 (b) An employer, or agent or officer of an employer, does
15 not violate this Act if he or she discharges a minor from
16 employment because the employment was found to be unlawful or
17 the Department suspended or revoked the minor's employment
18 certificate.

19 Section 60. Department powers.

20 (a) The Department shall make, adopt, and enforce
21 reasonable rules relating to the administration and
22 enforcement of the provisions of this Act, including the
23 issuance of employment certificates authorized under this Act,
24 as may be deemed expedient. The rules shall be designed to
25 protect the health, safety, welfare, and education of minors

1 and to ensure that the conditions under which minors are
2 employed, allowed, or permitted to work shall not impair their
3 health, welfare, development, or education.

4 (b) In order to promote uniformity and efficiency of
5 issuance, the Department shall, in consultation with the State
6 Superintendent of Education, formulate the forms on which
7 certificates shall be issued and also forms needed in
8 connection with the issuance, and it shall supply the forms to
9 the school issuing officers.

10 Section 65. Investigation.

11 (a) It shall be the duty of the Department to enforce the
12 provisions of this Act. The Department shall have the power to
13 conduct investigations in connection with the administration
14 and enforcement of this Act and the authorized officers and
15 employees of the Department are hereby authorized and
16 empowered, to visit and inspect, at all reasonable times and
17 as often as possible, all places covered by this Act.

18 (b) The Director, or the Director's authorized
19 representative, may compel by subpoena, the attendance and
20 testimony of witnesses and the production of books, payrolls,
21 records, papers, and other evidence in any investigation or
22 hearing and may administer oaths to witnesses.

23 (c) No employer may interfere with or obstruct an
24 investigation conducted under this Act.

1 Section 70. Enforcement.

2 (a) The Department shall conduct hearings in accordance
3 with the Illinois Administrative Procedure Act if, upon
4 investigation, the Department finds cause to believe the Act,
5 or any rules adopted thereunder, has been violated; or to
6 consider whether to reinstate or revoke a minor's employment
7 certificate in accordance with Section 55.

8 (b) After the hearing, if supported by the evidence, the
9 Department may issue and cause to be served on any party an
10 order to cease and desist from violation of the Act, take
11 further affirmative or other action as deemed reasonable to
12 eliminate the effect of the violation, and may revoke any
13 certificate issued under the Act and determine the amount of
14 any civil penalty allowed by the Act. The Department may serve
15 orders by certified mail or by sending a copy by email to an
16 email address previously designated by the party for purposes
17 of receiving notice under this Act. An email address provided
18 by the party in the course of the administrative proceeding
19 shall not be used in any subsequent proceedings, unless the
20 party designates that email address for the subsequent
21 proceeding.

22 (c) Any party to a proceeding under the Act may apply for
23 and obtain judicial review of an order of the Department
24 entered under this Act in accordance with the provisions of
25 the Administrative Review Law, and the Department in
26 proceedings under this Section may obtain an order of court

1 for the enforcement of its order.

2 (d) Whenever it appears that any employer has violated a
3 valid order of the Department issued under this Act, the
4 Director may commence an action and obtain from the court an
5 order upon the employer commanding them to obey the order of
6 the Department or be adjudged guilty of contempt of court and
7 punished accordingly.

8 Section 75. Civil penalties.

9 (a) Any person employing, allowing, or permitting a minor
10 to work who violates any of the provisions of this Act or any
11 rule adopted under the Act shall be subject to civil penalties
12 as follows:

13 (1) if a minor dies while working for an employer who
14 is found by the Department to have been employing,
15 allowing, or permitting the minor to work in violation of
16 this Act, the employer is subject to a penalty not to
17 exceed \$60,000, payable to the Department;

18 (2) if a minor receives an illness or an injury that is
19 required to be reported to the Department under Section 35
20 while working for an employer who is found by the
21 Department to have been employing, allowing, or permitting
22 the minor to work in violation of this Act, the employer is
23 subject to a penalty not to exceed \$30,000, payable to the
24 Department;

25 (3) an employer who employs, allows, or permits a

1 minor to work in violation of Section 40 shall be subject
2 to a penalty not to exceed \$15,000, payable to the
3 Department;

4 (4) an employer who fails to post or provide the
5 required notice under subsection (g) of Section 35 shall
6 be subject to a penalty not to exceed \$500, payable to the
7 Department; and

8 (5) an employer who commits any other violation of
9 this Act shall be subject to a penalty not to exceed
10 \$10,000, payable to the Department.

11 In determining the amount of the penalty, the
12 appropriateness of the penalty to the size of the business of
13 the employer charged and the gravity of the violation shall be
14 considered.

15 Each day during which any violation of this Act continues
16 shall constitute a separate and distinct offense, and the
17 employment of any minor in violation of the Act shall, with
18 respect to each minor so employed, constitute a separate and
19 distinct offense.

20 (b) Any administrative determination by the Department of
21 the amount of each penalty shall be final unless reviewed as
22 provided in Section 70.

23 (c) The amount of the penalty, when finally determined,
24 may be recovered in a civil action brought by the Director in
25 any circuit court, in which litigation the Director shall be
26 represented by the Attorney General. In an action brought by

1 the Department, the Department may request, and the Court may
2 impose on a defendant employer, an additional civil penalty of
3 up to an amount equal to the penalties assessed by the
4 Department to be distributed to an impacted minor. In an
5 action concerning multiple minors, any such penalty imposed by
6 the Court shall be distributed equally among the minors
7 employed in violation of this Act by the defendant employer.

8 (d) Penalties recovered under this Section shall be paid
9 by certified check, money order, or by an electronic payment
10 system designated by the Department, and deposited into the
11 Child Labor and Day and Temporary Labor Services Enforcement
12 Fund, a special fund in the State treasury. Moneys in the Fund
13 shall be used, subject to appropriation, for exemplary
14 programs, demonstration projects, and other activities or
15 purposes related to the enforcement of this Act or for the
16 activities or purposes related to the enforcement of the Day
17 and Temporary Labor Services Act, or for the activities or
18 purposes related to the enforcement of the Private Employment
19 Agency Act.

20 Section 80. Criminal penalties.

21 (a) Any person who engages in any of the following
22 activities shall be guilty of a Class A misdemeanor and shall
23 be subject to a civil penalty of no less than \$500 and no more
24 than \$2,500:

25 (1) employs, allows, or permits any minor to work in

1 violation of this Act, or of any rule, order, or ruling
2 issued under the provisions of this Act;

3 (2) obstructs the Department, its inspectors or
4 deputies, or any other person authorized to inspect places
5 of employment under this Act; or

6 (3) willfully fails to comply with the provisions of
7 this Act.

8 (b) Whenever in the opinion of the Department a violation
9 of this Act has occurred, it shall report the violation to the
10 Attorney General who shall prosecute all violations reported.

11 (c) The amount of the penalty, when finally determined,
12 shall be ordered by the court, in an action brought for a
13 criminal violation, to be paid to the Department.

14 (d) Penalties recovered under this Section shall be paid
15 into the Child Labor and Day and Temporary Labor Services
16 Enforcement Fund.

17 Section 85. Department reporting and outreach.

18 (a) The Department shall maintain a toll-free telephone
19 number to facilitate information requests concerning the
20 issuance of certificates under this Act and the reporting of
21 violations of this Act.

22 (b) The Department shall conduct ongoing outreach and
23 education efforts concerning this Act targeted toward school
24 districts, employers, and other appropriate community
25 organizations. The Department shall, to the extent possible,

1 coordinate these outreach and education activities with other
2 appropriate local, State, and federal agencies.

3 (c) The Department shall file with the General Assembly,
4 no later than January 1 each year, a report of its activities
5 regarding administration and enforcement of this Act for the
6 preceding fiscal year.

7 Section 90. Child performers; trust fund.

8 (a) As used in this Section:

9 "Artistic or creative services" includes, but is not
10 limited to, services as: an actor, actress, dancer, musician,
11 comedian, singer, stunt person, voice-over artist, runway or
12 print model, other performer or entertainer, songwriter,
13 musical producer, arranger, writer, director, producer,
14 production executive, choreographer, composer, conductor, or
15 designer.

16 "Child performer" means an unemancipated person under the
17 age of 16 who is employed in this State and who agrees to
18 render artistic or creative services.

19 (b) In addition to the requirements of Section 55, the
20 person authorized to issue employment certificates must
21 determine that a trust account, established by the child
22 performer's parent or guardian, that meets the requirements of
23 subsection (c) has been established designating the minor as
24 the beneficiary of the trust account before an employment
25 certificate for work as a child performer may be issued for a

1 minor under the age of 16 years. The person authorized to issue
2 employment certificates shall issue a temporary employment
3 certificate having a duration of not more than 15 days without
4 the establishment of a trust fund to permit a minor to provide
5 artistic or creative services. No more than one temporary
6 employment certificate may be issued for each child performer.
7 The Department shall prescribe the form in which temporary
8 employment certificates shall be issued and shall make the
9 forms available on its website.

10 (c) A trust account subject to this Section must provide,
11 at a minimum, the following:

12 (1) that at least 15% of the gross earnings of the
13 child performer shall be deposited into the account; (2)
14 that the funds in the account shall be available only to
15 the child performer;

16 (2) that the account shall be held by a bank,
17 corporate fiduciary, or trust company, as those terms are
18 defined in the Corporate Fiduciary Act;

19 (3) that the funds in the account shall become
20 available to the child performer upon the child performer
21 attaining the age of 18 years or until the child performer
22 is declared emancipated; and

23 (4) that the account meets the requirements of the
24 Illinois Uniform Transfers to Minors Act.

25 (d) The parent or guardian of the child performer shall
26 provide the employer with the information necessary to

1 transfer moneys into the trust account. Once the child
2 performer's employer deposits the money into the trust
3 account, the child performer's employer shall have no further
4 obligation or duty to monitor or account for the money. The
5 trustee or trustees of the trust shall be the only individual,
6 individuals, entity, or entities with the obligation or duty
7 to monitor and account for money once it has been deposited by
8 the child performer's employer.

9 (e) If the parent or guardian of the child performer fails
10 to provide the employer with the information necessary to
11 transfer funds into the trust account within 30 days after an
12 employment certificate has been issued, the funds that were to
13 be transferred to the trust account shall be transferred to
14 the Office of the State Treasurer in accordance with Section
15 15-608 of the Revised Uniform Unclaimed Property Act.

16 (f) This Section does not apply to an employer of a child
17 performer employed to perform services as an extra, services
18 as a background performer, or services in a similar capacity.

19 (g) The Department may adopt rules to implement this
20 Section.

21 Section 95. Minors featured in vlogs.

22 (a) A minor under the age of 16 is considered engaged in
23 the work of vlogging when the following criteria are met at any
24 time during the previous 12-month period:

25 (1) at least 30% of the vlogger's compensated video

1 content produced within a 30-day period included the
2 likeness, name, or photograph of the minor. Content
3 percentage is measured by the percentage of time the
4 likeness, name, or photograph of the minor visually
5 appears or is the subject of an oral narrative in a video
6 segment, as compared to the total length of the segment;
7 and

8 (2) the number of views received per video segment on
9 any online platform met the online platform's threshold
10 for the generation of compensation or the vlogger received
11 actual compensation for video content equal to or greater
12 than \$0.10 per view.

13 (b) With the exception of Section 100, the provisions of
14 this Act do not apply to a minor engaged in the work of
15 vlogging.

16 (c) All vloggers whose content features a minor under the
17 age of 16 engaged in the work of vlogging shall maintain the
18 following records and shall provide them to the minor on an
19 ongoing basis:

20 (1) the name and documentary proof of the age of the
21 minor engaged in the work of vlogging;

22 (2) the number of vlogs that generated compensation as
23 described in subsection (a) during the reporting period;

24 (3) the total number of minutes of the vlogs that the
25 vlogger received compensation for during the reporting
26 period;

1 (4) the total number of minutes each minor was
2 featured in vlogs during the reporting period;

3 (5) the total compensation generated from vlogs
4 featuring a minor during the reporting period; and

5 (6) the amount deposited into the trust account for
6 the benefit of the minor engaged in the working of
7 vlogging, as required by Section 100.

8 (d) If a vlogger whose vlog content features minors under
9 the age of 16 engaged in the work of vlogging fails to maintain
10 the records as provided in subsection (c), the minor may
11 commence a civil action to enforce the provisions of this
12 Section.

13 Section 100. Minor engaged in the work of vlogging; trust
14 fund.

15 (a) A minor satisfying the criteria described in
16 subsection (a) of Section 95 must be compensated by the
17 vlogger. The vlogger must set aside gross earnings on the
18 video content, including the likeness, name, or photograph of
19 the minor in a trust account to be preserved for the benefit of
20 the minor upon reaching the age of majority, according to the
21 following distribution:

22 (1) where only one minor meets the content threshold
23 described in Section 95, the percentage of total gross
24 earnings on any video segment, including the likeness,
25 name, or photograph of the minor that is equal to or

1 greater than half of the content percentage that includes
2 the minor as described in Section 95; or

3 (2) where more than one minor meets the content
4 threshold described in Section 95 and a video segment
5 includes more than one of those minors, the percentage
6 described in paragraph (1) for all minors in any segment
7 must be equally divided between the minors, regardless of
8 differences in percentage of content provided by the
9 individual minors.

10 (b) A trust account required under this Section must
11 provide, at a minimum, the following:

12 (1) that the funds in the account shall be available
13 only to the minor engaged in the work of vlogging;

14 (2) that the account shall be held by a bank,
15 corporate fiduciary, or trust company, as those terms are
16 defined in the Corporate Fiduciary Act;

17 (3) that the funds in the account shall become
18 available to the minor engaged in the work of vlogging
19 upon the minor attaining the age of 18 years or until the
20 minor is declared emancipated; and

21 (4) that the account meets the requirements of the
22 Illinois Uniform Transfers to Minors Act.

23 (c) If a vlogger knowingly or recklessly violates this
24 Section, a minor satisfying the criteria described in
25 subsection (a) of Section 95 may commence an action to enforce
26 the provisions of this Section regarding the trust account.

1 The court may award, to a minor who prevails in any action
2 brought in accordance with this Section, the following
3 damages:

4 (1) actual damages;

5 (2) punitive damages; and

6 (3) the costs of the action, including attorney's fees
7 and litigation costs.

8 (d) This Section does not affect a right or remedy
9 available under any other law of the State.

10 (e) Nothing in this Section shall be interpreted to have
11 any effect on a party that is neither the vlogger nor the minor
12 engaged in the work of vlogging.

13 Section 105. No limitations on other laws. Nothing in this
14 Act shall limit another State agency's authority to enforce
15 violations of any other State law.

16 Section 110. Severability. If any part of this Act is
17 decided to be unconstitutional and void, the decision shall
18 not affect the validity of the remaining parts of this Act
19 unless the part held void is indispensable to the operation of
20 the remaining parts.

21 Section 115. Procedural changes from prior law. In
22 accordance with Section 4 of the Statute on Statutes, any
23 procedural change as compared to prior law effected by the

1 repeal of the Child Labor Law and the enactment of this Act
2 shall be applied retroactively. Any substantive change as
3 compared to prior law effected by the repeal of the Child Labor
4 Law and the enactment of this Act shall be applied
5 prospectively only. Any changes to the remedies available to
6 redress a legal violation are procedural in nature.

7 (820 ILCS 205/Act rep.)

8 Section 900. The Child Labor Law is repealed.

9 Section 905. The School Code is amended by changing
10 Section 26-1 as follows:

11 (105 ILCS 5/26-1) (from Ch. 122, par. 26-1)

12 Sec. 26-1. Compulsory school age; exemptions. Whoever has
13 custody or control of any child (i) between the ages of 7 and
14 17 years (unless the child has already graduated from high
15 school) for school years before the 2014-2015 school year or
16 (ii) between the ages of 6 (on or before September 1) and 17
17 years (unless the child has already graduated from high
18 school) beginning with the 2014-2015 school year shall cause
19 such child to attend some public school in the district
20 wherein the child resides the entire time it is in session
21 during the regular school term, except as provided in Section
22 10-19.1, and during a required summer school program
23 established under Section 10-22.33B; provided, that the

1 following children shall not be required to attend the public
2 schools:

3 1. Any child attending a private or a parochial school
4 where children are taught the branches of education taught
5 to children of corresponding age and grade in the public
6 schools, and where the instruction of the child in the
7 branches of education is in the English language;

8 2. Any child who is physically or mentally unable to
9 attend school, such disability being certified to the
10 county or district truant officer by a competent physician
11 licensed in Illinois to practice medicine and surgery in
12 all its branches, a chiropractic physician licensed under
13 the Medical Practice Act of 1987, a licensed advanced
14 practice registered nurse, a licensed physician assistant,
15 or a Christian Science practitioner residing in this State
16 and listed in the Christian Science Journal; or who is
17 excused for temporary absence for cause by the principal
18 or teacher of the school which the child attends, with
19 absence for cause by illness being required to include the
20 mental or behavioral health of the child for up to 5 days
21 for which the child need not provide a medical note, in
22 which case the child shall be given the opportunity to
23 make up any school work missed during the mental or
24 behavioral health absence and, after the second mental
25 health day used, may be referred to the appropriate school
26 support personnel; the exemptions in this paragraph (2) do

1 not apply to any female who is pregnant or the mother of
2 one or more children, except where a female is unable to
3 attend school due to a complication arising from her
4 pregnancy and the existence of such complication is
5 certified to the county or district truant officer by a
6 competent physician;

7 3. Any child necessarily and lawfully employed
8 according to the provisions of the Child Labor Law of 2024
9 ~~law regulating child labor~~ may be excused from attendance
10 at school by the county superintendent of schools or the
11 superintendent of the public school which the child should
12 be attending, on certification of the facts by and the
13 recommendation of the school board of the public school
14 district in which the child resides. In districts having
15 part-time continuation schools, children so excused shall
16 attend such schools at least 8 hours each week;

17 4. Any child over 12 and under 14 years of age while in
18 attendance at confirmation classes;

19 5. Any child absent from a public school on a
20 particular day or days or at a particular time of day for
21 the reason that he is unable to attend classes or to
22 participate in any examination, study, or work
23 requirements on a particular day or days or at a
24 particular time of day because of religious reasons,
25 including the observance of a religious holiday or
26 participation in religious instruction, or because the

1 tenets of his religion forbid secular activity on a
2 particular day or days or at a particular time of day. A
3 school board may require the parent or guardian of a child
4 who is to be excused from attending school because of
5 religious reasons to give notice, not exceeding 5 days, of
6 the child's absence to the school principal or other
7 school personnel. Any child excused from attending school
8 under this paragraph 5 shall not be required to submit a
9 written excuse for such absence after returning to school.
10 A district superintendent shall develop and distribute to
11 schools appropriate procedures regarding a student's
12 absence for religious reasons, how schools are notified of
13 a student's impending absence for religious reasons, and
14 the requirements of Section 26-2b of this Code;

15 6. Any child 16 years of age or older who (i) submits
16 to a school district evidence of necessary and lawful
17 employment pursuant to paragraph 3 of this Section and
18 (ii) is enrolled in a graduation incentives program
19 pursuant to Section 26-16 of this Code or an alternative
20 learning opportunities program established pursuant to
21 Article 13B of this Code;

22 7. A child in any of grades 6 through 12 absent from a
23 public school on a particular day or days or at a
24 particular time of day for the purpose of sounding "Taps"
25 at a military honors funeral held in this State for a
26 deceased veteran. In order to be excused under this

1 paragraph 7, the student shall notify the school's
2 administration at least 2 days prior to the date of the
3 absence and shall provide the school's administration with
4 the date, time, and location of the military honors
5 funeral. The school's administration may waive this 2-day
6 notification requirement if the student did not receive at
7 least 2 days advance notice, but the student shall notify
8 the school's administration as soon as possible of the
9 absence. A student whose absence is excused under this
10 paragraph 7 shall be counted as if the student attended
11 school for purposes of calculating the average daily
12 attendance of students in the school district. A student
13 whose absence is excused under this paragraph 7 must be
14 allowed a reasonable time to make up school work missed
15 during the absence. If the student satisfactorily
16 completes the school work, the day of absence shall be
17 counted as a day of compulsory attendance and he or she may
18 not be penalized for that absence; and

19 8. Any child absent from a public school on a
20 particular day or days or at a particular time of day for
21 the reason that his or her parent or legal guardian is an
22 active duty member of the uniformed services and has been
23 called to duty for, is on leave from, or has immediately
24 returned from deployment to a combat zone or
25 combat-support postings. Such a student shall be granted 5
26 days of excused absences in any school year and, at the

1 discretion of the school board, additional excused
2 absences to visit the student's parent or legal guardian
3 relative to such leave or deployment of the parent or
4 legal guardian. In the case of excused absences pursuant
5 to this paragraph 8, the student and parent or legal
6 guardian shall be responsible for obtaining assignments
7 from the student's teacher prior to any period of excused
8 absence and for ensuring that such assignments are
9 completed by the student prior to his or her return to
10 school from such period of excused absence.

11 Any child from a public middle school or high school,
12 subject to guidelines established by the State Board of
13 Education, shall be permitted by a school board one school
14 day-long excused absence per school year for the child who is
15 absent from school to engage in a civic event. The school board
16 may require that the student provide reasonable advance notice
17 of the intended absence to the appropriate school
18 administrator and require that the student provide
19 documentation of participation in a civic event to the
20 appropriate school administrator.

21 (Source: P.A. 102-266, eff. 1-1-22; 102-321, eff. 1-1-22;
22 102-406, eff. 8-19-21; 102-813, eff. 5-13-22; 102-981, eff.
23 1-1-23.)

24 Section 910. The Child Care Act of 1969 is amended by
25 changing Section 2.17 as follows:

1 (225 ILCS 10/2.17) (from Ch. 23, par. 2212.17)

2 Sec. 2.17. "Foster family home" means the home of an
3 individual or family:

4 (1) that is licensed or approved by the state in which it
5 is situated as a foster family home that meets the standards
6 established for the licensing or approval; and

7 (2) in which a child in foster care has been placed in the
8 care of an individual who resides with the child and who has
9 been licensed or approved by the state to be a foster parent
10 and:

11 (A) who the Department of Children and Family Services
12 deems capable of adhering to the reasonable and prudent
13 parent standard;

14 (B) who provides 24-hour substitute care for children
15 placed away from their parents or other caretakers; and

16 (3) who provides the care for no more than 6 children,
17 except the Director of Children and Family Services, pursuant
18 to Department regulations, may waive the numerical limitation
19 of foster children who may be cared for in a foster family home
20 for any of the following reasons to allow: (i) a parenting
21 youth in foster care to remain with the child of the parenting
22 youth; (ii) siblings to remain together; (iii) a child with an
23 established meaningful relationship with the family to remain
24 with the family; or (iv) a family with special training or
25 skills to provide care to a child who has a severe disability.

1 The family's or relative's own children, under 18 years of
2 age, shall be included in determining the maximum number of
3 children served.

4 For purposes of this Section, a "relative" includes any
5 person, 21 years of age or over, other than the parent, who (i)
6 is currently related to the child in any of the following ways
7 by blood or adoption: grandparent, sibling, great-grandparent,
8 uncle, aunt, nephew, niece, first cousin, great-uncle, or
9 great-aunt; or (ii) is the spouse of such a relative; or (iii)
10 is a child's step-father, step-mother, or adult step-brother
11 or step-sister; or (iv) is a fictive kin; "relative" also
12 includes a person related in any of the foregoing ways to a
13 sibling of a child, even though the person is not related to
14 the child, when the child and its sibling are placed together
15 with that person. For purposes of placement of children
16 pursuant to Section 7 of the Children and Family Services Act
17 and for purposes of licensing requirements set forth in
18 Section 4 of this Act, for children under the custody or
19 guardianship of the Department pursuant to the Juvenile Court
20 Act of 1987, after a parent signs a consent, surrender, or
21 waiver or after a parent's rights are otherwise terminated,
22 and while the child remains in the custody or guardianship of
23 the Department, the child is considered to be related to those
24 to whom the child was related under this Section prior to the
25 signing of the consent, surrender, or waiver or the order of
26 termination of parental rights.

1 The term "foster family home" includes homes receiving
2 children from any State-operated institution for child care;
3 or from any agency established by a municipality or other
4 political subdivision of the State of Illinois authorized to
5 provide care for children outside their own homes. The term
6 "foster family home" does not include an "adoption-only home"
7 as defined in Section 2.23 of this Act. The types of foster
8 family homes are defined as follows:

9 (a) "Boarding home" means a foster family home which
10 receives payment for regular full-time care of a child or
11 children.

12 (b) "Free home" means a foster family home other than
13 an adoptive home which does not receive payments for the
14 care of a child or children.

15 (c) "Adoptive home" means a foster family home which
16 receives a child or children for the purpose of adopting
17 the child or children, but does not include an
18 adoption-only home.

19 (d) "Work-wage home" means a foster family home which
20 receives a child or children who pay part or all of their
21 board by rendering some services to the family not
22 prohibited by the Child Labor Law of 2024 or by standards
23 or regulations of the Department prescribed under this
24 Act. The child or children may receive a wage in
25 connection with the services rendered the foster family.

26 (e) "Agency-supervised home" means a foster family

1 home under the direct and regular supervision of a
2 licensed child welfare agency, of the Department of
3 Children and Family Services, of a circuit court, or of
4 any other State agency which has authority to place
5 children in child care facilities, and which receives no
6 more than 8 children, unless of common parentage, who are
7 placed and are regularly supervised by one of the
8 specified agencies.

9 (f) "Independent home" means a foster family home,
10 other than an adoptive home, which receives no more than 4
11 children, unless of common parentage, directly from
12 parents, or other legally responsible persons, by
13 independent arrangement and which is not subject to direct
14 and regular supervision of a specified agency except as
15 such supervision pertains to licensing by the Department.

16 (g) "Host home" means an emergency foster family home
17 under the direction and regular supervision of a licensed
18 child welfare agency, contracted to provide short-term
19 crisis intervention services to youth served under the
20 Comprehensive Community-Based Youth Services program,
21 under the direction of the Department of Human Services.
22 The youth shall not be under the custody or guardianship
23 of the Department pursuant to the Juvenile Court Act of
24 1987.

25 (Source: P.A. 102-688, eff. 7-1-22; 103-564, eff. 11-17-23.)

1 Section 915. The Private Employment Agency Act is amended
2 by changing Sections 10 and 12.6 as follows:

3 (225 ILCS 515/10) (from Ch. 111, par. 910)

4 Sec. 10. Licensee prohibitions. No licensee shall send or
5 cause to be sent any female help or servants, inmate, or
6 performer to enter any questionable place, or place of bad
7 repute, house of ill-fame, or assignation house, or to any
8 house or place of amusement kept for immoral purposes, or
9 place resorted to for the purpose of prostitution or gambling
10 house, the character of which licensee knows either actually
11 or by reputation.

12 No licensee shall permit questionable characters,
13 prostitutes, gamblers, intoxicated persons, or procurers to
14 frequent the agency.

15 No licensee shall accept any application for employment
16 made by or on behalf of any child, or shall place or assist in
17 placing any such child in any employment whatever, in
18 violation of the Child Labor Law of 2024. A violation of any
19 provision of this Section shall be a Class A misdemeanor.

20 No licensee shall publish or cause to be published any
21 fraudulent or misleading notice or advertisement of its
22 employment agencies by means of cards, circulars, or signs, or
23 in newspapers or other publications; and all letterheads,
24 receipts, and blanks shall contain the full name and address
25 of the employment agency and licensee shall state in all

1 notices and advertisements the fact that licensee is, or
2 conducts, a private employment agency.

3 No licensee shall print, publish, or paint on any sign or
4 window, or insert in any newspaper or publication, a name
5 similar to that of the Illinois Public Employment Office.

6 No licensee shall print or stamp on any receipt or on any
7 contract used by that agency any part of this Act, unless the
8 entire Section from which that part is taken is printed or
9 stamped thereon.

10 All written communications sent out by any licensee,
11 directly or indirectly, to any person or firm with regard to
12 employees or employment shall contain therein definite
13 information that such person is a private employment agency.

14 No licensee or his or her employees shall knowingly give
15 any false or misleading information, or make any false or
16 misleading promise to any applicant who shall apply for
17 employment or employees.

18 (Source: P.A. 90-372, eff. 7-1-98.)

19 (225 ILCS 515/12.6)

20 Sec. 12.6. Child Labor and Day and Temporary Labor
21 Services Enforcement Fund. All moneys received as fees and
22 penalties under this Act shall be deposited into the Child
23 Labor and Day and Temporary Labor Services Enforcement Fund
24 and may be used for the purposes set forth in Section 75 ~~17.3~~
25 of the Child Labor Law of 2024.

1 (Source: P.A. 99-422, eff. 1-1-16.)

2 Section 920. The Day and Temporary Labor Services Act is
3 amended by changing Section 67 as follows:

4 (820 ILCS 175/67)

5 Sec. 67. Action for civil penalties brought by an
6 interested party.

7 (a) Upon a reasonable belief that a day and temporary
8 labor service agency or a third party client covered by this
9 Act is in violation of any part of this Act, an interested
10 party may initiate a civil action in the county where the
11 alleged offenses occurred or where any party to the action
12 resides, asserting that a violation of the Act has occurred,
13 pursuant to the following sequence of events:

14 (1) The interested party submits to the Department of
15 Labor a complaint describing the violation and naming the
16 day or temporary labor service agency or third party
17 client alleged to have violated this Act.

18 (2) The Department sends notice of complaint to the
19 named parties alleged to have violated this Act and the
20 interested party. The named parties may either contest the
21 alleged violation or cure the alleged violation.

22 (3) The named parties contest or cure the alleged
23 violation within 30 days after the receipt of the notice
24 of complaint or, if the named party does not respond

1 within 30 days, the Department issues a notice of right to
2 sue to the interested party as described in paragraph (4).

3 (4) The Department issues a notice of right to sue to
4 the interested party, if one or more of the following has
5 occurred:

6 (i) the named party has cured the alleged
7 violation to the satisfaction of the Director;

8 (ii) the Director has determined that the
9 allegation is unjustified or that the Department does
10 not have jurisdiction over the matter or the parties;
11 or

12 (iii) the Director has determined that the
13 allegation is justified or has not made a
14 determination, and either has decided not to exercise
15 jurisdiction over the matter or has concluded
16 administrative enforcement of the matter.

17 (b) If within 180 days after service of the notice of
18 complaint to the parties, the Department has not (i) resolved
19 the contest and cure period, (ii) with the mutual agreement of
20 the parties, extended the time for the named party to cure the
21 violation and resolve the complaint, or (iii) issued a right
22 to sue letter, the interested party may initiate a civil
23 action for penalties. The parties may extend the 180-day
24 period by mutual agreement. The limitations period for the
25 interested party to bring an action for the alleged violation
26 of the Act shall be tolled for the 180-day period and for the

1 period of any mutually agreed extensions. At the end of the
2 180-day period, or any mutually agreed extensions, the
3 Department shall issue a right to sue letter to the interested
4 party.

5 (c) Any claim or action filed under this Section must be
6 made within 3 years of the alleged conduct resulting in the
7 complaint plus any period for which the limitations period has
8 been tolled.

9 (d) In an action brought pursuant to this Section, an
10 interested party may recover against the covered entity any
11 statutory penalties set forth in Section 70 and injunctive
12 relief. An interested party who prevails in a civil action
13 shall receive 10% of any statutory penalties assessed, plus
14 any attorneys' fees and expenses in bringing the action. The
15 remaining 90% of any statutory penalties assessed shall be
16 deposited into the Child Labor and Day and Temporary Labor
17 Services Enforcement Fund and shall be used exclusively for
18 the purposes set forth in Section 17.3 of the Child Labor Law
19 of 2024.

20 (Source: P.A. 103-437, eff. 8-4-23.)

21 Section 925. The Workers' Compensation Act is amended by
22 changing Sections 7 and 8 as follows:

23 (820 ILCS 305/7) (from Ch. 48, par. 138.7)

24 Sec. 7. The amount of compensation which shall be paid for

1 an accidental injury to the employee resulting in death is:

2 (a) If the employee leaves surviving a widow, widower,
3 child or children, the applicable weekly compensation rate
4 computed in accordance with subparagraph 2 of paragraph (b) of
5 Section 8, shall be payable during the life of the widow or
6 widower and if any surviving child or children shall not be
7 physically or mentally incapacitated then until the death of
8 the widow or widower or until the youngest child shall reach
9 the age of 18, whichever shall come later; provided that if
10 such child or children shall be enrolled as a full time student
11 in any accredited educational institution, the payments shall
12 continue until such child has attained the age of 25. In the
13 event any surviving child or children shall be physically or
14 mentally incapacitated, the payments shall continue for the
15 duration of such incapacity.

16 The term "child" means a child whom the deceased employee
17 left surviving, including a posthumous child, a child legally
18 adopted, a child whom the deceased employee was legally
19 obligated to support or a child to whom the deceased employee
20 stood in loco parentis. The term "children" means the plural
21 of "child".

22 The term "physically or mentally incapacitated child or
23 children" means a child or children incapable of engaging in
24 regular and substantial gainful employment.

25 In the event of the remarriage of a widow or widower, where
26 the decedent did not leave surviving any child or children

1 who, at the time of such remarriage, are entitled to
2 compensation benefits under this Act, the surviving spouse
3 shall be paid a lump sum equal to 2 years compensation benefits
4 and all further rights of such widow or widower shall be
5 extinguished.

6 If the employee leaves surviving any child or children
7 under 18 years of age who at the time of death shall be
8 entitled to compensation under this paragraph (a) of this
9 Section, the weekly compensation payments herein provided for
10 such child or children shall in any event continue for a period
11 of not less than 6 years.

12 Any beneficiary entitled to compensation under this
13 paragraph (a) of this Section shall receive from the special
14 fund provided in paragraph (f) of this Section, in addition to
15 the compensation herein provided, supplemental benefits in
16 accordance with paragraph (g) of Section 8.

17 (b) If no compensation is payable under paragraph (a) of
18 this Section and the employee leaves surviving a parent or
19 parents who at the time of the accident were totally dependent
20 upon the earnings of the employee then weekly payments equal
21 to the compensation rate payable in the case where the
22 employee leaves surviving a widow or widower, shall be paid to
23 such parent or parents for the duration of their lives, and in
24 the event of the death of either, for the life of the survivor.

25 (c) If no compensation is payable under paragraphs (a) or
26 (b) of this Section and the employee leaves surviving any

1 child or children who are not entitled to compensation under
2 the foregoing paragraph (a) but who at the time of the accident
3 were nevertheless in any manner dependent upon the earnings of
4 the employee, or leaves surviving a parent or parents who at
5 the time of the accident were partially dependent upon the
6 earnings of the employee, then there shall be paid to such
7 dependent or dependents for a period of 8 years weekly
8 compensation payments at such proportion of the applicable
9 rate if the employee had left surviving a widow or widower as
10 such dependency bears to total dependency. In the event of the
11 death of any such beneficiary the share of such beneficiary
12 shall be divided equally among the surviving beneficiaries and
13 in the event of the death of the last such beneficiary all the
14 rights under this paragraph shall be extinguished.

15 (d) If no compensation is payable under paragraphs (a),
16 (b) or (c) of this Section and the employee leaves surviving
17 any grandparent, grandparents, grandchild or grandchildren or
18 collateral heirs dependent upon the employee's earnings to the
19 extent of 50% or more of total dependency, then there shall be
20 paid to such dependent or dependents for a period of 5 years
21 weekly compensation payments at such proportion of the
22 applicable rate if the employee had left surviving a widow or
23 widower as such dependency bears to total dependency. In the
24 event of the death of any such beneficiary the share of such
25 beneficiary shall be divided equally among the surviving
26 beneficiaries and in the event of the death of the last such

1 beneficiary all rights hereunder shall be extinguished.

2 (e) The compensation to be paid for accidental injury
3 which results in death, as provided in this Section, shall be
4 paid to the persons who form the basis for determining the
5 amount of compensation to be paid by the employer, the
6 respective shares to be in the proportion of their respective
7 dependency at the time of the accident on the earnings of the
8 deceased. The Commission or an Arbitrator thereof may, in its
9 or his discretion, order or award the payment to the parent or
10 grandparent of a child for the latter's support the amount of
11 compensation which but for such order or award would have been
12 paid to such child as its share of the compensation payable,
13 which order or award may be modified from time to time by the
14 Commission in its discretion with respect to the person to
15 whom shall be paid the amount of the order or award remaining
16 unpaid at the time of the modification.

17 The payments of compensation by the employer in accordance
18 with the order or award of the Commission discharges such
19 employer from all further obligation as to such compensation.

20 (f) The sum of \$8,000 for burial expenses shall be paid by
21 the employer to the widow or widower, other dependent, next of
22 kin or to the person or persons incurring the expense of
23 burial.

24 In the event the employer failed to provide necessary
25 first aid, medical, surgical or hospital service, he shall pay
26 the cost thereof to the person or persons entitled to

1 compensation under paragraphs (a), (b), (c) or (d) of this
2 Section, or to the person or persons incurring the obligation
3 therefore, or providing the same.

4 On January 15 and July 15, 1981, and on January 15 and July
5 15 of each year thereafter the employer shall within 60 days
6 pay a sum equal to 1/8 of 1% of all compensation payments made
7 by him after July 1, 1980, either under this Act or the
8 Workers' Occupational Diseases Act, whether by lump sum
9 settlement or weekly compensation payments, but not including
10 hospital, surgical or rehabilitation payments, made during the
11 first 6 months and during the second 6 months respectively of
12 the fiscal year next preceding the date of the payments, into a
13 special fund which shall be designated the "Second Injury
14 Fund", of which the State Treasurer is ex-officio custodian,
15 such special fund to be held and disbursed for the purposes
16 hereinafter stated in paragraphs (f) and (g) of Section 8,
17 either upon the order of the Commission or of a competent
18 court. Said special fund shall be deposited the same as are
19 State funds and any interest accruing thereon shall be added
20 thereto every 6 months. It is subject to audit the same as
21 State funds and accounts and is protected by the General bond
22 given by the State Treasurer. It is considered always
23 appropriated for the purposes of disbursements as provided in
24 Section 8, paragraph (f), of this Act, and shall be paid out
25 and disbursed as therein provided and shall not at any time be
26 appropriated or diverted to any other use or purpose.

1 On January 15, 1991, the employer shall further pay a sum
2 equal to one half of 1% of all compensation payments made by
3 him from January 1, 1990 through June 30, 1990 either under
4 this Act or under the Workers' Occupational Diseases Act,
5 whether by lump sum settlement or weekly compensation
6 payments, but not including hospital, surgical or
7 rehabilitation payments, into an additional Special Fund which
8 shall be designated as the "Rate Adjustment Fund". On March
9 15, 1991, the employer shall pay into the Rate Adjustment Fund
10 a sum equal to one half of 1% of all such compensation payments
11 made from July 1, 1990 through December 31, 1990. Within 60
12 days after July 15, 1991, the employer shall pay into the Rate
13 Adjustment Fund a sum equal to one half of 1% of all such
14 compensation payments made from January 1, 1991 through June
15 30, 1991. Within 60 days after January 15 of 1992 and each
16 subsequent year through 1996, the employer shall pay into the
17 Rate Adjustment Fund a sum equal to one half of 1% of all such
18 compensation payments made in the last 6 months of the
19 preceding calendar year. Within 60 days after July 15 of 1992
20 and each subsequent year through 1995, the employer shall pay
21 into the Rate Adjustment Fund a sum equal to one half of 1% of
22 all such compensation payments made in the first 6 months of
23 the same calendar year. Within 60 days after January 15 of 1997
24 and each subsequent year through 2005, the employer shall pay
25 into the Rate Adjustment Fund a sum equal to three-fourths of
26 1% of all such compensation payments made in the last 6 months

1 of the preceding calendar year. Within 60 days after July 15 of
2 1996 and each subsequent year through 2004, the employer shall
3 pay into the Rate Adjustment Fund a sum equal to three-fourths
4 of 1% of all such compensation payments made in the first 6
5 months of the same calendar year. Within 60 days after July 15
6 of 2005, the employer shall pay into the Rate Adjustment Fund a
7 sum equal to 1% of such compensation payments made in the first
8 6 months of the same calendar year. Within 60 days after
9 January 15 of 2006 and each subsequent year, the employer
10 shall pay into the Rate Adjustment Fund a sum equal to 1.25% of
11 such compensation payments made in the last 6 months of the
12 preceding calendar year. Within 60 days after July 15 of 2006
13 and each subsequent year, the employer shall pay into the Rate
14 Adjustment Fund a sum equal to 1.25% of such compensation
15 payments made in the first 6 months of the same calendar year.
16 The administrative costs of collecting assessments from
17 employers for the Rate Adjustment Fund shall be paid from the
18 Rate Adjustment Fund. The cost of an actuarial audit of the
19 Fund shall be paid from the Rate Adjustment Fund. The State
20 Treasurer is ex officio custodian of such Special Fund and the
21 same shall be held and disbursed for the purposes hereinafter
22 stated in paragraphs (f) and (g) of Section 8 upon the order of
23 the Commission or of a competent court. The Rate Adjustment
24 Fund shall be deposited the same as are State funds and any
25 interest accruing thereon shall be added thereto every 6
26 months. It shall be subject to audit the same as State funds

1 and accounts and shall be protected by the general bond given
2 by the State Treasurer. It is considered always appropriated
3 for the purposes of disbursements as provided in paragraphs
4 (f) and (g) of Section 8 of this Act and shall be paid out and
5 disbursed as therein provided and shall not at any time be
6 appropriated or diverted to any other use or purpose. Within 5
7 days after the effective date of this amendatory Act of 1990,
8 the Comptroller and the State Treasurer shall transfer
9 \$1,000,000 from the General Revenue Fund to the Rate
10 Adjustment Fund. By February 15, 1991, the Comptroller and the
11 State Treasurer shall transfer \$1,000,000 from the Rate
12 Adjustment Fund to the General Revenue Fund. The Comptroller
13 and Treasurer are authorized to make transfers at the request
14 of the Chairman up to a total of \$19,000,000 from the Second
15 Injury Fund, the General Revenue Fund, and the Workers'
16 Compensation Benefit Trust Fund to the Rate Adjustment Fund to
17 the extent that there is insufficient money in the Rate
18 Adjustment Fund to pay claims and obligations. Amounts may be
19 transferred from the General Revenue Fund only if the funds in
20 the Second Injury Fund or the Workers' Compensation Benefit
21 Trust Fund are insufficient to pay claims and obligations of
22 the Rate Adjustment Fund. All amounts transferred from the
23 Second Injury Fund, the General Revenue Fund, and the Workers'
24 Compensation Benefit Trust Fund shall be repaid from the Rate
25 Adjustment Fund within 270 days of a transfer, together with
26 interest at the rate earned by moneys on deposit in the Fund or

1 Funds from which the moneys were transferred.

2 Upon a finding by the Commission, after reasonable notice
3 and hearing, that any employer has willfully and knowingly
4 failed to pay the proper amounts into the Second Injury Fund or
5 the Rate Adjustment Fund required by this Section or if such
6 payments are not made within the time periods prescribed by
7 this Section, the employer shall, in addition to such
8 payments, pay a penalty of 20% of the amount required to be
9 paid or \$2,500, whichever is greater, for each year or part
10 thereof of such failure to pay. This penalty shall only apply
11 to obligations of an employer to the Second Injury Fund or the
12 Rate Adjustment Fund accruing after the effective date of this
13 amendatory Act of 1989. All or part of such a penalty may be
14 waived by the Commission for good cause shown.

15 Any obligations of an employer to the Second Injury Fund
16 and Rate Adjustment Fund accruing prior to the effective date
17 of this amendatory Act of 1989 shall be paid in full by such
18 employer within 5 years of the effective date of this
19 amendatory Act of 1989, with at least one-fifth of such
20 obligation to be paid during each year following the effective
21 date of this amendatory Act of 1989. If the Commission finds,
22 following reasonable notice and hearing, that an employer has
23 failed to make timely payment of any obligation accruing under
24 the preceding sentence, the employer shall, in addition to all
25 other payments required by this Section, be liable for a
26 penalty equal to 20% of the overdue obligation or \$2,500,

1 whichever is greater, for each year or part thereof that
2 obligation is overdue. All or part of such a penalty may be
3 waived by the Commission for good cause shown.

4 The Chairman of the Illinois Workers' Compensation
5 Commission shall, annually, furnish to the Director of the
6 Department of Insurance a list of the amounts paid into the
7 Second Injury Fund and the Rate Adjustment Fund by each
8 insurance company on behalf of their insured employers. The
9 Director shall verify to the Chairman that the amounts paid by
10 each insurance company are accurate as best as the Director
11 can determine from the records available to the Director. The
12 Chairman shall verify that the amounts paid by each
13 self-insurer are accurate as best as the Chairman can
14 determine from records available to the Chairman. The Chairman
15 may require each self-insurer to provide information
16 concerning the total compensation payments made upon which
17 contributions to the Second Injury Fund and the Rate
18 Adjustment Fund are predicated and any additional information
19 establishing that such payments have been made into these
20 funds. Any deficiencies in payments noted by the Director or
21 Chairman shall be subject to the penalty provisions of this
22 Act.

23 The State Treasurer, or his duly authorized
24 representative, shall be named as a party to all proceedings
25 in all cases involving claim for the loss of, or the permanent
26 and complete loss of the use of one eye, one foot, one leg, one

1 arm or one hand.

2 The State Treasurer or his duly authorized agent shall
3 have the same rights as any other party to the proceeding,
4 including the right to petition for review of any award. The
5 reasonable expenses of litigation, such as medical
6 examinations, testimony, and transcript of evidence, incurred
7 by the State Treasurer or his duly authorized representative,
8 shall be borne by the Second Injury Fund.

9 If the award is not paid within 30 days after the date the
10 award has become final, the Commission shall proceed to take
11 judgment thereon in its own name as is provided for other
12 awards by paragraph (g) of Section 19 of this Act and take the
13 necessary steps to collect the award.

14 Any person, corporation or organization who has paid or
15 become liable for the payment of burial expenses of the
16 deceased employee may in his or its own name institute
17 proceedings before the Commission for the collection thereof.

18 For the purpose of administration, receipts and
19 disbursements, the Special Fund provided for in paragraph (f)
20 of this Section shall be administered jointly with the Special
21 Fund provided for in Section 7, paragraph (f) of the Workers'
22 Occupational Diseases Act.

23 (g) All compensation, except for burial expenses provided
24 in this Section to be paid in case accident results in death,
25 shall be paid in installments equal to the percentage of the
26 average earnings as provided for in Section 8, paragraph (b)

1 of this Act, at the same intervals at which the wages or
2 earnings of the employees were paid. If this is not feasible,
3 then the installments shall be paid weekly. Such compensation
4 may be paid in a lump sum upon petition as provided in Section
5 9 of this Act. However, in addition to the benefits provided by
6 Section 9 of this Act where compensation for death is payable
7 to the deceased's widow, widower or to the deceased's widow,
8 widower and one or more children, and where a partial lump sum
9 is applied for by such beneficiary or beneficiaries within 18
10 months after the deceased's death, the Commission may, in its
11 discretion, grant a partial lump sum of not to exceed 100 weeks
12 of the compensation capitalized at their present value upon
13 the basis of interest calculated at 3% per annum with annual
14 rests, upon a showing that such partial lump sum is for the
15 best interest of such beneficiary or beneficiaries.

16 (h) In case the injured employee is under 16 years of age
17 at the time of the accident and is illegally employed, the
18 amount of compensation payable under paragraphs (a), (b), (c),
19 (d) and (f) of this Section shall be increased 50%.

20 Nothing herein contained repeals or amends the provisions
21 of the Child Labor Law of 2024 relating to the employment of
22 minors under the age of 16 years.

23 However, where an employer has on file an employment
24 certificate issued pursuant to the Child Labor Law of 2024 or
25 work permit issued pursuant to the Federal Fair Labor
26 Standards Act, as amended, or a birth certificate properly and

1 duly issued, such certificate, permit or birth certificate is
2 conclusive evidence as to the age of the injured minor
3 employee for the purposes of this Section only.

4 (i) Whenever the dependents of a deceased employee are
5 noncitizens not residing in the United States, Mexico or
6 Canada, the amount of compensation payable is limited to the
7 beneficiaries described in paragraphs (a), (b) and (c) of this
8 Section and is 50% of the compensation provided in paragraphs
9 (a), (b) and (c) of this Section, except as otherwise provided
10 by treaty.

11 In a case where any of the persons who would be entitled to
12 compensation is living at any place outside of the United
13 States, then payment shall be made to the personal
14 representative of the deceased employee. The distribution by
15 such personal representative to the persons entitled shall be
16 made to such persons and in such manner as the Commission
17 orders.

18 (Source: P.A. 102-1030, eff. 5-27-22.)

19 (820 ILCS 305/8) (from Ch. 48, par. 138.8)

20 Sec. 8. The amount of compensation which shall be paid to
21 the employee for an accidental injury not resulting in death
22 is:

23 (a) The employer shall provide and pay the negotiated
24 rate, if applicable, or the lesser of the health care
25 provider's actual charges or according to a fee schedule,

1 subject to Section 8.2, in effect at the time the service was
2 rendered for all the necessary first aid, medical and surgical
3 services, and all necessary medical, surgical and hospital
4 services thereafter incurred, limited, however, to that which
5 is reasonably required to cure or relieve from the effects of
6 the accidental injury, even if a health care provider sells,
7 transfers, or otherwise assigns an account receivable for
8 procedures, treatments, or services covered under this Act. If
9 the employer does not dispute payment of first aid, medical,
10 surgical, and hospital services, the employer shall make such
11 payment to the provider on behalf of the employee. The
12 employer shall also pay for treatment, instruction and
13 training necessary for the physical, mental and vocational
14 rehabilitation of the employee, including all maintenance
15 costs and expenses incidental thereto. If as a result of the
16 injury the employee is unable to be self-sufficient the
17 employer shall further pay for such maintenance or
18 institutional care as shall be required.

19 The employee may at any time elect to secure his own
20 physician, surgeon and hospital services at the employer's
21 expense, or,

22 Upon agreement between the employer and the employees, or
23 the employees' exclusive representative, and subject to the
24 approval of the Illinois Workers' Compensation Commission, the
25 employer shall maintain a list of physicians, to be known as a
26 Panel of Physicians, who are accessible to the employees. The

1 employer shall post this list in a place or places easily
2 accessible to his employees. The employee shall have the right
3 to make an alternative choice of physician from such Panel if
4 he is not satisfied with the physician first selected. If, due
5 to the nature of the injury or its occurrence away from the
6 employer's place of business, the employee is unable to make a
7 selection from the Panel, the selection process from the Panel
8 shall not apply. The physician selected from the Panel may
9 arrange for any consultation, referral or other specialized
10 medical services outside the Panel at the employer's expense.
11 Provided that, in the event the Commission shall find that a
12 doctor selected by the employee is rendering improper or
13 inadequate care, the Commission may order the employee to
14 select another doctor certified or qualified in the medical
15 field for which treatment is required. If the employee refuses
16 to make such change the Commission may relieve the employer of
17 his obligation to pay the doctor's charges from the date of
18 refusal to the date of compliance.

19 Any vocational rehabilitation counselors who provide
20 service under this Act shall have appropriate certifications
21 which designate the counselor as qualified to render opinions
22 relating to vocational rehabilitation. Vocational
23 rehabilitation may include, but is not limited to, counseling
24 for job searches, supervising a job search program, and
25 vocational retraining including education at an accredited
26 learning institution. The employee or employer may petition to

1 the Commission to decide disputes relating to vocational
2 rehabilitation and the Commission shall resolve any such
3 dispute, including payment of the vocational rehabilitation
4 program by the employer.

5 The maintenance benefit shall not be less than the
6 temporary total disability rate determined for the employee.
7 In addition, maintenance shall include costs and expenses
8 incidental to the vocational rehabilitation program.

9 When the employee is working light duty on a part-time
10 basis or full-time basis and earns less than he or she would be
11 earning if employed in the full capacity of the job or jobs,
12 then the employee shall be entitled to temporary partial
13 disability benefits. Temporary partial disability benefits
14 shall be equal to two-thirds of the difference between the
15 average amount that the employee would be able to earn in the
16 full performance of his or her duties in the occupation in
17 which he or she was engaged at the time of accident and the
18 gross amount which he or she is earning in the modified job
19 provided to the employee by the employer or in any other job
20 that the employee is working.

21 Every hospital, physician, surgeon or other person
22 rendering treatment or services in accordance with the
23 provisions of this Section shall upon written request furnish
24 full and complete reports thereof to, and permit their records
25 to be copied by, the employer, the employee or his dependents,
26 as the case may be, or any other party to any proceeding for

1 compensation before the Commission, or their attorneys.

2 Notwithstanding the foregoing, the employer's liability to
3 pay for such medical services selected by the employee shall
4 be limited to:

5 (1) all first aid and emergency treatment; plus

6 (2) all medical, surgical and hospital services
7 provided by the physician, surgeon or hospital initially
8 chosen by the employee or by any other physician,
9 consultant, expert, institution or other provider of
10 services recommended by said initial service provider or
11 any subsequent provider of medical services in the chain
12 of referrals from said initial service provider; plus

13 (3) all medical, surgical and hospital services
14 provided by any second physician, surgeon or hospital
15 subsequently chosen by the employee or by any other
16 physician, consultant, expert, institution or other
17 provider of services recommended by said second service
18 provider or any subsequent provider of medical services in
19 the chain of referrals from said second service provider.
20 Thereafter the employer shall select and pay for all
21 necessary medical, surgical and hospital treatment and the
22 employee may not select a provider of medical services at
23 the employer's expense unless the employer agrees to such
24 selection. At any time the employee may obtain any medical
25 treatment he desires at his own expense. This paragraph
26 shall not affect the duty to pay for rehabilitation

1 referred to above.

2 (4) The following shall apply for injuries occurring
3 on or after June 28, 2011 (the effective date of Public Act
4 97-18) and only when an employer has an approved preferred
5 provider program pursuant to Section 8.1a on the date the
6 employee sustained his or her accidental injuries:

7 (A) The employer shall, in writing, on a form
8 promulgated by the Commission, inform the employee of
9 the preferred provider program;

10 (B) Subsequent to the report of an injury by an
11 employee, the employee may choose in writing at any
12 time to decline the preferred provider program, in
13 which case that would constitute one of the two
14 choices of medical providers to which the employee is
15 entitled under subsection (a) (2) or (a) (3); and

16 (C) Prior to the report of an injury by an
17 employee, when an employee chooses non-emergency
18 treatment from a provider not within the preferred
19 provider program, that would constitute the employee's
20 one choice of medical providers to which the employee
21 is entitled under subsection (a) (2) or (a) (3).

22 When an employer and employee so agree in writing, nothing
23 in this Act prevents an employee whose injury or disability
24 has been established under this Act, from relying in good
25 faith, on treatment by prayer or spiritual means alone, in
26 accordance with the tenets and practice of a recognized church

1 or religious denomination, by a duly accredited practitioner
2 thereof, and having nursing services appropriate therewith,
3 without suffering loss or diminution of the compensation
4 benefits under this Act. However, the employee shall submit to
5 all physical examinations required by this Act. The cost of
6 such treatment and nursing care shall be paid by the employee
7 unless the employer agrees to make such payment.

8 Where the accidental injury results in the amputation of
9 an arm, hand, leg or foot, or the enucleation of an eye, or the
10 loss of any of the natural teeth, the employer shall furnish an
11 artificial of any such members lost or damaged in accidental
12 injury arising out of and in the course of employment, and
13 shall also furnish the necessary braces in all proper and
14 necessary cases. In cases of the loss of a member or members by
15 amputation, the employer shall, whenever necessary, maintain
16 in good repair, refit or replace the artificial limbs during
17 the lifetime of the employee. Where the accidental injury
18 accompanied by physical injury results in damage to a denture,
19 eye glasses or contact eye lenses, or where the accidental
20 injury results in damage to an artificial member, the employer
21 shall replace or repair such denture, glasses, lenses, or
22 artificial member.

23 The furnishing by the employer of any such services or
24 appliances is not an admission of liability on the part of the
25 employer to pay compensation.

26 The furnishing of any such services or appliances or the

1 servicing thereof by the employer is not the payment of
2 compensation.

3 (b) If the period of temporary total incapacity for work
4 lasts more than 3 working days, weekly compensation as
5 hereinafter provided shall be paid beginning on the 4th day of
6 such temporary total incapacity and continuing as long as the
7 total temporary incapacity lasts. In cases where the temporary
8 total incapacity for work continues for a period of 14 days or
9 more from the day of the accident compensation shall commence
10 on the day after the accident.

11 1. The compensation rate for temporary total
12 incapacity under this paragraph (b) of this Section shall
13 be equal to 66 2/3% of the employee's average weekly wage
14 computed in accordance with Section 10, provided that it
15 shall be not less than 66 2/3% of the sum of the Federal
16 minimum wage under the Fair Labor Standards Act, or the
17 Illinois minimum wage under the Minimum Wage Law,
18 whichever is more, multiplied by 40 hours. This percentage
19 rate shall be increased by 10% for each spouse and child,
20 not to exceed 100% of the total minimum wage calculation,
21 nor exceed the employee's average weekly wage computed in
22 accordance with the provisions of Section 10, whichever is
23 less.

24 2. The compensation rate in all cases other than for
25 temporary total disability under this paragraph (b), and
26 other than for serious and permanent disfigurement under

1 paragraph (c) and other than for permanent partial
2 disability under subparagraph (2) of paragraph (d) or
3 under paragraph (e), of this Section shall be equal to 66
4 2/3% of the employee's average weekly wage computed in
5 accordance with the provisions of Section 10, provided
6 that it shall be not less than 66 2/3% of the sum of the
7 Federal minimum wage under the Fair Labor Standards Act,
8 or the Illinois minimum wage under the Minimum Wage Law,
9 whichever is more, multiplied by 40 hours. This percentage
10 rate shall be increased by 10% for each spouse and child,
11 not to exceed 100% of the total minimum wage calculation,
12 nor exceed the employee's average weekly wage computed in
13 accordance with the provisions of Section 10, whichever is
14 less.

15 2.1. The compensation rate in all cases of serious and
16 permanent disfigurement under paragraph (c) and of
17 permanent partial disability under subparagraph (2) of
18 paragraph (d) or under paragraph (e) of this Section shall
19 be equal to 60% of the employee's average weekly wage
20 computed in accordance with the provisions of Section 10,
21 provided that it shall be not less than 66 2/3% of the sum
22 of the Federal minimum wage under the Fair Labor Standards
23 Act, or the Illinois minimum wage under the Minimum Wage
24 Law, whichever is more, multiplied by 40 hours. This
25 percentage rate shall be increased by 10% for each spouse
26 and child, not to exceed 100% of the total minimum wage

1 calculation, nor exceed the employee's average weekly wage
2 computed in accordance with the provisions of Section 10,
3 whichever is less.

4 3. As used in this Section the term "child" means a
5 child of the employee including any child legally adopted
6 before the accident or whom at the time of the accident the
7 employee was under legal obligation to support or to whom
8 the employee stood in loco parentis, and who at the time of
9 the accident was under 18 years of age and not
10 emancipated. The term "children" means the plural of
11 "child".

12 4. All weekly compensation rates provided under
13 subparagraphs 1, 2 and 2.1 of this paragraph (b) of this
14 Section shall be subject to the following limitations:

15 The maximum weekly compensation rate from July 1,
16 1975, except as hereinafter provided, shall be 100% of the
17 State's average weekly wage in covered industries under
18 the Unemployment Insurance Act, that being the wage that
19 most closely approximates the State's average weekly wage.

20 The maximum weekly compensation rate, for the period
21 July 1, 1984, through June 30, 1987, except as hereinafter
22 provided, shall be \$293.61. Effective July 1, 1987 and on
23 July 1 of each year thereafter the maximum weekly
24 compensation rate, except as hereinafter provided, shall
25 be determined as follows: if during the preceding 12 month
26 period there shall have been an increase in the State's

1 average weekly wage in covered industries under the
2 Unemployment Insurance Act, the weekly compensation rate
3 shall be proportionately increased by the same percentage
4 as the percentage of increase in the State's average
5 weekly wage in covered industries under the Unemployment
6 Insurance Act during such period.

7 The maximum weekly compensation rate, for the period
8 January 1, 1981 through December 31, 1983, except as
9 hereinafter provided, shall be 100% of the State's average
10 weekly wage in covered industries under the Unemployment
11 Insurance Act in effect on January 1, 1981. Effective
12 January 1, 1984 and on January 1, of each year thereafter
13 the maximum weekly compensation rate, except as
14 hereinafter provided, shall be determined as follows: if
15 during the preceding 12 month period there shall have been
16 an increase in the State's average weekly wage in covered
17 industries under the Unemployment Insurance Act, the
18 weekly compensation rate shall be proportionately
19 increased by the same percentage as the percentage of
20 increase in the State's average weekly wage in covered
21 industries under the Unemployment Insurance Act during
22 such period.

23 From July 1, 1977 and thereafter such maximum weekly
24 compensation rate in death cases under Section 7, and
25 permanent total disability cases under paragraph (f) or
26 subparagraph 18 of paragraph (3) of this Section and for

1 temporary total disability under paragraph (b) of this
2 Section and for amputation of a member or enucleation of
3 an eye under paragraph (e) of this Section shall be
4 increased to 133-1/3% of the State's average weekly wage
5 in covered industries under the Unemployment Insurance
6 Act.

7 For injuries occurring on or after February 1, 2006,
8 the maximum weekly benefit under paragraph (d)1 of this
9 Section shall be 100% of the State's average weekly wage
10 in covered industries under the Unemployment Insurance
11 Act.

12 4.1. Any provision herein to the contrary
13 notwithstanding, the weekly compensation rate for
14 compensation payments under subparagraph 18 of paragraph
15 (e) of this Section and under paragraph (f) of this
16 Section and under paragraph (a) of Section 7 and for
17 amputation of a member or enucleation of an eye under
18 paragraph (e) of this Section, shall in no event be less
19 than 50% of the State's average weekly wage in covered
20 industries under the Unemployment Insurance Act.

21 4.2. Any provision to the contrary notwithstanding,
22 the total compensation payable under Section 7 shall not
23 exceed the greater of \$500,000 or 25 years.

24 5. For the purpose of this Section this State's
25 average weekly wage in covered industries under the
26 Unemployment Insurance Act on July 1, 1975 is hereby fixed

1 at \$228.16 per week and the computation of compensation
2 rates shall be based on the aforesaid average weekly wage
3 until modified as hereinafter provided.

4 6. The Department of Employment Security of the State
5 shall on or before the first day of December, 1977, and on
6 or before the first day of June, 1978, and on the first day
7 of each December and June of each year thereafter, publish
8 the State's average weekly wage in covered industries
9 under the Unemployment Insurance Act and the Illinois
10 Workers' Compensation Commission shall on the 15th day of
11 January, 1978 and on the 15th day of July, 1978 and on the
12 15th day of each January and July of each year thereafter,
13 post and publish the State's average weekly wage in
14 covered industries under the Unemployment Insurance Act as
15 last determined and published by the Department of
16 Employment Security. The amount when so posted and
17 published shall be conclusive and shall be applicable as
18 the basis of computation of compensation rates until the
19 next posting and publication as aforesaid.

20 7. The payment of compensation by an employer or his
21 insurance carrier to an injured employee shall not
22 constitute an admission of the employer's liability to pay
23 compensation.

24 (c) For any serious and permanent disfigurement to the
25 hand, head, face, neck, arm, leg below the knee or the chest
26 above the axillary line, the employee is entitled to

1 compensation for such disfigurement, the amount determined by
2 agreement at any time or by arbitration under this Act, at a
3 hearing not less than 6 months after the date of the accidental
4 injury, which amount shall not exceed 150 weeks (if the
5 accidental injury occurs on or after the effective date of
6 this amendatory Act of the 94th General Assembly but before
7 February 1, 2006) or 162 weeks (if the accidental injury
8 occurs on or after February 1, 2006) at the applicable rate
9 provided in subparagraph 2.1 of paragraph (b) of this Section.

10 No compensation is payable under this paragraph where
11 compensation is payable under paragraphs (d), (e) or (f) of
12 this Section.

13 A duly appointed member of a fire department in a city, the
14 population of which exceeds 500,000 according to the last
15 federal or State census, is eligible for compensation under
16 this paragraph only where such serious and permanent
17 disfigurement results from burns.

18 (d) 1. If, after the accidental injury has been sustained,
19 the employee as a result thereof becomes partially
20 incapacitated from pursuing his usual and customary line of
21 employment, he shall, except in cases compensated under the
22 specific schedule set forth in paragraph (e) of this Section,
23 receive compensation for the duration of his disability,
24 subject to the limitations as to maximum amounts fixed in
25 paragraph (b) of this Section, equal to 66-2/3% of the
26 difference between the average amount which he would be able

1 to earn in the full performance of his duties in the occupation
2 in which he was engaged at the time of the accident and the
3 average amount which he is earning or is able to earn in some
4 suitable employment or business after the accident. For
5 accidental injuries that occur on or after September 1, 2011,
6 an award for wage differential under this subsection shall be
7 effective only until the employee reaches the age of 67 or 5
8 years from the date the award becomes final, whichever is
9 later.

10 2. If, as a result of the accident, the employee sustains
11 serious and permanent injuries not covered by paragraphs (c)
12 and (e) of this Section or having sustained injuries covered
13 by the aforesaid paragraphs (c) and (e), he shall have
14 sustained in addition thereto other injuries which injuries do
15 not incapacitate him from pursuing the duties of his
16 employment but which would disable him from pursuing other
17 suitable occupations, or which have otherwise resulted in
18 physical impairment; or if such injuries partially
19 incapacitate him from pursuing the duties of his usual and
20 customary line of employment but do not result in an
21 impairment of earning capacity, or having resulted in an
22 impairment of earning capacity, the employee elects to waive
23 his right to recover under the foregoing subparagraph 1 of
24 paragraph (d) of this Section then in any of the foregoing
25 events, he shall receive in addition to compensation for
26 temporary total disability under paragraph (b) of this

1 Section, compensation at the rate provided in subparagraph 2.1
2 of paragraph (b) of this Section for that percentage of 500
3 weeks that the partial disability resulting from the injuries
4 covered by this paragraph bears to total disability. If the
5 employee shall have sustained a fracture of one or more
6 vertebra or fracture of the skull, the amount of compensation
7 allowed under this Section shall be not less than 6 weeks for a
8 fractured skull and 6 weeks for each fractured vertebra, and
9 in the event the employee shall have sustained a fracture of
10 any of the following facial bones: nasal, lachrymal, vomer,
11 zygoma, maxilla, palatine or mandible, the amount of
12 compensation allowed under this Section shall be not less than
13 2 weeks for each such fractured bone, and for a fracture of
14 each transverse process not less than 3 weeks. In the event
15 such injuries shall result in the loss of a kidney, spleen or
16 lung, the amount of compensation allowed under this Section
17 shall be not less than 10 weeks for each such organ.
18 Compensation awarded under this subparagraph 2 shall not take
19 into consideration injuries covered under paragraphs (c) and
20 (e) of this Section and the compensation provided in this
21 paragraph shall not affect the employee's right to
22 compensation payable under paragraphs (b), (c) and (e) of this
23 Section for the disabilities therein covered.

24 (e) For accidental injuries in the following schedule, the
25 employee shall receive compensation for the period of
26 temporary total incapacity for work resulting from such

1 accidental injury, under subparagraph 1 of paragraph (b) of
2 this Section, and shall receive in addition thereto
3 compensation for a further period for the specific loss herein
4 mentioned, but shall not receive any compensation under any
5 other provisions of this Act. The following listed amounts
6 apply to either the loss of or the permanent and complete loss
7 of use of the member specified, such compensation for the
8 length of time as follows:

9 1. Thumb-

10 70 weeks if the accidental injury occurs on or
11 after the effective date of this amendatory Act of the
12 94th General Assembly but before February 1, 2006.

13 76 weeks if the accidental injury occurs on or
14 after February 1, 2006.

15 2. First, or index finger-

16 40 weeks if the accidental injury occurs on or
17 after the effective date of this amendatory Act of the
18 94th General Assembly but before February 1, 2006.

19 43 weeks if the accidental injury occurs on or
20 after February 1, 2006.

21 3. Second, or middle finger-

22 35 weeks if the accidental injury occurs on or
23 after the effective date of this amendatory Act of the
24 94th General Assembly but before February 1, 2006.

25 38 weeks if the accidental injury occurs on or
26 after February 1, 2006.

1 4. Third, or ring finger-

2 25 weeks if the accidental injury occurs on or
3 after the effective date of this amendatory Act of the
4 94th General Assembly but before February 1, 2006.

5 27 weeks if the accidental injury occurs on or
6 after February 1, 2006.

7 5. Fourth, or little finger-

8 20 weeks if the accidental injury occurs on or
9 after the effective date of this amendatory Act of the
10 94th General Assembly but before February 1, 2006.

11 22 weeks if the accidental injury occurs on or
12 after February 1, 2006.

13 6. Great toe-

14 35 weeks if the accidental injury occurs on or
15 after the effective date of this amendatory Act of the
16 94th General Assembly but before February 1, 2006.

17 38 weeks if the accidental injury occurs on or
18 after February 1, 2006.

19 7. Each toe other than great toe-

20 12 weeks if the accidental injury occurs on or
21 after the effective date of this amendatory Act of the
22 94th General Assembly but before February 1, 2006.

23 13 weeks if the accidental injury occurs on or
24 after February 1, 2006.

25 8. The loss of the first or distal phalanx of the thumb
26 or of any finger or toe shall be considered to be equal to

1 the loss of one-half of such thumb, finger or toe and the
2 compensation payable shall be one-half of the amount above
3 specified. The loss of more than one phalanx shall be
4 considered as the loss of the entire thumb, finger or toe.
5 In no case shall the amount received for more than one
6 finger exceed the amount provided in this schedule for the
7 loss of a hand.

8 9. Hand-

9 190 weeks if the accidental injury occurs on or
10 after the effective date of this amendatory Act of the
11 94th General Assembly but before February 1, 2006.

12 205 weeks if the accidental injury occurs on or
13 after February 1, 2006.

14 190 weeks if the accidental injury occurs on or
15 after June 28, 2011 (the effective date of Public Act
16 97-18) and if the accidental injury involves carpal
17 tunnel syndrome due to repetitive or cumulative
18 trauma, in which case the permanent partial disability
19 shall not exceed 15% loss of use of the hand, except
20 for cause shown by clear and convincing evidence and
21 in which case the award shall not exceed 30% loss of
22 use of the hand.

23 The loss of 2 or more digits, or one or more phalanges
24 of 2 or more digits, of a hand may be compensated on the
25 basis of partial loss of use of a hand, provided, further,
26 that the loss of 4 digits, or the loss of use of 4 digits,

1 in the same hand shall constitute the complete loss of a
2 hand.

3 10. Arm-

4 235 weeks if the accidental injury occurs on or
5 after the effective date of this amendatory Act of the
6 94th General Assembly but before February 1, 2006.

7 253 weeks if the accidental injury occurs on or
8 after February 1, 2006.

9 Where an accidental injury results in the amputation
10 of an arm below the elbow, such injury shall be
11 compensated as a loss of an arm. Where an accidental
12 injury results in the amputation of an arm above the
13 elbow, compensation for an additional 15 weeks (if the
14 accidental injury occurs on or after the effective date of
15 this amendatory Act of the 94th General Assembly but
16 before February 1, 2006) or an additional 17 weeks (if the
17 accidental injury occurs on or after February 1, 2006)
18 shall be paid, except where the accidental injury results
19 in the amputation of an arm at the shoulder joint, or so
20 close to shoulder joint that an artificial arm cannot be
21 used, or results in the disarticulation of an arm at the
22 shoulder joint, in which case compensation for an
23 additional 65 weeks (if the accidental injury occurs on or
24 after the effective date of this amendatory Act of the
25 94th General Assembly but before February 1, 2006) or an
26 additional 70 weeks (if the accidental injury occurs on or

1 after February 1, 2006) shall be paid.

2 11. Foot-

3 155 weeks if the accidental injury occurs on or
4 after the effective date of this amendatory Act of the
5 94th General Assembly but before February 1, 2006.

6 167 weeks if the accidental injury occurs on or
7 after February 1, 2006.

8 12. Leg-

9 200 weeks if the accidental injury occurs on or
10 after the effective date of this amendatory Act of the
11 94th General Assembly but before February 1, 2006.

12 215 weeks if the accidental injury occurs on or
13 after February 1, 2006.

14 Where an accidental injury results in the amputation
15 of a leg below the knee, such injury shall be compensated
16 as loss of a leg. Where an accidental injury results in the
17 amputation of a leg above the knee, compensation for an
18 additional 25 weeks (if the accidental injury occurs on or
19 after the effective date of this amendatory Act of the
20 94th General Assembly but before February 1, 2006) or an
21 additional 27 weeks (if the accidental injury occurs on or
22 after February 1, 2006) shall be paid, except where the
23 accidental injury results in the amputation of a leg at
24 the hip joint, or so close to the hip joint that an
25 artificial leg cannot be used, or results in the
26 disarticulation of a leg at the hip joint, in which case

1 compensation for an additional 75 weeks (if the accidental
2 injury occurs on or after the effective date of this
3 amendatory Act of the 94th General Assembly but before
4 February 1, 2006) or an additional 81 weeks (if the
5 accidental injury occurs on or after February 1, 2006)
6 shall be paid.

7 13. Eye-

8 150 weeks if the accidental injury occurs on or
9 after the effective date of this amendatory Act of the
10 94th General Assembly but before February 1, 2006.

11 162 weeks if the accidental injury occurs on or
12 after February 1, 2006.

13 Where an accidental injury results in the enucleation
14 of an eye, compensation for an additional 10 weeks (if the
15 accidental injury occurs on or after the effective date of
16 this amendatory Act of the 94th General Assembly but
17 before February 1, 2006) or an additional 11 weeks (if the
18 accidental injury occurs on or after February 1, 2006)
19 shall be paid.

20 14. Loss of hearing of one ear-

21 50 weeks if the accidental injury occurs on or
22 after the effective date of this amendatory Act of the
23 94th General Assembly but before February 1, 2006.

24 54 weeks if the accidental injury occurs on or
25 after February 1, 2006.

26 Total and permanent loss of hearing of both ears-

1 200 weeks if the accidental injury occurs on or
2 after the effective date of this amendatory Act of the
3 94th General Assembly but before February 1, 2006.

4 215 weeks if the accidental injury occurs on or
5 after February 1, 2006.

6 15. Testicle-

7 50 weeks if the accidental injury occurs on or
8 after the effective date of this amendatory Act of the
9 94th General Assembly but before February 1, 2006.

10 54 weeks if the accidental injury occurs on or
11 after February 1, 2006.

12 Both testicles-

13 150 weeks if the accidental injury occurs on or
14 after the effective date of this amendatory Act of the
15 94th General Assembly but before February 1, 2006.

16 162 weeks if the accidental injury occurs on or
17 after February 1, 2006.

18 16. For the permanent partial loss of use of a member
19 or sight of an eye, or hearing of an ear, compensation
20 during that proportion of the number of weeks in the
21 foregoing schedule provided for the loss of such member or
22 sight of an eye, or hearing of an ear, which the partial
23 loss of use thereof bears to the total loss of use of such
24 member, or sight of eye, or hearing of an ear.

25 (a) Loss of hearing for compensation purposes
26 shall be confined to the frequencies of 1,000, 2,000

1 and 3,000 cycles per second. Loss of hearing ability
2 for frequency tones above 3,000 cycles per second are
3 not to be considered as constituting disability for
4 hearing.

5 (b) The percent of hearing loss, for purposes of
6 the determination of compensation claims for
7 occupational deafness, shall be calculated as the
8 average in decibels for the thresholds of hearing for
9 the frequencies of 1,000, 2,000 and 3,000 cycles per
10 second. Pure tone air conduction audiometric
11 instruments, approved by nationally recognized
12 authorities in this field, shall be used for measuring
13 hearing loss. If the losses of hearing average 30
14 decibels or less in the 3 frequencies, such losses of
15 hearing shall not then constitute any compensable
16 hearing disability. If the losses of hearing average
17 85 decibels or more in the 3 frequencies, then the same
18 shall constitute and be total or 100% compensable
19 hearing loss.

20 (c) In measuring hearing impairment, the lowest
21 measured losses in each of the 3 frequencies shall be
22 added together and divided by 3 to determine the
23 average decibel loss. For every decibel of loss
24 exceeding 30 decibels an allowance of 1.82% shall be
25 made up to the maximum of 100% which is reached at 85
26 decibels.

1 (d) If a hearing loss is established to have
2 existed on July 1, 1975 by audiometric testing the
3 employer shall not be liable for the previous loss so
4 established nor shall he be liable for any loss for
5 which compensation has been paid or awarded.

6 (e) No consideration shall be given to the
7 question of whether or not the ability of an employee
8 to understand speech is improved by the use of a
9 hearing aid.

10 (f) No claim for loss of hearing due to industrial
11 noise shall be brought against an employer or allowed
12 unless the employee has been exposed for a period of
13 time sufficient to cause permanent impairment to noise
14 levels in excess of the following:

15 Sound Level DBA

16	Slow Response	Hours Per Day
17	90	8
18	92	6
19	95	4
20	97	3
21	100	2
22	102	1-1/2
23	105	1
24	110	1/2
25	115	1/4

26 This subparagraph (f) shall not be applied in cases of

1 hearing loss resulting from trauma or explosion.

2 17. In computing the compensation to be paid to any
3 employee who, before the accident for which he claims
4 compensation, had before that time sustained an injury
5 resulting in the loss by amputation or partial loss by
6 amputation of any member, including hand, arm, thumb or
7 fingers, leg, foot or any toes, such loss or partial loss
8 of any such member shall be deducted from any award made
9 for the subsequent injury. For the permanent loss of use
10 or the permanent partial loss of use of any such member or
11 the partial loss of sight of an eye, for which
12 compensation has been paid, then such loss shall be taken
13 into consideration and deducted from any award for the
14 subsequent injury.

15 18. The specific case of loss of both hands, both
16 arms, or both feet, or both legs, or both eyes, or of any
17 two thereof, or the permanent and complete loss of the use
18 thereof, constitutes total and permanent disability, to be
19 compensated according to the compensation fixed by
20 paragraph (f) of this Section. These specific cases of
21 total and permanent disability do not exclude other cases.

22 Any employee who has previously suffered the loss or
23 permanent and complete loss of the use of any of such
24 members, and in a subsequent independent accident loses
25 another or suffers the permanent and complete loss of the
26 use of any one of such members the employer for whom the

1 injured employee is working at the time of the last
2 independent accident is liable to pay compensation only
3 for the loss or permanent and complete loss of the use of
4 the member occasioned by the last independent accident.

5 19. In a case of specific loss and the subsequent
6 death of such injured employee from other causes than such
7 injury leaving a widow, widower, or dependents surviving
8 before payment or payment in full for such injury, then
9 the amount due for such injury is payable to the widow or
10 widower and, if there be no widow or widower, then to such
11 dependents, in the proportion which such dependency bears
12 to total dependency.

13 Beginning July 1, 1980, and every 6 months thereafter, the
14 Commission shall examine the Second Injury Fund and when,
15 after deducting all advances or loans made to such Fund, the
16 amount therein is \$500,000 then the amount required to be paid
17 by employers pursuant to paragraph (f) of Section 7 shall be
18 reduced by one-half. When the Second Injury Fund reaches the
19 sum of \$600,000 then the payments shall cease entirely.
20 However, when the Second Injury Fund has been reduced to
21 \$400,000, payment of one-half of the amounts required by
22 paragraph (f) of Section 7 shall be resumed, in the manner
23 herein provided, and when the Second Injury Fund has been
24 reduced to \$300,000, payment of the full amounts required by
25 paragraph (f) of Section 7 shall be resumed, in the manner
26 herein provided. The Commission shall make the changes in

1 payment effective by general order, and the changes in payment
2 become immediately effective for all cases coming before the
3 Commission thereafter either by settlement agreement or final
4 order, irrespective of the date of the accidental injury.

5 On August 1, 1996 and on February 1 and August 1 of each
6 subsequent year, the Commission shall examine the special fund
7 designated as the "Rate Adjustment Fund" and when, after
8 deducting all advances or loans made to said fund, the amount
9 therein is \$4,000,000, the amount required to be paid by
10 employers pursuant to paragraph (f) of Section 7 shall be
11 reduced by one-half. When the Rate Adjustment Fund reaches the
12 sum of \$5,000,000 the payment therein shall cease entirely.
13 However, when said Rate Adjustment Fund has been reduced to
14 \$3,000,000 the amounts required by paragraph (f) of Section 7
15 shall be resumed in the manner herein provided.

16 (f) In case of complete disability, which renders the
17 employee wholly and permanently incapable of work, or in the
18 specific case of total and permanent disability as provided in
19 subparagraph 18 of paragraph (e) of this Section, compensation
20 shall be payable at the rate provided in subparagraph 2 of
21 paragraph (b) of this Section for life.

22 An employee entitled to benefits under paragraph (f) of
23 this Section shall also be entitled to receive from the Rate
24 Adjustment Fund provided in paragraph (f) of Section 7 of the
25 supplementary benefits provided in paragraph (g) of this
26 Section 8.

1 If any employee who receives an award under this paragraph
2 afterwards returns to work or is able to do so, and earns or is
3 able to earn as much as before the accident, payments under
4 such award shall cease. If such employee returns to work, or is
5 able to do so, and earns or is able to earn part but not as
6 much as before the accident, such award shall be modified so as
7 to conform to an award under paragraph (d) of this Section. If
8 such award is terminated or reduced under the provisions of
9 this paragraph, such employees have the right at any time
10 within 30 months after the date of such termination or
11 reduction to file petition with the Commission for the purpose
12 of determining whether any disability exists as a result of
13 the original accidental injury and the extent thereof.

14 Disability as enumerated in subdivision 18, paragraph (e)
15 of this Section is considered complete disability.

16 If an employee who had previously incurred loss or the
17 permanent and complete loss of use of one member, through the
18 loss or the permanent and complete loss of the use of one hand,
19 one arm, one foot, one leg, or one eye, incurs permanent and
20 complete disability through the loss or the permanent and
21 complete loss of the use of another member, he shall receive,
22 in addition to the compensation payable by the employer and
23 after such payments have ceased, an amount from the Second
24 Injury Fund provided for in paragraph (f) of Section 7, which,
25 together with the compensation payable from the employer in
26 whose employ he was when the last accidental injury was

1 incurred, will equal the amount payable for permanent and
2 complete disability as provided in this paragraph of this
3 Section.

4 The custodian of the Second Injury Fund provided for in
5 paragraph (f) of Section 7 shall be joined with the employer as
6 a party respondent in the application for adjustment of claim.
7 The application for adjustment of claim shall state briefly
8 and in general terms the approximate time and place and manner
9 of the loss of the first member.

10 In its award the Commission or the Arbitrator shall
11 specifically find the amount the injured employee shall be
12 weekly paid, the number of weeks compensation which shall be
13 paid by the employer, the date upon which payments begin out of
14 the Second Injury Fund provided for in paragraph (f) of
15 Section 7 of this Act, the length of time the weekly payments
16 continue, the date upon which the pension payments commence
17 and the monthly amount of the payments. The Commission shall
18 30 days after the date upon which payments out of the Second
19 Injury Fund have begun as provided in the award, and every
20 month thereafter, prepare and submit to the State Comptroller
21 a voucher for payment for all compensation accrued to that
22 date at the rate fixed by the Commission. The State
23 Comptroller shall draw a warrant to the injured employee along
24 with a receipt to be executed by the injured employee and
25 returned to the Commission. The endorsed warrant and receipt
26 is a full and complete acquittance to the Commission for the

1 payment out of the Second Injury Fund. No other appropriation
2 or warrant is necessary for payment out of the Second Injury
3 Fund. The Second Injury Fund is appropriated for the purpose
4 of making payments according to the terms of the awards.

5 As of July 1, 1980 to July 1, 1982, all claims against and
6 obligations of the Second Injury Fund shall become claims
7 against and obligations of the Rate Adjustment Fund to the
8 extent there is insufficient money in the Second Injury Fund
9 to pay such claims and obligations. In that case, all
10 references to "Second Injury Fund" in this Section shall also
11 include the Rate Adjustment Fund.

12 (g) Every award for permanent total disability entered by
13 the Commission on and after July 1, 1965 under which
14 compensation payments shall become due and payable after the
15 effective date of this amendatory Act, and every award for
16 death benefits or permanent total disability entered by the
17 Commission on and after the effective date of this amendatory
18 Act shall be subject to annual adjustments as to the amount of
19 the compensation rate therein provided. Such adjustments shall
20 first be made on July 15, 1977, and all awards made and entered
21 prior to July 1, 1975 and on July 15 of each year thereafter.
22 In all other cases such adjustment shall be made on July 15 of
23 the second year next following the date of the entry of the
24 award and shall further be made on July 15 annually
25 thereafter. If during the intervening period from the date of
26 the entry of the award, or the last periodic adjustment, there

1 shall have been an increase in the State's average weekly wage
2 in covered industries under the Unemployment Insurance Act,
3 the weekly compensation rate shall be proportionately
4 increased by the same percentage as the percentage of increase
5 in the State's average weekly wage in covered industries under
6 the Unemployment Insurance Act. The increase in the
7 compensation rate under this paragraph shall in no event bring
8 the total compensation rate to an amount greater than the
9 prevailing maximum rate at the time that the annual adjustment
10 is made. Such increase shall be paid in the same manner as
11 herein provided for payments under the Second Injury Fund to
12 the injured employee, or his dependents, as the case may be,
13 out of the Rate Adjustment Fund provided in paragraph (f) of
14 Section 7 of this Act. Payments shall be made at the same
15 intervals as provided in the award or, at the option of the
16 Commission, may be made in quarterly payment on the 15th day of
17 January, April, July and October of each year. In the event of
18 a decrease in such average weekly wage there shall be no change
19 in the then existing compensation rate. The within paragraph
20 shall not apply to cases where there is disputed liability and
21 in which a compromise lump sum settlement between the employer
22 and the injured employee, or his dependents, as the case may
23 be, has been duly approved by the Illinois Workers'
24 Compensation Commission.

25 Provided, that in cases of awards entered by the
26 Commission for injuries occurring before July 1, 1975, the

1 increases in the compensation rate adjusted under the
2 foregoing provision of this paragraph (g) shall be limited to
3 increases in the State's average weekly wage in covered
4 industries under the Unemployment Insurance Act occurring
5 after July 1, 1975.

6 For every accident occurring on or after July 20, 2005 but
7 before the effective date of this amendatory Act of the 94th
8 General Assembly (Senate Bill 1283 of the 94th General
9 Assembly), the annual adjustments to the compensation rate in
10 awards for death benefits or permanent total disability, as
11 provided in this Act, shall be paid by the employer. The
12 adjustment shall be made by the employer on July 15 of the
13 second year next following the date of the entry of the award
14 and shall further be made on July 15 annually thereafter. If
15 during the intervening period from the date of the entry of the
16 award, or the last periodic adjustment, there shall have been
17 an increase in the State's average weekly wage in covered
18 industries under the Unemployment Insurance Act, the employer
19 shall increase the weekly compensation rate proportionately by
20 the same percentage as the percentage of increase in the
21 State's average weekly wage in covered industries under the
22 Unemployment Insurance Act. The increase in the compensation
23 rate under this paragraph shall in no event bring the total
24 compensation rate to an amount greater than the prevailing
25 maximum rate at the time that the annual adjustment is made. In
26 the event of a decrease in such average weekly wage there shall

1 be no change in the then existing compensation rate. Such
2 increase shall be paid by the employer in the same manner and
3 at the same intervals as the payment of compensation in the
4 award. This paragraph shall not apply to cases where there is
5 disputed liability and in which a compromise lump sum
6 settlement between the employer and the injured employee, or
7 his or her dependents, as the case may be, has been duly
8 approved by the Illinois Workers' Compensation Commission.

9 The annual adjustments for every award of death benefits
10 or permanent total disability involving accidents occurring
11 before July 20, 2005 and accidents occurring on or after the
12 effective date of this amendatory Act of the 94th General
13 Assembly (Senate Bill 1283 of the 94th General Assembly) shall
14 continue to be paid from the Rate Adjustment Fund pursuant to
15 this paragraph and Section 7(f) of this Act.

16 (h) In case death occurs from any cause before the total
17 compensation to which the employee would have been entitled
18 has been paid, then in case the employee leaves any widow,
19 widower, child, parent (or any grandchild, grandparent or
20 other lineal heir or any collateral heir dependent at the time
21 of the accident upon the earnings of the employee to the extent
22 of 50% or more of total dependency) such compensation shall be
23 paid to the beneficiaries of the deceased employee and
24 distributed as provided in paragraph (g) of Section 7.

25 (h-1) In case an injured employee is under legal
26 disability at the time when any right or privilege accrues to

1 him or her under this Act, a guardian may be appointed pursuant
2 to law, and may, on behalf of such person under legal
3 disability, claim and exercise any such right or privilege
4 with the same effect as if the employee himself or herself had
5 claimed or exercised the right or privilege. No limitations of
6 time provided by this Act run so long as the employee who is
7 under legal disability is without a conservator or guardian.

8 (i) In case the injured employee is under 16 years of age
9 at the time of the accident and is illegally employed, the
10 amount of compensation payable under paragraphs (b), (c), (d),
11 (e) and (f) of this Section is increased 50%.

12 However, where an employer has on file an employment
13 certificate issued pursuant to the Child Labor Law of 2024 or
14 work permit issued pursuant to the Federal Fair Labor
15 Standards Act, as amended, or a birth certificate properly and
16 duly issued, such certificate, permit or birth certificate is
17 conclusive evidence as to the age of the injured minor
18 employee for the purposes of this Section.

19 Nothing herein contained repeals or amends the provisions
20 of the Child Labor Law of 2024 relating to the employment of
21 minors under the age of 16 years.

22 (j) 1. In the event the injured employee receives
23 benefits, including medical, surgical or hospital benefits
24 under any group plan covering non-occupational disabilities
25 contributed to wholly or partially by the employer, which
26 benefits should not have been payable if any rights of

1 recovery existed under this Act, then such amounts so paid to
2 the employee from any such group plan as shall be consistent
3 with, and limited to, the provisions of paragraph 2 hereof,
4 shall be credited to or against any compensation payment for
5 temporary total incapacity for work or any medical, surgical
6 or hospital benefits made or to be made under this Act. In such
7 event, the period of time for giving notice of accidental
8 injury and filing application for adjustment of claim does not
9 commence to run until the termination of such payments. This
10 paragraph does not apply to payments made under any group plan
11 which would have been payable irrespective of an accidental
12 injury under this Act. Any employer receiving such credit
13 shall keep such employee safe and harmless from any and all
14 claims or liabilities that may be made against him by reason of
15 having received such payments only to the extent of such
16 credit.

17 Any excess benefits paid to or on behalf of a State
18 employee by the State Employees' Retirement System under
19 Article 14 of the Illinois Pension Code on a death claim or
20 disputed disability claim shall be credited against any
21 payments made or to be made by the State of Illinois to or on
22 behalf of such employee under this Act, except for payments
23 for medical expenses which have already been incurred at the
24 time of the award. The State of Illinois shall directly
25 reimburse the State Employees' Retirement System to the extent
26 of such credit.

1 2. Nothing contained in this Act shall be construed to
2 give the employer or the insurance carrier the right to credit
3 for any benefits or payments received by the employee other
4 than compensation payments provided by this Act, and where the
5 employee receives payments other than compensation payments,
6 whether as full or partial salary, group insurance benefits,
7 bonuses, annuities or any other payments, the employer or
8 insurance carrier shall receive credit for each such payment
9 only to the extent of the compensation that would have been
10 payable during the period covered by such payment.

11 3. The extension of time for the filing of an Application
12 for Adjustment of Claim as provided in paragraph 1 above shall
13 not apply to those cases where the time for such filing had
14 expired prior to the date on which payments or benefits
15 enumerated herein have been initiated or resumed. Provided
16 however that this paragraph 3 shall apply only to cases
17 wherein the payments or benefits hereinabove enumerated shall
18 be received after July 1, 1969.

19 (Source: P.A. 97-18, eff. 6-28-11; 97-268, eff. 8-8-11;
20 97-813, eff. 7-13-12.)

21 Section 999. Effective date. This Act shall take effect
22 January 1, 2025, with the exception of Sections 95 and 100,
23 which shall take effect July 1, 2024.