



Rep. Barbara Hernandez

Filed: 4/30/2024

10300SB3646ham001

LRB103 39475 SPS 72828 a

1 AMENDMENT TO SENATE BILL 3646

2 AMENDMENT NO. _____. Amend Senate Bill 3646 by replacing
3 everything after the enacting clause with the following:

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,

1 refurbishing, remodeling, remediating, renovating, custom
2 fabricating, maintenance, landscaping, improving, wrecking,
3 painting, decorating, demolishing, and adding to or
4 subtracting from any building, structure, highway, roadway,
5 street, bridge, alley, sewer, ditch, sewage disposal plant,
6 water works, parking facility, railroad, excavation or other
7 structure, project, development, real property or improvement,
8 or to do any part thereof, whether or not the performance of
9 the work herein described involves the addition to, or
10 fabrication into, any structure, project, development, real
11 property or improvement herein described of any material or
12 article of merchandise. "Construction" also includes moving
13 construction-related materials on the job site to or from the
14 job site.

15 "Department" means the Department of Labor.

16 "Director" means the Director of Labor.

17 "District superintendent of schools" means an individual
18 employed by a board of education in accordance with Section
19 10-21.4 of the School Code and the chief executive officer of a
20 school district in a city with over 500,000 inhabitants.

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

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

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

3 "Family" means a group of persons related by blood or
4 marriage, including civil partnerships, or whose close
5 relationship with each other is considered equivalent to a
6 family relationship by the individuals.

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

8 "Online platform" means any public-facing website, web
9 application, or digital application, including a mobile
10 application. "Online platform" includes a social network,
11 advertising network, mobile operating system, search engine,
12 email service, or Internet access service.

13 "Person" means any natural person, individual,
14 corporation, business enterprise, or other legal entity,
15 either public or private, and any legal successor,
16 representative, agent, or agency of that individual,
17 corporation, business enterprise, or legal entity.

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

21 "School hours" means, for a minor of compulsory school age
22 who is enrolled in a public or non-public school that is
23 registered with or recognized by the State Board of Education,
24 the hours the minor's school is in session. "School hours"
25 means, for a minor of compulsory school age who is not enrolled
26 in a public or non-public school that is registered with or

1 recognized by the State Board of Education, the hours that the
2 minor's local public school in the district where the minor
3 resides is in session.

4 "School issuing officer" means a regional or district
5 superintendent of schools, or his or her duly authorized
6 agent.

7 "Vlog" means content shared on an online platform in
8 exchange for compensation.

9 "Vlogger" means an individual or family that creates video
10 content, performed in Illinois, in exchange for compensation,
11 and includes any proprietorship, partnership, company, or
12 other corporate entity assuming the name or identity of a
13 particular individual or family for the purposes of that
14 content creation. "Vlogger" does not include any person under
15 the age of 16 who produces his or her own vlogs.

16 Section 15. Employment of minors.

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

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

24 (c) A person shall not employ, allow, or permit a minor 13
25 years of age or younger to work in any occupation or at any

1 work site not explicitly authorized by or exempted from this
2 Act.

3 Section 20. Exemptions.

4 (a) Nothing in this Act applies to the work of a minor
5 engaged in agricultural pursuits, except that no minor under
6 12 years of age, except members of the farmer's own family who
7 live with the farmer at his principal place of residence, at
8 any time shall be employed, allowed, or permitted to work in
9 any gainful occupation in connection with agriculture, except
10 that any minor of 10 years of age or older shall be permitted
11 to work in a gainful occupation in connection with agriculture
12 during school vacations or outside of school hours.

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

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

22 (d) Nothing in this Act applies to the work of a minor 13
23 years of age or older in caddying at a golf course.

24 (e) Nothing in this Act applies to a minor 14 or 15 years
25 of age who is, under the direction of the minor's school,

1 participating in work-based learning programs in accordance
2 with the School Code.

3 (f) Nothing in this Act prohibits an employer from
4 employing, allowing, or permitting a minor 12 or 13 years of
5 age to work as an officiant or an assistant instructor of youth
6 sports activities for a not-for-profit youth club, park
7 district, or municipal parks and recreation department if the
8 employer obtains certification as provided for in Section 55
9 and:

10 (1) the parent or guardian of the minor who is working
11 as an officiant or an assistant instructor, or an adult
12 designated by the parent or guardian, shall be present at
13 the youth sports activity while the minor is working;

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

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

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

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

25 The failure to satisfy the requirements of this subsection
26 may result in the revocation of the minor's employment

1 certificate.

2 Section 25. Allowable work hours. Except as allowed under
3 Section 30, no employer shall employ, allow, or permit a minor
4 to work:

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

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

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

10 (4) between 7 p.m. and 7 a.m. from Labor Day until June
11 1 or between 9 p.m. and 7 a.m. from June 1 until Labor Day;
12 or

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

16 Section 30. Exceptions to allowable work hours.

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

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

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

24 (b) A minor working as a live theatrical performer as

1 described in Section 45 shall be permitted to work until 11
2 p.m. on nights when performances are held.

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

6 (d) A park district, not-for-profit youth club, or
7 municipal parks and recreation department may allow a minor 14
8 years of age or older to work in a recreational or educational
9 activity beyond the hours identified in Section 25 as follows:

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

13 (A) the minor does not work more than 3 hours per
14 day;

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

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

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

21 (3) For a minor who attends a school that operates a
22 year-round schedule, an employer may allow the minor to
23 work until 10 p.m. and no earlier than 7 a.m. during
24 periods when school is not in session for the minor. If
25 school is in session, then the minor who attends a school
26 that operates a year-round schedule may work until 9 p.m.

1 on school days and no earlier than 7 a.m., if the following
2 conditions are met:

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

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

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

9 Section 35. Employer requirements.

10 (a) It shall be unlawful for any person to employ, allow,
11 or permit any minor to work unless the minor obtains an
12 employment certificate authorizing the minor to work for that
13 person. Any person seeking to employ, allow, or permit any
14 minor to work shall provide that minor with a notice of
15 intention to employ to be submitted by the minor to the minor's
16 school issuing officer with the minor's application for an
17 employment certificate.

18 (b) Every employer of one or more minors shall maintain,
19 on the premises where the work is being done, records that
20 include the name, date of birth, and place of residence of
21 every minor who works for that employer, notice of intention
22 to employ the minor, and the minor's employment certificate.
23 Authorized officers and employees of the Department, truant
24 officers, and other school officials charged with the
25 enforcement of school attendance requirements described in

1 Section 26-1 of the School Code may inspect the records
2 without notice at any time.

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

6 (d) No person shall employ, allow, or permit any minor to
7 work for more than 5 hours continuously without an interval of
8 at least 30 minutes for a meal period. No period of less than
9 30 minutes shall be deemed to interrupt a continuous period of
10 work.

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

25 (f) Every employer, during the period of employment of a
26 minor and for 3 years thereafter, shall keep on file, at the

1 place of employment, a copy of the employment certificate
2 issued for the minor. An employment certificate shall be valid
3 only for the employer for whom issued and a new certificate
4 shall not be issued for the employment of a minor except on the
5 presentation of a new statement of intention to employ the
6 minor. The failure of any employer to produce for inspection
7 the employment certificate for each minor in the employer's
8 establishment shall be a violation of this Act. The Department
9 may specify any other record keeping requirements by rule.

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

1 Section 40. Restrictions on employment of minors.

2 (a) No person shall employ, allow, or permit a minor to
3 work:

4 (1) in any mechanic's garage, including garage pits,
5 repairing cars, trucks, or other vehicles or using garage
6 lifting racks;

7 (2) in the oiling, cleaning, or wiping of machinery or
8 shafting;

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

10 (4) in stone cutting or polishing;

11 (5) in any factory work;

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

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

19 (8) in the operation of machinery used in the cold
20 rolling of heavy metal stock, or in the operation of
21 power-driven punching, shearing, stamping, or metal plate
22 bending machines;

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

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

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

3 (12) in spray painting;

4 (13) in occupations involving exposure to lead or its
5 compounds;

6 (14) in occupations involving exposure to acids, dyes,
7 chemicals, dust, gases, vapors, or fumes that are known or
8 suspected to be dangerous to humans;

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

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

13 (17) in the operation of laundry, dry cleaning, or
14 dyeing machinery;

15 (18) in occupations involving exposure to radioactive
16 substances;

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

21 (20) in construction work, including demolition and
22 repair;

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

24 (22) in public and private utilities and related
25 services;

26 (23) in operations in or in connection with

1 slaughtering, meat packing, poultry processing, and fish
2 and seafood processing;

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

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

8 (26) in occupations which involve the handling or
9 storage of human blood, human blood products, human body
10 fluids, or human body tissues;

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

13 (28) any occupation which is prohibited for minors
14 under federal law; or

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

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

19 (1) any cannabis business establishment subject to the
20 Cannabis Regulation and Tax Act or Compassionate Use of
21 Medical Cannabis Program Act;

22 (2) any establishment subject to the Live Adult
23 Entertainment Facility Surcharge Act;

24 (3) any firearm range or gun range used for
25 discharging a firearm in a sporting event, for practice or
26 instruction in the use of a firearm, or the testing of a

1 firearm;

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

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

7 (6) an establishment operated by any holder of an
8 owners license subject to the Illinois Gambling Act; or

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

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

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

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

1 that Act.

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

5 Section 45. Minors employed in live theatrical
6 performances. In addition to the other requirements of this
7 Act, an employer of a minor working in live theatrical
8 performances, including plays, musicals, recitals, or
9 concerts, is subject to the following requirements:

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

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

15 (3) A minor shall be accompanied by a parent,
16 guardian, or chaperone at all times while at the work
17 site.

18 (4) A minor shall not work, including performing,
19 rehearsing, or otherwise being present at the work site,
20 in connection with the performance, for more than 8 hours
21 in any 24-hour period, more than 6 days in any 7-day
22 period, more than 24 hours in any 7-day period, or after 11
23 p.m. on any night.

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

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

3 (a) Notwithstanding the provisions of this Act, minors
4 under 16 years of age may be employed as models or performers
5 on live or pre-recorded radio or television, in motion
6 pictures, or in other entertainment-related performances,
7 subject to conditions that may be imposed by rule by the
8 Department.

9 (b) A child performer who works in a television, motion
10 picture, or related entertainment production may be permitted
11 to be at the place of employment, within a 24-hour time period,
12 as follows:

13 (1) Minors who have reached the age of 15 days but have
14 not reached the age of 6 months may be permitted to remain
15 at the place of employment for a maximum of 2 hours. The
16 2-hour period shall consist of not more than 20 minutes of
17 work.

18 (2) Minors who have reached the age of 6 months but who
19 have not attained the age of 2 years may be permitted at
20 the place of employment for a maximum of 4 hours. The
21 4-hour period shall consist of not more than 2 hours of
22 work with the balance of the 4-hour period being rest and
23 recreation.

24 (3) Minors who have reached the age of 2 years but who
25 have not attained the age of 6 years may be permitted at

1 the place of employment for a maximum of 6 hours. The
2 6-hour period shall consist of not more than 3 hours of
3 work with the balance of the 6-hour period being rest,
4 recreation, and education.

5 (4) Minors who have reached the age of 6 years but have
6 not attained the age of 9 years may be permitted at the
7 place of employment for a maximum of 8 hours. The 8-hour
8 period shall consist of not more than 4 hours of work and
9 at least 3 hours of schooling when the minor's school is in
10 session. The studio teacher shall ensure that the minor
11 receives up to one hour of rest and recreation. On days
12 when the minor's school is not in session, working hours
13 may be a maximum of 6 hours and one hour of rest and
14 recreation.

15 (5) Minors who have reached the age of 9 years but who
16 have not attained the age of 16 years may be permitted at
17 the place of employment for a maximum of 9 hours. The
18 9-hour period shall consist of not more than 5 hours of
19 work and at least 3 hours of schooling when the minor's
20 school is in session. The studio teacher shall ensure that
21 the minor receives at least one hour of rest and
22 recreation. On days when the minor's school is not in
23 session, working hours may be a maximum of 7 hours and one
24 hour of rest and recreation.

25 (c) Notwithstanding the provisions of this Act, an
26 employer who employs a minor under 16 years of age in a

1 television, motion picture, or related entertainment
2 production may allow the minor to work until 10 p.m. without
3 seeking a waiver from the Department. An employer may apply to
4 the Director, or the Director's authorized representative, for
5 a waiver permitting a minor to work outside of the hours
6 allowed by this Act.

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

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

14 (B) the minor shall be supervised adequately;

15 (C) the education of the minor shall not be
16 neglected; and

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

20 (2) A waiver request for a minor to work between 12:30
21 a.m. and 5 a.m. shall be granted if the Director, or the
22 Director's authorized representative, is satisfied that
23 all of the following conditions are met:

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

26 (B) the minor shall be supervised adequately;

1 (C) the education of the minor shall not be
2 jeopardized;

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

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

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

12 (G) the employer provides a schedule to the
13 Department of schooling and rest periods on the day
14 before, the day of, and the day after the overnight
15 hours to be worked;

16 (H) the age of the minor is taken into account as
17 provided by this Act or any rules adopted under this
18 Act;

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

22 (J) the waiver request was received by the
23 Department at least 72 hours prior to the overnight
24 hours to be worked.

25 (d) An employer applying for the waiver shall submit to
26 the Director, or the Director's authorized representative, a

1 completed application on the form that the Director provides.
2 The waiver shall contain signatures that show the consent of a
3 parent or legal guardian of the minor, the employer, and an
4 authorized representative of a collective bargaining unit if a
5 collective bargaining unit represents the minor upon
6 employment.

7 Section 55. Employment certificates.

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

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

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

16 (2) The application shall be submitted in person by
17 the minor desiring employment, unless the school issuing
18 officer determines that the minor may utilize a remote
19 application process.

20 (3) The minor shall be accompanied by his or her
21 parent, guardian, or custodian, whether applying in person
22 or remotely.

23 (4) The following papers shall be submitted with the
24 application:

25 (A) A statement of intention to employ signed by

1 the prospective employer, or by someone duly
2 authorized by the prospective employer, setting forth
3 the specific nature of the occupation in which the
4 prospective employer intends to employ the minor and
5 the exact hours of the day and number of hours per day
6 and days per week during which the minor shall be
7 employed.

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

12 (i) a birth certificate; or

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

25 (C) A statement on a form approved by the
26 Department and signed by the school issuing officer,

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

16 (D) A statement of physical fitness signed by a
17 health care professional who has examined the minor,
18 certifying that the minor is physically fit to be
19 employed in all legal occupations or to be employed in
20 legal occupations under limitations specified, or, at
21 the discretion of the school issuing officer, the
22 minor's most recent school physical. If the statement
23 of physical fitness is limited, the employment
24 certificate issued thereon shall state clearly the
25 limitations upon its use, and shall be valid only when
26 used under the limitations so stated. In any case

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

24 (5) The school issuing officer shall have authority to
25 verify the representations provided in the employment
26 certificate application as required by Section 55. A

1 school issuing officer shall not charge a fee for the
2 consideration of an employment certificate application.

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

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

26 (d) If the school issuing officer refuses to issue a

1 certificate to a minor, the school issuing officer shall send
2 to the principal of the school attended by the minor a notice
3 of the refusal, including the name and address of the minor and
4 of the minor's parent or legal guardian, and the reason for the
5 refusal to issue the certificate.

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

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

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

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

24 (1) the parent or legal guardian of a minor, the
25 school issuing officer, or the principal of the school
26 attended by the minor for whom an employment certificate

1 has been issued has asked for the revocation of the
2 certificate by petition to the Department in writing,
3 stating the reasons he or she believes that the employment
4 is interfering with the health, safety, welfare, or
5 education of the minor; or

6 (2) in the judgment of the Director, the employment
7 certificate was improperly issued or if the minor is
8 illegally employed.

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

23 Section 57. Prohibition on retaliation.

24 (a) An employer, or agent or officer of an employer,
25 violates this Act if he or she takes an adverse action against,

1 or in any other manner discriminates against, any person
2 because that person has:

3 (1) exercised a right under this Act;

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

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

8 (4) participated in or cooperated with an
9 investigation or proceeding under this Act; or

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

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

17 Section 60. Department powers.

18 (a) The Department shall make, adopt, and enforce
19 reasonable rules relating to the administration and
20 enforcement of the provisions of this Act, including the
21 issuance of employment certificates authorized under this Act,
22 as may be deemed expedient. The rules shall be designed to
23 protect the health, safety, welfare, and education of minors
24 and to ensure that the conditions under which minors are
25 employed, allowed, or permitted to work shall not impair their

1 health, welfare, development, or education.

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

8 Section 65. Investigation.

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

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

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

23 Section 70. Enforcement.

24 (a) The Department shall conduct hearings in accordance

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

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

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

26 (d) Whenever it appears that any employer has violated a

1 valid order of the Department issued under this Act, the
2 Director may commence an action and obtain from the court an
3 order upon the employer commanding them to obey the order of
4 the Department or be adjudged guilty of contempt of court and
5 punished accordingly.

6 Section 75. Civil penalties.

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

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

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

23 (3) an employer who employs, allows, or permits a
24 minor to work in violation of Section 40 shall be subject
25 to a penalty not to exceed \$15,000, payable to the

1 Department;

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

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

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

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

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

21 (c) The amount of the penalty, when finally determined,
22 may be recovered in a civil action brought by the Director in
23 any circuit court, in which litigation the Director shall be
24 represented by the Attorney General. In an action brought by
25 the Department, the Department may request, and the Court may
26 impose on a defendant employer, an additional civil penalty of

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

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

18 Section 80. Criminal penalties.

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

23 (1) employs, allows, or permits any minor to work in
24 violation of this Act, or of any rule, order, or ruling
25 issued under the provisions of this Act;

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

4 (3) willfully fails to comply with the provisions of
5 this Act.

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

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

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

15 Section 85. Department reporting and outreach.

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

20 (b) The Department shall conduct ongoing outreach and
21 education efforts concerning this Act targeted toward school
22 districts, employers, and other appropriate community
23 organizations. The Department shall, to the extent possible,
24 coordinate these outreach and education activities with other
25 appropriate local, State, and federal agencies.

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

5 Section 90. Child performers; trust fund.

6 (a) As used in this Section:

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

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

17 (b) In addition to the requirements of Section 55, the
18 person authorized to issue employment certificates must
19 determine that a trust account, established by the child
20 performer's parent or guardian, that meets the requirements of
21 subsection (c) has been established designating the minor as
22 the beneficiary of the trust account before an employment
23 certificate for work as a child performer may be issued for a
24 minor under the age of 16 years. The person authorized to issue
25 employment certificates shall issue a temporary employment

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

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

10 (1) that at least 15% of the gross earnings of the
11 child performer shall be deposited into the account;

12 (2) that the funds in the account shall be available
13 only to the child performer;

14 (3) 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 (4) that the funds in the account shall become
18 available to the child performer upon the child performer
19 attaining the age of 18 years or upon the child performer
20 being declared emancipated; and

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

23 (d) The parent or guardian of the child performer shall
24 provide the employer with the information necessary to
25 transfer moneys into the trust account. Once the child
26 performer's employer deposits the money into the trust

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

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

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

17 (g) The Department may adopt rules to implement this
18 Section.

19 Section 95. Minors featured in vlogs.

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

23 (1) at least 30% of the vlogger's compensated video
24 content produced within a 30-day period included the
25 likeness, name, or photograph of the minor. Content

1 percentage is measured by the percentage of time the
2 likeness, name, or photograph of the minor visually
3 appears or is the subject of an oral narrative in a video
4 segment, as compared to the total length of the segment;
5 and

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

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

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

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

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

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

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

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

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

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

11 Section 100. Minor engaged in the work of vlogging; trust
12 fund.

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

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

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

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

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

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

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

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

21 (c) If a vlogger knowingly or recklessly violates this
22 Section, a minor satisfying the criteria described in
23 subsection (a) of Section 95 may commence an action to enforce
24 the provisions of this Section regarding the trust account.
25 The court may award, to a minor who prevails in any action
26 brought in accordance with this Section, the following

1 damages:

2 (1) actual damages;

3 (2) punitive damages; and

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

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

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

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

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

19 Section 115. Procedural changes from prior law. In
20 accordance with Section 4 of the Statute on Statutes, any
21 procedural change as compared to prior law effected by the
22 repeal of the Child Labor Law and the enactment of this Act
23 shall be applied retroactively. Any substantive change as

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

5 (820 ILCS 205/Act rep.)

6 Section 900. The Child Labor Law is repealed.

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

9 (105 ILCS 5/26-1) (from Ch. 122, par. 26-1)

10 Sec. 26-1. Compulsory school age; exemptions. Whoever has
11 custody or control of any child (i) between the ages of 7 and
12 17 years (unless the child has already graduated from high
13 school) for school years before the 2014-2015 school year or
14 (ii) between the ages of 6 (on or before September 1) and 17
15 years (unless the child has already graduated from high
16 school) beginning with the 2014-2015 school year shall cause
17 such child to attend some public school in the district
18 wherein the child resides the entire time it is in session
19 during the regular school term, except as provided in Section
20 10-19.1, and during a required summer school program
21 established under Section 10-22.33B; provided, that the
22 following children shall not be required to attend the public
23 schools:

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

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

1 attend school due to a complication arising from her
2 pregnancy and the existence of such complication is
3 certified to the county or district truant officer by a
4 competent physician;

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

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

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

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

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

20 7. A child in any of grades 6 through 12 absent from a
21 public school on a particular day or days or at a
22 particular time of day for the purpose of sounding "Taps"
23 at a military honors funeral held in this State for a
24 deceased veteran. In order to be excused under this
25 paragraph 7, the student shall notify the school's
26 administration at least 2 days prior to the date of the

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

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

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

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

19 (Source: P.A. 102-266, eff. 1-1-22; 102-321, eff. 1-1-22;
20 102-406, eff. 8-19-21; 102-813, eff. 5-13-22; 102-981, eff.
21 1-1-23.)

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

24 (225 ILCS 10/2.17) (from Ch. 23, par. 2212.17)

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

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

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

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

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

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

1 children served.

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

25 The term "foster family home" includes homes receiving
26 children from any State-operated institution for child care;

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

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

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

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

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

24 (e) "Agency-supervised home" means a foster family
25 home under the direct and regular supervision of a
26 licensed child welfare agency, of the Department of

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

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

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

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

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

1 (225 ILCS 515/10) (from Ch. 111, par. 910)

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

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

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

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

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

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

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

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

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

17 (225 ILCS 515/12.6)

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

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

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

3 (820 ILCS 175/67)

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

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

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

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

21 (3) The named parties contest or cure the alleged
22 violation within 30 days after the receipt of the notice
23 of complaint or, if the named party does not respond
24 within 30 days, the Department issues a notice of right to
25 sue to the interested party as described in paragraph (4).

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

4 (i) the named party has cured the alleged
5 violation to the satisfaction of the Director;

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

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

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

1 Department shall issue a right to sue letter to the interested
2 party.

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

7 (d) In an action brought pursuant to this Section, an
8 interested party may recover against the covered entity any
9 statutory penalties set forth in Section 70 and injunctive
10 relief. An interested party who prevails in a civil action
11 shall receive 10% of any statutory penalties assessed, plus
12 any attorneys' fees and expenses in bringing the action. The
13 remaining 90% of any statutory penalties assessed shall be
14 deposited into the Child Labor and Day and Temporary Labor
15 Services Enforcement Fund and shall be used exclusively for
16 the purposes set forth in Section 75 ~~17.3~~ of the Child Labor
17 Law of 2024.

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

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

21 (820 ILCS 305/7) (from Ch. 48, par. 138.7)

22 Sec. 7. The amount of compensation which shall be paid for
23 an accidental injury to the employee resulting in death is:

24 (a) If the employee leaves surviving a widow, widower,

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

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

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

23 In the event of the remarriage of a widow or widower, where
24 the decedent did not leave surviving any child or children
25 who, at the time of such remarriage, are entitled to
26 compensation benefits under this Act, the surviving spouse

1 shall be paid a lump sum equal to 2 years compensation benefits
2 and all further rights of such widow or widower shall be
3 extinguished.

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

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

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

23 (c) If no compensation is payable under paragraphs (a) or
24 (b) of this Section and the employee leaves surviving any
25 child or children who are not entitled to compensation under
26 the foregoing paragraph (a) but who at the time of the accident

1 were nevertheless in any manner dependent upon the earnings of
2 the employee, or leaves surviving a parent or parents who at
3 the time of the accident were partially dependent upon the
4 earnings of the employee, then there shall be paid to such
5 dependent or dependents for a period of 8 years weekly
6 compensation payments at such proportion of the applicable
7 rate if the employee had left surviving a widow or widower as
8 such dependency bears to total dependency. In the event of the
9 death of any such beneficiary the share of such beneficiary
10 shall be divided equally among the surviving beneficiaries and
11 in the event of the death of the last such beneficiary all the
12 rights under this paragraph shall be extinguished.

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

26 (e) The compensation to be paid for accidental injury

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

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

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

22 In the event the employer failed to provide necessary
23 first aid, medical, surgical or hospital service, he shall pay
24 the cost thereof to the person or persons entitled to
25 compensation under paragraphs (a), (b), (c) or (d) of this
26 Section, or to the person or persons incurring the obligation

1 therefore, or providing the same.

2 On January 15 and July 15, 1981, and on January 15 and July
3 15 of each year thereafter the employer shall within 60 days
4 pay a sum equal to 1/8 of 1% of all compensation payments made
5 by him after July 1, 1980, either under this Act or the
6 Workers' Occupational Diseases Act, whether by lump sum
7 settlement or weekly compensation payments, but not including
8 hospital, surgical or rehabilitation payments, made during the
9 first 6 months and during the second 6 months respectively of
10 the fiscal year next preceding the date of the payments, into a
11 special fund which shall be designated the "Second Injury
12 Fund", of which the State Treasurer is ex-officio custodian,
13 such special fund to be held and disbursed for the purposes
14 hereinafter stated in paragraphs (f) and (g) of Section 8,
15 either upon the order of the Commission or of a competent
16 court. Said special fund shall be deposited the same as are
17 State funds and any interest accruing thereon shall be added
18 thereto every 6 months. It is subject to audit the same as
19 State funds and accounts and is protected by the General bond
20 given by the State Treasurer. It is considered always
21 appropriated for the purposes of disbursements as provided in
22 Section 8, paragraph (f), of this Act, and shall be paid out
23 and disbursed as therein provided and shall not at any time be
24 appropriated or diverted to any other use or purpose.

25 On January 15, 1991, the employer shall further pay a sum
26 equal to one half of 1% of all compensation payments made by

1 him from January 1, 1990 through June 30, 1990 either under
2 this Act or under the Workers' Occupational Diseases Act,
3 whether by lump sum settlement or weekly compensation
4 payments, but not including hospital, surgical or
5 rehabilitation payments, into an additional Special Fund which
6 shall be designated as the "Rate Adjustment Fund". On March
7 15, 1991, the employer shall pay into the Rate Adjustment Fund
8 a sum equal to one half of 1% of all such compensation payments
9 made from July 1, 1990 through December 31, 1990. Within 60
10 days after July 15, 1991, the employer shall pay into the Rate
11 Adjustment Fund a sum equal to one half of 1% of all such
12 compensation payments made from January 1, 1991 through June
13 30, 1991. Within 60 days after January 15 of 1992 and each
14 subsequent year through 1996, the employer shall pay into the
15 Rate Adjustment Fund a sum equal to one half of 1% of all such
16 compensation payments made in the last 6 months of the
17 preceding calendar year. Within 60 days after July 15 of 1992
18 and each subsequent year through 1995, the employer shall pay
19 into the Rate Adjustment Fund a sum equal to one half of 1% of
20 all such compensation payments made in the first 6 months of
21 the same calendar year. Within 60 days after January 15 of 1997
22 and each subsequent year through 2005, the employer shall pay
23 into the Rate Adjustment Fund a sum equal to three-fourths of
24 1% of all such compensation payments made in the last 6 months
25 of the preceding calendar year. Within 60 days after July 15 of
26 1996 and each subsequent year through 2004, the employer shall

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

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

26 Upon a finding by the Commission, after reasonable notice

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

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

1 waived by the Commission for good cause shown.

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

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

26 The State Treasurer or his duly authorized agent shall

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

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

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

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

21 (g) All compensation, except for burial expenses provided
22 in this Section to be paid in case accident results in death,
23 shall be paid in installments equal to the percentage of the
24 average earnings as provided for in Section 8, paragraph (b)
25 of this Act, at the same intervals at which the wages or
26 earnings of the employees were paid. If this is not feasible,

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

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

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

21 However, where an employer has on file an employment
22 certificate issued pursuant to the Child Labor Law of 2024 or
23 work permit issued pursuant to the Federal Fair Labor
24 Standards Act, as amended, or a birth certificate properly and
25 duly issued, such certificate, permit or birth certificate is
26 conclusive evidence as to the age of the injured minor

1 employee for the purposes of this Section only.

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

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

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

17 (820 ILCS 305/8) (from Ch. 48, par. 138.8)

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

21 (a) The employer shall provide and pay the negotiated
22 rate, if applicable, or the lesser of the health care
23 provider's actual charges or according to a fee schedule,
24 subject to Section 8.2, in effect at the time the service was
25 rendered for all the necessary first aid, medical and surgical

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

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

20 Upon agreement between the employer and the employees, or
21 the employees' exclusive representative, and subject to the
22 approval of the Illinois Workers' Compensation Commission, the
23 employer shall maintain a list of physicians, to be known as a
24 Panel of Physicians, who are accessible to the employees. The
25 employer shall post this list in a place or places easily
26 accessible to his employees. The employee shall have the right

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

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

1 dispute, including payment of the vocational rehabilitation
2 program by the employer.

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

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

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

26 Notwithstanding the foregoing, the employer's liability to

1 pay for such medical services selected by the employee shall
2 be limited to:

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

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

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

26 (4) The following shall apply for injuries occurring

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

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

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

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

20 When an employer and employee so agree in writing, nothing
21 in this Act prevents an employee whose injury or disability
22 has been established under this Act, from relying in good
23 faith, on treatment by prayer or spiritual means alone, in
24 accordance with the tenets and practice of a recognized church
25 or religious denomination, by a duly accredited practitioner
26 thereof, and having nursing services appropriate therewith,

1 without suffering loss or diminution of the compensation
2 benefits under this Act. However, the employee shall submit to
3 all physical examinations required by this Act. The cost of
4 such treatment and nursing care shall be paid by the employee
5 unless the employer agrees to make such payment.

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

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

24 The furnishing of any such services or appliances or the
25 servicing thereof by the employer is not the payment of
26 compensation.

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

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

22 2. The compensation rate in all cases other than for
23 temporary total disability under this paragraph (b), and
24 other than for serious and permanent disfigurement under
25 paragraph (c) and other than for permanent partial
26 disability under subparagraph (2) of paragraph (d) or

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

13 2.1. The compensation rate in all cases of serious and
14 permanent disfigurement under paragraph (c) and of
15 permanent partial disability under subparagraph (2) of
16 paragraph (d) or under paragraph (e) of this Section shall
17 be equal to 60% of the employee's average weekly wage
18 computed in accordance with the provisions of Section 10,
19 provided that it shall be not less than 66 2/3% of the sum
20 of the Federal minimum wage under the Fair Labor Standards
21 Act, or the Illinois minimum wage under the Minimum Wage
22 Law, whichever is more, multiplied by 40 hours. This
23 percentage rate shall be increased by 10% for each spouse
24 and child, not to exceed 100% of the total minimum wage
25 calculation, nor exceed the employee's average weekly wage
26 computed in accordance with the provisions of Section 10,

1 whichecker is less.

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

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

13 The maximum weekly compensation rate from July 1,
14 1975, except as hereinafter provided, shall be 100% of the
15 State's average weekly wage in covered industries under
16 the Unemployment Insurance Act, that being the wage that
17 most closely approximates the State's average weekly wage.

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

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

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

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

1 an eye under paragraph (e) of this Section shall be
2 increased to 133-1/3% of the State's average weekly wage
3 in covered industries under the Unemployment Insurance
4 Act.

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

10 4.1. Any provision herein to the contrary
11 notwithstanding, the weekly compensation rate for
12 compensation payments under subparagraph 18 of paragraph
13 (e) of this Section and under paragraph (f) of this
14 Section and under paragraph (a) of Section 7 and for
15 amputation of a member or enucleation of an eye under
16 paragraph (e) of this Section, shall in no event be less
17 than 50% of the State's average weekly wage in covered
18 industries under the Unemployment Insurance Act.

19 4.2. Any provision to the contrary notwithstanding,
20 the total compensation payable under Section 7 shall not
21 exceed the greater of \$500,000 or 25 years.

22 5. For the purpose of this Section this State's
23 average weekly wage in covered industries under the
24 Unemployment Insurance Act on July 1, 1975 is hereby fixed
25 at \$228.16 per week and the computation of compensation
26 rates shall be based on the aforesaid average weekly wage

1 until modified as hereinafter provided.

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

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

22 (c) For any serious and permanent disfigurement to the
23 hand, head, face, neck, arm, leg below the knee or the chest
24 above the axillary line, the employee is entitled to
25 compensation for such disfigurement, the amount determined by
26 agreement at any time or by arbitration under this Act, at a

1 hearing not less than 6 months after the date of the accidental
2 injury, which amount shall not exceed 150 weeks (if the
3 accidental injury occurs on or after the effective date of
4 this amendatory Act of the 94th General Assembly but before
5 February 1, 2006) or 162 weeks (if the accidental injury
6 occurs on or after February 1, 2006) at the applicable rate
7 provided in subparagraph 2.1 of paragraph (b) of this Section.

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

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

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

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

8 2. If, as a result of the accident, the employee sustains
9 serious and permanent injuries not covered by paragraphs (c)
10 and (e) of this Section or having sustained injuries covered
11 by the aforesaid paragraphs (c) and (e), he shall have
12 sustained in addition thereto other injuries which injuries do
13 not incapacitate him from pursuing the duties of his
14 employment but which would disable him from pursuing other
15 suitable occupations, or which have otherwise resulted in
16 physical impairment; or if such injuries partially
17 incapacitate him from pursuing the duties of his usual and
18 customary line of employment but do not result in an
19 impairment of earning capacity, or having resulted in an
20 impairment of earning capacity, the employee elects to waive
21 his right to recover under the foregoing subparagraph 1 of
22 paragraph (d) of this Section then in any of the foregoing
23 events, he shall receive in addition to compensation for
24 temporary total disability under paragraph (b) of this
25 Section, compensation at the rate provided in subparagraph 2.1
26 of paragraph (b) of this Section for that percentage of 500

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

22 (e) For accidental injuries in the following schedule, the
23 employee shall receive compensation for the period of
24 temporary total incapacity for work resulting from such
25 accidental injury, under subparagraph 1 of paragraph (b) of
26 this Section, and shall receive in addition thereto

1 compensation for a further period for the specific loss herein
2 mentioned, but shall not receive any compensation under any
3 other provisions of this Act. The following listed amounts
4 apply to either the loss of or the permanent and complete loss
5 of use of the member specified, such compensation for the
6 length of time as follows:

7 1. Thumb-

8 70 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 76 weeks if the accidental injury occurs on or
12 after February 1, 2006.

13 2. First, or index finger-

14 40 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 43 weeks if the accidental injury occurs on or
18 after February 1, 2006.

19 3. Second, or middle finger-

20 35 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 38 weeks if the accidental injury occurs on or
24 after February 1, 2006.

25 4. Third, or ring finger-

26 25 weeks if the accidental injury occurs on or

1 after the effective date of this amendatory Act of the
2 94th General Assembly but before February 1, 2006.

3 27 weeks if the accidental injury occurs on or
4 after February 1, 2006.

5 5. Fourth, or little finger-

6 20 weeks if the accidental injury occurs on or
7 after the effective date of this amendatory Act of the
8 94th General Assembly but before February 1, 2006.

9 22 weeks if the accidental injury occurs on or
10 after February 1, 2006.

11 6. Great toe-

12 35 weeks if the accidental injury occurs on or
13 after the effective date of this amendatory Act of the
14 94th General Assembly but before February 1, 2006.

15 38 weeks if the accidental injury occurs on or
16 after February 1, 2006.

17 7. Each toe other than great toe-

18 12 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.

21 13 weeks if the accidental injury occurs on or
22 after February 1, 2006.

23 8. The loss of the first or distal phalanx of the thumb
24 or of any finger or toe shall be considered to be equal to
25 the loss of one-half of such thumb, finger or toe and the
26 compensation payable shall be one-half of the amount above

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

6 9. Hand-

7 190 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.

10 205 weeks if the accidental injury occurs on or
11 after February 1, 2006.

12 190 weeks if the accidental injury occurs on or
13 after June 28, 2011 (the effective date of Public Act
14 97-18) and if the accidental injury involves carpal
15 tunnel syndrome due to repetitive or cumulative
16 trauma, in which case the permanent partial disability
17 shall not exceed 15% loss of use of the hand, except
18 for cause shown by clear and convincing evidence and
19 in which case the award shall not exceed 30% loss of
20 use of the hand.

21 The loss of 2 or more digits, or one or more phalanges
22 of 2 or more digits, of a hand may be compensated on the
23 basis of partial loss of use of a hand, provided, further,
24 that the loss of 4 digits, or the loss of use of 4 digits,
25 in the same hand shall constitute the complete loss of a
26 hand.

1 10. Arm-

2 235 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.

5 253 weeks if the accidental injury occurs on or
6 after February 1, 2006.

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

26 11. Foot-

1 155 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.

4 167 weeks if the accidental injury occurs on or
5 after February 1, 2006.

6 12. Leg-

7 200 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.

10 215 weeks if the accidental injury occurs on or
11 after February 1, 2006.

12 Where an accidental injury results in the amputation
13 of a leg below the knee, such injury shall be compensated
14 as loss of a leg. Where an accidental injury results in the
15 amputation of a leg above the knee, compensation for an
16 additional 25 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) or an
19 additional 27 weeks (if the accidental injury occurs on or
20 after February 1, 2006) shall be paid, except where the
21 accidental injury results in the amputation of a leg at
22 the hip joint, or so close to the hip joint that an
23 artificial leg cannot be used, or results in the
24 disarticulation of a leg at the hip joint, in which case
25 compensation for an additional 75 weeks (if the accidental
26 injury occurs on or after the effective date of this

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

5 13. Eye-

6 150 weeks if the accidental injury occurs on or
7 after the effective date of this amendatory Act of the
8 94th General Assembly but before February 1, 2006.

9 162 weeks if the accidental injury occurs on or
10 after February 1, 2006.

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

18 14. Loss of hearing of one ear-

19 50 weeks if the accidental injury occurs on or
20 after the effective date of this amendatory Act of the
21 94th General Assembly but before February 1, 2006.

22 54 weeks if the accidental injury occurs on or
23 after February 1, 2006.

24 Total and permanent loss of hearing of both ears-

25 200 weeks if the accidental injury occurs on or
26 after the effective date of this amendatory Act of the

1 94th General Assembly but before February 1, 2006.

2 215 weeks if the accidental injury occurs on or
3 after February 1, 2006.

4 15. Testicle-

5 50 weeks if the accidental injury occurs on or
6 after the effective date of this amendatory Act of the
7 94th General Assembly but before February 1, 2006.

8 54 weeks if the accidental injury occurs on or
9 after February 1, 2006.

10 Both testicles-

11 150 weeks if the accidental injury occurs on or
12 after the effective date of this amendatory Act of the
13 94th General Assembly but before February 1, 2006.

14 162 weeks if the accidental injury occurs on or
15 after February 1, 2006.

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

23 (a) Loss of hearing for compensation purposes
24 shall be confined to the frequencies of 1,000, 2,000
25 and 3,000 cycles per second. Loss of hearing ability
26 for frequency tones above 3,000 cycles per second are

1 not to be considered as constituting disability for
2 hearing.

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

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

25 (d) If a hearing loss is established to have
26 existed on July 1, 1975 by audiometric testing the

1 employer shall not be liable for the previous loss so
2 established nor shall he be liable for any loss for
3 which compensation has been paid or awarded.

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

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

13 Sound Level DBA

14	Slow Response	Hours Per Day
15	90	8
16	92	6
17	95	4
18	97	3
19	100	2
20	102	1-1/2
21	105	1
22	110	1/2
23	115	1/4

24 This subparagraph (f) shall not be applied in cases of
25 hearing loss resulting from trauma or explosion.

26 17. In computing the compensation to be paid to any

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

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

20 Any employee who has previously suffered the loss or
21 permanent and complete loss of the use of any of such
22 members, and in a subsequent independent accident loses
23 another or suffers the permanent and complete loss of the
24 use of any one of such members the employer for whom the
25 injured employee is working at the time of the last
26 independent accident is liable to pay compensation only

1 for the loss or permanent and complete loss of the use of
2 the member occasioned by the last independent accident.

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

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

1 Commission thereafter either by settlement agreement or final
2 order, irrespective of the date of the accidental injury.

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

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

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

25 If any employee who receives an award under this paragraph
26 afterwards returns to work or is able to do so, and earns or is

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

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

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

1 Section.

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

8 In its award the Commission or the Arbitrator shall
9 specifically find the amount the injured employee shall be
10 weekly paid, the number of weeks compensation which shall be
11 paid by the employer, the date upon which payments begin out of
12 the Second Injury Fund provided for in paragraph (f) of
13 Section 7 of this Act, the length of time the weekly payments
14 continue, the date upon which the pension payments commence
15 and the monthly amount of the payments. The Commission shall
16 30 days after the date upon which payments out of the Second
17 Injury Fund have begun as provided in the award, and every
18 month thereafter, prepare and submit to the State Comptroller
19 a voucher for payment for all compensation accrued to that
20 date at the rate fixed by the Commission. The State
21 Comptroller shall draw a warrant to the injured employee along
22 with a receipt to be executed by the injured employee and
23 returned to the Commission. The endorsed warrant and receipt
24 is a full and complete acquittance to the Commission for the
25 payment out of the Second Injury Fund. No other appropriation
26 or warrant is necessary for payment out of the Second Injury

1 Fund. The Second Injury Fund is appropriated for the purpose
2 of making payments according to the terms of the awards.

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

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

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

23 Provided, that in cases of awards entered by the
24 Commission for injuries occurring before July 1, 1975, the
25 increases in the compensation rate adjusted under the
26 foregoing provision of this paragraph (g) shall be limited to

1 increases in the State's average weekly wage in covered
2 industries under the Unemployment Insurance Act occurring
3 after July 1, 1975.

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

1 at the same intervals as the payment of compensation in the
2 award. This paragraph shall not apply to cases where there is
3 disputed liability and in which a compromise lump sum
4 settlement between the employer and the injured employee, or
5 his or her dependents, as the case may be, has been duly
6 approved by the Illinois Workers' Compensation Commission.

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

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

23 (h-1) In case an injured employee is under legal
24 disability at the time when any right or privilege accrues to
25 him or her under this Act, a guardian may be appointed pursuant
26 to law, and may, on behalf of such person under legal

1 disability, claim and exercise any such right or privilege
2 with the same effect as if the employee himself or herself had
3 claimed or exercised the right or privilege. No limitations of
4 time provided by this Act run so long as the employee who is
5 under legal disability is without a conservator or guardian.

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

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

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

20 (j) 1. In the event the injured employee receives
21 benefits, including medical, surgical or hospital benefits
22 under any group plan covering non-occupational disabilities
23 contributed to wholly or partially by the employer, which
24 benefits should not have been payable if any rights of
25 recovery existed under this Act, then such amounts so paid to
26 the employee from any such group plan as shall be consistent

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

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

25 2. Nothing contained in this Act shall be construed to
26 give the employer or the insurance carrier the right to credit

1 for any benefits or payments received by the employee other
2 than compensation payments provided by this Act, and where the
3 employee receives payments other than compensation payments,
4 whether as full or partial salary, group insurance benefits,
5 bonuses, annuities or any other payments, the employer or
6 insurance carrier shall receive credit for each such payment
7 only to the extent of the compensation that would have been
8 payable during the period covered by such payment.

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

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

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