



Sen. Robert Peters

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1 AMENDMENT TO SENATE BILL 3646

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

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

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

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

15 "Construction" means any constructing, altering,

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

16 "Department" means the Department of Labor.

17 "Director" means the Director of Labor.

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

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

1 school, or any State-recognized, non-public school.

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

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

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

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

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

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

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

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

1 in a public or non-public school that is registered with or
2 recognized by the State Board of Education, the hours that the
3 minor's local public school in the district where the minor
4 resides is in session.

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

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

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

17 Section 15. Employment of minors.

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

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

25 (c) A person shall not employ, allow, or permit a minor 13

1 years of age or younger to work in any occupation or at any
2 work site not explicitly authorized by or exempted from this
3 Act.

4 Section 20. Exemptions.

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

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

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

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

25 (e) Nothing in this Act applies to a minor 14 or 15 years

1 of age who is, under the direction of the minor's school,
2 participating in work-based learning programs in accordance
3 with the School Code.

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

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

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

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

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

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

26 The failure to satisfy the requirements of this subsection

1 may result in the revocation of the minor's employment
2 certificate.

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

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

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

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

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

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

17 Section 30. Exceptions to allowable work hours.

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

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

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

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

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

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

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

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

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

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

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

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

1 that operates a year-round schedule may work until 9 p.m.
2 on school days and no earlier than 7 a.m., if the following
3 conditions are met:

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

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

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

10 Section 35. Employer requirements.

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

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

1 enforcement of school attendance requirements described in
2 Section 26-1 of the School Code may inspect the records
3 without notice at any time.

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

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

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

26 (f) Every employer, during the period of employment of a

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

11 (g) In the event of the work-related death of a minor
12 engaged in work subject to this Act, the employer shall,
13 within 24 hours, report the death to the Department and to the
14 school official who issued the minor's work certificate for
15 that employer. In the event of a work-related injury or
16 illness of a minor that requires the employer to file a report
17 with the Illinois Workers' Compensation Commission under
18 Section 6 of the Workers' Compensation Act or Section 6 of the
19 Workers' Occupational Diseases Act, the employer shall submit
20 a copy of the report to the Department and to the school
21 official who issued the minor's work certificate for that
22 employer within 72 hours of the deadline by which the employer
23 must file the report to the Illinois Workers' Compensation
24 Commission. The report shall be subject to the confidentiality
25 provisions of Section 6 of the Workers' Compensation Act or
26 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

1 machines, or off-bearing from circular saws;

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

4 (12) in spray painting;

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

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

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

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

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

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

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

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

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

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

1 (23) in operations in or in connection with
2 slaughtering, meat packing, poultry processing, and fish
3 and seafood processing;

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

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

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

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

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

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

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

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

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

25 (3) any firearm range or gun range used for
26 discharging a firearm in a sporting event, for practice or

1 instruction in the use of a firearm, or the testing of a
2 firearm;

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

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

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

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

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

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

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

1 services in accordance with that Act and rules adopted under
2 that Act.

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

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

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

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

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

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

25 (5) A minor shall not be excused from attending school

1 except as authorized by Section 26-1 of the School Code.

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

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

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

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

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

25 (B) the minor shall be supervised adequately;

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

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

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

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

12 (B) the minor shall be supervised adequately;

13 (C) the education of the minor shall not be
14 jeopardized;

15 (D) performance by the minor during that time is
16 critical to the success of the production, as
17 demonstrated by true and accurate statements by the
18 employer that filming cannot be completed at any other
19 time of day;

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

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

24 (G) the employer provides a schedule to the
25 Department of schooling and rest periods on the day
26 before, the day of, and the day after the overnight

1 hours to be worked;

2 (H) the age of the minor is taken into account as
3 provided by this Act or any rules adopted under this
4 Act;

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

8 (J) the waiver request was received by the
9 Department at least 72 hours prior to the overnight
10 hours to be worked.

11 (c) An employer applying for the waiver shall submit to
12 the Director, or the Director's authorized representative, a
13 completed application on the form that the Director provides.
14 The waiver shall contain signatures that show the consent of a
15 parent or legal guardian of the minor, the employer, and an
16 authorized representative of a collective bargaining unit if a
17 collective bargaining unit represents the minor upon
18 employment.

19 Section 55. Employment certificates.

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

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

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

3 (2) The application shall be submitted in person by
4 the minor desiring employment, unless the school issuing
5 officer determines that the minor may utilize a remote
6 application process.

7 (3) The minor shall be accompanied by his or her
8 parent, guardian, or custodian, whether applying in person
9 or remotely.

10 (4) The following papers shall be submitted with the
11 application:

12 (A) A statement of intention to employ signed by
13 the prospective employer, or by someone duly
14 authorized by them, setting forth the specific nature
15 of the occupation in which he intends to employ the
16 minor and the exact hours of the day and number of
17 hours per day and days per week during which the minor
18 shall be employed.

19 (B) Evidence of age showing that the minor is of
20 the age required by this Act, which evidence shall be
21 documentary, and shall be required in the order
22 designated, as follows:

23 (i) a birth certificate; or

24 (ii) if a birth certificate is unavailable,
25 the parent or legal guardian may present other
26 reliable proof of the minor's identity and age

1 that is supported by a sworn statement explaining
2 why the birth certificate is not available. Other
3 reliable proof of the minor's identity and age
4 includes a passport, visa, or other governmental
5 documentation of the minor's identity. If the
6 student was not born in the United States, the
7 school issuing officer must accept birth
8 certificates or other reliable proof from a
9 foreign government.

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

1 (D) A statement of physical fitness signed by a
2 health care professional who has examined the minor,
3 certifying that the minor is physically fit to be
4 employed in all legal occupations or to be employed in
5 legal occupations under limitations specified, or, at
6 the discretion of the school issuing officer, the
7 minor's most recent school physical. If the statement
8 of physical fitness is limited, the employment
9 certificate issued thereon shall state clearly the
10 limitations upon its use, and shall be valid only when
11 used under the limitations so stated. In any case
12 where the health care professional deems it advisable
13 that he or she may issue a certificate of physical
14 fitness for a specified period of time, at the
15 expiration of which the person for whom it was issued
16 shall appear and be re-examined before being permitted
17 to continue work. Examinations shall be made in
18 accordance with the standards and procedures
19 prescribed by the Director, in consultation with the
20 Director of the Department of Public Health and the
21 State Superintendent of Education, and shall be
22 recorded on a form furnished by the Department. When
23 made by public health or public school physicians, the
24 examination shall be made without charge to the minor.
25 If a public health or public school health care
26 professional is not available, a statement from a

1 private health care professional who has examined the
2 minor may be accepted, provided that the examination
3 is made in accordance with the standards and
4 procedures established by the Department. For purposes
5 of this paragraph, "health care professional" means a
6 physician licensed to practice medicine in all its
7 branches, a licensed advanced practice registered
8 nurse, or a licensed physician assistant.

9 (5) The school issuing officer shall have authority to
10 verify the representations provided in the employment
11 certificate application as required by Section 55. A
12 school issuing officer shall not charge a fee for the
13 consideration of an employment certificate application.

14 (6) It shall be the duty of the school board or local
15 school authority to designate a place or places where
16 certificates shall be issued and recorded, and physical
17 examinations made without fee, and to establish and
18 maintain the necessary records and clerical services for
19 carrying out the provisions of this Act.

20 (c) Upon receipt of an application for an employment
21 certificate, a school issuing officer shall issue an
22 employment certificate only after examining and approving the
23 written application and other papers required under this
24 Section, and determining that the employment shall not be
25 detrimental to the minor's health, welfare, and education. The
26 school issuing officer shall consider any report of death,

1 injury, or illness of a minor at that workplace, received
2 under the requirements of Section 35, in the prior 2 years in
3 determining whether the employment shall be detrimental to the
4 minor's health, welfare, and education. Upon issuing an
5 employment certificate to a minor, the school issuing officer
6 shall notify the principal of the school attended by the
7 minor, and provide copies to the Department, the minor's
8 employer, and the minor's parent or legal guardian. The
9 employment certificate shall be valid for a period of one year
10 from the date of issuance, unless suspended or revoked.

11 (d) If the school issuing officer refuses to issue a
12 certificate to a minor, the school issuing officer shall send
13 to the principal of the school attended by the minor a notice
14 of the refusal, including the name and address of the minor and
15 of the minor's parent or legal guardian, and the reason for the
16 refusal to issue the certificate.

17 (e) If a minor from another state seeks to obtain an
18 Illinois employment certificate, the Department shall work
19 with the State Superintendent of Education, or his or her duly
20 authorized agents, to issue the certificate if the State
21 Superintendent of Education deems that all requirements for
22 issuance have been met.

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

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

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

9 (1) the parent or legal guardian of a minor, the
10 school issuing officer, or the principal of the school
11 attended by the minor for whom an employment certificate
12 has been issued has asked for the revocation of the
13 certificate by petition to the Department in writing,
14 stating the reasons he or she believes that the employment
15 is interfering with the health, safety, welfare, or
16 education of the minor; or

17 (2) in the judgment of the Director, the employment
18 certificate was improperly issued or if the minor is
19 illegally employed.

20 If the certificate is suspended, the Department shall
21 notify the employer of the minor, the parent or guardian of the
22 minor, the minor's school principal, and the school issuing
23 officer of the suspension in writing and shall schedule an
24 administrative hearing to take place within 21 days after the
25 date of any suspension. The minor shall not thereafter be
26 employed, allowed, or permitted to work unless and until his

1 or her employment certificate has been reinstated. After the
2 hearing, an administrative law judge shall issue a final order
3 either reinstating or revoking the employment certificate. If
4 the certificate is revoked, the employer shall not thereafter
5 employ, permit, or allow the minor to work until the minor has
6 obtained a new employment certificate authorizing the minor's
7 employment by that employer.

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

12 (1) exercised a right under this Act;

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

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

17 (4) participated in or cooperated with an
18 investigation or proceeding under this Act; or

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

21 (b) An employer, or agent or officer of an employer, does
22 not violate this Act if he or she discharges a minor from
23 employment because the employment was found to be unlawful or
24 the Department suspended or revoked the minor's employment
25 certificate.

1 Section 60. Department powers.

2 (a) The Department shall make, adopt, and enforce
3 reasonable rules relating to the administration and
4 enforcement of the provisions of this Act, including the
5 issuance of employment certificates authorized under this Act,
6 as may be deemed expedient. The rules shall be designed to
7 protect the health, safety, welfare, and education of minors
8 and to ensure that the conditions under which minors are
9 employed, allowed, or permitted to work shall not impair their
10 health, welfare, development, or education.

11 (b) In order to promote uniformity and efficiency of
12 issuance, the Department shall, in consultation with the State
13 Superintendent of Education, formulate the forms on which
14 certificates shall be issued and also forms needed in
15 connection with the issuance, and it shall supply the forms to
16 the school issuing officers.

17 Section 65. Investigation.

18 (a) It shall be the duty of the Department to enforce the
19 provisions of this Act. The Department shall have the power to
20 conduct investigations in connection with the administration
21 and enforcement of this Act and the authorized officers and
22 employees of the Department are hereby authorized and
23 empowered, to visit and inspect, at all reasonable times and
24 as often as possible, all places covered by this Act.

1 (b) The Director, or the Director's authorized
2 representative, may compel by subpoena, the attendance and
3 testimony of witnesses and the production of books, payrolls,
4 records, papers, and other evidence in any investigation or
5 hearing and may administer oaths to witnesses.

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

8 Section 70. Enforcement.

9 (a) The Department shall conduct hearings in accordance
10 with the Illinois Administrative Procedure Act if, upon
11 investigation, the Department finds cause to believe the Act,
12 or any rules adopted thereunder, has been violated; or to
13 consider whether to reinstate or revoke a minor's employment
14 certificate in accordance with Section 55.

15 (b) After the hearing, if supported by the evidence, the
16 Department may issue and cause to be served on any party an
17 order to cease and desist from violation of the Act, take
18 further affirmative or other action as deemed reasonable to
19 eliminate the effect of the violation, and may revoke any
20 certificate issued under the Act and determine the amount of
21 any civil penalty allowed by the Act. The Department may serve
22 orders by certified mail or by sending a copy by email to an
23 email address previously designated by the party for purposes
24 of receiving notice under this Act. An email address provided
25 by the party in the course of the administrative proceeding

1 shall not be used in any subsequent proceedings, unless the
2 party designates that email address for the subsequent
3 proceeding.

4 (c) Any party to a proceeding under the Act may apply for
5 and obtain judicial review of an order of the Department
6 entered under this Act in accordance with the provisions of
7 the Administrative Review Law, and the Department in
8 proceedings under this Section may obtain an order of court
9 for the enforcement of its order.

10 (d) Whenever it appears that any employer has violated a
11 valid order of the Department issued under this Act, the
12 Director may commence an action and obtain from the court an
13 order upon the employer commanding them to obey the order of
14 the Department or be adjudged guilty of contempt of court and
15 punished accordingly.

16 Section 75. Civil penalties.

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

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

1 (2) if a minor receives an illness or an injury that is
2 required to be reported to the Department under Section 35
3 while working for an employer who is found by the
4 Department to have been employing, allowing, or permitting
5 the minor to work in violation of this Act, the employer is
6 subject to a penalty not to exceed \$30,000, payable to the
7 Department;

8 (3) an employer who employs, allows, or permits a
9 minor to work in violation of Section 40 shall be subject
10 to a penalty not to exceed \$15,000, payable to the
11 Department;

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

16 (5) an employer who commits any other violation of
17 this Act shall be subject to a penalty not to exceed
18 \$10,000, payable to the Department.

19 In determining the amount of the penalty, the
20 appropriateness of the penalty to the size of the business of
21 the employer charged and the gravity of the violation shall be
22 considered.

23 Each day during which any violation of this Act continues
24 shall constitute a separate and distinct offense, and the
25 employment of any minor in violation of the Act shall, with
26 respect to each minor so employed, constitute a separate and

1 distinct offense.

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

5 (c) The amount of the penalty, when finally determined,
6 may be recovered in a civil action brought by the Director in
7 any circuit court, in which litigation the Director shall be
8 represented by the Attorney General. In an action brought by
9 the Department, the Department may request, and the Court may
10 impose on a defendant employer, an additional civil penalty of
11 up to an amount equal to the penalties assessed by the
12 Department to be distributed to an impacted minor. In an
13 action concerning multiple minors, any such penalty imposed by
14 the Court shall be distributed equally among the minors
15 employed in violation of this Act by the defendant employer.

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

1 Agency Act.

2 Section 80. Criminal penalties.

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

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

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

13 (3) willfully fails to comply with the provisions of
14 this Act.

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

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

21 (d) Penalties recovered under this Section shall be paid
22 into the Child Labor and Day and Temporary Labor Services
23 Enforcement Fund.

24 Section 85. Department reporting and outreach.

1 (a) The Department shall maintain a toll-free telephone
2 number to facilitate information requests concerning the
3 issuance of certificates under this Act and the reporting of
4 violations of this Act.

5 (b) The Department shall conduct ongoing outreach and
6 education efforts concerning this Act targeted toward school
7 districts, employers, and other appropriate community
8 organizations. The Department shall, to the extent possible,
9 coordinate these outreach and education activities with other
10 appropriate local, State, and federal agencies.

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

15 Section 90. Child performers; trust fund.

16 (a) As used in this Section:

17 "Artistic or creative services" includes, but is not
18 limited to, services as: an actor, actress, dancer, musician,
19 comedian, singer, stunt person, voice-over artist, runway or
20 print model, other performer or entertainer, songwriter,
21 musical producer, arranger, writer, director, producer,
22 production executive, choreographer, composer, conductor, or
23 designer.

24 "Child performer" means an unemancipated person under the
25 age of 16 who is employed in this State and who agrees to

1 render artistic or creative services.

2 (b) In addition to the requirements of Section 55, the
3 person authorized to issue employment certificates must
4 determine that a trust account, established by the child
5 performer's parent or guardian, that meets the requirements of
6 subsection (c) has been established designating the minor as
7 the beneficiary of the trust account before an employment
8 certificate for work as a child performer may be issued for a
9 minor under the age of 16 years. The person authorized to issue
10 employment certificates shall issue a temporary employment
11 certificate having a duration of not more than 15 days without
12 the establishment of a trust fund to permit a minor to provide
13 artistic or creative services. No more than one temporary
14 employment certificate may be issued for each child performer.
15 The Department shall prescribe the form in which temporary
16 employment certificates shall be issued and shall make the
17 forms available on its website.

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

20 (1) that at least 15% of the gross earnings of the
21 child performer shall be deposited into the account; (2)
22 that the funds in the account shall be available only to
23 the child performer;

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

1 (3) that the funds in the account shall become
2 available to the child performer upon the child performer
3 attaining the age of 18 years or until the child performer
4 is declared emancipated; and

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

7 (d) The parent or guardian of the child performer shall
8 provide the employer with the information necessary to
9 transfer moneys into the trust account. Once the child
10 performer's employer deposits the money into the trust
11 account, the child performer's employer shall have no further
12 obligation or duty to monitor or account for the money. The
13 trustee or trustees of the trust shall be the only individual,
14 individuals, entity, or entities with the obligation or duty
15 to monitor and account for money once it has been deposited by
16 the child performer's employer.

17 (e) If the parent or guardian of the child performer fails
18 to provide the employer with the information necessary to
19 transfer funds into the trust account within 30 days after an
20 employment certificate has been issued, the funds that were to
21 be transferred to the trust account shall be transferred to
22 the Office of the State Treasurer in accordance with Section
23 15-608 of the Revised Uniform Unclaimed Property Act.

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

1 (g) The Department may adopt rules to implement this
2 Section.

3 Section 95. Minors featured in vlogs.

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

7 (1) at least 30% of the vlogger's compensated video
8 content produced within a 30-day period included the
9 likeness, name, or photograph of the minor. Content
10 percentage is measured by the percentage of time the
11 likeness, name, or photograph of the minor visually
12 appears or is the subject of an oral narrative in a video
13 segment, as compared to the total length of the segment;
14 and

15 (2) the number of views received per video segment on
16 any online platform met the online platform's threshold
17 for the generation of compensation or the vlogger received
18 actual compensation for video content equal to or greater
19 than \$0.10 per view.

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

23 (c) All vloggers whose content features a minor under the
24 age of 16 engaged in the work of vlogging shall maintain the
25 following records and shall provide them to the minor on an

1 ongoing basis:

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

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

6 (3) the total number of minutes of the vlogs that the
7 vlogger received compensation for during the reporting
8 period;

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

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

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

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

21 Section 100. Minor engaged in the work of vlogging; trust
22 fund.

23 (a) A minor satisfying the criteria described in
24 subsection (a) of Section 95 must be compensated by the
25 vlogger. The vlogger must set aside gross earnings on the

1 video content, including the likeness, name, or photograph of
2 the minor in a trust account to be preserved for the benefit of
3 the minor upon reaching the age of majority, according to the
4 following distribution:

5 (1) where only one minor meets the content threshold
6 described in Section 95, the percentage of total gross
7 earnings on any video segment, including the likeness,
8 name, or photograph of the minor that is equal to or
9 greater than half of the content percentage that includes
10 the minor as described in Section 95; or

11 (2) where more than one minor meets the content
12 threshold described in Section 95 and a video segment
13 includes more than one of those minors, the percentage
14 described in paragraph (1) for all minors in any segment
15 must be equally divided between the minors, regardless of
16 differences in percentage of content provided by the
17 individual minors.

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

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

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

25 (3) that the funds in the account shall become
26 available to the minor engaged in the work of vlogging

1 upon the minor attaining the age of 18 years or until the
2 minor is declared emancipated; and

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

5 (c) If a vlogger knowingly or recklessly violates this
6 Section, a minor satisfying the criteria described in
7 subsection (a) of Section 95 may commence an action to enforce
8 the provisions of this Section regarding the trust account.
9 The court may award, to a minor who prevails in any action
10 brought in accordance with this Section, the following
11 damages:

12 (1) actual damages;

13 (2) punitive damages; and

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

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

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

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

24 Section 110. Severability. If any part of this Act is

1 decided to be unconstitutional and void, the decision shall
2 not affect the validity of the remaining parts of this Act
3 unless the part held void is indispensable to the operation of
4 the remaining parts.

5 Section 115. Procedural changes from prior law. In
6 accordance with Section 4 of the Statute on Statutes, any
7 procedural change as compared to prior law effected by the
8 repeal of the Child Labor Law and the enactment of this Act
9 shall be applied retroactively. Any substantive change as
10 compared to prior law effected by the repeal of the Child Labor
11 Law and the enactment of this Act shall be applied
12 prospectively only. Any changes to the remedies available to
13 redress a legal violation are procedural in nature.

14 (820 ILCS 205/Act rep.)

15 Section 900. The Child Labor Law is repealed.

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

18 (105 ILCS 5/26-1) (from Ch. 122, par. 26-1)

19 Sec. 26-1. Compulsory school age; exemptions. Whoever has
20 custody or control of any child (i) between the ages of 7 and
21 17 years (unless the child has already graduated from high
22 school) for school years before the 2014-2015 school year or

1 (ii) between the ages of 6 (on or before September 1) and 17
2 years (unless the child has already graduated from high
3 school) beginning with the 2014-2015 school year shall cause
4 such child to attend some public school in the district
5 wherein the child resides the entire time it is in session
6 during the regular school term, except as provided in Section
7 10-19.1, and during a required summer school program
8 established under Section 10-22.33B; provided, that the
9 following children shall not be required to attend the public
10 schools:

11 1. Any child attending a private or a parochial school
12 where children are taught the branches of education taught
13 to children of corresponding age and grade in the public
14 schools, and where the instruction of the child in the
15 branches of education is in the English language;

16 2. Any child who is physically or mentally unable to
17 attend school, such disability being certified to the
18 county or district truant officer by a competent physician
19 licensed in Illinois to practice medicine and surgery in
20 all its branches, a chiropractic physician licensed under
21 the Medical Practice Act of 1987, a licensed advanced
22 practice registered nurse, a licensed physician assistant,
23 or a Christian Science practitioner residing in this State
24 and listed in the Christian Science Journal; or who is
25 excused for temporary absence for cause by the principal
26 or teacher of the school which the child attends, with

1 absence for cause by illness being required to include the
2 mental or behavioral health of the child for up to 5 days
3 for which the child need not provide a medical note, in
4 which case the child shall be given the opportunity to
5 make up any school work missed during the mental or
6 behavioral health absence and, after the second mental
7 health day used, may be referred to the appropriate school
8 support personnel; the exemptions in this paragraph (2) do
9 not apply to any female who is pregnant or the mother of
10 one or more children, except where a female is unable to
11 attend school due to a complication arising from her
12 pregnancy and the existence of such complication is
13 certified to the county or district truant officer by a
14 competent physician;

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

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

1 5. Any child absent from a public school on a
2 particular day or days or at a particular time of day for
3 the reason that he is unable to attend classes or to
4 participate in any examination, study, or work
5 requirements on a particular day or days or at a
6 particular time of day because of religious reasons,
7 including the observance of a religious holiday or
8 participation in religious instruction, or because the
9 tenets of his religion forbid secular activity on a
10 particular day or days or at a particular time of day. A
11 school board may require the parent or guardian of a child
12 who is to be excused from attending school because of
13 religious reasons to give notice, not exceeding 5 days, of
14 the child's absence to the school principal or other
15 school personnel. Any child excused from attending school
16 under this paragraph 5 shall not be required to submit a
17 written excuse for such absence after returning to school.
18 A district superintendent shall develop and distribute to
19 schools appropriate procedures regarding a student's
20 absence for religious reasons, how schools are notified of
21 a student's impending absence for religious reasons, and
22 the requirements of Section 26-2b of this Code;

23 6. Any child 16 years of age or older who (i) submits
24 to a school district evidence of necessary and lawful
25 employment pursuant to paragraph 3 of this Section and
26 (ii) is enrolled in a graduation incentives program

1 pursuant to Section 26-16 of this Code or an alternative
2 learning opportunities program established pursuant to
3 Article 13B of this Code;

4 7. A child in any of grades 6 through 12 absent from a
5 public school on a particular day or days or at a
6 particular time of day for the purpose of sounding "Taps"
7 at a military honors funeral held in this State for a
8 deceased veteran. In order to be excused under this
9 paragraph 7, the student shall notify the school's
10 administration at least 2 days prior to the date of the
11 absence and shall provide the school's administration with
12 the date, time, and location of the military honors
13 funeral. The school's administration may waive this 2-day
14 notification requirement if the student did not receive at
15 least 2 days advance notice, but the student shall notify
16 the school's administration as soon as possible of the
17 absence. A student whose absence is excused under this
18 paragraph 7 shall be counted as if the student attended
19 school for purposes of calculating the average daily
20 attendance of students in the school district. A student
21 whose absence is excused under this paragraph 7 must be
22 allowed a reasonable time to make up school work missed
23 during the absence. If the student satisfactorily
24 completes the school work, the day of absence shall be
25 counted as a day of compulsory attendance and he or she may
26 not be penalized for that absence; and

1 8. Any child absent from a public school on a
2 particular day or days or at a particular time of day for
3 the reason that his or her parent or legal guardian is an
4 active duty member of the uniformed services and has been
5 called to duty for, is on leave from, or has immediately
6 returned from deployment to a combat zone or
7 combat-support postings. Such a student shall be granted 5
8 days of excused absences in any school year and, at the
9 discretion of the school board, additional excused
10 absences to visit the student's parent or legal guardian
11 relative to such leave or deployment of the parent or
12 legal guardian. In the case of excused absences pursuant
13 to this paragraph 8, the student and parent or legal
14 guardian shall be responsible for obtaining assignments
15 from the student's teacher prior to any period of excused
16 absence and for ensuring that such assignments are
17 completed by the student prior to his or her return to
18 school from such period of excused absence.

19 Any child from a public middle school or high school,
20 subject to guidelines established by the State Board of
21 Education, shall be permitted by a school board one school
22 day-long excused absence per school year for the child who is
23 absent from school to engage in a civic event. The school board
24 may require that the student provide reasonable advance notice
25 of the intended absence to the appropriate school
26 administrator and require that the student provide

1 documentation of participation in a civic event to the
2 appropriate school administrator.

3 (Source: P.A. 102-266, eff. 1-1-22; 102-321, eff. 1-1-22;
4 102-406, eff. 8-19-21; 102-813, eff. 5-13-22; 102-981, eff.
5 1-1-23.)

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

8 (225 ILCS 10/2.17) (from Ch. 23, par. 2212.17)

9 Sec. 2.17. "Foster family home" means the home of an
10 individual or family:

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

14 (2) in which a child in foster care has been placed in the
15 care of an individual who resides with the child and who has
16 been licensed or approved by the state to be a foster parent
17 and:

18 (A) who the Department of Children and Family Services
19 deems capable of adhering to the reasonable and prudent
20 parent standard;

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

23 (3) who provides the care for no more than 6 children,
24 except the Director of Children and Family Services, pursuant

1 to Department regulations, may waive the numerical limitation
2 of foster children who may be cared for in a foster family home
3 for any of the following reasons to allow: (i) a parenting
4 youth in foster care to remain with the child of the parenting
5 youth; (ii) siblings to remain together; (iii) a child with an
6 established meaningful relationship with the family to remain
7 with the family; or (iv) a family with special training or
8 skills to provide care to a child who has a severe disability.
9 The family's or relative's own children, under 18 years of
10 age, shall be included in determining the maximum number of
11 children served.

12 For purposes of this Section, a "relative" includes any
13 person, 21 years of age or over, other than the parent, who (i)
14 is currently related to the child in any of the following ways
15 by blood or adoption: grandparent, sibling, great-grandparent,
16 uncle, aunt, nephew, niece, first cousin, great-uncle, or
17 great-aunt; or (ii) is the spouse of such a relative; or (iii)
18 is a child's step-father, step-mother, or adult step-brother
19 or step-sister; or (iv) is a fictive kin; "relative" also
20 includes a person related in any of the foregoing ways to a
21 sibling of a child, even though the person is not related to
22 the child, when the child and its sibling are placed together
23 with that person. For purposes of placement of children
24 pursuant to Section 7 of the Children and Family Services Act
25 and for purposes of licensing requirements set forth in
26 Section 4 of this Act, for children under the custody or

1 guardianship of the Department pursuant to the Juvenile Court
2 Act of 1987, after a parent signs a consent, surrender, or
3 waiver or after a parent's rights are otherwise terminated,
4 and while the child remains in the custody or guardianship of
5 the Department, the child is considered to be related to those
6 to whom the child was related under this Section prior to the
7 signing of the consent, surrender, or waiver or the order of
8 termination of parental rights.

9 The term "foster family home" includes homes receiving
10 children from any State-operated institution for child care;
11 or from any agency established by a municipality or other
12 political subdivision of the State of Illinois authorized to
13 provide care for children outside their own homes. The term
14 "foster family home" does not include an "adoption-only home"
15 as defined in Section 2.23 of this Act. The types of foster
16 family homes are defined as follows:

17 (a) "Boarding home" means a foster family home which
18 receives payment for regular full-time care of a child or
19 children.

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

23 (c) "Adoptive home" means a foster family home which
24 receives a child or children for the purpose of adopting
25 the child or children, but does not include an
26 adoption-only home.

1 (d) "Work-wage home" means a foster family home which
2 receives a child or children who pay part or all of their
3 board by rendering some services to the family not
4 prohibited by the Child Labor Law of 2024 or by standards
5 or regulations of the Department prescribed under this
6 Act. The child or children may receive a wage in
7 connection with the services rendered the foster family.

8 (e) "Agency-supervised home" means a foster family
9 home under the direct and regular supervision of a
10 licensed child welfare agency, of the Department of
11 Children and Family Services, of a circuit court, or of
12 any other State agency which has authority to place
13 children in child care facilities, and which receives no
14 more than 8 children, unless of common parentage, who are
15 placed and are regularly supervised by one of the
16 specified agencies.

17 (f) "Independent home" means a foster family home,
18 other than an adoptive home, which receives no more than 4
19 children, unless of common parentage, directly from
20 parents, or other legally responsible persons, by
21 independent arrangement and which is not subject to direct
22 and regular supervision of a specified agency except as
23 such supervision pertains to licensing by the Department.

24 (g) "Host home" means an emergency foster family home
25 under the direction and regular supervision of a licensed
26 child welfare agency, contracted to provide short-term

1 crisis intervention services to youth served under the
2 Comprehensive Community-Based Youth Services program,
3 under the direction of the Department of Human Services.
4 The youth shall not be under the custody or guardianship
5 of the Department pursuant to the Juvenile Court Act of
6 1987.

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

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

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

11 Sec. 10. Licensee prohibitions. No licensee shall send or
12 cause to be sent any female help or servants, inmate, or
13 performer to enter any questionable place, or place of bad
14 repute, house of ill-fame, or assignation house, or to any
15 house or place of amusement kept for immoral purposes, or
16 place resorted to for the purpose of prostitution or gambling
17 house, the character of which licensee knows either actually
18 or by reputation.

19 No licensee shall permit questionable characters,
20 prostitutes, gamblers, intoxicated persons, or procurers to
21 frequent the agency.

22 No licensee shall accept any application for employment
23 made by or on behalf of any child, or shall place or assist in
24 placing any such child in any employment whatever, in

1 violation of the Child Labor Law of 2024. A violation of any
2 provision of this Section shall be a Class A misdemeanor.

3 No licensee shall publish or cause to be published any
4 fraudulent or misleading notice or advertisement of its
5 employment agencies by means of cards, circulars, or signs, or
6 in newspapers or other publications; and all letterheads,
7 receipts, and blanks shall contain the full name and address
8 of the employment agency and licensee shall state in all
9 notices and advertisements the fact that licensee is, or
10 conducts, a private employment agency.

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

14 No licensee shall print or stamp on any receipt or on any
15 contract used by that agency any part of this Act, unless the
16 entire Section from which that part is taken is printed or
17 stamped thereon.

18 All written communications sent out by any licensee,
19 directly or indirectly, to any person or firm with regard to
20 employees or employment shall contain therein definite
21 information that such person is a private employment agency.

22 No licensee or his or her employees shall knowingly give
23 any false or misleading information, or make any false or
24 misleading promise to any applicant who shall apply for
25 employment or employees.

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

1 (225 ILCS 515/12.6)

2 Sec. 12.6. Child Labor and Day and Temporary Labor
3 Services Enforcement Fund. All moneys received as fees and
4 penalties under this Act shall be deposited into the Child
5 Labor and Day and Temporary Labor Services Enforcement Fund
6 and may be used for the purposes set forth in Section 75 ~~17.3~~
7 of the Child Labor Law of 2024.

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

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

11 (820 ILCS 175/67)

12 Sec. 67. Action for civil penalties brought by an
13 interested party.

14 (a) Upon a reasonable belief that a day and temporary
15 labor service agency or a third party client covered by this
16 Act is in violation of any part of this Act, an interested
17 party may initiate a civil action in the county where the
18 alleged offenses occurred or where any party to the action
19 resides, asserting that a violation of the Act has occurred,
20 pursuant to the following sequence of events:

21 (1) The interested party submits to the Department of
22 Labor a complaint describing the violation and naming the
23 day or temporary labor service agency or third party

1 client alleged to have violated this Act.

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

6 (3) The named parties contest or cure the alleged
7 violation within 30 days after the receipt of the notice
8 of complaint or, if the named party does not respond
9 within 30 days, the Department issues a notice of right to
10 sue to the interested party as described in paragraph (4).

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

14 (i) the named party has cured the alleged
15 violation to the satisfaction of the Director;

16 (ii) the Director has determined that the
17 allegation is unjustified or that the Department does
18 not have jurisdiction over the matter or the parties;
19 or

20 (iii) the Director has determined that the
21 allegation is justified or has not made a
22 determination, and either has decided not to exercise
23 jurisdiction over the matter or has concluded
24 administrative enforcement of the matter.

25 (b) If within 180 days after service of the notice of
26 complaint to the parties, the Department has not (i) resolved

1 the contest and cure period, (ii) with the mutual agreement of
2 the parties, extended the time for the named party to cure the
3 violation and resolve the complaint, or (iii) issued a right
4 to sue letter, the interested party may initiate a civil
5 action for penalties. The parties may extend the 180-day
6 period by mutual agreement. The limitations period for the
7 interested party to bring an action for the alleged violation
8 of the Act shall be tolled for the 180-day period and for the
9 period of any mutually agreed extensions. At the end of the
10 180-day period, or any mutually agreed extensions, the
11 Department shall issue a right to sue letter to the interested
12 party.

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

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

1 of 2024.

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

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

5 (820 ILCS 305/7) (from Ch. 48, par. 138.7)

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

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

22 The term "child" means a child whom the deceased employee
23 left surviving, including a posthumous child, a child legally
24 adopted, a child whom the deceased employee was legally

1 obligated to support or a child to whom the deceased employee
2 stood in loco parentis. The term "children" means the plural
3 of "child".

4 The term "physically or mentally incapacitated child or
5 children" means a child or children incapable of engaging in
6 regular and substantial gainful employment.

7 In the event of the remarriage of a widow or widower, where
8 the decedent did not leave surviving any child or children
9 who, at the time of such remarriage, are entitled to
10 compensation benefits under this Act, the surviving spouse
11 shall be paid a lump sum equal to 2 years compensation benefits
12 and all further rights of such widow or widower shall be
13 extinguished.

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

20 Any beneficiary entitled to compensation under this
21 paragraph (a) of this Section shall receive from the special
22 fund provided in paragraph (f) of this Section, in addition to
23 the compensation herein provided, supplemental benefits in
24 accordance with paragraph (g) of Section 8.

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

1 parents who at the time of the accident were totally dependent
2 upon the earnings of the employee then weekly payments equal
3 to the compensation rate payable in the case where the
4 employee leaves surviving a widow or widower, shall be paid to
5 such parent or parents for the duration of their lives, and in
6 the event of the death of either, for the life of the survivor.

7 (c) If no compensation is payable under paragraphs (a) or
8 (b) of this Section and the employee leaves surviving any
9 child or children who are not entitled to compensation under
10 the foregoing paragraph (a) but who at the time of the accident
11 were nevertheless in any manner dependent upon the earnings of
12 the employee, or leaves surviving a parent or parents who at
13 the time of the accident were partially dependent upon the
14 earnings of the employee, then there shall be paid to such
15 dependent or dependents for a period of 8 years weekly
16 compensation payments at such proportion of the applicable
17 rate if the employee had left surviving a widow or widower as
18 such dependency bears to total dependency. In the event of the
19 death of any such beneficiary the share of such beneficiary
20 shall be divided equally among the surviving beneficiaries and
21 in the event of the death of the last such beneficiary all the
22 rights under this paragraph shall be extinguished.

23 (d) If no compensation is payable under paragraphs (a),
24 (b) or (c) of this Section and the employee leaves surviving
25 any grandparent, grandparents, grandchild or grandchildren or
26 collateral heirs dependent upon the employee's earnings to the

1 extent of 50% or more of total dependency, then there shall be
2 paid to such dependent or dependents for a period of 5 years
3 weekly compensation payments at such proportion of the
4 applicable rate if the employee had left surviving a widow or
5 widower as such dependency bears to total dependency. In the
6 event of the death of any such beneficiary the share of such
7 beneficiary shall be divided equally among the surviving
8 beneficiaries and in the event of the death of the last such
9 beneficiary all rights hereunder shall be extinguished.

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

25 The payments of compensation by the employer in accordance
26 with the order or award of the Commission discharges such

1 employer from all further obligation as to such compensation.

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

6 In the event the employer failed to provide necessary
7 first aid, medical, surgical or hospital service, he shall pay
8 the cost thereof to the person or persons entitled to
9 compensation under paragraphs (a), (b), (c) or (d) of this
10 Section, or to the person or persons incurring the obligation
11 therefore, or providing the same.

12 On January 15 and July 15, 1981, and on January 15 and July
13 15 of each year thereafter the employer shall within 60 days
14 pay a sum equal to $1/8$ of 1% of all compensation payments made
15 by him after July 1, 1980, either under this Act or the
16 Workers' Occupational Diseases Act, whether by lump sum
17 settlement or weekly compensation payments, but not including
18 hospital, surgical or rehabilitation payments, made during the
19 first 6 months and during the second 6 months respectively of
20 the fiscal year next preceding the date of the payments, into a
21 special fund which shall be designated the "Second Injury
22 Fund", of which the State Treasurer is ex-officio custodian,
23 such special fund to be held and disbursed for the purposes
24 hereinafter stated in paragraphs (f) and (g) of Section 8,
25 either upon the order of the Commission or of a competent
26 court. Said special fund shall be deposited the same as are

1 State funds and any interest accruing thereon shall be added
2 thereto every 6 months. It is subject to audit the same as
3 State funds and accounts and is protected by the General bond
4 given by the State Treasurer. It is considered always
5 appropriated for the purposes of disbursements as provided in
6 Section 8, paragraph (f), of this Act, and shall be paid out
7 and disbursed as therein provided and shall not at any time be
8 appropriated or diverted to any other use or purpose.

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

1 preceding calendar year. Within 60 days after July 15 of 1992
2 and each subsequent year through 1995, the employer shall pay
3 into the Rate Adjustment Fund a sum equal to one half of 1% of
4 all such compensation payments made in the first 6 months of
5 the same calendar year. Within 60 days after January 15 of 1997
6 and each subsequent year through 2005, the employer shall pay
7 into the Rate Adjustment Fund a sum equal to three-fourths of
8 1% of all such compensation payments made in the last 6 months
9 of the preceding calendar year. Within 60 days after July 15 of
10 1996 and each subsequent year through 2004, the employer shall
11 pay into the Rate Adjustment Fund a sum equal to three-fourths
12 of 1% of all such compensation payments made in the first 6
13 months of the same calendar year. Within 60 days after July 15
14 of 2005, the employer shall pay into the Rate Adjustment Fund a
15 sum equal to 1% of such compensation payments made in the first
16 6 months of the same calendar year. Within 60 days after
17 January 15 of 2006 and each subsequent year, the employer
18 shall pay into the Rate Adjustment Fund a sum equal to 1.25% of
19 such compensation payments made in the last 6 months of the
20 preceding calendar year. Within 60 days after July 15 of 2006
21 and each subsequent year, the employer shall pay into the Rate
22 Adjustment Fund a sum equal to 1.25% of such compensation
23 payments made in the first 6 months of the same calendar year.
24 The administrative costs of collecting assessments from
25 employers for the Rate Adjustment Fund shall be paid from the
26 Rate Adjustment Fund. The cost of an actuarial audit of the

1 Fund shall be paid from the Rate Adjustment Fund. The State
2 Treasurer is ex officio custodian of such Special Fund and the
3 same shall be held and disbursed for the purposes hereinafter
4 stated in paragraphs (f) and (g) of Section 8 upon the order of
5 the Commission or of a competent court. The Rate Adjustment
6 Fund shall be deposited the same as are State funds and any
7 interest accruing thereon shall be added thereto every 6
8 months. It shall be subject to audit the same as State funds
9 and accounts and shall be protected by the general bond given
10 by the State Treasurer. It is considered always appropriated
11 for the purposes of disbursements as provided in paragraphs
12 (f) and (g) of Section 8 of this Act and shall be paid out and
13 disbursed as therein provided and shall not at any time be
14 appropriated or diverted to any other use or purpose. Within 5
15 days after the effective date of this amendatory Act of 1990,
16 the Comptroller and the State Treasurer shall transfer
17 \$1,000,000 from the General Revenue Fund to the Rate
18 Adjustment Fund. By February 15, 1991, the Comptroller and the
19 State Treasurer shall transfer \$1,000,000 from the Rate
20 Adjustment Fund to the General Revenue Fund. The Comptroller
21 and Treasurer are authorized to make transfers at the request
22 of the Chairman up to a total of \$19,000,000 from the Second
23 Injury Fund, the General Revenue Fund, and the Workers'
24 Compensation Benefit Trust Fund to the Rate Adjustment Fund to
25 the extent that there is insufficient money in the Rate
26 Adjustment Fund to pay claims and obligations. Amounts may be

1 transferred from the General Revenue Fund only if the funds in
2 the Second Injury Fund or the Workers' Compensation Benefit
3 Trust Fund are insufficient to pay claims and obligations of
4 the Rate Adjustment Fund. All amounts transferred from the
5 Second Injury Fund, the General Revenue Fund, and the Workers'
6 Compensation Benefit Trust Fund shall be repaid from the Rate
7 Adjustment Fund within 270 days of a transfer, together with
8 interest at the rate earned by moneys on deposit in the Fund or
9 Funds from which the moneys were transferred.

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

23 Any obligations of an employer to the Second Injury Fund
24 and Rate Adjustment Fund accruing prior to the effective date
25 of this amendatory Act of 1989 shall be paid in full by such
26 employer within 5 years of the effective date of this

1 amendatory Act of 1989, with at least one-fifth of such
2 obligation to be paid during each year following the effective
3 date of this amendatory Act of 1989. If the Commission finds,
4 following reasonable notice and hearing, that an employer has
5 failed to make timely payment of any obligation accruing under
6 the preceding sentence, the employer shall, in addition to all
7 other payments required by this Section, be liable for a
8 penalty equal to 20% of the overdue obligation or \$2,500,
9 whichever is greater, for each year or part thereof that
10 obligation is overdue. All or part of such a penalty may be
11 waived by the Commission for good cause shown.

12 The Chairman of the Illinois Workers' Compensation
13 Commission shall, annually, furnish to the Director of the
14 Department of Insurance a list of the amounts paid into the
15 Second Injury Fund and the Rate Adjustment Fund by each
16 insurance company on behalf of their insured employers. The
17 Director shall verify to the Chairman that the amounts paid by
18 each insurance company are accurate as best as the Director
19 can determine from the records available to the Director. The
20 Chairman shall verify that the amounts paid by each
21 self-insurer are accurate as best as the Chairman can
22 determine from records available to the Chairman. The Chairman
23 may require each self-insurer to provide information
24 concerning the total compensation payments made upon which
25 contributions to the Second Injury Fund and the Rate
26 Adjustment Fund are predicated and any additional information

1 establishing that such payments have been made into these
2 funds. Any deficiencies in payments noted by the Director or
3 Chairman shall be subject to the penalty provisions of this
4 Act.

5 The State Treasurer, or his duly authorized
6 representative, shall be named as a party to all proceedings
7 in all cases involving claim for the loss of, or the permanent
8 and complete loss of the use of one eye, one foot, one leg, one
9 arm or one hand.

10 The State Treasurer or his duly authorized agent shall
11 have the same rights as any other party to the proceeding,
12 including the right to petition for review of any award. The
13 reasonable expenses of litigation, such as medical
14 examinations, testimony, and transcript of evidence, incurred
15 by the State Treasurer or his duly authorized representative,
16 shall be borne by the Second Injury Fund.

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

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

26 For the purpose of administration, receipts and

1 disbursements, the Special Fund provided for in paragraph (f)
2 of this Section shall be administered jointly with the Special
3 Fund provided for in Section 7, paragraph (f) of the Workers'
4 Occupational Diseases Act.

5 (g) All compensation, except for burial expenses provided
6 in this Section to be paid in case accident results in death,
7 shall be paid in installments equal to the percentage of the
8 average earnings as provided for in Section 8, paragraph (b)
9 of this Act, at the same intervals at which the wages or
10 earnings of the employees were paid. If this is not feasible,
11 then the installments shall be paid weekly. Such compensation
12 may be paid in a lump sum upon petition as provided in Section
13 9 of this Act. However, in addition to the benefits provided by
14 Section 9 of this Act where compensation for death is payable
15 to the deceased's widow, widower or to the deceased's widow,
16 widower and one or more children, and where a partial lump sum
17 is applied for by such beneficiary or beneficiaries within 18
18 months after the deceased's death, the Commission may, in its
19 discretion, grant a partial lump sum of not to exceed 100 weeks
20 of the compensation capitalized at their present value upon
21 the basis of interest calculated at 3% per annum with annual
22 rests, upon a showing that such partial lump sum is for the
23 best interest of such beneficiary or beneficiaries.

24 (h) In case the injured employee is under 16 years of age
25 at the time of the accident and is illegally employed, the
26 amount of compensation payable under paragraphs (a), (b), (c),

1 (d) and (f) of this Section shall be increased 50%.

2 Nothing herein contained repeals or amends the provisions
3 of the Child Labor Law of 2024 relating to the employment of
4 minors under the age of 16 years.

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

12 (i) Whenever the dependents of a deceased employee are
13 noncitizens not residing in the United States, Mexico or
14 Canada, the amount of compensation payable is limited to the
15 beneficiaries described in paragraphs (a), (b) and (c) of this
16 Section and is 50% of the compensation provided in paragraphs
17 (a), (b) and (c) of this Section, except as otherwise provided
18 by treaty.

19 In a case where any of the persons who would be entitled to
20 compensation is living at any place outside of the United
21 States, then payment shall be made to the personal
22 representative of the deceased employee. The distribution by
23 such personal representative to the persons entitled shall be
24 made to such persons and in such manner as the Commission
25 orders.

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

1 (820 ILCS 305/8) (from Ch. 48, par. 138.8)

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

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

1 The employee may at any time elect to secure his own
2 physician, surgeon and hospital services at the employer's
3 expense, or,

4 Upon agreement between the employer and the employees, or
5 the employees' exclusive representative, and subject to the
6 approval of the Illinois Workers' Compensation Commission, the
7 employer shall maintain a list of physicians, to be known as a
8 Panel of Physicians, who are accessible to the employees. The
9 employer shall post this list in a place or places easily
10 accessible to his employees. The employee shall have the right
11 to make an alternative choice of physician from such Panel if
12 he is not satisfied with the physician first selected. If, due
13 to the nature of the injury or its occurrence away from the
14 employer's place of business, the employee is unable to make a
15 selection from the Panel, the selection process from the Panel
16 shall not apply. The physician selected from the Panel may
17 arrange for any consultation, referral or other specialized
18 medical services outside the Panel at the employer's expense.
19 Provided that, in the event the Commission shall find that a
20 doctor selected by the employee is rendering improper or
21 inadequate care, the Commission may order the employee to
22 select another doctor certified or qualified in the medical
23 field for which treatment is required. If the employee refuses
24 to make such change the Commission may relieve the employer of
25 his obligation to pay the doctor's charges from the date of
26 refusal to the date of compliance.

1 Any vocational rehabilitation counselors who provide
2 service under this Act shall have appropriate certifications
3 which designate the counselor as qualified to render opinions
4 relating to vocational rehabilitation. Vocational
5 rehabilitation may include, but is not limited to, counseling
6 for job searches, supervising a job search program, and
7 vocational retraining including education at an accredited
8 learning institution. The employee or employer may petition to
9 the Commission to decide disputes relating to vocational
10 rehabilitation and the Commission shall resolve any such
11 dispute, including payment of the vocational rehabilitation
12 program by the employer.

13 The maintenance benefit shall not be less than the
14 temporary total disability rate determined for the employee.
15 In addition, maintenance shall include costs and expenses
16 incidental to the vocational rehabilitation program.

17 When the employee is working light duty on a part-time
18 basis or full-time basis and earns less than he or she would be
19 earning if employed in the full capacity of the job or jobs,
20 then the employee shall be entitled to temporary partial
21 disability benefits. Temporary partial disability benefits
22 shall be equal to two-thirds of the difference between the
23 average amount that the employee would be able to earn in the
24 full performance of his or her duties in the occupation in
25 which he or she was engaged at the time of accident and the
26 gross amount which he or she is earning in the modified job

1 provided to the employee by the employer or in any other job
2 that the employee is working.

3 Every hospital, physician, surgeon or other person
4 rendering treatment or services in accordance with the
5 provisions of this Section shall upon written request furnish
6 full and complete reports thereof to, and permit their records
7 to be copied by, the employer, the employee or his dependents,
8 as the case may be, or any other party to any proceeding for
9 compensation before the Commission, or their attorneys.

10 Notwithstanding the foregoing, the employer's liability to
11 pay for such medical services selected by the employee shall
12 be limited to:

- 13 (1) all first aid and emergency treatment; plus
14 (2) all medical, surgical and hospital services
15 provided by the physician, surgeon or hospital initially
16 chosen by the employee or by any other physician,
17 consultant, expert, institution or other provider of
18 services recommended by said initial service provider or
19 any subsequent provider of medical services in the chain
20 of referrals from said initial service provider; plus
21 (3) all medical, surgical and hospital services
22 provided by any second physician, surgeon or hospital
23 subsequently chosen by the employee or by any other
24 physician, consultant, expert, institution or other
25 provider of services recommended by said second service
26 provider or any subsequent provider of medical services in

1 the chain of referrals from said second service provider.
2 Thereafter the employer shall select and pay for all
3 necessary medical, surgical and hospital treatment and the
4 employee may not select a provider of medical services at
5 the employer's expense unless the employer agrees to such
6 selection. At any time the employee may obtain any medical
7 treatment he desires at his own expense. This paragraph
8 shall not affect the duty to pay for rehabilitation
9 referred to above.

10 (4) The following shall apply for injuries occurring
11 on or after June 28, 2011 (the effective date of Public Act
12 97-18) and only when an employer has an approved preferred
13 provider program pursuant to Section 8.1a on the date the
14 employee sustained his or her accidental injuries:

15 (A) The employer shall, in writing, on a form
16 promulgated by the Commission, inform the employee of
17 the preferred provider program;

18 (B) Subsequent to the report of an injury by an
19 employee, the employee may choose in writing at any
20 time to decline the preferred provider program, in
21 which case that would constitute one of the two
22 choices of medical providers to which the employee is
23 entitled under subsection (a) (2) or (a) (3); and

24 (C) Prior to the report of an injury by an
25 employee, when an employee chooses non-emergency
26 treatment from a provider not within the preferred

1 provider program, that would constitute the employee's
2 one choice of medical providers to which the employee
3 is entitled under subsection (a) (2) or (a) (3).

4 When an employer and employee so agree in writing, nothing
5 in this Act prevents an employee whose injury or disability
6 has been established under this Act, from relying in good
7 faith, on treatment by prayer or spiritual means alone, in
8 accordance with the tenets and practice of a recognized church
9 or religious denomination, by a duly accredited practitioner
10 thereof, and having nursing services appropriate therewith,
11 without suffering loss or diminution of the compensation
12 benefits under this Act. However, the employee shall submit to
13 all physical examinations required by this Act. The cost of
14 such treatment and nursing care shall be paid by the employee
15 unless the employer agrees to make such payment.

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

1 eye glasses or contact eye lenses, or where the accidental
2 injury results in damage to an artificial member, the employer
3 shall replace or repair such denture, glasses, lenses, or
4 artificial member.

5 The furnishing by the employer of any such services or
6 appliances is not an admission of liability on the part of the
7 employer to pay compensation.

8 The furnishing of any such services or appliances or the
9 servicing thereof by the employer is not the payment of
10 compensation.

11 (b) If the period of temporary total incapacity for work
12 lasts more than 3 working days, weekly compensation as
13 hereinafter provided shall be paid beginning on the 4th day of
14 such temporary total incapacity and continuing as long as the
15 total temporary incapacity lasts. In cases where the temporary
16 total incapacity for work continues for a period of 14 days or
17 more from the day of the accident compensation shall commence
18 on the day after the accident.

19 1. The compensation rate for temporary total
20 incapacity under this paragraph (b) of this Section shall
21 be equal to 66 2/3% of the employee's average weekly wage
22 computed in accordance with Section 10, provided that it
23 shall be not less than 66 2/3% of the sum of the Federal
24 minimum wage under the Fair Labor Standards Act, or the
25 Illinois minimum wage under the Minimum Wage Law,
26 whichever is more, multiplied by 40 hours. This percentage

1 rate shall be increased by 10% for each spouse and child,
2 not to exceed 100% of the total minimum wage calculation,
3 nor exceed the employee's average weekly wage computed in
4 accordance with the provisions of Section 10, whichever is
5 less.

6 2. The compensation rate in all cases other than for
7 temporary total disability under this paragraph (b), and
8 other than for serious and permanent disfigurement under
9 paragraph (c) and other than for permanent partial
10 disability under subparagraph (2) of paragraph (d) or
11 under paragraph (e), of this Section shall be equal to 66
12 $\frac{2}{3}$ % of the employee's average weekly wage computed in
13 accordance with the provisions of Section 10, provided
14 that it shall be not less than 66 $\frac{2}{3}$ % of the sum of the
15 Federal minimum wage under the Fair Labor Standards Act,
16 or the Illinois minimum wage under the Minimum Wage Law,
17 whichever is more, multiplied by 40 hours. This percentage
18 rate shall be increased by 10% for each spouse and child,
19 not to exceed 100% of the total minimum wage calculation,
20 nor exceed the employee's average weekly wage computed in
21 accordance with the provisions of Section 10, whichever is
22 less.

23 2.1. The compensation rate in all cases of serious and
24 permanent disfigurement under paragraph (c) and of
25 permanent partial disability under subparagraph (2) of
26 paragraph (d) or under paragraph (e) of this Section shall

1 be equal to 60% of the employee's average weekly wage
2 computed in accordance with the provisions of Section 10,
3 provided that it shall be not less than 66 2/3% of the sum
4 of the Federal minimum wage under the Fair Labor Standards
5 Act, or the Illinois minimum wage under the Minimum Wage
6 Law, whichever is more, multiplied by 40 hours. This
7 percentage rate shall be increased by 10% for each spouse
8 and child, not to exceed 100% of the total minimum wage
9 calculation, nor exceed the employee's average weekly wage
10 computed in accordance with the provisions of Section 10,
11 whichever is less.

12 3. As used in this Section the term "child" means a
13 child of the employee including any child legally adopted
14 before the accident or whom at the time of the accident the
15 employee was under legal obligation to support or to whom
16 the employee stood in loco parentis, and who at the time of
17 the accident was under 18 years of age and not
18 emancipated. The term "children" means the plural of
19 "child".

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

23 The maximum weekly compensation rate from July 1,
24 1975, except as hereinafter provided, shall be 100% of the
25 State's average weekly wage in covered industries under
26 the Unemployment Insurance Act, that being the wage that

1 most closely approximates the State's average weekly wage.

2 The maximum weekly compensation rate, for the period
3 July 1, 1984, through June 30, 1987, except as hereinafter
4 provided, shall be \$293.61. Effective July 1, 1987 and on
5 July 1 of each year thereafter the maximum weekly
6 compensation rate, except as hereinafter provided, shall
7 be determined as follows: if during the preceding 12 month
8 period there shall have been an increase in the State's
9 average weekly wage in covered industries under the
10 Unemployment Insurance Act, the weekly compensation rate
11 shall be proportionately increased by the same percentage
12 as the percentage of increase in the State's average
13 weekly wage in covered industries under the Unemployment
14 Insurance Act during such period.

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

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

5 From July 1, 1977 and thereafter such maximum weekly
6 compensation rate in death cases under Section 7, and
7 permanent total disability cases under paragraph (f) or
8 subparagraph 18 of paragraph (3) of this Section and for
9 temporary total disability under paragraph (b) of this
10 Section and for amputation of a member or enucleation of
11 an eye under paragraph (e) of this Section shall be
12 increased to 133-1/3% of the State's average weekly wage
13 in covered industries under the Unemployment Insurance
14 Act.

15 For injuries occurring on or after February 1, 2006,
16 the maximum weekly benefit under paragraph (d)1 of this
17 Section shall be 100% of the State's average weekly wage
18 in covered industries under the Unemployment Insurance
19 Act.

20 4.1. Any provision herein to the contrary
21 notwithstanding, the weekly compensation rate for
22 compensation payments under subparagraph 18 of paragraph
23 (e) of this Section and under paragraph (f) of this
24 Section and under paragraph (a) of Section 7 and for
25 amputation of a member or enucleation of an eye under
26 paragraph (e) of this Section, shall in no event be less

1 than 50% of the State's average weekly wage in covered
2 industries under the Unemployment Insurance Act.

3 4.2. Any provision to the contrary notwithstanding,
4 the total compensation payable under Section 7 shall not
5 exceed the greater of \$500,000 or 25 years.

6 5. For the purpose of this Section this State's
7 average weekly wage in covered industries under the
8 Unemployment Insurance Act on July 1, 1975 is hereby fixed
9 at \$228.16 per week and the computation of compensation
10 rates shall be based on the aforesaid average weekly wage
11 until modified as hereinafter provided.

12 6. The Department of Employment Security of the State
13 shall on or before the first day of December, 1977, and on
14 or before the first day of June, 1978, and on the first day
15 of each December and June of each year thereafter, publish
16 the State's average weekly wage in covered industries
17 under the Unemployment Insurance Act and the Illinois
18 Workers' Compensation Commission shall on the 15th day of
19 January, 1978 and on the 15th day of July, 1978 and on the
20 15th day of each January and July of each year thereafter,
21 post and publish the State's average weekly wage in
22 covered industries under the Unemployment Insurance Act as
23 last determined and published by the Department of
24 Employment Security. The amount when so posted and
25 published shall be conclusive and shall be applicable as
26 the basis of computation of compensation rates until the

1 next posting and publication as aforesaid.

2 7. The payment of compensation by an employer or his
3 insurance carrier to an injured employee shall not
4 constitute an admission of the employer's liability to pay
5 compensation.

6 (c) For any serious and permanent disfigurement to the
7 hand, head, face, neck, arm, leg below the knee or the chest
8 above the axillary line, the employee is entitled to
9 compensation for such disfigurement, the amount determined by
10 agreement at any time or by arbitration under this Act, at a
11 hearing not less than 6 months after the date of the accidental
12 injury, which amount shall not exceed 150 weeks (if the
13 accidental injury occurs on or after the effective date of
14 this amendatory Act of the 94th General Assembly but before
15 February 1, 2006) or 162 weeks (if the accidental injury
16 occurs on or after February 1, 2006) at the applicable rate
17 provided in subparagraph 2.1 of paragraph (b) of this Section.

18 No compensation is payable under this paragraph where
19 compensation is payable under paragraphs (d), (e) or (f) of
20 this Section.

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

26 (d) 1. If, after the accidental injury has been sustained,

1 the employee as a result thereof becomes partially
2 incapacitated from pursuing his usual and customary line of
3 employment, he shall, except in cases compensated under the
4 specific schedule set forth in paragraph (e) of this Section,
5 receive compensation for the duration of his disability,
6 subject to the limitations as to maximum amounts fixed in
7 paragraph (b) of this Section, equal to 66-2/3% of the
8 difference between the average amount which he would be able
9 to earn in the full performance of his duties in the occupation
10 in which he was engaged at the time of the accident and the
11 average amount which he is earning or is able to earn in some
12 suitable employment or business after the accident. For
13 accidental injuries that occur on or after September 1, 2011,
14 an award for wage differential under this subsection shall be
15 effective only until the employee reaches the age of 67 or 5
16 years from the date the award becomes final, whichever is
17 later.

18 2. If, as a result of the accident, the employee sustains
19 serious and permanent injuries not covered by paragraphs (c)
20 and (e) of this Section or having sustained injuries covered
21 by the aforesaid paragraphs (c) and (e), he shall have
22 sustained in addition thereto other injuries which injuries do
23 not incapacitate him from pursuing the duties of his
24 employment but which would disable him from pursuing other
25 suitable occupations, or which have otherwise resulted in
26 physical impairment; or if such injuries partially

1 incapacitate him from pursuing the duties of his usual and
2 customary line of employment but do not result in an
3 impairment of earning capacity, or having resulted in an
4 impairment of earning capacity, the employee elects to waive
5 his right to recover under the foregoing subparagraph 1 of
6 paragraph (d) of this Section then in any of the foregoing
7 events, he shall receive in addition to compensation for
8 temporary total disability under paragraph (b) of this
9 Section, compensation at the rate provided in subparagraph 2.1
10 of paragraph (b) of this Section for that percentage of 500
11 weeks that the partial disability resulting from the injuries
12 covered by this paragraph bears to total disability. If the
13 employee shall have sustained a fracture of one or more
14 vertebra or fracture of the skull, the amount of compensation
15 allowed under this Section shall be not less than 6 weeks for a
16 fractured skull and 6 weeks for each fractured vertebra, and
17 in the event the employee shall have sustained a fracture of
18 any of the following facial bones: nasal, lachrymal, vomer,
19 zygoma, maxilla, palatine or mandible, the amount of
20 compensation allowed under this Section shall be not less than
21 2 weeks for each such fractured bone, and for a fracture of
22 each transverse process not less than 3 weeks. In the event
23 such injuries shall result in the loss of a kidney, spleen or
24 lung, the amount of compensation allowed under this Section
25 shall be not less than 10 weeks for each such organ.
26 Compensation awarded under this subparagraph 2 shall not take

1 into consideration injuries covered under paragraphs (c) and
2 (e) of this Section and the compensation provided in this
3 paragraph shall not affect the employee's right to
4 compensation payable under paragraphs (b), (c) and (e) of this
5 Section for the disabilities therein covered.

6 (e) For accidental injuries in the following schedule, the
7 employee shall receive compensation for the period of
8 temporary total incapacity for work resulting from such
9 accidental injury, under subparagraph 1 of paragraph (b) of
10 this Section, and shall receive in addition thereto
11 compensation for a further period for the specific loss herein
12 mentioned, but shall not receive any compensation under any
13 other provisions of this Act. The following listed amounts
14 apply to either the loss of or the permanent and complete loss
15 of use of the member specified, such compensation for the
16 length of time as follows:

17 1. Thumb-

18 70 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 76 weeks if the accidental injury occurs on or
22 after February 1, 2006.

23 2. First, or index finger-

24 40 weeks if the accidental injury occurs on or
25 after the effective date of this amendatory Act of the
26 94th General Assembly but before February 1, 2006.

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

3 3. Second, or middle finger-

4 35 weeks if the accidental injury occurs on or
5 after the effective date of this amendatory Act of the
6 94th General Assembly but before February 1, 2006.

7 38 weeks if the accidental injury occurs on or
8 after February 1, 2006.

9 4. Third, or ring finger-

10 25 weeks if the accidental injury occurs on or
11 after the effective date of this amendatory Act of the
12 94th General Assembly but before February 1, 2006.

13 27 weeks if the accidental injury occurs on or
14 after February 1, 2006.

15 5. Fourth, or little finger-

16 20 weeks if the accidental injury occurs on or
17 after the effective date of this amendatory Act of the
18 94th General Assembly but before February 1, 2006.

19 22 weeks if the accidental injury occurs on or
20 after February 1, 2006.

21 6. Great toe-

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

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

1 7. Each toe other than great toe-

2 12 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 13 weeks if the accidental injury occurs on or
6 after February 1, 2006.

7 8. The loss of the first or distal phalanx of the thumb
8 or of any finger or toe shall be considered to be equal to
9 the loss of one-half of such thumb, finger or toe and the
10 compensation payable shall be one-half of the amount above
11 specified. The loss of more than one phalanx shall be
12 considered as the loss of the entire thumb, finger or toe.
13 In no case shall the amount received for more than one
14 finger exceed the amount provided in this schedule for the
15 loss of a hand.

16 9. Hand-

17 190 weeks if the accidental injury occurs on or
18 after the effective date of this amendatory Act of the
19 94th General Assembly but before February 1, 2006.

20 205 weeks if the accidental injury occurs on or
21 after February 1, 2006.

22 190 weeks if the accidental injury occurs on or
23 after June 28, 2011 (the effective date of Public Act
24 97-18) and if the accidental injury involves carpal
25 tunnel syndrome due to repetitive or cumulative
26 trauma, in which case the permanent partial disability

1 shall not exceed 15% loss of use of the hand, except
2 for cause shown by clear and convincing evidence and
3 in which case the award shall not exceed 30% loss of
4 use of the hand.

5 The loss of 2 or more digits, or one or more phalanges
6 of 2 or more digits, of a hand may be compensated on the
7 basis of partial loss of use of a hand, provided, further,
8 that the loss of 4 digits, or the loss of use of 4 digits,
9 in the same hand shall constitute the complete loss of a
10 hand.

11 10. Arm-

12 235 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.

15 253 weeks if the accidental injury occurs on or
16 after February 1, 2006.

17 Where an accidental injury results in the amputation
18 of an arm below the elbow, such injury shall be
19 compensated as a loss of an arm. Where an accidental
20 injury results in the amputation of an arm above the
21 elbow, compensation for an additional 15 weeks (if the
22 accidental injury occurs on or after the effective date of
23 this amendatory Act of the 94th General Assembly but
24 before February 1, 2006) or an additional 17 weeks (if the
25 accidental injury occurs on or after February 1, 2006)
26 shall be paid, except where the accidental injury results

1 in the amputation of an arm at the shoulder joint, or so
2 close to shoulder joint that an artificial arm cannot be
3 used, or results in the disarticulation of an arm at the
4 shoulder joint, in which case compensation for an
5 additional 65 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) or an
8 additional 70 weeks (if the accidental injury occurs on or
9 after February 1, 2006) shall be paid.

10 11. Foot-

11 155 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.

14 167 weeks if the accidental injury occurs on or
15 after February 1, 2006.

16 12. Leg-

17 200 weeks if the accidental injury occurs on or
18 after the effective date of this amendatory Act of the
19 94th General Assembly but before February 1, 2006.

20 215 weeks if the accidental injury occurs on or
21 after February 1, 2006.

22 Where an accidental injury results in the amputation
23 of a leg below the knee, such injury shall be compensated
24 as loss of a leg. Where an accidental injury results in the
25 amputation of a leg above the knee, compensation for an
26 additional 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) or an
3 additional 27 weeks (if the accidental injury occurs on or
4 after February 1, 2006) shall be paid, except where the
5 accidental injury results in the amputation of a leg at
6 the hip joint, or so close to the hip joint that an
7 artificial leg cannot be used, or results in the
8 disarticulation of a leg at the hip joint, in which case
9 compensation for an additional 75 weeks (if the accidental
10 injury occurs on or after the effective date of this
11 amendatory Act of the 94th General Assembly but before
12 February 1, 2006) or an additional 81 weeks (if the
13 accidental injury occurs on or after February 1, 2006)
14 shall be paid.

15 13. Eye-

16 150 weeks if the accidental injury occurs on or
17 after the effective date of this amendatory Act of the
18 94th General Assembly but before February 1, 2006.

19 162 weeks if the accidental injury occurs on or
20 after February 1, 2006.

21 Where an accidental injury results in the enucleation
22 of an eye, compensation for an additional 10 weeks (if the
23 accidental injury occurs on or after the effective date of
24 this amendatory Act of the 94th General Assembly but
25 before February 1, 2006) or an additional 11 weeks (if the
26 accidental injury occurs on or after February 1, 2006)

1 shall be paid.

2 14. Loss of hearing of one ear-

3 50 weeks if the accidental injury occurs on or
4 after the effective date of this amendatory Act of the
5 94th General Assembly but before February 1, 2006.

6 54 weeks if the accidental injury occurs on or
7 after February 1, 2006.

8 Total and permanent loss of hearing of both ears-

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

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

14 15. Testicle-

15 50 weeks if the accidental injury occurs on or
16 after the effective date of this amendatory Act of the
17 94th General Assembly but before February 1, 2006.

18 54 weeks if the accidental injury occurs on or
19 after February 1, 2006.

20 Both testicles-

21 150 weeks if the accidental injury occurs on or
22 after the effective date of this amendatory Act of the
23 94th General Assembly but before February 1, 2006.

24 162 weeks if the accidental injury occurs on or
25 after February 1, 2006.

26 16. For the permanent partial loss of use of a member

1 or sight of an eye, or hearing of an ear, compensation
2 during that proportion of the number of weeks in the
3 foregoing schedule provided for the loss of such member or
4 sight of an eye, or hearing of an ear, which the partial
5 loss of use thereof bears to the total loss of use of such
6 member, or sight of eye, or hearing of an ear.

7 (a) Loss of hearing for compensation purposes
8 shall be confined to the frequencies of 1,000, 2,000
9 and 3,000 cycles per second. Loss of hearing ability
10 for frequency tones above 3,000 cycles per second are
11 not to be considered as constituting disability for
12 hearing.

13 (b) The percent of hearing loss, for purposes of
14 the determination of compensation claims for
15 occupational deafness, shall be calculated as the
16 average in decibels for the thresholds of hearing for
17 the frequencies of 1,000, 2,000 and 3,000 cycles per
18 second. Pure tone air conduction audiometric
19 instruments, approved by nationally recognized
20 authorities in this field, shall be used for measuring
21 hearing loss. If the losses of hearing average 30
22 decibels or less in the 3 frequencies, such losses of
23 hearing shall not then constitute any compensable
24 hearing disability. If the losses of hearing average
25 85 decibels or more in the 3 frequencies, then the same
26 shall constitute and be total or 100% compensable

1 hearing loss.

2 (c) In measuring hearing impairment, the lowest
3 measured losses in each of the 3 frequencies shall be
4 added together and divided by 3 to determine the
5 average decibel loss. For every decibel of loss
6 exceeding 30 decibels an allowance of 1.82% shall be
7 made up to the maximum of 100% which is reached at 85
8 decibels.

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

14 (e) No consideration shall be given to the
15 question of whether or not the ability of an employee
16 to understand speech is improved by the use of a
17 hearing aid.

18 (f) No claim for loss of hearing due to industrial
19 noise shall be brought against an employer or allowed
20 unless the employee has been exposed for a period of
21 time sufficient to cause permanent impairment to noise
22 levels in excess of the following:

23 Sound Level DBA

24	Slow Response	Hours Per Day
25	90	8
26	92	6

1	95	4
2	97	3
3	100	2
4	102	1-1/2
5	105	1
6	110	1/2
7	115	1/4

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

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

23 18. The specific case of loss of both hands, both
24 arms, or both feet, or both legs, or both eyes, or of any
25 two thereof, or the permanent and complete loss of the use
26 thereof, constitutes total and permanent disability, to be

1 compensated according to the compensation fixed by
2 paragraph (f) of this Section. These specific cases of
3 total and permanent disability do not exclude other cases.

4 Any employee who has previously suffered the loss or
5 permanent and complete loss of the use of any of such
6 members, and in a subsequent independent accident loses
7 another or suffers the permanent and complete loss of the
8 use of any one of such members the employer for whom the
9 injured employee is working at the time of the last
10 independent accident is liable to pay compensation only
11 for the loss or permanent and complete loss of the use of
12 the member occasioned by the last independent accident.

13 19. In a case of specific loss and the subsequent
14 death of such injured employee from other causes than such
15 injury leaving a widow, widower, or dependents surviving
16 before payment or payment in full for such injury, then
17 the amount due for such injury is payable to the widow or
18 widower and, if there be no widow or widower, then to such
19 dependents, in the proportion which such dependency bears
20 to total dependency.

21 Beginning July 1, 1980, and every 6 months thereafter, the
22 Commission shall examine the Second Injury Fund and when,
23 after deducting all advances or loans made to such Fund, the
24 amount therein is \$500,000 then the amount required to be paid
25 by employers pursuant to paragraph (f) of Section 7 shall be
26 reduced by one-half. When the Second Injury Fund reaches the

1 sum of \$600,000 then the payments shall cease entirely.
2 However, when the Second Injury Fund has been reduced to
3 \$400,000, payment of one-half of the amounts required by
4 paragraph (f) of Section 7 shall be resumed, in the manner
5 herein provided, and when the Second Injury Fund has been
6 reduced to \$300,000, payment of the full amounts required by
7 paragraph (f) of Section 7 shall be resumed, in the manner
8 herein provided. The Commission shall make the changes in
9 payment effective by general order, and the changes in payment
10 become immediately effective for all cases coming before the
11 Commission thereafter either by settlement agreement or final
12 order, irrespective of the date of the accidental injury.

13 On August 1, 1996 and on February 1 and August 1 of each
14 subsequent year, the Commission shall examine the special fund
15 designated as the "Rate Adjustment Fund" and when, after
16 deducting all advances or loans made to said fund, the amount
17 therein is \$4,000,000, the amount required to be paid by
18 employers pursuant to paragraph (f) of Section 7 shall be
19 reduced by one-half. When the Rate Adjustment Fund reaches the
20 sum of \$5,000,000 the payment therein shall cease entirely.
21 However, when said Rate Adjustment Fund has been reduced to
22 \$3,000,000 the amounts required by paragraph (f) of Section 7
23 shall be resumed in the manner herein provided.

24 (f) In case of complete disability, which renders the
25 employee wholly and permanently incapable of work, or in the
26 specific case of total and permanent disability as provided in

1 subparagraph 18 of paragraph (e) of this Section, compensation
2 shall be payable at the rate provided in subparagraph 2 of
3 paragraph (b) of this Section for life.

4 An employee entitled to benefits under paragraph (f) of
5 this Section shall also be entitled to receive from the Rate
6 Adjustment Fund provided in paragraph (f) of Section 7 of the
7 supplementary benefits provided in paragraph (g) of this
8 Section 8.

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

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

24 If an employee who had previously incurred loss or the
25 permanent and complete loss of use of one member, through the
26 loss or the permanent and complete loss of the use of one hand,

1 one arm, one foot, one leg, or one eye, incurs permanent and
2 complete disability through the loss or the permanent and
3 complete loss of the use of another member, he shall receive,
4 in addition to the compensation payable by the employer and
5 after such payments have ceased, an amount from the Second
6 Injury Fund provided for in paragraph (f) of Section 7, which,
7 together with the compensation payable from the employer in
8 whose employ he was when the last accidental injury was
9 incurred, will equal the amount payable for permanent and
10 complete disability as provided in this paragraph of this
11 Section.

12 The custodian of the Second Injury Fund provided for in
13 paragraph (f) of Section 7 shall be joined with the employer as
14 a party respondent in the application for adjustment of claim.
15 The application for adjustment of claim shall state briefly
16 and in general terms the approximate time and place and manner
17 of the loss of the first member.

18 In its award the Commission or the Arbitrator shall
19 specifically find the amount the injured employee shall be
20 weekly paid, the number of weeks compensation which shall be
21 paid by the employer, the date upon which payments begin out of
22 the Second Injury Fund provided for in paragraph (f) of
23 Section 7 of this Act, the length of time the weekly payments
24 continue, the date upon which the pension payments commence
25 and the monthly amount of the payments. The Commission shall
26 30 days after the date upon which payments out of the Second

1 Injury Fund have begun as provided in the award, and every
2 month thereafter, prepare and submit to the State Comptroller
3 a voucher for payment for all compensation accrued to that
4 date at the rate fixed by the Commission. The State
5 Comptroller shall draw a warrant to the injured employee along
6 with a receipt to be executed by the injured employee and
7 returned to the Commission. The endorsed warrant and receipt
8 is a full and complete acquittance to the Commission for the
9 payment out of the Second Injury Fund. No other appropriation
10 or warrant is necessary for payment out of the Second Injury
11 Fund. The Second Injury Fund is appropriated for the purpose
12 of making payments according to the terms of the awards.

13 As of July 1, 1980 to July 1, 1982, all claims against and
14 obligations of the Second Injury Fund shall become claims
15 against and obligations of the Rate Adjustment Fund to the
16 extent there is insufficient money in the Second Injury Fund
17 to pay such claims and obligations. In that case, all
18 references to "Second Injury Fund" in this Section shall also
19 include the Rate Adjustment Fund.

20 (g) Every award for permanent total disability entered by
21 the Commission on and after July 1, 1965 under which
22 compensation payments shall become due and payable after the
23 effective date of this amendatory Act, and every award for
24 death benefits or permanent total disability entered by the
25 Commission on and after the effective date of this amendatory
26 Act shall be subject to annual adjustments as to the amount of

1 the compensation rate therein provided. Such adjustments shall
2 first be made on July 15, 1977, and all awards made and entered
3 prior to July 1, 1975 and on July 15 of each year thereafter.
4 In all other cases such adjustment shall be made on July 15 of
5 the second year next following the date of the entry of the
6 award and shall further be made on July 15 annually
7 thereafter. If during the intervening period from the date of
8 the entry of the award, or the last periodic adjustment, there
9 shall have been an increase in the State's average weekly wage
10 in covered industries under the Unemployment Insurance Act,
11 the weekly compensation rate shall be proportionately
12 increased by the same percentage as the percentage of increase
13 in the State's average weekly wage in covered industries under
14 the Unemployment Insurance Act. The increase in the
15 compensation rate under this paragraph shall in no event bring
16 the total compensation rate to an amount greater than the
17 prevailing maximum rate at the time that the annual adjustment
18 is made. Such increase shall be paid in the same manner as
19 herein provided for payments under the Second Injury Fund to
20 the injured employee, or his dependents, as the case may be,
21 out of the Rate Adjustment Fund provided in paragraph (f) of
22 Section 7 of this Act. Payments shall be made at the same
23 intervals as provided in the award or, at the option of the
24 Commission, may be made in quarterly payment on the 15th day of
25 January, April, July and October of each year. In the event of
26 a decrease in such average weekly wage there shall be no change

1 in the then existing compensation rate. The within paragraph
2 shall not apply to cases where there is disputed liability and
3 in which a compromise lump sum settlement between the employer
4 and the injured employee, or his dependents, as the case may
5 be, has been duly approved by the Illinois Workers'
6 Compensation Commission.

7 Provided, that in cases of awards entered by the
8 Commission for injuries occurring before July 1, 1975, the
9 increases in the compensation rate adjusted under the
10 foregoing provision of this paragraph (g) shall be limited to
11 increases in the State's average weekly wage in covered
12 industries under the Unemployment Insurance Act occurring
13 after July 1, 1975.

14 For every accident occurring on or after July 20, 2005 but
15 before the effective date of this amendatory Act of the 94th
16 General Assembly (Senate Bill 1283 of the 94th General
17 Assembly), the annual adjustments to the compensation rate in
18 awards for death benefits or permanent total disability, as
19 provided in this Act, shall be paid by the employer. The
20 adjustment shall be made by the employer on July 15 of the
21 second year next following the date of the entry of the award
22 and shall further be made on July 15 annually thereafter. If
23 during the intervening period from the date of the entry of the
24 award, or the last periodic adjustment, there shall have been
25 an increase in the State's average weekly wage in covered
26 industries under the Unemployment Insurance Act, the employer

1 shall increase the weekly compensation rate proportionately by
2 the same percentage as the percentage of increase in the
3 State's average weekly wage in covered industries under the
4 Unemployment Insurance Act. The increase in the compensation
5 rate under this paragraph shall in no event bring the total
6 compensation rate to an amount greater than the prevailing
7 maximum rate at the time that the annual adjustment is made. In
8 the event of a decrease in such average weekly wage there shall
9 be no change in the then existing compensation rate. Such
10 increase shall be paid by the employer in the same manner and
11 at the same intervals as the payment of compensation in the
12 award. This paragraph shall not apply to cases where there is
13 disputed liability and in which a compromise lump sum
14 settlement between the employer and the injured employee, or
15 his or her dependents, as the case may be, has been duly
16 approved by the Illinois Workers' Compensation Commission.

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

24 (h) In case death occurs from any cause before the total
25 compensation to which the employee would have been entitled
26 has been paid, then in case the employee leaves any widow,

1 widower, child, parent (or any grandchild, grandparent or
2 other lineal heir or any collateral heir dependent at the time
3 of the accident upon the earnings of the employee to the extent
4 of 50% or more of total dependency) such compensation shall be
5 paid to the beneficiaries of the deceased employee and
6 distributed as provided in paragraph (g) of Section 7.

7 (h-1) In case an injured employee is under legal
8 disability at the time when any right or privilege accrues to
9 him or her under this Act, a guardian may be appointed pursuant
10 to law, and may, on behalf of such person under legal
11 disability, claim and exercise any such right or privilege
12 with the same effect as if the employee himself or herself had
13 claimed or exercised the right or privilege. No limitations of
14 time provided by this Act run so long as the employee who is
15 under legal disability is without a conservator or guardian.

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

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

1 Nothing herein contained repeals or amends the provisions
2 of the Child Labor Law of 2024 relating to the employment of
3 minors under the age of 16 years.

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

25 Any excess benefits paid to or on behalf of a State
26 employee by the State Employees' Retirement System under

1 Article 14 of the Illinois Pension Code on a death claim or
2 disputed disability claim shall be credited against any
3 payments made or to be made by the State of Illinois to or on
4 behalf of such employee under this Act, except for payments
5 for medical expenses which have already been incurred at the
6 time of the award. The State of Illinois shall directly
7 reimburse the State Employees' Retirement System to the extent
8 of such credit.

9 2. Nothing contained in this Act shall be construed to
10 give the employer or the insurance carrier the right to credit
11 for any benefits or payments received by the employee other
12 than compensation payments provided by this Act, and where the
13 employee receives payments other than compensation payments,
14 whether as full or partial salary, group insurance benefits,
15 bonuses, annuities or any other payments, the employer or
16 insurance carrier shall receive credit for each such payment
17 only to the extent of the compensation that would have been
18 payable during the period covered by such payment.

19 3. The extension of time for the filing of an Application
20 for Adjustment of Claim as provided in paragraph 1 above shall
21 not apply to those cases where the time for such filing had
22 expired prior to the date on which payments or benefits
23 enumerated herein have been initiated or resumed. Provided
24 however that this paragraph 3 shall apply only to cases
25 wherein the payments or benefits hereinabove enumerated shall
26 be received after July 1, 1969.

1 (Source: P.A. 97-18, eff. 6-28-11; 97-268, eff. 8-8-11;
2 97-813, eff. 7-13-12.)

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