

1 AN ACT concerning employee benefits.

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

4 Section 1. Short title. This Act may be cited as the  
5 Security Employee Benefits Act.

6 Section 5. Definitions. As used in this Act and unless the  
7 context otherwise requires:

8 "Employer" means any public entity or any individual,  
9 partnership, association, corporation, or business trust, or  
10 any person or group of persons acting directly or indirectly in  
11 the interest of an employer in relation to an employee for  
12 which one or more persons are gainfully employed on some day  
13 within a calendar year.

14 "Killed in the line of duty" means losing one's life as a  
15 result of injuries received in the active performance of duties  
16 as a security guard if the death occurs within one year from  
17 the date the injury was received and if that injury arose from  
18 violence or other accidental cause.

19 "Public entity" means the State of Illinois and its  
20 departments, divisions, boards, bureaus, commissions,  
21 authorities, and colleges and universities, any unit of local  
22 government (including any home rule unit), and any school  
23 district.

24 "Security guard" or "guard" means any person who is paid a  
25 fee, wage, or salary by an employer to perform one or more of  
26 the following functions on the property of a public entity:

27 (1) prevent or detect intrusion, unauthorized entry or  
28 activity, vandalism, or trespass;

29 (2) prevent or detect theft, loss, embezzlement,  
30 misappropriation, or concealment of merchandise, money,  
31 bonds, stocks, notes, or other valuable documents or  
32 papers;

1 (3) control, regulate, or direct the flow of or  
2 movements of the public, whether by vehicle or otherwise,  
3 to assure protection of public property;

4 (4) protect individuals from bodily harm; or

5 (5) enforce the policies and rules of the public entity  
6 related to crime reduction.

7 This definition shall not include individuals who meet the  
8 definition of "law enforcement officer" or "officer" in Section  
9 2 of the Law Enforcement Officers, Civil Defense Workers, Civil  
10 Air Patrol Members, Paramedics, Firemen, Chaplains, and State  
11 Employees Compensation Act.

12 Section 10. Declaration of State interest. The General  
13 Assembly determines and declares that the provisions of this  
14 Act fulfill an important State interest.

15 Section 15. Required health coverage benefits.

16 (a) A public entity that utilizes the services of a  
17 security guard who, on or after the effective date of this Act,  
18 suffers an injury that makes it necessary for the security  
19 guard to retire from employment or to be suspended from  
20 employment in any capacity for not less than 12 months or is  
21 killed in the line of duty shall pay the entire premium of the  
22 employer's health insurance plan for the injured security  
23 guard, the injured security guard's spouse, and each dependent  
24 child of the injured security guard until the child reaches the  
25 age of majority or until the end of the calendar year in which  
26 the child reaches the age of 25 years if the child continues to  
27 be dependent for support or the child is a full-time or  
28 part-time student and is dependent for support. The term  
29 "health insurance plan" does not include supplemental benefits  
30 that are not part of the basic group health insurance plan. If  
31 the injured security guard subsequently dies, whether as a  
32 result of injuries in the line of duty or any other cause, the  
33 public entity shall continue to pay the entire health insurance  
34 premium for the surviving spouse until he or she is remarried

1 and for the dependent children as required by this Section.  
2 However, health insurance benefits payable from any other  
3 source shall reduce benefits payable under this Section.

4 (b) It is unlawful for a person to wilfully and knowingly  
5 make or cause to be made or to assist, conspire with, or urge  
6 another to make or cause to be made any false, fraudulent, or  
7 misleading oral or written statement to obtain health insurance  
8 coverage as provided in this Section. Any person who violates  
9 this subsection (b) is guilty of a Class A misdemeanor.

10 Upon conviction of a violation of this subsection (b), a  
11 security guard or other beneficiary who receives or seeks to  
12 receive health insurance benefits under this Section shall  
13 forfeit the right to receive health insurance benefits and  
14 shall reimburse the public entity for all benefits paid due to  
15 the fraud or other prohibited activity. For the purposes of  
16 this subsection (b), "conviction" means a determination of  
17 guilt that is the result of a plea or trial, regardless of  
18 whether adjudication is withheld.

19 (c) In order for the security guard, spouse, or dependent  
20 children to be eligible for insurance coverage under this Act,  
21 the injury or death must have occurred as the result of the  
22 security guard's authorized activities. Nothing in this  
23 Section shall be construed to limit health insurance coverage  
24 or pension benefits for which the security guard, spouse, or  
25 dependent children may otherwise be eligible.

26 Section 20. Home rule. A public entity, including a home  
27 rule unit, may not provide benefits to persons covered under  
28 this Act in a manner inconsistent with the requirements of this  
29 Act. This Act is a limitation under subsection (i) of Section 6  
30 of Article VII of the Illinois Constitution on the concurrent  
31 exercise by home rule units of powers and functions exercised  
32 by the State.

33 Section 90. The Higher Education Student Assistance Act is  
34 amended by adding Section 62 as follows:

1 (110 ILCS 947/62 new)

2 Sec. 62. Security guard survivor grant. A grant shall be  
3 provided for any natural child, legally adopted child, or child  
4 in the legal custody of a security officer accidentally or  
5 unlawfully killed, as specified in subsection (a) of Section 15  
6 of the Security Employee Benefits Act, on or after the  
7 effective date of this amendatory Act of the 94th General  
8 Assembly. Beneficiaries are entitled to full payment of tuition  
9 and mandatory fees at a State university, public community  
10 college in this State, or State vocational-technical school,  
11 for either full or part-time study, up to a maximum of 120  
12 credit hours, provided that the recipient possesses the  
13 necessary entrance requirements, is under 25 years of age, is  
14 and remains a resident of this State while attending the  
15 institution, complies with all academic and disciplinary  
16 requirements of the institution, and is a student in good  
17 standing. The benefits of this Section shall be administered by  
18 and paid out of funds available to the Commission and shall  
19 accrue to the bona fide applicant without the requirement of  
20 demonstrating financial need to qualify for those benefits.

21 Section 999. Effective date. This Act takes effect upon  
22 becoming law.