

1 AN ACT in relation to public employee benefits.

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

4 Section 5. The Law Enforcement Officers, Civil Defense  
5 Workers, Civil Air Patrol Members, Paramedics, Firemen,  
6 Chaplains, and State Employees Compensation Act is amended by  
7 changing Section 3 as follows:

8 (820 ILCS 315/3) (from Ch. 48, par. 283)

9 Sec. 3. Duty death benefit. If a claim therefor is made  
10 within one year of the date of death of a the law enforcement  
11 officer, civil defense worker, civil air patrol member,  
12 paramedic, fireman, chaplain, or State employee killed in the  
13 line of duty, compensation ~~in-the-amount-of-\$10,000~~ shall be  
14 paid to the person designated by the a law enforcement  
15 officer, civil defense worker, civil air patrol member,  
16 paramedic, fireman, chaplain, or State employee.

17 The amount of compensation shall be \$10,000 if the death  
18 killed in the line of duty occurred prior to January 1,  
19 1974;~~i~~ and \$20,000 if such death occurred after December 31,  
20 1973 and before July 1, 1983;~~i~~ \$50,000 if such death occurred  
21 on or after July 1, 1983 and before January 1, 1996;~~i~~  
22 \$100,000 if the death occurred on or after January 1, 1996  
23 and before May 18, 2001; ~~the--effective--date--of---this~~  
24 ~~amendatory--Act-of-the-92nd-General-Assembly,~~ and \$118,000 if  
25 the death occurred on or after May 18, 2001 ~~the--effective~~  
26 ~~date--of-this-amendatory-Act-of-the-92nd-General-Assembly~~ and  
27 before the effective date of this amendatory Act of the 92nd  
28 General Assembly; and \$259,038 if the death occurs on or  
29 after the effective date of this amendatory Act of the 92nd  
30 General Assembly and before January 1, 2003.

31 For deaths occurring on or after Beginning January 1,

1 2003, the death compensation rate for death in the line of  
 2 duty occurring in a particular calendar year shall be the  
 3 death compensation rate for death occurring in the previous  
 4 calendar year (or in the case of deaths occurring in 2003,  
 5 the rate in effect on December 31, 2002) increased by a  
 6 percentage thereof equal to the percentage increase, if any,  
 7 in the index known as the Consumer Price Index for All Urban  
 8 Consumers: U.S. city average, unadjusted, for all items,  
 9 "Employment-Cost-Index, Wages-and-Salaries, by-Occupation-and  
 10 Industry-Group:-State-and-Local-Government--Workers:---Public  
 11 Administration", as published by the United States Department  
 12 of Labor, Bureau of Labor Statistics, for the 12 months  
 13 ending with the month of June of that previous calendar year.

14 If no beneficiary is designated or surviving at the death  
 15 of the law enforcement officer, civil defense worker, civil  
 16 air patrol member, paramedic, fireman, chaplain, or State  
 17 employee killed in the line of duty, the compensation shall  
 18 be paid as follows:

19 (a) when there is a surviving spouse, the entire  
 20 sum shall be paid to the spouse;

21 (b) when there is no surviving spouse, but a  
 22 surviving descendant of the decedent, the entire sum  
 23 shall be paid to the decedent's descendants per stirpes;

24 (c) when there is neither a surviving spouse nor a  
 25 surviving descendant, the entire sum shall be paid to the  
 26 parents of the decedent in equal parts, allowing to the  
 27 surviving parent, if one is dead, the entire sum; and

28 (d) when there is no surviving spouse, descendant  
 29 or parent of the decedent, but there are surviving  
 30 brothers or sisters, or descendants of a brother or  
 31 sister, who were receiving their principal support from  
 32 the decedent at his death, the entire sum shall be paid,  
 33 in equal parts, to the dependent brothers or sisters or  
 34 dependent descendant of a brother or sister. Dependency

1 shall be determined by the Court of Claims based upon the  
2 investigation and report of the Attorney General.

3 When there is no beneficiary designated or surviving at  
4 the death of the law enforcement officer, civil defense  
5 worker, civil air patrol member, paramedic, fireman,  
6 chaplain, or State employee killed in the line of duty and no  
7 surviving spouse, descendant, parent, dependent brother or  
8 sister, or dependent descendant of a brother or sister, no  
9 compensation shall be payable under this Act.

10 No part of such compensation may be paid to any other  
11 person for any efforts in securing such compensation.

12 (Source: P.A. 92-3, eff. 5-18-01.)

13 Section 99. Effective date. This Act takes effect upon  
14 becoming law.