



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2020

Introduced 2/6/2025, by Sen. Paul Faraci

SYNOPSIS AS INTRODUCED:

40 ILCS 5/3-114.1	from Ch. 108 1/2, par. 3-114.1
40 ILCS 5/4-109.2	from Ch. 108 1/2, par. 4-109.2
30 ILCS 805/8.49 new	

Amends the Illinois Pension Code. In the Downstate Police Article, provides that, beginning July 1, 2025, any line-of-duty disability pension shall be at least \$40,000 per year (instead of \$400 per month), without regard to whether the disability or death of the police officer occurred before July 1, 2025. In provisions concerning an annual increase in the line-of-duty disability pension, removes requirements that an applicant must file an affidavit stating that the applicant has not earned any income from gainful employment during the most recently concluded tax year; have service credit in the Fund for at least 7 years of active duty; and have been receiving a line-of-duty disability pension for a period which, when added to the officer's total service credit in the Fund, equals at least 20 years. In the Downstate Firefighter Article, provides that the minimum line-of-duty disability pension shall be at least \$40,000 per year. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB104 12159 RPS 22259 b

1 AN ACT concerning 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 Illinois Pension Code is amended by
5 changing Sections 3-114.1 and 4-109.2 as follows:

6 (40 ILCS 5/3-114.1) (from Ch. 108 1/2, par. 3-114.1)

7 Sec. 3-114.1. Disability pension; line pension ~~Line~~ of
8 duty.

9 (a) If a police officer as the result of sickness,
10 accident or injury incurred in or resulting from the
11 performance of an act of duty, is found to be physically or
12 mentally disabled for service in the police department, so as
13 to render necessary his or her suspension or retirement from
14 the police service, the police officer shall be entitled to a
15 disability retirement pension equal to the greatest of (1) 65%
16 of the salary attached to the rank on the police force held by
17 the officer at the date of suspension of duty or retirement,
18 (2) the retirement pension that the police officer would be
19 eligible to receive if he or she retired (but not including any
20 automatic annual increase in that retirement pension), or (3)
21 the pension provided under subsection (d), if applicable.

22 A police officer shall be considered "on duty" while on
23 any assignment approved by the chief of the police department

1 of the municipality he or she serves, whether the assignment
2 is within or outside the municipality.

3 (b) If a police officer on disability pension dies while
4 still disabled, the disability pension shall continue to be
5 paid to his or her survivors in the sequence provided in
6 Section 3-112.

7 (c) Until July 1, 2025, ~~From and after July 1, 1987,~~ any
8 pension payable under this Section shall be at least \$400 per
9 month, without regard to the fact that the disability or death
10 of the police officer occurred prior to that date.

11 Beginning July 1, 2025, any pension payable under this
12 Section shall be at least \$40,000 per year, without regard to
13 whether the disability or death of the police officer occurred
14 before July 1, 2025.

15 If the minimum pension established in Section 3-113.1 is
16 greater than the minimum provided in this Section, the Section
17 3-113.1 minimum controls.

18 (d) A disabled police officer who (1) is receiving a
19 pension under this Section on or after the effective date of
20 this amendatory Act of the 104th General Assembly ~~this~~
21 ~~amendatory Act of the 91st General Assembly,~~ and (2) annually
22 files with the Fund, ~~within 30 days after that effective date~~
23 ~~and annually thereafter~~ while the pension remains payable, a
24 written application for the benefits of this subsection,
25 regardless of whether the recipient is engaged in gainful
26 employment, including an affidavit stating that the applicant

1 ~~has not earned any income from gainful employment during the~~
2 ~~most recently concluded tax year and a copy of his or her most~~
3 ~~recent Illinois income tax return, (3) has service credit in~~
4 ~~the Fund for at least 7 years of active duty, and (4) has been~~
5 ~~receiving the pension under this Section for a period which,~~
6 ~~when added to the officer's total service credit in the Fund,~~
7 ~~equals at least 20 years,~~ shall be eligible to receive an
8 annual noncompounded increase in his or her pension under this
9 Section, equal to 3% of the original pension.

10 The Fund may take appropriate steps to verify the
11 applicant's disability and earnings status, and for this
12 purpose may request from the Department of Revenue a certified
13 copy of the applicant's Illinois income tax return for any
14 year for which a benefit under this Section is payable or has
15 been paid.

16 The annual increase shall accrue on each anniversary of
17 the initial pension payment date, for so long as the pension
18 remains payable to the disabled police officer and the
19 required annual application is made, except that the annual
20 increases under this subsection shall cease if the disabled
21 police officer earns income from gainful employment. Within 60
22 days after accepting an initial application under this
23 subsection, the Fund shall pay to the disabled police officer,
24 in a lump sum without interest, the amounts resulting from the
25 annual increases that have accrued retroactively.

26 This subsection is not limited to persons in active

1 service on or after its effective date, but it applies only to
2 a pension that is payable under this Section to a disabled
3 police officer (rather than a survivor). Upon the death of the
4 disabled police officer, the annuity payable under this
5 Section to his or her survivors shall include any annual
6 increases previously received, but no additional increases
7 shall accrue under this subsection.

8 (Source: P.A. 91-939, eff. 2-1-01.)

9 (40 ILCS 5/4-109.2) (from Ch. 108 1/2, par. 4-109.2)

10 Sec. 4-109.2. Minimum pension.

11 (a) Beginning January 1, 1984, the minimum disability
12 pension granted under Section 4-110 or 4-111, the minimum
13 surviving spouse's pension, and the minimum retirement pension
14 granted to a firefighter with 20 or more years of creditable
15 service, shall be \$300 per month, without regard to whether
16 the death, disability or retirement of the firefighter
17 occurred prior to that date.

18 Beginning July 1, 1987, the minimum retirement pension
19 payable to a firefighter with 20 or more years of creditable
20 service, the minimum disability pension payable under Section
21 4-110 or 4-111, and the minimum surviving spouse's pension
22 shall be \$400 per month, without regard to whether the death,
23 retirement or disability of the firefighter occurred prior to
24 that date.

25 Beginning July 1, 1993, the minimum retirement pension

1 payable to a firefighter with 20 or more years of creditable
2 service and the minimum surviving spouse's pension shall be
3 \$475 per month, without regard to whether the firefighter was
4 in service on or after the effective date of this amendatory
5 Act of 1993.

6 (b) Beginning January 1, 1999, the minimum retirement
7 pension payable to a firefighter with 20 or more years of
8 creditable service, the minimum disability pension payable
9 under Section 4-110, 4-110.1, or 4-111, and the minimum
10 surviving spouse's pension shall be \$600 per month, without
11 regard to whether the firefighter was in service on or after
12 the effective date of this amendatory Act of the 91st General
13 Assembly.

14 In the case of a pensioner whose pension began before the
15 effective date of this amendatory Act and is subject to
16 increase under this subsection (b), the pensioner shall be
17 entitled to a lump sum payment of the amount of that increase
18 accruing from January 1, 1999 (or the date the pension began,
19 if later) to the effective date of this amendatory Act.

20 (c) Beginning January 1, 2000, the minimum retirement
21 pension payable to a firefighter with 20 or more years of
22 creditable service, the minimum disability pension payable
23 under Section 4-110, 4-110.1, or 4-111, and the minimum
24 surviving spouse's pension shall be \$800 per month, without
25 regard to whether the firefighter was in service on or after
26 the effective date of this amendatory Act of the 91st General

1 Assembly.

2 (d) Beginning January 1, 2001, the minimum retirement
3 pension payable to a firefighter with 20 or more years of
4 creditable service, the minimum disability pension payable
5 under Section 4-110, 4-110.1, or 4-111, and the minimum
6 surviving spouse's pension shall be \$1000 per month, without
7 regard to whether the firefighter was in service on or after
8 the effective date of this amendatory Act of the 91st General
9 Assembly.

10 (e) Beginning July 1, 2004, the minimum retirement pension
11 payable to a firefighter with 20 or more years of creditable
12 service, the minimum disability pension payable under Section
13 4-110, 4-110.1, or 4-111, and the minimum surviving spouse's
14 pension shall be \$1030 per month, without regard to whether
15 the firefighter was in service on or after the effective date
16 of this amendatory Act of the 93rd General Assembly.

17 (f) Beginning July 1, 2005, the minimum retirement pension
18 payable to a firefighter with 20 or more years of creditable
19 service, the minimum disability pension payable under Section
20 4-110, 4-110.1, or 4-111, and the minimum surviving spouse's
21 pension shall be \$1060.90 per month, without regard to whether
22 the firefighter was in service on or after the effective date
23 of this amendatory Act of the 93rd General Assembly.

24 (g) Beginning July 1, 2006, the minimum retirement pension
25 payable to a firefighter with 20 or more years of creditable
26 service, the minimum disability pension payable under Section

1 4-110, 4-110.1, or 4-111, and the minimum surviving spouse's
2 pension shall be \$1092.73 per month, without regard to whether
3 the firefighter was in service on or after the effective date
4 of this amendatory Act of the 93rd General Assembly.

5 (h) Beginning July 1, 2007, the minimum retirement pension
6 payable to a firefighter with 20 or more years of creditable
7 service, the minimum disability pension payable under Section
8 4-110, 4-110.1, or 4-111, and the minimum surviving spouse's
9 pension shall be \$1125.51 per month, without regard to whether
10 the firefighter was in service on or after the effective date
11 of this amendatory Act of the 93rd General Assembly.

12 (i) Beginning July 1, 2008, the minimum retirement pension
13 payable to a firefighter with 20 or more years of creditable
14 service, the minimum disability pension payable under Section
15 4-110, 4-110.1, or 4-111, and the minimum surviving spouse's
16 pension shall be \$1159.27 per month, without regard to whether
17 the firefighter was in service on or after the effective date
18 of this amendatory Act of the 93rd General Assembly.

19 (j) Beginning July 1, 2025, the minimum disability pension
20 payable under Section 4-110 shall be \$40,000 per year, without
21 regard to whether the disability or death of the firefighter
22 occurred before July 1, 2025.

23 (Source: P.A. 93-689, eff. 7-1-04.)

24 Section 90. The State Mandates Act is amended by adding
25 Section 8.49 as follows:

1 (30 ILCS 805/8.49 new)

2 Sec. 8.49. Exempt mandate. Notwithstanding Sections 6 and
3 8 of this Act, no reimbursement by the State is required for
4 the implementation of any mandate created by this amendatory
5 Act of the 104th General Assembly.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.