

1 AN ACT concerning employment.

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

4 Section 5. The Illinois Wage Payment and Collection Act is  
5 amended by adding Section 9.5 as follows:

6 (820 ILCS 115/9.5 new)

7 Sec. 9.5. Reimbursement of employee expenses.

8 (a) An employer shall reimburse an employee for all  
9 necessary expenditures or losses incurred by the employee  
10 within the employee's scope of employment and directly related  
11 to services performed for the employer. As used in this  
12 Section, "necessary expenditures" means all reasonable  
13 expenditures or losses required of the employee in the  
14 discharge of employment duties and that inure to the primary  
15 benefit of the employer. An employer is not responsible for  
16 losses due to an employee's own negligence, losses due to  
17 normal wear, or losses due to theft unless the theft was a  
18 result of the employer's negligence. An employee shall submit  
19 any necessary expenditure with appropriate supporting  
20 documentation within 30 calendar days after incurring the  
21 expense, except that an employer may provide additional time  
22 for submitting requests for reimbursement in a written expense  
23 reimbursement policy. Where supporting documentation is

1 nonexistent, missing, or lost, the employee shall submit a  
2 signed statement regarding any such receipts.

3 (b) An employee is not entitled to reimbursement under this  
4 Section if (i) the employer has an established written expense  
5 reimbursement policy and (ii) the employee failed to comply  
6 with the written expense reimbursement policy. An employer is  
7 not liable under this Section unless the employer authorized or  
8 required the employee to incur the necessary expenditure or the  
9 employer failed to comply with its own written expense  
10 reimbursement policy. If the written expense reimbursement  
11 policy of an employer establishes specifications or guidelines  
12 for necessary expenditures, the employer is not liable under  
13 this Section for the portion of the expenditure amount that  
14 exceeds the specifications or guidelines of the policy so long  
15 as the employer does not institute a policy that provides for  
16 no reimbursement or de minimis reimbursement.

17 (c) To ensure consistency with federal law, any rules  
18 adopted by the Department and interpretation of this Section  
19 shall be consistent and not in conflict with federal  
20 regulations and guidelines regarding employer requirements for  
21 reimbursement of employee expenses.