



## Commission on Government Forecasting and Accountability

### PENSION IMPACT NOTE *103<sup>RD</sup> General Assembly*

BILL NO: **HB 5104, as amended by HA 001**

March 21, 2024

SPONSOR (S): Hoffman - Stephens

SYSTEM: Chicago Police and Chicago Fire

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#### FISCAL IMPACT

**The Chicago Police fund has not yet responded to requests for information regarding the number of officers who became eligible for COVID-related death or duty disability benefits under P.A. 101-0653 and P.A. 103-0002. An updated note will be issued upon receipt of such information. The Chicago Fire fund reported having three applicants for COVID-related line-of-duty disability benefits, two of whom were denied and one of whom was granted a retroactive duty-disability pension.**

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IMPACT OF HA 001: HA 001 extends the original bill's COVID presumption sunset window to the Chicago Fire article; the underlying bill dealt only with the Chicago Police article.

SUBJECT MATTER: HB 5104, as amended by HA 001, amends the Chicago Police and Chicago Fire articles of the Illinois Pension Code. The bill extends the eligibility window of the COVID-19 presumption of duty disability or death-in-service so that the presumption applies to any Chicago police officer or firefighter who was exposed to and contracted COVID-19 on or after March 9, 2020 and on or before January 31, 2022, rather than on or before June 30, 2021.

COMMENT: P.A. 101-0633, which took effect June 5, 2020, amended the Chicago Police and Chicago Fire articles of the Illinois Pension Code to create a rebuttable COVID-19 presumption for death-in-service cases. The Act applied the presumption to those police officers and firefighters who were exposed to and contracted COVID-19 on or after March 9, 2020 and on or before December 31, 2020. P.A. 101-0653, which took effect February 26, 2021, extended

the eligibility window for the aforementioned COVID-19 presumption to on or before June 30, 2021. Furthermore, P.A. 103-0002, which took effect May 10, 2023, created a similar COVID-19 presumption for line-of-duty disability cases for Chicago police officers and firefighters.

Pursuant to P.A. 103-0002, a Chicago police officer or firefighter who becomes disabled as a result of being exposed to COVID-19 shall be rebuttably presumed as having contracted COVID-19 while in the performance of an act of duty. This presumption applies to officers and firefighters who were exposed to and contracted COVID-19 on or after March 9, 2020 and on or before June 30, 2021. A “rebuttable presumption” does not mean that the officer or firefighter will automatically be awarded duty disability or death-in-service benefits. To receive either benefit, the board of trustees of the pension fund must ascertain the existence of the disability or cause of death via any one of the following criteria:

- A confirmed positive laboratory test for COVID-19; or
- An antibodies test for COVID-19; or
- A confirmed diagnosis of COVID-19 from a licensed medical professional.

HB 5104, as amended by HA 001, extends the sunset date for the presumption of duty disability (P.A. 103-0002) or death-in-service benefits (P.A. 101-0653). Hence, the presumption would apply to any Chicago police officer or firefighter who was exposed to and contracted COVID-19 on or after March 9, 2020 and on or before January 31, 2022, rather than on or before June 30, 2021.

For Chicago police officers, duty disability benefits are equal to 75% of the salary attached to the rank of the active police officer at the time of disability. Death-in-service benefits for Chicago police officers are equal to 75% of the salary attached to the civil service position that would have ordinarily been paid to the officer as though in active discharge of his or her duties at the time of death.

Similarly, for Chicago firefighters, duty disability benefits are equal to 75% of the firefighter’s salary at the time disability is allowed. Death-in-service benefits for Chicago firefighters are equal to 75% of the salary attached to the position that the firefighter held at the time of death.

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