



Commission on Government Forecasting and Accountability

PENSION IMPACT NOTE *103RD General Assembly*

BILL NO: **HB 5104**

February 21, 2024

SPONSOR (S): Hoffman - Stephens

SYSTEM: Chicago Police

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. However, 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.

SUBJECT MATTER: HB 5104 amends the Chicago Police Article 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 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 article of the Pension Code to create a rebuttable COVID-19 presumption for death-in-service cases. The act applied the presumption to those 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 presumption to on or after March 9, 2020 and on or before June 30, 2021, rather than December 31, 2020. 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.

Pursuant to P.A. 103-0002, a Chicago police officer 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 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 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 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 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.

Duty disability benefits for Chicago police officers 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 50% 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.

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