



Commission on Government Forecasting and Accountability

PENSION IMPACT NOTE *104TH General Assembly*

BILL NO: SB 1189

January 29, 2025

SPONSOR (S): Martwick

SYSTEM: Chicago Police

FISCAL IMPACT

The fiscal impact of SB 1189 is unknown as the number of Chicago police officers who would become eligible for disability benefits due to not being reinstated as a police officer because of a mental or physical condition is not known. The bill would create a presumption of disability in such circumstances, i.e., a police officer has satisfied the requirements for a disability benefit but has been denied such benefit whilst also not having been reinstated or offered a limited-duty position. If a disability benefit is granted by force of law under this bill, then the officer would be eligible for disability payments as of the effective date of the bill.

The Chicago Police fund has not yet responded to requests for information regarding the number of officers who might be impacted by this bill. An updated note will be issued upon receipt of that information.

SUBJECT MATTER: SB 1189 amends the Chicago Police Article of the Illinois Pension Code by adding a presumption of disability to (1) officers who are denied reinstatement due to “physical or mental incapacity” and apply for disability benefits, and (2) officers who, unless reinstated or offered a limited-duty position, otherwise meet the requirements for disability benefits. The bill grants disability benefits to such officers as of the effective date. These changes are further detailed in the Comment section below.

COMMENT: Under current law, there is no presumption of disability for Chicago police officers. If seeking disability benefits under the Chicago Police Article of the Pension Code,

police officers must provide proof of disability via evidence from a physical examination conducted by at least one licensed and practicing physician appointed by the fund’s board. If deemed disabled, the officer must undergo annual physical examinations to monitor the disability and is entitled to one of the following benefit types, dependent on the circumstances by which the officer became disabled:

- Duty disability
 - Equal to 75% of the officer’s salary at the time disability is awarded; or
- Occupational disease disability
 - Equal to 65% of the officer’s salary at the time the disability occurred; or
- Ordinary (non-duty) disability
 - Equal to 50% of the officer’s salary at the time the disability occurred.

When the disability ceases, disability benefits are discontinued and the officer must return to police service, unless the officer is deemed to be permanently disabled.

SB 1189 adds a presumption of disability to the Chicago Police Article of the Illinois Pension Code. Specifically, the bill states that a police officer who is denied reinstatement as an officer due to a “physical or mental incapacity” and applies for disability benefits is to be presumed disabled. Furthermore, a police officer who otherwise meets the requirements for a disability benefit is similarly presumed disabled, and cannot be denied a disability benefit unless the officer is either reinstated or offered a limited-duty position. SB 1189 grants disability benefits to such active police officers as of the bill’s effective date.

Please note – SB’s 1184, 1185, and 1189 from the current 104th GA are substantially similar. The table below notes the distinctions between them.

	SB 1184	SB 1185	SB 1189
Retroactivity	Applies retroactively to Jan. 1, 2023	No retroactivity	No retroactivity
Applicability	Active, Vested Inactive and Retired	Actives only	Actives only