



City of Chicago



O2022-1216

Office of the City Clerk

Document Tracking Sheet

Meeting Date:

4/27/2022

Sponsor(s):

O'Shea (19)
Sawyer (6)
Cardona, Jr. (31)
Taliaferro (29)
Hopkins (2)
Harris (8)
Sadlowski Garza (10)
Rodriguez (22)
Reboyas (30)
Waguespack (32)
Mitts (37)
Lopez (15)
Austin (34)
Beale (9)
Brookins (21)
Burke (14)
Burnett (27)
Cappleman (46)
Cardenas (12)
Coleman (16)
Curtis (18)
Dowell (3)
Ervin (28)
Gardiner (45)
Hadden (49)
Hairston (5)
King (4)
La Spata (1)
Lee (11)
Maldonado (26)
Martin (47)
Mitchell (7)
Moore (17)
Napolitano (41)
Nugent (39)
Osterman (48)
Quinn (13)
Ramirez-Rosa (35)
Reilly (42)
Rodriguez Sanchez (33)
Scott, Jr. (24)
Sigcho-Lopez (25)

Silverstein (50)
Smith (43)
Sposato (38)
Tabares (23)
Taylor (20)
Tunney (44)
Vasquez, Jr. (40)
Villegas (36)

Type:

Ordinance

Title:

Amendment of Municipal Code Titles 2 and 3 by modifying various sections and adding new Sections 2-36-761 and 2-84-451 regarding death benefits to surviving spouses of first responders who die by suicide

Committee(s) Assignment:

Committee on Finance

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Chapter 3-8 of the Municipal Code of the City of Chicago is hereby amended by deleting the language struck through, and inserting the language underlined, as follows:

3-8-010 Authorization of fund.

Whenever the city council shall appropriate a sum or sums of money in accordance with the provisions of Sections 22-301, et seq. of the Illinois Pension Code, as amended, for the payment of allowances of money to the family or dependents of any policeman or fireman of the City of Chicago in case they are he is killed or fatally injured while in the performance of their his duties, the same shall be paid and disbursed in accordance with the following provisions. For the purposes of this Chapter, (i) the term "policeman" shall have the meaning ascribed in Section 5-109 of the Illinois Pension Code (40 ILCS 5/5-109), and (ii) the term "fireman" shall have the meaning ascribed in Section 6-106 of the Illinois Pension Code (40 ILCS 5/6-106).

(Omitted text unaffected by this ordinance)

3-8-040 Report of injury.

It shall be the duty of the superintendent of police in the case of a policeman, and of the fire commissioner in the case of a fireman, upon the occurrence of any injury in the performance of duty, to have immediate medical care and hospital treatment given to such injured policeman or fireman, to make or cause to be made a complete and careful investigation of all facts surrounding the occurrence, to obtain the statements of all material witnesses, and to present the said report without delay to the said board of trustees for consideration and action thereon, including the determination as to whether or not such injury arose from violence or other accidental cause and was received by the deceased policeman or fireman while they were he was in the performance of their his duty. Such report shall show the actual date and hour of the injury, the place of occurrence, the names and addresses of witnesses and the apparent nature and extent of the injury. In the event a policeman or fireman dies by suicide, or if a drug overdose is determined to be the cause or a contributing factor in the death, the superintendent of police or the fire commissioner, as applicable, shall make or cause to be made a complete and careful investigation of all facts surrounding the occurrence, to obtain the statements of all material witnesses, and to present the said report without delay to the said board of trustees for consideration and action thereon, including the determination as to whether or not such death was the result of an independent intervening cause, or whether no injury that would be compensable under the Workers' Compensation Act, codified at 820 ILCS 305, was a causative factor.

3-8-050 Required proof.

No such award or payment shall be made unless satisfactory proof shall have been presented to the board of trustees that death occurred within one year from the date of injury, that such injury

arose from violence or other accidental cause, that such injury was received while in the performance of duty, and that such injury was the direct cause of death. The amount of the award shall be determined by order of court, entered by a court of competent jurisdiction, declaring heirship. For the purposes of this Chapter, there shall be a rebuttable presumption that when any policeman or fireman dies by suicide, or if a drug overdose is determined to be the cause or a contributing factor in the death, that such death meets the requirements of this Section. Such presumption may only be rebutted upon a finding that such death was the result of an independent intervening cause, or where no injury that would be compensable under the Workers' Compensation Act, codified at 820 ILCS 305, was a causative factor.

(Omitted text unaffected by this ordinance)

3-8-120 Amounts.

Awards made under the terms of this chapter shall be in accordance with the said statute, approved June 27, 1921, as amended, for the use and benefit of the beneficiaries as follows:

- (1) The widow surviving spouse of the deceased if there be no minor child or children \$20,000
- (2) The widow surviving spouse and one minor child of the deceased, in equal parts \$30,000
- (3) The widow surviving spouse and two or more minor children of the deceased, in equal parts \$40,000
- (4) The widow surviving spouse and father or mother of the deceased, in equal parts \$30,000
- (5) The widow surviving spouse and father and mother of the deceased, in equal parts \$40,000
- (6) The widow surviving spouse, one minor child and mother, father, or both, of the deceased, in equal parts \$40,000
- (7) The widow surviving spouse, two or more minor children and father, mother, or both, of the deceased, in equal parts \$40,000
- (8) One minor child of the deceased \$20,000
- (9) Two minor children of the deceased, in equal parts \$25,000
- (10) Three or more minor children of the deceased, in equal parts \$40,000
- (11) One minor child and father or mother of the deceased, in equal parts \$30,000
- (12) One minor child and father and mother of the deceased, in equal parts \$40,000
- (13) Two or more minor children and father, mother, or both, of the deceased, in equal parts \$40,000

The right of the minor child is understood to mean the child's proportionate part in the benefits set out in subparagraphs (2), (3), (9) and (10) of this section.

- (14) If there be no widow surviving spouse or children of the deceased and there be a father or mother surviving the deceased, awards shall be made as follows:

For the father or mother	\$20,000
For the father and mother	\$30,000

- (15) If there be no widow surviving spouse, children, father or mother of the deceased, and if there be minor brothers or sisters, and brothers or sisters having reached the age of 50 years or over, fully dependent upon the deceased for support at the time of their his death, awards shall be made as follows:

One adult brother or more – each	\$15,000
One adult sister or more – each	\$15,000
One minor brother or sister	\$15,000
Two minor brothers or sisters	\$20,000
Three minor brothers or sisters	\$22,500
Four or more minor brothers or sisters	\$25,000

(Omitted text unaffected by this ordinance)

3-8-150 Marriage or attainment of majority – By beneficiary.

In the event of the marriage of any beneficiary or in the event that any minor beneficiary other than the widow surviving spouse of the deceased policeman or fireman shall attain the age of 21 years and shall be under no mental or physical disability preventing self-support and shall not be attending a school or college deemed accredited by the board of trustees of the policemen's and firemen's death benefit fund, and there are other beneficiaries remaining, the funds remaining in the hands of the trustee bank shall be reallocated for the use and benefit of the other beneficiary or beneficiaries in the following manner:

(Omitted text unaffected by this ordinance)

SECTION 2. Section 2-36-760 of the Municipal Code of the City of Chicago is hereby amended by deleting the language struck, and by inserting the language underlined, as follows:

2-36-760 Salary payment following death in the line of duty.

The salary of any member of the fire department killed in the line of duty shall continue for a period of one year, commencing from the date of the death of the deceased member of the fire department, and shall be paid out of the specific fund appropriated therefor included in the General Finance Section of the Annual Appropriation Ordinance for the year 1967 and

subsequent years to the widow surviving spouse of the deceased member of the fire department, or in the absence of a widow surviving spouse, to the guardian or person standing in loco parentis of such deceased member's dependent minor children, or in the absence of a widow surviving spouse or minor children, to such deceased member's dependent parents who were residents in such deceased member's household at the time of the injury which resulted in such deceased member's death. This section shall be retroactive to January 1, 1965.

SECTION 3. Chapter 2-36 of the Municipal Code of the City of Chicago is hereby amended by inserting a new Section 2-36-761, as follows:

2-36-761 Salary payment following death by suicide.

The salary of any member of the fire department who dies by suicide arising from a compensable injury suffered in the line of duty under the Workers' Compensation Act, codified at 820 ILCS 305, or if a drug overdose is determined to be the cause or a contributing factor in the death, shall continue for a period of one year, commencing from the date of the death of the deceased member of the fire department, and shall be paid out of the specific fund appropriated therefor to the surviving spouse of the deceased member of the fire department, or in the absence of a surviving spouse, to the guardian or person standing in loco parentis of such deceased member's dependent minor children, or in the absence of a surviving spouse or minor children, to such deceased member's dependent parents who were residents in such deceased member's household at the time of the injury which resulted in such deceased member's death. This section shall be retroactive to January 1, 2018.

SECTION 4. Chapter 2-84-450 of the Municipal Code of the City of Chicago is hereby amended by deleting the language struck, and by inserting the language underlined, as follows:

2-84-450 Salary to widow surviving spouse or other dependents.

The salary of any police officer killed in the line of duty shall continue for a period of one year commencing from the date of the death of the deceased police officer and shall be paid out of the specified fund appropriated therefor included in the general finance section of the Annual Appropriation Ordinance for the year 1967 and subsequent years to the widow surviving spouse of the deceased police officer, or in the absence of a widow surviving spouse, to the guardian or person standing in loco parentis of dependent minor children, or in the absence of a widow surviving spouse or minor children, to dependent parents who were residents in the deceased police officer's household at the time of the injury which resulted in their ~~his~~ death. This section shall be retroactive to January 1, 1965.

SECTION 5. Chapter 2-84 of the Municipal Code of the City of Chicago is hereby amended by inserting a new Section 2-84-451, as follows:

2-84-451 Salary payment following death by suicide.

The salary of any police officer dies by suicide arising from a compensable injury suffered in the line of duty under the Workers' Compensation Act, codified at 820 ILCS 305, or if a drug overdose is determined to be the cause or a contributing factor in the death, shall continue for a period of one year commencing from the date of the death of the deceased police officer and shall be paid

out of the specified fund appropriated therefor to the surviving spouse of the deceased police officer, or in the absence of a surviving spouse, to the guardian or person standing in loco parentis of dependent minor children, or in the absence of a surviving spouse or minor children, to dependent parents who were residents in the deceased police officer's household at the time of the injury which resulted in their death. This section shall be retroactive to January 1, 2018.

SECTION 6. This ordinance shall take effect upon passage and approval, and shall be retroactive to January 1, 2018.



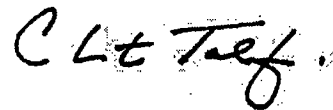
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RODERICK SAWYER
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Ariel Reboyas

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Feliz Cardona

Alderman Ward 31

Scott Waguespack

Alderman Ward 32

Rossana Rodriguez Sanchez

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Alderman Ward 37

Nick Sposato

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Samantha Nugent

Alderman Ward 39

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