



Rep. Laura Faver Dias

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10400HB0727ham001

LRB104 04620 RPS 35034 a

1 AMENDMENT TO HOUSE BILL 727

2 AMENDMENT NO. _____. Amend House Bill 727 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by
5 changing Section 4-110 as follows:

6 (40 ILCS 5/4-110) (from Ch. 108 1/2, par. 4-110)

7 Sec. 4-110. Disability pension; line ~~pension~~ Line of
8 duty. If a firefighter, as the result of sickness, accident or
9 injury incurred in or resulting from the performance of an act
10 of duty or from the cumulative effects of acts of duty, is
11 found, pursuant to Section 4-112, to be physically or mentally
12 permanently disabled for service in the fire department, so as
13 to render necessary his or her being placed on disability
14 pension, the firefighter shall be entitled to a disability
15 pension equal to the greater of (1) 65% of the monthly salary
16 attached to the rank held by him or her in the fire department

1 at the date he or she is removed from the municipality's fire
2 department payroll or (2) the retirement pension that the
3 firefighter would be eligible to receive if he or she retired
4 (but not including any automatic annual increase in that
5 retirement pension). A firefighter shall be considered "on
6 duty" while on any assignment approved by the chief of the fire
7 department, even though away from the municipality he or she
8 serves as a firefighter, if the assignment is related to the
9 fire protection service of the municipality.

10 Such firefighter shall also be entitled to a child's
11 disability benefit of \$20 a month on account of each unmarried
12 child less than 18 years of age and dependent upon the
13 firefighter for support, either the issue of the firefighter
14 or legally adopted by him or her. The total amount of child's
15 disability benefit payable to the firefighter, when added to
16 his or her disability pension, shall not exceed 75% of the
17 amount of salary which the firefighter was receiving at the
18 date of retirement.

19 Benefits payable on account of a child under this Section
20 shall not be reduced or terminated by reason of the child's
21 attainment of age 18 if he or she is then dependent by reason
22 of a physical or mental disability but shall continue to be
23 paid as long as such dependency continues. Individuals over
24 the age of 18 and adjudged to be disabled persons pursuant to
25 Article XIa of the Probate Act of 1975, except for persons
26 receiving benefits under Article III of the Illinois Public

1 Aid Code, shall be eligible to receive benefits under this
2 Act.

3 If a firefighter dies while still disabled and receiving a
4 disability pension under this Section, the disability pension
5 shall continue to be paid to the firefighter's survivors in
6 the sequence provided in Section 4-114.

7 The disability pension under this Section that continues
8 to be paid to the firefighter's survivors shall be increased
9 by 3% if all of the following conditions are met:

10 (1) the firefighter died in 2023;

11 (2) the firefighter died less than 6 months before his
12 or her 60th birthday; and

13 (3) by no later than one year after the effective date
14 of this amendatory Act of the 104th General Assembly, the
15 board of trustees of the fire protection district adopted
16 an ordinance or resolution granting the increase.

17 A pension previously granted under Section 4-114 to a
18 survivor of a firefighter who died while receiving a
19 disability pension under this Section shall be deemed to be a
20 continuation of the pension provided under this Section and
21 shall be deemed to be in the nature of worker's compensation
22 payments. The changes to this Section made by this amendatory
23 Act of 1995 are intended to be retroactive and are not limited
24 to persons in service on or after its effective date.

25 (Source: P.A. 93-1090, eff. 3-11-05.)

1 Section 90. The State Mandates Act is amended by adding
2 Section 8.50 as follows:

3 (30 ILCS 805/8.50 new)

4 Sec. 8.50. Exempt mandate. Notwithstanding Sections 6 and
5 8 of this Act, no reimbursement by the State is required for
6 the implementation of any mandate created by this amendatory
7 Act of the 104th General Assembly.".