



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB1620

Introduced 1/28/2025, by Rep. Gregg Johnson

SYNOPSIS AS INTRODUCED:

40 ILCS 5/4-110.1
30 ILCS 805/8.49 new

from Ch. 108 1/2, par. 4-110.1

Amends the Downstate Firefighter Article of the Illinois Pension Code. Provides that an active firefighter with 5 or more years of creditable service who is found unable to perform his or her duties in the fire department by reason of amyotrophic lateral sclerosis (ALS) resulting from service as a firefighter is entitled to an occupational disease disability pension during any period of such disability for which he or she has no right to receive salary. Amends the State Mandates Act to require implementation without reimbursement by the State.

LRB104 08517 RPS 18569 b

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning public employee benefits.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Pension Code is amended by
5 changing Section 4-110.1 as follows:

6 (40 ILCS 5/4-110.1) (from Ch. 108 1/2, par. 4-110.1)

7 Sec. 4-110.1. Occupational disease disability pension.

8 The General Assembly finds that service in the fire department
9 requires firefighters in times of stress and danger to perform
10 unusual tasks; that firefighters are subject to exposure to
11 extreme heat or extreme cold in certain seasons while
12 performing their duties; that they are required to work in the
13 midst of and are subject to heavy smoke fumes, and
14 carcinogenic, poisonous, toxic or chemical gases from fires;
15 and that these conditions exist and arise out of or in the
16 course of employment.

17 An active firefighter with 5 or more years of creditable
18 service who is found, pursuant to Section 4-112, unable to
19 perform his or her duties in the fire department by reason of
20 heart disease, stroke, tuberculosis, amyotrophic lateral
21 sclerosis (ALS), or any disease of the lungs or respiratory
22 tract, resulting from service as a firefighter, is entitled to
23 an occupational disease disability pension during any period

1 of such disability for which he or she has no right to receive
2 salary.

3 Any active firefighter who has completed 5 or more years
4 of service and is unable to perform his or her duties in the
5 fire department by reason of a disabling cancer, which
6 develops or manifests itself during a period while the
7 firefighter is in the service of the fire department, shall be
8 entitled to receive an occupational disease disability benefit
9 during any period of such disability for which he or she does
10 not have a right to receive salary. In order to receive this
11 occupational disease disability benefit, (i) the type of
12 cancer involved must be a type which may be caused by exposure
13 to heat, radiation or a known carcinogen as defined by the
14 International Agency for Research on Cancer and (ii) the
15 cancer must (and is rebuttably presumed to) arise as a result
16 of service as a firefighter.

17 A firefighter who enters the service after August 27, 1971
18 shall be examined by one or more practicing physicians
19 appointed by the board. If the examination discloses
20 impairment of the heart, lungs or respiratory tract, or the
21 existence of any cancer, the firefighter shall not be entitled
22 to the occupational disease disability pension unless and
23 until a subsequent examination reveals no such impairment or
24 cancer.

25 The occupational disease disability pension shall be equal
26 to the greater of (1) 65% of the salary attached to the rank

1 held by the firefighter in the fire service at the time of his
2 or her removal from the municipality's fire department payroll
3 or (2) the retirement pension that the firefighter would be
4 eligible to receive if he or she retired (but not including any
5 automatic annual increase in that retirement pension).

6 The firefighter is also entitled to a child's disability
7 benefit of \$20 a month for each natural or legally adopted
8 unmarried child less than age 18 dependent upon the
9 firefighter for support. The total child's disability benefit
10 when added to the occupational disease disability pension
11 shall not exceed 75% of the firefighter's salary at the time of
12 the grant of occupational disease disability pension.

13 The occupational disease disability pension is payable to
14 the firefighter during the period of the disability. If the
15 disability ceases before the death of the firefighter, the
16 disability pension payable under this Section shall also cease
17 and the firefighter thereafter shall receive such pension
18 benefits as are provided in accordance with other provisions
19 of this Article.

20 If a firefighter dies while still disabled and receiving a
21 disability pension under this Section, the disability pension
22 shall continue to be paid to the firefighter's survivors in
23 the sequence provided in Section 4-114. A pension previously
24 granted under Section 4-114 to a survivor of a firefighter who
25 died while receiving a disability pension under this Section
26 shall be deemed to be a continuation of the pension provided

1 under this Section and shall be deemed to be in the nature of
2 worker's occupational disease compensation payments. The
3 changes to this Section made by this amendatory Act of 1995 are
4 intended to be retroactive and are not limited to persons in
5 service on or after its effective date.

6 The child's disability benefit shall terminate if the
7 disability ceases while the firefighter is alive or when the
8 child or children attain age 18 or marry, whichever event
9 occurs first, except that benefits payable on account of a
10 child under this Section shall not be reduced or terminated by
11 reason of the child's attainment of age 18 if he or she is then
12 dependent by reason of a physical or mental disability but
13 shall continue to be paid as long as such dependency
14 continues. Individuals over the age of 18 and adjudged as a
15 disabled person pursuant to Article XIa of the Probate Act of
16 1975, except for persons receiving benefits under Article III
17 of the Illinois Public Aid Code, shall be eligible to receive
18 benefits under this Act.

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

20 Section 90. The State Mandates Act is amended by adding
21 Section 8.49 as follows:

22 (30 ILCS 805/8.49 new)

23 Sec. 8.49. Exempt mandate. Notwithstanding Sections 6 and
24 8 of this Act, no reimbursement by the State is required for

1 the implementation of any mandate created by this amendatory
2 Act of the 104th General Assembly.