

104TH GENERAL ASSEMBLY**State of Illinois****2025 and 2026****HB2524**

Introduced 2/4/2025, by Rep. Mary Beth Cantly

SYNOPSIS AS INTRODUCED:

40 ILCS 5/4-106

from Ch. 108 1/2, par. 4-106

30 ILCS 805/8.49 new

Amends the Downstate Firefighter Article of the Illinois Pension Code. Includes in the definition of "firefighter", a person employed in a municipality's or fire protection district's fire service as a de facto firefighter. Provides that "de facto firefighter" means a firefighter who spends a majority of the firefighter's working time participating in the work of controlling and extinguishing fires at the location of any such fires, preparing for such work or waiting to respond to such calls for work and whose scheduled or actual work hours are commensurate in duration and frequency with certain firefighters. Provides that "de facto firefighter" does not include part-time firefighters who are not otherwise covered; auxiliary, reserve, or voluntary firefighters, including paid-on-call firefighters; and clerks, dispatchers, or other civilian employees of a fire department or fire protection district who are not routinely expected to perform firefighter duties. Provides that the changes made by the amendatory Act do not affect persons covered by the Article before the effective date of the amendatory Act. Makes a conforming change. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB104 08204 RPS 18254 b

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 4-106 as follows:

6 (40 ILCS 5/4-106) (from Ch. 108 1/2, par. 4-106)

7 Sec. 4-106. Firefighter, firefighters. "Firefighter,
8 firefighters":

9 (a) In municipalities which have adopted Division 1 of
10 Article 10 of the Illinois Municipal Code, any person employed
11 in the municipality's fire service as a firefighter, fire
12 engineer, marine engineer, fire pilot, bomb technician or
13 scuba diver; and in any of these positions where such person's
14 duties also include those of a firefighter as classified by
15 the Civil Service Commission of that city, and whose duty is to
16 participate in the work of controlling and extinguishing fires
17 at the location of any such fires.

18 (b) In municipalities which are subject to Division 2.1 of
19 Article 10 of the Illinois Municipal Code, any person employed
20 by a city in its fire service as a firefighter, fire engineer,
21 marine engineer, fire pilot, bomb technician, or scuba diver;
22 and, in any of these positions whose duties also include those
23 of a firefighter and are certified in the same manner as a

1 firefighter in that city.

2 (c) Any person employed in a municipality's or fire
3 protection district's fire service as a de facto firefighter.

4 In this definition, "de facto firefighter" means a
5 firefighter:

6 (1) who spends a majority of the firefighter's working
7 time participating in the work of controlling and
8 extinguishing fires at the location of any such fires,
9 preparing for such work or waiting to respond to such
10 calls for work; and

11 (2) whose scheduled or actual work hours are
12 commensurate in duration and frequency with firefighters
13 who are subject to Division 1 or Division 2.1 of Article 10
14 of the Illinois Municipal Code.

15 "De facto firefighter" does not include part-time
16 firefighters who are not covered under this Section;
17 auxiliary, reserve, or voluntary firefighters, including
18 paid-on-call firefighters; and clerks, dispatchers, or other
19 civilian employees of a fire department or fire protection
20 district who are not routinely expected to perform firefighter
21 duties. In municipalities which are subject to neither
22 Division 1 nor Division 2.1 of Article 10 of the Illinois
23 Municipal Code, any person who would have been included as a
24 firefighter under subparagraph (a) or (b) above except that
25 he served as a de facto and not as a de jure firefighter.

26 (d) Notwithstanding the other provisions of this Section,

1 "firefighter" does not include any person who is actively
2 participating in the State Universities Retirement System
3 under subsection (h) of Section 15-107 with respect to the
4 employment for which he or she is a participating employee in
5 that System.

6 (e) This amendatory Act of 1977 does not affect persons
7 covered by this Article prior to September 22, 1977.

8 The changes made to this Section by this amendatory Act of
9 the 104th General Assembly do not affect persons covered by
10 this Article before the effective date of this amendatory Act
11 of the 104th General Assembly.

12 (Source: P.A. 90-576, eff. 3-31-98.)

13 Section 90. The State Mandates Act is amended by adding
14 Section 8.49 as follows:

15 (30 ILCS 805/8.49 new)

16 Sec. 8.49. Exempt mandate. Notwithstanding Sections 6 and
17 8 of this Act, no reimbursement by the State is required for
18 the implementation of any mandate created by this amendatory
19 Act of the 104th General Assembly.

20 Section 99. Effective date. This Act takes effect upon
21 becoming law.