

# SB1712



## 104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB1712

Introduced 2/5/2025, by Sen. Robert F. Martwick

### SYNOPSIS AS INTRODUCED:

40 ILCS 5/6-151.1  
30 ILCS 805/8.49 new

from Ch. 108 1/2, par. 6-151.1

Amends the Chicago Firefighter Article of the Illinois Pension Code. Provides that any active fireman who has completed 7 or more years of service and is unable to perform his duties in the Fire Department by reason of breast cancer resulting from service as a fireman shall be entitled to receive an occupational disease disability benefit during any period of such disability for which he does not have a right to receive salary. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB104 11229 RPS 21311 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 6-151.1 as follows:

6 (40 ILCS 5/6-151.1) (from Ch. 108 1/2, par. 6-151.1)

7 Sec. 6-151.1. The General Assembly finds and declares that  
8 service in the Fire Department requires that firemen, in times  
9 of stress and danger, must perform unusual tasks; that by  
10 reason of their occupation, firemen are subject to exposure to  
11 great heat and to extreme cold in certain seasons while in  
12 performance of their duties; that by reason of their  
13 employment firemen are required to work in the midst of and are  
14 subject to heavy smoke fumes and carcinogenic, poisonous,  
15 toxic or chemical gases from fires; and that in the course of  
16 their rescue and paramedic duties firemen are exposed to  
17 disabling infectious diseases, including AIDS, hepatitis C,  
18 and stroke. The General Assembly further finds and declares  
19 that all the aforementioned conditions exist and arise out of  
20 or in the course of such employment.

21 Any active fireman who has completed 7 or more years of  
22 service and is unable to perform his duties in the Fire  
23 Department by reason of heart disease, tuberculosis, breast

1 cancer, any disease of the lungs or respiratory tract, AIDS,  
2 hepatitis C, stroke, or a contagious staph infection,  
3 including methicillin-resistant Staphylococcus aureus (MRSA),  
4 resulting from his service as a fireman, shall be entitled to  
5 receive an occupational disease disability benefit during any  
6 period of such disability for which he does not have a right to  
7 receive salary.

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

20 Any fireman receiving a retirement annuity shall be  
21 entitled to an occupational disease disability benefit under  
22 this Section if the fireman (1) has not reached the age of  
23 compulsory retirement, (2) has not been receiving a retirement  
24 annuity for more than 5 years, and (3) has a condition that  
25 would have qualified the fireman for an occupational disease  
26 disability benefit under this Section if he or she was an

1 active fireman. A fireman who receives an occupational disease  
2 disability benefit in accordance with this paragraph may not  
3 receive a retirement annuity during the period in which he or  
4 she receives an occupational disease disability benefit. The  
5 occupational disease disability benefit shall terminate upon  
6 the fireman reaching the age of compulsory retirement.

7 Any fireman who shall enter the service after the  
8 effective date of this amendatory Act shall be examined by one  
9 or more practicing physicians appointed by the Board, and if  
10 that examination discloses impairment of the heart, lungs, or  
11 respiratory tract, or the existence of AIDS, hepatitis C,  
12 stroke, cancer, or a contagious staph infection, including  
13 methicillin-resistant Staphylococcus aureus (MRSA), then the  
14 fireman shall not be entitled to receive an occupational  
15 disease disability benefit unless and until a subsequent  
16 examination reveals no such impairment, AIDS, hepatitis C,  
17 stroke, cancer, or contagious staph infection, including  
18 methicillin-resistant Staphylococcus aureus (MRSA).

19 The occupational disease disability benefit shall be 65%  
20 of the fireman's salary at the time of his removal from the  
21 Department payroll. However, beginning January 1, 1994, no  
22 occupational disease disability benefit that has been payable  
23 under this Section for at least 10 years shall be less than 50%  
24 of the current salary attached from time to time to the rank  
25 and grade held by the fireman at the time of his removal from  
26 the Department payroll, regardless of whether that removal

1 occurred before the effective date of this amendatory Act of  
2 1993.

3 Such fireman also shall have a right to receive child's  
4 disability benefit of \$30 per month on account of each  
5 unmarried child who is less than 18 years of age or  
6 handicapped, dependent upon the fireman for support, and  
7 either the issue of the fireman or legally adopted by him. The  
8 total amount of child's disability benefit payable to the  
9 fireman, when added to his occupational disease disability  
10 benefit, shall not exceed 75% of the amount of salary which he  
11 was receiving at the time of the grant of occupational disease  
12 disability benefit.

13 The first payment of occupational disease disability  
14 benefit or child's disability benefit shall be made not later  
15 than one month after the benefit is granted. Each subsequent  
16 payment shall be made not later than one month after the date  
17 of the latest payment.

18 Occupational disease disability benefit shall be payable  
19 during the period of the disability until the fireman reaches  
20 the age of compulsory retirement. Child's disability benefit  
21 shall be paid to such a fireman during the period of disability  
22 until such child or children attain age 18 or marry, whichever  
23 event occurs first; except that attainment of age 18 by a child  
24 who is so physically or mentally handicapped as to be  
25 dependent upon the fireman for support, shall not render the  
26 child ineligible for child's disability benefit. The fireman

1 thereafter shall receive such annuity or annuities as are  
2 provided for him in accordance with other provisions of this  
3 Article.

4 (Source: P.A. 102-91, eff. 7-9-21; 102-1064, eff. 6-10-22.)

5 Section 90. The State Mandates Act is amended by adding  
6 Section 8.49 as follows:

7 (30 ILCS 805/8.49 new)

8 Sec. 8.49. Exempt mandate. Notwithstanding Sections 6 and  
9 8 of this Act, no reimbursement by the State is required for  
10 the implementation of any mandate created by this amendatory  
11 Act of the 104th General Assembly.

12 Section 99. Effective date. This Act takes effect upon  
13 becoming law.