

COMMISSION ON GOVERNMENT FORECASTING AND ACCOUNTABILITY

PENSION IMPACT NOTE

100TH GENERAL ASSEMBLY

BILL NO: **SB 0630**

February 9, 2015

SPONSOR (S): Aquino

SYSTEM(S): Downstate Fire (Article 4)

FISCAL IMPACT: SB 0630 could have a fiscal impact to the extent that eligibility for disability annuities is expanded. This impact cannot be quantified at this time.

SUBJECT MATTER: SB 0630 amends the Downstate Fire article of the Pension Code to specify that an “act of duty” shall include participation in training exercises for purposes of determining a disability annuity.

COMMENT: Currently, the Downstate Fire Article of the Pension Code does not explicitly state that participation in training exercises qualifies a firefighter for a disability annuity should he or she become injured in the course of such an exercise. Two notable Supreme Court cases, *Gaffney v. Orland Fire Protection District* (2012), and *Village of Vernon Hills v. Heelan* (2015) dealt with the issue of injuries that arise in the course of training exercises for purposes of qualification for benefits under the Public Safety Employee Benefit Act (PSEBA). *(For a fuller explanation of the facts and the rulings in these respective cases, please see Appendix I, page 19 the Commission’s January 2017 Report on the Public Safety Employee Benefits Act).* SB 0630 specifies that injuries incurred in the course of participation in training exercises, even if such exercises are performed without compensation, shall be considered an “act of duty” for purposes of determining eligibility for a duty disability benefit.

DH:dkb

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