

# COMMISSION ON GOVERNMENT FORECASTING AND ACCOUNTABILITY

## PENSION IMPACT NOTE

96TH GENERAL ASSEMBLY

BILL NO: **SB 2793**

February 17, 2010

SPONSOR(S): Jacobs

SYSTEM(S): Downstate Police

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**FISCAL IMPACT:** There is no discernable fiscal impact associated with SB 2793.

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**SUBJECT MATTER:** SB 2793 amends the Downstate Police Article of the Illinois Pension Code to provide that the chief of police must reinstate a disability annuitant who is found to be physically able to return to duty. In addition, SB 2793 states that if a disability annuitant has to file a civil action against the employing municipality in order to force his or her return to the payroll, he or she will be entitled to recover reasonable court costs and attorney's fees.

**FISCAL IMPACT:** There is no discernable fiscal impact associated with SB 2793.

**COMMENT:** Currently, a police officer whose duty is suspended because of a disability may be required to appear before the Board and submit to a physical examination to determine fitness for duty. If a disability annuitant is found to be recovered from his or her disability, the Board will certify to the chief of police that the member is no longer disabled and is able to return to duty. SB 2793 provides that the police officer must report to the chief of the department, who will then order immediate reinstatement into active service, and the municipality will immediately return the police officer to his or her payroll in the same rank or grade held at the date he or she was placed on disability pension. Additionally, SB 2793 states that if the police officer has to file a civil action against the municipality to enforce his or her mandated return to payroll, then the police officer will be entitled to a recovery of reasonable court costs and attorney's fees.

SB 2793 amends the State Mandates Act to require implementation without reimbursement.

MDM:bj  
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