

# COMMISSION ON GOVERNMENT FORECASTING AND ACCOUNTABILITY

## PENSION IMPACT NOTE

### 95TH GENERAL ASSEMBLY

BILL NO:               **SB 1553, as engrossed**                               May 11, 2007  
SPONSOR (S):       Frerichs – Sandoval, et al. (Flider)  
SYSTEM(S):         Downstate Firefighters' Article

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**FISCAL IMPACT:** The fiscal impact of SB 1553, as engrossed, cannot be calculated as it is unknown how the bill would affect future disability pension rulings by Downstate Fire pension boards.

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**SUBJECT MATTER:** SB 1553, as engrossed, amends the Downstate Firefighters' Article of the Illinois Pension Code to stipulate that a duty disability cannot constitute cause for discharge of a firefighter. Furthermore, the bill specifies that the 3 examining physicians need not agree as to the existence of any disability or the nature and extent of a disability.

**FISCAL IMPACT:** The fiscal impact of SB 1553, as engrossed, cannot be calculated as it is unknown how the bill would affect future disability pension rulings by Downstate Fire pension boards.

**COMMENT:** The Downstate Firefighter Article of the Pension Code currently stipulates that a disability pension shall not be paid to a firefighter until the firefighter has been examined by 3 physicians selected by the board. SB 1553, as engrossed, amends the Code to specify that the 3 physicians need not agree as to the existence of any disability or the nature and extent of a disability. The bill, as amended, also prohibits a municipality from using a physical or mental disability as a means of discharging a firefighter. In addition, SB 1553, as engrossed, stipulates that if the firefighter must file a civil action against the municipality to enforce his or her mandated return to payroll, the firefighter shall then be entitled to recover reasonable court costs and attorney's fees.

SB 1553, as engrossed, amends the State Mandates Act to require implementation without reimbursement.

DH:dkb

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