COMMISSION ON GOVERNMENT FORECASTING AND ACCOUNTABILITY

PENSION IMPACT NOTE

95TH GENERAL ASSEMBLY

BILL NO: **SB 1553, as amended by SA #1** March 22, 2007

SPONSOR (S): Frerichs - Sandoval

SYSTEM(S): Downstate Firefighters' Article

FISCAL IMPACT: The fiscal impact of SB 1553, as amended by SA #1, cannot be calculated as it is unknown how the bill would affect future disability pension rulings by Downstate Fire pension boards.

SUBJECT MATTER: SB 1553, as amended by SA #1 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 amended by SA #1, 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 amended, 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 amended, 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 amended by SA #1, amends the State Mandates Act to require implementation without reimbursement.

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