

# COMMISSION ON GOVERNMENT FORECASTING AND ACCOUNTABILITY

## PENSION IMPACT NOTE

### 95TH GENERAL ASSEMBLY

BILL NO: **SB 1553**

February 26, 2007

SPONSOR (S): Frerichs - Sandoval

SYSTEM(S): Downstate Police

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

**COMMENT:** The Downstate Firefighters' 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 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 also prohibits a municipality from using a physical or mental disability as a means of discharging a firefighter. In addition, SB 1553 specifies that a board's finding that a firefighter is no longer disabled shall constitute a conclusive presumption binding on the employing municipality that the firefighter is able to perform his or her job. The board may not use any conflicting medical opinion to deny the firefighter's return to employment.

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

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