



## Commission on Government Forecasting and Accountability

### PENSION IMPACT NOTE *103<sup>RD</sup> General Assembly*

BILL NO: HB 2390

February 17, 2023

SPONSOR (S): Windhorst

SYSTEM: Downstate Police

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#### FISCAL IMPACT

**The fiscal impact of HB 2390 cannot be determined as the number of disabled police officers over the age of 60 is not known. The historical rate at which disabled police officers over the age of 60 who are found to have recovered from disability is also not known, but it is presumably very small. Therefore, HB 2390 should not have a significant fiscal impact upon Downstate Police pension funds.**

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SUBJECT MATTER: HB 2390 amends the Downstate Police Article of the Pension Code. The bill exempts disabled police officers over the age of 60 from having to submit to a medical exam to determine fitness for duty.

COMMENT: The Downstate Police Article of the Pension Code currently mandates that officers who are drawing a disability annuity (either duty-related or non-duty related) may be summoned to appear before the pertinent Downstate Police pension board, and to submit to an examination to determine fitness for duty. If the officer is found to have recovered from disability, the board shall certify to the chief of the pertinent department that the officer is no longer disabled and is able to resume the duties of their position. HB 2390 amends the Downstate Police Article such that the foregoing medical evaluation shall not apply to a disabled police officer who has attained the age of 60.

Downstate Police officers earn duty disability pensions equal to 65% of the salary attached to the rank of the officer at the time of disability, or the pension that the officer would be eligible to earn if he or she opted to retire. Non-duty disability pensions are payable at the rate of 50% of the salary attached to the rank of the office at the time of disability, or the pension they are

eligible to receive. Police officers who opt to retire do not have to undergo physical examinations as described above.

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