

1 AN ACT in relation to public employee benefits.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Pension Code is amended by
5 changing Section 6-151.1 as follows:

6 (40 ILCS 5/6-151.1) (from Ch. 108 1/2, par. 6-151.1)

7 Sec. 6-151.1. The General Assembly finds and declares
8 that service in the Fire Department requires that firemen, in
9 times of stress and danger, must perform unusual tasks; that
10 by reason of their occupation, firemen are subject to
11 exposure to great heat and to extreme cold in certain seasons
12 while in performance of their duties; that by reason of their
13 employment firemen are required to work in the midst of and
14 are subject to heavy smoke fumes, and carcinogenic,
15 poisonous, toxic or chemical gases from fires; and that in
16 the course of their rescue and paramedic duties firemen are
17 exposed to disabling infectious diseases, including HIV
18 infection and hepatitis. The General Assembly further finds
19 and declares that all the aforementioned conditions exist and
20 arise out of or in the course of such employment.

21 Any active fireman who has completed 5 ~~ten~~ or more years
22 of service and is unable to perform his duties in the Fire
23 Department by reason of heart disease, tuberculosis, ~~or~~ any
24 disease of the lungs or respiratory tract, HIV infection, or
25 hepatitis resulting solely from his service as a fireman,
26 shall be entitled to receive an occupational disease
27 disability benefit during any period of such disability for
28 which he does not have a right to receive salary.

29 Any active fireman who has completed 5 ~~ten~~ or more years
30 of service and is unable to perform his duties in the fire
31 department by reason of a disabling cancer, which develops or

1 manifests itself during a period while the fireman is in the
2 service of the department, shall be entitled to receive an
3 occupational disease disability benefit during any period of
4 such disability for which he does not have a right to receive
5 salary. In order to receive this occupational disease
6 disability benefit, the type of cancer involved must be a
7 type which may be caused by exposure to heat, radiation or a
8 known carcinogen as defined by the International Agency for
9 Research on Cancer.

10 Any fireman who shall enter the service after the
11 effective date of this amendatory Act shall be examined by
12 one or more practicing physicians appointed by the Board, and
13 if that said examination discloses impairment of the heart,
14 lungs, or respiratory tract, or the existence of any HIV
15 infection, hepatitis, or cancer, then the such fireman shall
16 not be entitled to receive an occupational disease disability
17 benefit unless and until a subsequent examination reveals no
18 such impairment, HIV infection, hepatitis, or cancer.

19 The occupational disease disability benefit shall be 65%
20 of the fireman's salary at the time of his removal from the
21 Department payroll. However, beginning January 1, 1994, no
22 occupational disease disability benefit that has been payable
23 under this Section for at least 10 years shall be less than
24 50% of the current salary attached from time to time to the
25 rank and grade held by the fireman at the time of his removal
26 from the Department payroll, regardless of whether that
27 removal occurred before the effective date of this amendatory
28 Act of 1993.

29 Such fireman also shall have a right to receive child's
30 disability benefit of \$30 per month on account of each
31 unmarried child who is less than 18 years of age or
32 handicapped, dependent upon the fireman for support, and
33 either the issue of the fireman or legally adopted by him.
34 The total amount of child's disability benefit payable to the

1 fireman, when added to his occupational disease disability
2 benefit, shall not exceed 75% of the amount of salary which
3 he was receiving at the time of the grant of occupational
4 disease disability benefit.

5 The first payment of occupational disease disability
6 benefit or child's disability benefit shall be made not later
7 than one month after the benefit is granted. Each subsequent
8 payment shall be made not later than one month after the date
9 of the latest payment.

10 Occupational disease disability benefit shall be payable
11 during the period of the disability until the fireman reaches
12 the age of compulsory retirement. Child's disability benefit
13 shall be paid to such a fireman during the period of
14 disability until such child or children attain age 18 or
15 marry, whichever event occurs first; except that attainment
16 of age 18 by a child who is so physically or mentally
17 handicapped as to be dependent upon the fireman for support,
18 shall not render the child ineligible for child's disability
19 benefit. The fireman thereafter shall receive such annuity
20 or annuities as are provided for him in accordance with other
21 provisions of this Article.

22 (Source: P.A. 88-528.)

23 Section 90. The State Mandates Act is amended by adding
24 Section 8.26 as follows:

25 (30 ILCS 805/8.26 new)

26 Sec. 8.26. Exempt mandate. Notwithstanding Sections 6
27 and 8 of this Act, no reimbursement by the State is required
28 for the implementation of any mandate created by this
29 amendatory Act of the 92nd General Assembly.

30 Section 99. Effective date. This Act takes effect upon
31 becoming law.