

1 AN ACT in relation to pensions.

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 changing  
5 Sections 4-109.3, 4-110, 4-110.1, 4-111, and 4-114 as follows:

6 (40 ILCS 5/4-109.3)

7 Sec. 4-109.3. Employee creditable service.

8 (a) As used in this Section:

9 "Final monthly salary" means the monthly salary attached to  
10 the rank held by the firefighter at the time of his or her last  
11 withdrawal from service under a particular pension fund.

12 "Last pension fund" means the pension fund in which the  
13 firefighter was participating at the time of his or her last  
14 withdrawal from service.

15 (b) The benefits provided under this Section are available  
16 only to a firefighter who:

17 (1) is a firefighter at the time of withdrawal from the  
18 last pension fund and for at least the final 3 years of  
19 employment prior to that withdrawal;

20 (2) has established service credit with at least one  
21 pension fund established under this Article other than the  
22 last pension fund;

23 (3) has a total of at least 20 years of service under  
24 the various pension funds established under this Article  
25 and has attained age 50; and

26 (4) is in service on or after the effective date of  
27 this amendatory Act of the 93rd General Assembly.

28 (c) A firefighter who is eligible for benefits under this  
29 Section may elect to receive a retirement pension from each  
30 pension fund under this Article in which the firefighter has at  
31 least one year of service credit but has not received a refund  
32 under Section 4-116 (unless the firefighter repays that refund

1 under subsection (g)) or subsection (c) of Section 4-118.1, by  
2 applying in writing and paying the contribution required under  
3 subsection (i).

4 (d) From each such pension fund other than the last pension  
5 fund, in lieu of any retirement pension otherwise payable under  
6 this Article, a firefighter to whom this Section applies may  
7 elect to receive a monthly pension of 1/12th of 2.5% of his or  
8 her final monthly salary under that fund for each month of  
9 service in that fund, subject to a maximum of 75% of that final  
10 monthly salary.

11 (e) From the last pension fund, in lieu of any retirement  
12 pension otherwise payable under this Article, a firefighter to  
13 whom this Section applies may elect to receive a monthly  
14 pension calculated as follows:

15 The last pension fund shall calculate the retirement  
16 pension that would be payable to the firefighter under  
17 subsection (a) of Section 4-109 as if he or she had  
18 participated in that last pension fund during his or her entire  
19 period of service under all pension funds established under  
20 this Article (excluding any period of service for which the  
21 firefighter has received a refund under Section 4-116, unless  
22 the firefighter repays that refund under subsection (g), or for  
23 which the firefighter has received a refund under subsection  
24 (c) of Section 4-118.1). From this hypothetical pension there  
25 shall be subtracted the original amounts of the retirement  
26 pensions payable to the firefighter by all other pension funds  
27 under subsection (d). The remainder is the retirement pension  
28 payable to the firefighter by the last pension fund under this  
29 subsection (e).

30 (f) Pensions elected under this Section shall be subject to  
31 increases as provided in subsection (d) of Section 4-109.1.

32 (g) A current firefighter may reinstate creditable service  
33 in a pension fund established under this Article that was  
34 terminated upon receipt of a refund, by payment to that pension  
35 fund of the amount of the refund together with interest thereon  
36 at the rate of 6% per year, compounded annually, from the date

1 of the refund to the date of payment. A repayment of a refund  
2 under this Section may be made in equal installments over a  
3 period of up to 10 years, but must be paid in full prior to  
4 retirement.

5 (h) As a condition of being eligible for the benefits  
6 provided in this Section, a person who is hired to a position  
7 as a firefighter on or after July 1, 2004 ~~the effective date of~~  
8 ~~this amendatory Act of the 93rd General Assembly, a firefighter~~  
9 must, within 21 months after being hired, notify the new  
10 employer, all of his or her previous employers under this  
11 Article, and the Public Pension Division of the Division  
12 ~~Department~~ of Insurance of the Department of Financial and  
13 Professional Regulation, within one year of being hired, of his  
14 or her intent to receive the benefits provided under this  
15 Section all periods of service of at least one year under a  
16 pension fund established under this Article.

17 (i) In order to receive a pension under this Section or an  
18 occupational disease disability pension for which he or she  
19 becomes eligible due to the application of subsection (m) of  
20 this Section, a firefighter must pay to each pension fund from  
21 which he or she has elected to receive a pension under this  
22 Section a contribution equal to ~~1/12th of~~ 1% of monthly salary  
23 for each month of service credit that the firefighter has in  
24 that fund (other than service credit for which the firefighter  
25 has already paid the additional contribution required under  
26 subsection (c) of Section 4-118.1), together with interest  
27 thereon at the rate of 6% per annum, compounded annually, from  
28 the firefighter's first day of employment with that fund or the  
29 first day of the fiscal year of that fund that immediately  
30 precedes the firefighter's first day of employment with that  
31 fund, whichever is earlier.

32 In order for a firefighter who, as of the effective date of  
33 this amendatory Act of the 93rd General Assembly, has not begun  
34 to receive a pension under this Section or an occupational  
35 disease disability pension under subsection (m) of this Section  
36 and who has contributed 1/12th of 1% of monthly salary for each

1 month of service credit that the firefighter has in that fund  
2 (other than service credit for which the firefighter has  
3 already paid the additional contribution required under  
4 subsection (c) of Section 4-118.1), together with the required  
5 interest thereon, to receive a pension under this Section or an  
6 occupational disease disability pension for which he or she  
7 becomes eligible due to the application of subsection (m) of  
8 this Section, the firefighter must, within one year after the  
9 effective date of this amendatory Act of the 93rd General  
10 Assembly, make an additional contribution equal to 11/12ths of  
11 1% of monthly salary for each month of service credit that the  
12 firefighter has in that fund (other than service credit for  
13 which the firefighter has already paid the additional  
14 contribution required under subsection (c) of Section  
15 4-118.1), together with interest thereon at the rate of 6% per  
16 annum, compounded annually, from the firefighter's first day of  
17 employment with that fund or the first day of the fiscal year  
18 of that fund that immediately precedes the firefighter's first  
19 day of employment with the fund, whichever is earlier. A  
20 firefighter who, as of the effective date of this amendatory  
21 Act of the 93rd General Assembly, has not begun to receive a  
22 pension under this Section or an occupational disease  
23 disability pension under subsection (m) of this Section and who  
24 has contributed 1/12th of 1% of monthly salary for each month  
25 of service credit that the firefighter has in that fund (other  
26 than service credit for which the firefighter has already paid  
27 the additional contribution required under subsection (c) of  
28 Section 4-118.1), together with the required interest thereon,  
29 in order to receive a pension under this Section or an  
30 occupational disease disability pension under subsection (m)  
31 of this Section, may elect, within one year after the effective  
32 date of this amendatory Act of the 93rd General Assembly to  
33 forfeit the benefits provided under this Section and receive a  
34 refund of that contribution. ~~time the service was rendered to~~  
35 ~~the date of payment.~~

36 (j) A retired firefighter who is receiving pension payments

1 under Section 4-109 may reenter active service under this  
2 Article. Subject to the provisions of Section 4-117, the  
3 firefighter may receive credit for service performed after the  
4 reentry if the firefighter (1) applies to receive credit for  
5 that service, (2) suspends his or her pensions under this  
6 Section, and (3) makes the contributions required under  
7 subsection (i).

8 (k) A firefighter who is newly hired or promoted to a  
9 position as a firefighter shall not be denied participation in  
10 a fund under this Article based on his or her age.

11 (l) If a firefighter who elects to make contributions under  
12 subsection (c) of Section 4-118.1 for the pension benefits  
13 provided under this Section becomes entitled to a disability  
14 pension under Section 4-110, the last pension fund is  
15 responsible to pay that disability pension and the amount of  
16 that disability pension shall be based only on the  
17 firefighter's service with the last pension fund.

18 (m) Notwithstanding any provision in Section 4-110.1 to the  
19 contrary, if a firefighter who elects to make contributions  
20 under subsection (c) of Section 4-118.1 for the pension  
21 benefits provided under this Section becomes entitled to an  
22 occupational disease disability pension under Section 4-110.1,  
23 each pension fund to which the firefighter has made  
24 contributions under subsection (c) of Section 4-118.1 must pay  
25 a portion of that occupational disease disability pension equal  
26 to the proportion that the firefighter's service credit with  
27 that pension fund for which the contributions under subsection  
28 (c) of Section 4-118.1 have been made bears to the  
29 firefighter's total service credit with all of the pension  
30 funds for which the contributions under subsection (c) of  
31 Section 4-118.1 have been made. A firefighter who has made  
32 contributions under subsection (c) of Section 4-118.1 for at  
33 least 5 years of creditable service shall be deemed to have met  
34 the 5-year creditable service requirement under Section  
35 4-110.1, regardless of whether the firefighter has 5 years of  
36 creditable service with the last pension fund.

1 (n) If a firefighter who elects to make contributions under  
2 subsection (c) of Section 4-118.1 for the pension benefits  
3 provided under this Section becomes entitled to a disability  
4 pension under Section 4-111, the last pension fund is  
5 responsible to pay that disability pension, provided that the  
6 firefighter has at least 7 years of creditable service with the  
7 last pension fund.

8 (Source: P.A. 93-689, eff. 7-1-04.)

9 (40 ILCS 5/4-110) (from Ch. 108 1/2, par. 4-110)

10 Sec. 4-110. Disability pension - Line of duty. If a  
11 firefighter, as the result of sickness, accident or injury  
12 incurred in or resulting from the performance of an act of duty  
13 or from the cumulative effects of acts of duty, is found,  
14 pursuant to Section 4-112, to be physically or mentally  
15 permanently disabled for service in the fire department, so as  
16 to render necessary his or her being placed on disability  
17 pension, the firefighter shall be entitled to a disability  
18 pension equal to the greater of (1) 65% of the monthly salary  
19 attached to the rank held by him or her in the fire department  
20 at the date he or she is removed from the municipality's fire  
21 department payroll or (2) the retirement pension that the  
22 firefighter would be eligible to receive if he or she retired  
23 (but not including any automatic annual increase in that  
24 retirement pension). A firefighter shall be considered "on  
25 duty" while on any assignment approved by the chief of the fire  
26 department, even though away from the municipality he or she  
27 serves as a firefighter, if the assignment is related to the  
28 fire protection service of the municipality.

29 Such firefighter shall also be entitled to a child's  
30 disability benefit of \$20 a month on account of each unmarried  
31 child less than 18 years of age and dependent upon the  
32 firefighter for support, either the issue of the firefighter or  
33 legally adopted by him or her. The total amount of child's  
34 disability benefit payable to the firefighter, when added to  
35 his or her disability pension, shall not exceed 75% of the

1 amount of salary which the firefighter was receiving at the  
2 date of retirement.

3 Benefits payable on account of a child under this Section  
4 shall not be reduced or terminated by reason of the child's  
5 attainment of age 18 if he or she is then dependent by reason  
6 of a physical or mental disability but shall continue to be  
7 paid as long as such dependency continues. Individuals over the  
8 age of 18 and adjudged to be disabled persons pursuant to  
9 Article XIa of the Probate Act of 1975, except for persons  
10 receiving benefits under Article III of the Illinois Public Aid  
11 Code, shall be eligible to receive benefits under this Act.

12 If a firefighter dies while still disabled and receiving a  
13 disability pension under this Section, the disability pension  
14 shall continue to be paid to the firefighter's survivors in the  
15 sequence provided in Section 4-114 ~~but shall, from the date of~~  
16 ~~death, become subject to the requirements, including~~  
17 ~~limitations on amount, that are provided for pensions to~~  
18 ~~survivors under Section 4-114.~~ A pension previously granted  
19 under Section 4-114 to a survivor of a firefighter who died  
20 while receiving a disability pension under this Section shall  
21 be deemed to be a continuation of the pension provided under  
22 this Section and shall be deemed to be in the nature of  
23 worker's compensation payments. The changes to this Section  
24 made by this amendatory Act of 1995 are intended to be  
25 retroactive and are not limited to persons in service on or  
26 after its effective date.

27 (Source: P.A. 91-466, eff. 8-6-99.)

28 (40 ILCS 5/4-110.1) (from Ch. 108 1/2, par. 4-110.1)

29 Sec. 4-110.1. Occupational disease disability pension.  
30 The General Assembly finds that service in the fire department  
31 requires firefighters in times of stress and danger to perform  
32 unusual tasks; that firefighters are subject to exposure to  
33 extreme heat or extreme cold in certain seasons while  
34 performing their duties; that they are required to work in the  
35 midst of and are subject to heavy smoke fumes, and

1 carcinogenic, poisonous, toxic or chemical gases from fires;  
2 and that these conditions exist and arise out of or in the  
3 course of employment.

4 An active firefighter with 5 or more years of creditable  
5 service who is found, pursuant to Section 4-112, unable to  
6 perform his or her duties in the fire department by reason of  
7 heart disease, stroke, tuberculosis, or any disease of the  
8 lungs or respiratory tract, resulting from service as a  
9 firefighter, is entitled to an occupational disease disability  
10 pension during any period of such disability for which he or  
11 she has no right to receive salary.

12 Any active firefighter who has completed 5 or more years of  
13 service and is unable to perform his or her duties in the fire  
14 department by reason of a disabling cancer, which develops or  
15 manifests itself during a period while the firefighter is in  
16 the service of the fire department, shall be entitled to  
17 receive an occupational disease disability benefit during any  
18 period of such disability for which he or she does not have a  
19 right to receive salary. In order to receive this occupational  
20 disease disability benefit, (i) the type of cancer involved  
21 must be a type which may be caused by exposure to heat,  
22 radiation or a known carcinogen as defined by the International  
23 Agency for Research on Cancer and (ii) the cancer must (and is  
24 rebuttably presumed to) arise as a result of service as a  
25 firefighter.

26 A firefighter who enters the service after August 27, 1971  
27 shall be examined by one or more practicing physicians  
28 appointed by the board. If the examination discloses impairment  
29 of the heart, lungs or respiratory tract, or the existence of  
30 any cancer, the firefighter shall not be entitled to the  
31 occupational disease disability pension unless and until a  
32 subsequent examination reveals no such impairment or cancer.

33 The occupational disease disability pension shall be equal  
34 to the greater of (1) 65% of the salary attached to the rank  
35 held by the firefighter in the fire service at the time of his  
36 or her removal from the municipality's fire department payroll



1 or (2) the retirement pension that the firefighter would be  
2 eligible to receive if he or she retired (but not including any  
3 automatic annual increase in that retirement pension).

4 The firefighter is also entitled to a child's disability  
5 benefit of \$20 a month for each natural or legally adopted  
6 unmarried child less than age 18 dependent upon the firefighter  
7 for support. The total child's disability benefit when added to  
8 the occupational disease disability pension shall not exceed  
9 75% of the firefighter's salary at the time of the grant of  
10 occupational disease disability pension.

11 The occupational disease disability pension is payable to  
12 the firefighter during the period of the disability. If the  
13 disability ceases before the death of the firefighter, the  
14 disability pension payable under this Section shall also cease  
15 and the firefighter thereafter shall receive such pension  
16 benefits as are provided in accordance with other provisions of  
17 this Article.

18 If a firefighter dies while still disabled and receiving a  
19 disability pension under this Section, the disability pension  
20 shall continue to be paid to the firefighter's survivors in the  
21 sequence provided in Section 4-114 ~~but shall, from the date of~~  
22 ~~death, become subject to the requirements, including~~  
23 ~~limitations on amount, that are provided for pensions to~~  
24 ~~survivors under Section 4-114.~~ A pension previously granted  
25 under Section 4-114 to a survivor of a firefighter who died  
26 while receiving a disability pension under this Section shall  
27 be deemed to be a continuation of the pension provided under  
28 this Section and shall be deemed to be in the nature of  
29 worker's occupational disease compensation payments. The  
30 changes to this Section made by this amendatory Act of 1995 are  
31 intended to be retroactive and are not limited to persons in  
32 service on or after its effective date.

33 The child's disability benefit shall terminate if the  
34 disability ceases while the firefighter is alive or when the  
35 child or children attain age 18 or marry, whichever event  
36 occurs first, except that benefits payable on account of a

1 child under this Section shall not be reduced or terminated by  
2 reason of the child's attainment of age 18 if he or she is then  
3 dependent by reason of a physical or mental disability but  
4 shall continue to be paid as long as such dependency continues.  
5 Individuals over the age of 18 and adjudged as a disabled  
6 person pursuant to Article XIa of the Probate Act of 1975,  
7 except for persons receiving benefits under Article III of the  
8 Illinois Public Aid Code, shall be eligible to receive benefits  
9 under this Act.

10 (Source: P.A. 91-466, eff. 8-6-99.)

11 (40 ILCS 5/4-111) (from Ch. 108 1/2, par. 4-111)

12 Sec. 4-111. Disability pension - Not in duty. A firefighter  
13 having at least 7 years of creditable service who becomes  
14 disabled as a result of any cause other than an act of duty,  
15 and who is found, pursuant to Section 4-112, to be physically  
16 or mentally permanently disabled so as to render necessary his  
17 or her being placed on disability pension, shall be granted a  
18 disability pension of 50% of the monthly salary attached to the  
19 rank held by the firefighter in the fire service at the date he  
20 or she is removed from the municipality's fire department  
21 payroll. If a firefighter dies while still disabled and  
22 receiving a disability pension under this Section, the  
23 disability pension shall continue to be paid to the  
24 firefighter's survivors in the sequence provided in Section  
25 4-114 if that disability pension is greater than the survivors  
26 pension provided under subsection (a) of Section 4-114.

27 (Source: P.A. 83-1440.)

28 (40 ILCS 5/4-114) (from Ch. 108 1/2, par. 4-114)

29 Sec. 4-114. Pension to survivors. If a firefighter who is  
30 not receiving a disability pension under Section 4-110 or  
31 4-110.1 dies (1) as a result of any illness or accident, or (2)  
32 from any cause while in receipt of a disability pension under  
33 this Article, or (3) during retirement after 20 years service,  
34 or (4) while vested for or in receipt of a pension payable

1 under subsection (b) of Section 4-109, or (5) while a deferred  
2 pensioner, having made all required contributions, a pension  
3 shall be paid to his or her survivors, based on the monthly  
4 salary attached to the firefighter's rank on the last day of  
5 service in the fire department, as follows:

6 (a) (1) To the surviving spouse, a monthly pension of  
7 40% of the monthly salary, and to the guardian of any minor  
8 child or children including a child which has been  
9 conceived but not yet born, 12% of such monthly salary for  
10 each such child until attainment of age 18 or until the  
11 child's marriage, whichever occurs first. Beginning July  
12 1, 1993, the monthly pension to the surviving spouse shall  
13 be 54% of the monthly salary for all persons receiving a  
14 surviving spouse pension under this Article, regardless of  
15 whether the deceased firefighter was in service on or after  
16 the effective date of this amendatory Act of 1993.

17 (2) Beginning July 1, 2004, unless the amount provided  
18 under paragraph (1) of this subsection (a) is greater, the  
19 total monthly pension payable under this paragraph (a),  
20 including any amount payable on account of children, to the  
21 surviving spouse of a firefighter who died (i) while  
22 receiving a retirement pension, (ii) while he or she was a  
23 deferred pensioner with at least 20 years of creditable  
24 service, or (iii) while he or she was in active service  
25 having at least 20 years of creditable service, regardless  
26 of age, including any amount payable on account of  
27 children, shall be no less than 100% of the monthly  
28 retirement pension earned by ~~that~~ the deceased firefighter  
29 at the time of death, regardless of whether death occurs  
30 before or after attainment of age 50, was receiving at the  
31 time of death, including any increases under Section  
32 4-109.1. This minimum applies to all such surviving spouses  
33 who are eligible to receive a surviving spouse pension,  
34 regardless of whether the deceased firefighter was in  
35 service on or after the effective date of this amendatory  
36 Act of the 93rd General Assembly, and notwithstanding any

1 limitation on maximum pension under paragraph (d) or any  
2 other provision of this Article.

3 (3) If the pension paid on and after July 1, 2004 to  
4 the surviving spouse of a firefighter who died on or after  
5 July 1, 2004 and before the effective date of this  
6 amendatory Act of the 93rd General Assembly was less than  
7 the minimum pension payable under paragraph (1) or (2) of  
8 this subsection (a), the fund shall pay a lump sum equal to  
9 the difference within 90 days after the effective date of  
10 this amendatory Act of the 93rd General Assembly.

11 The pension to the surviving spouse shall terminate in the  
12 event of the surviving spouse's remarriage prior to July 1,  
13 1993; remarriage on or after that date does not affect the  
14 surviving spouse's pension, regardless of whether the deceased  
15 firefighter was in service on or after the effective date of  
16 this amendatory Act of 1993.

17 The surviving spouse's pension shall be subject to the  
18 minimum established in Section 4-109.2.

19 (b) Upon the death of the surviving spouse leaving one or  
20 more minor children, to the duly appointed guardian of each  
21 such child, for support and maintenance of each such child  
22 until the child reaches age 18 or marries, whichever occurs  
23 first, a monthly pension of 20% of the monthly salary.

24 (c) If a deceased firefighter leaves no surviving spouse or  
25 unmarried minor children under age 18, but leaves a dependent  
26 father or mother, to each dependent parent a monthly pension of  
27 18% of the monthly salary. To qualify for the pension, a  
28 dependent parent must furnish satisfactory proof that the  
29 deceased firefighter was at the time of his or her death the  
30 sole supporter of the parent or that the parent was the  
31 deceased's dependent for federal income tax purposes.

32 (d) The total pension provided under paragraphs (a), (b)  
33 and (c) of this Section shall not exceed 75% of the monthly  
34 salary of the deceased firefighter (1) when paid to the  
35 survivor of a firefighter who has attained 20 or more years of  
36 service credit and who receives or is eligible to receive a

1 retirement pension under this Article, or (2) when paid to the  
2 survivor of a firefighter who dies as a result of illness or  
3 accident, or (3) when paid to the survivor of a firefighter who  
4 dies from any cause while in receipt of a disability pension  
5 under this Article, or (4) when paid to the survivor of a  
6 deferred pensioner. For all other survivors of deceased  
7 firefighters, the total pension provided under paragraphs (a),  
8 (b) and (c) of this Section shall not exceed 50% of the  
9 retirement annuity the firefighter would have received on the  
10 date of death.

11 The maximum pension limitations in this paragraph (d) do  
12 not control over any contrary provision of this Article  
13 explicitly establishing a minimum amount of pension or granting  
14 a one-time or annual increase in pension.

15 (e) If a firefighter leaves no eligible survivors under  
16 paragraphs (a), (b) and (c), the board shall refund to the  
17 firefighter's estate the amount of his or her accumulated  
18 contributions, less the amount of pension payments, if any,  
19 made to the firefighter while living.

20 (f) An adopted child is eligible for the pension provided  
21 under paragraph (a) if the child was adopted before the  
22 firefighter attained age 50.

23 (g) If a judgment of dissolution of marriage between a  
24 firefighter and spouse is judicially set aside subsequent to  
25 the firefighter's death, the surviving spouse is eligible for  
26 the pension provided in paragraph (a) only if the judicial  
27 proceedings are filed within 2 years after the date of the  
28 dissolution of marriage and within one year after the  
29 firefighter's death and the board is made a party to the  
30 proceedings. In such case the pension shall be payable only  
31 from the date of the court's order setting aside the judgment  
32 of dissolution of marriage.

33 (h) Benefits payable on account of a child under this  
34 Section shall not be reduced or terminated by reason of the  
35 child's attainment of age 18 if he or she is then dependent by  
36 reason of a physical or mental disability but shall continue to

1 be paid as long as such dependency continues. Individuals over  
2 the age of 18 and adjudged as a disabled person pursuant to  
3 Article XIa of the Probate Act of 1975, except for persons  
4 receiving benefits under Article III of the Illinois Public Aid  
5 Code, shall be eligible to receive benefits under this Act.

6 (i) Beginning January 1, 2000, the pension of the surviving  
7 spouse of a firefighter who dies on or after January 1, 1994 as  
8 a result of sickness, accident, or injury incurred in or  
9 resulting from the performance of an act of duty or from the  
10 cumulative effects of acts of duty shall not be less than 100%  
11 of the salary attached to the rank held by the deceased  
12 firefighter on the last day of service, notwithstanding  
13 subsection (d) or any other provision of this Article.

14 (j) Beginning July 1, 2004, the pension of the surviving  
15 spouse of a firefighter who dies on or after January 1, 1988 as  
16 a result of sickness, accident, or injury incurred in or  
17 resulting from the performance of an act of duty or from the  
18 cumulative effects of acts of duty shall not be less than 100%  
19 of the salary attached to the rank held by the deceased  
20 firefighter on the last day of service, notwithstanding  
21 subsection (d) or any other provision of this Article.

22 (Source: P.A. 93-689, eff. 7-1-04.)

23 Section 90. The State Mandates Act is amended by adding  
24 Section 8.28 as follows:

25 (30 ILCS 805/8.28 new)

26 Sec. 8.28. Exempt mandate. Notwithstanding Sections 6 and 8  
27 of this Act, no reimbursement by the State is required for the  
28 implementation of any mandate created by this amendatory Act of  
29 the 93rd General Assembly.

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