



Sen. George P. Shadid

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LRB093 05660 LRD 54177 a

1 AMENDMENT TO HOUSE BILL 612

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 612 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by  
5 changing Sections 4-109.3, 4-110, 4-110.1, 4-111, and 4-114 as  
6 follows:

7 (40 ILCS 5/4-109.3)

8 Sec. 4-109.3. Employee creditable service.

9 (a) As used in this Section:

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

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

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

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

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

24 (3) has a total of at least 20 years of service under

1 the various pension funds established under this Article  
2 and has attained age 50; and

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

5 (c) A firefighter who is eligible for benefits under this  
6 Section may elect to receive a retirement pension from each  
7 pension fund under this Article in which the firefighter has at  
8 least one year of service credit but has not received a refund  
9 under Section 4-116 (unless the firefighter repays that refund  
10 under subsection (g)) or subsection (c) of Section 4-118.1, by  
11 applying in writing and paying the contribution required under  
12 subsection (i).

13 (d) From each such pension fund other than the last pension  
14 fund, in lieu of any retirement pension otherwise payable under  
15 this Article, a firefighter to whom this Section applies may  
16 elect to receive a monthly pension of 1/12th of 2.5% of his or  
17 her final monthly salary under that fund for each month of  
18 service in that fund, subject to a maximum of 75% of that final  
19 monthly salary.

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

24 The last pension fund shall calculate the retirement  
25 pension that would be payable to the firefighter under  
26 subsection (a) of Section 4-109 as if he or she had  
27 participated in that last pension fund during his or her entire  
28 period of service under all pension funds established under  
29 this Article (excluding any period of service for which the  
30 firefighter has received a refund under Section 4-116, unless  
31 the firefighter repays that refund under subsection (g), or for  
32 which the firefighter has received a refund under subsection  
33 (c) of Section 4-118.1). From this hypothetical pension there  
34 shall be subtracted the original amounts of the retirement

1 pensions payable to the firefighter by all other pension funds  
2 under subsection (d). The remainder is the retirement pension  
3 payable to the firefighter by the last pension fund under this  
4 subsection (e).

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

7 (g) A current firefighter may reinstate creditable service  
8 in a pension fund established under this Article that was  
9 terminated upon receipt of a refund, by payment to that pension  
10 fund of the amount of the refund together with interest thereon  
11 at the rate of 6% per year, compounded annually, from the date  
12 of the refund to the date of payment. A repayment of a refund  
13 under this Section may be made in equal installments over a  
14 period of up to 10 years, but must be paid in full prior to  
15 retirement.

16 (h) As a condition of being eligible for the benefits  
17 provided in this Section, a person who is hired to a position  
18 as a firefighter on or after July 1, 2004 ~~the effective date of~~  
19 ~~this amendatory Act of the 93rd General Assembly, a firefighter~~  
20 ~~must, within 21 months after being hired,~~ notify the new  
21 employer, all of his or her previous employers under this  
22 Article, and the Public Pension Division of the Division  
23 ~~Department~~ of Insurance of the Department of Financial and  
24 Professional Regulation, within one year of being hired, of his  
25 or her intent to receive the benefits provided under this  
26 Section ~~all periods of service of at least one year under a~~  
27 ~~pension fund established under this Article.~~

28 (i) In order to receive a pension under this Section or an  
29 occupational disease disability pension for which he or she  
30 becomes eligible due to the application of subsection (m) of  
31 this Section, a firefighter must pay to each pension fund from  
32 which he or she has elected to receive a pension under this  
33 Section a contribution equal to ~~1/12th of~~ 1% of monthly salary  
34 for each month of service credit that the firefighter has in

1 that fund (other than service credit for which the firefighter  
2 has already paid the additional contribution required under  
3 subsection (c) of Section 4-118.1), together with interest  
4 thereon at the rate of 6% per annum, compounded annually, from  
5 the firefighter's first day of employment with that fund or the  
6 first day of the fiscal year of that fund that immediately  
7 precedes the firefighter's first day of employment with that  
8 fund, whichever is earlier.

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

1 pension under this Section or an occupational disease  
2 disability pension under subsection (m) of this Section and who  
3 has contributed 1/12th of 1% of monthly salary for each month  
4 of service credit that the firefighter has in that fund (other  
5 than service credit for which the firefighter has already paid  
6 the additional contribution required under subsection (c) of  
7 Section 4-118.1), together with the required interest thereon,  
8 in order to receive a pension under this Section or an  
9 occupational disease disability pension under subsection (m)  
10 of this Section, may elect, within one year after the effective  
11 date of this amendatory Act of the 93rd General Assembly to  
12 forfeit the benefits provided under this Section and receive a  
13 refund of that contribution. ~~time the service was rendered to~~  
14 ~~the date of payment.~~

15 (j) A retired firefighter who is receiving pension payments  
16 under Section 4-109 may reenter active service under this  
17 Article. Subject to the provisions of Section 4-117, the  
18 firefighter may receive credit for service performed after the  
19 reentry if the firefighter (1) applies to receive credit for  
20 that service, (2) suspends his or her pensions under this  
21 Section, and (3) makes the contributions required under  
22 subsection (i).

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

26 (l) If a firefighter who elects to make contributions under  
27 subsection (c) of Section 4-118.1 for the pension benefits  
28 provided under this Section becomes entitled to a disability  
29 pension under Section 4-110, the last pension fund is  
30 responsible to pay that disability pension and the amount of  
31 that disability pension shall be based only on the  
32 firefighter's service with the last pension fund.

33 (m) Notwithstanding any provision in Section 4-110.1 to the  
34 contrary, if a firefighter who elects to make contributions

1 under subsection (c) of Section 4-118.1 for the pension  
2 benefits provided under this Section becomes entitled to an  
3 occupational disease disability pension under Section 4-110.1,  
4 each pension fund to which the firefighter has made  
5 contributions under subsection (c) of Section 4-118.1 must pay  
6 a portion of that occupational disease disability pension equal  
7 to the proportion that the firefighter's service credit with  
8 that pension fund for which the contributions under subsection  
9 (c) of Section 4-118.1 have been made bears to the  
10 firefighter's total service credit with all of the pension  
11 funds for which the contributions under subsection (c) of  
12 Section 4-118.1 have been made. A firefighter who has made  
13 contributions under subsection (c) of Section 4-118.1 for at  
14 least 5 years of creditable service shall be deemed to have met  
15 the 5-year creditable service requirement under Section  
16 4-110.1, regardless of whether the firefighter has 5 years of  
17 creditable service with the last pension fund.

18 (n) If a firefighter who elects to make contributions under  
19 subsection (c) of Section 4-118.1 for the pension benefits  
20 provided under this Section becomes entitled to a disability  
21 pension under Section 4-111, the last pension fund is  
22 responsible to pay that disability pension, provided that the  
23 firefighter has at least 7 years of creditable service with the  
24 last pension fund.

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

26 (40 ILCS 5/4-110) (from Ch. 108 1/2, par. 4-110)

27 Sec. 4-110. Disability pension - Line of duty. If a  
28 firefighter, as the result of sickness, accident or injury  
29 incurred in or resulting from the performance of an act of duty  
30 or from the cumulative effects of acts of duty, is found,  
31 pursuant to Section 4-112, to be physically or mentally  
32 permanently disabled for service in the fire department, so as  
33 to render necessary his or her being placed on disability

1 pension, the firefighter shall be entitled to a disability  
2 pension equal to the greater of (1) 65% of the monthly salary  
3 attached to the rank held by him or her in the fire department  
4 at the date he or she is removed from the municipality's fire  
5 department payroll or (2) the retirement pension that the  
6 firefighter would be eligible to receive if he or she retired  
7 (but not including any automatic annual increase in that  
8 retirement pension). A firefighter shall be considered "on  
9 duty" while on any assignment approved by the chief of the fire  
10 department, even though away from the municipality he or she  
11 serves as a firefighter, if the assignment is related to the  
12 fire protection service of the municipality.

13 Such firefighter shall also be entitled to a child's  
14 disability benefit of \$20 a month on account of each unmarried  
15 child less than 18 years of age and dependent upon the  
16 firefighter for support, either the issue of the firefighter or  
17 legally adopted by him or her. The total amount of child's  
18 disability benefit payable to the firefighter, when added to  
19 his or her disability pension, shall not exceed 75% of the  
20 amount of salary which the firefighter was receiving at the  
21 date of retirement.

22 Benefits payable on account of a child under this Section  
23 shall not be reduced or terminated by reason of the child's  
24 attainment of age 18 if he or she is then dependent by reason  
25 of a physical or mental disability but shall continue to be  
26 paid as long as such dependency continues. Individuals over the  
27 age of 18 and adjudged to be disabled persons pursuant to  
28 Article XIa of the Probate Act of 1975, except for persons  
29 receiving benefits under Article III of the Illinois Public Aid  
30 Code, shall be eligible to receive benefits under this Act.

31 If a firefighter dies while still disabled and receiving a  
32 disability pension under this Section, the disability pension  
33 shall continue to be paid to the firefighter's survivors in the  
34 sequence provided in Section 4-114 ~~but shall, from the date of~~

1 ~~death, become subject to the requirements, including~~  
2 ~~limitations on amount, that are provided for pensions to~~  
3 ~~survivors under Section 4-114.~~ A pension previously granted  
4 under Section 4-114 to a survivor of a firefighter who died  
5 while receiving a disability pension under this Section shall  
6 be deemed to be a continuation of the pension provided under  
7 this Section and shall be deemed to be in the nature of  
8 worker's compensation payments. The changes to this Section  
9 made by this amendatory Act of 1995 are intended to be  
10 retroactive and are not limited to persons in service on or  
11 after its effective date.

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

13 (40 ILCS 5/4-110.1) (from Ch. 108 1/2, par. 4-110.1)

14 Sec. 4-110.1. Occupational disease disability pension.  
15 The General Assembly finds that service in the fire department  
16 requires firefighters in times of stress and danger to perform  
17 unusual tasks; that firefighters are subject to exposure to  
18 extreme heat or extreme cold in certain seasons while  
19 performing their duties; that they are required to work in the  
20 midst of and are subject to heavy smoke fumes, and  
21 carcinogenic, poisonous, toxic or chemical gases from fires;  
22 and that these conditions exist and arise out of or in the  
23 course of employment.

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

32 Any active firefighter who has completed 5 or more years of  
33 service and is unable to perform his or her duties in the fire



1 department by reason of a disabling cancer, which develops or  
2 manifests itself during a period while the firefighter is in  
3 the service of the fire department, shall be entitled to  
4 receive an occupational disease disability benefit during any  
5 period of such disability for which he or she does not have a  
6 right to receive salary. In order to receive this occupational  
7 disease disability benefit, (i) the type of cancer involved  
8 must be a type which may be caused by exposure to heat,  
9 radiation or a known carcinogen as defined by the International  
10 Agency for Research on Cancer and (ii) the cancer must (and is  
11 rebuttably presumed to) arise as a result of service as a  
12 firefighter.

13 A firefighter who enters the service after August 27, 1971  
14 shall be examined by one or more practicing physicians  
15 appointed by the board. If the examination discloses impairment  
16 of the heart, lungs or respiratory tract, or the existence of  
17 any cancer, the firefighter shall not be entitled to the  
18 occupational disease disability pension unless and until a  
19 subsequent examination reveals no such impairment or cancer.

20 The occupational disease disability pension shall be equal  
21 to the greater of (1) 65% of the salary attached to the rank  
22 held by the firefighter in the fire service at the time of his  
23 or her removal from the municipality's fire department payroll  
24 or (2) the retirement pension that the firefighter would be  
25 eligible to receive if he or she retired (but not including any  
26 automatic annual increase in that retirement pension).

27 The firefighter is also entitled to a child's disability  
28 benefit of \$20 a month for each natural or legally adopted  
29 unmarried child less than age 18 dependent upon the firefighter  
30 for support. The total child's disability benefit when added to  
31 the occupational disease disability pension shall not exceed  
32 75% of the firefighter's salary at the time of the grant of  
33 occupational disease disability pension.

34 The occupational disease disability pension is payable to

1 the firefighter during the period of the disability. If the  
2 disability ceases before the death of the firefighter, the  
3 disability pension payable under this Section shall also cease  
4 and the firefighter thereafter shall receive such pension  
5 benefits as are provided in accordance with other provisions of  
6 this Article.

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

22 The child's disability benefit shall terminate if the  
23 disability ceases while the firefighter is alive or when the  
24 child or children attain age 18 or marry, whichever event  
25 occurs first, except that benefits payable on account of a  
26 child under this Section shall not be reduced or terminated by  
27 reason of the child's attainment of age 18 if he or she is then  
28 dependent by reason of a physical or mental disability but  
29 shall continue to be paid as long as such dependency continues.  
30 Individuals over the age of 18 and adjudged as a disabled  
31 person pursuant to Article XIa of the Probate Act of 1975,  
32 except for persons receiving benefits under Article III of the  
33 Illinois Public Aid Code, shall be eligible to receive benefits  
34 under this Act.

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

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

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

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

19 (40 ILCS 5/4-114) (from Ch. 108 1/2, par. 4-114)

20 Sec. 4-114. Pension to survivors. If a firefighter who is  
21 not receiving a disability pension under Section 4-110 or  
22 4-110.1 dies (1) as a result of any illness or accident, or (2)  
23 from any cause while in receipt of a disability pension under  
24 this Article, or (3) during retirement after 20 years service,  
25 or (4) while vested for or in receipt of a pension payable  
26 under subsection (b) of Section 4-109, or (5) while a deferred  
27 pensioner, having made all required contributions, a pension  
28 shall be paid to his or her survivors, based on the monthly  
29 salary attached to the firefighter's rank on the last day of  
30 service in the fire department, as follows:

31 (a) (1) To the surviving spouse, a monthly pension of  
32 40% of the monthly salary, and to the guardian of any minor

1 child or children including a child which has been  
2 conceived but not yet born, 12% of such monthly salary for  
3 each such child until attainment of age 18 or until the  
4 child's marriage, whichever occurs first. Beginning July  
5 1, 1993, the monthly pension to the surviving spouse shall  
6 be 54% of the monthly salary for all persons receiving a  
7 surviving spouse pension under this Article, regardless of  
8 whether the deceased firefighter was in service on or after  
9 the effective date of this amendatory Act of 1993.

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

32 (3) If the pension paid on and after July 1, 2004 to  
33 the surviving spouse of a firefighter who died on or after  
34 July 1, 2004 and before the effective date of this

1        amendatory Act of the 93rd General Assembly was less than  
2        the minimum pension payable under paragraph (1) or (2) of  
3        this subsection (a), the fund shall pay a lump sum equal to  
4        the difference within 90 days after the effective date of  
5        this amendatory Act of the 93rd General Assembly.

6        The pension to the surviving spouse shall terminate in the  
7        event of the surviving spouse's remarriage prior to July 1,  
8        1993; remarriage on or after that date does not affect the  
9        surviving spouse's pension, regardless of whether the deceased  
10       firefighter was in service on or after the effective date of  
11       this amendatory Act of 1993.

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

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

19       (c) If a deceased firefighter leaves no surviving spouse or  
20       unmarried minor children under age 18, but leaves a dependent  
21       father or mother, to each dependent parent a monthly pension of  
22       18% of the monthly salary. To qualify for the pension, a  
23       dependent parent must furnish satisfactory proof that the  
24       deceased firefighter was at the time of his or her death the  
25       sole supporter of the parent or that the parent was the  
26       deceased's dependent for federal income tax purposes.

27       (d) The total pension provided under paragraphs (a), (b)  
28       and (c) of this Section shall not exceed 75% of the monthly  
29       salary of the deceased firefighter (1) when paid to the  
30       survivor of a firefighter who has attained 20 or more years of  
31       service credit and who receives or is eligible to receive a  
32       retirement pension under this Article, or (2) when paid to the  
33       survivor of a firefighter who dies as a result of illness or  
34       accident, or (3) when paid to the survivor of a firefighter who

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

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

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

17 (f) An adopted child is eligible for the pension provided  
18 under paragraph (a) if the child was adopted before the  
19 firefighter attained age 50.

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

30 (h) Benefits payable on account of a child under this  
31 Section shall not be reduced or terminated by reason of the  
32 child's attainment of age 18 if he or she is then dependent by  
33 reason of a physical or mental disability but shall continue to  
34 be paid as long as such dependency continues. Individuals over

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

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

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

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

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

24 (30 ILCS 805/8.28 new)

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

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