



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB5667

Introduced 2/9/2010, by Rep. Lisa M. Dugan

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/4-106

from Ch. 108 1/2, par. 4-106

30 ILCS 805/8.34 new

Amends the Downstate Firefighter Article of the Illinois Pension Code. Includes any person employed in the municipality's fire service as a paramedic or EMT within the definition of "firefighter" for the purposes of the Article. Amends the State Mandates Act to require implementation without reimbursement.

LRB096 16924 AMC 32237 b

FISCAL NOTE ACT  
MAY APPLY

PENSION IMPACT  
NOTE ACT MAY  
APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning 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 changing  
5 Section 4-106 as follows:

6 (40 ILCS 5/4-106) (from Ch. 108 1/2, par. 4-106)

7 Sec. 4-106. Firefighter, firefighters. "Firefighter,  
8 firefighters":

9 (a) In municipalities which have adopted Division 1 of  
10 Article 10 of the Illinois Municipal Code, any person employed  
11 in the municipality's fire service as a firefighter, fire  
12 engineer, paramedic, EMT, marine engineer, fire pilot, bomb  
13 technician or scuba diver; and in any of these positions where  
14 such person's duties also include those of a firefighter as  
15 classified by the Civil Service Commission of that city, and  
16 whose duty is to participate in the work of controlling and  
17 extinguishing fires at the location of any such fires.

18 (b) In municipalities which are subject to Division 2.1 of  
19 Article 10 of the Illinois Municipal Code, any person employed  
20 by a city in its fire service as a firefighter, fire engineer,  
21 paramedic, EMT, marine engineer, fire pilot, bomb technician,  
22 or scuba diver; and, in any of these positions whose duties  
23 also include those of a firefighter and are certified in the

1 same manner as a firefighter in that city.

2 (c) In municipalities which are subject to neither Division  
3 1 nor Division 2.1 of Article 10 of the Illinois Municipal  
4 Code, any person who would have been included as a firefighter  
5 under sub-paragraph (a) or (b) above except that he served as a  
6 de facto and not as a de jure firefighter.

7 (d) Notwithstanding the other provisions of this Section,  
8 "firefighter" does not include any person who is actively  
9 participating in the State Universities Retirement System  
10 under subsection (h) of Section 15-107 with respect to the  
11 employment for which he or she is a participating employee in  
12 that System.

13 (e) This amendatory Act of 1977 does not affect persons  
14 covered by this Article prior to September 22, 1977.

15 (Source: P.A. 90-576, eff. 3-31-98.)

16 Section 90. The State Mandates Act is amended by adding  
17 Section 8.34 as follows:

18 (30 ILCS 805/8.34 new)

19 Sec. 8.34. Exempt mandate. Notwithstanding Sections 6 and 8  
20 of this Act, no reimbursement by the State is required for the  
21 implementation of any mandate created by this amendatory Act of  
22 the 96th General Assembly.