



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4117

Introduced 10/15/2025, by Rep. Michael J. Kelly - Stephanie A. Kifowit

SYNOPSIS AS INTRODUCED:

40 ILCS 5/4-106	from Ch. 108 1/2, par. 4-106
40 ILCS 5/4-138.15 new	
40 ILCS 5/6-232 new	
40 ILCS 5/7-109.3	from Ch. 108 1/2, par. 7-109.3
30 ILCS 805/8.49 new	

Amends the Illinois Pension Code. In the Downstate Firefighter Article, includes in the definition of "firefighter", a person employed in a municipality's or fire protection district's fire service as a de facto firefighter. Defines "de facto firefighter". Provides that the Retirement Systems Reciprocal Act (Article 20 of the Code) is adopted and made a part of the Downstate Firefighter Article and the Chicago Firefighter Article, but only with respect to a person who, on or after the effective date of the amendatory Act, is entitled to begin receiving a retirement annuity or survivor's annuity and who elects to proceed under the Retirement Systems Reciprocal Act. In the Illinois Municipal Retirement Fund (IMRF) Article, authorizes sheriff's law enforcement employee (SLEP) status for a person who is not eligible to participate in a downstate firefighter fund and is employed on a full-time basis by a participating municipality to perform duties as a paramedic, emergency medical technician (EMT), emergency medical technician-intermediate (EMT-I), or advanced emergency medical technician (A-EMT); but only if the governing authority of that municipality has approved sheriff's law enforcement employee status for such employees by adoption of an affirmative resolution. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB104 15163 RPS 28307 b

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
5 changing Sections 4-106 and 7-109.3 and by adding Sections
6 4-138.15 and 6-232 as follows:

7 (40 ILCS 5/4-106) (from Ch. 108 1/2, par. 4-106)

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

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

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

1 of a firefighter and are certified in the same manner as a
2 firefighter in that city.

3 (c) Any person employed in a municipality's or fire
4 protection district's fire service as a de facto firefighter.

5 In this definition, "de facto firefighter" means a
6 firefighter:

7 (1) who spends a majority of the firefighter's working
8 time participating in the work of controlling and
9 extinguishing fires at the location of any such fires,
10 preparing for such work or waiting to respond to such
11 calls for work; and

12 (2) whose scheduled or actual work hours are
13 commensurate in duration and frequency with firefighters
14 who are subject to Division 1 or Division 2.1 of Article 10
15 of the Illinois Municipal Code.

16 "De facto firefighter" does not include part-time
17 firefighters who are not covered under this Section;
18 auxiliary, reserve, or voluntary firefighters, including
19 paid-on-call firefighters; and clerks, dispatchers, or other
20 civilian employees of a fire department or fire protection
21 district who are not routinely expected to perform firefighter
22 duties. In municipalities which are subject to neither
23 Division 1 nor Division 2.1 of Article 10 of the Illinois
24 Municipal Code, any person who would have been included as a
25 firefighter under sub-paragraph (a) or (b) above except that
26 he served as a de facto and not as a de jure firefighter.

1 (d) Notwithstanding the other provisions of this Section,
2 "firefighter" does not include any person who is actively
3 participating in the State Universities Retirement System
4 under subsection (h) of Section 15-107 with respect to the
5 employment for which he or she is a participating employee in
6 that System.

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

9 The changes made to this Section by this amendatory Act of
10 the 104th General Assembly do not affect persons covered by
11 this Article before the effective date of this amendatory Act
12 of the 104th General Assembly.

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

14 (40 ILCS 5/4-138.15 new)

15 Sec. 4-138.15. Retirement Systems Reciprocal Act. The
16 Retirement Systems Reciprocal Act, Article 20 of this Code, is
17 adopted and made a part of this Article, but only with respect
18 to a person who, on or after the effective date of this
19 amendatory Act of the 104th General Assembly, is entitled
20 under this Article to begin receiving a retirement annuity or
21 survivor's annuity (as those terms are defined in Article 20)
22 and who elects to proceed under the Retirement Systems
23 Reciprocal Act.

24 (40 ILCS 5/6-232 new)

1 Sec. 6-232. Retirement Systems Reciprocal Act. The
2 Retirement Systems Reciprocal Act, Article 20 of this Code, is
3 adopted and made a part of this Article, but only with respect
4 to a person who, on or after the effective date of this
5 amendatory Act of the 104th General Assembly, is entitled
6 under this Article to begin receiving a retirement annuity or
7 survivor's annuity (as those terms are defined in Article 20)
8 and who elects to proceed under the Retirement Systems
9 Reciprocal Act.

10 (40 ILCS 5/7-109.3) (from Ch. 108 1/2, par. 7-109.3)

11 Sec. 7-109.3. "Sheriff's Law Enforcement Employees".

12 (a) "Sheriff's law enforcement employee" or "SLEP" means:

13 (1) A county sheriff and all deputies, other than
14 special deputies, employed on a full time basis in the
15 office of the sheriff.

16 (2) A person who has elected to participate in this
17 Fund under Section 3-109.1 of this Code, and who is
18 employed by a participating municipality to perform police
19 duties.

20 (3) A law enforcement officer employed on a full time
21 basis by a Forest Preserve District, provided that such
22 officer shall be deemed a "sheriff's law enforcement
23 employee" for the purposes of this Article, and service in
24 that capacity shall be deemed to be service as a sheriff's
25 law enforcement employee, only if the board of

1 commissioners of the District have so elected by adoption
2 of an affirmative resolution. Such election, once made,
3 may not be rescinded.

4 (4) A person not eligible to participate in a fund
5 established under Article 3 of this Code who is employed
6 on a full-time basis by a participating municipality or
7 participating instrumentality to perform police duties at
8 an airport, but only if the governing authority of the
9 employer has approved sheriff's law enforcement employee
10 status for its airport police employees by adoption of an
11 affirmative resolution. Such approval, once given, may not
12 be rescinded.

13 (5) A person first hired on or after January 1, 2011
14 who (i) is employed by a participating municipality that
15 has both 30 or more full-time police officers and 50 or
16 more full-time firefighters and has not established a fund
17 under Article 3 or Article 4 of this Code and (ii) is
18 employed on a full-time basis by that participating
19 municipality to perform police duties or firefighting and
20 EMS duties; but only if the governing authority of that
21 municipality has approved sheriff's law enforcement
22 employee status for its police officer or firefighter
23 employees by adoption of an affirmative resolution. The
24 resolution must specify that SLEP status shall be
25 applicable to such employment occurring on or after the
26 adoption of the resolution. Such resolution shall be

1 irrevocable, but shall automatically terminate upon the
2 establishment of an Article 3 or 4 fund by the
3 municipality.

4 (6) A person who is not eligible to participate in a
5 fund established under Article 4 and is employed on a
6 full-time basis by a participating municipality to perform
7 duties as a paramedic, emergency medical technician (EMT),
8 emergency medical technician-intermediate (EMT-I), or
9 advanced emergency medical technician (A-EMT); but only if
10 the governing authority of that municipality has approved
11 sheriff's law enforcement employee status for such
12 employees by adoption of an affirmative resolution. The
13 resolution must specify that SLEP status shall be
14 applicable to such employment occurring on or after the
15 adoption of the resolution. Such resolution shall be
16 irrevocable.

17 (b) An employee who is a sheriff's law enforcement
18 employee and is granted military leave or authorized leave of
19 absence shall receive service credit in that capacity.
20 Sheriff's law enforcement employees shall not be entitled to
21 out-of-State service credit under Section 7-139.

22 (Source: P.A. 100-354, eff. 8-25-17; 100-1097, eff. 8-26-18.)

23 Section 90. The State Mandates Act is amended by adding
24 Section 8.49 as follows:

1 (30 ILCS 805/8.49 new)

2 Sec. 8.49. Exempt mandate. Notwithstanding Sections 6 and
3 8 of this Act, no reimbursement by the State is required for
4 the implementation of any mandate created by this amendatory
5 Act of the 104th General Assembly.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.