

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 6-111 as follows:

6 (40 ILCS 5/6-111) (from Ch. 108 1/2, par. 6-111)  
7 Sec. 6-111. Salary. "Salary": Subject to Section 6-211,  
8 the annual salary of a fireman, as follows:

9 (a) For age and service annuity, minimum annuity, and  
10 disability benefits, the actual amount of the annual salary,  
11 except as otherwise provided in this Article.†

12 (b) For prior service annuity, widow's annuity, widow's  
13 prior service annuity and child's annuity to and including  
14 August 31, 1957, the amount of the annual salary up to a  
15 maximum of \$3,000.†

16 (c) Except as otherwise provided in Section 6-141.1, for  
17 widow's annuity, beginning September 1, 1957, the amount of  
18 annual salary up to a maximum of \$6,000.

19 (d) Beginning on the effective date of this amendatory  
20 Act of the 92nd General Assembly (and for any period prior to  
21 that date for which contributions have been paid under  
22 subsection (e) of this Section), with respect to a fireman  
23 holding the permanent assigned position or classified career  
24 service rank, grade, or position of ambulance commander,  
25 references in this Article to the fireman's salary or the  
26 salary attached to or appropriated for the permanent assigned  
27 position or classified career service rank, grade, or  
28 position of the fireman shall be deemed to refer to the full  
29 amount of the salary attached to the permanent assigned  
30 position or classified career service rank, grade, or  
31 position of ambulance commander and shall not be limited to

1 the salary attached to the rank held by the fireman before  
2 attaining the permanent assigned position or classified  
3 career service rank, grade, or position of ambulance  
4 commander.

5 (e) An active or former fireman who, at any time after  
6 December 31, 1994 and before the effective date of this  
7 amendatory Act of the 92nd General Assembly, held the  
8 permanent assigned position or classified career service  
9 rank, grade, or position of ambulance commander and whose  
10 employee contributions to the Fund were based on an amount  
11 less than the full salary then attached to the permanent  
12 assigned position or classified career service rank, grade,  
13 or position of ambulance commander and received by the  
14 fireman and who either (1) retired during that period or (2)  
15 has attained age 46 and at least 16 years of service by the  
16 effective date of this amendatory Act may elect to have the  
17 full amount of the salary attached to that permanent assigned  
18 position or classified career service rank, grade, or  
19 position included in the calculation of his or her salary for  
20 any portion of that period during which the fireman held the  
21 permanent assigned position or classified career service  
22 rank, grade, or position of ambulance commander, by applying  
23 in writing and paying to the Fund, before January 1, 2005,  
24 the appropriate additional employee contribution, without  
25 interest.

26 In the case of an applicant who is receiving an annuity  
27 at the time the application and contribution are received by  
28 the Fund, the annuity shall be recalculated and the resulting  
29 increase shall become payable on the next annuity payment  
30 date following the date the contribution is received by the  
31 Fund.

32 In the case of an active or former fireman who (i) dies  
33 before January 1, 2005 without making an election under this  
34 subsection and (ii) was eligible to make an election under

1 this subsection at the time of death (or would have been  
 2 eligible had the death occurred after the effective date of  
 3 this amendatory Act), any surviving spouse, child, or parent  
 4 of the fireman who is eligible to receive a benefit under  
 5 this Article based on the fireman's salary may make that  
 6 election and pay the required contribution on behalf of the  
 7 deceased fireman. If the death occurs within the 30 days  
 8 immediately preceding January 1, 2005, the deadline for  
 9 application and payment is extended to January 31, 2005.

10 Any portion of the compensation received for service as  
 11 an ambulance commander for which the corresponding employee  
 12 contribution has not been paid shall not be included in the  
 13 calculation of salary.

14 (f) Beginning January 1, 1999, with respect to a fireman  
 15 who is licensed by the State as an Emergency Medical  
 16 Technician, references in this Article to the fireman's  
 17 salary or the salary attached to or appropriated for the  
 18 permanent assigned position or classified career service  
 19 rank, grade, or position of the fireman shall be deemed to  
 20 include any additional compensation payable to the fireman by  
 21 virtue of being licensed as an Emergency Medical Technician,  
 22 as provided under a collective bargaining agreement with the  
 23 city.

24 (g) The changes to this Section made by this amendatory  
 25 Act of the 92nd General Assembly are not limited to firemen  
 26 in service on or after the effective date of this amendatory  
 27 Act.

28 (Source: P.A. 83-1362.)

29 Section 90. The State Mandates Act is amended by adding  
 30 Section 8.26 as follows:

31 (30 ILCS 805/8.26 new)

32 Sec. 8.26. Exempt mandate. Notwithstanding Sections 6

1 and 8 of this Act, no reimbursement by the State is required  
2 for the implementation of any mandate created by this  
3 amendatory Act of the 92nd General Assembly.

4 Section 99. Effective date. This Act takes effect upon  
5 becoming law.