

SECOND REGULAR SESSION

HOUSE BILL NO. 1266

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES WILDBERGER (Sponsor), SELBY, JOLLY, WARD, KELLY (36), BOYKINS, BRUNS, DOUGHERTY, BURNETT, SANDERS BROOKS, JONES, DARROUGH, WILSON (42), SAGER, BLAND, DAUS, WHORTON, BISHOP, DONNELLY, MUCKLER, MEINERS AND CARNAHAN (Co-sponsors).

Read 1st time January 26, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3692L.01I

AN ACT

To repeal section 87.006, RSMo, and to enact in lieu thereof one new section relating to retirement benefits for firefighters.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 87.006, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 87.006, to read as follows:

87.006. 1. Notwithstanding the provisions of any law to the contrary, and only for the purpose of computing retirement benefits provided by an established retirement plan, after five years' service, any condition of impairment of health caused by any disease of the lungs or respiratory tract, hypotension, hypertension, or disease of the heart, **or any condition of cancer affecting the skin or the central nervous, lymphatic, digestive, hematological, urinary, skeletal, oral, or prostate systems, lung or respiratory tract, as well as any condition of cancer which may result from exposure to heat or radiation or to a known suspected carcinogen as determined by the International Agency for Research on Cancer** resulting in total or partial disability or death to a uniformed member of a paid fire department, who successfully passed a physical examination within five years prior to the time a claim is made for such disability or death, which examination failed to reveal any evidence of such condition, shall be presumed to have been suffered in line of duty, unless the contrary be shown by competent evidence.

2. This section shall apply to paid members of all fire departments of all counties, cities, towns, fire districts, and other governmental units.