



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

**HB4704**

by Rep. Tracy Katz Muhl

#### SYNOPSIS AS INTRODUCED:

5 ILCS 140/7  
5 ILCS 860/15

Amends the Student Confidential Reporting Act to provide that any report or information submitted to a similar independent school helpline to the Safe2Help Illinois program is also confidential, may not be released except as otherwise provided in the Act or in the Juvenile Court Act of 1987, and is not subject to disclosure under the Freedom of Information Act. Provides that a person who intentionally discloses information in violation of the added provision commits a Class C misdemeanor. Defines "similar independent school helpline". Amends the Freedom of Information Act to make conforming changes.

LRB104 18830 BDA 32275 b

1 AN ACT concerning government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Freedom of Information Act is amended by  
5 changing Section 7 as follows:

6 (5 ILCS 140/7)

7 (Text of Section before amendment by P.A. 104-300)

8 Sec. 7. Exemptions.

9 (1) When a request is made to inspect or copy a public  
10 record that contains information that is exempt from  
11 disclosure under this Section, but also contains information  
12 that is not exempt from disclosure, the public body may elect  
13 to redact the information that is exempt. The public body  
14 shall make the remaining information available for inspection  
15 and copying. Subject to this requirement, the following shall  
16 be exempt from inspection and copying:

17 (a) Information specifically prohibited from  
18 disclosure by federal or State law or rules and  
19 regulations implementing federal or State law.

20 (b) Private information, unless disclosure is required  
21 by another provision of this Act, a State or federal law,  
22 or a court order.

23 (b-5) Files, documents, and other data or databases

1 maintained by one or more law enforcement agencies and  
2 specifically designed to provide information to one or  
3 more law enforcement agencies regarding the physical or  
4 mental status of one or more individual subjects.

5 (c) Personal information contained within public  
6 records, the disclosure of which would constitute a  
7 clearly unwarranted invasion of personal privacy, unless  
8 the disclosure is consented to in writing by the  
9 individual subjects of the information. "Unwarranted  
10 invasion of personal privacy" means the disclosure of  
11 information that is highly personal or objectionable to a  
12 reasonable person and in which the subject's right to  
13 privacy outweighs any legitimate public interest in  
14 obtaining the information. The disclosure of information  
15 that bears on the public duties of public employees and  
16 officials shall not be considered an invasion of personal  
17 privacy.

18 (d) Records in the possession of any public body  
19 created in the course of administrative enforcement  
20 proceedings, and any law enforcement or correctional  
21 agency for law enforcement purposes, but only to the  
22 extent that disclosure would:

23 (i) interfere with pending or actually and  
24 reasonably contemplated law enforcement proceedings  
25 conducted by any law enforcement or correctional  
26 agency that is the recipient of the request;

1           (ii) interfere with active administrative  
2 enforcement proceedings conducted by the public body  
3 that is the recipient of the request;

4           (iii) create a substantial likelihood that a  
5 person will be deprived of a fair trial or an impartial  
6 hearing;

7           (iv) unavoidably disclose the identity of a  
8 confidential source, confidential information  
9 furnished only by the confidential source, or persons  
10 who file complaints with or provide information to  
11 administrative, investigative, law enforcement, or  
12 penal agencies; except that the identities of  
13 witnesses to traffic crashes, traffic crash reports,  
14 and rescue reports shall be provided by agencies of  
15 local government, except when disclosure would  
16 interfere with an active criminal investigation  
17 conducted by the agency that is the recipient of the  
18 request;

19           (v) disclose unique or specialized investigative  
20 techniques other than those generally used and known  
21 or disclose internal documents of correctional  
22 agencies related to detection, observation, or  
23 investigation of incidents of crime or misconduct, and  
24 disclosure would result in demonstrable harm to the  
25 agency or public body that is the recipient of the  
26 request;

1           (vi) endanger the life or physical safety of law  
2 enforcement personnel or any other person; or

3           (vii) obstruct an ongoing criminal investigation  
4 by the agency that is the recipient of the request.

5           (d-5) A law enforcement record created for law  
6 enforcement purposes and contained in a shared electronic  
7 record management system if the law enforcement agency or  
8 criminal justice agency that is the recipient of the  
9 request did not create the record, did not participate in  
10 or have a role in any of the events which are the subject  
11 of the record, and only has access to the record through  
12 the shared electronic record management system. As used in  
13 this subsection (d-5), "criminal justice agency" means the  
14 Illinois Criminal Justice Information Authority or the  
15 Illinois Sentencing Policy Advisory Council.

16           (d-6) Records contained in the Officer Professional  
17 Conduct Database under Section 9.2 of the Illinois Police  
18 Training Act, except to the extent authorized under that  
19 Section. This includes the documents supplied to the  
20 Illinois Law Enforcement Training Standards Board from the  
21 Illinois State Police and Illinois State Police Merit  
22 Board.

23           (d-7) Information gathered or records created from the  
24 use of automatic license plate readers in connection with  
25 Section 2-130 of the Illinois Vehicle Code.

26           (e) Records that relate to or affect the security of

1 correctional institutions and detention facilities.

2 (e-5) Records requested by persons committed to the  
3 Department of Corrections, Department of Human Services  
4 Division of Mental Health, or a county jail if those  
5 materials are available in the library of the correctional  
6 institution or facility or jail where the inmate is  
7 confined.

8 (e-6) Records requested by persons committed to the  
9 Department of Corrections, Department of Human Services  
10 Division of Mental Health, or a county jail if those  
11 materials include records from staff members' personnel  
12 files, staff rosters, or other staffing assignment  
13 information.

14 (e-7) Records requested by persons committed to the  
15 Department of Corrections or Department of Human Services  
16 Division of Mental Health if those materials are available  
17 through an administrative request to the Department of  
18 Corrections or Department of Human Services Division of  
19 Mental Health.

20 (e-8) Records requested by a person committed to the  
21 Department of Corrections, Department of Human Services  
22 Division of Mental Health, or a county jail, the  
23 disclosure of which would result in the risk of harm to any  
24 person or the risk of an escape from a jail or correctional  
25 institution or facility.

26 (e-9) Records requested by a person in a county jail

1 or committed to the Department of Corrections or  
2 Department of Human Services Division of Mental Health,  
3 containing personal information pertaining to the person's  
4 victim or the victim's family, including, but not limited  
5 to, a victim's home address, home telephone number, work  
6 or school address, work telephone number, social security  
7 number, or any other identifying information, except as  
8 may be relevant to a requester's current or potential case  
9 or claim.

10 (e-10) Law enforcement records of other persons  
11 requested by a person committed to the Department of  
12 Corrections, Department of Human Services Division of  
13 Mental Health, or a county jail, including, but not  
14 limited to, arrest and booking records, mug shots, and  
15 crime scene photographs, except as these records may be  
16 relevant to the requester's current or potential case or  
17 claim.

18 (f) Preliminary drafts, notes, recommendations,  
19 memoranda, and other records in which opinions are  
20 expressed, or policies or actions are formulated, except  
21 that a specific record or relevant portion of a record  
22 shall not be exempt when the record is publicly cited and  
23 identified by the head of the public body. The exemption  
24 provided in this paragraph (f) extends to all those  
25 records of officers and agencies of the General Assembly  
26 that pertain to the preparation of legislative documents.

1           (g) Trade secrets and commercial or financial  
2 information obtained from a person or business where the  
3 trade secrets or commercial or financial information are  
4 furnished under a claim that they are proprietary,  
5 privileged, or confidential, and that disclosure of the  
6 trade secrets or commercial or financial information would  
7 cause competitive harm to the person or business, and only  
8 insofar as the claim directly applies to the records  
9 requested.

10           The information included under this exemption includes  
11 all trade secrets and commercial or financial information  
12 obtained by a public body, including a public pension  
13 fund, from a private equity fund or a privately held  
14 company within the investment portfolio of a private  
15 equity fund as a result of either investing or evaluating  
16 a potential investment of public funds in a private equity  
17 fund. The exemption contained in this item does not apply  
18 to the aggregate financial performance information of a  
19 private equity fund, nor to the identity of the fund's  
20 managers or general partners. The exemption contained in  
21 this item does not apply to the identity of a privately  
22 held company within the investment portfolio of a private  
23 equity fund, unless the disclosure of the identity of a  
24 privately held company may cause competitive harm.

25           Nothing contained in this paragraph (g) shall be  
26 construed to prevent a person or business from consenting

1 to disclosure.

2 (h) Proposals and bids for any contract, grant, or  
3 agreement, including information which if it were  
4 disclosed would frustrate procurement or give an advantage  
5 to any person proposing to enter into a contractor  
6 agreement with the body, until an award or final selection  
7 is made. Information prepared by or for the body in  
8 preparation of a bid solicitation shall be exempt until an  
9 award or final selection is made.

10 (i) Valuable formulae, computer geographic systems,  
11 designs, drawings, and research data obtained or produced  
12 by any public body when disclosure could reasonably be  
13 expected to produce private gain or public loss. The  
14 exemption for "computer geographic systems" provided in  
15 this paragraph (i) does not extend to requests made by  
16 news media as defined in Section 2 of this Act when the  
17 requested information is not otherwise exempt and the only  
18 purpose of the request is to access and disseminate  
19 information regarding the health, safety, welfare, or  
20 legal rights of the general public.

21 (j) The following information pertaining to  
22 educational matters:

23 (i) test questions, scoring keys, and other  
24 examination data used to administer an academic  
25 examination;

26 (ii) information received by a primary or

1 secondary school, college, or university under its  
2 procedures for the evaluation of faculty members by  
3 their academic peers;

4 (iii) information concerning a school or  
5 university's adjudication of student disciplinary  
6 cases, but only to the extent that disclosure would  
7 unavoidably reveal the identity of the student; and

8 (iv) course materials or research materials used  
9 by faculty members.

10 (k) Architects' plans, engineers' technical  
11 submissions, and other construction related technical  
12 documents for projects not constructed or developed in  
13 whole or in part with public funds and the same for  
14 projects constructed or developed with public funds,  
15 including, but not limited to, power generating and  
16 distribution stations and other transmission and  
17 distribution facilities, water treatment facilities,  
18 airport facilities, sport stadiums, convention centers,  
19 and all government owned, operated, or occupied buildings,  
20 but only to the extent that disclosure would compromise  
21 security.

22 (l) Minutes of meetings of public bodies closed to the  
23 public as provided in the Open Meetings Act until the  
24 public body makes the minutes available to the public  
25 under Section 2.06 of the Open Meetings Act.

26 (m) Communications between a public body and an

1 attorney or auditor representing the public body that  
2 would not be subject to discovery in litigation, and  
3 materials prepared or compiled by or for a public body in  
4 anticipation of a criminal, civil, or administrative  
5 proceeding upon the request of an attorney advising the  
6 public body, and materials prepared or compiled with  
7 respect to internal audits of public bodies.

8 (n) Records relating to a public body's adjudication  
9 of employee grievances or disciplinary cases; however,  
10 this exemption shall not extend to the final outcome of  
11 cases in which discipline is imposed.

12 (o) Administrative or technical information associated  
13 with automated data processing operations, including, but  
14 not limited to, software, operating protocols, computer  
15 program abstracts, file layouts, source listings, object  
16 modules, load modules, user guides, documentation  
17 pertaining to all logical and physical design of  
18 computerized systems, employee manuals, and any other  
19 information that, if disclosed, would jeopardize the  
20 security of the system or its data or the security of  
21 materials exempt under this Section.

22 (p) Records relating to collective negotiating matters  
23 between public bodies and their employees or  
24 representatives, except that any final contract or  
25 agreement shall be subject to inspection and copying.

26 (q) Test questions, scoring keys, and other

1 examination data used to determine the qualifications of  
2 an applicant for a license or employment.

3 (r) The records, documents, and information relating  
4 to real estate purchase negotiations until those  
5 negotiations have been completed or otherwise terminated.  
6 With regard to a parcel involved in a pending or actually  
7 and reasonably contemplated eminent domain proceeding  
8 under the Eminent Domain Act, records, documents, and  
9 information relating to that parcel shall be exempt except  
10 as may be allowed under discovery rules adopted by the  
11 Illinois Supreme Court. The records, documents, and  
12 information relating to a real estate sale shall be exempt  
13 until a sale is consummated.

14 (s) Any and all proprietary information and records  
15 related to the operation of an intergovernmental risk  
16 management association or self-insurance pool or jointly  
17 self-administered health and accident cooperative or pool.  
18 Insurance or self-insurance (including any  
19 intergovernmental risk management association or  
20 self-insurance pool) claims, loss or risk management  
21 information, records, data, advice, or communications.

22 (t) Information contained in or related to  
23 examination, operating, or condition reports prepared by,  
24 on behalf of, or for the use of a public body responsible  
25 for the regulation or supervision of financial  
26 institutions, insurance companies, or pharmacy benefit

1 managers, unless disclosure is otherwise required by State  
2 law.

3 (u) Information that would disclose or might lead to  
4 the disclosure of secret or confidential information,  
5 codes, algorithms, programs, or private keys intended to  
6 be used to create electronic signatures under the Uniform  
7 Electronic Transactions Act.

8 (v) Vulnerability assessments, security measures, and  
9 response policies or plans that are designed to identify,  
10 prevent, or respond to potential attacks upon a  
11 community's population or systems, facilities, or  
12 installations, but only to the extent that disclosure  
13 could reasonably be expected to expose the vulnerability  
14 or jeopardize the effectiveness of the measures, policies,  
15 or plans, or the safety of the personnel who implement  
16 them or the public. Information exempt under this item may  
17 include such things as details pertaining to the  
18 mobilization or deployment of personnel or equipment, to  
19 the operation of communication systems or protocols, to  
20 cybersecurity vulnerabilities, or to tactical operations.

21 (w) (Blank).

22 (x) Maps and other records regarding the location or  
23 security of generation, transmission, distribution,  
24 storage, gathering, treatment, or switching facilities  
25 owned by a utility, by a power generator, or by the  
26 Illinois Power Agency.

1           (y) Information contained in or related to proposals,  
2           bids, or negotiations related to electric power  
3           procurement under Section 1-75 of the Illinois Power  
4           Agency Act and Section 16-111.5 of the Public Utilities  
5           Act that is determined to be confidential and proprietary  
6           by the Illinois Power Agency or by the Illinois Commerce  
7           Commission.

8           (z) Information about students exempted from  
9           disclosure under Section 10-20.38 or 34-18.29 of the  
10          School Code, and information about undergraduate students  
11          enrolled at an institution of higher education exempted  
12          from disclosure under Section 25 of the Illinois Credit  
13          Card Marketing Act of 2009.

14          (aa) Information the disclosure of which is exempted  
15          under the Viatical Settlements Act of 2009.

16          (bb) Records and information provided to a mortality  
17          review team and records maintained by a mortality review  
18          team appointed under the Department of Juvenile Justice  
19          Mortality Review Team Act.

20          (cc) Information regarding interments, entombments, or  
21          inurnments of human remains that are submitted to the  
22          Cemetery Oversight Database under the Cemetery Care Act or  
23          the Cemetery Oversight Act, whichever is applicable.

24          (dd) Correspondence and records (i) that may not be  
25          disclosed under Section 11-9 of the Illinois Public Aid  
26          Code or (ii) that pertain to appeals under Section 11-8 of

1 the Illinois Public Aid Code.

2 (ee) The names, addresses, or other personal  
3 information of persons who are minors and are also  
4 participants and registrants in programs of park  
5 districts, forest preserve districts, conservation  
6 districts, recreation agencies, and special recreation  
7 associations.

8 (ff) The names, addresses, or other personal  
9 information of participants and registrants in programs of  
10 park districts, forest preserve districts, conservation  
11 districts, recreation agencies, and special recreation  
12 associations where such programs are targeted primarily to  
13 minors.

14 (gg) Confidential information described in Section  
15 1-100 of the Illinois Independent Tax Tribunal Act of  
16 2012.

17 (hh) The report submitted to the State Board of  
18 Education by the School Security and Standards Task Force  
19 under item (8) of subsection (d) of Section 2-3.160 of the  
20 School Code and any information contained in that report.

21 (ii) Records requested by persons committed to or  
22 detained by the Department of Human Services under the  
23 Sexually Violent Persons Commitment Act or committed to  
24 the Department of Corrections under the Sexually Dangerous  
25 Persons Act if those materials: (i) are available in the  
26 library of the facility where the individual is confined;

1 (ii) include records from staff members' personnel files,  
2 staff rosters, or other staffing assignment information;  
3 or (iii) are available through an administrative request  
4 to the Department of Human Services or the Department of  
5 Corrections.

6 (jj) Confidential information described in Section  
7 5-535 of the Civil Administrative Code of Illinois.

8 (kk) The public body's credit card numbers, debit card  
9 numbers, bank account numbers, Federal Employer  
10 Identification Number, security code numbers, passwords,  
11 and similar account information, the disclosure of which  
12 could result in identity theft or impression or defrauding  
13 of a governmental entity or a person.

14 (ll) Records concerning the work of the threat  
15 assessment team of a school district, including, but not  
16 limited to, any threat assessment procedure under the  
17 School Safety Drill Act and any information contained in  
18 the procedure.

19 (mm) Information prohibited from being disclosed under  
20 subsections (a) and (b) of Section 15 of the Student  
21 Confidential Reporting Act, including information  
22 submitted to any similar independent school helpline as  
23 defined under Section 15 of the Student Confidential  
24 Reporting Act.

25 (nn) Proprietary information submitted to the  
26 Environmental Protection Agency under the Drug Take-Back

1 Act.

2 (oo) Records described in subsection (f) of Section  
3 3-5-1 of the Unified Code of Corrections.

4 (pp) Any and all information regarding burials,  
5 interments, or entombments of human remains as required to  
6 be reported to the Department of Natural Resources  
7 pursuant either to the Archaeological and Paleontological  
8 Resources Protection Act or the Human Remains Protection  
9 Act.

10 (qq) Reports described in subsection (e) of Section  
11 16-15 of the Abortion Care Clinical Training Program Act.

12 (rr) Information obtained by a certified local health  
13 department under the Access to Public Health Data Act.

14 (ss) For a request directed to a public body that is  
15 also a HIPAA-covered entity, all information that is  
16 protected health information, including demographic  
17 information, that may be contained within or extracted  
18 from any record held by the public body in compliance with  
19 State and federal medical privacy laws and regulations,  
20 including, but not limited to, the Health Insurance  
21 Portability and Accountability Act and its regulations, 45  
22 CFR Parts 160 and 164. As used in this paragraph,  
23 "HIPAA-covered entity" has the meaning given to the term  
24 "covered entity" in 45 CFR 160.103 and "protected health  
25 information" has the meaning given to that term in 45 CFR  
26 160.103.

1 (tt) Proposals or bids submitted by engineering  
2 consultants in response to requests for proposal or other  
3 competitive bidding requests by the Department of  
4 Transportation or the Illinois Toll Highway Authority.

5 (uu) Documents that, pursuant to the State of  
6 Illinois' 1987 Agreement with the U.S. Nuclear Regulatory  
7 Commission and the corresponding requirement to maintain  
8 compatibility with the National Materials Program, have  
9 been determined to be security sensitive. These documents  
10 include information classified as safeguards,  
11 safeguards-modified, and sensitive unclassified  
12 nonsafeguards information, as identified in U.S. Nuclear  
13 Regulatory Commission regulatory information summaries,  
14 security advisories, and other applicable communications  
15 or regulations related to the control and distribution of  
16 security sensitive information.

17 (1.5) Any information exempt from disclosure under the  
18 Judicial Privacy Act shall be redacted from public records  
19 prior to disclosure under this Act.

20 (1.6) Any information exempt from disclosure under the  
21 Public Official Safety and Privacy Act shall be redacted from  
22 public records prior to disclosure under this Act.

23 (1.7) Any information exempt from disclosure under  
24 paragraph (3.5) of Section 9-15 of the Election Code shall be  
25 redacted from public records prior to disclosure under this  
26 Act.

1           (2) A public record that is not in the possession of a  
2 public body but is in the possession of a party with whom the  
3 agency has contracted to perform a governmental function on  
4 behalf of the public body, and that directly relates to the  
5 governmental function and is not otherwise exempt under this  
6 Act, shall be considered a public record of the public body,  
7 for purposes of this Act.

8           (3) This Section does not authorize withholding of  
9 information or limit the availability of records to the  
10 public, except as stated in this Section or otherwise provided  
11 in this Act.

12           (Source: P.A. 103-154, eff. 6-30-23; 103-423, eff. 1-1-24;  
13 103-446, eff. 8-4-23; 103-462, eff. 8-4-23; 103-540, eff.  
14 1-1-24; 103-554, eff. 1-1-24; 103-605, eff. 7-1-24; 103-865,  
15 eff. 1-1-25; 104-438, eff. 1-1-26; 104-443, eff. 1-1-26;  
16 revised 1-7-26.)

17           (Text of Section after amendment by P.A. 104-300)

18           Sec. 7. Exemptions.

19           (1) When a request is made to inspect or copy a public  
20 record that contains information that is exempt from  
21 disclosure under this Section, but also contains information  
22 that is not exempt from disclosure, the public body may elect  
23 to redact the information that is exempt. The public body  
24 shall make the remaining information available for inspection  
25 and copying. Subject to this requirement, the following shall

1 be exempt from inspection and copying:

2 (a) Records created or compiled by a State public  
3 defender agency or commission subject to the State Public  
4 Defender Act that contain: individual client identity;  
5 individual case file information; individual investigation  
6 records and other records that are otherwise subject to  
7 attorney-client privilege; records that would not be  
8 discoverable in litigation; records under Section 2.15;  
9 training materials; records related to attorney  
10 consultation and representation strategy; or any of the  
11 above concerning clients of county public defenders or  
12 other defender agencies and firms. This exclusion does not  
13 apply to deidentified, aggregated, administrative records,  
14 such as general case processing and workload information.

15 (a-5) Information specifically prohibited from  
16 disclosure by federal or State law or rules and  
17 regulations implementing federal or State law.

18 (b) Private information, unless disclosure is required  
19 by another provision of this Act, a State or federal law,  
20 or a court order.

21 (b-5) Files, documents, and other data or databases  
22 maintained by one or more law enforcement agencies and  
23 specifically designed to provide information to one or  
24 more law enforcement agencies regarding the physical or  
25 mental status of one or more individual subjects.

26 (c) Personal information contained within public

1 records, the disclosure of which would constitute a  
2 clearly unwarranted invasion of personal privacy, unless  
3 the disclosure is consented to in writing by the  
4 individual subjects of the information. "Unwarranted  
5 invasion of personal privacy" means the disclosure of  
6 information that is highly personal or objectionable to a  
7 reasonable person and in which the subject's right to  
8 privacy outweighs any legitimate public interest in  
9 obtaining the information. The disclosure of information  
10 that bears on the public duties of public employees and  
11 officials shall not be considered an invasion of personal  
12 privacy.

13 (d) Records in the possession of any public body  
14 created in the course of administrative enforcement  
15 proceedings, and any law enforcement or correctional  
16 agency for law enforcement purposes, but only to the  
17 extent that disclosure would:

18 (i) interfere with pending or actually and  
19 reasonably contemplated law enforcement proceedings  
20 conducted by any law enforcement or correctional  
21 agency that is the recipient of the request;

22 (ii) interfere with active administrative  
23 enforcement proceedings conducted by the public body  
24 that is the recipient of the request;

25 (iii) create a substantial likelihood that a  
26 person will be deprived of a fair trial or an impartial

1 hearing;

2 (iv) unavoidably disclose the identity of a  
3 confidential source, confidential information  
4 furnished only by the confidential source, or persons  
5 who file complaints with or provide information to  
6 administrative, investigative, law enforcement, or  
7 penal agencies; except that the identities of  
8 witnesses to traffic crashes, traffic crash reports,  
9 and rescue reports shall be provided by agencies of  
10 local government, except when disclosure would  
11 interfere with an active criminal investigation  
12 conducted by the agency that is the recipient of the  
13 request;

14 (v) disclose unique or specialized investigative  
15 techniques other than those generally used and known  
16 or disclose internal documents of correctional  
17 agencies related to detection, observation, or  
18 investigation of incidents of crime or misconduct, and  
19 disclosure would result in demonstrable harm to the  
20 agency or public body that is the recipient of the  
21 request;

22 (vi) endanger the life or physical safety of law  
23 enforcement personnel or any other person; or

24 (vii) obstruct an ongoing criminal investigation  
25 by the agency that is the recipient of the request.

26 (d-5) A law enforcement record created for law

1 enforcement purposes and contained in a shared electronic  
2 record management system if the law enforcement agency or  
3 criminal justice agency that is the recipient of the  
4 request did not create the record, did not participate in  
5 or have a role in any of the events which are the subject  
6 of the record, and only has access to the record through  
7 the shared electronic record management system. As used in  
8 this subsection (d-5), "criminal justice agency" means the  
9 Illinois Criminal Justice Information Authority or the  
10 Illinois Sentencing Policy Advisory Council.

11 (d-6) Records contained in the Officer Professional  
12 Conduct Database under Section 9.2 of the Illinois Police  
13 Training Act, except to the extent authorized under that  
14 Section. This includes the documents supplied to the  
15 Illinois Law Enforcement Training Standards Board from the  
16 Illinois State Police and Illinois State Police Merit  
17 Board.

18 (d-7) Information gathered or records created from the  
19 use of automatic license plate readers in connection with  
20 Section 2-130 of the Illinois Vehicle Code.

21 (e) Records that relate to or affect the security of  
22 correctional institutions and detention facilities.

23 (e-5) Records requested by persons committed to the  
24 Department of Corrections, Department of Human Services  
25 Division of Mental Health, or a county jail if those  
26 materials are available in the library of the correctional

1 institution or facility or jail where the inmate is  
2 confined.

3 (e-6) Records requested by persons committed to the  
4 Department of Corrections, Department of Human Services  
5 Division of Mental Health, or a county jail if those  
6 materials include records from staff members' personnel  
7 files, staff rosters, or other staffing assignment  
8 information.

9 (e-7) Records requested by persons committed to the  
10 Department of Corrections or Department of Human Services  
11 Division of Mental Health if those materials are available  
12 through an administrative request to the Department of  
13 Corrections or Department of Human Services Division of  
14 Mental Health.

15 (e-8) Records requested by a person committed to the  
16 Department of Corrections, Department of Human Services  
17 Division of Mental Health, or a county jail, the  
18 disclosure of which would result in the risk of harm to any  
19 person or the risk of an escape from a jail or correctional  
20 institution or facility.

21 (e-9) Records requested by a person in a county jail  
22 or committed to the Department of Corrections or  
23 Department of Human Services Division of Mental Health,  
24 containing personal information pertaining to the person's  
25 victim or the victim's family, including, but not limited  
26 to, a victim's home address, home telephone number, work

1 or school address, work telephone number, social security  
2 number, or any other identifying information, except as  
3 may be relevant to a requester's current or potential case  
4 or claim.

5 (e-10) Law enforcement records of other persons  
6 requested by a person committed to the Department of  
7 Corrections, Department of Human Services Division of  
8 Mental Health, or a county jail, including, but not  
9 limited to, arrest and booking records, mug shots, and  
10 crime scene photographs, except as these records may be  
11 relevant to the requester's current or potential case or  
12 claim.

13 (f) Preliminary drafts, notes, recommendations,  
14 memoranda, and other records in which opinions are  
15 expressed, or policies or actions are formulated, except  
16 that a specific record or relevant portion of a record  
17 shall not be exempt when the record is publicly cited and  
18 identified by the head of the public body. The exemption  
19 provided in this paragraph (f) extends to all those  
20 records of officers and agencies of the General Assembly  
21 that pertain to the preparation of legislative documents.

22 (g) Trade secrets and commercial or financial  
23 information obtained from a person or business where the  
24 trade secrets or commercial or financial information are  
25 furnished under a claim that they are proprietary,  
26 privileged, or confidential, and that disclosure of the

1 trade secrets or commercial or financial information would  
2 cause competitive harm to the person or business, and only  
3 insofar as the claim directly applies to the records  
4 requested.

5 The information included under this exemption includes  
6 all trade secrets and commercial or financial information  
7 obtained by a public body, including a public pension  
8 fund, from a private equity fund or a privately held  
9 company within the investment portfolio of a private  
10 equity fund as a result of either investing or evaluating  
11 a potential investment of public funds in a private equity  
12 fund. The exemption contained in this item does not apply  
13 to the aggregate financial performance information of a  
14 private equity fund, nor to the identity of the fund's  
15 managers or general partners. The exemption contained in  
16 this item does not apply to the identity of a privately  
17 held company within the investment portfolio of a private  
18 equity fund, unless the disclosure of the identity of a  
19 privately held company may cause competitive harm.

20 Nothing contained in this paragraph (g) shall be  
21 construed to prevent a person or business from consenting  
22 to disclosure.

23 (h) Proposals and bids for any contract, grant, or  
24 agreement, including information which if it were  
25 disclosed would frustrate procurement or give an advantage  
26 to any person proposing to enter into a contractor

1 agreement with the body, until an award or final selection  
2 is made. Information prepared by or for the body in  
3 preparation of a bid solicitation shall be exempt until an  
4 award or final selection is made.

5 (i) Valuable formulae, computer geographic systems,  
6 designs, drawings, and research data obtained or produced  
7 by any public body when disclosure could reasonably be  
8 expected to produce private gain or public loss. The  
9 exemption for "computer geographic systems" provided in  
10 this paragraph (i) does not extend to requests made by  
11 news media as defined in Section 2 of this Act when the  
12 requested information is not otherwise exempt and the only  
13 purpose of the request is to access and disseminate  
14 information regarding the health, safety, welfare, or  
15 legal rights of the general public.

16 (j) The following information pertaining to  
17 educational matters:

18 (i) test questions, scoring keys, and other  
19 examination data used to administer an academic  
20 examination;

21 (ii) information received by a primary or  
22 secondary school, college, or university under its  
23 procedures for the evaluation of faculty members by  
24 their academic peers;

25 (iii) information concerning a school or  
26 university's adjudication of student disciplinary

1 cases, but only to the extent that disclosure would  
2 unavoidably reveal the identity of the student; and

3 (iv) course materials or research materials used  
4 by faculty members.

5 (k) Architects' plans, engineers' technical  
6 submissions, and other construction related technical  
7 documents for projects not constructed or developed in  
8 whole or in part with public funds and the same for  
9 projects constructed or developed with public funds,  
10 including, but not limited to, power generating and  
11 distribution stations and other transmission and  
12 distribution facilities, water treatment facilities,  
13 airport facilities, sport stadiums, convention centers,  
14 and all government owned, operated, or occupied buildings,  
15 but only to the extent that disclosure would compromise  
16 security.

17 (l) Minutes of meetings of public bodies closed to the  
18 public as provided in the Open Meetings Act until the  
19 public body makes the minutes available to the public  
20 under Section 2.06 of the Open Meetings Act.

21 (m) Communications between a public body and an  
22 attorney or auditor representing the public body that  
23 would not be subject to discovery in litigation, and  
24 materials prepared or compiled by or for a public body in  
25 anticipation of a criminal, civil, or administrative  
26 proceeding upon the request of an attorney advising the

1 public body, and materials prepared or compiled with  
2 respect to internal audits of public bodies.

3 (n) Records relating to a public body's adjudication  
4 of employee grievances or disciplinary cases; however,  
5 this exemption shall not extend to the final outcome of  
6 cases in which discipline is imposed.

7 (o) Administrative or technical information associated  
8 with automated data processing operations, including, but  
9 not limited to, software, operating protocols, computer  
10 program abstracts, file layouts, source listings, object  
11 modules, load modules, user guides, documentation  
12 pertaining to all logical and physical design of  
13 computerized systems, employee manuals, and any other  
14 information that, if disclosed, would jeopardize the  
15 security of the system or its data or the security of  
16 materials exempt under this Section.

17 (p) Records relating to collective negotiating matters  
18 between public bodies and their employees or  
19 representatives, except that any final contract or  
20 agreement shall be subject to inspection and copying.

21 (q) Test questions, scoring keys, and other  
22 examination data used to determine the qualifications of  
23 an applicant for a license or employment.

24 (r) The records, documents, and information relating  
25 to real estate purchase negotiations until those  
26 negotiations have been completed or otherwise terminated.

1 With regard to a parcel involved in a pending or actually  
2 and reasonably contemplated eminent domain proceeding  
3 under the Eminent Domain Act, records, documents, and  
4 information relating to that parcel shall be exempt except  
5 as may be allowed under discovery rules adopted by the  
6 Illinois Supreme Court. The records, documents, and  
7 information relating to a real estate sale shall be exempt  
8 until a sale is consummated.

9 (s) Any and all proprietary information and records  
10 related to the operation of an intergovernmental risk  
11 management association or self-insurance pool or jointly  
12 self-administered health and accident cooperative or pool.  
13 Insurance or self-insurance (including any  
14 intergovernmental risk management association or  
15 self-insurance pool) claims, loss or risk management  
16 information, records, data, advice, or communications.

17 (t) Information contained in or related to  
18 examination, operating, or condition reports prepared by,  
19 on behalf of, or for the use of a public body responsible  
20 for the regulation or supervision of financial  
21 institutions, insurance companies, or pharmacy benefit  
22 managers, unless disclosure is otherwise required by State  
23 law.

24 (u) Information that would disclose or might lead to  
25 the disclosure of secret or confidential information,  
26 codes, algorithms, programs, or private keys intended to

1 be used to create electronic signatures under the Uniform  
2 Electronic Transactions Act.

3 (v) Vulnerability assessments, security measures, and  
4 response policies or plans that are designed to identify,  
5 prevent, or respond to potential attacks upon a  
6 community's population or systems, facilities, or  
7 installations, but only to the extent that disclosure  
8 could reasonably be expected to expose the vulnerability  
9 or jeopardize the effectiveness of the measures, policies,  
10 or plans, or the safety of the personnel who implement  
11 them or the public. Information exempt under this item may  
12 include such things as details pertaining to the  
13 mobilization or deployment of personnel or equipment, to  
14 the operation of communication systems or protocols, to  
15 cybersecurity vulnerabilities, or to tactical operations.

16 (w) (Blank).

17 (x) Maps and other records regarding the location or  
18 security of generation, transmission, distribution,  
19 storage, gathering, treatment, or switching facilities  
20 owned by a utility, by a power generator, or by the  
21 Illinois Power Agency.

22 (y) Information contained in or related to proposals,  
23 bids, or negotiations related to electric power  
24 procurement under Section 1-75 of the Illinois Power  
25 Agency Act and Section 16-111.5 of the Public Utilities  
26 Act that is determined to be confidential and proprietary

1 by the Illinois Power Agency or by the Illinois Commerce  
2 Commission.

3 (z) Information about students exempted from  
4 disclosure under Section 10-20.38 or 34-18.29 of the  
5 School Code, and information about undergraduate students  
6 enrolled at an institution of higher education exempted  
7 from disclosure under Section 25 of the Illinois Credit  
8 Card Marketing Act of 2009.

9 (aa) Information the disclosure of which is exempted  
10 under the Viatical Settlements Act of 2009.

11 (bb) Records and information provided to a mortality  
12 review team and records maintained by a mortality review  
13 team appointed under the Department of Juvenile Justice  
14 Mortality Review Team Act.

15 (cc) Information regarding interments, entombments, or  
16 inurnments of human remains that are submitted to the  
17 Cemetery Oversight Database under the Cemetery Care Act or  
18 the Cemetery Oversight Act, whichever is applicable.

19 (dd) Correspondence and records (i) that may not be  
20 disclosed under Section 11-9 of the Illinois Public Aid  
21 Code or (ii) that pertain to appeals under Section 11-8 of  
22 the Illinois Public Aid Code.

23 (ee) The names, addresses, or other personal  
24 information of persons who are minors and are also  
25 participants and registrants in programs of park  
26 districts, forest preserve districts, conservation

1 districts, recreation agencies, and special recreation  
2 associations.

3 (ff) The names, addresses, or other personal  
4 information of participants and registrants in programs of  
5 park districts, forest preserve districts, conservation  
6 districts, recreation agencies, and special recreation  
7 associations where such programs are targeted primarily to  
8 minors.

9 (gg) Confidential information described in Section  
10 1-100 of the Illinois Independent Tax Tribunal Act of  
11 2012.

12 (hh) The report submitted to the State Board of  
13 Education by the School Security and Standards Task Force  
14 under item (8) of subsection (d) of Section 2-3.160 of the  
15 School Code and any information contained in that report.

16 (ii) Records requested by persons committed to or  
17 detained by the Department of Human Services under the  
18 Sexually Violent Persons Commitment Act or committed to  
19 the Department of Corrections under the Sexually Dangerous  
20 Persons Act if those materials: (i) are available in the  
21 library of the facility where the individual is confined;  
22 (ii) include records from staff members' personnel files,  
23 staff rosters, or other staffing assignment information;  
24 or (iii) are available through an administrative request  
25 to the Department of Human Services or the Department of  
26 Corrections.

1 (jj) Confidential information described in Section  
2 5-535 of the Civil Administrative Code of Illinois.

3 (kk) The public body's credit card numbers, debit card  
4 numbers, bank account numbers, Federal Employer  
5 Identification Number, security code numbers, passwords,  
6 and similar account information, the disclosure of which  
7 could result in identity theft or impression or defrauding  
8 of a governmental entity or a person.

9 (ll) Records concerning the work of the threat  
10 assessment team of a school district, including, but not  
11 limited to, any threat assessment procedure under the  
12 School Safety Drill Act and any information contained in  
13 the procedure.

14 (mm) Information prohibited from being disclosed under  
15 subsections (a) and (b) of Section 15 of the Student  
16 Confidential Reporting Act, including information  
17 submitted to any similar independent school helpline as  
18 defined under Section 15 of the Student Confidential  
19 Reporting Act.

20 (nn) Proprietary information submitted to the  
21 Environmental Protection Agency under the Drug Take-Back  
22 Act.

23 (oo) Records described in subsection (f) of Section  
24 3-5-1 of the Unified Code of Corrections.

25 (pp) Any and all information regarding burials,  
26 interments, or entombments of human remains as required to

1 be reported to the Department of Natural Resources  
2 pursuant either to the Archaeological and Paleontological  
3 Resources Protection Act or the Human Remains Protection  
4 Act.

5 (qq) Reports described in subsection (e) of Section  
6 16-15 of the Abortion Care Clinical Training Program Act.

7 (rr) Information obtained by a certified local health  
8 department under the Access to Public Health Data Act.

9 (ss) For a request directed to a public body that is  
10 also a HIPAA-covered entity, all information that is  
11 protected health information, including demographic  
12 information, that may be contained within or extracted  
13 from any record held by the public body in compliance with  
14 State and federal medical privacy laws and regulations,  
15 including, but not limited to, the Health Insurance  
16 Portability and Accountability Act and its regulations, 45  
17 CFR Parts 160 and 164. As used in this paragraph,  
18 "HIPAA-covered entity" has the meaning given to the term  
19 "covered entity" in 45 CFR 160.103 and "protected health  
20 information" has the meaning given to that term in 45 CFR  
21 160.103.

22 (tt) Proposals or bids submitted by engineering  
23 consultants in response to requests for proposal or other  
24 competitive bidding requests by the Department of  
25 Transportation or the Illinois Toll Highway Authority.

26 (uu) Documents that, pursuant to the State of

1 Illinois' 1987 Agreement with the U.S. Nuclear Regulatory  
2 Commission and the corresponding requirement to maintain  
3 compatibility with the National Materials Program, have  
4 been determined to be security sensitive. These documents  
5 include information classified as safeguards,  
6 safeguards-modified, and sensitive unclassified  
7 nonsafeguards information, as identified in U.S. Nuclear  
8 Regulatory Commission regulatory information summaries,  
9 security advisories, and other applicable communications  
10 or regulations related to the control and distribution of  
11 security sensitive information.

12 (1.5) Any information exempt from disclosure under the  
13 Judicial Privacy Act shall be redacted from public records  
14 prior to disclosure under this Act.

15 (1.6) Any information exempt from disclosure under the  
16 Public Official Safety and Privacy Act shall be redacted from  
17 public records prior to disclosure under this Act.

18 (1.7) Any information exempt from disclosure under  
19 paragraph (3.5) of Section 9-15 of the Election Code shall be  
20 redacted from public records prior to disclosure under this  
21 Act.

22 (2) A public record that is not in the possession of a  
23 public body but is in the possession of a party with whom the  
24 agency has contracted to perform a governmental function on  
25 behalf of the public body, and that directly relates to the  
26 governmental function and is not otherwise exempt under this

1 Act, shall be considered a public record of the public body,  
2 for purposes of this Act.

3 (3) This Section does not authorize withholding of  
4 information or limit the availability of records to the  
5 public, except as stated in this Section or otherwise provided  
6 in this Act.

7 (Source: P.A. 103-154, eff. 6-30-23; 103-423, eff. 1-1-24;  
8 103-446, eff. 8-4-23; 103-462, eff. 8-4-23; 103-540, eff.  
9 1-1-24; 103-554, eff. 1-1-24; 103-605, eff. 7-1-24; 103-865,  
10 eff. 1-1-25; 104-300, eff. 1-1-27; 104-438, eff. 1-1-26;  
11 104-443, eff. 1-1-26; revised 1-7-26.)

12 Section 10. The Student Confidential Reporting Act is  
13 amended by changing Section 15 as follows:

14 (5 ILCS 860/15)

15 Sec. 15. Management of confidential information.

16 (a) Any report or information submitted to the program  
17 under Section 10 or to a similar independent school helpline  
18 is confidential, may not be released except as otherwise  
19 provided in this Act or in the Juvenile Court Act of 1987, and  
20 is not subject to disclosure under the Freedom of Information  
21 Act.

22 (b) Any report or information submitted to the program and  
23 forwarded by the vendor described in subsection (d) of Section  
24 10 to a law enforcement official or to a school official is

1 confidential, may not be released except as otherwise provided  
2 in this Act, and is not subject to disclosure under the Freedom  
3 of Information Act.

4 (c) A person who intentionally discloses information to  
5 another person in violation of subsection (a) or (b) commits a  
6 Class C misdemeanor.

7 (d) In this Section, "similar independent school helpline"  
8 means a school helpline that:

9 (1) involves a toll-free telephone number, social  
10 media, a website, or other means of communication, or a  
11 combination of a toll-free telephone number and another  
12 means of communication, that transmits voice, text,  
13 photographic, or other messages and information to  
14 operators;

15 (2) employs operators trained in crisis intervention,  
16 mental health and other human services, and the handling  
17 of criminal intelligence information;

18 (3) offers students a safe, confidential way in which  
19 to share information that might help prevent suicides,  
20 bullying, school violence, or other threats to school  
21 safety;

22 (4) is not intended to suspend, expel, or punish  
23 students;

24 (5) encourages students to seek help before harm; and

25 (6) shares vetted information with local district and  
26 school officials and, if necessary, the local public

1           safety answering point or 9-1-1 call center.

2           (Source: P.A. 102-752, eff. 1-1-23.)

3           Section 95. No acceleration or delay. Where this Act makes  
4           changes in a statute that is represented in this Act by text  
5           that is not yet or no longer in effect (for example, a Section  
6           represented by multiple versions), the use of that text does  
7           not accelerate or delay the taking effect of (i) the changes  
8           made by this Act or (ii) provisions derived from any other  
9           Public Act.