



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB4743

by Rep. Yolonda Morris

#### SYNOPSIS AS INTRODUCED:

New Act

5 ILCS 100/5-45.71 new

5 ILCS 140/7.5

820 ILCS 5/1.3

Creates the Transportation Network Driver Labor Relations Act. Defines "transportation network driver" as an individual who operates a motor vehicle that: (i) is owned, leased, or otherwise authorized for use by the individual; (ii) is not a taxicab or for-hire public passenger vehicle; (iii) is used to provide transportation network company services; and (iv) operates under the license of a transportation network company. Provides that transportation network drivers have the right of self-organization, to form, join, or assist transportation network driver organizations, and to bargain collectively. Sets forth provisions concerning unfair work practices; the prevention of unfair work practices; the designation of bargaining representatives; administrative fees; bargaining, impasse resolution procedures, and final determinations by the Department of Labor; applicability of other labor standards; rulemaking; and public records. Amends the Freedom of Information Act and the Labor Dispute Act to make conforming changes. Effective immediately.

LRB104 20444 SPS 33909 b

1 AN ACT concerning regulation.

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

4 Section 1. Short title. This Act may be cited as the  
5 Transportation Network Driver Labor Relations Act.

6 Section 2. Findings; legislative intent; construction.

7 (a) The General Assembly finds that the growing rate of  
8 technological advancement has fundamentally altered the way  
9 that many people work within the State in the transportation  
10 sector, in which companies connect, through an online  
11 application, persons seeking passenger transportation services  
12 to persons willing to supply those transportation services.  
13 These persons willing to supply those transportation services,  
14 known as transportation network drivers, often suffer poor  
15 pay, inadequate health coverage, and lack of other benefits.  
16 It is hereby declared that the best interests of the people of  
17 this State are served by providing transportation network  
18 drivers the opportunity to self-organize, designate  
19 representatives of their own choosing, and to bargain  
20 collectively on a sectoral basis in order to obtain  
21 sustainable wages, benefits, and working conditions, subject  
22 to approval and ongoing supervision by the State. It is  
23 further declared that the best interests of the people of this

1 State are served by the prevention or prompt resolution of  
2 disputes between transportation network companies and the  
3 transportation network drivers who supply the labor to  
4 effectuate those services through collective bargaining on a  
5 sectoral basis, subject to approval and ongoing supervision by  
6 the State. This Act shall be deemed an exercise of the police  
7 power of the State for the protection of the public welfare,  
8 prosperity, health, and peace of the people of the State, and  
9 shall be liberally construed for the accomplishment of its  
10 purposes.

11 (b) The General Assembly finds that it is in the public  
12 policy interests of the State to displace competition with  
13 regulation of the terms and conditions of work for  
14 transportation network drivers; and, consistent with this  
15 policy, to exempt from federal and State antitrust laws any  
16 conduct authorized under this Act, including the formation of  
17 transportation network driver organizations and multi-company  
18 associations for the purposes of collective bargaining on a  
19 sectoral basis between transportation network companies and  
20 transportation network drivers on an industry-wide basis, and  
21 to supervise, evaluate, and if approved, implement the  
22 resulting sectoral agreements concerning industry regulations  
23 for the terms and conditions of work for all transportation  
24 network drivers in an industry when such sectoral agreements  
25 are found by the Department of Labor to advance the public  
26 purposes stated in this Section and are then made binding,

1 regardless of the anticompetitive consequences thereof.

2 (c) It is the intent and policy of the State:

3 (1) To grant transportation network drivers the right  
4 to form, join, or assist transportation network driver  
5 organizations, to be represented through representatives  
6 of their own choosing, and to engage in other concerted  
7 activities for the purpose of bargaining with  
8 transportation network companies and to create negotiated  
9 recommendations in the form of a sectoral agreement, which  
10 shall form the basis for industry regulations, and for the  
11 purpose of other mutual aid or protection; and

12 (2) To grant transportation network companies the  
13 right to form multi-company associations to represent them  
14 while bargaining with a transportation network driver  
15 organization to create negotiated recommendations in the  
16 form of a sectoral agreement, which shall form the basis  
17 for industry regulations.

18 (d) The intent and policy of the State is for the statutory  
19 and non-statutory labor exemptions from the federal antitrust  
20 laws and analogous State laws to apply to transportation  
21 network drivers who choose to form, join, or assist labor  
22 organizations in labor activity, to transportation network  
23 driver organizations who organize and represent such drivers,  
24 and to transportation network companies who may choose to form  
25 an industry association to negotiate on their behalf or  
26 otherwise engage in labor activity, permitted by this Act.

1           (e) The intent and policy of the State in authorizing and  
2 regulating transportation network companies, transportation  
3 network drivers engaging in labor activity, and transportation  
4 network driver organizations, permitted by this Act, is that  
5 state action immunity apply to this Act, including the  
6 sectoral agreement approved by the Department of Labor, and  
7 that such transportation network companies, transportation  
8 network drivers, and transportation network driver  
9 organizations be immune from the federal and State antitrust  
10 laws to the fullest extent possible in their conduct pursuant  
11 to this Act.

12           (f) The State shall actively supervise the qualified labor  
13 activity permitted by this Act conducted by transportation  
14 network companies, transportation network drivers, and  
15 transportation network driver organizations pursuant to this  
16 Act to ensure that the conduct permitted by this Act protects  
17 the rights of workers and companies, encourages collective  
18 bargaining on a sectoral basis and labor peace, and otherwise  
19 advances the purposes of this Act.

20           Section 3. Definitions. As used in this Act:

21           "Active transportation network driver" and "active TND"  
22 means a transportation network driver designated pursuant to  
23 the following process: Within 90 days after the effective date  
24 of this Act, and once each calendar quarter thereafter, each  
25 covered transportation network company shall provide the

1 Board, in an electronic format determined by the Board, with  
2 information that identifies all transportation network drivers  
3 who completed 5 or more rides that originate in the State on  
4 the covered TNC's platform in the previous 6 months. Each  
5 covered TNC shall provide this information within 2 weeks  
6 after the end of each calendar quarter (by April 14 provide TND  
7 information from rides originating between October 1 and March  
8 31, by July 14 provide TND information from rides originating  
9 between January 1 and June 30, by October 14 provide TND  
10 information from rides originating between April 1 and  
11 September 30, by January 14 provide TND information from rides  
12 originating between July 1 and December 31). The information  
13 shall include only the name of the TND, the TND driver's  
14 license number, and to the extent known by a TNC, the TND's  
15 mobile phone number, mailing address, email address, and the  
16 number of rides the TND completed through the covered TNC's  
17 platform in the previous 6 months. Within 14 days after the  
18 deadline for submission of the information from covered TNCs  
19 required in this definition, the Board shall combine the data  
20 provided by all covered TNCs to determine the distribution of  
21 the number of rides completed by all TNDs for which data has  
22 been submitted, and then shall determine the median number of  
23 rides across TNDs for whom data has been submitted in the  
24 previous 6 months. Any TND who completed greater than or equal  
25 to the median number of rides shall be considered an active  
26 transportation network driver in the rideshare industry. The

1 information required to be provided to the Board in this  
2 definition shall be produced in a manipulable electronic  
3 format, such as a spreadsheet program consisting of cells  
4 organized by lettered columns and numbered rows with each data  
5 point in a separate cell that allows users to sort and perform  
6 calculations and analysis. The Board may require that the  
7 information be provided in a specified software program. The  
8 records and information provided to the Board by  
9 transportation network companies are exempt from disclosure  
10 under the Freedom of Information Act.

11 "Board" means the State Panel of the Illinois Labor  
12 Relations Board created by Section 5 of the Illinois Public  
13 Labor Relations Act.

14 "Company union" means any committee, driver representation  
15 plan, or association of workers or others that exists for the  
16 purpose, in whole or in part, of dealing with TNCs concerning  
17 grievances or terms and conditions of work for TNDs: (i) which  
18 a TNC has initiated or created or whose initiation or creation  
19 it has suggested or participated in; (ii) which a TNC  
20 participates in, supervises, or conducts the formulation of  
21 governing rules or policies, management, operations, or  
22 elections; or (iii) which the TNC maintains, finances,  
23 controls, dominates, or assists in maintaining or financing  
24 unless required to do so by this Act, its implementing rules,  
25 or any other legal requirement, whether by compensating anyone  
26 for services performed in its behalf or by donating free

1 services, equipment, materials, office or meeting space, or  
2 anything else of value, or by any other means.

3 A TNC driver organization shall not be deemed a company  
4 union solely because any of the following are true:

5 (1) It has negotiated or been granted the right to  
6 designate TNC drivers to be released with pay for the  
7 purpose of providing representational services in  
8 labor-management affairs on behalf of TNC drivers  
9 represented by the TNC driver organization.

10 (2) In the course of providing representational  
11 services to workers for whom it is the exclusive  
12 bargaining representative, a TNC has allowed agents of the  
13 TNC driver organization to meet with drivers at the TNC's  
14 premises or communicate with TNDs via the TNC's platform.

15 (3) It has received from a TNC the voluntary  
16 membership dues deductions of TNC drivers or the TNC has  
17 processed or transmitted membership dues pursuant to  
18 paragraph (5) of subsection (d) of Section 8.

19 (4) It has received funds from a TNC for the  
20 administration of benefits and services to TNC drivers  
21 pursuant to a sectoral agreement in its capacity as the  
22 exclusive bargaining representative.

23 (5) It has negotiated with a TNC, before or after  
24 certification as the exclusive bargaining representative,  
25 for the right and requisite resources to communicate or  
26 meet with TNDs for any purpose permitted under this Act,

1 including via the TNC's platform.

2 "Covered transportation network company" and "covered TNC"  
3 means a transportation network company so designated pursuant  
4 to the following process:

5 (1) In addition to the TND lists and information  
6 required by the definition of "active transportation  
7 network driver", within 90 days after the effective date  
8 of this Act, within 2 weeks after the end of each calendar  
9 quarter, each TNC shall electronically submit to the Board  
10 a single statewide total of the rides performed during the  
11 prior quarter by transportation network drivers on its  
12 online-enabled application or platform. For purposes of  
13 this definition, all digital networks or software  
14 application services that any related corporate entities  
15 under common control maintain shall be considered a single  
16 TNC.

17 (2) The information required by paragraph (1) of this  
18 definition shall be produced in a manipulable electronic  
19 format, such as a spreadsheet program consisting of cells  
20 organized by lettered columns and numbered rows with each  
21 data point in a separate cell that allows users to sort and  
22 perform calculations and analysis. The Board may require  
23 that the information be provided in a specified software  
24 program.

25 (3) Within 14 days after the deadline set forth in  
26 paragraph (1) of this definition, the Board shall

1 designate the covered TNCs through the following  
2 procedure. The Board shall total all rides reported  
3 pursuant to paragraph (1) of this definition. The Board  
4 shall then rank all TNCs by rideshare volume in descending  
5 order. The Board shall begin with the highest ranked TNC  
6 and continue down the list until the Board has identified  
7 the TNCs whose rides collectively equal or exceed 95% of  
8 the statewide total for the preceding quarter. These TNCs  
9 shall be deemed "covered TNCs" for purposes of this Act.  
10 For purposes of this paragraph, all TNCs under common  
11 ownership or control shall be considered to be a single  
12 TNC. The Board shall then publish the list of covered TNCs  
13 and noncovered TNCs and rideshare volume information on  
14 its internet website. The Board shall notify each TNC as  
15 to whether the TNC is a covered TNC.

16 (4) The failure of a TNC to submit the list required by  
17 paragraph (1) of this definition shall not prevent the  
18 Board from providing a list of covered and noncovered TNCs  
19 to the extent the Board concludes that the missing  
20 information cannot reasonably be expected to change  
21 whether those TNCs are covered or noncovered TNCs.

22 (5) A TNC that was not a covered TNC when a sectoral  
23 agreement took effect but whose rideshare volume in a  
24 later quarter brings it within the 95% threshold  
25 identified in paragraph (3) of this definition shall  
26 become a covered TNC, and therefore bound by all terms of

1 the sectoral agreement immediately.

2 (6) A TNC that becomes a covered TNC pursuant to this  
3 Section shall remain a covered TNC for the remaining term  
4 of a sectoral agreement.

5 "Department" means the Department of Labor.

6 "Exclusive bargaining representative" means a TND  
7 organization certified by the Board, in accordance with this  
8 Act, as the representative of TNDs in a bargaining unit.

9 "Mandatory subjects of bargaining" means those subjects of  
10 bargaining related to compensation, benefits, and other terms  
11 and conditions of work, including, but not limited to,  
12 deactivations, and dispute resolution procedures for resolving  
13 claims alleging unjust deactivation.

14 "Person" includes one or more individuals, TNDs, TND  
15 organizations, TNCs, network companies, labor organizations,  
16 associations, corporations, legal representatives, trustees,  
17 trustees in bankruptcy, or receivers.

18 "Transportation network company" and "TNC" means an entity  
19 operating in the State that uses a digital network or software  
20 application service to connect passengers to transportation  
21 network company services provided by transportation network  
22 drivers. For purposes of this paragraph, all digital networks  
23 or software application services that any related corporate  
24 entities under common control maintain shall be considered a  
25 single TNC. A TNC is not deemed to own, control, operate, or  
26 manage the vehicles used by transportation network drivers,

1 and is not a taxicab association or a for-hire vehicle owner.

2 "Transportation network company services" and "TNC  
3 services" means transportation of a passenger between points  
4 chosen by the passenger and prearranged with a transportation  
5 network driver through the use of a TNC digital network or  
6 software application. "Transportation network company  
7 services" and "TNC services" do not include a taxicab,  
8 for-hire vehicle, or street hail service.

9 "Transportation network driver", "transportation network  
10 company driver", "TNC driver", and "TND" means an individual  
11 who operates a motor vehicle that: (i) is owned, leased, or  
12 otherwise authorized for use by the individual; (ii) is not a  
13 taxicab or for-hire public passenger vehicle; (iii) is used to  
14 provide transportation network company services; and (iv)  
15 operates under the TNC license of the TNC. "Transportation  
16 network driver", "transportation network company driver", "TNC  
17 driver", and "TND" do not include any individual who, with  
18 respect to the provision of TNC services is: (i) determined by  
19 a final order of a court of competent jurisdiction to be an  
20 employee within the meaning of Section 2(3) of the National  
21 Labor Relations Act, 29 U.S.C. 152(3), or within the meaning  
22 of 26 CFR 31.3121(d)-1 or 31.3401(c)-1; or (ii) declared by a  
23 TNC to be an employee within the meaning of Section 2(3) of the  
24 National Labor Relations Act, 29 U.S.C. 152(3) and within the  
25 meaning of 26 CFR 31.3121(d)-1 or 31.3401(c)-1.

26 "Transportation network driver organization" and "TND

1 organization" means any organization in which TNDs  
2 participate, and which exists and is constituted for the  
3 purpose, in whole or in part, of collective bargaining, or of  
4 dealing with transportation network companies concerning  
5 grievances, terms or conditions of work, or of other mutual  
6 aid or protection and which is not a company union as defined  
7 by this Act.

8 "Unfair work practices" means only those unfair work  
9 practices set forth in Section 6.

10 Section 4. Powers of the Board. The Board shall have  
11 jurisdiction over unfair work practices and collective  
12 bargaining matters between transportation network companies  
13 and transportation network driver organizations, except for  
14 the determinations to be made by the Department under this  
15 Act.

16 Section 5. Rights of TNDs. Transportation network drivers  
17 shall have the right of self-organization, to form, join, or  
18 assist TND organizations, to bargain collectively through  
19 representatives of their own choosing, and to engage in  
20 concerted activities, for the purpose of collective bargaining  
21 or other mutual aid or protection, free from interference,  
22 restraint, or coercion by TNCs, and shall also have the right  
23 to refrain from any of these activities. Nothing contained in  
24 this Act shall be interpreted to prohibit TNDs from exercising

1 the right to confer with TNCs at any time, provided that during  
2 such conference there is no attempt by such TNC, directly or  
3 indirectly, to interfere with, restrain, or coerce such  
4 workers in the exercise of the rights guaranteed by this Act.

5 Section 6. Unfair work practices.

6 (a) It is an unfair work practice for a TNC to:

7 (1) Fail or refuse to provide the Board or a TND  
8 organization with an accurate list of the names, trips  
9 made, and contact information for TNDs, as required by  
10 this Act.

11 (2) Fail or refuse to submit the list to the Board  
12 required by the definition of "covered transportation  
13 network company".

14 (3) Fail or refuse to negotiate in good faith with a  
15 TND organization certified as an exclusive bargaining  
16 representative of TNDs engaged with such TNC, concerning  
17 mandatory subjects of bargaining.

18 (4) Fail or refuse to provide a TND organization,  
19 certified as an exclusive bargaining representative of  
20 TNDs engaged with such TNC, with information requested by  
21 the TND organization that is relevant to, and necessary  
22 for, purposes of bargaining and the performance of its  
23 other duties required by this Act.

24 (5) Fail or refuse to continue all the terms of a  
25 determination of terms and conditions of work approved or

1 prescribed by the Department pursuant to this Act until a  
2 new determination is approved or prescribed, unless in  
3 accordance with a recognized exception under the law.

4 (6) Dominate or interfere with the formation,  
5 existence, or administration of any TND organization, or  
6 to contribute financial or other support to any such  
7 organization, directly or indirectly, unless required by  
8 this Act or by any rules implementing this Act, including,  
9 but not limited to, the following:

10 (i) by participating or assisting in, supervising,  
11 or controlling (1) the initiation or creation of any  
12 such organization or (2) the meetings, management,  
13 operation, elections, formulation or amendment of  
14 constitution, rules, or policies, of any such  
15 organization;

16 (ii) by offering incentives to TNDs to join any  
17 such organization; or

18 (iii) by donating free services, equipment,  
19 materials, office or meeting space or anything else of  
20 value for the use of any such organization; provided  
21 that a TNC may permit TNDs to perform representational  
22 work protected under this Act during working hours  
23 without loss of time or pay or allow agents of a TND  
24 organization that is the exclusive representative of  
25 its TNDs to meet with TNDs on its premises or  
26 communicate with TNDs via the TNC's platform.

1           (7) Require a TND to join any company union or TND  
2 organization or to require a TND to refrain from forming,  
3 or joining or assisting a TND organization of their own  
4 choosing.

5           (8) Encourage membership in any company union or  
6 discourage membership in any TND organization, by  
7 discrimination in regard to any term or condition of work.

8           (9) Deactivate or otherwise discriminate against a TND  
9 because they have signed or filed any charge, affidavit,  
10 petition, or complaint or given any information or  
11 testimony under this Act.

12           (10) Distribute or circulate any blacklist of  
13 individuals exercising any right created or confirmed by  
14 this Act or of members of a TND organization, or to inform  
15 any person of the exercise by any individual of such right  
16 or of the membership of any individual in a TND  
17 organization for the purpose of preventing individuals so  
18 blacklisted or so named from obtaining or retaining  
19 opportunities for remuneration.

20           (11) Perform any acts, other than those already  
21 enumerated in this Section, which interfere with,  
22 restrain, or coerce TNDs in the exercise of the rights  
23 guaranteed by this Act.

24           (b) It is an unfair work practice for a TND organization  
25 to:

26           (1) Fail or refuse to negotiate in good faith with a

1 TNC concerning mandatory subjects of bargaining, provided  
2 that the TND organization is the certified exclusive  
3 bargaining representative of the TNC's transportation  
4 network drivers, including by refusing to provide  
5 information requested by a TNC that is relevant and  
6 necessary for purposes of bargaining and the performance  
7 of its other duties required by this Act.

8 (2) Restrain or coerce TNDs in the exercise of the  
9 rights guaranteed by this Act, provided that this  
10 paragraph shall not impair the right of a TND organization  
11 to prescribe its own rules with respect to the acquisition  
12 or retention of membership in the organization.

13 (3) Fail or refuse to fulfill its duty of fair  
14 representation by intentional misconduct in representing  
15 TNDs where it is the certified exclusive bargaining  
16 representative.

17 (4) Restrain or coerce a TNC in the selection of its  
18 representatives for the purpose of bargaining or the  
19 adjustment of grievances.

20 (5) Cause or attempt to cause an employer to  
21 discriminate against an employee in violation of paragraph  
22 (9) of subsection (a) of Section 6.

23 (c) For purposes of this Section "to negotiate in good  
24 faith" means the performance of the mutual obligation of the  
25 transportation network companies or their agents or  
26 representatives and the exclusive bargaining representative to

1 meet at reasonable times and negotiate in good faith with  
2 respect to mandatory subjects of bargaining, or the  
3 negotiation of a sectoral agreement under Section 10, or any  
4 question arising thereunder, and to execute a written contract  
5 incorporating any agreement reached if requested by either  
6 party. However, this mutual obligation does not compel the  
7 transportation network companies or the exclusive bargaining  
8 representative to agree to a proposal or require the making of  
9 a concession.

10 Section 7. Prevention of unfair work practices.

11 (a) The Board is empowered and directed to prevent any TNC  
12 and any TND organization from engaging in any unfair work  
13 practice described in this Act. This power shall not be  
14 affected or impaired by any means of adjustment, mediation, or  
15 conciliation in labor disputes that have been or may hereafter  
16 be established by law or by the determination provided for in  
17 subsection (i) of Section 10. In order to prevent unfair work  
18 practices, each TNC shall, at least once each year, send a text  
19 message and an email to each of its active TNDs in a form  
20 determined by the Board notifying the TNDs of their rights  
21 under this Act, and the procedure for filing an unfair work  
22 practice charge. The TNC shall provide the notice in all  
23 languages that the Board determines are likely spoken by 5% or  
24 more of TNC drivers. The Board shall also post a copy of this  
25 notice on its website.

1           (b) Unfair work practice charges shall be filed no later  
2 than 6 months after the date on which the charging party knew,  
3 or reasonably should have known, of the violation.

4           (c) Whenever it is charged that any person has engaged in,  
5 or is engaging in, any unfair work practice, the Board, or any  
6 agent or agency designated by the Board for such purposes,  
7 shall conduct an investigation of the charge. If after such  
8 investigation the Board finds that the charge involves a  
9 dispositive issue of law or fact, the Board shall issue a  
10 complaint and cause to be served upon the person a complaint  
11 stating the charges, accompanied by a notice of hearing before  
12 the Board or a member thereof designated by the Board, or  
13 before a qualified hearing officer designated by the Board at  
14 the offices of the Board or such other location as the Board  
15 deems appropriate, not less than 5 days after serving of such  
16 complaint. Any such complaint may be amended by the member or  
17 hearing officer conducting the hearing for the Board in their  
18 discretion at any time prior to the issuance of an order based  
19 thereon. The person who is the subject of the complaint has the  
20 right to file an answer to the original or amended complaint  
21 and to appear in person or by a representative and give  
22 testimony at the place and time fixed in the complaint. In the  
23 discretion of the member or hearing officer conducting the  
24 hearing or the Board, any other person may be allowed to  
25 intervene in the proceeding and to present testimony. In any  
26 hearing conducted by the Board, neither the Board nor the

1 member or agent conducting the hearing shall be bound by the  
2 rules of evidence applicable to courts, except as to the rules  
3 of privilege recognized by law.

4 (d) The Board shall have the power to issue subpoenas and  
5 administer oaths. If any party willfully fails or neglects to  
6 appear or testify or to produce books, papers, and records  
7 pursuant to the issuance of a subpoena by the Board, the Board  
8 may apply to a court of competent jurisdiction to request that  
9 such party be ordered to appear before the Board to testify or  
10 produce the requested evidence.

11 (e) Any testimony taken by the Board, or a member  
12 designated by the Board or a hearing officer thereof, must be  
13 reduced to writing and filed with the Board. A full and  
14 complete record shall be kept of all proceedings before the  
15 Board, and all proceedings shall be transcribed by a reporter  
16 appointed by the Board. The party on whom the burden of proof  
17 rests shall be required to sustain such burden by a  
18 preponderance of the evidence, and the charging party shall  
19 have the burden of proving the unfair work practice  
20 accordingly. If, upon a preponderance of the evidence taken,  
21 the Board is of the opinion that any person named in the charge  
22 has engaged in or is engaging in an unfair work practice, then  
23 it shall state its findings of fact and shall issue and cause  
24 to be served upon the person an order requiring them to cease  
25 and desist from the unfair work practice, and to take such  
26 affirmative action as will effectuate the provisions of this

1 Act including, but not limited to: (i) withdrawal of  
2 recognition from and refraining from bargaining sectorally  
3 with any organization or association, agency, or plan that is  
4 either defined in this Act as a company union or established,  
5 maintained, or assisted by any action defined in this Act as an  
6 unfair work practice; (ii) awarding of back compensation  
7 without any reduction based on the TND's interim earnings or  
8 failure to earn interim earnings and, upon a showing of  
9 egregious misconduct, an additional amount as liquidated  
10 damages equal to 2 times the amount of back compensation  
11 awarded; (iii) requiring reengagement or reestablishment of  
12 the TNC's preexisting relationship with an improperly  
13 adversely affected TND with or without compensation, or  
14 maintenance of a preferential list from which such TND shall  
15 be reengaged or the relationship reestablished, and such order  
16 may further require such respondent to make reports from time  
17 to time showing the extent to which the order has been complied  
18 with; (iv) requiring the TNC to recognize and bargain with a  
19 TND organization if the Board determines that the unfair work  
20 practice interfered with the TND's right to form or join a TND  
21 organization; and (v) requiring the respondent to comply with  
22 any other obligation of this Act. The Board's order may in its  
23 discretion also include an appropriate sanction, based on the  
24 Board's rules, and the sanction may include an order to pay the  
25 other party or parties' reasonable expenses including costs  
26 and reasonable attorney's fees, if the other party has made

1 allegations or denials without reasonable cause and found to  
2 be untrue or has engaged in frivolous litigation for the  
3 purpose of delay or needless increase in the cost of  
4 litigation. If the Board awards back compensation, damages, or  
5 monetary sanction, it shall also award interest at the rate of  
6 7% per annum. The Board's order may further require the person  
7 to make reports from time to time, and demonstrate the extent  
8 to which the person has complied with the order. If there is no  
9 preponderance of evidence to indicate to the Board that the  
10 person named in the charge has engaged in or is engaging in the  
11 unfair work practice, then the Board shall state its findings  
12 of fact and shall issue an order dismissing the complaint.

13 (f) Until the record in a case has been filed in court, the  
14 Board at any time, upon reasonable notice and in such manner as  
15 it deems proper, may modify or set aside, in whole or in part,  
16 any finding or order made or issued by it.

17 (g) A charging party or any person aggrieved by a final  
18 order of the Board granting or denying in whole or in part the  
19 relief sought may apply for and obtain judicial review of an  
20 order of the Board entered under this Act, in accordance with  
21 the provisions of the Administrative Review Law, except that  
22 such judicial review shall be afforded directly in the  
23 Appellate Court for the district in which the aggrieved party  
24 resides or transacts business, and such judicial review shall  
25 not be available for the purpose of challenging a final order  
26 issued by the Board pursuant to Section 8 for which judicial

1 review has been petitioned pursuant to subsection (e) of  
2 Section 8. Any direct appeal to the Appellate Court shall be  
3 filed within 35 days after the date that a copy of the decision  
4 sought to be reviewed was served upon the party affected by the  
5 decision. The filing of such an appeal to the Appellate Court  
6 shall not automatically stay the enforcement of the Board's  
7 order. An aggrieved party may apply to the Appellate Court for  
8 a stay of the enforcement of the Board's order after the  
9 aggrieved party has followed the procedure prescribed by  
10 Supreme Court Rule 335. The Board in proceedings under this  
11 Section shall request and may obtain an order of the court for  
12 the enforcement of the Board's order.

13 (h) Whenever it appears that any person has violated a  
14 final order of the Board issued pursuant to this Section, the  
15 Board must commence an action in the name of the People of the  
16 State of Illinois by petition, alleging the violation,  
17 attaching a copy of the order of the Board, and praying for the  
18 issuance of an order directing the person, the person's  
19 officers, agents, servants, successors, and assigns to comply  
20 with the order of the Board. The Board shall be represented in  
21 this action by the Attorney General in accordance with the  
22 Attorney General Act. The court may grant or refuse, in whole  
23 or in part, the relief sought, provided that the court may stay  
24 an order of the Board in accordance with the Administrative  
25 Review Law, pending disposition of the proceedings. The court  
26 may punish a violation of its order as in civil contempt. The

1 proceedings provided in this paragraph shall be commenced in  
2 the Appellate Court for the district where the unfair work  
3 practice which is the subject of the Board's order was  
4 committed, or where a person required to cease and desist by  
5 such order resides or transacts business. In case of the  
6 enforcement of an order of the Board, the Appellate Court  
7 shall have the power to issue any injunctive or equitable  
8 remedy it finds appropriate, and in the case of a Board order  
9 which requires the payment of money, the Appellate Court shall  
10 have the power to enter judgment for the amount justified by  
11 the record and for costs, which judgment may be enforced as  
12 other judgments for the recovery of money.

13 (i) (1) A party filing an unfair work practice charge under  
14 this Section may petition the Board to obtain injunctive  
15 relief, pending a decision on the merits of the charge by the  
16 Board, a member thereof designated by the Board, or by a  
17 hearing officer designated by the Board, upon a showing that:  
18 (i) it is likely to succeed on the merits; (ii) it is likely to  
19 suffer irreparable harm in the absence of preliminary relief;  
20 (iii) the balance of equities tips in their favor; and (iv) an  
21 injunction is in the public interest. The immediate and  
22 irreparable harm may include the chilling of TNDs in the  
23 exercise of rights provided or protected by this Act.

24 (2) Within 30 days after the receipt by the Board of such  
25 petition for injunctive relief, if the Board determines that a  
26 charging party has made a sufficient showing pursuant to

1 paragraph (1) the Board, through the Attorney General, shall  
2 petition the circuit court where the alleged unfair work  
3 practice was allegedly committed, or where a person required  
4 to cease and desist from such alleged unfair work practice  
5 resides or transacts business, for appropriate temporary  
6 relief or restraining order. If the Board fails to act within  
7 10 days, the Board shall be deemed to have made a final order  
8 determining not to seek injunctive relief. If the Board  
9 determines not to seek injunctive relief, or if the Board or  
10 Attorney General do not petition the circuit court for such  
11 injunctive relief within 30 days after the filing of the  
12 charging party's petition with the Board, the charging party  
13 may seek injunctive relief by petition to the circuit court,  
14 in which case the Board must be joined as a necessary party.

15 (3) Upon the filing of any petition for injunctive relief  
16 as provided in the preceding paragraph, such injunctive relief  
17 may be granted by the court, after hearing all parties, if it  
18 determines that there is a sufficient showing under paragraph  
19 (1). The relief shall expire on decision by the Board, a member  
20 thereof designated by the Board, or a hearing officer  
21 designated by the Board finding no unfair work practice to  
22 have occurred, successful appeal of the grant of injunctive  
23 relief, or successful motion to vacate or modify such  
24 injunctive relief pursuant to the Code of Civil Procedure. Any  
25 injunctive relief in effect pending a decision by the Board  
26 (i) shall expire upon a decision by the Board finding no unfair

1 work practice to have occurred, of which the Board shall  
2 notify the court immediately, or (ii) shall remain in effect  
3 only to the extent it implements any remedial order issued by  
4 the Board in its decision, of which the Board shall notify the  
5 court immediately.

6 (4) A decision on the merits of the unfair work practice  
7 charge by the Board finding an unfair work practice to have  
8 occurred shall continue the injunctive relief until either (i)  
9 the respondent implements the remedy, or (ii) the Board's  
10 order is set aside in an action for review of the Board's order  
11 pursuant to the Administrative Review Law as set forth in  
12 subsection (g).

13 (5) The appeal of any order granting, denying, modifying,  
14 or vacating injunctive relief ordered by the court pursuant to  
15 this subsection shall be made in accordance with the Code of  
16 Civil Procedure and Supreme Court Rules.

17 (6) The Board or, where applicable, the charging party,  
18 shall not be required to give any undertakings or bond and  
19 shall not be liable for any damages or costs which may have  
20 been sustained by reason of any injunctive relief ordered. In  
21 the case of a TNC's failure to provide an accurate list of  
22 names, mobile phone numbers, email addresses, and mailing  
23 addresses of TNDs, immediate and irreparable injury, loss, or  
24 damage shall be presumed.

25 (j) In addition to, and without limiting, any other  
26 procedure provided in this Section, the Board is empowered and

1 directed to enforce, and prevent violations of paragraph (2)  
2 of subsection (a) of Section 6 as follows.

3 (1) Upon the failure or refusal of a TNC to timely  
4 submit the list to the Board required by the definition of  
5 "covered transportation network company", the Board shall  
6 promptly issue a complaint charging the TNC with an unfair  
7 work practice and petition a court of competent  
8 jurisdiction for temporary relief to compel production of  
9 the list, consistent with the procedures in subsection  
10 (i), except that the Board shall have a mandatory,  
11 non-discretionary duty to seek such injunctive relief. In  
12 the case of a TNC's failure to provide the list to the  
13 Board required by the definition of "covered  
14 transportation network company", immediate and irreparable  
15 injury, loss, or damage shall be presumed.

16 (2) In addition to any other remedy provided by this  
17 Act, a TNC found to have committed an unfair work practice  
18 in violation of paragraph (2) of subsection (a) of Section  
19 6 shall be subject to a civil penalty, payable to the  
20 Board, not to exceed \$10,000 per day for each day after the  
21 deadline that the list was not provided. The amount of the  
22 penalty shall be determined by the Board through  
23 application of the following criteria: (i) the size of the  
24 TNC; (ii) the severity of the violation; and (iii) any  
25 history of violations by the TNC. A TNC found to have  
26 committed an unfair work practice in violation of

1 paragraph (2) of subsection (a) of Section 6 shall also be  
2 required by the Board to pay the Board's or charging  
3 party's attorney's fees and costs for any court proceeding  
4 initiated by the Board or charging party to compel  
5 production of the list.

6 Section 8. Designation of bargaining representatives.

7 (a) For purposes of this Act, each TND performing TNC  
8 services on a covered TNC shall be included in an  
9 industry-wide bargaining unit of all TNDs in the State.

10 (b) A TND organization may demonstrate that it has been  
11 designated as a bargaining representative by presenting to the  
12 Board cards, petitions, or other evidence, which may be in  
13 electronic form, sufficient to show the TND has authorized the  
14 TND organization to act as the worker's bargaining  
15 representative. A TND may demonstrate that TNDs do not wish to  
16 be represented by a TND organization by presenting to the  
17 Board cards, petitions, or other evidence, which may be in  
18 electronic form, sufficient to show the TND does not authorize  
19 any TND organization to act as the worker's exclusive  
20 bargaining representative. The Board shall deem valid any such  
21 card, petition, or other evidence that includes (i) the  
22 signature of the TND, (ii) the date of execution, (iii) a  
23 statement indicating the TND's authorization of the TND  
24 organization to act as the TND's exclusive bargaining  
25 representative or alternatively the TND's wish to not be

1 represented by a TND organization, and (iv) the name of at  
2 least one TNC for whom the TND performs services. In order to  
3 be valid, such card, petition, or other evidence must have  
4 been executed by the TND within one year of the date that the  
5 TND organization, or TND, submits the evidence to the Board.  
6 The authorizations or designations of representative may be  
7 evidenced by electronic records or electronic signatures as  
8 provided under Section 7 of the Uniform Electronic  
9 Transactions Act. The Board shall adopt rules for verification  
10 of electronic signatures that are comparable to the standards  
11 set forth in Section III of the National Labor Relations Board  
12 Office of the General Counsel Memo 15-08.

13 (c)(1) Within 30 days after the petition of any TND  
14 organization, the Board shall make a determination that such  
15 organization has been designated as bargaining representative  
16 by at least 10% of active TNDs in the bargaining unit. For  
17 purposes of this provision, the operative list of active TNDs  
18 shall be based on the most recent quarterly list provided by  
19 the covered TNCs to the Board in accordance with the  
20 definition of "active transportation network driver".

21 (2) Within 30 days after the Board's determination that a  
22 TND organization has been designated as the bargaining  
23 representative of at least 10% of active TNDs in the  
24 bargaining unit, the Board shall: (i) require each covered TNC  
25 to send a notice, in a form determined by the Board, that the  
26 TND organization is seeking to represent TNDs for the purpose

1 of initiating a bargaining process in order to establish terms  
2 and conditions for the industry; and (ii) provide the TND  
3 organization with a complete list of names, phone numbers,  
4 mailing address, and email addresses for all active TNDs in  
5 the bargaining unit. The TNC shall provide the notice in all  
6 languages that the Board determines are likely spoken by 5% or  
7 more of TNC drivers. The Board will provide the TND  
8 organization with an updated list each quarter for the  
9 following 4 quarters. For 6 months from the date of the Board's  
10 determination that a TND organization has met the 10%  
11 threshold in a bargaining unit, and where such TND  
12 organization is the first TND organization to meet such  
13 threshold, no other TND organization may be certified as the  
14 exclusive bargaining representative of those workers without  
15 an election.

16 (d) (1) A TND organization that provides evidence to the  
17 Board that it has been designated as bargaining representative  
18 by 30% of active TNDs in the bargaining unit shall be certified  
19 as the exclusive bargaining representative of all TNDs in the  
20 bargaining unit. The Board shall make such determination of  
21 exclusive bargaining representative status within 30 days  
22 after the petition. In the alternative, a TND organization  
23 that has been designated as the bargaining representative of  
24 at least 10% of active TNDs in the bargaining unit, pursuant to  
25 a petition filed under subsections (c) or (d), may petition  
26 the Board to conduct an election. The TND may petition for such

1 election at any time within one year of the Board's  
2 determination that it has been designated as the bargaining  
3 representative of at least 10% of active TNDs. The election  
4 shall be conducted as expeditiously as possible, but in no  
5 event more than 60 days after the TND organization's petition  
6 for election. If the TND organization receives a majority of  
7 valid votes cast in such election, the Board shall certify the  
8 TND organization as the exclusive bargaining representative.  
9 For purposes of this provision, the operative list of active  
10 TNDs shall be based on the most recent quarterly list provided  
11 by the covered TNCs in accordance with the definition of  
12 "active transportation network driver".

13 (2) If a TND organization seeking certification as the  
14 exclusive bargaining representative without an election  
15 provides evidence that shows that less than a majority of  
16 active TNDs have designated the TND organization as their  
17 bargaining representative, the Board shall wait 7 days before  
18 certifying the TND organization as exclusive bargaining  
19 representative. If, during those 7 days, another TND  
20 organization provides evidence that at least 20% of active  
21 TNDs in the bargaining unit have designated it as their  
22 bargaining representative, then the Board shall hold an  
23 election among all active TNDs in the bargaining unit. Such  
24 election shall be conducted as expeditiously as possible, but  
25 in no event more than 60 days after the petition of the  
26 original TND seeking certification as exclusive bargaining

1 representative. For purposes of such an election, the  
2 operative list of active TNDs shall be based on the most recent  
3 quarterly list provided by the covered TNCs in accordance with  
4 the definition of "active transportation network driver". A  
5 TND organization receiving a majority of the valid votes cast  
6 shall be certified as the exclusive bargaining representative  
7 of all TNDs in the bargaining unit. When 2 or more TND  
8 organizations are on the ballot and none of the choices (the  
9 TND organizations or "no worker organization") receives a  
10 majority of the valid votes cast, there shall be a run-off  
11 election between the 2 choices receiving the largest and  
12 second largest number of votes, to be conducted within 45 days  
13 after the determination that no choice had received a majority  
14 of valid votes cast. The TNDs eligible to vote in the run-off  
15 election shall be the same TNDs eligible to vote in the initial  
16 election. A TND organization receiving a majority of the valid  
17 votes cast in the run-off election shall be certified as the  
18 exclusive bargaining representative of all TNDs in the  
19 bargaining unit. If a majority of the valid votes cast are for  
20 "no worker organization", then the Board will not certify any  
21 worker organization as the exclusive bargaining  
22 representative.

23 (3) A TND organization certified as the exclusive  
24 bargaining representative shall have the exclusive authority  
25 to represent the TNDs in the bargaining unit, without  
26 challenge by another TND organization, and not subject to

1 decertification by the procedures in this subsection, for the  
2 greater of (i) one year following certification, or (ii) the  
3 length of time that a final determination rendered by the  
4 Department under subsection (i) of Section 10 is in effect,  
5 provided that such period shall not be longer than 3 years  
6 following the date of issuance of such final determination.  
7 During the times when an exclusive bargaining representative  
8 is subject to challenge, TNDs may file for a decertification  
9 election upon a showing that at least 25% of the active TNDs in  
10 the bargaining unit have demonstrated support for the  
11 decertification. The Board will then schedule an election to  
12 determine whether the TND organization has retained its status  
13 as exclusive bargaining representative. The TND organization  
14 shall retain its status as exclusive bargaining representative  
15 if it receives a majority of valid votes cast by active TNDs in  
16 the bargaining unit. For purposes of this provision, the  
17 operative list of active TNDs shall be based on the most recent  
18 quarterly list provided by the covered TNCs in accordance with  
19 the definition of "active transportation network driver".

20 (4) If a TND organization has been certified as the  
21 exclusive bargaining representative with respect to the  
22 bargaining unit, only that TND organization shall be entitled  
23 to: (i) immediately upon certification, and, quarterly  
24 thereafter, receive from the Board the data provided by the  
25 covered TNCs to the Board pursuant to the definition of  
26 "active transportation network driver", to be used solely for

1 the purposes of bargaining and the performance of its other  
2 duties as the TNDs bargaining representative; and (ii) to  
3 engage in bargaining with the covered TNCs for a sectoral  
4 agreement to be recommended to the Department concerning  
5 mandatory subjects of bargaining.

6 (5) A TND organization that has been certified as the  
7 exclusive bargaining representative with respect to the  
8 bargaining unit shall have a right to voluntary deduction of  
9 dues, initiation fees, assessments, and other payments to the  
10 TND organization, from payments to TNDs by a covered TNC, upon  
11 presentation of deduction authorizations signed by individual  
12 TNDs, which may be in electronic form. A covered TNC shall  
13 commence making such deductions in accordance with the terms  
14 of the deduction authorization as soon as practicable, but in  
15 no case later than 30 days after receiving proof of a signed  
16 deduction authorization, and amounts deducted shall be  
17 submitted to the TND organization within 30 days after the  
18 deduction. A covered TNC shall accept a signed deduction  
19 authorization evidenced by electronic records or electronic  
20 signatures as provided under Section 7 of the Uniform  
21 Electronic Transactions Act. The right to such deductions  
22 shall remain in full force and effect until an individual TND  
23 revokes the deduction authorization in writing in accordance  
24 with the terms of the authorization.

25 (e) An order of the Board dismissing a representation  
26 petition or determining, certifying, or decertifying a TND

1 organization as an exclusive bargaining representative is a  
2 final order. Any person aggrieved by any such final order may  
3 apply for and obtain judicial review in accordance with the  
4 provisions of the Administrative Review Law, except that such  
5 review shall be afforded directly in the Appellate Court for  
6 the district in which the aggrieved party resides or transacts  
7 business. Any direct appeal to the Appellate Court shall be  
8 filed within 35 days after the date that a copy of the decision  
9 sought to be reviewed was served upon the party affected by the  
10 decision.

11 (f) Upon agreement by a TND organization seeking such  
12 determination or petition or a TND seeking such determination,  
13 and the relevant covered TNC or TNCs, any of the numerical  
14 thresholds or any of the elections in this Section shall be  
15 determined or conducted by a neutral body, in accordance with  
16 the provisions of this Act. The fees of the neutral body shall  
17 be paid by the Board. The neutral body shall report the results  
18 of such determination or election to the Board, which shall  
19 certify the results so long as it is satisfied that the  
20 determination was made or election was conducted in accordance  
21 with the provisions of this Act. If no neutral body has been  
22 agreed to within 10 days after a TND organization's or TND's  
23 notice of its request for a determination or its petition, the  
24 Board may designate a neutral body or perform such functions  
25 itself.

1 Section 9. Administrative fees.

2 (a) Beginning on the date that a TND organization is  
3 certified as the exclusive bargaining representative, each  
4 covered TNC shall impose a fee of 20 cents per trip, which the  
5 Board shall collect. The Board shall use such fees to issue  
6 grants to the exclusive bargaining representative to educate  
7 TNDs regarding their rights under this Act, to provide  
8 assistance in enforcing those rights, and to enforce the terms  
9 of an agreement or determination approved by the Department  
10 under this Act.

11 (b) The fee shall be 20 cents per ride on each trip  
12 originating in the State performed by a TND. Beginning on the  
13 first January 1st after a TND organization has been certified  
14 as an exclusive bargaining representative for at least 12  
15 months, and each January 1st thereafter, the fee shall be  
16 adjusted to the nearest penny to reflect any increase in  
17 inflation as measured by the Consumer Price Index for All  
18 Urban Consumers published by the United States Bureau of Labor  
19 Statistics. The Board shall calculate and publish the  
20 adjustments required by this subsection.

21 (c) The fee shall be displayed to customers as a "Labor  
22 Relations Administrative Fee".

23 (d) The Board shall adopt by rule an exclusive bargaining  
24 representative grant application and criteria for evaluating  
25 such grant applications, including criteria to ensure that the  
26 exclusive bargaining representative has the capacity and

1 expertise to provide education and enforcement support to  
2 TNDs. If the exclusive bargaining representative meets the  
3 criteria established by the Board, the Board shall approve the  
4 grant application and remit the fees to the exclusive  
5 bargaining representative on a monthly basis, with each  
6 payment occurring no more than 30 days following the end of the  
7 month. The fees shall be used by the TND organization solely to  
8 educate TNDs regarding the rights protected by this Act, to  
9 provide assistance in enforcing those rights, to negotiate the  
10 sectoral agreement as provided in this Act, and to enforce the  
11 terms of any agreement or determination approved by the  
12 Department under this Act. No portion of such fees shall be  
13 used for political contributions or lobbying. If no such grant  
14 is awarded or if the fees collected exceed the grant awarded,  
15 the Board shall use such fees for educational or enforcement  
16 activities regarding the provisions of this Act.

17 (e) Each exclusive bargaining representative shall submit  
18 an annual report to the Board in a form to be determined by the  
19 Board setting forth how the fees have been utilized. The Board  
20 shall review each annual report and certify whether the  
21 exclusive bargaining representative is utilizing the fees for  
22 appropriate activities and continues to meet the grant  
23 application criteria. The Board shall adopt rules to establish  
24 a process by which it may suspend or revoke grants based on the  
25 failure to utilize the fees for educational or enforcement  
26 activities or the failure to meet the grant application

1 criteria. If the Board finds that the exclusive bargaining  
2 representative does not meet the grant application criteria,  
3 the Board may utilize the fees for its own educational and  
4 enforcement activities, and the exclusive bargaining  
5 representative may reapply for a grant in the following year.

6 Section 10. Bargaining, impasse resolution procedures, and  
7 final determination by the Department.

8 (a) Once the Board certifies that a TND organization is  
9 the exclusive bargaining representative for the bargaining  
10 unit, the Board shall notify all covered TNCs, and all covered  
11 TNCs shall be required to bargain with the exclusive  
12 bargaining representative concerning mandatory subjects of  
13 bargaining. The covered TNCs and TND organization may bargain  
14 concerning other subjects agreed to by the parties. To  
15 facilitate negotiations, the covered TNCs may form an industry  
16 association to negotiate on their behalf. If the covered TNCs  
17 choose not to form an association, any recommended agreement  
18 must be approved by (i) at least 2 industry member covered TNCs  
19 and (ii) member covered TNCs representing at least 80% of the  
20 market share of that industry in the State, with votes  
21 determined in proportion to the number of rides completed by  
22 TNDs contracting directly with the covered TNC in the 2  
23 calendar quarters preceding the certification of the exclusive  
24 bargaining representative.

25 (b) Each individual covered TNC shall retain exclusive

1 control over the development, maintenance, design, pricing,  
2 and implementation of its product and product features,  
3 software, contract terms, algorithm, and operations and areas  
4 of service.

5 (c) A sectoral agreement submitted to the Department for  
6 approval pursuant to subsection (i) shall address, at minimum,  
7 the following subjects, each of which must be set forth  
8 separately in the sectoral agreement, unless a subject is  
9 expressly waived by mutual agreement of the exclusive  
10 bargaining representative and the covered TNCs:

11 (1) Compensation.

12 (2) Benefits.

13 (3) Appeals process for deactivations.

14 (4) Representation of TNC drivers in deactivation  
15 appeals.

16 (5) Paid leave.

17 (6) Information disclosed to TNC drivers about trips  
18 on per-trip, weekly, and monthly earnings receipts and  
19 summaries, and on initial ride offers.

20 (7) Grievance and arbitration procedures to resolve  
21 disputes arising under the sectoral agreement.

22 (8) Safety mandates imposed by the covered TNCs that  
23 require TNC drivers to purchase safety equipment or  
24 purchase safety software, and safety features or protocols  
25 proposed by the exclusive bargaining representative that  
26 have a demonstrable purpose of reducing the risk of

1 physical assault or injury to TNC drivers. For the  
2 purposes of this paragraph, "purchase" includes an  
3 automatic withdrawal from TNC driver earnings.

4 (9) Labor-TNC partnerships.

5 (10) Reasonable access by the exclusive bargaining  
6 representative to covered TNC-to-TNC driver communication  
7 systems.

8 (11) Deduction of voluntary fees and dues from  
9 payments to TNC drivers.

10 (12) Duration of the sectoral agreement, which shall  
11 be between 3 and 5 years.

12 (13) Insurance coverage for occupational accidents or  
13 injuries.

14 (14) Compensation or supplemental insurance for job  
15 loss.

16 (d) A sectoral agreement, including an agreement  
17 recommended by an arbitrator pursuant to paragraph (6) of  
18 subsection (h), shall not contain a provision that prevents an  
19 individual covered TNC from exercising its autonomy pursuant  
20 to subsection (b).

21 (e) The negotiated sectoral agreement shall be submitted  
22 by the TND organization to a vote by all TNDs who have  
23 completed at least 100 trips in the previous calendar quarter.  
24 Such vote shall be conducted by the TND organization pursuant  
25 to procedures determined at the discretion of the TND  
26 organization. If approved by a majority of TNDs who vote, the

1 sectoral agreement shall be submitted to the Department for  
2 approval. If a majority of valid votes cast by the TNDs are not  
3 in favor of the sectoral agreement, the TND organization and  
4 the covered TNCs will resume negotiating.

5 (f) For purposes of this Section, an impasse may be deemed  
6 to exist if the covered TNCs and exclusive bargaining  
7 representative fail to achieve agreement by the end of a  
8 210-day period from the date a TND organization has been  
9 certified as the exclusive bargaining representative. In the  
10 case of bargaining for a successor sectoral agreement, an  
11 impasse may be deemed to exist if the covered TNCs and  
12 exclusive bargaining representative fail to achieve agreement  
13 by the end of a 60-day period preceding the expiration date of  
14 a prior determination by the Department as provided for in  
15 subsection (i).

16 (g) Upon impasse, any of the affected covered TNCs or the  
17 exclusive bargaining representative may request the Board to  
18 render assistance as provided in this Section.

19 (h) Upon receiving a timely request from an exclusive  
20 bargaining representative or covered TNC for commencement of  
21 an impasse proceeding, the Board shall aid the parties as  
22 follows:

23 (1) To assist the parties to effect a voluntary  
24 resolution of the dispute, the Board shall provide the  
25 parties with a list of qualified mediators as maintained  
26 by the Board within 7 days after the request for

1 commencement of impasse proceedings. Within 7 days after  
2 receipt of such list, the parties shall either select a  
3 mediator from the Board's list or select another mutually  
4 agreed mediator. If the parties fail to select a mediator  
5 and notify the Board of their selection, within 7 days  
6 after the date the Board provided the list of mediators,  
7 the Board shall appoint a mediator from the list. The  
8 Board shall make such an appointment and notify the  
9 parties within 7 days. If the mediator is unable to  
10 achieve agreement between the parties concerning an  
11 appropriate resolution within 60 days after the Board has  
12 provided the parties the list of mediators, any party may  
13 petition the Board to refer the dispute to an arbitrator.

14 (2) Upon timely petition of either party, the Board  
15 shall refer the dispute to an arbitrator as provided.

16 (3) Each of the affected parties (affected covered  
17 TNCs and the exclusive bargaining representative) shall  
18 have an equal say in the selection of the arbitrator and  
19 each of the affected parties shall share equally the cost  
20 of the arbitrator. If the parties are unable to agree upon  
21 the arbitrator within 7 days after the Board notifies the  
22 covered TNCs of the need to appoint an arbitrator, the  
23 Board shall submit to the parties a list of qualified,  
24 disinterested persons for the selection of an arbitrator.  
25 A representative of each of the parties shall alternately  
26 strike from the list one of the names with the order of

1 striking determined by lot, until the remaining one person  
2 shall be designated as the arbitrator. Each party shall  
3 select its representative for this purpose as it sees fit.  
4 A party's failure to agree upon the designation of its  
5 representative shall result in the failure of the striking  
6 procedure, but shall not impede the Board's appointment of  
7 the arbitrator upon such failure. The striking process  
8 shall be completed within 5 days after receipt of the  
9 Board's list. The representatives who undertake the  
10 striking shall notify the Board of the designated  
11 arbitrator. If the parties are unable to select the  
12 arbitrator within 5 days following receipt of this list,  
13 the Board shall appoint the arbitrator.

14 (4) The arbitrator shall hold hearings on all matters  
15 related to the dispute, concerning mandatory subjects of  
16 bargaining, and any other subject agreed to be submitted  
17 by the covered TNCs and the TND organization. The parties  
18 may be heard either in person, by counsel, or by other  
19 representatives, as they may respectively designate. The  
20 arbitrator shall determine the order of presentation by  
21 the parties, and shall have discretion and authority to  
22 decide all procedural issues that may be raised.

23 (5) The parties may present, either orally or in  
24 writing, or both, statements of fact, supporting witnesses  
25 and other evidence, and argument of their respective  
26 positions with respect to each case. The arbitrator shall

1 have authority to require the production of such  
2 additional evidence, either oral or written as they may  
3 desire from the parties and shall provide at the request  
4 of either party that a full and complete record be kept of  
5 any such hearings, the cost of such record to be borne by  
6 the requesting party. If such a record is created, it  
7 shall be shared with all parties regardless of which party  
8 paid for it.

9 (6) The arbitrator shall make a just and reasonable  
10 determination of the matters in dispute, set forth in  
11 paragraph (4) of subsection (h), and within 90 days after  
12 the arbitrator's appointment shall issue a determination  
13 that shall apply to all covered TNCs and the exclusive  
14 bargaining representative. The time period for the  
15 arbitrator's determination may be extended by the  
16 arbitrator upon good cause shown, or by agreement by the  
17 parties. In arriving at such determination, the arbitrator  
18 shall specify the basis for their findings, taking into  
19 consideration, in addition to any factors recommended by  
20 the parties that the arbitrator finds to be consistent  
21 with this Act, the following:

22 (i) whether the compensation, benefits, and  
23 conditions of work of the TNDs achieve the policy  
24 goals set forth in Section 2; such compensation and  
25 benefits must take into account the real cost of  
26 living, and may substantially exceed any statutory

1 minimum wage, and should be a sufficient amount such  
2 that the TNDs do not need to rely upon any public  
3 benefits;

4 (ii) whether the most efficient way to provide  
5 benefits is through a portable benefits fund, and if  
6 so, how to best assess each covered TNC a portion of  
7 the costs of providing those benefits;

8 (iii) the financial ability of the affected  
9 covered TNCs to pay for the compensation and benefits  
10 in question and the impact on the delivery of services  
11 provided by the covered TNCs;

12 (iv) the establishment of a reasonable  
13 deactivation appeals process that will allow TNDs a  
14 reasonable expectation of uninterrupted work; and

15 (v) comparison of particularities in regard to  
16 other trades or professions, including specifically,  
17 hazards of work, physical qualifications, educational  
18 qualifications, mental qualifications, job training,  
19 and skills.

20 (i) Any sectoral agreement, whether agreed upon between  
21 covered TNCs and a TND organization acting as exclusive  
22 bargaining representative of TNDs in the bargaining unit or as  
23 determined by an arbitrator, under this Act shall be reviewed  
24 and approved or disapproved by the Department. In deciding  
25 whether to grant approval to such sectoral agreement, the  
26 Department's decision shall be based on the factors specified

1 in paragraph (6) of subsection (h), and the policies set forth  
2 in Section 2. In deciding whether to approve such sectoral  
3 agreement, the Department shall afford the exclusive  
4 representative, all covered TNCs, and TNDs no more than 30  
5 days to submit comments and arguments concerning whether  
6 approval is warranted. Within 60 days after the deadline for  
7 submitting comments, the Department shall approve or  
8 disapprove the sectoral agreement. In the event of  
9 disapproval, the Department may make recommendations for  
10 amendments to the sectoral agreement that would cause the  
11 Department to approve and afford the parties an opportunity to  
12 respond to those recommendations. If during the period of time  
13 the sectoral agreement is in effect, the Department determines  
14 that market conditions have changed, the Department shall give  
15 the exclusive bargaining representative, all covered TNCs, and  
16 TNDs the opportunity to submit comments and arguments  
17 concerning whether the final determination should be modified,  
18 and after receiving those comments, the Department may modify  
19 the final determination. Any new terms for the bargaining unit  
20 shall be set in accordance with the procedures set forth in  
21 this Section.

22 (j) A final determination by the Department under this  
23 Section is a final order. Any covered TNC or exclusive  
24 bargaining representative aggrieved by any such final order  
25 may apply for and obtain judicial review in accordance with  
26 the provisions of the Administrative Review Law, except that

1 such review shall be afforded directly in the Appellate Court  
2 for the district in which the aggrieved party resides or  
3 transacts business, and provided that such final orders of the  
4 Department shall only be overturned if found to be an abuse of  
5 discretion. Any direct appeal to the Appellate Court shall be  
6 filed within 35 days after the date that a copy of the decision  
7 sought to be reviewed was served upon the party affected by the  
8 decision. Except in a proceeding brought to review a final  
9 order of the Department, the determination of an arbitrator  
10 under this Section shall not be subject to judicial review.

11 Section 11. Applicability of other labor standards. No  
12 sectoral agreement, arbitrator's determination, or final  
13 determination by the Department made pursuant to this Act  
14 shall diminish or erode any minimum labor standard that would  
15 otherwise apply to a TND.

16 Section 12. Rulemaking.

17 (a) The Board and the Department shall make such rules as  
18 may be appropriate to effectuate the purposes and provisions  
19 of this Act. In order to provide for the expeditious and timely  
20 implementation of the provisions of this Act, such rules may  
21 be adopted by the Board or the Department as emergency rules  
22 pursuant to Section 5-45 of the Illinois Administrative  
23 Procedure Act within 6 months of the effective date of this  
24 Act. The adoption of those emergency rules shall be considered

1 an emergency and necessary for the public interest, safety,  
2 and welfare.

3 (b) The Board may apply, in its discretion, applicable  
4 rules adopted under the Illinois Public Labor Relations Act to  
5 the extent those procedures are not inconsistent with the  
6 procedures specified in this Act. To effect that purpose, the  
7 Board may, in its discretion, and to the extent doing so is not  
8 inconsistent with the procedures specified in this Act,  
9 interpret rules adopted under the Illinois Public Labor  
10 Relations Act, referencing "employer" to include a  
11 transportation network company, referencing "employee" to  
12 include a transportation network driver, and referencing a  
13 "labor organization" to include a transportation network  
14 driver organization.

15 (c) The rules shall establish the obligations and  
16 procedures for the Board and TND organizations to protect TND  
17 data from public disclosure and unauthorized use, including:  
18 (i) minimization of data collected to what is necessary under  
19 this Act; (ii) encryption standards adhering to recognized  
20 security protocols; (iii) access controls to ensure that only  
21 authorized persons can view or process driver data; (iv) data  
22 retention policy; (v) auditing and compliance monitoring; (vi)  
23 data breach protocol; (vii) driver notification of data  
24 sharing; (viii) driver consent and driver opt-out of data  
25 sharing; and (ix) limitations on data use; (x) limiting the  
26 disclosure of driver personal identifying information to the

1 confidential uses necessary to effectuate this Act and not for  
2 the purpose of enforcing federal immigration law or providing  
3 it to an agency that primarily enforces immigration law,  
4 unless the Board is provided with a lawful court order or  
5 judicial warrant signed by a judge appointed pursuant to  
6 Article III of the United States Constitution, a federal grand  
7 jury or trial subpoena, or as otherwise required by federal  
8 law.

9 Section 13. Public records. Any record furnished to the  
10 Board, Department, or other state agency by a TNC pursuant to  
11 this Act including, but not limited to, TND records, shall not  
12 be considered a public record as defined in subsection (c) of  
13 Section 2 of the Freedom of Information Act. Such records are  
14 confidential and shall not be disclosed by the Board or any  
15 persons who may be authorized by the Board to process them  
16 solely for the purposes of this Act.

17 Section 900. The Illinois Administrative Procedure Act is  
18 amended by adding Section 5-45.71 as follows:

19 (5 ILCS 100/5-45.71 new)

20 Sec. 5-45.71. Emergency rulemaking; Transportation Network  
21 Driver Labor Relations Act. To provide for the expeditious and  
22 timely implementation of the Transportation Network Driver  
23 Labor Relations Act, emergency rules implementing the

1 Transportation Network Driver Labor Relations Act may be  
2 adopted in accordance with Section 5-45 by the Illinois Labor  
3 Relations Board or the Department of Labor. The adoption of  
4 emergency rules authorized by Section 5-45 and this Section is  
5 deemed to be necessary for the public interest, safety, and  
6 welfare.

7 This Section is repealed one year after the effective date  
8 of this amendatory Act of the 104th General Assembly.

9 Section 905. The Freedom of Information Act is amended by  
10 changing Section 7.5 as follows:

11 (5 ILCS 140/7.5)

12 (Text of Section before amendment by P.A. 104-441 and  
13 104-457)

14 Sec. 7.5. Statutory exemptions. To the extent provided for  
15 by the statutes referenced below, the following shall be  
16 exempt from inspection and copying:

17 (a) All information determined to be confidential  
18 under Section 4002 of the Technology Advancement and  
19 Development Act.

20 (b) Library circulation and order records identifying  
21 library users with specific materials under the Library  
22 Records Confidentiality Act.

23 (c) Applications, related documents, and medical  
24 records received by the Experimental Organ Transplantation

1 Procedures Board and any and all documents or other  
2 records prepared by the Experimental Organ Transplantation  
3 Procedures Board or its staff relating to applications it  
4 has received.

5 (d) Information and records held by the Department of  
6 Public Health and its authorized representatives relating  
7 to known or suspected cases of sexually transmitted  
8 infection or any information the disclosure of which is  
9 restricted under the Illinois Sexually Transmitted  
10 Infection Control Act.

11 (e) Information the disclosure of which is exempted  
12 under Section 30 of the Radon Industry Licensing Act.

13 (f) Firm performance evaluations under Section 55 of  
14 the Architectural, Engineering, and Land Surveying  
15 Qualifications Based Selection Act.

16 (g) Information the disclosure of which is restricted  
17 and exempted under Section 50 of the Illinois Prepaid  
18 Tuition Act.

19 (h) Information the disclosure of which is exempted  
20 under the State Officials and Employees Ethics Act, and  
21 records of any lawfully created State or local inspector  
22 general's office that would be exempt if created or  
23 obtained by an Executive Inspector General's office under  
24 that Act.

25 (i) Information contained in a local emergency energy  
26 plan submitted to a municipality in accordance with a

1 local emergency energy plan ordinance that is adopted  
2 under Section 11-21.5-5 of the Illinois Municipal Code.

3 (j) Information and data concerning the distribution  
4 of surcharge moneys collected and remitted by carriers  
5 under the Emergency Telephone System Act.

6 (k) Law enforcement officer identification information  
7 or driver identification information compiled by a law  
8 enforcement agency or the Department of Transportation  
9 under Section 11-212 of the Illinois Vehicle Code.

10 (l) Records and information provided to a residential  
11 health care facility resident sexual assault and death  
12 review team or the Executive Council under the Abuse  
13 Prevention Review Team Act.

14 (m) Information provided to the predatory lending  
15 database created pursuant to Article 3 of the Residential  
16 Real Property Disclosure Act, except to the extent  
17 authorized under that Article.

18 (n) Defense budgets and petitions for certification of  
19 compensation and expenses for court appointed trial  
20 counsel as provided under Sections 10 and 15 of the  
21 Capital Crimes Litigation Act (repealed). This subsection  
22 (n) shall apply until the conclusion of the trial of the  
23 case, even if the prosecution chooses not to pursue the  
24 death penalty prior to trial or sentencing.

25 (o) Information that is prohibited from being  
26 disclosed under Section 4 of the Illinois Health and

1 Hazardous Substances Registry Act.

2 (p) Security portions of system safety program plans,  
3 investigation reports, surveys, schedules, lists, data, or  
4 information compiled, collected, or prepared by or for the  
5 Department of Transportation under Sections 2705-300 and  
6 2705-616 of the Department of Transportation Law of the  
7 Civil Administrative Code of Illinois, the Regional  
8 Transportation Authority under Section 2.11 of the  
9 Regional Transportation Authority Act, or the St. Clair  
10 County Transit District under the Bi-State Transit Safety  
11 Act (repealed).

12 (q) Information prohibited from being disclosed by the  
13 Personnel Record Review Act.

14 (r) Information prohibited from being disclosed by the  
15 Illinois School Student Records Act.

16 (s) Information the disclosure of which is restricted  
17 under Section 5-108 of the Public Utilities Act.

18 (t) (Blank).

19 (u) Records and information provided to an independent  
20 team of experts under the Developmental Disability and  
21 Mental Health Safety Act (also known as Brian's Law).

22 (v) Names and information of people who have applied  
23 for or received Firearm Owner's Identification Cards under  
24 the Firearm Owners Identification Card Act or applied for  
25 or received a concealed carry license under the Firearm  
26 Concealed Carry Act, unless otherwise authorized by the

1 Firearm Concealed Carry Act; and databases under the  
2 Firearm Concealed Carry Act, records of the Concealed  
3 Carry Licensing Review Board under the Firearm Concealed  
4 Carry Act, and law enforcement agency objections under the  
5 Firearm Concealed Carry Act.

6 (v-5) Records of the Firearm Owner's Identification  
7 Card Review Board that are exempted from disclosure under  
8 Section 10 of the Firearm Owners Identification Card Act.

9 (w) Personally identifiable information which is  
10 exempted from disclosure under subsection (g) of Section  
11 19.1 of the Toll Highway Act.

12 (x) Information which is exempted from disclosure  
13 under Section 5-1014.3 of the Counties Code or Section  
14 8-11-21 of the Illinois Municipal Code.

15 (y) Confidential information under the Adult  
16 Protective Services Act and its predecessor enabling  
17 statute, the Elder Abuse and Neglect Act, including  
18 information about the identity and administrative finding  
19 against any caregiver of a verified and substantiated  
20 decision of abuse, neglect, or financial exploitation of  
21 an eligible adult maintained in the Registry established  
22 under Section 7.5 of the Adult Protective Services Act.

23 (z) Records and information provided to a fatality  
24 review team or the Illinois Fatality Review Team Advisory  
25 Council under Section 15 of the Adult Protective Services  
26 Act.

1 (aa) Information which is exempted from disclosure  
2 under Section 2.37 of the Wildlife Code.

3 (bb) Information which is or was prohibited from  
4 disclosure by the Juvenile Court Act of 1987.

5 (cc) Recordings made under the Law Enforcement  
6 Officer-Worn Body Camera Act, except to the extent  
7 authorized under that Act.

8 (dd) Information that is prohibited from being  
9 disclosed under Section 45 of the Condominium and Common  
10 Interest Community Ombudsperson Act.

11 (ee) Information that is exempted from disclosure  
12 under Section 30.1 of the Pharmacy Practice Act.

13 (ff) Information that is exempted from disclosure  
14 under the Revised Uniform Unclaimed Property Act.

15 (gg) Information that is prohibited from being  
16 disclosed under Section 7-603.5 of the Illinois Vehicle  
17 Code.

18 (hh) Records that are exempt from disclosure under  
19 Section 1A-16.7 of the Election Code.

20 (ii) Information which is exempted from disclosure  
21 under Section 2505-800 of the Department of Revenue Law of  
22 the Civil Administrative Code of Illinois.

23 (jj) Information and reports that are required to be  
24 submitted to the Department of Labor by registering day  
25 and temporary labor service agencies but are exempt from  
26 disclosure under subsection (a-1) of Section 45 of the Day

1 and Temporary Labor Services Act.

2 (kk) Information prohibited from disclosure under the  
3 Seizure and Forfeiture Reporting Act.

4 (ll) Information the disclosure of which is restricted  
5 and exempted under Section 5-30.8 of the Illinois Public  
6 Aid Code.

7 (mm) Records that are exempt from disclosure under  
8 Section 4.2 of the Crime Victims Compensation Act.

9 (nn) Information that is exempt from disclosure under  
10 Section 70 of the Higher Education Student Assistance Act.

11 (oo) Communications, notes, records, and reports  
12 arising out of a peer support counseling session  
13 prohibited from disclosure under the First Responders  
14 Suicide Prevention Act.

15 (pp) Names and all identifying information relating to  
16 an employee of an emergency services provider or law  
17 enforcement agency under the First Responders Suicide  
18 Prevention Act.

19 (qq) Information and records held by the Department of  
20 Public Health and its authorized representatives collected  
21 under the Reproductive Health Act.

22 (rr) Information that is exempt from disclosure under  
23 the Cannabis Regulation and Tax Act.

24 (ss) Data reported by an employer to the Department of  
25 Human Rights pursuant to Section 2-108 of the Illinois  
26 Human Rights Act.

1           (tt) Recordings made under the Children's Advocacy  
2 Center Act, except to the extent authorized under that  
3 Act.

4           (uu) Information that is exempt from disclosure under  
5 Section 50 of the Sexual Assault Evidence Submission Act.

6           (vv) Information that is exempt from disclosure under  
7 subsections (f) and (j) of Section 5-36 of the Illinois  
8 Public Aid Code.

9           (wv) Information that is exempt from disclosure under  
10 Section 16.8 of the State Treasurer Act.

11           (xx) Information that is exempt from disclosure or  
12 information that shall not be made public under the  
13 Illinois Insurance Code.

14           (yy) Information prohibited from being disclosed under  
15 the Illinois Educational Labor Relations Act.

16           (zz) Information prohibited from being disclosed under  
17 the Illinois Public Labor Relations Act.

18           (aaa) Information prohibited from being disclosed  
19 under Section 1-167 of the Illinois Pension Code.

20           (bbb) Information that is prohibited from disclosure  
21 by the Illinois Police Training Act and the Illinois State  
22 Police Act.

23           (ccc) Records exempt from disclosure under Section  
24 2605-304 of the Illinois State Police Law of the Civil  
25 Administrative Code of Illinois.

26           (ddd) Information prohibited from being disclosed

1 under Section 35 of the Address Confidentiality for  
2 Victims of Domestic Violence, Sexual Assault, Human  
3 Trafficking, or Stalking Act.

4 (eee) Information prohibited from being disclosed  
5 under subsection (b) of Section 75 of the Domestic  
6 Violence Fatality Review Act.

7 (fff) Images from cameras under the Expressway Camera  
8 Act and all automated license plate reader (ALPR)  
9 information used and collected by the Illinois State  
10 Police. "ALPR information" means information gathered by  
11 an ALPR or created from the analysis of data generated by  
12 an ALPR. This subsection (fff) is inoperative on and after  
13 July 1, 2028.

14 (ggg) Information prohibited from disclosure under  
15 paragraph (3) of subsection (a) of Section 14 of the Nurse  
16 Agency Licensing Act.

17 (hhh) Information submitted to the Illinois State  
18 Police in an affidavit or application for an assault  
19 weapon endorsement, assault weapon attachment endorsement,  
20 .50 caliber rifle endorsement, or .50 caliber cartridge  
21 endorsement under the Firearm Owners Identification Card  
22 Act.

23 (iii) Data exempt from disclosure under Section 50 of  
24 the School Safety Drill Act.

25 (jjj) Information exempt from disclosure under Section  
26 30 of the Insurance Data Security Law.

1           (kkk) Confidential business information prohibited  
2 from disclosure under Section 45 of the Paint Stewardship  
3 Act.

4           (lll) Data exempt from disclosure under Section  
5 2-3.196 of the School Code.

6           (mmm) Information prohibited from being disclosed  
7 under subsection (e) of Section 1-129 of the Illinois  
8 Power Agency Act.

9           (nnn) Materials received by the Department of Commerce  
10 and Economic Opportunity that are confidential under the  
11 Music and Musicians Tax Credit and Jobs Act.

12           (ooo) Data or information provided pursuant to Section  
13 20 of the Statewide Recycling Needs and Assessment Act.

14           (ppp) Information that is exempt from disclosure under  
15 Section 28-11 of the Lawful Health Care Activity Act.

16           (qqq) Information that is exempt from disclosure under  
17 Section 7-101 of the Illinois Human Rights Act.

18           (rrr) Information prohibited from being disclosed  
19 under Section 4-2 of the Uniform Money Transmission  
20 Modernization Act.

21           (sss) Information exempt from disclosure under Section  
22 40 of the Student-Athlete Endorsement Rights Act.

23           (ttt) Audio recordings made under Section 30 of the  
24 Illinois State Police Act, except to the extent authorized  
25 under that Section.

26           (uuu) Information prohibited from being disclosed

1 under Section 30-5 of the Digital Assets Regulation Act.

2 (vvv) Information prohibited or exempt from being  
3 disclosed under the Transportation Network Driver Labor  
4 Relations Act.

5 (Source: P.A. 103-8, eff. 6-7-23; 103-34, eff. 6-9-23;  
6 103-142, eff. 1-1-24; 103-372, eff. 1-1-24; 103-472, eff.  
7 8-1-24; 103-508, eff. 8-4-23; 103-580, eff. 12-8-23; 103-592,  
8 eff. 6-7-24; 103-605, eff. 7-1-24; 103-636, eff. 7-1-24;  
9 103-724, eff. 1-1-25; 103-786, eff. 8-7-24; 103-859, eff.  
10 8-9-24; 103-991, eff. 8-9-24; 103-1049, eff. 8-9-24; 103-1081,  
11 eff. 3-21-25; 104-10, eff. 6-16-25; 104-18, eff. 6-30-25;  
12 104-417, eff. 8-15-25; 104-428, eff. 8-18-25; revised  
13 9-10-25.)

14 (Text of Section after amendment by P.A. 104-457 but  
15 before 104-441)

16 Sec. 7.5. Statutory exemptions. To the extent provided for  
17 by the statutes referenced below, the following shall be  
18 exempt from inspection and copying:

19 (a) All information determined to be confidential  
20 under Section 4002 of the Technology Advancement and  
21 Development Act.

22 (b) Library circulation and order records identifying  
23 library users with specific materials under the Library  
24 Records Confidentiality Act.

25 (c) Applications, related documents, and medical

1 records received by the Experimental Organ Transplantation  
2 Procedures Board and any and all documents or other  
3 records prepared by the Experimental Organ Transplantation  
4 Procedures Board or its staff relating to applications it  
5 has received.

6 (d) Information and records held by the Department of  
7 Public Health and its authorized representatives relating  
8 to known or suspected cases of sexually transmitted  
9 infection or any information the disclosure of which is  
10 restricted under the Illinois Sexually Transmitted  
11 Infection Control Act.

12 (e) Information the disclosure of which is exempted  
13 under Section 30 of the Radon Industry Licensing Act.

14 (f) Firm performance evaluations under Section 55 of  
15 the Architectural, Engineering, and Land Surveying  
16 Qualifications Based Selection Act.

17 (g) Information the disclosure of which is restricted  
18 and exempted under Section 50 of the Illinois Prepaid  
19 Tuition Act.

20 (h) Information the disclosure of which is exempted  
21 under the State Officials and Employees Ethics Act, and  
22 records of any lawfully created State or local inspector  
23 general's office that would be exempt if created or  
24 obtained by an Executive Inspector General's office under  
25 that Act.

26 (i) Information contained in a local emergency energy

1 plan submitted to a municipality in accordance with a  
2 local emergency energy plan ordinance that is adopted  
3 under Section 11-21.5-5 of the Illinois Municipal Code.

4 (j) Information and data concerning the distribution  
5 of surcharge moneys collected and remitted by carriers  
6 under the Emergency Telephone System Act.

7 (k) Law enforcement officer identification information  
8 or driver identification information compiled by a law  
9 enforcement agency or the Department of Transportation  
10 under Section 11-212 of the Illinois Vehicle Code.

11 (l) Records and information provided to a residential  
12 health care facility resident sexual assault and death  
13 review team or the Executive Council under the Abuse  
14 Prevention Review Team Act.

15 (m) Information provided to the predatory lending  
16 database created pursuant to Article 3 of the Residential  
17 Real Property Disclosure Act, except to the extent  
18 authorized under that Article.

19 (n) Defense budgets and petitions for certification of  
20 compensation and expenses for court appointed trial  
21 counsel as provided under Sections 10 and 15 of the  
22 Capital Crimes Litigation Act (repealed). This subsection  
23 (n) shall apply until the conclusion of the trial of the  
24 case, even if the prosecution chooses not to pursue the  
25 death penalty prior to trial or sentencing.

26 (o) Information that is prohibited from being

1 disclosed under Section 4 of the Illinois Health and  
2 Hazardous Substances Registry Act.

3 (p) Security portions of system safety program plans,  
4 investigation reports, surveys, schedules, lists, data, or  
5 information compiled, collected, or prepared by or for the  
6 Department of Transportation under Sections 2705-300 and  
7 2705-616 of the Department of Transportation Law of the  
8 Civil Administrative Code of Illinois, the Northern  
9 Illinois Transit Authority under Section 2.11 of the  
10 Northern Illinois Transit Authority Act, or the St. Clair  
11 County Transit District under the Bi-State Transit Safety  
12 Act (repealed).

13 (q) Information prohibited from being disclosed by the  
14 Personnel Record Review Act.

15 (r) Information prohibited from being disclosed by the  
16 Illinois School Student Records Act.

17 (s) Information the disclosure of which is restricted  
18 under Section 5-108 of the Public Utilities Act.

19 (t) (Blank).

20 (u) Records and information provided to an independent  
21 team of experts under the Developmental Disability and  
22 Mental Health Safety Act (also known as Brian's Law).

23 (v) Names and information of people who have applied  
24 for or received Firearm Owner's Identification Cards under  
25 the Firearm Owners Identification Card Act or applied for  
26 or received a concealed carry license under the Firearm

1 Concealed Carry Act, unless otherwise authorized by the  
2 Firearm Concealed Carry Act; and databases under the  
3 Firearm Concealed Carry Act, records of the Concealed  
4 Carry Licensing Review Board under the Firearm Concealed  
5 Carry Act, and law enforcement agency objections under the  
6 Firearm Concealed Carry Act.

7 (v-5) Records of the Firearm Owner's Identification  
8 Card Review Board that are exempted from disclosure under  
9 Section 10 of the Firearm Owners Identification Card Act.

10 (w) Personally identifiable information which is  
11 exempted from disclosure under subsection (g) of Section  
12 19.1 of the Toll Highway Act.

13 (x) Information which is exempted from disclosure  
14 under Section 5-1014.3 of the Counties Code or Section  
15 8-11-21 of the Illinois Municipal Code.

16 (y) Confidential information under the Adult  
17 Protective Services Act and its predecessor enabling  
18 statute, the Elder Abuse and Neglect Act, including  
19 information about the identity and administrative finding  
20 against any caregiver of a verified and substantiated  
21 decision of abuse, neglect, or financial exploitation of  
22 an eligible adult maintained in the Registry established  
23 under Section 7.5 of the Adult Protective Services Act.

24 (z) Records and information provided to a fatality  
25 review team or the Illinois Fatality Review Team Advisory  
26 Council under Section 15 of the Adult Protective Services

1 Act.

2 (aa) Information which is exempted from disclosure  
3 under Section 2.37 of the Wildlife Code.

4 (bb) Information which is or was prohibited from  
5 disclosure by the Juvenile Court Act of 1987.

6 (cc) Recordings made under the Law Enforcement  
7 Officer-Worn Body Camera Act, except to the extent  
8 authorized under that Act.

9 (dd) Information that is prohibited from being  
10 disclosed under Section 45 of the Condominium and Common  
11 Interest Community Ombudsperson Act.

12 (ee) Information that is exempted from disclosure  
13 under Section 30.1 of the Pharmacy Practice Act.

14 (ff) Information that is exempted from disclosure  
15 under the Revised Uniform Unclaimed Property Act.

16 (gg) Information that is prohibited from being  
17 disclosed under Section 7-603.5 of the Illinois Vehicle  
18 Code.

19 (hh) Records that are exempt from disclosure under  
20 Section 1A-16.7 of the Election Code.

21 (ii) Information which is exempted from disclosure  
22 under Section 2505-800 of the Department of Revenue Law of  
23 the Civil Administrative Code of Illinois.

24 (jj) Information and reports that are required to be  
25 submitted to the Department of Labor by registering day  
26 and temporary labor service agencies but are exempt from

1 disclosure under subsection (a-1) of Section 45 of the Day  
2 and Temporary Labor Services Act.

3 (kk) Information prohibited from disclosure under the  
4 Seizure and Forfeiture Reporting Act.

5 (ll) Information the disclosure of which is restricted  
6 and exempted under Section 5-30.8 of the Illinois Public  
7 Aid Code.

8 (mm) Records that are exempt from disclosure under  
9 Section 4.2 of the Crime Victims Compensation Act.

10 (nn) Information that is exempt from disclosure under  
11 Section 70 of the Higher Education Student Assistance Act.

12 (oo) Communications, notes, records, and reports  
13 arising out of a peer support counseling session  
14 prohibited from disclosure under the First Responders  
15 Suicide Prevention Act.

16 (pp) Names and all identifying information relating to  
17 an employee of an emergency services provider or law  
18 enforcement agency under the First Responders Suicide  
19 Prevention Act.

20 (qq) Information and records held by the Department of  
21 Public Health and its authorized representatives collected  
22 under the Reproductive Health Act.

23 (rr) Information that is exempt from disclosure under  
24 the Cannabis Regulation and Tax Act.

25 (ss) Data reported by an employer to the Department of  
26 Human Rights pursuant to Section 2-108 of the Illinois

1 Human Rights Act.

2 (tt) Recordings made under the Children's Advocacy  
3 Center Act, except to the extent authorized under that  
4 Act.

5 (uu) Information that is exempt from disclosure under  
6 Section 50 of the Sexual Assault Evidence Submission Act.

7 (vv) Information that is exempt from disclosure under  
8 subsections (f) and (j) of Section 5-36 of the Illinois  
9 Public Aid Code.

10 (ww) Information that is exempt from disclosure under  
11 Section 16.8 of the State Treasurer Act.

12 (xx) Information that is exempt from disclosure or  
13 information that shall not be made public under the  
14 Illinois Insurance Code.

15 (yy) Information prohibited from being disclosed under  
16 the Illinois Educational Labor Relations Act.

17 (zz) Information prohibited from being disclosed under  
18 the Illinois Public Labor Relations Act.

19 (aaa) Information prohibited from being disclosed  
20 under Section 1-167 of the Illinois Pension Code.

21 (bbb) Information that is prohibited from disclosure  
22 by the Illinois Police Training Act and the Illinois State  
23 Police Act.

24 (ccc) Records exempt from disclosure under Section  
25 2605-304 of the Illinois State Police Law of the Civil  
26 Administrative Code of Illinois.

1           (ddd) Information prohibited from being disclosed  
2           under Section 35 of the Address Confidentiality for  
3           Victims of Domestic Violence, Sexual Assault, Human  
4           Trafficking, or Stalking Act.

5           (eee) Information prohibited from being disclosed  
6           under subsection (b) of Section 75 of the Domestic  
7           Violence Fatality Review Act.

8           (fff) Images from cameras under the Expressway Camera  
9           Act and all automated license plate reader (ALPR)  
10          information used and collected by the Illinois State  
11          Police. "ALPR information" means information gathered by  
12          an ALPR or created from the analysis of data generated by  
13          an ALPR. This subsection (fff) is inoperative on and after  
14          July 1, 2028.

15          (ggg) Information prohibited from disclosure under  
16          paragraph (3) of subsection (a) of Section 14 of the Nurse  
17          Agency Licensing Act.

18          (hhh) Information submitted to the Illinois State  
19          Police in an affidavit or application for an assault  
20          weapon endorsement, assault weapon attachment endorsement,  
21          .50 caliber rifle endorsement, or .50 caliber cartridge  
22          endorsement under the Firearm Owners Identification Card  
23          Act.

24          (iii) Data exempt from disclosure under Section 50 of  
25          the School Safety Drill Act.

26          (jjj) Information exempt from disclosure under Section

1 30 of the Insurance Data Security Law.

2 (kkk) Confidential business information prohibited  
3 from disclosure under Section 45 of the Paint Stewardship  
4 Act.

5 (lll) Data exempt from disclosure under Section  
6 2-3.196 of the School Code.

7 (mmm) Information prohibited from being disclosed  
8 under subsection (e) of Section 1-129 of the Illinois  
9 Power Agency Act.

10 (nnn) Materials received by the Department of Commerce  
11 and Economic Opportunity that are confidential under the  
12 Music and Musicians Tax Credit and Jobs Act.

13 (ooo) Data or information provided pursuant to Section  
14 20 of the Statewide Recycling Needs and Assessment Act.

15 (ppp) Information that is exempt from disclosure under  
16 Section 28-11 of the Lawful Health Care Activity Act.

17 (qqq) Information that is exempt from disclosure under  
18 Section 7-101 of the Illinois Human Rights Act.

19 (rrr) Information prohibited from being disclosed  
20 under Section 4-2 of the Uniform Money Transmission  
21 Modernization Act.

22 (sss) Information exempt from disclosure under Section  
23 40 of the Student-Athlete Endorsement Rights Act.

24 (ttt) Audio recordings made under Section 30 of the  
25 Illinois State Police Act, except to the extent authorized  
26 under that Section.

1 (uuu) Information prohibited from being disclosed  
2 under Section 30-5 of the Digital Assets Regulation Act.

3 (vvv) Information prohibited or exempt from being  
4 disclosed under the Transportation Network Driver Labor  
5 Relations Act.

6 (Source: P.A. 103-8, eff. 6-7-23; 103-34, eff. 6-9-23;  
7 103-142, eff. 1-1-24; 103-372, eff. 1-1-24; 103-472, eff.  
8 8-1-24; 103-508, eff. 8-4-23; 103-580, eff. 12-8-23; 103-592,  
9 eff. 6-7-24; 103-605, eff. 7-1-24; 103-636, eff. 7-1-24;  
10 103-724, eff. 1-1-25; 103-786, eff. 8-7-24; 103-859, eff.  
11 8-9-24; 103-991, eff. 8-9-24; 103-1049, eff. 8-9-24; 103-1081,  
12 eff. 3-21-25; 104-10, eff. 6-16-25; 104-18, eff. 6-30-25;  
13 104-417, eff. 8-15-25; 104-428, eff. 8-18-25; 104-457, eff.  
14 6-1-26; revised 1-7-26.)

15 (Text of Section after amendment by P.A. 104-441)

16 Sec. 7.5. Statutory exemptions. To the extent provided for  
17 by the statutes referenced below, the following shall be  
18 exempt from inspection and copying:

19 (a) All information determined to be confidential  
20 under Section 4002 of the Technology Advancement and  
21 Development Act.

22 (b) Library circulation and order records identifying  
23 library users with specific materials under the Library  
24 Records Confidentiality Act.

25 (c) Applications, related documents, and medical

1 records received by the Experimental Organ Transplantation  
2 Procedures Board and any and all documents or other  
3 records prepared by the Experimental Organ Transplantation  
4 Procedures Board or its staff relating to applications it  
5 has received.

6 (d) Information and records held by the Department of  
7 Public Health and its authorized representatives relating  
8 to known or suspected cases of sexually transmitted  
9 infection or any information the disclosure of which is  
10 restricted under the Illinois Sexually Transmitted  
11 Infection Control Act.

12 (e) Information the disclosure of which is exempted  
13 under Section 30 of the Radon Industry Licensing Act.

14 (f) Firm performance evaluations under Section 55 of  
15 the Architectural, Engineering, and Land Surveying  
16 Qualifications Based Selection Act.

17 (g) Information the disclosure of which is restricted  
18 and exempted under Section 50 of the Illinois Prepaid  
19 Tuition Act.

20 (h) Information the disclosure of which is exempted  
21 under the State Officials and Employees Ethics Act, and  
22 records of any lawfully created State or local inspector  
23 general's office that would be exempt if created or  
24 obtained by an Executive Inspector General's office under  
25 that Act.

26 (i) Information contained in a local emergency energy

1 plan submitted to a municipality in accordance with a  
2 local emergency energy plan ordinance that is adopted  
3 under Section 11-21.5-5 of the Illinois Municipal Code.

4 (j) Information and data concerning the distribution  
5 of surcharge moneys collected and remitted by carriers  
6 under the Emergency Telephone System Act.

7 (k) Law enforcement officer identification information  
8 or driver identification information compiled by a law  
9 enforcement agency or the Department of Transportation  
10 under Section 11-212 of the Illinois Vehicle Code.

11 (l) Records and information provided to a residential  
12 health care facility resident sexual assault and death  
13 review team or the Executive Council under the Abuse  
14 Prevention Review Team Act.

15 (m) Information provided to the predatory lending  
16 database created pursuant to Article 3 of the Residential  
17 Real Property Disclosure Act, except to the extent  
18 authorized under that Article.

19 (n) Defense budgets and petitions for certification of  
20 compensation and expenses for court appointed trial  
21 counsel as provided under Sections 10 and 15 of the  
22 Capital Crimes Litigation Act (repealed). This subsection  
23 (n) shall apply until the conclusion of the trial of the  
24 case, even if the prosecution chooses not to pursue the  
25 death penalty prior to trial or sentencing.

26 (o) Information that is prohibited from being

1 disclosed under Section 4 of the Illinois Health and  
2 Hazardous Substances Registry Act.

3 (p) Security portions of system safety program plans,  
4 investigation reports, surveys, schedules, lists, data, or  
5 information compiled, collected, or prepared by or for the  
6 Department of Transportation under Sections 2705-300 and  
7 2705-616 of the Department of Transportation Law of the  
8 Civil Administrative Code of Illinois, the Northern  
9 Illinois Transit Authority under Section 2.11 of the  
10 Northern Illinois Transit Authority Act, or the St. Clair  
11 County Transit District under the Bi-State Transit Safety  
12 Act (repealed).

13 (q) Information prohibited from being disclosed by the  
14 Personnel Record Review Act.

15 (r) Information prohibited from being disclosed by the  
16 Illinois School Student Records Act.

17 (s) Information the disclosure of which is restricted  
18 under Section 5-108 of the Public Utilities Act.

19 (t) (Blank).

20 (u) Records and information provided to an independent  
21 team of experts under the Developmental Disability and  
22 Mental Health Safety Act (also known as Brian's Law).

23 (v) Names and information of people who have applied  
24 for or received Firearm Owner's Identification Cards under  
25 the Firearm Owners Identification Card Act or applied for  
26 or received a concealed carry license under the Firearm

1 Concealed Carry Act, unless otherwise authorized by the  
2 Firearm Concealed Carry Act; and databases under the  
3 Firearm Concealed Carry Act, records of the Concealed  
4 Carry Licensing Review Board under the Firearm Concealed  
5 Carry Act, and law enforcement agency objections under the  
6 Firearm Concealed Carry Act.

7 (v-5) Records of the Firearm Owner's Identification  
8 Card Review Board that are exempted from disclosure under  
9 Section 10 of the Firearm Owners Identification Card Act.

10 (w) Personally identifiable information which is  
11 exempted from disclosure under subsection (g) of Section  
12 19.1 of the Toll Highway Act.

13 (x) Information which is exempted from disclosure  
14 under Section 5-1014.3 of the Counties Code or Section  
15 8-11-21 of the Illinois Municipal Code.

16 (y) Confidential information under the Adult  
17 Protective Services Act and its predecessor enabling  
18 statute, the Elder Abuse and Neglect Act, including  
19 information about the identity and administrative finding  
20 against any caregiver of a verified and substantiated  
21 decision of abuse, neglect, or financial exploitation of  
22 an eligible adult maintained in the Registry established  
23 under Section 7.5 of the Adult Protective Services Act.

24 (z) Records and information provided to a fatality  
25 review team or the Illinois Fatality Review Team Advisory  
26 Council under Section 15 of the Adult Protective Services

1 Act.

2 (aa) Information which is exempted from disclosure  
3 under Section 2.37 of the Wildlife Code.

4 (bb) Information which is or was prohibited from  
5 disclosure by the Juvenile Court Act of 1987.

6 (cc) Recordings made under the Law Enforcement  
7 Officer-Worn Body Camera Act, except to the extent  
8 authorized under that Act.

9 (dd) Information that is prohibited from being  
10 disclosed under Section 45 of the Condominium and Common  
11 Interest Community Ombudsperson Act.

12 (ee) Information that is exempted from disclosure  
13 under Section 30.1 of the Pharmacy Practice Act.

14 (ff) Information that is exempted from disclosure  
15 under the Revised Uniform Unclaimed Property Act.

16 (gg) Information that is prohibited from being  
17 disclosed under Section 7-603.5 of the Illinois Vehicle  
18 Code.

19 (hh) Records that are exempt from disclosure under  
20 Section 1A-16.7 of the Election Code.

21 (ii) Information which is exempted from disclosure  
22 under Section 2505-800 of the Department of Revenue Law of  
23 the Civil Administrative Code of Illinois.

24 (jj) Information and reports that are required to be  
25 submitted to the Department of Labor by registering day  
26 and temporary labor service agencies but are exempt from

1 disclosure under subsection (a-1) of Section 45 of the Day  
2 and Temporary Labor Services Act.

3 (kk) Information prohibited from disclosure under the  
4 Seizure and Forfeiture Reporting Act.

5 (ll) Information the disclosure of which is restricted  
6 and exempted under Section 5-30.8 of the Illinois Public  
7 Aid Code.

8 (mm) Records that are exempt from disclosure under  
9 Section 4.2 of the Crime Victims Compensation Act.

10 (nn) Information that is exempt from disclosure under  
11 Section 70 of the Higher Education Student Assistance Act.

12 (oo) Communications, notes, records, and reports  
13 arising out of a peer support counseling session  
14 prohibited from disclosure under the First Responders  
15 Suicide Prevention Act.

16 (pp) Names and all identifying information relating to  
17 an employee of an emergency services provider or law  
18 enforcement agency under the First Responders Suicide  
19 Prevention Act.

20 (qq) Information and records held by the Department of  
21 Public Health and its authorized representatives collected  
22 under the Reproductive Health Act.

23 (rr) Information that is exempt from disclosure under  
24 the Cannabis Regulation and Tax Act.

25 (ss) Data reported by an employer to the Department of  
26 Human Rights pursuant to Section 2-108 of the Illinois

1 Human Rights Act.

2 (tt) Recordings made under the Children's Advocacy  
3 Center Act, except to the extent authorized under that  
4 Act.

5 (uu) Information that is exempt from disclosure under  
6 Section 50 of the Sexual Assault Evidence Submission Act.

7 (vv) Information that is exempt from disclosure under  
8 subsections (f) and (j) of Section 5-36 of the Illinois  
9 Public Aid Code.

10 (ww) Information that is exempt from disclosure under  
11 Section 16.8 of the State Treasurer Act.

12 (xx) Information that is exempt from disclosure or  
13 information that shall not be made public under the  
14 Illinois Insurance Code.

15 (yy) Information prohibited from being disclosed under  
16 the Illinois Educational Labor Relations Act.

17 (zz) Information prohibited from being disclosed under  
18 the Illinois Public Labor Relations Act.

19 (aaa) Information prohibited from being disclosed  
20 under Section 1-167 of the Illinois Pension Code.

21 (bbb) Information that is prohibited from disclosure  
22 by the Illinois Police Training Act and the Illinois State  
23 Police Act.

24 (ccc) Records exempt from disclosure under Section  
25 2605-304 of the Illinois State Police Law of the Civil  
26 Administrative Code of Illinois.

1 (ddd) Information prohibited from being disclosed  
2 under Section 35 of the Address Confidentiality for  
3 Victims of Domestic Violence, Sexual Assault, Human  
4 Trafficking, or Stalking Act.

5 (eee) Information prohibited from being disclosed  
6 under subsection (b) of Section 75 of the Domestic  
7 Violence Fatality Review Act.

8 (fff) Images from cameras under the Expressway Camera  
9 Act and all automated license plate reader (ALPR)  
10 information used and collected by the Illinois State  
11 Police. "ALPR information" means information gathered by  
12 an ALPR or created from the analysis of data generated by  
13 an ALPR. This subsection (fff) is inoperative on and after  
14 July 1, 2028.

15 (ggg) Information prohibited from disclosure under  
16 paragraph (3) of subsection (a) of Section 14 of the Nurse  
17 Agency Licensing Act.

18 (hhh) Information submitted to the Illinois State  
19 Police in an affidavit or application for an assault  
20 weapon endorsement, assault weapon attachment endorsement,  
21 .50 caliber rifle endorsement, or .50 caliber cartridge  
22 endorsement under the Firearm Owners Identification Card  
23 Act.

24 (iii) Data exempt from disclosure under Section 50 of  
25 the School Safety Drill Act.

26 (jjj) Information exempt from disclosure under Section

1           30 of the Insurance Data Security Law.

2           (kkk) Confidential business information prohibited  
3 from disclosure under Section 45 of the Paint Stewardship  
4 Act.

5           (lll) Data exempt from disclosure under Section  
6 2-3.196 of the School Code.

7           (mmm) Information prohibited from being disclosed  
8 under subsection (e) of Section 1-129 of the Illinois  
9 Power Agency Act.

10          (nnn) Materials received by the Department of Commerce  
11 and Economic Opportunity that are confidential under the  
12 Music and Musicians Tax Credit and Jobs Act.

13          (ooo) Data or information provided pursuant to Section  
14 20 of the Statewide Recycling Needs and Assessment Act.

15          (ppp) Information that is exempt from disclosure under  
16 Section 28-11 of the Lawful Health Care Activity Act.

17          (qqq) Information that is exempt from disclosure under  
18 Section 7-101 of the Illinois Human Rights Act.

19          (rrr) Information prohibited from being disclosed  
20 under Section 4-2 of the Uniform Money Transmission  
21 Modernization Act.

22          (sss) Information exempt from disclosure under Section  
23 40 of the Student-Athlete Endorsement Rights Act.

24          (ttt) Audio recordings made under Section 30 of the  
25 Illinois State Police Act, except to the extent authorized  
26 under that Section.

1 (uuu) Information prohibited from being disclosed  
2 under Section 30-5 of the Digital Assets Regulation Act.

3 (vvv) ~~(uuu)~~ Information exempt from disclosure under  
4 Section 70 of the End-of-Life Options for Terminally Ill  
5 Patients Act.

6 (www) Information prohibited or exempt from being  
7 disclosed under the Transportation Network Driver Labor  
8 Relations Act.

9 (Source: P.A. 103-8, eff. 6-7-23; 103-34, eff. 6-9-23;  
10 103-142, eff. 1-1-24; 103-372, eff. 1-1-24; 103-472, eff.  
11 8-1-24; 103-508, eff. 8-4-23; 103-580, eff. 12-8-23; 103-592,  
12 eff. 6-7-24; 103-605, eff. 7-1-24; 103-636, eff. 7-1-24;  
13 103-724, eff. 1-1-25; 103-786, eff. 8-7-24; 103-859, eff.  
14 8-9-24; 103-991, eff. 8-9-24; 103-1049, eff. 8-9-24; 103-1081,  
15 eff. 3-21-25; 104-10, eff. 6-16-25; 104-18, eff. 6-30-25;  
16 104-417, eff. 8-15-25; 104-428, eff. 8-18-25; 104-441, eff.  
17 9-12-26; 104-457, eff. 6-1-26; revised 1-7-26.)

18 Section 910. The Labor Dispute Act is amended by changing  
19 Section 1.3 as follows:

20 (820 ILCS 5/1.3)

21 Sec. 1.3. Definitions. As used in Section 1.2 through 1.5:

22 "Employee" means any individual permitted to work by an  
23 employer in an occupation. "Employee" includes any  
24 transportation network driver, as that term is defined in the

1 Transportation Network Driver Labor Relations Act.

2 "Employer" means any individual, partnership, association,  
3 corporation, business trust, governmental or  
4 quasi-governmental body, or any person or group of persons  
5 that employs any person to work, labor, or exercise skill in  
6 connection with the operation of any business, industry,  
7 vocation, or occupation. "Employer" includes any  
8 transportation network company, as defined in the  
9 Transportation Network Driver Labor Relations Act, with  
10 respect to its engagement or contracting of transportation  
11 network drivers. With respect to transportation network  
12 drivers and transportation network companies, the term  
13 "employment" shall include the engagement or contracting of a  
14 transportation network driver by a transportation network  
15 company to provide transportation network company services, as  
16 those terms are defined in the Transportation Network Driver  
17 Labor Relations Act.

18 "Picketing" means the stationing of a person for an  
19 organization to apprise the public by signs or other means of  
20 the existence of a dispute pursuant to the National Labor  
21 Relations Act, 29 U.S.C. 151 et seq., and the Labor Management  
22 Relations Act, 29 U.S.C. 141 et seq, or the Transportation  
23 Network Driver Labor Relations Act.

24 "Dispute" includes any controversy concerning terms or  
25 conditions of employment, or concerning the association or  
26 representation of persons in negotiating, fixing, maintaining,

1 changing, or seeking to arrange terms or conditions of  
2 employment or other protest, regardless of whether or not the  
3 disputants stand in the proximate relationship of employer and  
4 employee.

5 "Public right of way" means that portion of the highway or  
6 street adjacent to the roadway for accommodating stopped  
7 vehicles or for emergency use; or that portion of a street  
8 between the curb lines, or the lateral lines of a roadway, and  
9 the adjacent property lines.

10 "Temporary sign" means a sign or other display or device  
11 that is not permanently affixed and is capable of being  
12 removed at the end of each day or shift.

13 "Temporary shelter" means a tent or shelter that is not  
14 permanently affixed and is capable of being removed at the end  
15 of each day or shift, not to exceed 300 square feet in size.

16 (Source: P.A. 94-321, eff. 1-1-06.)

17 Section 995. No acceleration or delay. Where this Act  
18 makes changes in a statute that is represented in this Act by  
19 text that is not yet or no longer in effect (for example, a  
20 Section represented by multiple versions), the use of that  
21 text does not accelerate or delay the taking effect of (i) the  
22 changes made by this Act or (ii) provisions derived from any  
23 other Public Act.

24 Section 997. Severability. The provisions of this Act

1 shall be severable as provided in Section 1.31 of the Statute  
2 on Statutes; notwithstanding that, if the definition of the  
3 "transportation network driver" is held to be preempted by the  
4 National Labor Relations Act, 29 U.S.C. 141 et seq., by a court  
5 of competent jurisdiction and such determination is not  
6 reversed after exhaustion of all appeals, no provision of this  
7 Act shall be deemed valid or given force of law.

8 Section 999. Effective date. This Act takes effect upon  
9 becoming law.