



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4972

by Rep. Bob Morgan

SYNOPSIS AS INTRODUCED:

20 ILCS 3305/5 from Ch. 127, par. 1055
20 ILCS 3305/17.9 new
30 ILCS 105/5.1038 new

Amends the Illinois Emergency Management Agency Act. Authorizes the Illinois Emergency Management Agency and Office of Homeland Security to make grants to small businesses for eligible security improvements that assist the small business in preventing, preparing for, or responding to threats, attacks, or acts of terrorism. Provides that a small business eligible for a grant under the program must meet certain requirements. Creates the IEMA At-Risk Small Business Security Grant Fund as a special fund in the State treasury. Provides that the Illinois Emergency Management Agency and Office of Homeland Security is authorized to use moneys appropriated from the Fund to make grants to small businesses for target hardening activities, security personnel, and physical security enhancements and for the payment of administrative expenses associated with the Illinois At-Risk Small Business Security Grant Program, except that, beginning on the effective date of the amendatory Act, the Agency shall not award grants under these provisions to those entities whose primary purpose is to provide medical or mental health services. Amends the State Finance Act to make conforming changes.

LRB104 18806 TRT 32249 b

1 AN ACT concerning State government.

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

4 Section 5. The Illinois Emergency Management Agency Act is
5 amended by changing Section 5 and by adding Section 17.9 as
6 follows:

7 (20 ILCS 3305/5) (from Ch. 127, par. 1055)

8 Sec. 5. Illinois Emergency Management Agency.

9 (a) There is created within the executive branch of the
10 State Government an Illinois Emergency Management Agency and a
11 Director of the Illinois Emergency Management Agency, herein
12 called the "Director" who shall be the head thereof. The
13 Director shall be appointed by the Governor, with the advice
14 and consent of the Senate, and shall serve for a term of 2
15 years beginning on the third Monday in January of the
16 odd-numbered year, and until a successor is appointed and has
17 qualified; except that the term of the first Director
18 appointed under this Act shall expire on the third Monday in
19 January, 1989. The Director shall not hold any other
20 remunerative public office. For terms beginning after January
21 18, 2019 (the effective date of Public Act 100-1179) and
22 before January 16, 2023, the annual salary of the Director
23 shall be as provided in Section 5-300 of the Civil

1 Administrative Code of Illinois. Notwithstanding any other
2 provision of law, for terms beginning on or after January 16,
3 2023, the Director shall receive an annual salary of \$180,000
4 or as set by the Governor, whichever is higher. On July 1,
5 2023, and on each July 1 thereafter, the Director shall
6 receive an increase in salary based on a cost of living
7 adjustment as authorized by Senate Joint Resolution 192 of the
8 86th General Assembly.

9 For terms beginning on or after January 16, 2023, the
10 Assistant Director of the Illinois Emergency Management Agency
11 shall receive an annual salary of \$156,600 or as set by the
12 Governor, whichever is higher. On July 1, 2023, and on each
13 July 1 thereafter, the Assistant Director shall receive an
14 increase in salary based on a cost of living adjustment as
15 authorized by Senate Joint Resolution 192 of the 86th General
16 Assembly.

17 (b) The Illinois Emergency Management Agency shall obtain,
18 under the provisions of the Personnel Code, technical,
19 clerical, stenographic and other administrative personnel, and
20 may make expenditures within the appropriation therefor as may
21 be necessary to carry out the purpose of this Act. The agency
22 created by this Act is intended to be a successor to the agency
23 created under the Illinois Emergency Services and Disaster
24 Agency Act of 1975 and the personnel, equipment, records, and
25 appropriations of that agency are transferred to the successor
26 agency as of June 30, 1988 (the effective date of this Act).

1 (c) The Director, subject to the direction and control of
2 the Governor, shall be the executive head of the Illinois
3 Emergency Management Agency and the State Emergency Response
4 Commission and shall be responsible under the direction of the
5 Governor, for carrying out the program for emergency
6 management of this State. The Director shall also maintain
7 liaison and cooperate with the emergency management
8 organizations of this State and other states and of the
9 federal government.

10 (d) The Illinois Emergency Management Agency shall take an
11 integral part in the development and revision of political
12 subdivision emergency operations plans prepared under
13 paragraph (f) of Section 10. To this end it shall employ or
14 otherwise secure the services of professional and technical
15 personnel capable of providing expert assistance to the
16 emergency services and disaster agencies. These personnel
17 shall consult with emergency services and disaster agencies on
18 a regular basis and shall make field examinations of the
19 areas, circumstances, and conditions that particular political
20 subdivision emergency operations plans are intended to apply.

21 (e) The Illinois Emergency Management Agency and political
22 subdivisions shall be encouraged to form an emergency
23 management advisory committee composed of private and public
24 personnel representing the emergency management phases of
25 mitigation, preparedness, response, and recovery. The Local
26 Emergency Planning Committee, as created under the Illinois

1 Emergency Planning and Community Right to Know Act, shall
2 serve as an advisory committee to the emergency services and
3 disaster agency or agencies serving within the boundaries of
4 that Local Emergency Planning Committee planning district for:

5 (1) the development of emergency operations plan
6 provisions for hazardous chemical emergencies; and

7 (2) the assessment of emergency response capabilities
8 related to hazardous chemical emergencies.

9 (f) The Illinois Emergency Management Agency shall:

10 (1) Coordinate the overall emergency management
11 program of the State.

12 (2) Cooperate with local governments, the federal
13 government, and any public or private agency or entity in
14 achieving any purpose of this Act and in implementing
15 emergency management programs for mitigation,
16 preparedness, response, and recovery.

17 (2.5) Develop a comprehensive emergency preparedness
18 and response plan for any nuclear accident in accordance
19 with Section 65 of the Nuclear Safety Law of 2004 and in
20 development of the Illinois Nuclear Safety Preparedness
21 program in accordance with Section 8 of the Illinois
22 Nuclear Safety Preparedness Act.

23 (2.6) Coordinate with the Department of Public Health
24 with respect to planning for and responding to public
25 health emergencies.

26 (3) Prepare, for issuance by the Governor, executive

1 orders, proclamations, and regulations as necessary or
2 appropriate in coping with disasters.

3 (4) Promulgate rules and requirements for political
4 subdivision emergency operations plans that are not
5 inconsistent with and are at least as stringent as
6 applicable federal laws and regulations.

7 (5) Review and approve, in accordance with Illinois
8 Emergency Management Agency rules, emergency operations
9 plans for those political subdivisions required to have an
10 emergency services and disaster agency pursuant to this
11 Act.

12 (5.5) Promulgate rules and requirements for the
13 political subdivision emergency management exercises,
14 including, but not limited to, exercises of the emergency
15 operations plans.

16 (5.10) Review, evaluate, and approve, in accordance
17 with Illinois Emergency Management Agency rules, political
18 subdivision emergency management exercises for those
19 political subdivisions required to have an emergency
20 services and disaster agency pursuant to this Act.

21 (6) Determine requirements of the State and its
22 political subdivisions for food, clothing, and other
23 necessities in event of a disaster.

24 (7) Establish a register of persons with types of
25 emergency management training and skills in mitigation,
26 preparedness, response, and recovery.

1 (8) Establish a register of government and private
2 response resources available for use in a disaster.

3 (9) Expand the Earthquake Awareness Program and its
4 efforts to distribute earthquake preparedness materials to
5 schools, political subdivisions, community groups, civic
6 organizations, and the media. Emphasis will be placed on
7 those areas of the State most at risk from an earthquake.
8 Maintain the list of all school districts, hospitals,
9 airports, power plants, including nuclear power plants,
10 lakes, dams, emergency response facilities of all types,
11 and all other major public or private structures which are
12 at the greatest risk of damage from earthquakes under
13 circumstances where the damage would cause subsequent harm
14 to the surrounding communities and residents.

15 (10) Disseminate all information, completely and
16 without delay, on water levels for rivers and streams and
17 any other data pertaining to potential flooding supplied
18 by the Division of Water Resources within the Department
19 of Natural Resources to all political subdivisions to the
20 maximum extent possible.

21 (11) Develop agreements, if feasible, with medical
22 supply and equipment firms to supply resources as are
23 necessary to respond to an earthquake or any other
24 disaster as defined in this Act. These resources will be
25 made available upon notifying the vendor of the disaster.
26 Payment for the resources will be in accordance with

1 Section 7 of this Act. The Illinois Department of Public
2 Health shall determine which resources will be required
3 and requested.

4 (11.5) In coordination with the Illinois State Police,
5 develop and implement a community outreach program to
6 promote awareness among the State's parents and children
7 of child abduction prevention and response.

8 (12) Out of funds appropriated for these purposes,
9 award capital and non-capital grants to Illinois hospitals
10 or health care facilities located outside of a city with a
11 population in excess of 1,000,000 to be used for purposes
12 that include, but are not limited to, preparing to respond
13 to mass casualties and disasters, maintaining and
14 improving patient safety and quality of care, and
15 protecting the confidentiality of patient information. No
16 single grant for a capital expenditure shall exceed
17 \$300,000. No single grant for a non-capital expenditure
18 shall exceed \$100,000. In awarding such grants, preference
19 shall be given to hospitals that serve a significant
20 number of Medicaid recipients, but do not qualify for
21 disproportionate share hospital adjustment payments under
22 the Illinois Public Aid Code. To receive such a grant, a
23 hospital or health care facility must provide funding of
24 at least 50% of the cost of the project for which the grant
25 is being requested. In awarding such grants the Illinois
26 Emergency Management Agency shall consider the

1 recommendations of the Illinois Hospital Association.

2 (13) Do all other things necessary, incidental or
3 appropriate for the implementation of this Act.

4 (g) The Illinois Emergency Management Agency is authorized
5 to make grants to various higher education institutions,
6 public K-12 school districts, area vocational centers as
7 designated by the State Board of Education, inter-district
8 special education cooperatives, regional safe schools, and
9 nonpublic K-12 schools for safety and security improvements.
10 For the purpose of this subsection (g), "higher education
11 institution" means a public university, a public community
12 college, or an independent, not-for-profit or for-profit
13 higher education institution located in this State. Grants
14 made under this subsection (g) shall be paid out of moneys
15 appropriated for that purpose from the Build Illinois Bond
16 Fund. The Illinois Emergency Management Agency shall adopt
17 rules to implement this subsection (g). These rules may
18 specify: (i) the manner of applying for grants; (ii) project
19 eligibility requirements; (iii) restrictions on the use of
20 grant moneys; (iv) the manner in which the various higher
21 education institutions must account for the use of grant
22 moneys; and (v) any other provision that the Illinois
23 Emergency Management Agency determines to be necessary or
24 useful for the administration of this subsection (g).

25 (g-5) The Illinois Emergency Management Agency is
26 authorized to make grants to not-for-profit organizations

1 which are exempt from federal income taxation under section
2 501(c)(3) of the Federal Internal Revenue Code for eligible
3 security improvements that assist the organization in
4 preventing, preparing for, or responding to threats, attacks,
5 or acts of terrorism. To be eligible for a grant under the
6 program, the Agency must determine that the organization is at
7 a high risk of being subject to threats, attacks, or acts of
8 terrorism based on the organization's profile, ideology,
9 mission, or beliefs. Eligible security improvements shall
10 include all eligible preparedness activities under the federal
11 Nonprofit Security Grant Program, including, but not limited
12 to, physical security upgrades, security training exercises,
13 preparedness training exercises, contracting with security
14 personnel, and any other security upgrades deemed eligible by
15 the Director. Eligible security improvements shall not
16 duplicate, in part or in whole, a project included under any
17 awarded federal grant or in a pending federal application. The
18 Director shall establish procedures and forms by which
19 applicants may apply for a grant and procedures for
20 distributing grants to recipients. Any security improvements
21 awarded shall remain at the physical property listed in the
22 grant application, unless authorized by Agency rule or
23 approved by the Agency in writing. The procedures shall
24 require each applicant to do the following:

- 25 (1) identify and substantiate prior or current
26 threats, attacks, or acts of terrorism against the

1 not-for-profit organization;

2 (2) indicate the symbolic or strategic value of one or
3 more sites that renders the site a possible target of a
4 threat, attack, or act of terrorism;

5 (3) discuss potential consequences to the organization
6 if the site is damaged, destroyed, or disrupted by a
7 threat, attack, or act of terrorism;

8 (4) describe how the grant will be used to integrate
9 organizational preparedness with broader State and local
10 preparedness efforts, as described by the Agency in each
11 Notice of Opportunity for Funding;

12 (5) submit (i) a vulnerability assessment conducted by
13 experienced security, law enforcement, or military
14 personnel, or conducted using an Agency-approved or
15 federal Nonprofit Security Grant Program self-assessment
16 tool, and (ii) a description of how the grant award will be
17 used to address the vulnerabilities identified in the
18 assessment; and

19 (6) submit any other relevant information as may be
20 required by the Director.

21 The Agency is authorized to use funds appropriated for the
22 grant program described in this subsection (g-5) to administer
23 the program. Any Agency Notice of Opportunity for Funding,
24 proposed or final rulemaking, guidance, training opportunity,
25 or other resource related to the grant program must be
26 published on the Agency's publicly available website, and any

1 announcements related to funding shall be shared with all
2 State legislative offices, the Governor's office, emergency
3 services and disaster agencies mandated or required pursuant
4 to subsections (b) through (d) of Section 10, and any other
5 State agencies as determined by the Agency. Subject to
6 appropriation, the grant application period shall be open for
7 no less than 45 calendar days during the first application
8 cycle each fiscal year, unless the Agency determines that a
9 shorter period is necessary to avoid conflicts with the annual
10 federal Nonprofit Security Grant Program funding cycle.
11 Additional application cycles may be conducted during the same
12 fiscal year, subject to availability of funds. Upon request,
13 Agency staff shall provide reasonable assistance to any
14 applicant in completing a grant application or meeting a
15 post-award requirement.

16 In addition to any advance payment rules or procedures
17 adopted by the Agency, the Agency shall adopt rules or
18 procedures by which grantees under this subsection (g-5) may
19 receive a working capital advance of initial start-up costs
20 and up to 2 months of program expenses, not to exceed 25% of
21 the total award amount, if, during the application process,
22 the grantee demonstrates a need for funds to commence a
23 project. The remaining funds must be paid through
24 reimbursement after the grantee presents sufficient supporting
25 documentation of expenditures for eligible activities.

26 (g-6) The Illinois Emergency Management Agency and Office

1 of Homeland Security is authorized to make grants to small
2 businesses for eligible security improvements that assist the
3 small business in preventing, preparing for, or responding to
4 threats, attacks, or acts of terrorism. As used in this
5 subsection (g-6), "small business" means a small business
6 concern, as defined in Section 3 of the Small Business Act (15
7 U.S.C. 632), that maintains its principal place of business in
8 this State. "High Risk", for the purposes of this subsection,
9 means that there is an elevated or extreme probability that
10 the small business will encounter threats, attacks, or acts of
11 terrorism due to their profile, ideology, mission, or beliefs
12 and failure to take adequate security measures will result in
13 the increased odds of injury to the public, loss of life, or
14 destruction to property.

15 To be eligible for a grant under the program, the Agency
16 must determine that the small business is at a high risk of
17 being subject to threats, attacks, or acts of terrorism based
18 on the small business's profile, ideology, mission, or
19 beliefs. Eligible security improvements shall include all
20 eligible preparedness activities under the federal Nonprofit
21 Security Grant Program, including, but not limited to,
22 physical security upgrades, security training exercises,
23 preparedness training exercises, contracting with security
24 personnel, and any other security upgrades deemed eligible by
25 the Director. Eligible security improvements shall not
26 duplicate, in part or in whole, a project included under any

1 awarded federal grant or in a pending federal application. The
2 Director shall establish procedures and forms by which
3 applicants may apply for a grant and procedures for
4 distributing grants to recipients. Any security improvements
5 awarded shall remain at the physical property listed in the
6 grant application, unless authorized by Agency rule or
7 approved by the Agency in writing.

8 The procedures shall require each applicant to do the
9 following:

10 (1) identify and substantiate prior or current
11 threats, attacks, or acts of terrorism against the small
12 business;

13 (2) indicate the symbolic or strategic value of one or
14 more sites that renders the site a possible target of a
15 threat, attack, or act of terrorism;

16 (3) discuss potential consequences to the small
17 business if the site is damaged, destroyed, or disrupted
18 by a threat, attack, or act of terrorism;

19 (4) describe how the grant will be used to integrate
20 business preparedness with broader State and local
21 preparedness efforts, as described by the Agency in each
22 Notice of Opportunity for Funding;

23 (5) submit a vulnerability assessment, conducted by
24 experienced security, law enforcement, or military
25 personnel, or conducted using an Agency-approved or
26 federal Nonprofit Security Grant Program self-assessment

1 tool, and a description of how the grant award will be used
2 to address the vulnerabilities identified in the
3 assessment; and

4 (6) submit any other relevant information as may be
5 required by the Director.

6 The Agency is authorized to use funds appropriated for the
7 grant program described in this subsection (g-6) to administer
8 the program. Any Agency Notice of Opportunity for Funding,
9 proposed or final rulemaking, guidance, training opportunity,
10 or other resource related to the grant program must be
11 published on the Agency's publicly available website, and any
12 announcements related to funding shall be shared with all
13 State legislative offices, the Governor's office, emergency
14 services and disaster agencies mandated or required pursuant
15 to subsections (b) through (d) of Section 10, and any other
16 State agencies as determined by the Agency.

17 Subject to appropriation, the grant application period
18 shall be open for no less than 45 calendar days during the
19 first application cycle each fiscal year, unless the Agency
20 determines that a shorter period is necessary to avoid
21 conflicts with the annual federal Nonprofit Security Grant
22 Program funding cycle. Additional application cycles may be
23 conducted during the same fiscal year, subject to availability
24 of funds.

25 Upon request, Agency staff shall provide reasonable
26 assistance to any applicant in completing a grant application

1 or meeting a post-award requirement.

2 In addition to any advance payment rules or procedures
3 adopted by the Agency, the Agency shall adopt rules or
4 procedures by which grantees under this subsection (g-6) may
5 receive a working capital advance of initial start-up costs
6 and up to 2 months of program expenses, not to exceed 25% of
7 the total award amount, if, during the application process,
8 the grantee demonstrates a need for funds to commence a
9 project. The remaining funds must be paid through
10 reimbursement after the grantee presents sufficient supporting
11 documentation of expenditures for eligible activities.

12 (h) Except as provided in Section 17.5 of this Act, any
13 moneys received by the Agency from donations or sponsorships
14 unrelated to a disaster shall be deposited in the Emergency
15 Planning and Training Fund and used by the Agency, subject to
16 appropriation, to effectuate planning and training activities.
17 Any moneys received by the Agency from donations during a
18 disaster and intended for disaster response or recovery shall
19 be deposited into the Disaster Response and Recovery Fund and
20 used for disaster response and recovery pursuant to the
21 Disaster Relief Act.

22 (i) The Illinois Emergency Management Agency may by rule
23 assess and collect reasonable fees for attendance at
24 Agency-sponsored conferences to enable the Agency to carry out
25 the requirements of this Act. Any moneys received under this
26 subsection shall be deposited in the Emergency Planning and

1 Training Fund and used by the Agency, subject to
2 appropriation, for planning and training activities.

3 (j) The Illinois Emergency Management Agency is authorized
4 to make grants to other State agencies, public universities,
5 units of local government, and statewide mutual aid
6 organizations to enhance statewide emergency preparedness and
7 response.

8 (k) Subject to appropriation from the Emergency Planning
9 and Training Fund, the Illinois Emergency Management Agency
10 and Office of Homeland Security shall obtain training services
11 and support for local emergency services and support for local
12 emergency services and disaster agencies for training,
13 exercises, and equipment related to carbon dioxide pipelines
14 and sequestration, and, subject to the availability of
15 funding, shall provide \$5,000 per year to the Illinois Fire
16 Service Institute for first responder training required under
17 Section 4-615 of the Public Utilities Act. Amounts in the
18 Emergency Planning and Training Fund will be used by the
19 Illinois Emergency Management Agency and Office of Homeland
20 Security for administrative costs incurred in carrying out the
21 requirements of this subsection. To carry out the purposes of
22 this subsection, the Illinois Emergency Management Agency and
23 Office of Homeland Security may accept moneys from all
24 authorized sources into the Emergency Planning and Training
25 Fund, including, but not limited to, transfers from the Carbon
26 Dioxide Sequestration Administrative Fund and the Public

1 Utility Fund.

2 (1) The Agency shall do all other things necessary,
3 incidental, or appropriate for the implementation of this Act,
4 including the adoption of rules in accordance with the
5 Illinois Administrative Procedure Act.

6 (Source: P.A. 103-418, eff. 1-1-24; 103-588, eff. 1-1-25;
7 103-651, eff. 7-18-24; 103-999, eff. 1-1-25; 104-417, eff.
8 8-15-25.)

9 (20 ILCS 3305/17.9 new)

10 Sec. 17.9. IEMA At-Risk Small Business Security Grant
11 Fund. The IEMA At-Risk Small Business Security Grant Fund is
12 created as a trust fund in the State treasury. The Fund shall
13 consist of any moneys appropriated to the Agency for purposes
14 of the Illinois At-Risk Small Business Security Grant Program,
15 a grant program authorized by subsection (g-6) of Section 5 of
16 this Act, to provide funding support for target hardening
17 activities and other physical security enhancements for
18 qualifying small businesses that are at high risk of terrorist
19 attack.

20 The Agency is authorized to use moneys appropriated from
21 the Fund to make grants to small businesses for target
22 hardening activities, security personnel, and physical
23 security enhancements and for the payment of administrative
24 expenses associated with the Illinois At-Risk Small Business
25 Security Grant Program, except that, beginning on the

1 effective date of this amendatory Act of the 104th General
2 Assembly, the Agency shall not award grants under this Section
3 to those entities whose primary purpose is to provide medical
4 or mental health services.

5 As used in this Section, "target hardening activities"
6 include, but are not limited to, the purchase and installation
7 of security equipment on real property owned or leased by the
8 small business. Grants, gifts, and moneys from any other
9 source, public or private, may also be deposited into the Fund
10 and used for the purposes authorized by this Act.

11 Section 10. The State Finance Act is amended by adding
12 Section 5.1038 as follows:

13 (30 ILCS 105/5.1038 new)

14 Sec. 5.1038. The IEMA At-Risk Small Business Security
15 Grant Fund.