

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 Civil Administrative Code of Illinois is
5 amended by changing Sections 5-15, 5-20, and 5-160 as follows:

6 (20 ILCS 5/5-15) (was 20 ILCS 5/3)

7 Sec. 5-15. Departments of State government. The
8 Departments of State government are created as follows:

9 The Department on Aging.

10 The Department of Agriculture.

11 The Department of Central Management Services.

12 The Department of Children and Family Services.

13 The Department of Commerce and Economic Opportunity.

14 The Department of Corrections.

15 The Department of Early Childhood.

16 The Department of Employment Security.

17 The Illinois Emergency Management Agency and Office of
18 Homeland Security.

19 The Department of Financial and Professional
20 Regulation.

21 The Department of Healthcare and Family Services.

22 The Department of Human Rights.

23 The Department of Human Services.

1 The Department of Innovation and Technology.

2 The Department of Insurance.

3 The Department of Juvenile Justice.

4 The Department of Labor.

5 The Department of the Lottery.

6 The Department of Natural Resources.

7 The Department of Public Health.

8 The Department of Revenue.

9 The Illinois State Police.

10 The Department of Transportation.

11 The Department of Veterans Affairs.

12 (Source: P.A. 103-594, eff. 6-25-24; 104-234, eff. 8-15-25.)

13 (20 ILCS 5/5-20) (was 20 ILCS 5/4)

14 Sec. 5-20. Heads of departments. Each department shall
15 have an officer as its head who shall be known as director or
16 secretary and who shall, subject to the provisions of the
17 Civil Administrative Code of Illinois, execute the powers and
18 discharge the duties vested by law in his or her respective
19 department.

20 The following officers are hereby created:

21 Director of Aging, for the Department on Aging.

22 Director of Agriculture, for the Department of
23 Agriculture.

24 Director of Central Management Services, for the
25 Department of Central Management Services.

1 Director of Children and Family Services, for the
2 Department of Children and Family Services.

3 Director of Commerce and Economic Opportunity, for the
4 Department of Commerce and Economic Opportunity.

5 Director of Corrections, for the Department of
6 Corrections.

7 Director of the Illinois Emergency Management Agency
8 and Office of Homeland Security, for the Illinois
9 Emergency Management Agency and Office of Homeland
10 Security.

11 Secretary of Early Childhood, for the Department of
12 Early Childhood.

13 Director of Employment Security, for the Department of
14 Employment Security.

15 Secretary of Financial and Professional Regulation,
16 for the Department of Financial and Professional
17 Regulation.

18 Director of Healthcare and Family Services, for the
19 Department of Healthcare and Family Services.

20 Director of Human Rights, for the Department of Human
21 Rights.

22 Secretary of Human Services, for the Department of
23 Human Services.

24 Secretary of Innovation and Technology, for the
25 Department of Innovation and Technology.

26 Director of Insurance, for the Department of

1 Insurance.

2 Director of Juvenile Justice, for the Department of
3 Juvenile Justice.

4 Director of Labor, for the Department of Labor.

5 Director of the Lottery, for the Department of the
6 Lottery.

7 Director of Natural Resources, for the Department of
8 Natural Resources.

9 Director of Public Health, for the Department of
10 Public Health.

11 Director of Revenue, for the Department of Revenue.

12 Director of the Illinois State Police, for the
13 Illinois State Police.

14 Secretary of Transportation, for the Department of
15 Transportation.

16 Director of Veterans Affairs, for the Department of
17 Veterans Affairs.

18 (Source: P.A. 103-594, eff. 6-25-24; 104-234, eff. 8-15-25.)

19 (20 ILCS 5/5-160) (was 20 ILCS 5/5.13h)

20 Sec. 5-160. In the Illinois Emergency Management Agency
21 and Office of Homeland Security. Assistant Director of the
22 Illinois Emergency Management Agency and Office of Homeland
23 Security.

24 (Source: P.A. 93-1029, eff. 8-25-04.)

1 Section 10. The Illinois Emergency Management Agency Act
2 is amended by changing Sections 1, 2, 3, 4, 5, 6, 7, 8, 10, 12,
3 14, 18, 20, and 23 and by adding Section 5.5 as follows:

4 (20 ILCS 3305/1) (from Ch. 127, par. 1051)

5 Sec. 1. Short Title. This Act may be cited as the Illinois
6 Emergency Management and Homeland Security ~~Agency~~ Act.

7 (Source: P.A. 87-168.)

8 (20 ILCS 3305/2) (from Ch. 127, par. 1052)

9 Sec. 2. Policy and Purposes.

10 (a) Because of the possibility of the occurrence of
11 disasters of unprecedented size and destructiveness resulting
12 from the explosion in this or in neighboring states of atomic
13 or other means from without or by means of sabotage or other
14 disloyal actions within, or from fire, flood, earthquake,
15 telecommunications failure, or other natural or technological
16 causes, and in order to insure that this State will be prepared
17 to and will adequately deal with any disasters, preserve the
18 lives and property of the people of this State and protect the
19 public peace, health, and safety in the event of a disaster, it
20 is found and declared to be necessary:

21 (1) To create a State emergency management and
22 homeland security agency ~~an Illinois Emergency Management~~
23 ~~Agency~~ and to authorize emergency management programs
24 within the political subdivisions of the State.

1 (2) To confer upon the Governor and upon the principal
2 executive officer of the political subdivisions of the
3 State the powers provided herein.

4 (3) To provide for the rendering of mutual aid among
5 the political subdivisions and taxing districts of the
6 State and with other states and with respect to the
7 carrying out of ~~an~~ emergency management and homeland
8 security programs ~~program~~.

9 (b) It is further declared to be the purpose of this Act
10 and the policy of the State that all emergency management and
11 homeland security programs of this State be coordinated to the
12 maximum extent with the comparable programs of the federal
13 government, including its various departments and agencies, of
14 other states and localities and private agencies of every
15 type, to the end that the most effective preparation and use
16 may be made of the nation's resources and facilities for
17 dealing with any disaster that may occur.

18 (Source: P.A. 87-168; 88-606, eff. 1-1-95.)

19 (20 ILCS 3305/3) (from Ch. 127, par. 1053)

20 Sec. 3. Limitations. Nothing in this Act shall be
21 construed to:

22 (a) Interfere with the course or conduct of a labor
23 dispute, except that actions otherwise authorized by this Act
24 or other laws may be taken when necessary to mitigate imminent
25 or existing danger to public health or safety;

1 (b) Interfere with dissemination of news or comment of
2 public affairs; but any communications facility or
3 organization (including but not limited to radio and
4 television stations, wire services, and newspapers) may be
5 requested to transmit or print public service messages
6 furnishing information or instructions in connection with a
7 disaster;

8 (c) Affect the jurisdiction or responsibilities of police
9 forces, fire fighting forces, units of the armed forces of the
10 United States, or of any personnel thereof, when on active
11 duty; but State and political subdivision emergency operations
12 plans shall place reliance upon the forces available for
13 performance of functions related to emergency management and
14 homeland security;

15 (d) Limit, modify, or abridge the authority of the
16 Governor to proclaim martial law or exercise any other powers
17 vested in the Governor under the constitution, statutes, or
18 common law of this State, independent of or in conjunction
19 with any provisions of this Act; limit any home rule unit; or
20 prohibit any contract or association pursuant to Article VII,
21 Section 10 of the Illinois Constitution.

22 (Source: P.A. 92-73, eff. 1-1-02.)

23 (20 ILCS 3305/4) (from Ch. 127, par. 1054)

24 Sec. 4. Definitions. As used in this Act, unless the
25 context clearly indicates otherwise, the following words and

1 terms have the meanings ascribed to them in this Section:

2 "Coordinator" means the staff assistant to the principal
3 executive officer of a political subdivision with the duty of
4 coordinating the emergency management programs of that
5 political subdivision.

6 "Cyber incident" means an event occurring on or conducted
7 through a computer network that actually or imminently
8 jeopardizes the integrity, confidentiality, or availability of
9 computers, information or communications systems or networks,
10 physical or virtual infrastructure controlled by computers or
11 information systems, or information resident thereon that
12 affect or control infrastructure or communications networks
13 utilized by the public. "Cyber incident" includes a
14 vulnerability in information systems, system security
15 procedures, internal controls, or implementations that could
16 be exploited by a threat source that affect or control
17 infrastructure or communications networks utilized by the
18 public.

19 "Disaster" means an occurrence or threat of widespread or
20 severe damage, injury or loss of life or property resulting
21 from any natural, technological, or human cause, including but
22 not limited to fire, flood, earthquake, wind, storm, hazardous
23 materials spill or other water contamination requiring
24 emergency action to avert danger or damage, epidemic, air
25 contamination, blight, extended periods of severe and
26 inclement weather, drought, infestation, critical shortages of

1 essential fuels and energy, explosion, riot, hostile military
2 or paramilitary action, public health emergencies, cyber
3 incidents, or acts of domestic terrorism.

4 "Emergency Management" means the efforts of the State and
5 the political subdivisions to develop, plan, analyze, conduct,
6 provide, implement and maintain programs for disaster
7 mitigation, preparedness, response and recovery.

8 "Emergency Services and Disaster Agency" means the agency
9 by this name, by the name Emergency Management Agency, or by
10 any other name that is established by ordinance within a
11 political subdivision to coordinate the emergency management
12 program within that political subdivision and with private
13 organizations, other political subdivisions, the State and
14 federal governments.

15 "Emergency Operations Plan" means the written plan of the
16 State and political subdivisions describing the organization,
17 mission, and functions of the government and supporting
18 services for responding to and recovering from disasters and
19 shall include plans that take into account the needs of those
20 individuals with household pets and service animals following
21 a major disaster or emergency.

22 "Emergency Services" means the coordination of functions
23 by the State and its political subdivisions ~~subdivision~~, other
24 than functions for which military forces are primarily
25 responsible, as may be necessary or proper to prevent,
26 minimize, repair, and alleviate injury and damage resulting

1 from any natural or technological causes. These functions
2 include, without limitation, fire fighting services, police
3 services, emergency aviation services, medical and health
4 services, HazMat and technical rescue teams, rescue,
5 engineering, warning services, communications, radiological,
6 chemical and other special weapons defense, evacuation of
7 persons from stricken or threatened areas, emergency assigned
8 functions of plant protection, temporary restoration of public
9 utility services and other functions related to civilian
10 protection, together with all other activities necessary or
11 incidental to protecting life or property.

12 "Exercise" means an event or activity delivered through
13 discussion or action to develop, assess, or validate
14 capabilities to achieve planned objectives ~~a planned event~~
15 ~~realistically simulating a disaster, conducted for the purpose~~
16 ~~of evaluating the political subdivision's coordinated~~
17 ~~emergency management capabilities, including, but not limited~~
18 ~~to, testing the emergency operations plan.~~

19 "HazMat team" means a career or volunteer mobile support
20 team that has been authorized by a unit of local government to
21 respond to hazardous materials emergencies and that is
22 primarily designed for emergency response to chemical or
23 biological terrorism, radiological emergencies, hazardous
24 material spills, releases, or fires, or other contamination
25 events.

26 "Illinois Emergency Management Agency and Office of

1 Homeland Security" or "Agency" means the agency established by
2 this Act within the executive branch of State Government
3 responsible for coordination of the overall emergency
4 management and homeland security programs ~~program~~ of the State
5 and with private organizations, political subdivisions, and
6 the federal government. Illinois Emergency Management Agency
7 and Office of Homeland Security also means the State Emergency
8 Response Commission responsible for the implementation of
9 Title III of the Superfund Amendments and Reauthorization Act
10 of 1986.

11 "Incident" means a disaster that does not rise to the
12 level of a Governor-issued proclamation.

13 "Mobile Support Team" or "MST" means a group of
14 individuals designated as a team by the Governor or Director
15 to train prior to and to be activated, if the Governor or the
16 Director so determines, to aid and reinforce the State and
17 political subdivision emergency management efforts in response
18 to an incident, disaster, federally declared national special
19 security event, or other large public event.

20 "Municipality" means any city, village, and incorporated
21 town.

22 "Political Subdivision" means any county, city, village,
23 or incorporated town or township if the township is in a county
24 having a population of more than 2,000,000.

25 "Principal Executive Officer" means chair of the county
26 board, supervisor of a township if the township is in a county

1 having a population of more than 2,000,000, mayor of a city or
2 incorporated town, president of a village, or in their absence
3 or disability, the interim successor as established under
4 Section 7 of the Emergency Interim Executive Succession Act.

5 "Public health emergency" means an occurrence or imminent
6 threat of an illness or health condition that:

7 (a) is believed to be caused by any of the following:

8 (i) bioterrorism;

9 (ii) the appearance of a novel or previously
10 controlled or eradicated infectious agent or
11 biological toxin;

12 (iii) a natural disaster;

13 (iv) a chemical attack or accidental release; or

14 (v) a nuclear attack or accident; and

15 (b) poses a high probability of any of the following
16 harms:

17 (i) a large number of deaths in the affected
18 population;

19 (ii) a large number of serious or long-term
20 disabilities in the affected population; or

21 (iii) widespread exposure to an infectious or
22 toxic agent that poses a significant risk of
23 substantial future harm to a large number of people in
24 the affected population.

25 "Statewide mutual aid organization" means an entity with
26 local government members throughout the State that facilitates

1 temporary assistance through its members in a particular
2 public safety discipline, such as police, fire or emergency
3 management, when an occurrence exceeds a member jurisdiction's
4 capabilities.

5 "Statewide Interoperability Coordinator" or "SWIC" means
6 the position created in the Agency under Section 5.5 of this
7 Act.

8 "Technical rescue team" means a career or volunteer mobile
9 support team that has been authorized by a unit of local
10 government to respond to building collapse, high angle rescue,
11 and other specialized rescue emergencies and that is primarily
12 designated for emergency response to technical rescue events.

13 (Source: P.A. 104-418, eff. 1-1-26.)

14 (20 ILCS 3305/5) (from Ch. 127, par. 1055)

15 Sec. 5. Illinois Emergency Management Agency and Office of
16 Homeland Security.

17 (a) There is created within the executive branch of the
18 State Government an Illinois Emergency Management Agency and
19 Office of Homeland Security and a Director of the Illinois
20 Emergency Management Agency and Office of Homeland Security,
21 herein called the "Director" who shall be the head thereof.
22 The Director shall be appointed by the Governor, with the
23 advice and consent of the Senate, and shall serve for a term of
24 2 years beginning on the third Monday in January of the
25 odd-numbered year, and until a successor is appointed and has

1 qualified; ~~except that the term of the first Director~~
2 ~~appointed under this Act shall expire on the third Monday in~~
3 ~~January, 1989.~~ The Director shall not hold any other
4 remunerative public office. ~~For terms beginning after January~~
5 ~~18, 2019 (the effective date of Public Act 100-1179) and~~
6 ~~before January 16, 2023, the annual salary of the Director~~
7 ~~shall be as provided in Section 5-300 of the Civil~~
8 ~~Administrative Code of Illinois.~~ Notwithstanding any other
9 provision of law, for terms beginning on or after January 16,
10 2023, the Director shall receive an annual salary of \$180,000
11 or as set by the Governor, whichever is higher. On July 1,
12 2023, and on each July 1 thereafter, the Director shall
13 receive an increase in salary based on a cost of living
14 adjustment as authorized by Senate Joint Resolution 192 of the
15 86th General Assembly.

16 For terms beginning on or after January 16, 2023, the
17 Assistant Director of the ~~Illinois Emergency Management~~ Agency
18 shall receive an annual salary of \$156,600 or as set by the
19 Governor, whichever is higher. On July 1, 2023, and on each
20 July 1 thereafter, the Assistant Director shall receive an
21 increase in salary based on a cost of living adjustment as
22 authorized by Senate Joint Resolution 192 of the 86th General
23 Assembly.

24 (b) The ~~Illinois Emergency Management~~ Agency shall obtain,
25 under the provisions of the Personnel Code, technical,
26 clerical, stenographic and other administrative personnel, and

1 may make expenditures within the appropriation therefor as may
2 be necessary to carry out the purpose of this Act. ~~The agency~~
3 ~~created by this Act is intended to be a successor to the agency~~
4 ~~created under the Illinois Emergency Services and Disaster~~
5 ~~Agency Act of 1975 and the personnel, equipment, records, and~~
6 ~~appropriations of that agency are transferred to the successor~~
7 ~~agency as of June 30, 1988 (the effective date of this Act).~~

8 (c) The Director, subject to the direction and control of
9 the Governor, shall be the executive head of the ~~Illinois~~
10 ~~Emergency Management~~ Agency and the State Emergency Response
11 Commission and shall be responsible under the direction of the
12 Governor, for carrying out the programs ~~program~~ for emergency
13 management, nuclear and radiation safety, and homeland
14 security of this State. The Director shall also maintain
15 liaison and cooperate with the emergency management, nuclear
16 and radiation safety, and homeland security organizations of
17 this State and other states and of the federal government.

18 (d) The ~~Illinois Emergency Management~~ Agency shall take an
19 integral part in the development and revision of political
20 subdivision emergency operations plans prepared under
21 paragraph (f) of Section 10. To this end it shall employ or
22 otherwise secure the services of professional and technical
23 personnel capable of providing expert assistance to the
24 emergency services and disaster agencies. These personnel
25 shall consult with emergency services and disaster agencies on
26 a regular basis and shall make field examinations of the

1 areas, circumstances, and conditions that particular political
2 subdivision emergency operations plans are intended to apply.

3 (e) The ~~Illinois Emergency Management~~ Agency and political
4 subdivisions shall be encouraged to form an emergency
5 management advisory committee composed of private and public
6 personnel representing the emergency management phases of
7 mitigation, preparedness, response, and recovery. The Local
8 Emergency Planning Committee, as created under the Illinois
9 Emergency Planning and Community Right to Know Act, shall
10 serve as an advisory committee to the emergency services and
11 disaster agency or agencies serving within the boundaries of
12 that Local Emergency Planning Committee planning district for:

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

15 (2) the assessment of emergency response capabilities
16 related to hazardous chemical emergencies.

17 (f) The ~~Illinois Emergency Management~~ Agency shall:

18 (1) Coordinate the overall emergency management,
19 nuclear and radiation safety, and homeland security
20 programs ~~program~~ of the State.

21 (2) Cooperate with local governments, the federal
22 government, and any public or private agency or entity in
23 achieving any purpose of this Act and in implementing
24 emergency management programs for mitigation,
25 preparedness, response, and recovery.

26 (2.5) Develop a comprehensive emergency preparedness

1 and response plan for any nuclear accident in accordance
2 with Section 65 of the Nuclear Safety Law of 2004 and in
3 development of the Illinois Nuclear Safety Preparedness
4 program in accordance with Section 8 of the Illinois
5 Nuclear Safety Preparedness Act.

6 (2.6) Coordinate with the Department of Public Health
7 with respect to planning for and responding to public
8 health emergencies.

9 (3) Prepare, for issuance by the Governor, executive
10 orders, proclamations, and regulations as necessary or
11 appropriate in coping with disasters.

12 (4) Promulgate rules and requirements for political
13 subdivision emergency operations plans that are not
14 inconsistent with and are at least as stringent as
15 applicable federal laws and regulations.

16 (5) Review and approve, in accordance with ~~Illinois~~
17 ~~Emergency Management~~ Agency rules, emergency operations
18 plans for those political subdivisions required to have an
19 emergency services and disaster agency pursuant to this
20 Act.

21 (5.5) Promulgate rules and requirements for the
22 political subdivision emergency management exercises,
23 including, but not limited to, exercises of the emergency
24 operations plans.

25 (5.10) Review, evaluate, and approve, in accordance
26 with ~~Illinois Emergency Management~~ Agency rules, political

1 subdivision emergency management exercises for those
2 political subdivisions required to have an emergency
3 services and disaster agency pursuant to this Act.

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

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

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

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

24 (10) Disseminate all information, completely and
25 without delay, on water levels for rivers and streams and
26 any other data pertaining to potential flooding supplied

1 by the Division of Water Resources within the Department
2 of Natural Resources to all political subdivisions to the
3 maximum extent possible.

4 (11) Develop agreements, if feasible, with medical
5 supply and equipment firms to supply resources as are
6 necessary to respond to an earthquake or any other
7 disaster as defined in this Act. These resources will be
8 made available upon notifying the vendor of the disaster.
9 Payment for the resources will be in accordance with
10 Section 7 of this Act. The Illinois Department of Public
11 Health shall determine which resources will be required
12 and requested.

13 (11.5) In coordination with the Illinois State Police,
14 develop and implement a community outreach program to
15 promote awareness among the State's parents and children
16 of child abduction prevention and response.

17 (12) Out of funds appropriated for these purposes,
18 award capital and non-capital grants to Illinois hospitals
19 or health care facilities located outside of a city with a
20 population in excess of 1,000,000 to be used for purposes
21 that include, but are not limited to, preparing to respond
22 to mass casualties and disasters, maintaining and
23 improving patient safety and quality of care, and
24 protecting the confidentiality of patient information. No
25 single grant for a capital expenditure shall exceed
26 \$300,000. No single grant for a non-capital expenditure

1 shall exceed \$100,000. In awarding such grants, preference
2 shall be given to hospitals that serve a significant
3 number of Medicaid recipients, but do not qualify for
4 disproportionate share hospital adjustment payments under
5 the Illinois Public Aid Code. To receive such a grant, a
6 hospital or health care facility must provide funding of
7 at least 50% of the cost of the project for which the grant
8 is being requested. In awarding such grants the ~~Illinois~~
9 ~~Emergency Management~~ Agency shall consider the
10 recommendations of the Illinois Hospital Association.

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

13 (g) The ~~Illinois Emergency Management~~ Agency is authorized
14 to make grants to various higher education institutions,
15 public K-12 school districts, area vocational centers as
16 designated by the State Board of Education, inter-district
17 special education cooperatives, regional safe schools, and
18 nonpublic K-12 schools for safety and security improvements.
19 For the purpose of this subsection (g), "higher education
20 institution" means a public university, a public community
21 college, or an independent, not-for-profit or for-profit
22 higher education institution located in this State. Grants
23 made under this subsection (g) shall be paid out of moneys
24 appropriated for that purpose from the Build Illinois Bond
25 Fund. The ~~Illinois Emergency Management~~ Agency shall adopt
26 rules to implement this subsection (g). These rules may

1 specify: (i) the manner of applying for grants; (ii) project
2 eligibility requirements; (iii) restrictions on the use of
3 grant moneys; (iv) the manner in which the various higher
4 education institutions must account for the use of grant
5 moneys; and (v) any other provision that the ~~Illinois~~
6 ~~Emergency Management~~ Agency determines to be necessary or
7 useful for the administration of this subsection (g).

8 (g-5) The ~~Illinois Emergency Management~~ Agency is
9 authorized to make grants to not-for-profit organizations
10 which are exempt from federal income taxation under section
11 501(c)(3) of the Federal Internal Revenue Code for eligible
12 security improvements that assist the organization in
13 preventing, preparing for, or responding to threats, attacks,
14 or acts of terrorism. To be eligible for a grant under the
15 program, the Agency must determine that the organization is at
16 a high risk of being subject to threats, attacks, or acts of
17 terrorism based on the organization's profile, ideology,
18 mission, or beliefs. Eligible security improvements shall
19 include all eligible preparedness activities under the federal
20 Nonprofit Security Grant Program, including, but not limited
21 to, physical security upgrades, security training exercises,
22 preparedness training exercises, contracting with security
23 personnel, and any other security upgrades deemed eligible by
24 the Director. Eligible security improvements shall not
25 duplicate, in part or in whole, a project included under any
26 awarded federal grant or in a pending federal application. The

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

8 (1) identify and substantiate prior or current
9 threats, attacks, or acts of terrorism against the
10 not-for-profit organization;

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

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

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

21 (5) submit (i) a vulnerability assessment conducted by
22 experienced security, law enforcement, or military
23 personnel, or conducted using an Agency-approved or
24 federal Nonprofit Security Grant Program self-assessment
25 tool, and (ii) a description of how the grant award will be
26 used to address the vulnerabilities identified in the

1 assessment; and

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

4 The Agency is authorized to use funds appropriated for the
5 grant program described in this subsection (g-5) to administer
6 the program. Any Agency Notice of Opportunity for Funding,
7 proposed or final rulemaking, guidance, training opportunity,
8 or other resource related to the grant program must be
9 published on the Agency's publicly available website, and any
10 announcements related to funding shall be shared with all
11 State legislative offices, the Governor's office, emergency
12 services and disaster agencies mandated or required pursuant
13 to subsections (b) through (d) of Section 10, and any other
14 State agencies as determined by the Agency. Subject to
15 appropriation, the grant application period shall be open for
16 no less than 45 calendar days during the first application
17 cycle each fiscal year, unless the Agency determines that a
18 shorter period is necessary to avoid conflicts with the annual
19 federal Nonprofit Security Grant Program funding cycle.
20 Additional application cycles may be conducted during the same
21 fiscal year, subject to availability of funds. Upon request,
22 Agency staff shall provide reasonable assistance to any
23 applicant in completing a grant application or meeting a
24 post-award requirement.

25 In addition to any advance payment rules or procedures
26 adopted by the Agency, the Agency shall adopt rules or

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

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

19 (i) The ~~Illinois Emergency Management~~ Agency may by rule
20 assess and collect reasonable fees for attendance at
21 Agency-sponsored conferences to enable the Agency to carry out
22 the requirements of this Act. Any moneys received under this
23 subsection shall be deposited in the Emergency Planning and
24 Training Fund and used by the Agency, subject to
25 appropriation, for planning and training activities.

26 (j) The ~~Illinois Emergency Management~~ Agency is authorized

1 to make grants to other State agencies, public universities,
2 units of local government, and statewide mutual aid
3 organizations to enhance statewide emergency preparedness and
4 response.

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

25 (l) The Agency shall do all other things necessary,
26 incidental, or appropriate for the implementation of this Act,

1 including the adoption of rules in accordance with the
2 Illinois Administrative Procedure Act.

3 (Source: P.A. 103-418, eff. 1-1-24; 103-588, eff. 1-1-25;
4 103-651, eff. 7-18-24; 103-999, eff. 1-1-25; 104-417, eff.
5 8-15-25.)

6 (20 ILCS 3305/5.5 new)

7 Sec. 5.5. Statewide Interoperability Coordinator (SWIC).

8 (a) The Statewide Interoperability Coordinator (SWIC) is
9 hereby created as a position within the Agency.

10 (b) The SWIC shall:

11 (1) act as the senior advisor and central coordination
12 point for public safety communications efforts and serves
13 as the principal policy making authority for public safety
14 interoperable communications statewide;

15 (2) plan and implement the statewide interoperability
16 program, guided by initiatives outlined in the National
17 Emergency Communication Plan and Statewide Communications
18 Interoperability Plan;

19 (3) ascertain what means exist for rapid and efficient
20 communications in times of disaster;

21 (4) serve as the central coordination point for the
22 State's communications interoperability as well as the
23 Single Point of Contact for the First Responder Network
24 Authority and assist with mediation to achieve an
25 interoperable communications ecosystem;

1 (5) coordinate with all emergency response leaders
2 within State agencies, public jurisdictions, the federal
3 government, and private entities to implement and maintain
4 the state's strategic vision for interoperability to
5 ensure emergency readiness;

6 (6) coordinate governing body activities to maximize
7 integration and collaboration across the emergency
8 communications landscape and serve as a member of the
9 Statewide Interoperability Executive Committee or its
10 successor entity and may act on behalf of the Statewide
11 Interoperability Executive Committee;

12 (7) recommend regulatory changes relating to public
13 safety communications and interoperability activities
14 statewide;

15 (8) on behalf of the State, serve as the point of
16 contact for the federal government and industry on issues
17 concerning statewide interoperable communications;

18 (9) ensure federal funding for emergency
19 communications initiatives are coordinated, align to the
20 National Emergency Communication Plan and Statewide
21 Communications Interoperability Plan, and are compatible
22 with surrounding systems;

23 (10) represent the State in national, regional, and
24 local efforts to plan and implement changes needed to
25 achieve interoperability and continuity of communications
26 for emergency responders;

1 (11) ensure a comprehensive approach to public safety
2 communications and cybersecurity across all technologies;
3 and

4 (12) support operational communications by regularly
5 coordinating, planning, and communicating with relevant
6 industry, communications providers, and other
7 stakeholders.

8 (20 ILCS 3305/6) (from Ch. 127, par. 1056)

9 Sec. 6. Emergency Management Powers of the Governor.

10 (a) The Governor shall have general direction and control
11 of the ~~Illinois Emergency Management~~ Agency and shall be
12 responsible for the carrying out of the provisions of this
13 Act.

14 (b) In performing duties under this Act, the Governor is
15 authorized to cooperate with the federal government and with
16 other states in all matters pertaining to emergency
17 management, nuclear and radiation safety, and homeland
18 security.

19 (c) In performing duties under this Act, the Governor is
20 further authorized:

21 (1) To make, amend, and rescind all lawful necessary
22 orders, rules, and regulations to carry out the provisions
23 of this Act within the limits of the authority conferred
24 upon the Governor.

25 (2) To cause to be prepared a comprehensive plan and

1 programs ~~program~~ for the emergency management, nuclear and
2 radiation safety, and homeland security of this State,
3 which plan and program shall be integrated into and
4 coordinated with emergency management, nuclear and
5 radiation safety, and homeland security plans and programs
6 of the federal government and of other states whenever
7 possible and which plan and program may include:

8 a. Mitigation of injury and damage caused by
9 disaster.

10 b. Prompt and effective response to disaster.

11 c. Emergency relief.

12 d. Identification of areas particularly vulnerable
13 to disasters.

14 e. Recommendations for zoning, building, and other
15 land-use controls, safety measures for securing
16 permanent structures and other mitigation measures
17 designed to eliminate or reduce disasters or their
18 impact.

19 f. Assistance to political subdivisions in
20 designing emergency operations plans.

21 g. Authorization and procedures for the erection
22 or other construction of temporary works designed to
23 mitigate danger, damage or loss from flood, or other
24 disaster.

25 h. Preparation and distribution to the appropriate
26 State and political subdivision officials of a State

1 catalog of federal, State, and private assistance
2 programs.

3 i. Organization of State personnel and chains of
4 command.

5 j. Coordination of federal, State, and political
6 subdivision emergency management, nuclear and
7 radiation safety, and homeland security activities.

8 k. Other necessary matters.

9 (3) In accordance with the plans and programs ~~plan and~~
10 ~~program~~ for the emergency management, nuclear and
11 radiation safety, and homeland security of this State, and
12 out of funds appropriated for these purposes, to procure
13 and preposition supplies, medicines, materials and
14 equipment, to institute training programs and public
15 information programs, and to take all other preparatory
16 steps including the partial or full mobilization of MSTs
17 and emergency services and disaster agencies to insure the
18 furnishing of adequately trained and equipped forces for
19 incidents, disasters, federally declared national special
20 security events, and other large public events.

21 (4) Out of funds appropriated for these purposes, to
22 make studies and surveys of the industries, resources, and
23 facilities in this State as may be necessary to ascertain
24 the capabilities of the State for emergency management
25 phases of mitigation, preparedness, response, and recovery
26 and to plan for the most efficient emergency use thereof.

1 (5) On behalf of this State, to negotiate for and
2 submit to the General Assembly for its approval or
3 rejection reciprocal mutual aid agreements or compacts
4 with other states, either on a statewide or political
5 subdivision basis. The agreements or compacts, shall be
6 limited to the furnishing or exchange of food, clothing,
7 medical or other supplies, engineering and police
8 services; emergency housing and feeding; National and
9 State Guards while under the control of the State; health,
10 medical, and related services; fire fighting, rescue,
11 transportation, communication, and construction services
12 and equipment, provided, however, that if the General
13 Assembly be not in session and the Governor has not
14 proclaimed the existence of a disaster under this Section,
15 then the agreements or compacts shall instead be submitted
16 to an Interim Committee on Emergency Management composed
17 of 5 Senators appointed by the President of the Senate and
18 of 5 Representatives appointed by the Speaker of the
19 House, during the month of June of each odd-numbered year
20 to serve for a 2 year term, beginning July 1 of that year,
21 and until their successors are appointed and qualified, or
22 until termination of their legislative service, whichever
23 first occurs. Vacancies shall be filled by appointment for
24 the unexpired term in the same manner as original
25 appointments. All appointments shall be made in writing
26 and filed with the Secretary of State as a public record.

1 The Committee shall have the power to approve or reject
2 any agreements or compacts for and on behalf of the
3 General Assembly; and, provided further, that an
4 affirmative vote of 2/3 of the members of the Committee
5 shall be necessary for the approval of any agreement or
6 compact.

7 (Source: P.A. 104-418, eff. 1-1-26.)

8 (20 ILCS 3305/7) (from Ch. 127, par. 1057)

9 Sec. 7. Emergency Powers of the Governor. In the event of a
10 disaster, as defined in Section 4, the Governor may, by
11 proclamation declare that a disaster exists. Upon such
12 proclamation, the Governor shall have and may exercise for a
13 period not to exceed 30 days the following emergency powers;
14 provided, however, that the lapse of the emergency powers
15 shall not, as regards any act or acts occurring or committed
16 within the 30-day period, deprive any person, firm,
17 corporation, political subdivision, or body politic of any
18 right or rights to compensation or reimbursement which he,
19 she, it, or they may have under the provisions of this Act:

20 (1) To suspend the provisions of any regulatory
21 statute prescribing procedures for conduct of State
22 business, or the orders, rules and regulations of any
23 State agency, if strict compliance with the provisions of
24 any statute, order, rule, or regulation would in any way
25 prevent, hinder or delay necessary action, including

1 emergency purchases, by the ~~Illinois Emergency Management~~
2 Agency, in coping with the disaster.

3 (2) To utilize all available resources of the State
4 government as reasonably necessary to cope with the
5 disaster and of each political subdivision of the State.

6 (3) To transfer the direction, personnel or functions
7 of State departments and agencies or units thereof for the
8 purpose of performing or facilitating disaster response
9 and recovery programs.

10 (4) On behalf of this State to take possession of, and
11 to acquire full title or a lesser specified interest in,
12 any personal property as may be necessary to accomplish
13 the objectives set forth in Section 2 of this Act,
14 including: airplanes, automobiles, trucks, trailers,
15 buses, and other vehicles; coal, oils, gasoline, and other
16 fuels and means of propulsion; explosives, materials,
17 equipment, and supplies; animals and livestock; feed and
18 seed; food and provisions for humans and animals; clothing
19 and bedding; and medicines and medical and surgical
20 supplies; and to take possession of and for a limited
21 period occupy and use any real estate necessary to
22 accomplish those objectives; but only upon the undertaking
23 by the State to pay just compensation therefor as in this
24 Act provided, and then only under the following
25 provisions:

26 a. The Governor, or the person or persons as the

1 Governor may authorize so to do, may forthwith take
2 possession of property for and on behalf of the State;
3 provided, however, that the Governor or persons shall
4 simultaneously with the taking, deliver to the owner
5 or his or her agent, if the identity of the owner or
6 agency is known or readily ascertainable, a signed
7 statement in writing, that shall include the name and
8 address of the owner, the date and place of the taking,
9 description of the property sufficient to identify it,
10 a statement of interest in the property that is being
11 so taken, and, if possible, a statement in writing,
12 signed by the owner, setting forth the sum that he or
13 she is willing to accept as just compensation for the
14 property or use. Whether or not the owner or agent is
15 known or readily ascertainable, a true copy of the
16 statement shall promptly be filed by the Governor or
17 the person with the Director, who shall keep the
18 docket of the statements. In cases where the sum that
19 the owner is willing to accept as just compensation is
20 less than \$1,000, copies of the statements shall also
21 be filed by the Director with, and shall be passed upon
22 by an Emergency Management Claims Commission,
23 consisting of 3 disinterested citizens who shall be
24 appointed by the Governor, by and with the advice and
25 consent of the Senate, within 20 days after the
26 Governor's declaration of a disaster, and if the sum

1 fixed by them as just compensation be less than \$1,000
2 and is accepted in writing by the owner, then the State
3 Treasurer out of funds appropriated for these
4 purposes, shall, upon certification thereof by the
5 Emergency Management Claims Commission, cause the sum
6 so certified forthwith to be paid to the owner. The
7 Emergency Management Claims Commission is hereby given
8 the power to issue appropriate subpoenas and to
9 administer oaths to witnesses and shall keep
10 appropriate minutes and other records of its actions
11 upon and the disposition made of all claims.

12 b. When the compensation to be paid for the taking
13 or use of property or interest therein is not or cannot
14 be determined and paid under item a of this paragraph
15 (4), a petition in the name of The People of the State
16 of Illinois shall be promptly filed by the Director,
17 which filing may be enforced by mandamus, in the
18 circuit court of the county where the property or any
19 part thereof was located when initially taken or used
20 under the provisions of this Act praying that the
21 amount of compensation to be paid to the person or
22 persons interested therein be fixed and determined.
23 The petition shall include a description of the
24 property that has been taken, shall state the physical
25 condition of the property when taken, shall name as
26 defendants all interested parties, shall set forth the

1 sum of money estimated to be just compensation for the
2 property or interest therein taken or used, and shall
3 be signed by the Director. The litigation shall be
4 handled by the Attorney General for and on behalf of
5 the State.

6 c. Just compensation for the taking or use of
7 property or interest therein shall be promptly
8 ascertained in proceedings and established by judgment
9 against the State, that shall include, as part of the
10 just compensation so awarded, interest at the rate of
11 6% per annum on the fair market value of the property
12 or interest therein from the date of the taking or use
13 to the date of the judgment; and the court may order
14 the payment of delinquent taxes and special
15 assessments out of the amount so awarded as just
16 compensation and may make any other orders with
17 respect to encumbrances, rents, insurance, and other
18 charges, if any, as shall be just and equitable.

19 (5) When required by the exigencies of the disaster,
20 to sell, lend, rent, give, or distribute all or any part of
21 property so or otherwise acquired to the inhabitants of
22 this State, or to political subdivisions of this State,
23 or, under the interstate mutual aid agreements or compacts
24 as are entered into under the provisions of subparagraph
25 (5) of paragraph (c) of Section 6 to other states, and to
26 account for and transmit to the State Treasurer all funds,

1 if any, received therefor.

2 (6) To recommend the evacuation of all or part of the
3 population from any stricken or threatened area within the
4 State if the Governor deems this action necessary.

5 (7) To prescribe routes, modes of transportation, and
6 destinations in connection with evacuation.

7 (8) To control ingress and egress to and from a
8 disaster area, the movement of persons within the area,
9 and the occupancy of premises therein.

10 (9) To suspend or limit the sale, dispensing, or
11 transportation of alcoholic beverages, firearms,
12 explosives, and combustibles.

13 (10) To make provision for the availability and use of
14 temporary emergency housing.

15 (11) A proclamation of a disaster shall activate the
16 State Emergency Operations Plan, and political subdivision
17 emergency operations plans applicable to the political
18 subdivision or area in question and be authority for the
19 deployment and use of any forces that the plan or plans
20 apply and for use or distribution of any supplies,
21 equipment, and materials and facilities assembled,
22 stockpiled or arranged to be made available under this Act
23 or any other provision of law relating to disasters.

24 (12) Control, restrict, and regulate by rationing,
25 freezing, use of quotas, prohibitions on shipments, price
26 fixing, allocation or other means, the use, sale or

1 distribution of food, feed, fuel, clothing and other
2 commodities, materials, goods, or services; and perform
3 and exercise any other functions, powers, and duties as
4 may be necessary to promote and secure the safety and
5 protection of the civilian population.

6 (13) During the continuance of any disaster the
7 Governor is commander-in-chief of the organized and
8 unorganized militia and of all other forces available for
9 emergency duty. To the greatest extent practicable, the
10 Governor shall delegate or assign authority to the
11 Director to manage, coordinate, and direct all resources
12 by orders issued at the time of the disaster.

13 (14) Prohibit increases in the prices of goods and
14 services during a disaster.

15 (Source: P.A. 102-485, eff. 8-20-21.)

16 (20 ILCS 3305/8) (from Ch. 127, par. 1058)

17 Sec. 8. Mobile support teams; mutual aid.

18 (a) The Governor or Director, on behalf of the Governor,
19 may enter into agreements with local governments, the federal
20 government, tribal governments, and any public or private
21 agency or entity in achieving any purpose of this Act and in
22 implementing emergency management programs for mitigation,
23 preparedness, response, and recovery.

24 (b) The Governor or Director may activate mobile support
25 teams (MSTs) to aid and reinforce the ~~Illinois~~ Emergency

1 ~~Management Agency and Office of Homeland Security,~~ and
2 emergency services and disaster agencies in this State or
3 out-of-state pursuant to the Emergency Management Assistance
4 Compact, as ratified in the Emergency Management Assistance
5 Compact Act, for incidents, disasters, federally declared
6 national special security events, and other large public
7 events.

8 (c) Each mobile support team shall have a leader or
9 leadership group, who will be responsible for the
10 organization, administration, training, and general operation
11 of the mobile support team.

12 (d) While activated on behalf of the State, the MST shall
13 report to the Director or designee as the Director retains
14 operational control of MSTs even if they have been tasked to
15 support emergency services and disaster agencies.

16 (e) Personnel of an MST while activated by the Governor or
17 Director or while engaged in State-approved or State-sponsored
18 training or exercises, whether within or without the State,
19 shall:

20 (1) If they are paid employees of the State, have the
21 powers, duties, rights, privileges and immunities and
22 receive the compensation incidental to their employment.

23 (2) If they are paid employees of a political
24 subdivision or body politic of this State, and whether
25 serving within or without that political subdivision or
26 body politic, have the powers, duties, rights, privileges

1 and immunities, and receive the compensation incidental to
2 their employment.

3 (3) If they are not employees of the State, political
4 subdivision or body politic, or being such employees, are
5 not normally paid for their services, be entitled to at
6 least one dollar per year compensation from the State.

7 (f) All personnel of MSTs may, while activated by the
8 Governor or Director, be reimbursed by this State for all
9 actual and necessary travel and subsistence expenses related
10 to their activation.

11 (g) Personnel of a mobile support team who suffer disease,
12 injury or death, while activated by the Governor or Director,
13 shall for the purposes of benefits under the Workers'
14 Compensation Act or Workers' Occupational Diseases Act only,
15 be deemed to be employees of this State. If the person
16 diseased, injured or killed is an employee described in item
17 (3) of subsection (e), the computation of benefits payable
18 under either of those Acts shall be based on income
19 commensurate with comparable State employees doing the same
20 type of work or income from the person's regular employment,
21 whichever is greater.

22 (h) In lieu of subsection (f), the State may, by
23 agreement, reimburse each political subdivision or body
24 politic from the Disaster Response and Recovery Fund, or from
25 other funding determined by the State, for the compensation
26 paid and the actual and necessary travel and subsistence

1 expenses of paid employees of the political subdivision or
2 body politic while serving, outside of its geographical
3 boundaries on behalf of the State, as members of an MST, and
4 for all payments made for death, disease or injury of those
5 paid employees arising out of and incurred in the course of
6 that duty, and for all losses of or damage to supplies and
7 equipment of the political subdivision or body politic
8 resulting from the operations.

9 (i) Whenever activated MSTs or units of another state
10 operating under orders of the Governor of their home state,
11 render aid to this State, all questions relating to
12 reimbursement by this State in regard to the assistance
13 rendered shall be determined by the mutual aid agreements, MST
14 agreements, or interstate compacts described in subparagraph
15 (5) of paragraph (c) of Section 6 as are existing at the time
16 of the assistance rendered, pursuant to the Emergency
17 Management Assistance Compact as ratified in the Emergency
18 Management Assistance Compact Act, as are entered into
19 thereafter.

20 (j) No personnel of MSTs of this State may be ordered by
21 the Governor or Director to operate in any other state unless a
22 request for the same has been made by the Governor or duly
23 authorized representative of the other state pursuant to the
24 Emergency Management Assistance Compact, as ratified in the
25 Emergency Management Assistance Compact Act, or a successor
26 law.

1 (k) All expenses and compensation reimbursed under this
2 Section may be provided from the Disaster Response and
3 Recovery Fund or other funding determined by the State. The
4 mutual aid agreement shall specify the manner and method in
5 which compensation shall be paid.

6 (Source: P.A. 104-418, eff. 1-1-26.)

7 (20 ILCS 3305/10) (from Ch. 127, par. 1060)

8 Sec. 10. Emergency Services and Disaster Agencies.

9 (a) Each political subdivision within this State shall be
10 within the jurisdiction of and served by the ~~Illinois~~
11 ~~Emergency Management~~ Agency and by an emergency services and
12 disaster agency responsible for emergency management programs.
13 A township, if the township is in a county having a population
14 of more than 2,000,000, must have approval of the county
15 coordinator before establishment of a township emergency
16 services and disaster agency.

17 (b) Unless multiple county emergency services and disaster
18 agency consolidation is authorized by the ~~Illinois Emergency~~
19 ~~Management~~ Agency with the consent of the respective counties,
20 each county shall maintain an emergency services and disaster
21 agency that has jurisdiction over and serves the entire
22 county, except as otherwise provided under this Act and except
23 that in any county with a population of over 3,000,000
24 containing a municipality with a population of over 500,000
25 the jurisdiction of the county agency shall not extend to the

1 municipality when the municipality has established its own
2 agency.

3 (c) Each municipality with a population of over 500,000
4 shall maintain an emergency services and disaster agency which
5 has jurisdiction over and serves the entire municipality. A
6 municipality with a population less than 500,000 may
7 establish, by ordinance, an agency or department responsible
8 for emergency management within the municipality's corporate
9 limits.

10 (d) The Governor shall determine which municipal
11 corporations, other than those specified in paragraph (c) of
12 this Section, need emergency services and disaster agencies of
13 their own and require that they be established and maintained.
14 The Governor shall make these determinations on the basis of
15 the municipality's disaster vulnerability and capability of
16 response related to population size and concentration. The
17 emergency services and disaster agency of a county or
18 township, shall not have a jurisdiction within a political
19 subdivision having its own emergency services and disaster
20 agency, but shall cooperate with the emergency services and
21 disaster agency of a city, village or incorporated town within
22 their borders. The ~~Illinois Emergency Management~~ Agency shall
23 publish and furnish a current list to the municipalities
24 required to have an emergency services and disaster agency
25 under this subsection.

26 (e) Each municipality that is not required to and does not

1 have an emergency services and disaster agency shall have a
2 liaison officer designated to facilitate the cooperation and
3 protection of that municipal corporation with the county
4 emergency services and disaster agency in which it is located
5 in the work of disaster mitigation, preparedness, response,
6 and recovery.

7 (f) The principal executive officer or his or her designee
8 of each political subdivision in the State shall annually
9 notify the ~~Illinois Emergency Management~~ Agency of the manner
10 in which the political subdivision is providing or securing
11 emergency management, identify the executive head of the
12 agency or the department from which the service is obtained,
13 or the liaison officer in accordance with subsection (e)
14 ~~paragraph (d) of this Section~~ and furnish additional
15 information relating thereto as the ~~Illinois Emergency~~
16 ~~Management~~ Agency requires.

17 (g) Each emergency services and disaster agency shall
18 prepare an emergency operations plan for its geographic
19 boundaries that complies with planning, review, and approval
20 standards promulgated by the ~~Illinois Emergency Management~~
21 Agency. The ~~Illinois Emergency Management~~ Agency shall
22 determine which jurisdictions will be required to include
23 earthquake preparedness in their local emergency operations
24 plans.

25 (h) The emergency services and disaster agency shall
26 prepare and distribute to all appropriate officials in written

1 form a clear and complete statement of the emergency
2 responsibilities of all local departments and officials and of
3 the disaster chain of command.

4 (i) Each emergency services and disaster agency shall have
5 a Coordinator who shall be appointed by the principal
6 executive officer of the political subdivision in the same
7 manner as are the heads of regular governmental departments.
8 If the political subdivision is a county and the principal
9 executive officer appoints the sheriff as the Coordinator, the
10 sheriff may, in addition to his or her regular compensation,
11 receive compensation at the same level as provided in Article
12 3 of the Counties Code ~~Section 3 of "An Act in relation to the~~
13 ~~regulation of motor vehicle traffic and the promotion of~~
14 ~~safety on public highways in counties", approved August 9,~~
15 ~~1951, as amended.~~ The Coordinator shall have direct
16 responsibility for the organization, administration, training,
17 and operation of the emergency services and disaster agency,
18 subject to the direction and control of that principal
19 executive officer. Each emergency services and disaster agency
20 shall coordinate and may perform emergency management
21 functions within the territorial limits of the political
22 subdivision within which it is organized as are prescribed in
23 and by the State Emergency Operations Plan, and programs,
24 orders, rules and regulations as may be promulgated by the
25 ~~Illinois Emergency Management~~ Agency and by local ordinance
26 and, in addition, shall conduct such functions outside of

1 those territorial limits as may be required under mutual aid
2 agreements and compacts as are entered into under subparagraph
3 (5) of paragraph (c) of Section 6.

4 (j) In carrying out the provisions of this Act, each
5 political subdivision may enter into contracts and incur
6 obligations necessary to place it in a position effectively to
7 combat the disasters as are described in Section 4, to protect
8 the health and safety of persons, to protect property, and to
9 provide emergency assistance to victims of those disasters. If
10 a disaster occurs, each political subdivision may exercise the
11 powers vested under this Section in the light of the
12 exigencies of the disaster and, excepting mandatory
13 constitutional requirements, without regard to the procedures
14 and formalities normally prescribed by law pertaining to the
15 performance of public work, entering into contracts, the
16 incurring of obligations, the employment of temporary workers,
17 the rental of equipment, the purchase of supplies and
18 materials, and the appropriation, expenditure, and disposition
19 of public funds and property.

20 (k) Volunteers who, while engaged in a disaster, an
21 exercise, training related to the emergency operations plan of
22 the political subdivision, or a search-and-rescue team
23 response to an occurrence or threat of injury or loss of life
24 that is beyond local response capabilities, suffer disease,
25 injury or death, shall, for the purposes of benefits under the
26 Workers' Compensation Act or Workers' Occupational Diseases

1 Act only, be deemed to be employees of the State, if: (1) the
2 claimant is a duly qualified and enrolled (sworn in) as a
3 volunteer of the ~~Illinois Emergency Management~~ Agency or an
4 emergency services and disaster agency accredited by the
5 ~~Illinois Emergency Management~~ Agency, and (2) if: (i) the
6 claimant was participating in a disaster as defined in Section
7 4 of this Act, (ii) the exercise or training participated in
8 was specifically and expressly approved by the ~~Illinois~~
9 ~~Emergency Management~~ Agency prior to the exercise or training,
10 or (iii) the search-and-rescue team response was to an
11 occurrence or threat of injury or loss of life that was beyond
12 local response capabilities and was specifically and expressly
13 approved by the ~~Illinois Emergency Management~~ Agency prior to
14 the search-and-rescue team response. The computation of
15 benefits payable under either of those Acts shall be based on
16 the income commensurate with comparable State employees doing
17 the same type work or income from the person's regular
18 employment, whichever is greater.

19 Volunteers who are working under the direction of an
20 emergency services and disaster agency accredited by the
21 ~~Illinois Emergency Management~~ Agency, pursuant to a plan
22 approved by the ~~Illinois Emergency Management~~ Agency (i)
23 during a disaster declared by the Governor under Section 7 of
24 this Act, or (ii) in circumstances otherwise expressly
25 approved by the ~~Illinois Emergency Management~~ Agency, shall be
26 deemed exclusively employees of the State for purposes of

1 Section 8(d) of the Court of Claims Act, provided that the
2 ~~Illinois Emergency Management~~ Agency may, in coordination with
3 the emergency services and disaster agency, audit
4 implementation for compliance with the plan.

5 (l) If any person who is entitled to receive benefits
6 through the application of this Section receives, in
7 connection with the disease, injury or death giving rise to
8 such entitlement, benefits under an Act of Congress or federal
9 program, benefits payable under this Section shall be reduced
10 to the extent of the benefits received under that other Act or
11 program.

12 (m) (1) Prior to conducting an exercise, the principal
13 executive officer of a political subdivision or his or her
14 designee shall provide area media with written
15 notification of the exercise. The notification shall
16 indicate that information relating to the exercise shall
17 not be released to the public until the commencement of
18 the exercise. The notification shall also contain a
19 request that the notice be so posted to ensure that all
20 relevant media personnel are advised of the exercise
21 before it begins.

22 (2) During the conduct of an exercise, all messages,
23 two-way radio communications, briefings, status reports,
24 news releases, and other oral or written communications
25 shall begin and end with the following statement: "This is
26 an exercise message".

1 (Source: P.A. 94-733, eff. 4-27-06.)

2 (20 ILCS 3305/12) (from Ch. 127, par. 1062)

3 Sec. 12. Testing of Disaster Warning Devices. The testing
4 of disaster warning devices including outdoor warning sirens
5 shall be held only on the first Tuesday of each month at 10
6 o'clock in the morning or during exercises that are
7 specifically and expressly approved in advance by the ~~Illinois~~
8 ~~Emergency Management~~ Agency.

9 (Source: P.A. 92-73, eff. 1-1-02.)

10 (20 ILCS 3305/14) (from Ch. 127, par. 1064)

11 Sec. 14. Communications. The ~~Illinois Emergency Management~~
12 Agency shall ascertain what means exist for rapid and
13 efficient communications in times of disaster. The ~~Illinois~~
14 ~~Emergency Management~~ Agency shall consider the desirability of
15 supplementing these communications resources or of integrating
16 them into a comprehensive State or State-Federal
17 telecommunications or other communications system or network.
18 In studying the character and feasibility of any system or its
19 several parts, the ~~Illinois Emergency Management~~ Agency shall
20 evaluate the possibility of multipurpose use thereof for
21 general State and political subdivision purposes. The ~~Illinois~~
22 ~~Emergency Management~~ Agency may promulgate rules to establish
23 policies and procedures relating to telecommunications and the
24 continuation of rapid and efficient communications in times of

1 disaster to the extent authorized by any provision of this Act
2 or other laws and regulations. The ~~Illinois Emergency~~
3 ~~Management~~ Agency shall make recommendations to the Governor
4 as appropriate.

5 (Source: P.A. 86-755; 87-168.)

6 (20 ILCS 3305/18) (from Ch. 127, par. 1068)

7 Sec. 18. Orders, Rules and Regulations.

8 (a) The Governor shall file a copy of every rule,
9 regulation or order, and any amendment thereof made by the
10 Governor under the provisions of this Act in the office of the
11 Secretary of State. ~~Upon~~ ~~No rule, regulation or order, or any~~
12 ~~amendment thereof shall be effective until 10 days after the~~
13 ~~filing, provided, however, that upon~~ the declaration of a
14 disaster by the Governor as is described in Section 7 the
15 provision relating to the effective date of any rule,
16 regulation, order or amendment issued under this Act and
17 during the state of disaster is abrogated, and the rule,
18 regulation, order or amendment shall become effective
19 immediately upon being filed with the Secretary of State
20 accompanied by a certificate stating the reason as required by
21 the Illinois Administrative Procedure Act.

22 (b) Every emergency services and disaster agency
23 established pursuant to this Act and the coordinators thereof
24 shall execute and enforce the orders, rules and regulations as
25 may be made by the Governor under authority of this Act. Each

1 emergency services and disaster agency shall have available
2 for inspection at its office all orders, rules and regulations
3 made by the Governor, or under the Governor's authority. The
4 ~~Illinois Emergency Management~~ Agency shall publish ~~furnish~~ on
5 the Agency's ~~Department's~~ website the orders, rules and
6 regulations ~~to each such emergency services and disaster~~
7 ~~agency~~. Upon the written request of an emergency services or
8 disaster agency, copies thereof shall be mailed to the
9 emergency services or disaster agency.

10 (Source: P.A. 98-44, eff. 6-28-13.)

11 (20 ILCS 3305/20) (from Ch. 127, par. 1070)

12 Sec. 20. Oath.

13 (a) Each person, whether compensated or noncompensated,
14 who is appointed to serve in any capacity in, or on behalf of,
15 the ~~Illinois Emergency Management~~ Agency ~~and Office of~~
16 ~~Homeland Security (IEMA OHS)~~ or an emergency services and
17 disaster agency, shall, before entering upon duties, take an
18 oath in writing.

19 (b) The oath shall be administered before the Director of
20 the Agency ~~IEMA OHS~~ (or a designee authorized in writing by
21 the Director), the coordinator of the respective emergency
22 services and disaster agency, or persons authorized to
23 administer oaths in this State pursuant to the Oaths an
24 Affirmations Act.

25 The oath may be administered through live video technology

1 or other electronic means; however, the signed oath shall be
2 filed with the Agency ~~TEMA-OHS~~ or with the emergency services
3 and disaster agency with which the person shall serve and
4 which oath shall be substantially as follows:

5 "I, _____, do solemnly swear (or affirm) that I
6 will support and defend and bear true faith and allegiance to
7 the Constitution of the United States and the Constitution of
8 the State of Illinois, and the territory, institutions and
9 facilities thereof, both public and private, against all
10 enemies, foreign and domestic; that I take this obligation
11 freely, without any mental reservation or purpose of evasion;
12 and that I will well and faithfully discharge the duties upon
13 which I am about to enter. And I do further swear (or affirm)
14 that I do not advocate, nor am I, nor have I been a member of
15 any political party or organization that advocates the
16 overthrow of the government of the United States or of this
17 State by force or violence; and that during such time as I am
18 affiliated with the (name of emergency preparedness
19 organization), I will not advocate nor become a member or an
20 affiliate of any organization, group, or combination of
21 persons that advocates the overthrow of the government of the
22 United States or of this State by force or violence."

23 (Source: P.A. 104-418, eff. 1-1-26.)

24 (20 ILCS 3305/23)

25 (Section scheduled to be repealed on January 1, 2032)

1 Sec. 23. Access and Functional Needs Advisory Committee.

2 (a) In this Section, "Advisory Committee" means the Access
3 and Functional Needs Advisory Committee.

4 (b) The Access and Functional Needs Advisory Committee is
5 created.

6 (c) The Advisory Committee shall:

7 (1) Coordinate meetings occurring, at a minimum, 3
8 times each year, in addition to emergency meetings called
9 by the chairperson of the Advisory Committee.

10 (2) Research and provide recommendations for
11 identifying and effectively responding to the needs of
12 persons with access and functional needs before, during,
13 and after a disaster using an intersectional lens for
14 equity.

15 (3) Provide recommendations to the ~~Illinois Emergency~~
16 ~~Management~~ Agency regarding how to ensure that persons
17 with a disability are included in disaster strategies and
18 emergency management plans, including updates and
19 implementation of disaster strategies and emergency
20 management plans.

21 (4) Review and provide recommendations for the
22 ~~Illinois Emergency Management~~ Agency, and all relevant
23 State agencies that are involved in drafting and
24 implementing the Illinois Emergency Operation Plan, to
25 integrate access and functional needs into State and local
26 emergency operations plans.

1 (d) The Advisory Committee shall be composed of the
2 Director of the ~~Illinois Emergency Management~~ Agency or his or
3 her designee, the Attorney General or his or her designee, the
4 Secretary of Human Services or his or her designee, the
5 Director of Aging or his or her designee, and the Director of
6 Public Health or his or her designee, together with the
7 following members appointed by the Governor ~~on or before~~
8 ~~January 1, 2022~~:

9 (1) Two members, either from a municipal or
10 county-level emergency agency or a local emergency
11 management coordinator.

12 (2) Nine members from the community of persons with a
13 disability who represent persons with different types of
14 disabilities, including, but not limited to, individuals
15 with mobility and physical disabilities, hearing and
16 visual disabilities, deafness or who are hard of hearing,
17 blindness or who have low vision, mental health
18 disabilities, and intellectual or developmental
19 disabilities. Members appointed under this paragraph shall
20 reflect a diversity of age, gender, race, and ethnic
21 background.

22 (3) Four members who represent first responders from
23 different geographical regions around the State.

24 (e) Of those members appointed by the Governor, the
25 initial appointments of 6 members shall be for terms of 2 years
26 and the initial appointments of 5 members shall be for terms of

1 4 years. Thereafter, members shall be appointed for terms of 4
2 years. A member shall serve until his or her successor is
3 appointed and qualified. If a vacancy occurs in the Advisory
4 Committee membership, the vacancy shall be filled in the same
5 manner as the original appointment for the remainder of the
6 unexpired term.

7 (f) After all the members are appointed, and annually
8 thereafter, they shall elect a chairperson from among the
9 members appointed under paragraph (2) of subsection (d).

10 (g) (Blank). ~~The initial meeting of the Advisory Committee~~
11 ~~shall be convened by the Director of the Illinois Emergency~~
12 ~~Management Agency no later than February 1, 2022.~~

13 (h) Advisory Committee members shall serve without
14 compensation.

15 (i) ~~The Illinois Emergency Management Agency~~ shall provide
16 administrative support to the Advisory Committee.

17 (j) The Advisory Committee shall prepare and deliver a
18 report to the General Assembly, the Governor's Office, and the
19 ~~Illinois Emergency Management Agency by July 1, 2022, and~~
20 annually ~~thereafter~~. The report shall include the following:

21 (1) Identification of core emergency management
22 services that need to be updated or changed to ensure the
23 needs of persons with a disability are met, and shall
24 include disaster strategies in State and local emergency
25 plans.

26 (2) Any proposed changes in State policies, laws,

1 rules, or regulations necessary to fulfill the purposes of
2 this Act.

3 (3) Recommendations on improving the accessibility and
4 effectiveness of disaster and emergency communication.

5 (4) Recommendations on comprehensive training for
6 first responders and other frontline workers when working
7 with persons with a disability during emergency situations
8 or disasters, as defined in Section 4 ~~of the Illinois~~
9 ~~Emergency Management Agency Act.~~

10 (5) Any additional recommendations regarding emergency
11 management and persons with a disability that the Advisory
12 Committee deems necessary.

13 (k) The annual report prepared and delivered under
14 subsection (j) shall be annually considered by the Illinois
15 Emergency Management Agency when developing new State and
16 local emergency plans or updating existing State and local
17 emergency plans.

18 (l) The Advisory Committee is dissolved and this Section
19 is repealed on January 1, 2032.

20 (Source: P.A. 102-361, eff. 8-13-21; 102-671, eff. 11-30-21;
21 103-154, eff. 6-30-23.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.