



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB0071

Introduced 1/13/2025, by Sen. Laura M. Murphy

SYNOPSIS AS INTRODUCED:

430 ILCS 100/20 new

Amends the Illinois Emergency Planning and Community Right to Know Act. Provides that Local Emergency Planning Committees and the State Emergency Response Commission shall partner with schools and school districts regarding safety threats posed by storage and transport of hazardous substances near schools. Provides requirements for a comprehensive emergency response plan to go into effect. Details duties of the State Emergency Response Commission, working in consultation with Local Emergency Planning Committees and schools, with respect to planning and preparedness. Provides for rulemaking by the Illinois Emergency Management Agency and Office of Homeland Security. Directs the Illinois Emergency Response Commission and Local Emergency Response Committees to create a timeline for compliance with the requirements of the amendatory Act not to exceed 2 years. Defines terms.

LRB104 07353 LNS 17393 b

1 AN ACT concerning safety.

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

4 Section 5. The Illinois Emergency Planning and Community
5 Right to Know Act is amended by adding Section 20 as follows:

6 (430 ILCS 100/20 new)

7 Sec. 20. Release or explosion of hazardous substances;
8 schools.

9 (a) Not later than 60 days after the effective date of this
10 amendatory Act of the 104th General Assembly, the Illinois
11 Emergency Response Commission, working with Local Emergency
12 Response Committees, shall create a timeline to identify steps
13 needed for compliance with the requirements of this Section
14 within 2 years.

15 (b) Local Emergency Planning Committees, in consultation
16 with the SERC, shall partner with schools and school districts
17 in their respective regions to:

18 (1) disseminate to faculty, staff, and parents of
19 students information concerning safety threats posed by
20 the storage and transport of hazardous substances near
21 schools, including, but not limited to, threats posed by
22 hazardous substances that are transported near schools by
23 high-hazard flammable trains; and

1 (2) develop and implement comprehensive emergency
2 response plans that include a 4-corner evacuation plan in
3 the directions of north, south, east, and west with a
4 means for determining wind direction during incidents
5 involving the storage and transport of hazardous
6 substances and security-sensitive materials near schools,
7 including, but not limited to, hazardous substances and
8 security-sensitive materials transported by high-hazard
9 flammable trains.

10 (c) Before any comprehensive emergency response plan may
11 go into effect, teachers and administrators of schools and
12 school districts within a Local Emergency Planning Committee's
13 region must be given the opportunity to provide input on the
14 comprehensive emergency response plan, and the Local Emergency
15 Planning Committee shall take that input into consideration. A
16 comprehensive emergency response plan may vary based on the
17 potential impact of the release or explosion of different
18 hazardous substances and security-sensitive materials. Each
19 Local Emergency Planning Committee must have a team with
20 certified and trained personnel who can integrate the Incident
21 Command System required under paragraph (14) of subsection (d)
22 into the comprehensive emergency response plan. These teams
23 may include, but are not limited to, persons employed by
24 public works departments, transportation departments,
25 hospitals, heavy equipment contractors, food distributors, and
26 other such organizations.

1 (d) The SERC, in consultation with Local Emergency
2 Planning Committees and schools, shall:

3 (1) identify worst-case and most likely-case scenarios
4 that are to be communicated to both administrators and
5 teachers of any school district that is within the region
6 of a Local Emergency Planning Committee;

7 (2) identify routes and safety zones indicated in the
8 4-corner evacuation plan in the general directions of
9 north, south, east, and west, which shall be visibly
10 marked and communicated to administrators, teachers, and
11 school personnel with information on routes to take and
12 locations where students can seek shelter;

13 (3) identify and communicate to both administrators
14 and teachers specific types of hazardous substances that
15 can negatively impact a school;

16 (4) include drills as a component of comprehensive
17 emergency response plans that administrators, teachers,
18 and students must be given opportunities to practice and
19 that shall be reviewed by the SERC within 3 years after the
20 effective date of this amendatory Act of the 104th General
21 Assembly to find opportunities for improvement to better
22 protect students, teachers, administrators, and any other
23 school personnel;

24 (5) develop comprehensive emergency response plans for
25 students with special needs or who have an Individualized
26 Education Program or a plan developed under Section 504 of

1 the federal Rehabilitation Act of 1973;

2 (6) develop comprehensive emergency response plans
3 that include medication distribution for students and
4 school personnel with medical needs;

5 (7) communicate evacuation locations and procedures to
6 parents of students;

7 (8) create a hierarchy for communication to ensure
8 that administrators, teachers, parents, and students know
9 where and how to access relevant information during the
10 implementation of a comprehensive emergency response plan;

11 (9) identify and visibly mark, by means that may
12 include, but are not limited to, signs, stickers on doors,
13 or the like, (i) potential areas that may be impacted by
14 the release or explosion of a hazardous substance or
15 security-sensitive material and (ii) safety zones;

16 (10) provide information to school districts for the
17 communication to students and their parents, during
18 student registration, of potential areas that may be
19 impacted by the release or explosion of a hazardous
20 substance, updated as necessary for each new school year;

21 (11) create model rules requiring disclosure, prior to
22 the sale of a home, that the home is located within a
23 potential area that may be impacted by the release or
24 explosion of a hazardous substance, based upon or similar
25 to requirements that water damage must be communicated
26 prior to the sale of a home;

1 (12) restrict new construction of public schools to
2 locations outside a 5-mile radius of existing and planned
3 railroad infrastructure where hazardous substances and
4 security-sensitive materials are stored or transported;

5 (13) work in collaboration with the Illinois Commerce
6 Commission to create a reduced speed zone for high-hazard
7 flammable trains that shall impose a speed limit of 20
8 miles per hour for trains transporting hazardous
9 substances and security-sensitive materials, including
10 high-hazard flammable trains, and require the posting of
11 signage representing the reduced speed zone, in an area
12 (i) beginning within a radius that can negatively impact a
13 school during the approach of a train carrying hazardous
14 substances and security-sensitive materials, including
15 high-hazard flammable trains, and (ii) extending within a
16 radius that can negatively impact a school during the
17 movement away from it of a train carrying hazardous
18 substances and security-sensitive materials, including
19 high-hazard flammable trains; and

20 (14) implement an Incident Command System as a
21 mandatory process to channel communication during the
22 release or explosion of a hazardous substance or
23 security-sensitive material and that shall govern the
24 command, control, and coordination of a comprehensive
25 emergency response plan's implementation during the
26 release or explosion of a hazardous substance or

1 security-sensitive material, specific to the needs of each
2 school within the Local Emergency Planning Committee's
3 region.

4 (e) The Illinois Emergency Management Agency and Office of
5 Homeland Security shall adopt any rules necessary to implement
6 the provisions of this Section, but only after consulting with
7 the State Board of Education on the rules to be adopted.

8 (f) In this Section:

9 "Comprehensive emergency response plan" means a set of
10 strategic and operational documents that define principles and
11 priorities, assign roles and responsibilities, and direct
12 action in all phases of emergency management. The purpose of a
13 comprehensive emergency response plan is to document emergency
14 planning specifically related to schools, school personnel,
15 and students that may potentially be impacted by the release
16 or explosion of a hazardous substance or security-sensitive
17 material resulting from its storage or transport. The
18 comprehensive emergency response plan may include, but shall
19 not be limited to:

20 (1) a regularly updated list of schools located within
21 each Local Emergency Planning Committee region that may
22 potentially be impacted from a release or explosion
23 resulting from the storage or transport of a hazardous
24 substance or security-sensitive material;

25 (2) methods and procedures to be followed by school
26 personnel and local emergency and medical personnel in

1 response to the release or explosion of a hazardous
2 substance or security-sensitive material;

3 (3) the designation of roles needed within the
4 region's Incident Command System;

5 (4) the identification of procedures that provide
6 reliable, effective, and timely notification to persons
7 designated in the comprehensive emergency response plan
8 and to the public that the release or explosion of a
9 hazardous substance or security-sensitive material has
10 occurred;

11 (5) the methods used for determining whether the
12 release or explosion of a hazardous substance or
13 security-sensitive material has occurred and any school
14 that will likely be negatively impacted by the release or
15 explosion;

16 (6) descriptions of emergency equipment in the region,
17 each school and relevant emergency facility in the region,
18 and emergency equipment located at each school and
19 relevant emergency facility in the region and the
20 identification of persons responsible for the equipment
21 and each school and relevant emergency facility;

22 (7) evacuation plans, including provisions for a
23 precautionary evacuation, alternative traffic routes, and
24 means for determining wind direction;

25 (8) training programs, including schedules for
26 emergency response and medical personnel; and

1 (9) methods and schedules for drills to exercise the
2 comprehensive emergency response plan.

3 "Drill" means an exercise for students and school
4 personnel to routinely review and practice emergency
5 organization and procedures and to identify necessary
6 facilities, equipment, routes, and safety zones in the event
7 of the release or explosion of a hazardous substance or
8 security-sensitive material.

9 "Hazardous substance" means a substance transported or
10 stored in a cumulative total of quantities greater than its
11 corresponding threshold planning quantity and is considered
12 severely harmful to human health and the environment, as
13 defined by the United States Environmental Protection Agency
14 under the federal Comprehensive Environmental Response,
15 Compensation, and Liability Act. "Hazardous substance" may
16 include, but is not limited to, any product's, substance's, or
17 waste's presence, use, manufacture, disposal, transportation,
18 or release, either by itself or in combination with other
19 materials, that is:

20 (1) potentially injurious to the public health,
21 safety, or welfare, the environment, or a school;

22 (2) regulated or monitored by any governmental
23 authority; or

24 (3) a basis for potential liability of a school to any
25 governmental agency or third party under any applicable
26 statute or common law theory.

1 "Hazardous substance" includes, but is not limited to,
2 radioactive materials, hydrocarbons, petroleum, gasoline, and
3 crude oil or any products, by-products, or fractions thereof.

4 "Security-sensitive materials" means materials within
5 hazardous proximity to schools that, as defined by the
6 Secretary of Homeland Security in consultation with the
7 Secretary of Transportation and determined through rulemaking
8 with opportunity for public comment, pose a significant risk
9 to national security while being transported or stored in
10 commerce due to the potential use of the material in an act of
11 terrorism.

12 "High-hazard flammable train" means any single train
13 transporting 20 or more loaded tank cars of a Class 3 flammable
14 liquid in a continuous block or any single train carrying 35 or
15 more loaded tank cars of a Class 3 flammable liquid throughout
16 the train.

17 "Route" means an established, plainly marked, and visible,
18 at all times, transition area for students, school personnel,
19 and other persons to move either on foot or by means of
20 appropriate transportation from an area contaminated by the
21 release or explosion of a hazardous substance to a safety
22 zone.

23 "Safety zone" means an established, plainly marked, and
24 visible, at all times, area that is free from actual or
25 potential contamination resulting from the release or
26 explosion of a hazardous substance and that may be safely used

1 as a planning and staging area.

2 "School" means any school or day care facility, either
3 public or private, that is located within a potential area
4 impacted by the release or explosion of a hazardous substance.

5 "Worst-case scenario" means an assessment of the greatest
6 extent of harm, including, but not limited to, personal harm,
7 environmental harm, and harm to property, caused by a release
8 or explosion, including both the largest quantity and the most
9 likely quantity, of a hazardous substance that may negatively
10 impact a school.