



Sen. Javier L. Cervantes

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10400SB1590sam001

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1 AMENDMENT TO SENATE BILL 1590

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1590 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Freedom of Information Act is amended by  
5 changing Section 7.5 as follows:

6 (5 ILCS 140/7.5)

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

10 (a) All information determined to be confidential  
11 under Section 4002 of the Technology Advancement and  
12 Development Act.

13 (b) Library circulation and order records identifying  
14 library users with specific materials under the Library  
15 Records Confidentiality Act.

16 (c) Applications, related documents, and medical

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

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

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

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

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

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

26 (i) Information contained in a local emergency energy

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

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

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

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

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

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

26 (o) Information that is prohibited from being

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

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

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

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

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

19 (t) (Blank).

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

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

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

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

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

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

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

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

1 Act.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 Human Rights Act.

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

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

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

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

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

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

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

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

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

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

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

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

8 (fff) Images from cameras under the Expressway Camera  
9 Act. This subsection (fff) is inoperative on and after  
10 July 1, 2025.

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

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

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

22 (jjj) Information exempt from disclosure under Section  
23 30 of the Insurance Data Security Law.

24 (kkk) Confidential business information prohibited  
25 from disclosure under Section 45 of the Paint Stewardship  
26 Act.

1           (l11) Data exempt from disclosure under Section  
2 2-3.196 of the School Code.

3           (mmm) Information prohibited from being disclosed  
4 under subsection (e) of Section 1-129 of the Illinois  
5 Power Agency Act.

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

9           (ooo) ~~(nnn)~~ Data or information provided pursuant to  
10 Section 20 of the Statewide Recycling Needs and Assessment  
11 Act.

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

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

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

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

22           (ttt) Information and documentary materials that are  
23 obtained by the Office of the Attorney General or a  
24 State's Attorney under Section 4 of the Consumer Fraud and  
25 Deceptive Business Practices Act and that are exempt from  
26 disclosure under Section 4.1 of that Act.

1 (Source: P.A. 102-36, eff. 6-25-21; 102-237, eff. 1-1-22;  
2 102-292, eff. 1-1-22; 102-520, eff. 8-20-21; 102-559, eff.  
3 8-20-21; 102-813, eff. 5-13-22; 102-946, eff. 7-1-22;  
4 102-1042, eff. 6-3-22; 102-1116, eff. 1-10-23; 103-8, eff.  
5 6-7-23; 103-34, eff. 6-9-23; 103-142, eff. 1-1-24; 103-372,  
6 eff. 1-1-24; 103-472, eff. 8-1-24; 103-508, eff. 8-4-23;  
7 103-580, eff. 12-8-23; 103-592, eff. 6-7-24; 103-605, eff.  
8 7-1-24; 103-636, eff. 7-1-24; 103-724, eff. 1-1-25; 103-786,  
9 eff. 8-7-24; 103-859, eff. 8-9-24; 103-991, eff. 8-9-24;  
10 103-1049, eff. 8-9-24; revised 11-26-24.)

11 Section 10. The Consumer Fraud and Deceptive Business  
12 Practices Act is amended by changing Section 4 and by adding  
13 Section 4.1 as follows:

14 (815 ILCS 505/4) (from Ch. 121 1/2, par. 264)

15 Sec. 4. To accomplish the objectives and to carry out the  
16 duties prescribed by this Act, the Attorney General, in  
17 addition to other powers conferred upon him by this Act, may  
18 issue subpoenas to any person, administer an oath or  
19 affirmation to any person, conduct hearings in aid of any  
20 investigation or inquiry, prescribe such forms, require  
21 written answers under oath to written interrogatories, and  
22 promulgate such rules and regulations as may be necessary,  
23 which rules and regulations shall have the force of law. To  
24 accomplish the objectives and to carry out the duties

1 prescribed by this Act, the State's Attorney of any county may  
2 issue subpoenas to any person.

3 (Source: P.A. 84-748.)

4 (815 ILCS 505/4.1 new)

5 Sec. 4.1. Confidential information. Information and  
6 documentary materials that are obtained by the Attorney  
7 General or a State's Attorney under Section 4 of this Act are  
8 exempt from disclosure under the Freedom of Information Act.  
9 This exemption shall apply to all information and documentary  
10 materials the Attorney General or a State's Attorney obtains  
11 through an investigation under this Act.

12 (1) Except as otherwise provided in this Section, no  
13 documentary materials, transcripts of oral testimony, or  
14 answers to interrogatories, or copies thereof, in the  
15 possession of the Attorney General shall be available for  
16 examination by any individual other than an authorized  
17 employee of the Attorney General or other law enforcement  
18 officials, federal, State, or local, without the consent  
19 of the person who produced the documentary materials,  
20 transcripts, or interrogatory answers. The Attorney  
21 General may provide copies of such documentary material,  
22 answers to written interrogatories, or transcripts of oral  
23 testimony to an official of this State, the federal  
24 government, or another state, who is charged with the  
25 enforcement of federal or state antitrust or consumer

1       protection laws, if before the disclosure the receiving  
2       official agrees in writing that the information may not be  
3       disclosed to anyone other than the official or the  
4       official's authorized employees.

5       (2) The Attorney General may, in the Attorney  
6       General's discretion, use information and documentary  
7       materials obtained in the course of an investigation  
8       pursuant to this Act for law enforcement purposes,  
9       including, but not limited to, interviewing or questioning  
10      potential witnesses and consultants, in a complaint or  
11      other pleading, and in court proceedings."