



Rep. Frances Ann Hurley

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1 AMENDMENT TO HOUSE BILL 2766

2 AMENDMENT NO. _____. Amend House Bill 2766 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the First
5 Responders Suicide Prevention Act.

6 Section 5. Definitions. In this Act:

7 "Emergency services provider" means any public employer
8 that employs persons to provide firefighting services.

9 "Emergency services personnel" means any employee of an
10 emergency services provider who is engaged in providing fire
11 fighting services.

12 "Employee assistance program" means a program established
13 by a law enforcement agency, emergency services provider,
14 union, or other entity providing counseling support,
15 referrals, information, or other social services to public
16 safety personnel or emergency services personnel.

1 "Law enforcement agency" means any county sheriff,
2 municipal police department, police department established by
3 a university, Department of State Police, Department of
4 Corrections, Department of Children and Family Services,
5 Division of Probation Services of the Supreme Court, the Office
6 of the Statewide 9-1-1 Administrator, and other local or county
7 agency comprised of county probation officers, corrections
8 employees, or 9-1-1 telecommunicators or emergency medical
9 dispatchers.

10 "Peer support counseling session" means communication with
11 a counselor through an employee assistance program or a trained
12 peer support counselor designated by the emergency services
13 provider or law enforcement agency.

14 "Public safety personnel" means any employee of a law
15 enforcement agency.

16 Section 10. Establishment of employee assistance program;
17 applicability. An emergency services provider, law enforcement
18 agency, union, or other entity providing counseling support,
19 referrals, information, or other social services to public
20 safety personnel or emergency services personnel that creates
21 an employee assistance program is subject to this Act. This Act
22 also applies to peer support counseling sessions conducted by
23 an employee or other person who: (1) has been designated by a
24 law enforcement agency or emergency services provider or by an
25 employee assistance program to act as a counselor; and (2) has

1 received training in counseling to provide emotional and moral
2 support to public safety personnel or emergency services
3 personnel who have been involved in emotionally traumatic
4 incidents by reason of their employment that may affect their
5 ability to execute their respective duties. An emergency
6 services provider or law enforcement agency shall give
7 appropriate training in counseling to provide emotional and
8 moral support to persons designated as a peer support
9 counselor. Emergency services personnel and public safety
10 personnel may refer any person to an employee assistance
11 program or peer support counselor within the emergency services
12 provider or law enforcement agency, or if those services are
13 not available within the agency, to another employee assistance
14 program or peer support counseling program that is available.

15 Section 20. Confidentiality; exemptions.

16 (a) Any communication made by a participant or counselor in
17 a peer support counseling session conducted by a law
18 enforcement agency or by an emergency services provider for
19 public safety personnel or emergency services personnel and any
20 oral or written information conveyed in the peer support
21 counseling session is confidential and may not be disclosed by
22 any person participating in the peer support counseling session
23 and shall not be released to any person or entity.

24 (b) Any communication relating to a peer support counseling
25 session made confidential under this Section that is made

1 between counselors, between counselors and the supervisors or
2 staff of an employee assistance program, or between the
3 supervisor or staff of an employee assistance program, is
4 confidential and may not be disclosed.

5 (c) This Section does not prohibit any communications
6 between counselors who conduct peer support counseling
7 sessions or any communications between counselors and the
8 supervisors or staff of an employee assistance program.

9 (c-5) Any communication described in subsection (a) or (b)
10 is subject to subpoena.

11 (d) This Section does not apply to:

12 (1) any threat of suicide or homicide made by a
13 participant in a peer counseling session or any information
14 conveyed in a peer support counseling session related to a
15 threat of suicide or homicide;

16 (2) any information relating to the abuse of children
17 or of the elderly or other information that is required to
18 be reported by law; or

19 (3) any admission of criminal conduct.

20 (e) All communications, notes, records, and reports
21 arising out of a peer support counseling session are not
22 subject to disclosure under Section 7.5 of the Freedom of
23 Information Act.

24 (f) A cause of action exists for public safety personnel or
25 emergency services personnel if the emergency services
26 provider or law enforcement agency uses confidential

1 information obtained during a confidential peer support
2 counseling session conducted by a law enforcement agency or by
3 an emergency services provider for an adverse employment action
4 against the participant.

5 Section 25. Judicial proceedings. Any oral communication
6 or written information made or conveyed by a participant or
7 counselor in a peer support session, including an employee
8 assistance program, is not admissible in any judicial
9 proceeding, arbitration proceeding, or other adjudicatory
10 proceeding, except to the extent necessary in an action
11 described in subsection (f) of Section 20.

12 Section 105. The Freedom of Information Act is amended by
13 changing Section 7.5 as follows:

14 (5 ILCS 140/7.5)

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

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

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

1 (c) Applications, related documents, and medical
2 records received by the Experimental Organ Transplantation
3 Procedures Board and any and all documents or other records
4 prepared by the Experimental Organ Transplantation
5 Procedures Board or its staff relating to applications it
6 has received.

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

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

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

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

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

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

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

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

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

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

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

1 (o) Information that is prohibited from being
2 disclosed under Section 4 of the Illinois Health and
3 Hazardous Substances Registry Act.

4 (p) Security portions of system safety program plans,
5 investigation reports, surveys, schedules, lists, data, or
6 information compiled, collected, or prepared by or for the
7 Regional Transportation Authority under Section 2.11 of
8 the Regional Transportation Authority Act or the St. Clair
9 County Transit District under the Bi-State Transit Safety
10 Act.

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

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

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

17 (t) All identified or deidentified health information
18 in the form of health data or medical records contained in,
19 stored in, submitted to, transferred by, or released from
20 the Illinois Health Information Exchange, and identified
21 or deidentified health information in the form of health
22 data and medical records of the Illinois Health Information
23 Exchange in the possession of the Illinois Health
24 Information Exchange Authority due to its administration
25 of the Illinois Health Information Exchange. The terms
26 "identified" and "deidentified" shall be given the same

1 meaning as in the Health Insurance Portability and
2 Accountability Act of 1996, Public Law 104-191, or any
3 subsequent amendments thereto, and any regulations
4 promulgated thereunder.

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

8 (v) Names and information of people who have applied
9 for or received Firearm Owner's Identification Cards under
10 the Firearm Owners Identification Card Act or applied for
11 or received a concealed carry license under the Firearm
12 Concealed Carry Act, unless otherwise authorized by the
13 Firearm Concealed Carry Act; and databases under the
14 Firearm Concealed Carry Act, records of the Concealed Carry
15 Licensing Review Board under the Firearm Concealed Carry
16 Act, and law enforcement agency objections under the
17 Firearm Concealed Carry Act.

18 (w) Personally identifiable information which is
19 exempted from disclosure under subsection (g) of Section
20 19.1 of the Toll Highway Act.

21 (x) Information which is exempted from disclosure
22 under Section 5-1014.3 of the Counties Code or Section
23 8-11-21 of the Illinois Municipal Code.

24 (y) Confidential information under the Adult
25 Protective Services Act and its predecessor enabling
26 statute, the Elder Abuse and Neglect Act, including

1 information about the identity and administrative finding
2 against any caregiver of a verified and substantiated
3 decision of abuse, neglect, or financial exploitation of an
4 eligible adult maintained in the Registry established
5 under Section 7.5 of the Adult Protective Services Act.

6 (z) Records and information provided to a fatality
7 review team or the Illinois Fatality Review Team Advisory
8 Council under Section 15 of the Adult Protective Services
9 Act.

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

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

14 (cc) Recordings made under the Law Enforcement
15 Officer-Worn Body Camera Act, except to the extent
16 authorized under that Act.

17 (dd) Information that is prohibited from being
18 disclosed under Section 45 of the Condominium and Common
19 Interest Community Ombudsperson Act.

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

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

24 (gg) Information that is prohibited from being
25 disclosed under Section 7-603.5 of the Illinois Vehicle
26 Code.

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

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

6 (jj) Information and reports that are required to be
7 submitted to the Department of Labor by registering day and
8 temporary labor service agencies but are exempt from
9 disclosure under subsection (a-1) of Section 45 of the Day
10 and Temporary Labor Services Act.

11 (kk) Information prohibited from disclosure under the
12 Seizure and Forfeiture Reporting Act.

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

16 (mm) ~~(ll)~~ Records that are exempt from disclosure under
17 Section 4.2 of the Crime Victims Compensation Act.

18 (nn) ~~(ll)~~ Information that is exempt from disclosure
19 under Section 70 of the Higher Education Student Assistance
20 Act.

21 (oo) Communications, notes, records, and reports
22 arising out of a peer support counseling session prohibited
23 from disclosure under the First Responders Suicide
24 Prevention Act.

25 (Source: P.A. 99-78, eff. 7-20-15; 99-298, eff. 8-6-15; 99-352,
26 eff. 1-1-16; 99-642, eff. 7-28-16; 99-776, eff. 8-12-16;

1 99-863, eff. 8-19-16; 100-20, eff. 7-1-17; 100-22, eff. 1-1-18;
2 100-201, eff. 8-18-17; 100-373, eff. 1-1-18; 100-464, eff.
3 8-28-17; 100-465, eff. 8-31-17; 100-512, eff. 7-1-18; 100-517,
4 eff. 6-1-18; 100-646, eff. 7-27-18; 100-690, eff. 1-1-19;
5 100-863, eff. 8-14-18; 100-887, eff. 8-14-18; revised
6 10-12-18.)

7 Section 107. The Department of Natural Resources Act is
8 amended by adding Section 1-31 as follows:

9 (20 ILCS 801/1-31 new)

10 Sec. 1-31. Possession of a Firearm Owner's Identification
11 Card. The Department shall not make possession of a Firearm
12 Owner's Identification Card a condition of continued
13 employment if the Conservation Police officer's Firearm
14 Owner's Identification Card is revoked or seized because the
15 Conservation Police officer has been a patient of a mental
16 health facility and the Conservation Police officer has not
17 been determined to pose a clear and present danger to himself,
18 herself, or others as determined by a physician, clinical
19 psychologist, or qualified examiner. Nothing in this Section
20 shall otherwise impair an employer's ability to determine a
21 Conservation Police officer's fitness for duty. A collective
22 bargaining agreement already in effect on this issue on the
23 effective date of this amendatory Act of the 101st General
24 Assembly cannot be modified, but on or after the effective date

1 of this amendatory Act of the 101st General Assembly, the
2 employer cannot require a Firearm Owner's Identification Card
3 as a condition of continued employment in a collective
4 bargaining agreement. The employer shall document if and why a
5 Conservation Police officer has been determined to pose a clear
6 and present danger.

7 Section 110. The Department of State Police Law of the
8 Civil Administrative Code of Illinois is amended by adding
9 Section 2605-610 as follows:

10 (20 ILCS 2605/2605-610 new)

11 Sec. 2605-610. Possession of a Firearm Owner's
12 Identification Card. The Department shall not make possession
13 of a Firearm Owner's Identification Card a condition of
14 continued employment if the State Police officer's Firearm
15 Owner's Identification Card is revoked or seized because the
16 State Police officer has been a patient of a mental health
17 facility and the State Police officer has not been determined
18 to pose a clear and present danger to himself, herself, or
19 others as determined by a physician, clinical psychologist, or
20 qualified examiner. Nothing in this Section shall otherwise
21 impair an employer's ability to determine a State Police
22 officer's fitness for duty. A collective bargaining agreement
23 already in effect on this issue on the effective date of this
24 amendatory Act of the 101st General Assembly cannot be

1 modified, but on or after the effective date of this amendatory
2 Act of the 101st General Assembly, the employer cannot require
3 a Firearm Owner's Identification Card as a condition of
4 continued employment in a collective bargaining agreement. The
5 employer shall document if and why a State Police officer has
6 been determined to pose a clear and present danger.

7 Section 115. The Illinois Police Training Act is amended by
8 changing Section 7 as follows:

9 (50 ILCS 705/7) (from Ch. 85, par. 507)

10 Sec. 7. Rules and standards for schools. The Board shall
11 adopt rules and minimum standards for such schools which shall
12 include, but not be limited to, the following:

13 a. The curriculum for probationary police officers
14 which shall be offered by all certified schools shall
15 include, but not be limited to, courses of procedural
16 justice, arrest and use and control tactics, search and
17 seizure, including temporary questioning, civil rights,
18 human rights, human relations, cultural competency,
19 including implicit bias and racial and ethnic sensitivity,
20 criminal law, law of criminal procedure, constitutional
21 and proper use of law enforcement authority, vehicle and
22 traffic law including uniform and non-discriminatory
23 enforcement of the Illinois Vehicle Code, traffic control
24 and accident investigation, techniques of obtaining

1 physical evidence, court testimonies, statements, reports,
2 firearms training, training in the use of electronic
3 control devices, including the psychological and
4 physiological effects of the use of those devices on
5 humans, first-aid (including cardiopulmonary
6 resuscitation), training in the administration of opioid
7 antagonists as defined in paragraph (1) of subsection (e)
8 of Section 5-23 of the Substance Use Disorder Act, handling
9 of juvenile offenders, recognition of mental conditions
10 and crises, including, but not limited to, the disease of
11 addiction, which require immediate assistance and response
12 and methods to safeguard and provide assistance to a person
13 in need of mental treatment, recognition of abuse, neglect,
14 financial exploitation, and self-neglect of adults with
15 disabilities and older adults, as defined in Section 2 of
16 the Adult Protective Services Act, crimes against the
17 elderly, law of evidence, the hazards of high-speed police
18 vehicle chases with an emphasis on alternatives to the
19 high-speed chase, and physical training. The curriculum
20 shall include specific training in techniques for
21 immediate response to and investigation of cases of
22 domestic violence and of sexual assault of adults and
23 children, including cultural perceptions and common myths
24 of sexual assault and sexual abuse as well as interview
25 techniques that are age sensitive and are trauma informed,
26 victim centered, and victim sensitive. The curriculum

1 shall include training in techniques designed to promote
2 effective communication at the initial contact with crime
3 victims and ways to comprehensively explain to victims and
4 witnesses their rights under the Rights of Crime Victims
5 and Witnesses Act and the Crime Victims Compensation Act.
6 The curriculum shall also include training in effective
7 recognition of and responses to stress, trauma, and
8 post-traumatic stress experienced by police officers that
9 is consistent with Section 25 of the Illinois Mental Health
10 First Aid Training Act in a peer setting. The curriculum
11 shall also include a block of instruction aimed at
12 identifying and interacting with persons with autism and
13 other developmental or physical disabilities, reducing
14 barriers to reporting crimes against persons with autism,
15 and addressing the unique challenges presented by cases
16 involving victims or witnesses with autism and other
17 developmental disabilities. The curriculum for permanent
18 police officers shall include, but not be limited to: (1)
19 refresher and in-service training in any of the courses
20 listed above in this subparagraph, (2) advanced courses in
21 any of the subjects listed above in this subparagraph, (3)
22 training for supervisory personnel, and (4) specialized
23 training in subjects and fields to be selected by the
24 board. The training in the use of electronic control
25 devices shall be conducted for probationary police
26 officers, including University police officers.

1 b. Minimum courses of study, attendance requirements
2 and equipment requirements.

3 c. Minimum requirements for instructors.

4 d. Minimum basic training requirements, which a
5 probationary police officer must satisfactorily complete
6 before being eligible for permanent employment as a local
7 law enforcement officer for a participating local
8 governmental agency. Those requirements shall include
9 training in first aid (including cardiopulmonary
10 resuscitation).

11 e. Minimum basic training requirements, which a
12 probationary county corrections officer must
13 satisfactorily complete before being eligible for
14 permanent employment as a county corrections officer for a
15 participating local governmental agency.

16 f. Minimum basic training requirements which a
17 probationary court security officer must satisfactorily
18 complete before being eligible for permanent employment as
19 a court security officer for a participating local
20 governmental agency. The Board shall establish those
21 training requirements which it considers appropriate for
22 court security officers and shall certify schools to
23 conduct that training.

24 A person hired to serve as a court security officer
25 must obtain from the Board a certificate (i) attesting to
26 his or her successful completion of the training course;

1 (ii) attesting to his or her satisfactory completion of a
2 training program of similar content and number of hours
3 that has been found acceptable by the Board under the
4 provisions of this Act; or (iii) attesting to the Board's
5 determination that the training course is unnecessary
6 because of the person's extensive prior law enforcement
7 experience.

8 Individuals who currently serve as court security
9 officers shall be deemed qualified to continue to serve in
10 that capacity so long as they are certified as provided by
11 this Act within 24 months of June 1, 1997 (the effective
12 date of Public Act 89-685). Failure to be so certified,
13 absent a waiver from the Board, shall cause the officer to
14 forfeit his or her position.

15 All individuals hired as court security officers on or
16 after June 1, 1997 (the effective date of Public Act
17 89-685) shall be certified within 12 months of the date of
18 their hire, unless a waiver has been obtained by the Board,
19 or they shall forfeit their positions.

20 The Sheriff's Merit Commission, if one exists, or the
21 Sheriff's Office if there is no Sheriff's Merit Commission,
22 shall maintain a list of all individuals who have filed
23 applications to become court security officers and who meet
24 the eligibility requirements established under this Act.
25 Either the Sheriff's Merit Commission, or the Sheriff's
26 Office if no Sheriff's Merit Commission exists, shall

1 establish a schedule of reasonable intervals for
2 verification of the applicants' qualifications under this
3 Act and as established by the Board.

4 g. Minimum in-service training requirements, which a
5 police officer must satisfactorily complete every 3 years.
6 Those requirements shall include constitutional and proper
7 use of law enforcement authority, procedural justice,
8 civil rights, human rights, mental health awareness and
9 response, and cultural competency.

10 h. Minimum in-service training requirements, which a
11 police officer must satisfactorily complete at least
12 annually. Those requirements shall include law updates and
13 use of force training which shall include scenario based
14 training, or similar training approved by the Board.

15 (Source: P.A. 99-352, eff. 1-1-16; 99-480, eff. 9-9-15; 99-642,
16 eff. 7-28-16; 99-801, eff. 1-1-17; 100-121, eff. 1-1-18;
17 100-247, eff. 1-1-18; 100-759, eff. 1-1-19; 100-863, eff.
18 8-14-18; 100-910, eff. 1-1-19; revised 9-28-19.)

19 Section 117. The Uniform Peace Officers' Disciplinary Act
20 is amended by changing Section 7.2 as follows:

21 (50 ILCS 725/7.2)

22 Sec. 7.2. Possession of a Firearm Owner's Identification
23 Card. An employer of an officer shall not make possession of a
24 Firearm Owner's Identification Card a condition of continued

1 employment if the officer's Firearm Owner's Identification
2 Card is revoked or seized because the officer has been a
3 patient of a mental health facility and the officer has not
4 been determined to pose a clear and present danger to himself,
5 herself, or others as determined by a physician, clinical
6 psychologist, or qualified examiner. Nothing in this Section
7 shall otherwise impair an employer's ability to determine an
8 officer's fitness for duty. On and after the effective date of
9 this amendatory Act of the 100th General Assembly, Section 6 of
10 this Act shall not apply to the prohibition requiring a Firearm
11 Owner's Identification Card as a condition of continued
12 employment, but a collective bargaining agreement already in
13 effect on that issue on the effective date of this amendatory
14 Act of the 100th General Assembly cannot be modified. The
15 employer shall document if and why an officer has been
16 determined to pose a clear and present danger.

17 (Source: P.A. 100-911, eff. 8-17-18.)

18 Section 120. The Illinois Fire Protection Training Act is
19 amended by changing Section 8 as follows:

20 (50 ILCS 740/8) (from Ch. 85, par. 538)

21 Sec. 8. Rules and minimum standards for schools. The Office
22 shall adopt rules and minimum standards for such schools which
23 shall include but not be limited to the following:

24 a. Minimum courses of study, resources, facilities,

1 apparatus, equipment, reference material, established
2 records and procedures as determined by the Office.

3 b. Minimum requirements for instructors.

4 c. Minimum basic training requirements, which a
5 trainee must satisfactorily complete before being eligible
6 for permanent employment as a firefighter ~~fire fighter~~ in
7 the fire department of a participating local governmental
8 agency. Those requirements shall include training in first
9 aid (including cardiopulmonary resuscitation) and training
10 in the administration of opioid antagonists as defined in
11 paragraph (1) of subsection (e) of Section 5-23 of the
12 Substance Use Disorder Act.

13 d. Training in effective recognition of and responses
14 to stress, trauma, and post-traumatic stress experienced
15 by firefighters that is consistent with Section 25 of the
16 Illinois Mental Health First Aid Training Act in a peer
17 setting.

18 (Source: P.A. 99-480, eff. 9-9-15; 100-759, eff. 1-1-19.)

19 Section 130. The Counties Code is amended by adding
20 Sections 3-6012.2 and 3-6050 as follows:

21 (55 ILCS 5/3-6012.2 new)

22 Sec. 3-6012.2. Mental health specialists; sheriff's
23 offices. For every 1,000 persons a sheriff's office employs,
24 that sheriff's office shall employ at least one mental health

1 specialist.

2 (55 ILCS 5/3-6050 new)

3 Sec. 3-6050. Possession of a Firearm Owner's
4 Identification Card. An employer of a law enforcement officer
5 shall not make possession of a Firearm Owner's Identification
6 Card a condition of continued employment if the law enforcement
7 officer's Firearm Owner's Identification Card is revoked or
8 seized because the law enforcement officer has been a patient
9 of a mental health facility and the law enforcement officer has
10 not been determined to pose a clear and present danger to
11 himself, herself, or others as determined by a physician,
12 clinical psychologist, or qualified examiner. Nothing in this
13 Section shall otherwise impair an employer's ability to
14 determine a law enforcement officer's fitness for duty. A
15 collective bargaining agreement already in effect on this issue
16 on the effective date of this amendatory Act of the 101st
17 General Assembly cannot be modified, but on or after the
18 effective date of this amendatory Act of the 101st General
19 Assembly, the employer cannot require a Firearm Owner's
20 Identification Card as a condition of continued employment in a
21 collective bargaining agreement. The employer shall document
22 if and why a law enforcement officer has been determined to
23 pose a clear and present danger.

24 Section 135. The Illinois Municipal Code is amended by

1 adding Sections 11-1-14 and 11-6-11 as follows:

2 (65 ILCS 5/11-1-14 new)

3 Sec. 11-1-14. Mental health specialists; police. The
4 corporate authorities of each municipality which has
5 established a police department shall require the employment of
6 at least one mental health specialist for every 1,000 persons
7 employed.

8 (65 ILCS 5/11-6-11 new)

9 Sec. 11-6-11. Mental health specialists; fire. The
10 corporate authorities of each municipality which has
11 established firefighting services shall require the employment
12 of at least one mental health specialist for every 1,000
13 persons employed.

14 Section 140. The Probation and Probation Officers Act is
15 amended by adding Section 19 as follows:

16 (730 ILCS 110/19 new)

17 Sec. 19. Possession of a Firearm Owner's Identification
18 Card. An employer of a probation officer shall not make
19 possession of a Firearm Owner's Identification Card a condition
20 of continued employment if the probation officer's Firearm
21 Owner's Identification Card is revoked or seized because the
22 probation officer has been a patient of a mental health

1 facility and the officer has not been determined to pose a
2 clear and present danger to himself, herself, or others as
3 determined by a physician, clinical psychologist, or qualified
4 examiner. Nothing in this Section shall otherwise impair an
5 employer's ability to determine a probation officer's fitness
6 for duty. A collective bargaining agreement already in effect
7 on this issue on the effective date of this amendatory Act of
8 the 101st General Assembly cannot be modified, but on or after
9 the effective date of this amendatory Act of the 101st General
10 Assembly, the employer cannot require a Firearm Owner's
11 Identification Card as a condition of continued employment in a
12 collective bargaining agreement. The employer shall document
13 if and why a probation officer has been determined to pose a
14 clear and present danger.

15 Section 999. Effective date. This Act takes effect upon
16 becoming law."