



Sen. Sara Feigenholtz

Filed: 4/8/2022

10200HB0260sam002

LRB102 02581 NLB 39014 a

1 AMENDMENT TO HOUSE BILL 260

2 AMENDMENT NO. _____. Amend House Bill 260 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 transmissible
9 disease or any information the disclosure of which is
10 restricted under the Illinois Sexually Transmissible
11 Disease 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. This subsection (n) shall
23 apply until the conclusion of the trial of the case, even
24 if the prosecution chooses not to pursue the death penalty
25 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.

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) All identified or deidentified health information
20 in the form of health data or medical records contained
21 in, stored in, submitted to, transferred by, or released
22 from the Illinois Health Information Exchange, and
23 identified or deidentified health information in the form
24 of health data and medical records of the Illinois Health
25 Information Exchange in the possession of the Illinois
26 Health Information Exchange Office due to its

1 administration of the Illinois Health Information
2 Exchange. The terms "identified" and "deidentified" shall
3 be given the same meaning as in the Health Insurance
4 Portability and Accountability Act of 1996, Public Law
5 104-191, or any subsequent amendments thereto, and any
6 regulations promulgated thereunder.

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

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

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

23 (w) Personally identifiable information which is
24 exempted from disclosure under subsection (g) of Section
25 19.1 of the Toll Highway Act.

26 (x) Information which is exempted from disclosure

1 under Section 5-1014.3 of the Counties Code or Section
2 8-11-21 of the Illinois Municipal Code.

3 (y) Confidential information under the Adult
4 Protective Services Act and its predecessor enabling
5 statute, the Elder Abuse and Neglect Act, including
6 information about the identity and administrative finding
7 against any caregiver of a verified and substantiated
8 decision of abuse, neglect, or financial exploitation of
9 an eligible adult maintained in the Registry established
10 under Section 7.5 of the Adult Protective Services Act.

11 (z) Records and information provided to a fatality
12 review team or the Illinois Fatality Review Team Advisory
13 Council under Section 15 of the Adult Protective Services
14 Act.

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

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

19 (cc) Recordings made under the Law Enforcement
20 Officer-Worn Body Camera Act, except to the extent
21 authorized under that Act.

22 (dd) Information that is prohibited from being
23 disclosed under Section 45 of the Condominium and Common
24 Interest Community Ombudsperson Act.

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

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

3 (gg) Information that is prohibited from being
4 disclosed under Section 7-603.5 of the Illinois Vehicle
5 Code.

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

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

11 (jj) Information and reports that are required to be
12 submitted to the Department of Labor by registering day
13 and temporary labor service agencies but are exempt from
14 disclosure under subsection (a-1) of Section 45 of the Day
15 and Temporary Labor Services Act.

16 (kk) Information prohibited from disclosure under the
17 Seizure and Forfeiture Reporting Act.

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

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

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

25 (oo) Communications, notes, records, and reports
26 arising out of a peer support counseling session

1 prohibited from disclosure under the First Responders
2 Suicide Prevention Act.

3 (pp) Names and all identifying information relating to
4 an employee of an emergency services provider or law
5 enforcement agency under the First Responders Suicide
6 Prevention Act.

7 (qq) Information and records held by the Department of
8 Public Health and its authorized representatives collected
9 under the Reproductive Health Act.

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

12 (ss) Data reported by an employer to the Department of
13 Human Rights pursuant to Section 2-108 of the Illinois
14 Human Rights Act.

15 (tt) Recordings made under the Children's Advocacy
16 Center Act, except to the extent authorized under that
17 Act.

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

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

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

25 (xx) Information that is exempt from disclosure or
26 information that shall not be made public under the

1 Illinois Insurance Code.

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

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

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

8 (bbb) ~~(ccc)~~ Information that is prohibited from
9 disclosure by the Illinois Police Training Act and the
10 Illinois State Police Act.

11 (ccc) ~~(ddd)~~ Records exempt from disclosure under
12 Section 2605-304 of the Illinois Department of State
13 Police Law of the Civil Administrative Code of Illinois.

14 (ddd) ~~(bbb)~~ Information prohibited from being
15 disclosed under Section 35 of the Address Confidentiality
16 for Victims of Domestic Violence, Sexual Assault, Human
17 Trafficking, or Stalking Act.

18 (eee) ~~(ddd)~~ Information prohibited from being
19 disclosed under subsection (b) of Section 75 of the
20 Domestic Violence Fatality Review Act.

21 (fff) Images from cameras under the Expressway Camera
22 Act. This subsection (fff) is inoperative on and after
23 July 1, 2023.

24 (Source: P.A. 101-13, eff. 6-12-19; 101-27, eff. 6-25-19;
25 101-81, eff. 7-12-19; 101-221, eff. 1-1-20; 101-236, eff.
26 1-1-20; 101-375, eff. 8-16-19; 101-377, eff. 8-16-19; 101-452,

1 eff. 1-1-20; 101-466, eff. 1-1-20; 101-600, eff. 12-6-19;
2 101-620, eff 12-20-19; 101-649, eff. 7-7-20; 101-652, eff.
3 1-1-22; 101-656, eff. 3-23-21; 102-36, eff. 6-25-21; 102-237,
4 eff. 1-1-22; 102-292, eff. 1-1-22; 102-520, eff. 8-20-21;
5 102-559, eff. 8-20-21; revised 10-5-21.)

6 Section 10. The Expressway Camera Act is amended by
7 changing Sections 5 and 90 and by adding Section 3 as follows:

8 (605 ILCS 140/3 new)

9 Sec. 3. Definitions. As used in this Act:

10 "Aggravated vehicular hijacking" has the meaning provided
11 in Section 18-4 of the Criminal Code of 2012.

12 "Authorized user" means a designated peace officer or
13 member of law enforcement personnel who has received training
14 in the review and use of images and associated technology.

15 "Expressway" has the meaning provided in Section 1-119.3
16 of the Illinois Vehicle Code.

17 "Forcible felony" means the following offenses: treason,
18 first degree murder, second degree murder, predatory criminal
19 sexual assault of a child, aggravated criminal sexual assault,
20 criminal sexual assault, robbery, burglary, residential
21 burglary, aggravated arson, arson, aggravated kidnaping,
22 kidnaping, and aggravated battery resulting in great bodily
23 harm or permanent disability or disfigurement.

24 "Terrorism" has the meaning provided in Section 29D-14.9

1 of the Criminal Code of 2012.

2 "Vehicular hijacking" has the meaning provided in Section
3 18-3 of the Criminal Code of 2012.

4 (605 ILCS 140/5)

5 (Section scheduled to be repealed on July 1, 2023)

6 Sec. 5. Camera program.

7 (a) The Illinois State Police, the Illinois Department of
8 Transportation, and the Illinois State Toll Highway Authority
9 shall work together to conduct a program to increase the
10 amount of cameras along expressways and Jean-Baptiste Pointe
11 DuSable Lake Shore Drive in Cook County. Within 90 days after
12 the effective date of this amendatory Act of the 102nd General
13 Assembly, details about the program objectives, counties where
14 the program is operational, and policies under which the
15 program operates shall be made publicly available and posted
16 online.

17 (b) Images from the cameras may be extracted ~~used~~ by any
18 authorized user and used by any municipal police department,
19 county sheriff's office, State Police officer, or other law
20 enforcement agency with jurisdiction ~~over the expressway in~~
21 ~~Cook County~~ in the investigation of any offenses involving
22 vehicular hijacking, aggravated vehicular hijacking,
23 terrorism, motor vehicle theft, or any forcible felony,
24 including, but not limited to, offenses ~~offense~~ involving the
25 use of a firearm; ~~and~~ to detect expressway hazards and highway

1 conditions; and to facilitate highway safety and incident
2 management. Images from the cameras shall not be used to
3 enforce petty offenses or offenses not listed in this
4 subsection, unless use of the images pertains to expressway or
5 highway safety or hazards. Images from the cameras may be used
6 by any law enforcement agency conducting an active law
7 enforcement investigation. All images from the cameras shall
8 be deleted within 120 days, unless the images are relevant to
9 an ongoing investigation or pending criminal trial. Cameras
10 shall not be used to monitor individuals or groups in a
11 discriminatory manner contrary to applicable State or federal
12 law.

13 (b-5) By June 30th of each year, the Illinois State
14 Police, the Illinois Department of Transportation, and the
15 Illinois State Toll Highway Authority shall issue a joint
16 report to the General Assembly detailing the program
17 operations, including, but not limited to:

18 (1) the cost of installation of cameras by county;

19 (2) the cost of ongoing maintenance of the camera
20 systems per county, including electrical costs and data
21 transfer costs;

22 (3) the number of inquiries where the investigation
23 involved the criminal offenses outlined in subsection (b);
24 and

25 (4) the number of incidents in which law enforcement
26 searched the stored data for the criminal offenses

1 outlined in subsection (b).

2 (c) Subject to appropriation, any funds needed to conduct
3 the program for use on expressways under the jurisdiction of
4 the Department of Transportation shall be taken from the Road
5 Fund.

6 (c-5) Any forcible felony, gunrunning, or firearms
7 trafficking offense, as defined in Section 2-8, 24-3a, or
8 24-3b of the Criminal Code of 2012, respectively, committed on
9 an expressway monitored by a camera system funded by money
10 from the Road Fund and investigated by officers of the
11 Illinois State Police may be prosecuted by the Attorney
12 General or the State's Attorney where the offense was
13 committed.

14 (d) (Blank). ~~As used in this Section, "expressway" has the~~
15 ~~meaning provided in Section 1-119.3 of the Illinois Vehicle~~
16 ~~Code.~~

17 (Source: P.A. 101-42, eff. 1-1-20.)

18 (605 ILCS 140/90)

19 (Section scheduled to be repealed on July 1, 2023)

20 Sec. 90. Repeal. This Act is repealed on July 1, 2025 ~~2023~~.

21 (Source: P.A. 101-42, eff. 1-1-20.)

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