

1 AN ACT concerning civil law.

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

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 (Text of Section before amendment by P.A. 103-472)

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

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

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

17 (c) Applications, related documents, and medical  
18 records received by the Experimental Organ Transplantation  
19 Procedures Board and any and all documents or other  
20 records prepared by the Experimental Organ Transplantation  
21 Procedures Board or its staff relating to applications it  
22 has received.

23 (d) Information and records held by the Department of

1 Public Health and its authorized representatives relating  
2 to known or suspected cases of sexually transmissible  
3 disease or any information the disclosure of which is  
4 restricted under the Illinois Sexually Transmissible  
5 Disease Control Act.

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

8 (f) Firm performance evaluations under Section 55 of  
9 the Architectural, Engineering, and Land Surveying  
10 Qualifications Based Selection Act.

11 (g) Information the disclosure of which is restricted  
12 and exempted under Section 50 of the Illinois Prepaid  
13 Tuition Act.

14 (h) Information the disclosure of which is exempted  
15 under the State Officials and Employees Ethics Act, and  
16 records of any lawfully created State or local inspector  
17 general's office that would be exempt if created or  
18 obtained by an Executive Inspector General's office under  
19 that Act.

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

24 (j) Information and data concerning the distribution  
25 of surcharge moneys collected and remitted by carriers  
26 under the Emergency Telephone System Act.

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

5           (l) Records and information provided to a residential  
6           health care facility resident sexual assault and death  
7           review team or the Executive Council under the Abuse  
8           Prevention Review Team Act.

9           (m) Information provided to the predatory lending  
10          database created pursuant to Article 3 of the Residential  
11          Real Property Disclosure Act, except to the extent  
12          authorized under that Article.

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

20          (o) Information that is prohibited from being  
21          disclosed under Section 4 of the Illinois Health and  
22          Hazardous Substances Registry Act.

23          (p) Security portions of system safety program plans,  
24          investigation reports, surveys, schedules, lists, data, or  
25          information compiled, collected, or prepared by or for the  
26          Department of Transportation under Sections 2705-300 and

1 2705-616 of the Department of Transportation Law of the  
2 Civil Administrative Code of Illinois, the Regional  
3 Transportation Authority under Section 2.11 of the  
4 Regional Transportation Authority Act, or the St. Clair  
5 County Transit District under the Bi-State Transit Safety  
6 Act (repealed).

7 (q) Information prohibited from being disclosed by the  
8 Personnel Record Review Act.

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

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

13 (t) (Blank).

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

17 (v) Names and information of people who have applied  
18 for or received Firearm Owner's Identification Cards under  
19 the Firearm Owners Identification Card Act or applied for  
20 or received a concealed carry license under the Firearm  
21 Concealed Carry Act, unless otherwise authorized by the  
22 Firearm Concealed Carry Act; and databases under the  
23 Firearm Concealed Carry Act, records of the Concealed  
24 Carry Licensing Review Board under the Firearm Concealed  
25 Carry Act, and law enforcement agency objections under the  
26 Firearm Concealed Carry Act.

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

4 (w) Personally identifiable information which is  
5 exempted from disclosure under subsection (g) of Section  
6 19.1 of the Toll Highway Act.

7 (x) Information which is exempted from disclosure  
8 under Section 5-1014.3 of the Counties Code or Section  
9 8-11-21 of the Illinois Municipal Code.

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

18 (z) Records and information provided to a fatality  
19 review team or the Illinois Fatality Review Team Advisory  
20 Council under Section 15 of the Adult Protective Services  
21 Act.

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

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

26 (cc) Recordings made under the Law Enforcement

1 Officer-Worn Body Camera Act, except to the extent  
2 authorized under that Act.

3 (dd) Information that is prohibited from being  
4 disclosed under Section 45 of the Condominium and Common  
5 Interest Community Ombudsperson Act.

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

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

10 (gg) Information that is prohibited from being  
11 disclosed under Section 7-603.5 of the Illinois Vehicle  
12 Code.

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

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

18 (jj) Information and reports that are required to be  
19 submitted to the Department of Labor by registering day  
20 and temporary labor service agencies but are exempt from  
21 disclosure under subsection (a-1) of Section 45 of the Day  
22 and Temporary Labor Services Act.

23 (kk) Information prohibited from disclosure under the  
24 Seizure and Forfeiture Reporting Act.

25 (ll) Information the disclosure of which is restricted  
26 and exempted under Section 5-30.8 of the Illinois Public

1 Aid Code.

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

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

6 (oo) Communications, notes, records, and reports  
7 arising out of a peer support counseling session  
8 prohibited from disclosure under the First Responders  
9 Suicide Prevention Act.

10 (pp) Names and all identifying information relating to  
11 an employee of an emergency services provider or law  
12 enforcement agency under the First Responders Suicide  
13 Prevention Act.

14 (qq) Information and records held by the Department of  
15 Public Health and its authorized representatives collected  
16 under the Reproductive Health Act.

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

19 (ss) Data reported by an employer to the Department of  
20 Human Rights pursuant to Section 2-108 of the Illinois  
21 Human Rights Act.

22 (tt) Recordings made under the Children's Advocacy  
23 Center Act, except to the extent authorized under that  
24 Act.

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

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

4           (wv) Information that is exempt from disclosure under  
5 Section 16.8 of the State Treasurer Act.

6           (xx) Information that is exempt from disclosure or  
7 information that shall not be made public under the  
8 Illinois Insurance Code.

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

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

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

15           (bbb) Information that is prohibited from disclosure  
16 by the Illinois Police Training Act and the Illinois State  
17 Police Act.

18           (ccc) Records exempt from disclosure under Section  
19 2605-304 of the Illinois State Police Law of the Civil  
20 Administrative Code of Illinois.

21           (ddd) Information prohibited from being disclosed  
22 under Section 35 of the Address Confidentiality for  
23 Victims of Domestic Violence, Sexual Assault, Human  
24 Trafficking, or Stalking Act.

25           (eee) Information prohibited from being disclosed  
26 under subsection (b) of Section 75 of the Domestic



1 Violence Fatality Review Act.

2 (fff) Images from cameras under the Expressway Camera  
3 Act. This subsection (fff) is inoperative on and after  
4 July 1, 2025.

5 (ggg) Information prohibited from disclosure under  
6 paragraph (3) of subsection (a) of Section 14 of the Nurse  
7 Agency Licensing Act.

8 (hhh) Information submitted to the Illinois State  
9 Police in an affidavit or application for an assault  
10 weapon endorsement, assault weapon attachment endorsement,  
11 .50 caliber rifle endorsement, or .50 caliber cartridge  
12 endorsement under the Firearm Owners Identification Card  
13 Act.

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

16 (jjj) ~~(hhh)~~ Information exempt from disclosure under  
17 Section 30 of the Insurance Data Security Law.

18 (kkk) ~~(iii)~~ Confidential business information  
19 prohibited from disclosure under Section 45 of the Paint  
20 Stewardship Act.

21 (lll) (Reserved).

22 (mmm) ~~(iii)~~ Information prohibited from being  
23 disclosed under subsection (e) of Section 1-129 of the  
24 Illinois Power Agency Act.

25 (nnn) Information that is exempt from disclosure under  
26 Section 28-11 of the Lawful Health Care Activity 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; 103-508, eff. 8-4-23; 103-580, eff. 12-8-23;  
7 revised 1-2-24.)

8 (Text of Section after amendment by P.A. 103-472)

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22 Center Act, except to the extent authorized under that  
23 Act.

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

26 (vv) Information that is exempt from disclosure under



1 subsections (f) and (j) of Section 5-36 of the Illinois  
2 Public Aid Code.

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

5 (xx) Information that is exempt from disclosure or  
6 information that shall not be made public under the  
7 Illinois Insurance Code.

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

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

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

14 (bbb) Information that is prohibited from disclosure  
15 by the Illinois Police Training Act and the Illinois State  
16 Police Act.

17 (ccc) Records exempt from disclosure under Section  
18 2605-304 of the Illinois State Police Law of the Civil  
19 Administrative Code of Illinois.

20 (ddd) Information prohibited from being disclosed  
21 under Section 35 of the Address Confidentiality for  
22 Victims of Domestic Violence, Sexual Assault, Human  
23 Trafficking, or Stalking Act.

24 (eee) Information prohibited from being disclosed  
25 under subsection (b) of Section 75 of the Domestic  
26 Violence Fatality Review Act.

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

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5 paragraph (3) of subsection (a) of Section 14 of the Nurse  
6 Agency Licensing Act.

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8 Police in an affidavit or application for an assault  
9 weapon endorsement, assault weapon attachment endorsement,  
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11 endorsement under the Firearm Owners Identification Card  
12 Act.

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

15 (jjj) ~~(hhh)~~ Information exempt from disclosure under  
16 Section 30 of the Insurance Data Security Law.

17 (kkk) ~~(iii)~~ Confidential business information  
18 prohibited from disclosure under Section 45 of the Paint  
19 Stewardship Act.

20 (lll) ~~(iii)~~ Data exempt from disclosure under Section  
21 2-3.196 of the School Code.

22 (mmm) ~~(iii)~~ Information prohibited from being  
23 disclosed under subsection (e) of Section 1-129 of the  
24 Illinois Power Agency Act.

25 (nnn) Information that is exempt from disclosure under  
26 Section 28-11 of the Lawful Health Care Activity 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; revised 1-2-24.)

8 Section 10. The Illinois Public Aid Code is amended by  
9 changing Section 11-15 as follows:

10 (305 ILCS 5/11-15) (from Ch. 23, par. 11-15)

11 Sec. 11-15. Application requirements.

12 (1) An application for financial aid shall be filed in  
13 writing by the person requesting aid and, in the case of a  
14 request for family aid, by the head of that family, except as  
15 otherwise permitted in paragraph (2). Applications for aid  
16 under Articles III, IV, and V shall be filed in writing with  
17 any local office of the Department of Human Services in the  
18 manner prescribed by the Department. Applications for aid  
19 under Article VI shall be filed in writing with the local  
20 governmental unit upon forms approved by the Department.

21 Each applicant shall provide information as to the amount  
22 of property, real and personal, owned by him or her within the  
23 period of time preceding the application as required under  
24 Sections 3-1.3, 4-1.11, and 5-2.1 of this Code. The applicant

1 shall also furnish information concerning all income, money  
2 contributions, and other support from any source, and the  
3 beneficiary and the amount or cash surrender or loan value of  
4 all insurance policies held by himself or herself or any  
5 member of his family for whom aid is requested.

6 (2) An application, in all instances to be in writing, may  
7 be filed in behalf of a person considered to be in need of  
8 financial aid under Articles III, IV, V, or VI only if the  
9 person

10 (a) has been adjudged to be under legal disability; or

11 (b) is unable because of minority or physical or  
12 mental disability, to execute the application; or

13 (c) in the case of need for funeral and burial, died  
14 before an application was filed and the application is  
15 filed not more than 30 days after the person's death,  
16 excluding the day on which the death occurred.

17 Applications in behalf of persons specified in (a) and (b)  
18 shall be filed by the applicant's legal guardian or, if a  
19 guardian has not been appointed or the applicant has no legal  
20 guardian or the guardian is not available, by a relative or  
21 other person, acceptable under the rules of the Illinois  
22 Department, who is able to furnish the required information.  
23 Applications in behalf of persons specified in (c) shall be  
24 filed by any next of kin of the deceased who is not under legal  
25 disability or, if there are no such next of kin or they are  
26 unknown or unavailable, by a person, acceptable under the

1 rules of the Illinois Department, who is able to furnish the  
2 required information.

3 Notwithstanding any other provision of this paragraph (2),  
4 a minor may sign and file an application on the minor's own  
5 behalf if the application is for the Article V family planning  
6 program established under Section 5-5 by Public Act 102-665.

7 (3) The application shall contain a written declaration to  
8 be signed by the applicant, or in behalf of the applicant by a  
9 person qualified under paragraph (2), in substantially the  
10 following form, the parenthetical references being applicable  
11 to an application filed by a person in behalf of the applicant:

12 "I declare under penalties of perjury that I have examined  
13 this form and all accompanying statements or documents  
14 pertaining to the income and resources of myself (the  
15 applicant) or any member of my family (the applicant's family)  
16 included in this application for aid, or pertaining to any  
17 other matter having bearing upon my (the applicant's)  
18 eligibility for aid, and to the best of my knowledge and belief  
19 the information supplied is true, correct, and complete".

20 (4) If an application for financial aid is filed for a  
21 family, and any person in that family is under 18 years of age,  
22 the application shall be accompanied by the following for each  
23 such person under 18 years of age:

- 24 (i) a copy of the person's birth certificate, or  
25 (ii) other reliable proof, as determined by the  
26 Department, of the person's identity and age.

1           The Illinois Department shall provide information to all  
2 families, orally by an intake worker and in writing when the  
3 application is filed, about the availability and location of  
4 immunization services.

5           (5) Once an applicant is determined eligible for aid, he  
6 or she has the right to request to have the case transferred to  
7 another local office of the Department of Human Services for  
8 his or her convenience based on one of the following factors:  
9 the location of his or her employer; the location of his or her  
10 child care provider; access to reliable transportation; or the  
11 location of a social service provider that he or she sees on a  
12 regular basis. Within 5 business days after the request for  
13 transfer, the Department shall transfer the case, assign a  
14 caseworker, make appropriate entries in the computer system,  
15 and issue a written notice to the recipient that includes the  
16 name of and contact information for the caseworker. The  
17 location of the recipient's case may be reconsidered on the  
18 recipient's request or at the time of redetermination of  
19 eligibility.

20           (Source: P.A. 96-867, eff. 1-1-11.)

21           Section 15. The Lawful Health Care Activity Act is amended  
22 by changing Section 28-10 and by adding Sections 28-11, 28-12,  
23 28-13, and 28-14 as follows:

24           (735 ILCS 40/28-10)

1           Sec. 28-10. Definitions. As used in this Act:

2           "Lawful health care" means:

3                 (1) reproductive health care that is not unlawful  
4                 under the laws of this State, including on any theory of  
5                 vicarious, joint, several, or conspiracy liability; or

6                 (2) the treatment of gender dysphoria or the  
7                 affirmation of an individual's gender identity or gender  
8                 expression, including, but not limited to, all supplies,  
9                 care, and services of a medical, behavioral health, mental  
10                health, surgical, psychiatric, therapeutic, diagnostic,  
11                preventative, rehabilitative, or supportive nature that is  
12                not unlawful under the laws of this State, including on  
13                any theory of vicarious, joint, several, or conspiracy  
14                liability.

15           "Lawful health care activity" means seeking, providing,  
16           receiving, assisting in seeking, providing, or receiving,  
17           providing material support for, or traveling to obtain lawful  
18           health care.

19           "Health records related to lawful health care" means  
20           records that identify a person who has sought or received  
21           lawful healthcare, including, but not limited to, information  
22           regarding an individual's medical history, mental or physical  
23           condition, or medical treatment or diagnosis by a healthcare  
24           professional, and insurance and billing records for medical  
25           care.

26           "Location information related to lawful health care" means

1 precise location information that could be reasonably used to  
2 identify a person's attempt to acquire or receive lawful  
3 health care, including, but not limited to, records of the  
4 location of a person's license plate, records of the location  
5 of a cell phone or other device that tracks location, or  
6 records of observations of a person's location when the  
7 location is near a provider of lawful health care.

8 "Reproductive health care" shall have the same meaning as  
9 Section 1-10 of the Reproductive Health Act.

10 "State" has the meaning given in Section 1-10 of the  
11 Reproductive Health Act.

12 (Source: P.A. 102-1117, eff. 1-13-23.)

13 (735 ILCS 40/28-11 new)

14 Sec. 28-11. Prohibited State actions.

15 (a) Unless otherwise necessary to comply with Illinois or  
16 federal law, the State shall not provide any information or  
17 expend or use any time, money, facilities, property,  
18 equipment, personnel, or other resources to assist any  
19 individual, or out-of-state officer, official, agency, entity,  
20 or department seeking to impose civil or criminal liability  
21 upon a person or entity for lawful healthcare activity.

22 (b) Location information related to lawful health care and  
23 health records related to lawful health care are confidential  
24 and exempt from disclosure under the Freedom of Information  
25 Act.



1       (c) This Section does not apply if an individual or  
2       out-of-state officer, official, agency, entity, or department  
3       is investigating conduct that would be subject to civil or  
4       criminal liability under the laws of Illinois.

5           (735 ILCS 40/28-12 new)

6       Sec. 28-12. Cause of action.

7       (a) Any party aggrieved by conduct or regulation in  
8       violation of Section 28-11 of this Act may bring a civil action  
9       in a federal district court or State circuit court against the  
10       offending unit of government. Any State claim brought in  
11       federal district court shall be a supplemental claim to a  
12       federal claim. Any action brought under this Act shall be  
13       commenced within 2 years after the cause of action was  
14       discovered.

15       (b) Upon motion, a court shall award reasonable attorney's  
16       fees, court costs, and litigation expenses, including expert  
17       witness fees and other litigation expenses, to a plaintiff who  
18       is a prevailing party in any action brought under this Act. In  
19       awarding reasonable attorney's fees, the court shall consider  
20       the degree to which the relief obtained relates to the relief  
21       sought.

22           (735 ILCS 40/28-13 new)

23       Sec. 28-13. Reservation of rights. Nothing in this Section  
24       shall be construed to narrow, restrict, or otherwise limit in

1 any way any rights, protections, or causes of action with  
2 respect to lawful health care, including, but not limited to,  
3 any rights, protections, or causes of action set forth in the  
4 Reproductive Health Act.

5 (735 ILCS 40/28-14 new)

6 Sec. 28-14. Home rule preemption. The regulation of lawful  
7 health care activity is an exclusive power and function of the  
8 State. A home rule unit may not regulate lawful health care  
9 activity. This Section is a denial and limitation of home rule  
10 powers and functions under subsection (h) of Section 6 of  
11 Article VII of the Illinois Constitution.

12 Section 95. No acceleration or delay. Where this Act makes  
13 changes in a statute that is represented in this Act by text  
14 that is not yet or no longer in effect (for example, a Section  
15 represented by multiple versions), the use of that text does  
16 not accelerate or delay the taking effect of (i) the changes  
17 made by this Act or (ii) provisions derived from any other  
18 Public Act.

19 Section 99. Effective date. This Act takes effect upon  
20 becoming law.