



Sen. Julie A. Morrison

Filed: 3/22/2024

10300SB0594sam001

LRB103 03066 AWJ 71259 a

1 AMENDMENT TO SENATE BILL 594

2 AMENDMENT NO. _____. Amend Senate Bill 594 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 (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.

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
4 records 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
3 local emergency energy plan ordinance that is adopted
4 under 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
23 Capital Crimes Litigation Act (repealed). This subsection
24 (n) shall apply until the conclusion of the trial of the
25 case, even if the prosecution chooses not to pursue the
26 death penalty prior 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 Department of Transportation under Sections 2705-300 and
8 2705-616 of the Department of Transportation Law of the
9 Civil Administrative Code of Illinois, the Regional
10 Transportation Authority under Section 2.11 of the
11 Regional Transportation Authority Act, or the St. Clair
12 County Transit District under the Bi-State Transit Safety
13 Act (repealed).

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

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

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

20 (t) (Blank).

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

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

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

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

11 (w) Personally identifiable information which is
12 exempted from disclosure under subsection (g) of Section
13 19.1 of the Toll Highway Act.

14 (x) Information which is exempted from disclosure
15 under Section 5-1014.3 of the Counties Code or Section
16 8-11-21 of the Illinois Municipal Code.

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

25 (z) Records and information provided to a fatality
26 review team or the Illinois Fatality Review Team Advisory

1 Council under Section 15 of the Adult Protective Services
2 Act.

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

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

7 (cc) Recordings or portions of recordings ~~made~~ under
8 the Law Enforcement Officer-Worn Body Camera Act, except
9 to the extent authorized under that Act.

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

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

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

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

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

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

25 (jj) Information and reports that are required to be
26 submitted to the Department of Labor by registering day

1 and temporary labor service agencies but are exempt from
2 disclosure under subsection (a-1) of Section 45 of the Day
3 and Temporary Labor Services Act.

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

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

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

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

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

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

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

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

26 (ss) Data reported by an employer to the Department of

1 Human Rights pursuant to Section 2-108 of the Illinois
2 Human Rights Act.

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

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

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

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

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

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

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

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

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

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

1 Administrative Code of Illinois.

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

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

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

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

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

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

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

25 (kkk) ~~(iii)~~ Confidential business information
26 prohibited from disclosure under Section 45 of the Paint

1 Stewardship Act.

2 (lll) (Reserved).

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

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

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

14 Sec. 7.5. Statutory exemptions. To the extent provided for
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21 Police Act.

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23 2605-304 of the Illinois State Police Law of the Civil
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7 Act. This subsection (fff) is inoperative on and after
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12 (hhh) Information submitted to the Illinois State
13 Police in an affidavit or application for an assault
14 weapon endorsement, assault weapon attachment endorsement,
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19 the School Safety Drill Act.

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

22 (kkk) ~~(iii)~~ Confidential business information
23 prohibited from disclosure under Section 45 of the Paint
24 Stewardship Act.

25 (lll) ~~(iii)~~ Data exempt from disclosure under Section
26 2-3.196 of the School Code.

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

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

11 Section 10. The Law Enforcement Officer-Worn Body Camera
12 Act is amended by changing Section 10-10 as follows:

13 (50 ILCS 706/10-10)

14 Sec. 10-10. Definitions. As used in this Act:

15 "Badge" means an officer's department issued
16 identification number associated with his or her position as a
17 police officer with that department.

18 "Board" means the Illinois Law Enforcement Training
19 Standards Board created by the Illinois Police Training Act.

20 "Business offense" means a petty offense for which the
21 fine is in excess of \$1,000.

22 "Community caretaking function" means a task undertaken by
23 a law enforcement officer in which the officer is performing
24 an articulable act unrelated to the investigation of a crime.

1 "Community caretaking function" includes, but is not limited
2 to, participating in town halls or other community outreach,
3 helping a child find his or her parents, providing death
4 notifications, and performing in-home or hospital well-being
5 checks on the sick, elderly, or persons presumed missing.

6 "Community caretaking function" excludes law
7 enforcement-related encounters or activities.

8 "Fund" means the Law Enforcement Camera Grant Fund.

9 "In uniform" means a law enforcement officer who is
10 wearing any officially authorized uniform designated by a law
11 enforcement agency, or a law enforcement officer who is
12 visibly wearing articles of clothing, a badge, tactical gear,
13 gun belt, a patch, or other insignia that he or she is a law
14 enforcement officer acting in the course of his or her duties.

15 A law enforcement officer is "in uniform" only when primarily
16 assigned to respond to law enforcement-related encounters or
17 activities and is not "in uniform" when primarily assigned to
18 other law enforcement duties that are not law
19 enforcement-related encounters or activities.

20 "Law enforcement officer" or "officer" means any person
21 employed by a State, county, municipality, special district,
22 college, unit of government, or any other entity authorized by
23 law to employ peace officers or exercise police authority and
24 who is primarily responsible for the prevention or detection
25 of crime and the enforcement of the laws of this State.

26 "Law enforcement agency" means all State agencies with law

1 enforcement officers, county sheriff's offices, municipal,
2 special district, college, or unit of local government police
3 departments.

4 "Law enforcement-related encounters or activities"
5 include, but are not limited to, traffic stops, pedestrian
6 stops, arrests, searches, interrogations, investigations,
7 pursuits, crowd control, traffic control, non-community
8 caretaking interactions with an individual while on patrol, or
9 any other instance in which the officer is enforcing the laws
10 of the municipality, county, or State. "Law
11 enforcement-related encounter or activities" does not include
12 when the officer is completing paperwork alone, is
13 participating in training in a classroom setting, or is only
14 in the presence of another law enforcement officer.

15 "Minor traffic offense" means a petty offense, business
16 offense, or Class C misdemeanor under the Illinois Vehicle
17 Code or a similar provision of a municipal or local ordinance.

18 "Officer-worn body camera" means an electronic camera
19 system for creating, generating, sending, receiving, storing,
20 displaying, and processing audiovisual recordings that may be
21 worn about the person of a law enforcement officer.

22 "Peace officer" has the meaning provided in Section 2-13
23 of the Criminal Code of 2012.

24 "Petty offense" means any offense for which a sentence of
25 imprisonment is not an authorized disposition.

26 "Recording" means the process of capturing data or

1 information stored on a recording medium as required under
2 this Act.

3 "Recording medium" means any recording medium authorized
4 by the Board for the retention and playback of recorded audio
5 and video including, but not limited to, VHS, DVD, hard drive,
6 cloud storage, solid state, digital, flash memory technology,
7 or any other electronic medium.

8 (Source: P.A. 102-1104, eff. 12-6-22.)

9 Section 15. The Law Enforcement Camera Grant Act is
10 amended by changing Section 10 as follows:

11 (50 ILCS 707/10)

12 Sec. 10. Law Enforcement Camera Grant Fund; creation,
13 rules.

14 (a) The Law Enforcement Camera Grant Fund is created as a
15 special fund in the State treasury. From appropriations to the
16 Board from the Fund, the Board must make grants to units of
17 local government in Illinois and Illinois public universities
18 for the purpose of (1) purchasing in-car video cameras for use
19 in law enforcement vehicles, (2) purchasing officer-worn body
20 cameras and associated technology for law enforcement
21 officers, and (3) training for law enforcement officers in the
22 operation of the cameras. Grants under this Section may be
23 used to offset data storage costs for officer-worn body
24 cameras. The grant funds may be used for the entire costs of

1 the officer-worn body camera program and contract, including
2 hardware, video management, software and licenses,
3 accessories, storage, maintenance costs warranty, training,
4 charging docks and data transfer devices and systems, and
5 mobile data costs.

6 Moneys received for the purposes of this Section,
7 including, without limitation, fee receipts and gifts, grants,
8 and awards from any public or private entity, must be
9 deposited into the Fund. Any interest earned on moneys in the
10 Fund must be deposited into the Fund.

11 (b) The Board may set requirements for the distribution of
12 grant moneys and determine which law enforcement agencies are
13 eligible.

14 (b-5) The Board shall consider compliance with the Uniform
15 Crime Reporting Act as a factor in awarding grant moneys.

16 (c) (Blank).

17 (d) (Blank).

18 (e) (Blank).

19 (f) (Blank).

20 (g) (Blank).

21 (h) (Blank).

22 (Source: P.A. 102-16, eff. 6-17-21; 102-1104, eff. 12-6-22.)

23 Section 95. No acceleration or delay. Where this Act makes
24 changes in a statute that is represented in this Act by text
25 that is not yet or no longer in effect (for example, a Section

1 represented by multiple versions), the use of that text does
2 not accelerate or delay the taking effect of (i) the changes
3 made by this Act or (ii) provisions derived from any other
4 Public Act.

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.".