



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB2644

Introduced 11/8/2023, by Sen. Julie A. Morrison

SYNOPSIS AS INTRODUCED:

15 ILCS 305/34 new

Amends the Secretary of State Act. Provides that the Secretary of State shall establish an electronic registry, to be known as the Advance Directive Registry, through which residents of the State of Illinois may deposit, with the Secretary of State, a completed Department of Public Health Uniform POLST form. Specifies that information in the Advance Directive Registry shall be made available to hospitals licensed under the Hospital Licensing Act and hospitals organized under the University of Illinois Hospital Act. Authorizes hospitals to rely on information obtained from the Advance Directive Registry as an accurate copy of the documents filed with the Advance Directive Registry. Directs the Secretary of State to adopt any rules necessary to implement the amendatory Act and to provide information on the Secretary of State's website regarding use of the Advance Directive Registry. Provides that, except in the case of gross negligence or willful misconduct, the Secretary of State and employees of the Secretary of State are immune from any civil or criminal liability in connection with the creation and maintenance of the Advance Directive Registry. Provides that a person who knowingly submits a document to the Advance Directive Registry without authorization or assists in such submission shall be guilty of a Class A misdemeanor.

LRB103 34708 JDS 64555 b

1 AN ACT concerning State government.

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

4 Section 5. The Secretary of State Act is amended by adding
5 Section 34 as follows:

6 (15 ILCS 305/34 new)

7 Sec. 34. Advance Directive Registry.

8 (a) The Secretary of State shall establish an electronic
9 registry, to be known as the Advance Directive Registry,
10 through which residents of the State of Illinois may deposit,
11 with the Secretary of State, a completed Department of Public
12 Health Uniform POLST form.

13 (b) Information in the Advance Directive Registry shall be
14 made available to hospitals licensed under the Hospital
15 Licensing Act and hospitals organized under the University of
16 Illinois Hospital Act, and those hospitals may rely on
17 information obtained from the Advance Directive Registry as an
18 accurate copy of the documents filed with the Advance
19 Directive Registry.

20 (c) Nothing in this Section shall limit the right to amend
21 or revoke a Department of Public Health Uniform POLST form
22 previously filed with the Advance Directive Registry.

23 (d) The Secretary of State shall adopt any rules necessary

1 to implement this amendatory Act of the 103rd General
2 Assembly, and the Secretary of State shall also provide on the
3 Secretary of State's website information regarding use of the
4 Advance Directive Registry.

5 (e) In the absence of gross negligence or willful
6 misconduct, the Secretary of State and employees of the
7 Secretary of State are immune from any civil or criminal
8 liability in connection with the creation and maintenance of
9 the Advance Directive Registry described in this Section.

10 (f) A person who knowingly submits a document to the
11 Advance Directive Registry without authorization or assists in
12 such submission shall be guilty of a Class A misdemeanor.