



Sen. Mike Porfirio

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1 AMENDMENT TO SENATE BILL 3240

2 AMENDMENT NO. _____. Amend Senate Bill 3240 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Civil Administrative Code of Illinois is
5 amended by changing Sections 5-15, 5-20, and 5-160 and by
6 adding Section 5-425 as follows:

7 (20 ILCS 5/5-15) (was 20 ILCS 5/3)

8 Sec. 5-15. Departments of State government. The
9 Departments of State government are created as follows:

10 The Department on Aging.

11 The Department of Agriculture.

12 The Department of Central Management Services.

13 The Department of Children and Family Services.

14 The Department of Commerce and Economic Opportunity.

15 The Department of Corrections.

16 The Department of Early Childhood.

1 The Department of Employment Security.

2 The Illinois Emergency Management Agency and Office of
3 Homeland Security.

4 The Department of Financial and Professional Regulation.

5 The Department of Healthcare and Family Services.

6 The Department of Human Rights.

7 The Department of Human Services.

8 The Department of Innovation and Technology.

9 The Department of Insurance.

10 The Department of Juvenile Justice.

11 The Department of Labor.

12 The Department of the Lottery.

13 The Department of Natural Resources.

14 The Department of Public Health.

15 The Department of Revenue.

16 The Illinois State Police.

17 The Department of Transportation.

18 The Department of Veterans' Affairs.

19 (Source: P.A. 102-538, eff. 8-20-21; 103-594, eff. 6-25-24.)

20 (20 ILCS 5/5-20) (was 20 ILCS 5/4)

21 Sec. 5-20. Heads of departments. Each department shall
22 have an officer as its head who shall be known as director or
23 secretary and who shall, subject to the provisions of the
24 Civil Administrative Code of Illinois, execute the powers and
25 discharge the duties vested by law in his or her respective

1 department.

2 The following officers are hereby created:

3 Director of Aging, for the Department on Aging.

4 Director of Agriculture, for the Department of
5 Agriculture.

6 Director of Central Management Services, for the
7 Department of Central Management Services.

8 Director of Children and Family Services, for the
9 Department of Children and Family Services.

10 Director of Commerce and Economic Opportunity, for the
11 Department of Commerce and Economic Opportunity.

12 Director of Corrections, for the Department of
13 Corrections.

14 Director of the Illinois Emergency Management Agency and
15 Office of Homeland Security, for the Illinois Emergency
16 Management Agency and Office of Homeland Security.

17 Secretary of Early Childhood, for the Department of Early
18 Childhood.

19 Director of Employment Security, for the Department of
20 Employment Security.

21 Secretary of Financial and Professional Regulation, for
22 the Department of Financial and Professional Regulation.

23 Director of Healthcare and Family Services, for the
24 Department of Healthcare and Family Services.

25 Director of Human Rights, for the Department of Human
26 Rights.

1 Secretary of Human Services, for the Department of Human
2 Services.

3 Secretary of Innovation and Technology, for the Department
4 of Innovation and Technology.

5 Director of Insurance, for the Department of Insurance.

6 Director of Juvenile Justice, for the Department of
7 Juvenile Justice.

8 Director of Labor, for the Department of Labor.

9 Director of the Lottery, for the Department of the
10 Lottery.

11 Director of Natural Resources, for the Department of
12 Natural Resources.

13 Director of Public Health, for the Department of Public
14 Health.

15 Director of Revenue, for the Department of Revenue.

16 Director of the Illinois State Police, for the Illinois
17 State Police.

18 Secretary of Transportation, for the Department of
19 Transportation.

20 Director of Veterans' Affairs, for the Department of
21 Veterans' Affairs.

22 (Source: P.A. 102-538, eff. 8-20-21; 103-594, eff. 6-25-24.)

23 (20 ILCS 5/5-160) (was 20 ILCS 5/5.13h)

24 Sec. 5-160. In the Illinois Emergency Management Agency
25 and Office of Homeland Security. Assistant Director of the

1 Emergency Management Agency and Office of Homeland Security.

2 (Source: P.A. 93-1029, eff. 8-25-04.)

3 (20 ILCS 5/5-425 new)

4 Sec. 5-425. In the Illinois Emergency Management Agency
5 and Office of Homeland Security. For terms beginning on or
6 after January 16, 2023, the Director shall receive an annual
7 salary of \$180,000 or as set by the Governor, whichever is
8 higher. On July 1, 2023, and on each July 1 thereafter, the
9 Director shall receive an increase in salary based on a cost of
10 living adjustment as authorized by Senate Joint Resolution 192
11 of the 86th General Assembly.

12 For terms beginning on or after January 16, 2023, the
13 Assistant Director of the Illinois Emergency Management Agency
14 and Office of Homeland Security shall receive an annual salary
15 of \$156,600 or as set by the Governor, whichever is higher. On
16 July 1, 2023, and on each July 1 thereafter, the Assistant
17 Director shall receive an increase in salary based on a cost of
18 living adjustment as authorized by Senate Joint Resolution 192
19 of the 86th General Assembly.

20 Section 10. The Illinois Emergency Management Agency Act
21 is amended by changing Sections 1, 2, 4, 5, 6, 7, 8, 10, 12,
22 14, 18, 20, and 23 and by adding Sections 24 and 25 as follows:

23 (20 ILCS 3305/1) (from Ch. 127, par. 1051)

1 Sec. 1. Short Title. This Act may be cited as the IEMA-OHS
2 ~~Illinois Emergency Management Agency~~ Act.

3 (Source: P.A. 87-168.)

4 (20 ILCS 3305/2) (from Ch. 127, par. 1052)

5 Sec. 2. Policy and purposes ~~Purposes~~.

6 (a) Because of the possibility of the occurrence of
7 disasters of unprecedented size and destructiveness resulting
8 from the explosion in this or in neighboring states of atomic
9 or other means from without or by means of sabotage or other
10 disloyal actions within, or from fire, flood, earthquake,
11 telecommunications failure, or other natural or technological
12 causes, and in order to insure that this State will be prepared
13 to and will adequately deal with any disasters, preserve the
14 lives and property of the people of this State and protect the
15 public peace, health, and safety in the event of a disaster, it
16 is found and declared to be necessary:

17 (1) To create a State emergency management and
18 homeland security agency ~~an Illinois Emergency Management~~
19 ~~Agency~~ and to authorize emergency management and homeland
20 security programs within the political subdivisions of the
21 State.

22 (2) To confer upon the Governor and upon the principal
23 executive officer of the political subdivisions of the
24 State the powers provided herein.

25 (3) To provide for the rendering of mutual aid among

1 the political subdivisions and taxing districts of the
2 State and with other states and with respect to the
3 carrying out of ~~an~~ emergency management and homeland
4 security programs ~~program~~.

5 (b) It is further declared to be the purpose of this Act
6 and the policy of the State that all emergency management and
7 homeland security programs of this State be coordinated to the
8 maximum extent with the comparable programs of the federal
9 government, including its various departments and agencies, of
10 other states and localities and private agencies of every
11 type, to the end that the most effective preparation and use
12 may be made of the nation's resources and facilities for
13 dealing with any disaster that may occur.

14 (Source: P.A. 87-168; 88-606, eff. 1-1-95.)

15 (20 ILCS 3305/4) (from Ch. 127, par. 1054)

16 Sec. 4. Definitions. As used in this Act, unless the
17 context clearly indicates otherwise, the following words and
18 terms have the meanings ascribed to them in this Section:

19 "Agency" or "IEMA-OHS" means the Illinois Emergency
20 Management Agency and Office of Homeland Security.

21 "Coordinator" means the staff assistant to the principal
22 executive officer of a political subdivision with the duty of
23 coordinating the emergency management programs of that
24 political subdivision.

25 "Cyber incident" means an event occurring on or conducted

1 through a computer network that actually or imminently
2 jeopardizes the integrity, confidentiality, or availability of
3 computers, information, or communications systems or networks,
4 physical or virtual infrastructure controlled by computers or
5 information systems, or information resident thereon that
6 affect or control infrastructure or communications networks
7 utilized by the public. "Cyber incident" includes a
8 vulnerability in information systems, system security
9 procedures, internal controls, or implementations that could
10 be exploited by a threat source that affect or control
11 infrastructure or communications networks utilized by the
12 public.

13 "Director" means the Director of the Illinois Emergency
14 Management Agency and Office of Homeland Security.

15 "Disaster" means an occurrence or threat of widespread or
16 severe damage, injury, or loss of life or property resulting
17 from any natural, technological, or human cause, including,
18 but not limited to fire, flood, earthquake, wind, storm,
19 hazardous materials spill or other water contamination
20 requiring emergency action to avert danger or damage,
21 epidemic, air contamination, blight, extended periods of
22 severe and inclement weather, drought, infestation, critical
23 shortages of essential fuels and energy, explosion, riot,
24 hostile military or paramilitary action, public health
25 emergencies, cyber incidents, or acts of domestic terrorism.

26 "Emergency management Management" means the efforts of the

1 State and the political subdivisions to develop, plan,
2 analyze, conduct, provide, implement, and maintain programs
3 for disaster mitigation, preparedness, response, and recovery.

4 "Emergency Services and Disaster Agency" means the agency
5 by this name, by the name Emergency Management Agency, or by
6 any other name that is established by ordinance within a
7 political subdivision to coordinate the emergency management
8 program within that political subdivision and with private
9 organizations, other political subdivisions, the State, and
10 federal governments.

11 "Emergency operations plan ~~Operations Plan~~" means the
12 written plan of the State and political subdivisions
13 describing the organization, mission, and functions of the
14 government and supporting services for responding to and
15 recovering from disasters and shall include plans that take
16 into account the needs of those individuals with household
17 pets and service animals following a major disaster or
18 emergency.

19 "Emergency services ~~Services~~" means the coordination of
20 functions by the State and its political subdivisions
21 ~~subdivision~~, other than functions for which military forces
22 are primarily responsible, as may be necessary or proper to
23 prevent, minimize, repair, and alleviate injury and damage
24 resulting from any natural or technological causes. These
25 functions include, without limitation, fire fighting services,
26 police services, emergency aviation services, medical and

1 health services, HazMat and technical rescue teams, rescue,
2 engineering, warning services, communications, radiological,
3 chemical and other special weapons defense, evacuation of
4 persons from stricken or threatened areas, emergency assigned
5 functions of plant protection, temporary restoration of public
6 utility services, and other functions related to civilian
7 protection, together with all other activities necessary or
8 incidental to protecting life or property.

9 "Exercise" means an event or activity delivered through
10 discussion or action to develop, assess, or validate
11 capabilities to achieve planned objectives. ~~a planned event~~
12 ~~realistically simulating a disaster, conducted for the purpose~~
13 ~~of evaluating the political subdivision's coordinated~~
14 ~~emergency management capabilities, including, but not limited~~
15 ~~to, testing the emergency operations plan.~~

16 "HazMat team" means a career or volunteer mobile support
17 team that has been authorized by a unit of local government to
18 respond to hazardous materials emergencies and that is
19 primarily designed for emergency response to chemical or
20 biological terrorism, radiological emergencies, hazardous
21 material spills, releases, or fires, or other contamination
22 events.

23 "Illinois Emergency Management Agency and Office of
24 Homeland Security" or "Agency" means the agency established by
25 this Act within the executive branch of State Government
26 responsible for coordination of the overall emergency

1 management and homeland security programs ~~program~~ of the State
2 and with private organizations, political subdivisions, and
3 the federal government. "Illinois Emergency Management Agency
4 and Office of Homeland Security" also means the State
5 Emergency Response Commission responsible for the
6 implementation of Title III of the Superfund Amendments and
7 Reauthorization Act of 1986.

8 "Interoperable communications" means communications,
9 including the exchange of voice data, and video on demand in
10 real time, by emergency response providers and relevant State
11 and local government agencies through a dedicated public
12 safety network using information technology systems and radio
13 communications systems.

14 "Mobile support team ~~Support Team~~" means a group of
15 individuals designated as a team by the Governor or Director
16 to train prior to and to be dispatched, if the Governor or the
17 Director so determines, to aid and reinforce the State and
18 political subdivision emergency management efforts in response
19 to a disaster.

20 "Municipality" means any city, village, and incorporated
21 town.

22 "Political subdivision ~~Subdivision~~" means any county,
23 city, village, or incorporated town or township if the
24 township is in a county having a population of more than
25 2,000,000.

26 "Principal executive officer ~~Executive Officer~~" means

1 chair of the county board, supervisor of a township if the
2 township is in a county having a population of more than
3 2,000,000, mayor of a city or incorporated town, president of
4 a village, or in their absence or disability, the interim
5 successor as established under Section 7 of the Emergency
6 Interim Executive Succession Act.

7 "Public health emergency" means an occurrence or imminent
8 threat of an illness or health condition that:

9 (a) is believed to be caused by any of the following:

10 (i) bioterrorism;

11 (ii) the appearance of a novel or previously
12 controlled or eradicated infectious agent or
13 biological toxin;

14 (iii) a natural disaster;

15 (iv) a chemical attack or accidental release; or

16 (v) a nuclear attack or accident; and

17 (b) poses a high probability of any of the following
18 harms:

19 (i) a large number of deaths in the affected
20 population;

21 (ii) a large number of serious or long-term
22 disabilities in the affected population; or

23 (iii) widespread exposure to an infectious or
24 toxic agent that poses a significant risk of
25 substantial future harm to a large number of people in
26 the affected population.

1 "Statewide mutual aid organization" means an entity with
2 local government members throughout the State that facilitates
3 temporary assistance through its members in a particular
4 public safety discipline, such as police, fire, or emergency
5 management, when an occurrence exceeds a member jurisdiction's
6 capabilities.

7 "Technical rescue team" means a career or volunteer mobile
8 support team that has been authorized by a unit of local
9 government to respond to building collapse, high angle rescue,
10 and other specialized rescue emergencies and that is primarily
11 designated for emergency response to technical rescue events.

12 (Source: P.A. 102-485, eff. 8-20-21.)

13 (20 ILCS 3305/5)

14 (Text of Section before amendment by P.A. 103-588 and
15 103-999)

16 Sec. 5. Illinois Emergency Management Agency and Office of
17 Homeland Security.

18 (a) Establishment of the Illinois Emergency Management
19 Agency and Office of Homeland Security. There is created
20 within the executive branch of the State Government an
21 Illinois Emergency Management Agency and Office of Homeland
22 Security and a Director of the Illinois Emergency Management
23 Agency and Office of Homeland Security, herein called the
24 "Director" who shall be the head of the Agency ~~thereof~~. The
25 Director shall be appointed by the Governor, with the advice

1 and consent of the Senate, and shall serve for a term of 2
2 years beginning on the third Monday in January of the
3 odd-numbered year, and until a successor is appointed and has
4 qualified; ~~except that the term of the first Director~~
5 ~~appointed under this Act shall expire on the third Monday in~~
6 ~~January, 1989. The Director shall not hold any other~~
7 ~~remunerative public office. For terms beginning after January~~
8 ~~18, 2019 (the effective date of Public Act 100 1179) and~~
9 ~~before January 16, 2023, the annual salary of the Director~~
10 ~~shall be as provided in Section 5-300 of the Civil~~
11 ~~Administrative Code of Illinois. Notwithstanding any other~~
12 ~~provision of law, for terms beginning on or after January 16,~~
13 ~~2023, the Director shall receive an annual salary of \$180,000~~
14 ~~or as set by the Governor, whichever is higher. On July 1,~~
15 ~~2023, and on each July 1 thereafter, the Director shall~~
16 ~~receive an increase in salary based on a cost of living~~
17 ~~adjustment as authorized by Senate Joint Resolution 192 of the~~
18 ~~86th General Assembly.~~

19 ~~For terms beginning on or after January 16, 2023, the~~
20 ~~Assistant Director of the Illinois Emergency Management Agency~~
21 ~~shall receive an annual salary of \$156,600 or as set by the~~
22 ~~Governor, whichever is higher. On July 1, 2023, and on each~~
23 ~~July 1 thereafter, the Assistant Director shall receive an~~
24 ~~increase in salary based on a cost of living adjustment as~~
25 ~~authorized by Senate Joint Resolution 192 of the 86th General~~
26 ~~Assembly.~~

1 (b) Agency personnel. The ~~Illinois Emergency Management~~
2 Agency shall obtain, under the provisions of the Personnel
3 Code, technical, clerical, stenographic, and other
4 administrative personnel, and may make expenditures within the
5 appropriation therefor as may be necessary to carry out the
6 purpose of this Act. ~~The agency created by this Act is intended~~
7 ~~to be a successor to the agency created under the Illinois~~
8 ~~Emergency Services and Disaster Agency Act of 1975 and the~~
9 ~~personnel, equipment, records, and appropriations of that~~
10 ~~agency are transferred to the successor agency as of June 30,~~
11 ~~1988 (the effective date of this Act).~~

12 (c) Responsibilities of the Director. The Director,
13 subject to the direction and control of the Governor, shall be
14 the executive head of the ~~Illinois Emergency Management~~ Agency
15 and the State Emergency Response Commission and shall be
16 responsible under the direction of the Governor, for carrying
17 out the programs ~~program~~ for emergency management, nuclear and
18 radiation safety, and homeland security of this State. The
19 Director shall also maintain liaison and cooperate with the
20 emergency management, nuclear and radiation safety, and
21 homeland security organizations of this State and other states
22 and of the federal government.

23 (d) Local emergency operations planning. The ~~Illinois~~
24 ~~Emergency Management~~ Agency shall take an integral part in the
25 development and revision of political subdivision emergency
26 operations plans prepared under paragraph (f) of Section 10.

1 To this end it shall employ or otherwise secure the services of
2 professional and technical personnel capable of providing
3 expert assistance to the emergency services and disaster
4 agencies. These personnel shall consult with emergency
5 services and disaster agencies on a regular basis and shall
6 make field examinations of the areas, circumstances, and
7 conditions that particular political subdivision emergency
8 operations plans are intended to apply.

9 (e) Local Emergency Planning Committee. The ~~Illinois~~
10 ~~Emergency Management~~ Agency and political subdivisions shall
11 be encouraged to form an emergency management advisory
12 committee composed of private and public personnel
13 representing the emergency management phases of mitigation,
14 preparedness, response, and recovery. The Local Emergency
15 Planning Committee, as created under the Illinois Emergency
16 Planning and Community Right to Know Act, shall serve as an
17 advisory committee to the emergency services and disaster
18 agency or agencies serving within the boundaries of that Local
19 Emergency Planning Committee planning district for:

20 (1) the development of emergency operations plan
21 provisions for hazardous chemical emergencies; and

22 (2) the assessment of emergency response capabilities
23 related to hazardous chemical emergencies.

24 (f) Emergency management responsibilities of the Agency.
25 The ~~Illinois Emergency Management~~ Agency shall:

26 (1) Coordinate the overall emergency management

1 program of the State.

2 (2) Cooperate with local governments, the federal
3 government, and any public or private agency or entity in
4 achieving any purpose of this Act and in implementing
5 emergency management programs for mitigation,
6 preparedness, response, and recovery.

7 (2.5) (Blank). ~~Develop a comprehensive emergency~~
8 ~~preparedness and response plan for any nuclear accident in~~
9 ~~accordance with Section 65 of the Nuclear Safety Law of~~
10 ~~2004 and in development of the Illinois Nuclear Safety~~
11 ~~Preparedness program in accordance with Section 8 of the~~
12 ~~Illinois Nuclear Safety Preparedness Act.~~

13 (2.6) Coordinate with the Department of Public Health
14 with respect to planning for and responding to public
15 health emergencies.

16 (3) Prepare, for issuance by the Governor, executive
17 orders, proclamations, and regulations as necessary or
18 appropriate in coping with disasters.

19 (4) Promulgate rules and requirements for political
20 subdivision emergency operations plans that are not
21 inconsistent with and are at least as stringent as
22 applicable federal laws and regulations.

23 (5) Review and approve, in accordance with ~~Illinois~~
24 ~~Emergency Management~~ Agency rules, emergency operations
25 plans for those political subdivisions required to have an
26 emergency services and disaster agency pursuant to this

1 Act.

2 (5.5) Promulgate rules and requirements for the
3 political subdivision emergency management exercises,
4 including, but not limited to, exercises of the emergency
5 operations plans.

6 (5.10) Review, evaluate, and approve, in accordance
7 with ~~Illinois Emergency Management~~ Agency rules, political
8 subdivision emergency management exercises for those
9 political subdivisions required to have an emergency
10 services and disaster agency pursuant to this Act.

11 (6) Determine requirements of the State and its
12 political subdivisions for food, clothing, and other
13 necessities in event of a disaster.

14 (7) Establish a register of persons with types of
15 emergency management training and skills in mitigation,
16 preparedness, response, and recovery.

17 (8) Establish a register of government and private
18 response resources available for use in a disaster.

19 (9) Expand the Earthquake Awareness Program and its
20 efforts to distribute earthquake preparedness materials to
21 schools, political subdivisions, community groups, civic
22 organizations, and the media. Emphasis will be placed on
23 those areas of the State most at risk from an earthquake.
24 Maintain the list of all school districts, hospitals,
25 airports, power plants, including nuclear power plants,
26 lakes, dams, emergency response facilities of all types,

1 and all other major public or private structures which are
2 at the greatest risk of damage from earthquakes under
3 circumstances where the damage would cause subsequent harm
4 to the surrounding communities and residents.

5 (10) Disseminate all information, completely and
6 without delay, on water levels for rivers and streams and
7 any other data pertaining to potential flooding supplied
8 by the Division of Water Resources within the Department
9 of Natural Resources to all political subdivisions to the
10 maximum extent possible.

11 (11) Develop agreements, if feasible, with medical
12 supply and equipment firms to supply resources as are
13 necessary to respond to an earthquake or any other
14 disaster as defined in this Act. These resources will be
15 made available upon notifying the vendor of the disaster.
16 Payment for the resources will be in accordance with
17 Section 7 of this Act. The Illinois Department of Public
18 Health shall determine which resources will be required
19 and requested.

20 (11.5) In coordination with the Illinois State Police,
21 develop and implement a community outreach program to
22 promote awareness among the State's parents and children
23 of child abduction prevention and response.

24 (12) Out of funds appropriated for these purposes,
25 award capital and non-capital grants to Illinois hospitals
26 or health care facilities located outside of a city with a

1 population in excess of 1,000,000 to be used for purposes
2 that include, but are not limited to, preparing to respond
3 to mass casualties and disasters, maintaining and
4 improving patient safety and quality of care, and
5 protecting the confidentiality of patient information. No
6 single grant for a capital expenditure shall exceed
7 \$300,000. No single grant for a non-capital expenditure
8 shall exceed \$100,000. In awarding such grants, preference
9 shall be given to hospitals that serve a significant
10 number of Medicaid recipients, but do not qualify for
11 disproportionate share hospital adjustment payments under
12 the Illinois Public Aid Code. To receive such a grant, a
13 hospital or health care facility must provide funding of
14 at least 50% of the cost of the project for which the grant
15 is being requested. In awarding such grants, ~~the Illinois~~
16 ~~Emergency Management~~ Agency shall consider the
17 recommendations of the Illinois Hospital Association.

18 (13) (Blank). ~~Do all other things necessary,~~
19 ~~incidental or appropriate for the implementation of this~~
20 ~~Act.~~

21 (g) School and campus grants. The ~~Illinois Emergency~~
22 ~~Management~~ Agency is authorized to make grants to various
23 higher education institutions, public K-12 school districts,
24 area vocational centers as designated by the State Board of
25 Education, inter-district special education cooperatives,
26 regional safe schools, and nonpublic K-12 schools for safety

1 and security improvements. For the purpose of this subsection
2 (g), "higher education institution" means a public university,
3 a public community college, or an independent, not-for-profit
4 or for-profit higher education institution located in this
5 State. Grants made under this subsection (g) shall be paid out
6 of moneys appropriated for that purpose from the Build
7 Illinois Bond Fund. The Illinois Emergency Management Agency
8 shall adopt rules to implement this subsection (g). These
9 rules may specify: (1) ~~(i)~~ the manner of applying for grants;
10 (2) ~~(ii)~~ project eligibility requirements; (3) ~~(iii)~~
11 restrictions on the use of grant moneys; (4) ~~(iv)~~ the manner in
12 which the various higher education institutions must account
13 for the use of grant moneys; and (5) ~~(v)~~ any other provision
14 that the Illinois Emergency Management Agency determines to be
15 necessary or useful for the administration of this subsection
16 (g).

17 (g-5) State not-for-profit security grants. The ~~Illinois~~
18 ~~Emergency Management~~ Agency is authorized to make grants to
19 not-for-profit organizations which are exempt from federal
20 income taxation under section 501(c)(3) of the Federal
21 Internal Revenue Code for eligible security improvements that
22 assist the organization in preventing, preparing for, or
23 responding to threats, attacks, or acts of terrorism. To be
24 eligible for a grant under the program, the Agency must
25 determine that the organization is at a high risk of being
26 subject to threats, attacks, or acts of terrorism based on the

1 organization's profile, ideology, mission, or beliefs.
2 Eligible security improvements shall include all eligible
3 preparedness activities under the federal Nonprofit Security
4 Grant Program, including, but not limited to, physical
5 security upgrades, security training exercises, preparedness
6 training exercises, contracting with security personnel, and
7 any other security upgrades deemed eligible by the Director.
8 Eligible security improvements shall not duplicate, in part or
9 in whole, a project included under any awarded federal grant
10 or in a pending federal application. The Director shall
11 establish procedures and forms by which applicants may apply
12 for a grant and procedures for distributing grants to
13 recipients. Any security improvements awarded shall remain at
14 the physical property listed in the grant application, unless
15 authorized by Agency rule or approved by the Agency in
16 writing. The procedures shall require each applicant to do the
17 following:

18 (1) identify and substantiate prior or current
19 threats, attacks, or acts of terrorism against the
20 not-for-profit organization;

21 (2) indicate the symbolic or strategic value of one or
22 more sites that renders the site a possible target of a
23 threat, attack, or act of terrorism;

24 (3) discuss potential consequences to the organization
25 if the site is damaged, destroyed, or disrupted by a
26 threat, attack, or act of terrorism;

1 (4) describe how the grant will be used to integrate
2 organizational preparedness with broader State and local
3 preparedness efforts, as described by the Agency in each
4 Notice of Opportunity for Funding;

5 (5) submit (i) a vulnerability assessment conducted by
6 experienced security, law enforcement, or military
7 personnel, or conducted using an Agency-approved or
8 federal Nonprofit Security Grant Program self-assessment
9 tool, and (ii) a description of how the grant award will be
10 used to address the vulnerabilities identified in the
11 assessment; and

12 (6) submit any other relevant information as may be
13 required by the Director.

14 The Agency is authorized to use funds appropriated for the
15 grant program described in this subsection (g-5) to administer
16 the program. Any Agency Notice of Opportunity for Funding,
17 proposed or final rulemaking, guidance, training opportunity,
18 or other resource related to the grant program must be
19 published on the Agency's publicly available website, and any
20 announcements related to funding shall be shared with all
21 State legislative offices, the Governor's office, emergency
22 services and disaster agencies mandated or required pursuant
23 to subsections (b) through (d) of Section 10, and any other
24 State agencies as determined by the Agency. Subject to
25 appropriation, the grant application period shall be open for
26 no less than 45 calendar days during the first application

1 cycle each fiscal year, unless the Agency determines that a
2 shorter period is necessary to avoid conflicts with the annual
3 federal Nonprofit Security Grant Program funding cycle.
4 Additional application cycles may be conducted during the same
5 fiscal year, subject to availability of funds. Upon request,
6 Agency staff shall provide reasonable assistance to any
7 applicant in completing a grant application or meeting a
8 post-award requirement.

9 (g-10) Homeland Security Advisor.

10 (1) A Homeland Security Advisor shall be appointed by
11 the Governor, by and with the advice and consent of the
12 Senate, shall report to the Governor. The Homeland
13 Security Advisor shall:

14 (A) advise the Governor or the Governor's
15 designees on matters of homeland security and
16 coordinate Illinois' homeland security and
17 preparedness efforts across all levels of government,
18 in order to protect the people and critical
19 infrastructure of Illinois;

20 (B) coordinate a uniform and cooperative
21 statewide, strategic response to homeland security
22 threats as defined by, and in the sole discretion of,
23 the Governor;

24 (C) coordinate and provide policy recommendations
25 to the Governor and other State agencies on all
26 matters pertaining to homeland security;

1 (D) utilize the expertise and assistance of all
2 State agencies, commissions, and boards to carry out
3 their mission in support of the State's homeland
4 security efforts; each State agency, commission, or
5 board shall be required, to the extent not
6 inconsistent with law, to cooperate with the Homeland
7 Security Advisor; to facilitate a unified State
8 strategy on matters of homeland security, all State
9 agencies, boards, and commissions shall provide
10 briefings to the Homeland Security Advisor regularly
11 and upon request;

12 (E) serve as the State's primary liaison with all
13 federal agencies pertaining to homeland security
14 matters for the State;

15 (F) consistent with the United States Department
16 of Homeland Security standard operating procedures and
17 guidance, oversee and approve security clearance
18 requests for State personnel sent to the federal
19 government for final adjudication; coordinate with the
20 Illinois State Police on such clearance requests for
21 law enforcement personnel; this subparagraph (F) shall
22 not apply to clearances issued by the Department of
23 Defense; and

24 (G) perform other duties related to homeland
25 security as directed by the Governor or the Governor's
26 designees.

1 (2) A Deputy Homeland Security Advisor, reporting to
2 the Homeland Security Advisor, shall be recommended by the
3 Homeland Security Advisor and appointed by the Governor by
4 and with the advice and consent of the Senate. The Deputy
5 Homeland Security Advisor shall:

6 (A) assume responsibilities of the Homeland
7 Security Advisor as needed or directed by the Governor
8 or Homeland Security Advisor;

9 (B) serve as the Deputy Director of the Office of
10 Homeland Security within the Agency;

11 (C) develop and execute the State's unified
12 homeland security strategy;

13 (D) serve as a representative of the Homeland
14 Security Advisor and the Agency's Office of Homeland
15 Security with all State agencies, commissions, and
16 boards for matters pertaining to homeland security;
17 and

18 (E) serve as a representative of the Homeland
19 Security Advisor and State with all federal agencies
20 for matters pertaining to homeland security.

21 (3) The Homeland Security Advisor or Deputy Homeland
22 Security Advisor shall provide briefings to the Governor
23 and Lieutenant Governor as directed.

24 (4) The Agency shall coordinate with and provide
25 administrative support for the Homeland Security Advisor
26 and house the State's Office of Homeland Security. The

1 Director shall coordinate with the Homeland Security
2 Advisor to ensure the duties and actions of the Office of
3 Homeland Security are aligned with the State's homeland
4 security strategic goals and priorities.

5 (g-15) Homeland Security responsibilities of the Agency.
6 The Agency, through its Office of Homeland Security, shall:

7 (1) support the Homeland Security Advisor in the
8 administration and coordination of homeland security and
9 preparedness efforts across all levels of government to
10 protect the people and critical infrastructure of
11 Illinois;

12 (2) oversee, plan, and distribute State and federal
13 funding for homeland security on the basis of risk,
14 threat, and vulnerability to ensure the most effective use
15 of limited resources, and guarantee that funds are used
16 for appropriate and necessary purposes;

17 (3) review all proposed State legislation pertaining
18 to homeland security matters and report to the Homeland
19 Security Advisor about such proposed legislation; review
20 existing legislation and recommend modifications,
21 amendments, or initiatives to support or enhance the
22 State's homeland security and preparedness capabilities;

23 (4) ensure the implementation of the strategic
24 response and policy recommendations of the Governor and
25 Homeland Security Advisor pertaining to all matters of
26 homeland security;

1 (5) coordinate with all State agencies, commissions,
2 and boards, regarding matters of homeland security;

3 (6) coordinate with the Illinois State Police to
4 provide the United States Department of Homeland Security
5 with relevant reporting metrics and data pertaining to the
6 State;

7 (7) develop, at the direction of the Homeland Security
8 Advisor, and in cooperation with the Illinois State Police
9 and other appropriate State agencies, appropriate
10 protocols, staffing, training, and equipment guidelines
11 for the weapons of mass destruction teams that the
12 Governor, or the Governor's designee, may deploy in the
13 event or threat of a disaster;

14 (8) lead the State's homeland security public
15 education and risk communication messaging; and

16 (9) adopt rules necessary for the implementation of
17 homeland security programs.

18 (g-20) Nuclear and radiation safety responsibilities of
19 the Agency. The Agency shall be responsible for nuclear and
20 radiation safety and shall:

21 (1) exercise, administer, and enforce all rights,
22 powers, and duties for nuclear and radiation safety
23 authorized in the Nuclear Safety Law of 2004 or successor
24 statutes;

25 (2) develop a comprehensive emergency preparedness and
26 response plan for any nuclear accident in accordance with

1 Section 65 of the Nuclear Safety Law of 2004 and an
2 Illinois nuclear safety preparedness program in accordance
3 with Section 8 of the Illinois Nuclear Safety Preparedness
4 Act or successor statutes; and

5 (3) have the right to enter on public and private
6 property in order to take environmental samples for
7 response to a disaster that reasonably could have caused
8 radioactive contamination.

9 (h) Donations and sponsorships. Except as provided in
10 Section 17.5 of this Act, any moneys received by the Agency
11 from donations or sponsorships unrelated to a disaster shall
12 be deposited in the Emergency Planning and Training Fund and
13 used by the Agency, subject to appropriation, to effectuate
14 planning and training activities. Any moneys received by the
15 Agency from donations during a disaster and intended for
16 disaster response or recovery shall be deposited into the
17 Disaster Response and Recovery Fund and used for disaster
18 response and recovery pursuant to the Disaster Relief Act.

19 (i) Conference fees. The ~~Illinois Emergency Management~~
20 Agency may, by rule, assess and collect reasonable fees for
21 attendance at Agency-sponsored conferences to enable the
22 Agency to carry out the requirements of this Act. Any moneys
23 received under this subsection shall be deposited in the
24 Emergency Planning and Training Fund and used by the Agency,
25 subject to appropriation, for planning and training
26 activities.

1 (j) Other grant-making powers. The ~~Illinois Emergency~~
2 ~~Management~~ Agency is authorized to make grants to other State
3 agencies, public universities, units of local government, and
4 statewide mutual aid organizations to enhance statewide
5 emergency preparedness and response.

6 (k) Subject to appropriation from the Emergency Planning
7 and Training Fund, the Illinois Emergency Management Agency
8 and Office of Homeland Security shall obtain training services
9 and support for local emergency services and support for local
10 emergency services and disaster agencies for training,
11 exercises, and equipment related to carbon dioxide pipelines
12 and sequestration, and, subject to the availability of
13 funding, shall provide \$5,000 per year to the Illinois Fire
14 Service Institute for first responder training required under
15 Section 4-615 of the Public Utilities Act. Amounts in the
16 Emergency Planning and Training Fund will be used by the
17 Illinois Emergency Management Agency and Office of Homeland
18 Security for administrative costs incurred in carrying out the
19 requirements of this subsection. To carry out the purposes of
20 this subsection, the Illinois Emergency Management Agency and
21 Office of Homeland Security may accept moneys from all
22 authorized sources into the Emergency Planning and Training
23 Fund, including, but not limited to, transfers from the Carbon
24 Dioxide Sequestration Administrative Fund and the Public
25 Utility Fund.

26 (Source: P.A. 102-16, eff. 6-17-21; 102-538, eff. 8-20-21;

1 102-813, eff. 5-13-22; 102-1115, eff. 1-9-23; 103-418, eff.
2 1-1-24; 103-651, eff. 7-18-24.)

3 (Text of Section after amendment by P.A. 103-588 and
4 103-999)

5 Sec. 5. Illinois Emergency Management Agency and Office of
6 Homeland Security.

7 (a) Establishment of the Illinois Emergency Management
8 Agency and Office of Homeland Security. There is created
9 within the executive branch of the State Government an
10 Illinois Emergency Management Agency and Office of Homeland
11 Security and a Director of the Illinois Emergency Management
12 Agency and Office of Homeland Security, herein called the
13 "Director" who shall be the head of the Agency thereof. The
14 Director shall be appointed by the Governor, with the advice
15 and consent of the Senate, and shall serve for a term of 2
16 years beginning on the third Monday in January of the
17 odd-numbered year, and until a successor is appointed and has
18 qualified; ~~except that the term of the first Director~~
19 ~~appointed under this Act shall expire on the third Monday in~~
20 ~~January, 1989. The Director shall not hold any other~~
21 ~~remunerative public office. For terms beginning after January~~
22 ~~18, 2019 (the effective date of Public Act 100-1179) and~~
23 ~~before January 16, 2023, the annual salary of the Director~~
24 ~~shall be as provided in Section 5-300 of the Civil~~
25 ~~Administrative Code of Illinois. Notwithstanding any other~~

1 ~~provision of law, for terms beginning on or after January 16,~~
2 ~~2023, the Director shall receive an annual salary of \$180,000~~
3 ~~or as set by the Governor, whichever is higher. On July 1,~~
4 ~~2023, and on each July 1 thereafter, the Director shall~~
5 ~~receive an increase in salary based on a cost of living~~
6 ~~adjustment as authorized by Senate Joint Resolution 192 of the~~
7 ~~86th General Assembly.~~

8 ~~For terms beginning on or after January 16, 2023, the~~
9 ~~Assistant Director of the Illinois Emergency Management Agency~~
10 ~~shall receive an annual salary of \$156,600 or as set by the~~
11 ~~Governor, whichever is higher. On July 1, 2023, and on each~~
12 ~~July 1 thereafter, the Assistant Director shall receive an~~
13 ~~increase in salary based on a cost of living adjustment as~~
14 ~~authorized by Senate Joint Resolution 192 of the 86th General~~
15 ~~Assembly.~~

16 (b) Agency personnel. The ~~Illinois Emergency Management~~
17 ~~Agency shall obtain, under the provisions of the Personnel~~
18 ~~Code, technical, clerical, stenographic, and other~~
19 ~~administrative personnel, and may make expenditures within the~~
20 ~~appropriation therefor as may be necessary to carry out the~~
21 ~~purpose of this Act. The agency created by this Act is intended~~
22 ~~to be a successor to the agency created under the Illinois~~
23 ~~Emergency Services and Disaster Agency Act of 1975 and the~~
24 ~~personnel, equipment, records, and appropriations of that~~
25 ~~agency are transferred to the successor agency as of June 30,~~
26 ~~1988 (the effective date of this Act).~~

1 (c) Responsibilities of the Director. The Director,
2 subject to the direction and control of the Governor, shall be
3 the executive head of the ~~Illinois Emergency Management~~ Agency
4 and the State Emergency Response Commission and shall be
5 responsible under the direction of the Governor, for carrying
6 out the programs ~~program~~ for emergency management, nuclear and
7 radiation safety, and homeland security of this State. The
8 Director shall also maintain liaison and cooperate with the
9 emergency management, nuclear and radiation safety, and
10 homeland security organizations of this State and other states
11 and of the federal government.

12 (d) Local emergency operations planning. The ~~Illinois~~
13 ~~Emergency Management~~ Agency shall take an integral part in the
14 development and revision of political subdivision emergency
15 operations plans prepared under paragraph (f) of Section 10.
16 To this end it shall employ or otherwise secure the services of
17 professional and technical personnel capable of providing
18 expert assistance to the emergency services and disaster
19 agencies. These personnel shall consult with emergency
20 services and disaster agencies on a regular basis and shall
21 make field examinations of the areas, circumstances, and
22 conditions that particular political subdivision emergency
23 operations plans are intended to apply.

24 (e) Local Emergency Planning Committee. The ~~Illinois~~
25 ~~Emergency Management~~ Agency and political subdivisions shall
26 be encouraged to form an emergency management advisory

1 committee composed of private and public personnel
2 representing the emergency management phases of mitigation,
3 preparedness, response, and recovery. The Local Emergency
4 Planning Committee, as created under the Illinois Emergency
5 Planning and Community Right to Know Act, shall serve as an
6 advisory committee to the emergency services and disaster
7 agency or agencies serving within the boundaries of that Local
8 Emergency Planning Committee planning district for:

9 (1) the development of emergency operations plan
10 provisions for hazardous chemical emergencies; and

11 (2) the assessment of emergency response capabilities
12 related to hazardous chemical emergencies.

13 (f) Emergency management responsibilities of the Agency.

14 ~~The Illinois Emergency Management Agency shall:~~

15 (1) Coordinate the overall emergency management
16 program of the State.

17 (2) Cooperate with local governments, the federal
18 government, and any public or private agency or entity in
19 achieving any purpose of this Act and in implementing
20 emergency management programs for mitigation,
21 preparedness, response, and recovery.

22 (2.5) (Blank). ~~Develop a comprehensive emergency~~
23 ~~preparedness and response plan for any nuclear accident in~~
24 ~~accordance with Section 65 of the Nuclear Safety Law of~~
25 ~~2004 and in development of the Illinois Nuclear Safety~~
26 ~~Preparedness program in accordance with Section 8 of the~~

1 ~~Illinois Nuclear Safety Preparedness Act.~~

2 (2.6) Coordinate with the Department of Public Health
3 with respect to planning for and responding to public
4 health emergencies.

5 (3) Prepare, for issuance by the Governor, executive
6 orders, proclamations, and regulations as necessary or
7 appropriate in coping with disasters.

8 (4) Promulgate rules and requirements for political
9 subdivision emergency operations plans that are not
10 inconsistent with and are at least as stringent as
11 applicable federal laws and regulations.

12 (5) Review and approve, in accordance with ~~Illinois~~
13 ~~Emergency Management~~ Agency rules, emergency operations
14 plans for those political subdivisions required to have an
15 emergency services and disaster agency pursuant to this
16 Act.

17 (5.5) Promulgate rules and requirements for the
18 political subdivision emergency management exercises,
19 including, but not limited to, exercises of the emergency
20 operations plans.

21 (5.10) Review, evaluate, and approve, in accordance
22 with ~~Illinois Emergency Management~~ Agency rules, political
23 subdivision emergency management exercises for those
24 political subdivisions required to have an emergency
25 services and disaster agency pursuant to this Act.

26 (6) Determine requirements of the State and its

1 political subdivisions for food, clothing, and other
2 necessities in event of a disaster.

3 (7) Establish a register of persons with types of
4 emergency management training and skills in mitigation,
5 preparedness, response, and recovery.

6 (8) Establish a register of government and private
7 response resources available for use in a disaster.

8 (9) Expand the Earthquake Awareness Program and its
9 efforts to distribute earthquake preparedness materials to
10 schools, political subdivisions, community groups, civic
11 organizations, and the media. Emphasis will be placed on
12 those areas of the State most at risk from an earthquake.
13 Maintain the list of all school districts, hospitals,
14 airports, power plants, including nuclear power plants,
15 lakes, dams, emergency response facilities of all types,
16 and all other major public or private structures which are
17 at the greatest risk of damage from earthquakes under
18 circumstances where the damage would cause subsequent harm
19 to the surrounding communities and residents.

20 (10) Disseminate all information, completely and
21 without delay, on water levels for rivers and streams and
22 any other data pertaining to potential flooding supplied
23 by the Division of Water Resources within the Department
24 of Natural Resources to all political subdivisions to the
25 maximum extent possible.

26 (11) Develop agreements, if feasible, with medical

1 supply and equipment firms to supply resources as are
2 necessary to respond to an earthquake or any other
3 disaster as defined in this Act. These resources will be
4 made available upon notifying the vendor of the disaster.
5 Payment for the resources will be in accordance with
6 Section 7 of this Act. The Illinois Department of Public
7 Health shall determine which resources will be required
8 and requested.

9 (11.5) In coordination with the Illinois State Police,
10 develop and implement a community outreach program to
11 promote awareness among the State's parents and children
12 of child abduction prevention and response.

13 (12) Out of funds appropriated for these purposes,
14 award capital and non-capital grants to Illinois hospitals
15 or health care facilities located outside of a city with a
16 population in excess of 1,000,000 to be used for purposes
17 that include, but are not limited to, preparing to respond
18 to mass casualties and disasters, maintaining and
19 improving patient safety and quality of care, and
20 protecting the confidentiality of patient information. No
21 single grant for a capital expenditure shall exceed
22 \$300,000. No single grant for a non-capital expenditure
23 shall exceed \$100,000. In awarding such grants, preference
24 shall be given to hospitals that serve a significant
25 number of Medicaid recipients, but do not qualify for
26 disproportionate share hospital adjustment payments under

1 the Illinois Public Aid Code. To receive such a grant, a
2 hospital or health care facility must provide funding of
3 at least 50% of the cost of the project for which the grant
4 is being requested. In awarding such grants, ~~the Illinois~~
5 ~~Emergency Management~~ Agency shall consider the
6 recommendations of the Illinois Hospital Association.

7 (13) (Blank). ~~Do all other things necessary,~~
8 ~~incidental or appropriate for the implementation of this~~
9 ~~Act.~~

10 (g) School and campus grants. The ~~Illinois Emergency~~
11 ~~Management~~ Agency is authorized to make grants to various
12 higher education institutions, public K-12 school districts,
13 area vocational centers as designated by the State Board of
14 Education, inter-district special education cooperatives,
15 regional safe schools, and nonpublic K-12 schools for safety
16 and security improvements. For the purpose of this subsection
17 (g), "higher education institution" means a public university,
18 a public community college, or an independent, not-for-profit
19 or for-profit higher education institution located in this
20 State. Grants made under this subsection (g) shall be paid out
21 of moneys appropriated for that purpose from the Build
22 Illinois Bond Fund. The Illinois Emergency Management Agency
23 shall adopt rules to implement this subsection (g). These
24 rules may specify: (1) ~~(i)~~ the manner of applying for grants;
25 (2) ~~(ii)~~ project eligibility requirements; (3) ~~(iii)~~
26 restrictions on the use of grant moneys; (4) ~~(iv)~~ the manner in

1 which the various higher education institutions must account
2 for the use of grant moneys; and (5) ~~(v)~~ any other provision
3 that the Illinois Emergency Management Agency determines to be
4 necessary or useful for the administration of this subsection
5 (g).

6 (g-5) State not-for-profit security grants. The ~~Illinois~~
7 ~~Emergency Management~~ Agency is authorized to make grants to
8 not-for-profit organizations which are exempt from federal
9 income taxation under section 501(c)(3) of the Federal
10 Internal Revenue Code for eligible security improvements that
11 assist the organization in preventing, preparing for, or
12 responding to threats, attacks, or acts of terrorism. To be
13 eligible for a grant under the program, the Agency must
14 determine that the organization is at a high risk of being
15 subject to threats, attacks, or acts of terrorism based on the
16 organization's profile, ideology, mission, or beliefs.
17 Eligible security improvements shall include all eligible
18 preparedness activities under the federal Nonprofit Security
19 Grant Program, including, but not limited to, physical
20 security upgrades, security training exercises, preparedness
21 training exercises, contracting with security personnel, and
22 any other security upgrades deemed eligible by the Director.
23 Eligible security improvements shall not duplicate, in part or
24 in whole, a project included under any awarded federal grant
25 or in a pending federal application. The Director shall
26 establish procedures and forms by which applicants may apply

1 for a grant and procedures for distributing grants to
2 recipients. Any security improvements awarded shall remain at
3 the physical property listed in the grant application, unless
4 authorized by Agency rule or approved by the Agency in
5 writing. The procedures shall require each applicant to do the
6 following:

7 (1) identify and substantiate prior or current
8 threats, attacks, or acts of terrorism against the
9 not-for-profit organization;

10 (2) indicate the symbolic or strategic value of one or
11 more sites that renders the site a possible target of a
12 threat, attack, or act of terrorism;

13 (3) discuss potential consequences to the organization
14 if the site is damaged, destroyed, or disrupted by a
15 threat, attack, or act of terrorism;

16 (4) describe how the grant will be used to integrate
17 organizational preparedness with broader State and local
18 preparedness efforts, as described by the Agency in each
19 Notice of Opportunity for Funding;

20 (5) submit (i) a vulnerability assessment conducted by
21 experienced security, law enforcement, or military
22 personnel, or conducted using an Agency-approved or
23 federal Nonprofit Security Grant Program self-assessment
24 tool, and (ii) a description of how the grant award will be
25 used to address the vulnerabilities identified in the
26 assessment; and

1 (6) submit any other relevant information as may be
2 required by the Director.

3 The Agency is authorized to use funds appropriated for the
4 grant program described in this subsection (g-5) to administer
5 the program. Any Agency Notice of Opportunity for Funding,
6 proposed or final rulemaking, guidance, training opportunity,
7 or other resource related to the grant program must be
8 published on the Agency's publicly available website, and any
9 announcements related to funding shall be shared with all
10 State legislative offices, the Governor's office, emergency
11 services and disaster agencies mandated or required pursuant
12 to subsections (b) through (d) of Section 10, and any other
13 State agencies as determined by the Agency. Subject to
14 appropriation, the grant application period shall be open for
15 no less than 45 calendar days during the first application
16 cycle each fiscal year, unless the Agency determines that a
17 shorter period is necessary to avoid conflicts with the annual
18 federal Nonprofit Security Grant Program funding cycle.
19 Additional application cycles may be conducted during the same
20 fiscal year, subject to availability of funds. Upon request,
21 Agency staff shall provide reasonable assistance to any
22 applicant in completing a grant application or meeting a
23 post-award requirement.

24 In addition to any advance payment rules or procedures
25 adopted by the Agency, the Agency shall adopt rules or
26 procedures by which grantees under this subsection (g-5) may

1 receive a working capital advance of initial start-up costs
2 and up to 2 months of program expenses, not to exceed 25% of
3 the total award amount, if, during the application process,
4 the grantee demonstrates a need for funds to commence a
5 project. The remaining funds must be paid through
6 reimbursement after the grantee presents sufficient supporting
7 documentation of expenditures for eligible activities.

8 (g-10) Homeland Security Advisor.

9 (1) A Homeland Security Advisor shall be appointed by
10 the Governor, by and with the advice and consent of the
11 Senate, shall report to the Governor. The Homeland
12 Security Advisor shall:

13 (A) advise the Governor or the Governor's
14 designees on matters of homeland security and
15 coordinate Illinois' homeland security and
16 preparedness efforts across all levels of government,
17 in order to protect the people and critical
18 infrastructure of Illinois;

19 (B) coordinate a uniform and cooperative
20 statewide, strategic response to homeland security
21 threats as defined by, and in the sole discretion of,
22 the Governor;

23 (C) coordinate and provide policy recommendations
24 to the Governor and other State agencies on all
25 matters pertaining to homeland security;

26 (D) utilize the expertise and assistance of all

1 State agencies, commissions, and boards to carry out
2 their mission in support of the State's homeland
3 security efforts; each State agency, commission, or
4 board shall be required, to the extent not
5 inconsistent with law, to cooperate with the Homeland
6 Security Advisor; to facilitate a unified State
7 strategy on matters of homeland security, all State
8 agencies, boards, and commissions shall provide
9 briefings to the Homeland Security Advisor regularly
10 and upon request;

11 (E) serve as the State's primary liaison with all
12 federal agencies pertaining to homeland security
13 matters for the State;

14 (F) consistent with the United States Department
15 of Homeland Security standard operating procedures and
16 guidance, oversee and approve security clearance
17 requests for State personnel sent to the federal
18 government for final adjudication; coordinate with the
19 Illinois State Police on such clearance requests for
20 law enforcement personnel; this subparagraph (F) shall
21 not apply to clearances issued by the Department of
22 Defense; and

23 (G) perform other duties related to homeland
24 security as directed by the Governor or the Governor's
25 designees.

26 (2) A Deputy Homeland Security Advisor, reporting to

1 the Homeland Security Advisor, shall be recommended by the
2 Homeland Security Advisor and appointed by the Governor by
3 and with the advice and consent of the Senate. The Deputy
4 Homeland Security Advisor shall:

5 (A) assume responsibilities of the Homeland
6 Security Advisor as needed or directed by the Governor
7 or Homeland Security Advisor;

8 (B) serve as the Deputy Director of the Office of
9 Homeland Security within the Agency;

10 (C) develop and execute the State's unified
11 homeland security strategy;

12 (D) serve as a representative of the Homeland
13 Security Advisor and the Agency's Office of Homeland
14 Security with all State agencies, commissions, and
15 boards for matters pertaining to homeland security;
16 and

17 (E) serve as a representative of the Homeland
18 Security Advisor and State with all federal agencies
19 for matters pertaining to homeland security.

20 (3) The Homeland Security Advisor or Deputy Homeland
21 Security Advisor shall provide briefings to the Governor
22 and Lieutenant Governor as directed.

23 (4) The Agency shall coordinate with and provide
24 administrative support for the Homeland Security Advisor
25 and house the State's Office of Homeland Security. The
26 Director shall coordinate with the Homeland Security

1 Advisor to ensure the duties and actions of the Office of
2 Homeland Security are aligned with the State's homeland
3 security strategic goals and priorities.

4 (g-15) Homeland Security responsibilities of the Agency.
5 The Agency, through its Office of Homeland Security, shall:

6 (1) support the Homeland Security Advisor in the
7 administration and coordination of homeland security and
8 preparedness efforts across all levels of government to
9 protect the people and critical infrastructure of
10 Illinois;

11 (2) oversee, plan, and distribute State and federal
12 funding for homeland security on the basis of risk,
13 threat, and vulnerability to ensure the most effective use
14 of limited resources, and guarantee that funds are used
15 for appropriate and necessary purposes;

16 (3) review all proposed State legislation pertaining
17 to homeland security matters and report to the Homeland
18 Security Advisor about such proposed legislation; review
19 existing legislation and recommend modifications,
20 amendments, or initiatives to support or enhance the
21 State's homeland security and preparedness capabilities;

22 (4) ensure the implementation of the strategic
23 response and policy recommendations of the Governor and
24 Homeland Security Advisor pertaining to all matters of
25 homeland security;

26 (5) coordinate with all State agencies, commissions,

1 and boards, regarding matters of homeland security;

2 (6) coordinate with the Illinois State Police to
3 provide the United States Department of Homeland Security
4 with relevant reporting metrics and data pertaining to the
5 State;

6 (7) develop, at the direction of the Homeland Security
7 Advisor, and in cooperation with the Illinois State Police
8 and other appropriate State agencies, appropriate
9 protocols, staffing, training, and equipment guidelines
10 for the weapons of mass destruction teams that the
11 Governor, or the Governor's designee, may deploy in the
12 event or threat of a disaster;

13 (8) lead the State's homeland security public
14 education and risk communication messaging; and

15 (9) adopt rules necessary for the implementation of
16 homeland security programs.

17 (g-20) Nuclear and radiation safety responsibilities of
18 the Agency. The Agency shall be responsible for nuclear and
19 radiation safety and shall:

20 (1) exercise, administer, and enforce all rights,
21 powers, and duties for nuclear and radiation safety
22 authorized in the Nuclear Safety Law of 2004 or successor
23 statutes;

24 (2) develop a comprehensive emergency preparedness and
25 response plan for any nuclear accident in accordance with
26 Section 65 of the Nuclear Safety Law of 2004 and an

1 Illinois nuclear safety preparedness program in accordance
2 with Section 8 of the Illinois Nuclear Safety Preparedness
3 Act or successor statutes; and

4 (3) have the right to enter on public and private
5 property in order to take environmental samples for
6 response to a disaster that reasonably could have caused
7 radioactive contamination.

8 (h) Donations and sponsorships. Except as provided in
9 Section 17.5 of this Act, any moneys received by the Agency
10 from donations or sponsorships unrelated to a disaster shall
11 be deposited in the Emergency Planning and Training Fund and
12 used by the Agency, subject to appropriation, to effectuate
13 planning and training activities. Any moneys received by the
14 Agency from donations during a disaster and intended for
15 disaster response or recovery shall be deposited into the
16 Disaster Response and Recovery Fund and used for disaster
17 response and recovery pursuant to the Disaster Relief Act.

18 (i) Conference fees. The ~~Illinois Emergency Management~~
19 Agency may, by rule, assess and collect reasonable fees for
20 attendance at Agency-sponsored conferences to enable the
21 Agency to carry out the requirements of this Act. Any moneys
22 received under this subsection shall be deposited in the
23 Emergency Planning and Training Fund and used by the Agency,
24 subject to appropriation, for planning and training
25 activities.

26 (j) Other grant-making powers. The ~~Illinois Emergency~~

1 ~~Management~~ Agency is authorized to make grants to other State
2 agencies, public universities, units of local government, and
3 statewide mutual aid organizations to enhance statewide
4 emergency preparedness and response.

5 (k) Subject to appropriation from the Emergency Planning
6 and Training Fund, the Illinois Emergency Management Agency
7 and Office of Homeland Security shall obtain training services
8 and support for local emergency services and support for local
9 emergency services and disaster agencies for training,
10 exercises, and equipment related to carbon dioxide pipelines
11 and sequestration, and, subject to the availability of
12 funding, shall provide \$5,000 per year to the Illinois Fire
13 Service Institute for first responder training required under
14 Section 4-615 of the Public Utilities Act. Amounts in the
15 Emergency Planning and Training Fund will be used by the
16 Illinois Emergency Management Agency and Office of Homeland
17 Security for administrative costs incurred in carrying out the
18 requirements of this subsection. To carry out the purposes of
19 this subsection, the Illinois Emergency Management Agency and
20 Office of Homeland Security may accept moneys from all
21 authorized sources into the Emergency Planning and Training
22 Fund, including, but not limited to, transfers from the Carbon
23 Dioxide Sequestration Administrative Fund and the Public
24 Utility Fund.

25 (l) ~~(k)~~ The Agency shall do all other things necessary,
26 incidental, or appropriate for the implementation of this Act,

1 including the adoption of rules in accordance with the
2 Illinois Administrative Procedure Act.

3 (Source: P.A. 102-16, eff. 6-17-21; 102-538, eff. 8-20-21;
4 102-813, eff. 5-13-22; 102-1115, eff. 1-9-23; 103-418, eff.
5 1-1-24; 103-588, eff. 1-1-25; 103-651, eff. 7-18-24; 103-999,
6 eff. 1-1-25; revised 10-9-24.)

7 (20 ILCS 3305/6) (from Ch. 127, par. 1056)

8 Sec. 6. Emergency management powers ~~Management Powers~~ of
9 the Governor.

10 (a) The Governor shall have general direction and control
11 of the ~~Illinois Emergency Management~~ Agency and shall be
12 responsible for the carrying out of the provisions of this
13 Act.

14 (b) In performing duties under this Act, the Governor is
15 authorized to cooperate with the federal government and with
16 other states in all matters pertaining to emergency
17 management, nuclear and radiation safety, and homeland
18 security.

19 (c) In performing duties under this Act, the Governor is
20 further authorized:

21 (1) To make, amend, and rescind all lawful necessary
22 orders, rules, and regulations to carry out the provisions
23 of this Act within the limits of the authority conferred
24 upon the Governor.

25 (2) To cause to be prepared ~~a~~ comprehensive plans ~~plan~~

1 and programs ~~program~~ for the emergency management, nuclear
2 and radiation safety, and homeland security of this State,
3 which plans and programs ~~plan and program~~ shall be
4 integrated into and coordinated with emergency management,
5 nuclear and radiation safety, and homeland security plans
6 and programs of the federal government and of other states
7 whenever possible and which plans and programs ~~plan and~~
8 ~~program~~ may include:

9 a. Mitigation of injury and damage caused by
10 disaster.

11 b. Prompt and effective response to disaster.

12 c. Emergency relief.

13 d. Identification of areas particularly vulnerable
14 to disasters.

15 e. Recommendations for zoning, building, and other
16 land-use controls, safety measures for securing
17 permanent structures, and other mitigation measures
18 designed to eliminate or reduce disasters or their
19 impact.

20 f. Assistance to political subdivisions in
21 designing emergency operations plans.

22 g. Authorization and procedures for the erection
23 or other construction of temporary works designed to
24 mitigate danger, damage, or loss from flood, or other
25 disaster.

26 h. Preparation and distribution to the appropriate

1 State and political subdivision officials of a State
2 catalog of federal, State, and private assistance
3 programs.

4 i. Organization of State personnel and chains of
5 command.

6 j. Coordination of federal, State, and political
7 subdivision emergency management, nuclear and
8 radiation safety, and homeland security activities.

9 k. Other necessary matters.

10 (3) In accordance with the plans ~~plan~~ and programs
11 ~~program~~ for the emergency management, nuclear and
12 radiation safety, and homeland security of this State, and
13 out of funds appropriated for these purposes, to procure
14 and preposition supplies, medicines, materials, and
15 equipment, to institute training programs and public
16 information programs, and to take all other preparatory
17 steps including the partial or full mobilization of
18 emergency services and disaster agencies in advance of
19 actual disaster to insure the furnishing of adequately
20 trained and equipped forces for disaster response and
21 recovery.

22 (4) Out of funds appropriated for these purposes, to
23 make studies and surveys of the industries, resources, and
24 facilities in this State as may be necessary to ascertain
25 the capabilities of the State for emergency management
26 phases of mitigation, preparedness, response, and recovery

1 and to plan for the most efficient emergency use thereof.

2 (5) On behalf of this State, to negotiate for and
3 submit to the General Assembly for its approval or
4 rejection reciprocal mutual aid agreements or compacts
5 with other states, either on a statewide or political
6 subdivision basis. The agreements or compacts~~7~~ shall be
7 limited to the furnishing or exchange of food, clothing,
8 medical,l or other supplies;i ~~7~~ engineering and police
9 services; emergency housing and feeding; National and
10 State Guards while under the control of the State; health,
11 medical, and related services; and fire fighting, rescue,
12 transportation, communication, and construction services
13 and equipment, provided, however, that if the General
14 Assembly be not in session and the Governor has not
15 proclaimed the existence of a disaster under this Section,
16 then the agreements or compacts shall instead be submitted
17 to an Interim Committee on Emergency Management composed
18 of 5 Senators appointed by the President of the Senate and
19 of 5 Representatives appointed by the Speaker of the
20 House, during the month of June of each odd-numbered year
21 to serve for a 2-year ~~2-year~~ term, beginning July 1 of that
22 year, and until their successors are appointed and
23 qualified, or until termination of their legislative
24 service, whichever first occurs. Vacancies shall be filled
25 by appointment for the unexpired term in the same manner
26 as original appointments. All appointments shall be made

1 in writing and filed with the Secretary of State as a
2 public record. The Committee shall have the power to
3 approve or reject any agreements or compacts for and on
4 behalf of the General Assembly; and, provided further,
5 that an affirmative vote of 2/3 of the members of the
6 Committee shall be necessary for the approval of any
7 agreement or compact.

8 (Source: P.A. 92-73, eff. 1-1-02.)

9 (20 ILCS 3305/7) (from Ch. 127, par. 1057)

10 Sec. 7. Emergency powers ~~Powers~~ of the Governor. In the
11 event of a disaster, as defined in Section 4, the Governor may,
12 by proclamation, declare that a disaster exists. Upon such
13 proclamation, the Governor shall have and may exercise for a
14 period not to exceed 30 days the following emergency powers;
15 provided, however, that the lapse of the emergency powers
16 shall not, as regards any act or acts occurring or committed
17 within the 30-day period, deprive any person, firm,
18 corporation, political subdivision, or body politic of any
19 right or rights to compensation or reimbursement which he,
20 she, it, or they may have under the provisions of this Act:

21 (1) To suspend the provisions of any regulatory
22 statute prescribing procedures for conduct of State
23 business, or the orders, rules, and regulations of any
24 State agency, if strict compliance with the provisions of
25 any statute, order, rule, or regulation would in any way

1 prevent, hinder, or delay necessary action, including
2 emergency purchases, by the ~~Illinois Emergency Management~~
3 Agency, in coping with the disaster.

4 (2) To utilize all available resources of the State
5 government as reasonably necessary to cope with the
6 disaster and of each political subdivision of the State.

7 (3) To transfer the direction, personnel, or functions
8 of State departments and agencies or units thereof for the
9 purpose of performing or facilitating disaster response
10 and recovery programs.

11 (4) On behalf of this State to take possession of, and
12 to acquire full title or a lesser specified interest in,
13 any personal property as may be necessary to accomplish
14 the objectives set forth in Section 2 of this Act,
15 including: airplanes, automobiles, trucks, trailers,
16 buses, and other vehicles; coal, oils, gasoline, and other
17 fuels and means of propulsion; explosives, materials,
18 equipment, and supplies; animals and livestock; feed and
19 seed; food and provisions for humans and animals; clothing
20 and bedding; and medicines and medical and surgical
21 supplies; and to take possession of and for a limited
22 period occupy and use any real estate necessary to
23 accomplish those objectives; but only upon the undertaking
24 by the State to pay just compensation therefor as in this
25 Act provided, and then only under the following
26 provisions:

1 a. The Governor, or the person or persons as the
2 Governor may authorize so to do, may forthwith take
3 possession of property for and on behalf of the State;
4 provided, however, that the Governor or persons shall
5 simultaneously with the taking, deliver to the owner
6 or his or her agent, if the identity of the owner or
7 agency is known or readily ascertainable, a signed
8 statement in writing, that shall include the name and
9 address of the owner, the date and place of the taking,
10 description of the property sufficient to identify it,
11 a statement of interest in the property that is being
12 so taken, and, if possible, a statement in writing,
13 signed by the owner, setting forth the sum that he or
14 she is willing to accept as just compensation for the
15 property or use. Whether or not the owner or agent is
16 known or readily ascertainable, a true copy of the
17 statement shall promptly be filed by the Governor or
18 the person with the Director, who shall keep the
19 docket of the statements. In cases where the sum that
20 the owner is willing to accept as just compensation is
21 less than \$1,000, copies of the statements shall also
22 be filed by the Director with, and shall be passed upon
23 by an Emergency Management Claims Commission,
24 consisting of 3 disinterested citizens who shall be
25 appointed by the Governor, by and with the advice and
26 consent of the Senate, within 20 days after the

1 Governor's declaration of a disaster, and if the sum
2 fixed by them as just compensation be less than \$1,000
3 and is accepted in writing by the owner, then the State
4 Treasurer out of funds appropriated for these
5 purposes, shall, upon certification thereof by the
6 Emergency Management Claims Commission, cause the sum
7 so certified forthwith to be paid to the owner. The
8 Emergency Management Claims Commission is hereby given
9 the power to issue appropriate subpoenas and to
10 administer oaths to witnesses and shall keep
11 appropriate minutes and other records of its actions
12 upon and the disposition made of all claims.

13 b. When the compensation to be paid for the taking
14 or use of property or interest therein is not or cannot
15 be determined and paid under item a of this paragraph
16 (4), a petition in the name of The People of the State
17 of Illinois shall be promptly filed by the Director,
18 which filing may be enforced by mandamus, in the
19 circuit court of the county where the property or any
20 part thereof was located when initially taken or used
21 under the provisions of this Act praying that the
22 amount of compensation to be paid to the person or
23 persons interested therein be fixed and determined.
24 The petition shall include a description of the
25 property that has been taken, shall state the physical
26 condition of the property when taken, shall name as

1 defendants all interested parties, shall set forth the
2 sum of money estimated to be just compensation for the
3 property or interest therein taken or used, and shall
4 be signed by the Director. The litigation shall be
5 handled by the Attorney General for and on behalf of
6 the State.

7 c. Just compensation for the taking or use of
8 property or interest therein shall be promptly
9 ascertained in proceedings and established by judgment
10 against the State, that shall include, as part of the
11 just compensation so awarded, interest at the rate of
12 6% per annum on the fair market value of the property
13 or interest therein from the date of the taking or use
14 to the date of the judgment; and the court may order
15 the payment of delinquent taxes and special
16 assessments out of the amount so awarded as just
17 compensation and may make any other orders with
18 respect to encumbrances, rents, insurance, and other
19 charges, if any, as shall be just and equitable.

20 (5) When required by the exigencies of the disaster,
21 to sell, lend, rent, give, or distribute all or any part of
22 property so or otherwise acquired to the inhabitants of
23 this State, or to political subdivisions of this State,
24 or, under the interstate mutual aid agreements or compacts
25 as are entered into under the provisions of subparagraph
26 (5) of paragraph (c) of Section 6 to other states, and to

1 account for and transmit to the State Treasurer all funds,
2 if any, received therefor.

3 (6) To recommend the evacuation of all or part of the
4 population from any stricken or threatened area within the
5 State if the Governor deems this action necessary.

6 (7) To prescribe routes, modes of transportation, and
7 destinations in connection with evacuation.

8 (8) To control ingress and egress to and from a
9 disaster area, the movement of persons within the area,
10 and the occupancy of premises therein.

11 (9) To suspend or limit the sale, dispensing, or
12 transportation of alcoholic beverages, firearms,
13 explosives, and combustibles.

14 (10) To make provision for the availability and use of
15 temporary emergency housing.

16 (11) A proclamation of a disaster shall activate the
17 State Emergency Operations Plan, and political subdivision
18 emergency operations plans applicable to the political
19 subdivision or area in question and be authority for the
20 deployment and use of any forces that the plan or plans
21 apply and for use or distribution of any supplies,
22 equipment, and materials and facilities assembled,
23 stockpiled, or arranged to be made available under this
24 Act or any other provision of law relating to disasters.

25 (12) Control, restrict, and regulate by rationing,
26 freezing, use of quotas, prohibitions on shipments, price

1 fixing, allocation, or other means, the use, sale, or
2 distribution of food, feed, fuel, clothing, and other
3 commodities, materials, goods, or services; and perform
4 and exercise any other functions, powers, and duties as
5 may be necessary to promote and secure the safety and
6 protection of the civilian population.

7 (13) During the continuance of any disaster the
8 Governor is commander-in-chief of the organized and
9 unorganized militia and of all other forces available for
10 emergency duty. To the greatest extent practicable, the
11 Governor shall delegate or assign authority to the
12 Director to manage, coordinate, and direct all resources
13 by orders issued at the time of the disaster.

14 (14) Prohibit increases in the prices of goods and
15 services during a disaster.

16 (Source: P.A. 102-485, eff. 8-20-21.)

17 (20 ILCS 3305/8) (from Ch. 127, par. 1058)

18 Sec. 8. Mobile support teams ~~Support Teams~~.

19 (a) The Governor or Director may cause to be created
20 mobile support teams ~~Mobile Support Teams~~ to aid and to
21 reinforce the ~~Illinois Emergency Management~~ Agency, and
22 emergency services and disaster agencies in areas stricken by
23 disaster. Each mobile support team shall have a leader,
24 selected by the Director who will be responsible, under the
25 direction and control of the Director, for the organization,

1 administration, and training, and operation of the mobile
2 support team.

3 (b) Personnel of a mobile support team while on duty
4 pursuant to such a call or while engaged in regularly
5 scheduled training or exercises, whether within or without the
6 State, shall either:

7 (1) If they are paid employees of the State, have the
8 powers, duties, rights, privileges, and immunities and
9 receive the compensation incidental to their employment.

10 (2) If they are paid employees of a political
11 subdivision or body politic of this State, and whether
12 serving within or without that political subdivision or
13 body politic, have the powers, duties, rights, privileges,
14 and immunities, and receive the compensation incidental to
15 their employment.

16 (3) If they are not employees of the State, political
17 subdivision, or body politic, or being such employees, are
18 not normally paid for their services, be entitled to at
19 least one dollar per year compensation from the State.

20 Personnel of a mobile support team who suffer disease,
21 injury or death arising out of or in the course of emergency
22 duty, shall for the purposes of benefits under the Workers'
23 Compensation Act or Workers' Occupational Diseases Act only,
24 be deemed to be employees of this State. If the person
25 diseased, injured, or killed is an employee described in item

26 (3) above, the computation of benefits payable under either of

1 those Acts shall be based on income commensurate with
2 comparable State employees doing the same type of work or
3 income from the person's regular employment, whichever is
4 greater.

5 All personnel of mobile support teams shall, while on duty
6 under such call, be reimbursed by this State for all actual and
7 necessary travel and subsistence expenses.

8 (c) The State shall reimburse each political subdivision
9 or body politic from the Disaster Response and Recovery Fund
10 for the compensation paid and the actual and necessary travel,
11 subsistence, and maintenance expenses of paid employees of the
12 political subdivision or body politic while serving, outside
13 of its geographic ~~geographical~~ boundaries pursuant to such a
14 call, as members of a mobile support team, and for all payments
15 made for death, disease, or injury of those paid employees
16 arising out of and incurred in the course of that duty, and for
17 all losses of or damage to supplies and equipment of the
18 political subdivision or body politic resulting from the
19 operations.

20 (d) Whenever mobile support teams or units of another
21 state, while the Governor has the emergency powers provided
22 for under Section 7 of this Act, render aid to this State under
23 the orders of the Governor of its home state and upon the
24 request of the Governor of this State, all questions relating
25 to reimbursement by this State to the other state and its
26 citizens in regard to the assistance so rendered shall be

1 determined by the mutual aid agreements or interstate compacts
2 described in subparagraph (5) of paragraph (c) of Section 6 as
3 are existing at the time of the assistance rendered or are
4 entered into thereafter and under Section 303 (d) of the
5 Federal Civil Defense Act of 1950.

6 (e) No personnel of mobile support teams of this State may
7 be ordered by the Governor to operate in any other state unless
8 a request for the same has been made by the Governor or duly
9 authorized representative of the other state.

10 (Source: P.A. 98-465, eff. 8-16-13.)

11 (20 ILCS 3305/10) (from Ch. 127, par. 1060)

12 Sec. 10. Emergency services and disaster agencies ~~Services~~
13 ~~and Disaster Agencies~~.

14 (a) Each political subdivision within this State shall be
15 within the jurisdiction of and served by the ~~Illinois~~
16 ~~Emergency Management~~ Agency and by an emergency services and
17 disaster agency responsible for emergency management programs.
18 A township, if the township is in a county having a population
19 of more than 2,000,000, must have approval of the county
20 coordinator before establishment of a township emergency
21 services and disaster agency.

22 (b) Unless multiple county emergency services and disaster
23 agency consolidation is authorized by the ~~Illinois Emergency~~
24 ~~Management~~ Agency with the consent of the respective counties,
25 each county shall maintain an emergency services and disaster

1 agency that has jurisdiction over and serves the entire
2 county, except as otherwise provided under this Act and except
3 that in any county with a population of over 3,000,000
4 containing a municipality with a population of over 500,000
5 the jurisdiction of the county agency shall not extend to the
6 municipality when the municipality has established its own
7 agency.

8 (c) Each municipality with a population of over 500,000
9 shall maintain an emergency services and disaster agency which
10 has jurisdiction over and serves the entire municipality. A
11 municipality with a population less than 500,000 may
12 establish, by ordinance, an agency or department responsible
13 for emergency management within the municipality's corporate
14 limits.

15 (d) The Governor shall determine which municipal
16 corporations, other than those specified in paragraph (c) of
17 this Section, need emergency services and disaster agencies of
18 their own and require that they be established and maintained.
19 The Governor shall make these determinations on the basis of
20 the municipality's disaster vulnerability and capability of
21 response related to population size and concentration. The
22 emergency services and disaster agency of a county or
23 township, shall not have a jurisdiction within a political
24 subdivision having its own emergency services and disaster
25 agency, but shall cooperate with the emergency services and
26 disaster agency of a city, village, or incorporated town

1 within their borders. The ~~Illinois Emergency Management~~ Agency
2 shall publish and furnish a current list to the municipalities
3 required to have an emergency services and disaster agency
4 under this subsection.

5 (e) Each municipality that is not required to and does not
6 have an emergency services and disaster agency shall have a
7 liaison officer designated to facilitate the cooperation and
8 protection of that municipal corporation with the county
9 emergency services and disaster agency in which it is located
10 in the work of disaster mitigation, preparedness, response,
11 and recovery.

12 (f) The principal executive officer or his or her designee
13 of each political subdivision in the State shall annually
14 notify the ~~Illinois Emergency Management~~ Agency of the manner
15 in which the political subdivision is providing or securing
16 emergency management, identify the executive head of the
17 agency or the department from which the service is obtained,
18 or the liaison officer in accordance with subsection (e),
19 ~~paragraph (d) of this Section~~ and furnish additional
20 information relating thereto as the ~~Illinois Emergency~~
21 ~~Management~~ Agency requires.

22 (g) Each emergency services and disaster agency shall
23 prepare an emergency operations plan for its geographic
24 boundaries that complies with planning, review, and approval
25 standards promulgated by the ~~Illinois Emergency Management~~
26 Agency. The ~~Illinois Emergency Management~~ Agency shall

1 determine which jurisdictions will be required to include
2 earthquake preparedness in their local emergency operations
3 plans.

4 (h) The emergency services and disaster agency shall
5 prepare and distribute to all appropriate officials in written
6 form a clear and complete statement of the emergency
7 responsibilities of all local departments and officials and of
8 the disaster chain of command.

9 (i) Each emergency services and disaster agency shall have
10 a Coordinator who shall be appointed by the principal
11 executive officer of the political subdivision in the same
12 manner as are the heads of regular governmental departments.
13 If the political subdivision is a county and the principal
14 executive officer appoints the sheriff as the Coordinator, the
15 sheriff may, in addition to his or her regular compensation,
16 receive additional compensation as provided for by the
17 political subdivision at the same level as provided in Section
18 3-6037 of the Counties Code 3 of "An Act in relation to the
19 regulation of motor vehicle traffic and the promotion of
20 safety on public highways in counties", approved August 9,
21 1951, as amended. The Coordinator shall have direct
22 responsibility for the organization, administration, training,
23 and operation of the emergency services and disaster agency,
24 subject to the direction and control of that principal
25 executive officer. Each emergency services and disaster agency
26 shall coordinate and may perform emergency management

1 functions within the territorial limits of the political
2 subdivision within which it is organized as are prescribed in
3 and by the State Emergency Operations Plan, and programs,
4 orders, rules, and regulations as may be promulgated by the
5 ~~Illinois Emergency Management~~ Agency and by local ordinance
6 and, in addition, shall conduct such functions outside of
7 those territorial limits as may be required under mutual aid
8 agreements and compacts as are entered into under subparagraph
9 (5) of paragraph (c) of Section 6.

10 (j) In carrying out the provisions of this Act, each
11 political subdivision may enter into contracts and incur
12 obligations necessary to place it in a position effectively to
13 combat the disasters as are described in Section 4, to protect
14 the health and safety of persons, to protect property, and to
15 provide emergency assistance to victims of those disasters. If
16 a disaster occurs, each political subdivision may exercise the
17 powers vested under this Section in the light of the
18 exigencies of the disaster and, excepting mandatory
19 constitutional requirements, without regard to the procedures
20 and formalities normally prescribed by law pertaining to the
21 performance of public work, entering into contracts, the
22 incurring of obligations, the employment of temporary workers,
23 the rental of equipment, the purchase of supplies and
24 materials, and the appropriation, expenditure, and disposition
25 of public funds and property.

26 (k) Volunteers who, while engaged in a disaster, an

1 exercise, training related to the emergency operations plan of
2 the political subdivision, or a search-and-rescue team
3 response to an occurrence or threat of injury or loss of life
4 that is beyond local response capabilities, suffer disease,
5 injury, or death, shall, for the purposes of benefits under
6 the Workers' Compensation Act or Workers' Occupational
7 Diseases Act only, be deemed to be employees of the State, if:
8 (1) the claimant is a duly qualified and enrolled (sworn in) as
9 a volunteer of the ~~Illinois Emergency Management~~ Agency or an
10 emergency services and disaster agency accredited by the
11 ~~Illinois Emergency Management~~ Agency, and (2) if: (i) the
12 claimant was participating in a disaster as defined in Section
13 4 of this Act, (ii) the exercise or training participated in
14 was specifically and expressly approved by the ~~Illinois~~
15 ~~Emergency Management~~ Agency prior to the exercise or training,
16 or (iii) the search-and-rescue team response was to an
17 occurrence or threat of injury or loss of life that was beyond
18 local response capabilities and was specifically and expressly
19 approved by the ~~Illinois Emergency Management~~ Agency prior to
20 the search-and-rescue team response. The computation of
21 benefits payable under either of those Acts shall be based on
22 the income commensurate with comparable State employees doing
23 the same type work or income from the person's regular
24 employment, whichever is greater.

25 Volunteers who are working under the direction of an
26 emergency services and disaster agency accredited by the

1 ~~Illinois Emergency Management~~ Agency, pursuant to a plan
2 approved by the ~~Illinois Emergency Management~~ Agency (i)
3 during a disaster declared by the Governor under Section 7 of
4 this Act, or (ii) in circumstances otherwise expressly
5 approved by the ~~Illinois Emergency Management~~ Agency, shall be
6 deemed exclusively employees of the State for purposes of
7 Section 8(d) of the Court of Claims Act, provided that the
8 ~~Illinois Emergency Management~~ Agency may, in coordination with
9 the emergency services and disaster agency, audit
10 implementation for compliance with the plan.

11 (l) If any person who is entitled to receive benefits
12 through the application of this Section receives, in
13 connection with the disease, injury, or death giving rise to
14 such entitlement, benefits under an Act of Congress or federal
15 program, benefits payable under this Section shall be reduced
16 to the extent of the benefits received under that other Act or
17 program.

18 (m) (1) Prior to conducting an exercise, the principal
19 executive officer of a political subdivision or his or her
20 designee shall provide area media with written notification of
21 the exercise. The notification shall indicate that information
22 relating to the exercise shall not be released to the public
23 until the commencement of the exercise. The notification shall
24 also contain a request that the notice be so posted to ensure
25 that all relevant media personnel are advised of the exercise
26 before it begins.

1 (2) During the conduct of an exercise, all messages, 2-way
2 ~~two-way~~ radio communications, briefings, status reports, news
3 releases, and other oral or written communications shall begin
4 and end with the following statement: "This is an exercise
5 message".

6 (Source: P.A. 94-733, eff. 4-27-06.)

7 (20 ILCS 3305/12) (from Ch. 127, par. 1062)

8 Sec. 12. Testing of disaster warning devices ~~Disaster~~
9 ~~Warning Devices~~. The testing of disaster warning devices
10 including outdoor warning sirens shall be held only on the
11 first Tuesday of each month at 10 o'clock in the morning or
12 during exercises that are specifically and expressly approved
13 in advance by the ~~Illinois Emergency Management~~ Agency.

14 (Source: P.A. 92-73, eff. 1-1-02.)

15 (20 ILCS 3305/14) (from Ch. 127, par. 1064)

16 Sec. 14. Communications. The ~~Illinois Emergency Management~~
17 Agency shall ascertain what means exist for rapid and
18 efficient communications in times of disaster. The ~~Illinois~~
19 ~~Emergency Management~~ Agency shall consider the desirability of
20 supplementing these communications resources or of integrating
21 them into a comprehensive State or State-Federal
22 telecommunications or other communications system or network.
23 In studying the character and feasibility of any system or its
24 several parts, the ~~Illinois Emergency Management~~ Agency shall

1 evaluate the possibility of multipurpose use thereof for
2 general State and political subdivision purposes. The ~~Illinois~~
3 ~~Emergency Management~~ Agency may promulgate rules to establish
4 policies and procedures relating to telecommunications and the
5 continuation of rapid and efficient communications in times of
6 disaster to the extent authorized by any provision of this Act
7 or other laws and regulations. The ~~Illinois Emergency~~
8 ~~Management~~ Agency shall make recommendations to the Governor
9 as appropriate.

10 (Source: P.A. 86-755; 87-168.)

11 (20 ILCS 3305/18) (from Ch. 127, par. 1068)

12 Sec. 18. Orders, rules, and regulations ~~Rules and~~
13 ~~Regulations.~~

14 (a) The Governor shall file a copy of every rule,
15 regulation, or order, and any amendment thereof made by the
16 Governor under the provisions of this Act in the office of the
17 Secretary of State. ~~Upon No rule, regulation or order, or any~~
18 ~~amendment thereof shall be effective until 10 days after the~~
19 ~~filing, provided, however, that upon~~ the declaration of a
20 disaster by the Governor as is described in Section 7 the
21 provision relating to the effective date of any rule,
22 regulation, order, or amendment issued under this Act and
23 during the state of disaster is abrogated, and the rule,
24 regulation, order, or amendment shall become effective
25 immediately upon being filed with the Secretary of State

1 accompanied by a certificate stating the reason as required by
2 the Illinois Administrative Procedure Act.

3 (b) Every emergency services and disaster agency
4 established pursuant to this Act and the coordinators thereof
5 shall execute and enforce the orders, rules and regulations as
6 may be made by the Governor under authority of this Act. Each
7 emergency services and disaster agency shall have available
8 for inspection at its office all orders, rules, and
9 regulations made by the Governor, or under the Governor's
10 authority. The ~~Illinois Emergency Management~~ Agency shall
11 publish ~~furnish~~ on the Agency's ~~Department's~~ website the
12 orders, rules, and regulations ~~to each such emergency services~~
13 ~~and disaster agency~~. Upon the written request of an emergency
14 services and ~~or~~ disaster agency, copies thereof shall be
15 mailed to the emergency services and ~~or~~ disaster agency.

16 (Source: P.A. 98-44, eff. 6-28-13.)

17 (20 ILCS 3305/20) (from Ch. 127, par. 1070)

18 Sec. 20. Oath ~~Emergency Management Agency; personnel;~~
19 ~~oath~~. Each person, whether compensated or noncompensated, who
20 is appointed to serve in any capacity in the Illinois
21 Emergency Management Agency and Office of Homeland Security or
22 an emergency services and disaster agency, shall, before
23 entering upon his or her duties, take an oath, in writing,
24 before the Director or before the coordinator of that
25 emergency services and disaster agency or before other persons

1 authorized to administer oaths in this State, which oath shall
2 be filed with the Director or with the coordinator of the
3 emergency services and disaster agency with which he or she
4 shall serve and which oath shall be substantially as follows:

5 "I, _____, do solemnly swear (or affirm) that I
6 will support and defend and bear true faith and allegiance to
7 the Constitution of the United States and the Constitution of
8 the State of Illinois, and the territory, institutions and
9 facilities thereof, both public and private, against all
10 enemies, foreign and domestic; that I take this obligation
11 freely, without any mental reservation or purpose of evasion;
12 and that I will well and faithfully discharge the duties upon
13 which I am about to enter. And I do further swear (or affirm)
14 that I do not advocate, nor am I, nor have I been a member of
15 any political party or organization that advocates the
16 overthrow of the government of the United States or of this
17 State by force or violence; and that during such time as I am
18 affiliated with the (name of political subdivision), I will
19 not advocate nor become a member of any political party or
20 organization that advocates the overthrow of the government of
21 the United States or of this State by force or violence."

22 (Source: P.A. 92-73, eff. 1-1-02.)

23 (20 ILCS 3305/23)

24 (Section scheduled to be repealed on January 1, 2032)

25 Sec. 23. Access and Functional Needs Advisory Committee.

1 (a) In this Section, "Advisory Committee" means the Access
2 and Functional Needs Advisory Committee.

3 (b) The Access and Functional Needs Advisory Committee is
4 created.

5 (c) The Advisory Committee shall:

6 (1) Coordinate meetings occurring, at a minimum, 3
7 times each year, in addition to emergency meetings called
8 by the chairperson of the Advisory Committee.

9 (2) Research and provide recommendations for
10 identifying and effectively responding to the needs of
11 persons with access and functional needs before, during,
12 and after a disaster using an intersectional lens for
13 equity.

14 (3) Provide recommendations to the ~~Illinois Emergency~~
15 ~~Management~~ Agency regarding how to ensure that persons
16 with a disability are included in disaster strategies and
17 emergency management plans, including updates and
18 implementation of disaster strategies and emergency
19 management plans.

20 (4) Review and provide recommendations for the
21 ~~Illinois Emergency Management~~ Agency, and all relevant
22 State agencies that are involved in drafting and
23 implementing the Illinois Emergency Operation Plan, to
24 integrate access and functional needs into State and local
25 emergency plans.

26 (d) The Advisory Committee shall be composed of the

1 Director ~~of the Illinois Emergency Management Agency~~ or his or
2 her designee, the Attorney General or his or her designee, the
3 Secretary of Human Services or his or her designee, the
4 Director of Aging or his or her designee, and the Director of
5 Public Health or his or her designee, together with the
6 following members appointed by the Governor on or before
7 January 1, 2022:

8 (1) Two members, either from a municipal or
9 county-level emergency agency or a local emergency
10 management coordinator.

11 (2) Nine members from the community of persons with a
12 disability who represent persons with different types of
13 disabilities, including, but not limited to, individuals
14 with mobility and physical disabilities, hearing and
15 visual disabilities, deafness or who are hard of hearing,
16 blindness or who have low vision, mental health
17 disabilities, and intellectual or developmental
18 disabilities. Members appointed under this paragraph shall
19 reflect a diversity of age, gender, race, and ethnic
20 background.

21 (3) Four members who represent first responders from
22 different geographic ~~geographical~~ regions around the
23 State.

24 (e) Of those members appointed by the Governor, the
25 initial appointments of 6 members shall be for terms of 2 years
26 and the initial appointments of 5 members shall be for terms of

1 4 years. Thereafter, members shall be appointed for terms of 4
2 years. A member shall serve until his or her successor is
3 appointed and qualified. If a vacancy occurs in the Advisory
4 Committee membership, the vacancy shall be filled in the same
5 manner as the original appointment for the remainder of the
6 unexpired term.

7 (f) After all the members are appointed, and annually
8 thereafter, they shall elect a chairperson from among the
9 members appointed under paragraph (2) of subsection (d).

10 (g) The initial meeting of the Advisory Committee shall be
11 convened by the Director ~~of the Illinois Emergency Management~~
12 ~~Agency~~ no later than February 1, 2022.

13 (h) Advisory Committee members shall serve without
14 compensation.

15 (i) The ~~Illinois Emergency Management~~ Agency shall provide
16 administrative support to the Advisory Committee.

17 (j) The Advisory Committee shall prepare and deliver a
18 report to the General Assembly, the Governor's Office, and the
19 ~~Illinois Emergency Management~~ Agency by July 1, 2022, and
20 annually thereafter. The report shall include the following:

21 (1) Identification of core emergency management
22 services that need to be updated or changed to ensure the
23 needs of persons with a disability are met, and shall
24 include disaster strategies in State and local emergency
25 plans.

26 (2) Any proposed changes in State policies, laws,

1 rules, or regulations necessary to fulfill the purposes of
2 this Act.

3 (3) Recommendations on improving the accessibility and
4 effectiveness of disaster and emergency communication.

5 (4) Recommendations on comprehensive training for
6 first responders and other frontline workers when working
7 with persons with a disability during emergency situations
8 or disasters, as defined in Section 4 ~~of the Illinois~~
9 ~~Emergency Management Agency Act.~~

10 (5) Any additional recommendations regarding emergency
11 management and persons with a disability that the Advisory
12 Committee deems necessary.

13 (k) The annual report prepared and delivered under
14 subsection (j) shall be annually considered by the ~~Illinois~~
15 ~~Emergency Management~~ Agency when developing new State and
16 local emergency plans or updating existing State and local
17 emergency plans.

18 (l) The Advisory Committee is dissolved and this Section
19 is repealed on January 1, 2032.

20 (Source: P.A. 102-361, eff. 8-13-21; 102-671, eff. 11-30-21;
21 103-154, eff. 6-30-23.)

22 (20 ILCS 3305/24 new)

23 Sec. 24. Illinois Homeland Security Advisory Council
24 (IL-HSAC).

25 (a) The Illinois Homeland Security Advisory Council

1 (IL-HSAC) is hereby created.

2 (b) The IL-HSAC shall report directly to the Homeland
3 Security Advisor, who shall serve as the Chairperson.

4 (c) The Deputy Homeland Security Advisor shall serve as
5 Vice-Chair.

6 (d) The Homeland Security Advisor may appoint a Chair Pro
7 Tempore to oversee the daily operations and administrative
8 responsibilities of the IL-HSAC.

9 (e) The Homeland Security Advisor shall, with approval of
10 the Governor, modify the structure of the IL-HSAC as
11 appropriate and consistent with this Section.

12 (f) The IL-HSAC shall submit an annual report to the
13 Governor by March 1 of each year. The report shall detail the
14 activities, accomplishments, and recommendations of the
15 IL-HSAC in the preceding year.

16 (g) The Agency shall provide administrative support for
17 the IL-HSAC.

18 (h) Entities may be appointed to IL-HSAC with nomination
19 by the Homeland Security Advisor and approval by the Governor.

20 (i) The IL-HSAC shall have the following powers and
21 duties:

22 (1) The IL-HSAC shall serve as the State Advisory
23 Committee with respect to funds received through the
24 federal Homeland Security Grant Program. In that capacity,
25 the IL-HSAC shall provide recommendations to the Homeland
26 Security Advisor on issues related to the application for

1 and use of all appropriate federal funding that relates to
2 preventing, protecting against, mitigating, responding to
3 and recovering from acts of terrorism and other threats.

4 (2) The IL-HSAC shall provide recommendations to the
5 Homeland Security Advisor on the following:

6 (A) appropriate training of local, regional, and
7 state officials to respond to terrorist incidents
8 involving conventional, chemical, biological, and
9 nuclear weapons;

10 (B) applications for and use of all appropriate
11 State and other funds as may be appropriate and
12 available relating to homeland security;

13 (C) public safety preparedness and mutual aid to
14 include strategies and tactics to coordinate
15 multi-agency response to significant events, such as
16 acts of terrorism or natural disasters, where
17 coordination of local, State, and private resources is
18 necessary;

19 (D) coordination of public safety resources and
20 combating terrorism in Illinois; and

21 (E) any changes needed in State statutes,
22 administrative rules, or in the Illinois Emergency
23 Operations Plan.

24 (20 ILCS 3305/25 new)

25 Sec. 25. Statewide Interoperability Coordinator.

1 (a) The Statewide Interoperability Coordinator is hereby
2 created as a position within the Agency's Office of Homeland
3 Security.

4 (b) The duties and responsibilities of the Statewide
5 Interoperability Coordinator shall be as follows:

6 (1) The Statewide Interoperability Coordinator shall
7 serve as the central coordination point for the State's
8 communications interoperability and shall assist with
9 mediation between State and local agencies to achieve an
10 interoperable communications system.

11 (2) The Statewide Interoperability Coordinator shall
12 develop and disseminate best practices for public safety
13 communications interoperability.

14 (3) The Statewide Interoperability Coordinator shall
15 advise the Homeland Security Advisor and Deputy Director
16 of the Agency's Office of Homeland Security on public
17 safety communications interoperability.

18 (4) The Statewide Interoperability Coordinator shall
19 serve as a member of the Statewide Interoperability
20 Executive Committee or its successor entity and may act on
21 behalf of the Statewide Interoperability Executive
22 Committee.

23 (5) The Statewide Interoperability Coordinator shall
24 recommend regulatory changes relating to public safety
25 communications and interoperability activities in
26 partnership with 9-1-1 administrators, operators of

1 statewide radio systems, emergency management
2 coordinators, and relevant State agencies.

3 (6) The Statewide Interoperability Coordinator shall
4 identify funding opportunities for planned
5 interoperability improvements and coordinate efforts to
6 provide funding.

7 (7) The Statewide Interoperability Coordinator shall
8 advise on the issuance of grants related to public safety
9 and for interoperability communication.

10 (8) The Statewide Interoperability Coordinator shall
11 engage stakeholders to coordinate the Statewide
12 Communications Interoperability Plan.

13 (9) The Statewide Interoperability Coordinator shall
14 represent the State in national, regional, and local
15 efforts to plan and implement changes needed to achieve
16 interoperability and continuity of communications for
17 emergency responders.

18 (10) The Statewide Interoperability Coordinator shall
19 develop and implement the strategic program for all public
20 safety communications and interoperability activities in
21 partnership with 9-1-1 administrators, operators of
22 statewide radio systems, emergency management
23 coordinators, and the State Administrative Agency.

24 Section 95. No acceleration or delay. Where this Act makes
25 changes in a statute that is represented in this Act by text

1 that is not yet or no longer in effect (for example, a Section
2 represented by multiple versions), the use of that text does
3 not accelerate or delay the taking effect of (i) the changes
4 made by this Act or (ii) provisions derived from any other
5 Public Act.".