



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

**HB4499**

by Rep. Kelly Burke

#### SYNOPSIS AS INTRODUCED:

5 ILCS 350/1

from Ch. 127, par. 1301

Amends the State Employee Indemnification Act. Specifies that, for the purposes of the Act, the term "employee" includes an individual who enters into a written agreement or contract to volunteer to host a minor in a safe home for a not-for-profit organization or instrumentality of the State until a parent or guardian is able to do so. Effective immediately.

LRB097 14497 JDS 59352 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning government.

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

4 Section 5. The State Employee Indemnification Act is  
5 amended by changing Section 1 as follows:

6 (5 ILCS 350/1) (from Ch. 127, par. 1301)

7 Sec. 1. Definitions. For the purpose of this Act:

8 (a) The term "State" means the State of Illinois, the  
9 General Assembly, the court, or any State office, department,  
10 division, bureau, board, commission, or committee, the  
11 governing boards of the public institutions of higher education  
12 created by the State, the Illinois National Guard, the  
13 Comprehensive Health Insurance Board, any poison control  
14 center designated under the Poison Control System Act that  
15 receives State funding, or any other agency or instrumentality  
16 of the State. It does not mean any local public entity as that  
17 term is defined in Section 1-206 of the Local Governmental and  
18 Governmental Employees Tort Immunity Act or a pension fund.

19 (b) The term "employee" means any present or former elected  
20 or appointed officer, trustee or employee of the State, or of a  
21 pension fund, any present or former commissioner or employee of  
22 the Executive Ethics Commission or of the Legislative Ethics  
23 Commission, any present or former Executive, Legislative, or

1 Auditor General's Inspector General, any present or former  
2 employee of an Office of an Executive, Legislative, or Auditor  
3 General's Inspector General, any present or former member of  
4 the Illinois National Guard while on active duty, individuals  
5 or organizations who contract with the Department of  
6 Corrections, the Comprehensive Health Insurance Board, or the  
7 Department of Veterans' Affairs to provide services,  
8 individuals or organizations who contract with the Department  
9 of Human Services (as successor to the Department of Mental  
10 Health and Developmental Disabilities) to provide services  
11 including but not limited to treatment and other services for  
12 sexually violent persons, individuals or organizations who  
13 contract with the Department of Military Affairs for youth  
14 programs, individuals or organizations who contract to perform  
15 carnival and amusement ride safety inspections for the  
16 Department of Labor, individual representatives of or  
17 designated organizations authorized to represent the Office of  
18 State Long-Term Ombudsman for the Department on Aging,  
19 individual representatives of or organizations designated by  
20 the Department on Aging in the performance of their duties as  
21 elder abuse provider agencies or regional administrative  
22 agencies under the Elder Abuse and Neglect Act, individuals or  
23 organizations who perform volunteer services for the State  
24 where such volunteer relationship is reduced to writing,  
25 individuals who serve on any public entity (whether created by  
26 law or administrative action) described in paragraph (a) of

1 this Section, individuals or not for profit organizations who,  
2 either as volunteers, where such volunteer relationship is  
3 reduced to writing, or pursuant to contract, furnish  
4 professional advice or consultation to any agency or  
5 instrumentality of the State, an individual who enters into a  
6 written agreement or contract to volunteer to host a minor in a  
7 safe home for a not-for-profit organization or instrumentality  
8 of the State until a parent or guardian is able to do so,  
9 individuals who serve as foster parents for the Department of  
10 Children and Family Services when caring for a Department ward,  
11 individuals who serve as members of an independent team of  
12 experts under Brian's Law, and individuals who serve as  
13 arbitrators pursuant to Part 10A of Article II of the Code of  
14 Civil Procedure and the rules of the Supreme Court implementing  
15 Part 10A, each as now or hereafter amended, but does not mean  
16 an independent contractor except as provided in this Section.  
17 The term includes an individual appointed as an inspector by  
18 the Director of State Police when performing duties within the  
19 scope of the activities of a Metropolitan Enforcement Group or  
20 a law enforcement organization established under the  
21 Intergovernmental Cooperation Act. An individual who renders  
22 professional advice and consultation to the State through an  
23 organization which qualifies as an "employee" under the Act is  
24 also an employee. The term includes the estate or personal  
25 representative of an employee.

26 (c) The term "pension fund" means a retirement system or

1 pension fund created under the Illinois Pension Code.

2 (Source: P.A. 96-1235, eff. 1-1-11.)

3 Section 99. Effective date. This Act takes effect upon  
4 becoming law.