



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5346

by Rep. William Davis

SYNOPSIS AS INTRODUCED:

5 ILCS 140/7.5
20 ILCS 1605/13.2 new

Amends the Freedom of Information Act and the Illinois Lottery Law. Prohibits the Department of the Lottery from (1) publicly disclosing the name, address, or other identifying information of a prize winner without the written authorization of the prize winner or (2) requiring any prize winner to perform any public actions in connection with the awarding, payment, or collection of prize money. Provides that the information shall be exempt from the provisions of the Freedom of Information Act.

LRB098 18966 AMC 54114 b

1 AN ACT concerning the lottery.

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

4 Section 5. The Freedom of Information Act is amended by
5 changing Section 7.5 as follows:

6 (5 ILCS 140/7.5)

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

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

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

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

20 (d) Information and records held by the Department of
21 Public Health and its authorized representatives relating to
22 known or suspected cases of sexually transmissible disease or
23 any information the disclosure of which is restricted under the

1 Illinois Sexually Transmissible Disease Control Act.

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

4 (f) Firm performance evaluations under Section 55 of the
5 Architectural, Engineering, and Land Surveying Qualifications
6 Based Selection Act.

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

9 (h) Information the disclosure of which is exempted under
10 the State Officials and Employees Ethics Act, and records of
11 any lawfully created State or local inspector general's office
12 that would be exempt if created or obtained by an Executive
13 Inspector General's office under that Act.

14 (i) Information contained in a local emergency energy plan
15 submitted to a municipality in accordance with a local
16 emergency energy plan ordinance that is adopted under Section
17 11-21.5-5 of the Illinois Municipal Code.

18 (j) Information and data concerning the distribution of
19 surcharge moneys collected and remitted by wireless carriers
20 under the Wireless Emergency Telephone Safety Act.

21 (k) Law enforcement officer identification information or
22 driver identification information compiled by a law
23 enforcement agency or the Department of Transportation under
24 Section 11-212 of the Illinois Vehicle Code.

25 (l) Records and information provided to a residential
26 health care facility resident sexual assault and death review

1 team or the Executive Council under the Abuse Prevention Review
2 Team Act.

3 (m) Information provided to the predatory lending database
4 created pursuant to Article 3 of the Residential Real Property
5 Disclosure Act, except to the extent authorized under that
6 Article.

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

14 (o) Information that is prohibited from being disclosed
15 under Section 4 of the Illinois Health and Hazardous Substances
16 Registry Act.

17 (p) Security portions of system safety program plans,
18 investigation reports, surveys, schedules, lists, data, or
19 information compiled, collected, or prepared by or for the
20 Regional Transportation Authority under Section 2.11 of the
21 Regional Transportation Authority Act or the St. Clair County
22 Transit District under the Bi-State Transit Safety Act.

23 (q) Information prohibited from being disclosed by the
24 Personnel Records Review Act.

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

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

3 (t) All identified or deidentified health information in
4 the form of health data or medical records contained in, stored
5 in, submitted to, transferred by, or released from the Illinois
6 Health Information Exchange, and identified or deidentified
7 health information in the form of health data and medical
8 records of the Illinois Health Information Exchange in the
9 possession of the Illinois Health Information Exchange
10 Authority due to its administration of the Illinois Health
11 Information Exchange. The terms "identified" and
12 "deidentified" shall be given the same meaning as in the Health
13 Insurance Accountability and Portability Act of 1996, Public
14 Law 104-191, or any subsequent amendments thereto, and any
15 regulations promulgated thereunder.

16 (u) Records and information provided to an independent team
17 of experts under Brian's Law.

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

1 (w) Personally identifiable information which is exempted
2 from disclosure under subsection (g) of Section 19.1 of the
3 Toll Highway Act.

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

7 (y) Confidential information under the Adult Protective
8 Services Act and its predecessor enabling statute, the Elder
9 Abuse and Neglect Act, including information about the identity
10 and administrative finding against any caregiver of a verified
11 and substantiated decision of significant abuse, neglect, or
12 financial exploitation of an eligible adult maintained in the
13 Department of Public Health's Health Care Worker Registry.

14 (z) Records and information provided to an at-risk adult
15 fatality review team or the Illinois At-Risk Adult Fatality
16 Review Team Advisory Council under Section 15 of the Adult
17 Protective Services Act.

18 (aa) Information that is exempted from disclosure under
19 Section 13.2 of the Illinois Lottery Law.

20 (Source: P.A. 97-80, eff. 7-5-11; 97-333, eff. 8-12-11; 97-342,
21 eff. 8-12-11; 97-813, eff. 7-13-12; 97-976, eff. 1-1-13; 98-49,
22 eff. 7-1-13; 98-63, eff. 7-9-13; revised 7-23-13.)

23 Section 10. The Illinois Lottery Law is amended by adding
24 Section 13.2 as follows:

1 (20 ILCS 1605/13.2 new)

2 Sec. 13.2. Prizes; confidentiality. The Department may not
3 (1) publicly disclose the name, address, or other identifying
4 information of a prize winner without the written authorization
5 of the prize winner or (2) require any prize winner to perform
6 any public actions in connection with the awarding, payment, or
7 collection of prize money. This information shall be exempt
8 from the provisions of the Freedom of Information Act.