

HB3017



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3017

by Rep. Michael P. McAuliffe

SYNOPSIS AS INTRODUCED:

5 ILCS 465/10

Amends the Flag Display Act. Provides that in lieu of notice being provided by the Department of Veterans' Affairs, any other State or federal entity, agency, or person holding such information may notify the Governor of the death by hostile fire of an Illinois resident member of the United States armed forces. Provides that if such notice is provided to the Governor by an entity, agency, or person other than the Department of Veterans' Affairs, then the obligation to notify the Governor of an Illinois resident soldier's death shall be considered fulfilled.

LRB100 10302 RJF 20491 b

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 Flag Display Act is amended by changing
5 Section 10 as follows:

6 (5 ILCS 465/10)

7 Sec. 10. Death of resident military member, law enforcement
8 officer, firefighter, or members of EMS crews.

9 (a) The Governor shall issue an official notice to fly the
10 following flags at half-staff upon the death of a resident of
11 this State killed (i) by hostile fire as a member of the United
12 States armed forces, (ii) in the line of duty as a law
13 enforcement officer, (iii) in the line of duty as a
14 firefighter, ~~or~~ (iv) in the line of duty as a member of an
15 Emergency Medical Services (EMS) crew~~+~~ or (v) during on duty
16 training for active military duty: the United States national
17 flag, the State flag of Illinois, and, in the case of the death
18 of the member of the United States armed forces, the
19 appropriate military flag as defined in subsection (b) of
20 Section 18.6 of the Condominium Property Act. Upon the
21 Governor's notice, each person or entity required by this Act
22 to ensure the display of the United States national flag on a
23 flagstaff shall ensure that the flags described in the notice

1 are displayed at half-staff on the day designated for the
2 resident's funeral and the 2 days preceding that day.

3 (b) The Department of Veterans' Affairs shall notify the
4 Governor of the death by hostile fire of an Illinois resident
5 member of the United States armed forces. In lieu of notice
6 being provided by the Department of Veterans' Affairs, any
7 other State or federal entity, agency, or person holding such
8 information may notify the Governor of the death by hostile
9 fire of an Illinois resident member of the United States armed
10 forces. If such notice is provided to the Governor by an
11 entity, agency, or person other than the Department of
12 Veterans' Affairs, then the obligation to notify the Governor
13 of an Illinois resident soldier's death under this subsection
14 (b) shall be considered fulfilled. The Department of State
15 Police shall notify the Governor of the death in the line of
16 duty of an Illinois resident law enforcement officer. The
17 Office of the State Fire Marshal shall notify the Governor of
18 the death in the line of duty of an Illinois resident
19 firefighter. The Department of Public Health shall notify the
20 Governor of the death in the line of duty of an Illinois
21 resident member of an Emergency Medical Services (EMS) crew.
22 Notice to the Governor shall include at least the resident's
23 name and Illinois address, the date designated for the funeral,
24 and the circumstances of the death.

25 (c) For the purpose of this Section, the United States
26 armed forces includes: (i) the United States Army, Navy, Marine

1 Corps, Air Force, and Coast Guard; (ii) any reserve component
2 of each of the forces listed in item (i); and (iii) the
3 National Guard.

4 (d) Nothing in this Section requires the removal or
5 relocation of any existing flags currently displayed in the
6 State. This Section does not apply to a State facility if the
7 requirements of this Section cannot be satisfied without a
8 physical modification to that facility.

9 (Source: P.A. 98-234, eff. 1-1-14; 99-372, eff. 1-1-16; revised
10 1-24-17.)