



Rep. Richard Morthland

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09700HB3500ham001

LRB097 05969 RLC 51960 a

1 AMENDMENT TO HOUSE BILL 3500

2 AMENDMENT NO. _____. Amend House Bill 3500 by replacing
3 everything after the enacting clause with the following:

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

1 Board and any and all documents or other records prepared by
2 the Experimental Organ Transplantation Procedures Board or its
3 staff relating to applications it has received.

4 (d) Information and records held by the Department of
5 Public Health and its authorized representatives relating to
6 known or suspected cases of sexually transmissible disease or
7 any information the disclosure of which is restricted under the
8 Illinois Sexually Transmissible Disease Control Act.

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

11 (f) Firm performance evaluations under Section 55 of the
12 Architectural, Engineering, and Land Surveying Qualifications
13 Based Selection Act.

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

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

21 (i) Information contained in a local emergency energy plan
22 submitted to a municipality in accordance with a local
23 emergency energy plan ordinance that is adopted under Section
24 11-21.5-5 of the Illinois Municipal Code.

25 (j) Information and data concerning the distribution of
26 surcharge moneys collected and remitted by wireless carriers

1 under the Wireless Emergency Telephone Safety Act.

2 (k) Law enforcement officer identification information or
3 driver identification information compiled by a law
4 enforcement agency or the Department of Transportation under
5 Section 11-212 of the Illinois Vehicle Code.

6 (l) Records and information provided to a residential
7 health care facility resident sexual assault and death review
8 team or the Executive Council under the Abuse Prevention Review
9 Team Act.

10 (m) Information provided to the predatory lending database
11 created pursuant to Article 3 of the Residential Real Property
12 Disclosure Act, except to the extent authorized under that
13 Article.

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

21 (o) Information that is prohibited from being disclosed
22 under Section 4 of the Illinois Health and Hazardous Substances
23 Registry Act.

24 (p) Security portions of system safety program plans,
25 investigation reports, surveys, schedules, lists, data, or
26 information compiled, collected, or prepared by or for the

1 Regional Transportation Authority under Section 2.11 of the
2 Regional Transportation Authority Act or the St. Clair County
3 Transit District under the Bi-State Transit Safety Act.

4 (q) Information prohibited from being disclosed by the
5 Personnel Records Review Act.

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

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

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

23 (u) ~~(t)~~ Records and information provided to an independent
24 team of experts under Brian's Law.

25 (v) Names and information of people who have applied for or
26 received Firearm Owner's Identification Cards under the

1 Firearm Owners Identification Card Act, except in a criminal
2 investigation as otherwise provided for in subsection (b) of
3 Section 7 of that Act.

4 (Source: P.A. 96-542, eff. 1-1-10; 96-1235, eff. 1-1-11;
5 96-1331, eff. 7-27-10; revised 9-2-10.)

6 Section 10. The Firearm Owners Identification Card Act is
7 amended by changing Section 7 as follows:

8 (430 ILCS 65/7) (from Ch. 38, par. 83-7)

9 Sec. 7. (a) Except as provided in Section 8 of this Act, a
10 Firearm Owner's Identification Card issued under the
11 provisions of this Act shall be valid for the person to whom it
12 is issued for a period of 10 years from the date of issuance.

13 (b) Notwithstanding any other provision of law, including
14 the Freedom of Information Act, it is the public policy of this
15 State that the names and information of people who have applied
16 for, or received a Firearm Owner's Identification Card under
17 this Act are considered private and shall not be disclosed. No
18 State or local law enforcement agency shall provide a list of
19 names of any or all holders or applicants in the State of
20 Illinois of Firearm Owner's Identification Cards except that
21 the Department of State Police may provide confirmation that an
22 individual has or has not been issued, applied for, or denied a
23 Firearm Owner's Identification Card in connection with a
24 criminal investigation, and the Department of State Police may

1 continue to report that information to the Law Enforcement
2 Agencies Data System (LEADS) for authorized users.

3 (Source: P.A. 95-581, eff. 6-1-08.)

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