

HB1065



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB1065

Introduced 1/9/2025, by Rep. Daniel Didech

SYNOPSIS AS INTRODUCED:

20 ILCS 3305/4
20 ILCS 3305/5

from Ch. 127, par. 1054

Amends the Illinois Emergency Management Agency Act. Defines "public library". Provides that the Illinois Emergency Management Agency is authorized to make grants to public libraries and not-for-profit organizations (rather than just not-for-profit organizations).

LRB104 03496 BDA 13519 b

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Illinois Emergency Management Agency Act is
5 amended by changing Sections 4 and 5 as follows:

6 (20 ILCS 3305/4) (from Ch. 127, par. 1054)

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

10 "Coordinator" means the staff assistant to the principal
11 executive officer of a political subdivision with the duty of
12 coordinating the emergency management programs of that
13 political subdivision.

14 "Cyber incident" means an event occurring on or conducted
15 through a computer network that actually or imminently
16 jeopardizes the integrity, confidentiality, or availability of
17 computers, information or communications systems or networks,
18 physical or virtual infrastructure controlled by computers or
19 information systems, or information resident thereon that
20 affect or control infrastructure or communications networks
21 utilized by the public. "Cyber incident" includes a
22 vulnerability in information systems, system security
23 procedures, internal controls, or implementations that could

1 be exploited by a threat source that affect or control
2 infrastructure or communications networks utilized by the
3 public.

4 "Disaster" means an occurrence or threat of widespread or
5 severe damage, injury or loss of life or property resulting
6 from any natural, technological, or human cause, including but
7 not limited to fire, flood, earthquake, wind, storm, hazardous
8 materials spill or other water contamination requiring
9 emergency action to avert danger or damage, epidemic, air
10 contamination, blight, extended periods of severe and
11 inclement weather, drought, infestation, critical shortages of
12 essential fuels and energy, explosion, riot, hostile military
13 or paramilitary action, public health emergencies, cyber
14 incidents, or acts of domestic terrorism.

15 "Emergency Management" means the efforts of the State and
16 the political subdivisions to develop, plan, analyze, conduct,
17 provide, implement and maintain programs for disaster
18 mitigation, preparedness, response and recovery.

19 "Emergency Services and Disaster Agency" means the agency
20 by this name, by the name Emergency Management Agency, or by
21 any other name that is established by ordinance within a
22 political subdivision to coordinate the emergency management
23 program within that political subdivision and with private
24 organizations, other political subdivisions, the State and
25 federal governments.

26 "Emergency Operations Plan" means the written plan of the

1 State and political subdivisions describing the organization,
2 mission, and functions of the government and supporting
3 services for responding to and recovering from disasters and
4 shall include plans that take into account the needs of those
5 individuals with household pets and service animals following
6 a major disaster or emergency.

7 "Emergency Services" means the coordination of functions
8 by the State and its political subdivision, other than
9 functions for which military forces are primarily responsible,
10 as may be necessary or proper to prevent, minimize, repair,
11 and alleviate injury and damage resulting from any natural or
12 technological causes. These functions include, without
13 limitation, fire fighting services, police services, emergency
14 aviation services, medical and health services, HazMat and
15 technical rescue teams, rescue, engineering, warning services,
16 communications, radiological, chemical and other special
17 weapons defense, evacuation of persons from stricken or
18 threatened areas, emergency assigned functions of plant
19 protection, temporary restoration of public utility services
20 and other functions related to civilian protection, together
21 with all other activities necessary or incidental to
22 protecting life or property.

23 "Exercise" means a planned event realistically simulating
24 a disaster, conducted for the purpose of evaluating the
25 political subdivision's coordinated emergency management
26 capabilities, including, but not limited to, testing the

1 emergency operations plan.

2 "HazMat team" means a career or volunteer mobile support
3 team that has been authorized by a unit of local government to
4 respond to hazardous materials emergencies and that is
5 primarily designed for emergency response to chemical or
6 biological terrorism, radiological emergencies, hazardous
7 material spills, releases, or fires, or other contamination
8 events.

9 "Illinois Emergency Management Agency" means the agency
10 established by this Act within the executive branch of State
11 Government responsible for coordination of the overall
12 emergency management program of the State and with private
13 organizations, political subdivisions, and the federal
14 government. Illinois Emergency Management Agency also means
15 the State Emergency Response Commission responsible for the
16 implementation of Title III of the Superfund Amendments and
17 Reauthorization Act of 1986.

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

24 "Municipality" means any city, village, and incorporated
25 town.

26 "Political Subdivision" means any county, city, village,

1 or incorporated town or township if the township is in a county
2 having a population of more than 2,000,000.

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

9 "Public health emergency" means an occurrence or imminent
10 threat of an illness or health condition that:

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

12 (i) bioterrorism;

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

16 (iii) a natural disaster;

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

18 (v) a nuclear attack or accident; and

19 (b) poses a high probability of any of the following
20 harms:

21 (i) a large number of deaths in the affected
22 population;

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

25 (iii) widespread exposure to an infectious or
26 toxic agent that poses a significant risk of

1 substantial future harm to a large number of people in
2 the affected population.

3 "Public library" means the governmental unit of any
4 nonprofit library maintained for public use that is (i)
5 established under the Illinois Local Library Act, the Public
6 Library District Act of 1991, the Illinois Library System Act,
7 or the Village Library Act or (ii) maintained and operated by a
8 unit of local government.

9 "Statewide mutual aid organization" means an entity with
10 local government members throughout the State that facilitates
11 temporary assistance through its members in a particular
12 public safety discipline, such as police, fire or emergency
13 management, when an occurrence exceeds a member jurisdiction's
14 capabilities.

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

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

21 (20 ILCS 3305/5)

22 Sec. 5. Illinois Emergency Management Agency.

23 (a) There is created within the executive branch of the
24 State Government an Illinois Emergency Management Agency and a
25 Director of the Illinois Emergency Management Agency, herein

1 called the "Director" who shall be the head thereof. The
2 Director shall be appointed by the Governor, with the advice
3 and consent of the Senate, and shall serve for a term of 2
4 years beginning on the third Monday in January of the
5 odd-numbered year, and until a successor is appointed and has
6 qualified; except that the term of the first Director
7 appointed under this Act shall expire on the third Monday in
8 January, 1989. The Director shall not hold any other
9 remunerative public office. For terms beginning after January
10 18, 2019 (the effective date of Public Act 100-1179) and
11 before January 16, 2023, the annual salary of the Director
12 shall be as provided in Section 5-300 of the Civil
13 Administrative Code of Illinois. Notwithstanding any other
14 provision of law, for terms beginning on or after January 16,
15 2023, the Director shall receive an annual salary of \$180,000
16 or as set by the Governor, whichever is higher. On July 1,
17 2023, and on each July 1 thereafter, the Director shall
18 receive an increase in salary based on a cost of living
19 adjustment as authorized by Senate Joint Resolution 192 of the
20 86th General Assembly.

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

1 authorized by Senate Joint Resolution 192 of the 86th General
2 Assembly.

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

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

22 (d) The Illinois Emergency Management Agency shall take an
23 integral part in the development and revision of political
24 subdivision emergency operations plans prepared under
25 paragraph (f) of Section 10. To this end it shall employ or
26 otherwise secure the services of professional and technical

1 personnel capable of providing expert assistance to the
2 emergency services and disaster agencies. These personnel
3 shall consult with emergency services and disaster agencies on
4 a regular basis and shall make field examinations of the
5 areas, circumstances, and conditions that particular political
6 subdivision emergency operations plans are intended to apply.

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

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

19 (2) the assessment of emergency response capabilities
20 related to hazardous chemical emergencies.

21 (f) The Illinois Emergency Management Agency shall:

22 (1) Coordinate the overall emergency management
23 program of the State.

24 (2) Cooperate with local governments, the federal
25 government, and any public or private agency or entity in
26 achieving any purpose of this Act and in implementing

1 emergency management programs for mitigation,
2 preparedness, response, and recovery.

3 (2.5) Develop a comprehensive emergency preparedness
4 and response plan for any nuclear accident in accordance
5 with Section 65 of the Nuclear Safety Law of 2004 and in
6 development of the Illinois Nuclear Safety Preparedness
7 program in accordance with Section 8 of the Illinois
8 Nuclear Safety Preparedness Act.

9 (2.6) Coordinate with the Department of Public Health
10 with respect to planning for and responding to public
11 health emergencies.

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

15 (4) Promulgate rules and requirements for political
16 subdivision emergency operations plans that are not
17 inconsistent with and are at least as stringent as
18 applicable federal laws and regulations.

19 (5) Review and approve, in accordance with Illinois
20 Emergency Management Agency rules, emergency operations
21 plans for those political subdivisions required to have an
22 emergency services and disaster agency pursuant to this
23 Act.

24 (5.5) Promulgate rules and requirements for the
25 political subdivision emergency management exercises,
26 including, but not limited to, exercises of the emergency

1 operations plans.

2 (5.10) Review, evaluate, and approve, in accordance
3 with Illinois Emergency Management Agency rules, political
4 subdivision emergency management exercises for those
5 political subdivisions required to have an emergency
6 services and disaster agency pursuant to this Act.

7 (6) Determine requirements of the State and its
8 political subdivisions for food, clothing, and other
9 necessities in event of a disaster.

10 (7) Establish a register of persons with types of
11 emergency management training and skills in mitigation,
12 preparedness, response, and recovery.

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

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

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

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

16 (11.5) In coordination with the Illinois State Police,
17 develop and implement a community outreach program to
18 promote awareness among the State's parents and children
19 of child abduction prevention and response.

20 (12) Out of funds appropriated for these purposes,
21 award capital and non-capital grants to Illinois hospitals
22 or health care facilities located outside of a city with a
23 population in excess of 1,000,000 to be used for purposes
24 that include, but are not limited to, preparing to respond
25 to mass casualties and disasters, maintaining and
26 improving patient safety and quality of care, and

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

14 (13) Do all other things necessary, incidental or
15 appropriate for the implementation of this Act.

16 (g) The Illinois Emergency Management Agency is authorized
17 to make grants to various higher education institutions,
18 public K-12 school districts, area vocational centers as
19 designated by the State Board of Education, inter-district
20 special education cooperatives, regional safe schools, and
21 nonpublic K-12 schools for safety and security improvements.
22 For the purpose of this subsection (g), "higher education
23 institution" means a public university, a public community
24 college, or an independent, not-for-profit or for-profit
25 higher education institution located in this State. Grants
26 made under this subsection (g) shall be paid out of moneys

1 appropriated for that purpose from the Build Illinois Bond
2 Fund. The Illinois Emergency Management Agency shall adopt
3 rules to implement this subsection (g). These rules may
4 specify: (i) the manner of applying for grants; (ii) project
5 eligibility requirements; (iii) restrictions on the use of
6 grant moneys; (iv) the manner in which the various higher
7 education institutions must account for the use of grant
8 moneys; and (v) any other provision that the Illinois
9 Emergency Management Agency determines to be necessary or
10 useful for the administration of this subsection (g).

11 (g-5) The Illinois Emergency Management Agency is
12 authorized to make grants to public libraries and
13 not-for-profit organizations which are exempt from federal
14 income taxation under section 501(c)(3) of the Federal
15 Internal Revenue Code for eligible security improvements that
16 assist the organization in preventing, preparing for, or
17 responding to threats, attacks, or acts of terrorism. To be
18 eligible for a grant under the program, the Agency must
19 determine that the organization is at a high risk of being
20 subject to threats, attacks, or acts of terrorism based on the
21 organization's profile, ideology, mission, or beliefs.
22 Eligible security improvements shall include all eligible
23 preparedness activities under the federal Nonprofit Security
24 Grant Program, including, but not limited to, physical
25 security upgrades, security training exercises, preparedness
26 training exercises, contracting with security personnel, and

1 any other security upgrades deemed eligible by the Director.
2 Eligible security improvements shall not duplicate, in part or
3 in whole, a project included under any awarded federal grant
4 or in a pending federal application. The Director shall
5 establish procedures and forms by which applicants may apply
6 for a grant and procedures for distributing grants to
7 recipients. Any security improvements awarded shall remain at
8 the physical property listed in the grant application, unless
9 authorized by Agency rule or approved by the Agency in
10 writing. The procedures shall require each applicant to do the
11 following:

12 (1) identify and substantiate prior or current
13 threats, attacks, or acts of terrorism against the
14 not-for-profit organization;

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

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

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

25 (5) submit (i) a vulnerability assessment conducted by
26 experienced security, law enforcement, or military

1 personnel, or conducted using an Agency-approved or
2 federal Nonprofit Security Grant Program self-assessment
3 tool, and (ii) a description of how the grant award will be
4 used to address the vulnerabilities identified in the
5 assessment; and

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

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

1 applicant in completing a grant application or meeting a
2 post-award requirement.

3 In addition to any advance payment rules or procedures
4 adopted by the Agency, the Agency shall adopt rules or
5 procedures by which grantees under this subsection (g-5) may
6 receive a working capital advance of initial start-up costs
7 and up to 2 months of program expenses, not to exceed 25% of
8 the total award amount, if, during the application process,
9 the grantee demonstrates a need for funds to commence a
10 project. The remaining funds must be paid through
11 reimbursement after the grantee presents sufficient supporting
12 documentation of expenditures for eligible activities.

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

23 (i) The Illinois Emergency Management Agency may by rule
24 assess and collect reasonable fees for attendance at
25 Agency-sponsored conferences to enable the Agency to carry out
26 the requirements of this Act. Any moneys received under this

1 subsection shall be deposited in the Emergency Planning and
2 Training Fund and used by the Agency, subject to
3 appropriation, for planning and training activities.

4 (j) The Illinois Emergency Management Agency is authorized
5 to make grants to other State agencies, public universities,
6 units of local government, and statewide mutual aid
7 organizations to enhance statewide emergency preparedness and
8 response.

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

1 Dioxide Sequestration Administrative Fund and the Public
2 Utility Fund.

3 (1) ~~(*)~~ The Agency shall do all other things necessary,
4 incidental, or appropriate for the implementation of this Act,
5 including the adoption of rules in accordance with the
6 Illinois Administrative Procedure Act.

7 (Source: P.A. 102-16, eff. 6-17-21; 102-538, eff. 8-20-21;
8 102-813, eff. 5-13-22; 102-1115, eff. 1-9-23; 103-418, eff.
9 1-1-24; 103-588, eff. 1-1-25; 103-651, eff. 7-18-24; 103-999,
10 eff. 1-1-25; revised 11-26-24.)