



Rep. Daniel Didech

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1 AMENDMENT TO HOUSE BILL 1065

2 AMENDMENT NO. _____. Amend House Bill 1065 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Emergency Management Agency Act
5 is 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

1 computers, information or communications systems or networks,
2 physical or virtual infrastructure controlled by computers or
3 information systems, or information resident thereon that
4 affect or control infrastructure or communications networks
5 utilized by the public. "Cyber incident" includes a
6 vulnerability in information systems, system security
7 procedures, internal controls, or implementations that could
8 be exploited by a threat source that affect or control
9 infrastructure or communications networks utilized by the
10 public.

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

22 "Emergency Management" means the efforts of the State and
23 the political subdivisions to develop, plan, analyze, conduct,
24 provide, implement and maintain programs for disaster
25 mitigation, preparedness, response and recovery.

26 "Emergency Services and Disaster Agency" means the agency

1 by this name, by the name Emergency Management Agency, or by
2 any other name that is established by ordinance within a
3 political subdivision to coordinate the emergency management
4 program within that political subdivision and with private
5 organizations, other political subdivisions, the State and
6 federal governments.

7 "Emergency Operations Plan" means the written plan of the
8 State and political subdivisions describing the organization,
9 mission, and functions of the government and supporting
10 services for responding to and recovering from disasters and
11 shall include plans that take into account the needs of those
12 individuals with household pets and service animals following
13 a major disaster or emergency.

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

1 and other functions related to civilian protection, together
2 with all other activities necessary or incidental to
3 protecting life or property.

4 "Exercise" means a planned event realistically simulating
5 a disaster, conducted for the purpose of evaluating the
6 political subdivision's coordinated emergency management
7 capabilities, including, but not limited to, testing the
8 emergency operations plan.

9 "HazMat team" means a career or volunteer mobile support
10 team that has been authorized by a unit of local government to
11 respond to hazardous materials emergencies and that is
12 primarily designed for emergency response to chemical or
13 biological terrorism, radiological emergencies, hazardous
14 material spills, releases, or fires, or other contamination
15 events.

16 "Illinois Emergency Management Agency" means the agency
17 established by this Act within the executive branch of State
18 Government responsible for coordination of the overall
19 emergency management program of the State and with private
20 organizations, political subdivisions, and the federal
21 government. Illinois Emergency Management Agency also means
22 the State Emergency Response Commission responsible for the
23 implementation of Title III of the Superfund Amendments and
24 Reauthorization Act of 1986.

25 "Mobile Support Team" means a group of individuals
26 designated as a team by the Governor or Director to train prior

1 to and to be dispatched, if the Governor or the Director so
2 determines, to aid and reinforce the State and political
3 subdivision emergency management efforts in response to a
4 disaster.

5 "Municipality" means any city, village, and incorporated
6 town.

7 "Political Subdivision" means any county, city, village,
8 or incorporated town or township if the township is in a county
9 having a population of more than 2,000,000.

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

16 "Public health emergency" means an occurrence or imminent
17 threat of an illness or health condition that:

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

19 (i) bioterrorism;

20 (ii) the appearance of a novel or previously
21 controlled or eradicated infectious agent or
22 biological toxin;

23 (iii) a natural disaster;

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

25 (v) a nuclear attack or accident; and

26 (b) poses a high probability of any of the following

1 harms:

2 (i) a large number of deaths in the affected
3 population;

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

6 (iii) widespread exposure to an infectious or
7 toxic agent that poses a significant risk of
8 substantial future harm to a large number of people in
9 the affected population.

10 "Public library" means the governmental unit of any free
11 and public library (i) established under the Illinois Local
12 Library Act, the Public Library District Act of 1991, the
13 Illinois Library System Act, or the Village Library Act or
14 (ii) maintained and operated by a unit of local government.

15 "Statewide mutual aid organization" means an entity with
16 local government members throughout the State that facilitates
17 temporary assistance through its members in a particular
18 public safety discipline, such as police, fire or emergency
19 management, when an occurrence exceeds a member jurisdiction's
20 capabilities.

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

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

1 (20 ILCS 3305/5) (from Ch. 127, par. 1055)

2 Sec. 5. Illinois Emergency Management Agency.

3 (a) There is created within the executive branch of the
4 State Government an Illinois Emergency Management Agency and a
5 Director of the Illinois Emergency Management Agency, herein
6 called the "Director" who shall be the head thereof. The
7 Director shall be appointed by the Governor, with the advice
8 and consent of the Senate, and shall serve for a term of 2
9 years beginning on the third Monday in January of the
10 odd-numbered year, and until a successor is appointed and has
11 qualified; except that the term of the first Director
12 appointed under this Act shall expire on the third Monday in
13 January, 1989. The Director shall not hold any other
14 remunerative public office. For terms beginning after January
15 18, 2019 (the effective date of Public Act 100-1179) and
16 before January 16, 2023, the annual salary of the Director
17 shall be as provided in Section 5-300 of the Civil
18 Administrative Code of Illinois. Notwithstanding any other
19 provision of law, for terms beginning on or after January 16,
20 2023, the Director shall receive an annual salary of \$180,000
21 or as set by the Governor, whichever is higher. On July 1,
22 2023, and on each July 1 thereafter, the Director shall
23 receive an increase in salary based on a cost of living
24 adjustment as authorized by Senate Joint Resolution 192 of the
25 86th General Assembly.

1 For terms beginning on or after January 16, 2023, the
2 Assistant Director of the Illinois Emergency Management Agency
3 shall receive an annual salary of \$156,600 or as set by the
4 Governor, whichever is higher. On July 1, 2023, and on each
5 July 1 thereafter, the Assistant Director shall receive an
6 increase in salary based on a cost of living adjustment as
7 authorized by Senate Joint Resolution 192 of the 86th General
8 Assembly.

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

19 (c) The Director, subject to the direction and control of
20 the Governor, shall be the executive head of the Illinois
21 Emergency Management Agency and the State Emergency Response
22 Commission and shall be responsible under the direction of the
23 Governor, for carrying out the program for emergency
24 management of this State. The Director shall also maintain
25 liaison and cooperate with the emergency management
26 organizations of this State and other states and of the

1 federal government.

2 (d) The Illinois Emergency Management Agency shall take an
3 integral part in the development and revision of political
4 subdivision emergency operations plans prepared under
5 paragraph (f) of Section 10. To this end it shall employ or
6 otherwise secure the services of professional and technical
7 personnel capable of providing expert assistance to the
8 emergency services and disaster agencies. These personnel
9 shall consult with emergency services and disaster agencies on
10 a regular basis and shall make field examinations of the
11 areas, circumstances, and conditions that particular political
12 subdivision emergency operations plans are intended to apply.

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

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

25 (2) the assessment of emergency response capabilities
26 related to hazardous chemical emergencies.

1 (f) The Illinois Emergency Management Agency shall:

2 (1) Coordinate the overall emergency management
3 program of the State.

4 (2) Cooperate with local governments, the federal
5 government, and any public or private agency or entity in
6 achieving any purpose of this Act and in implementing
7 emergency management programs for mitigation,
8 preparedness, response, and recovery.

9 (2.5) Develop a comprehensive emergency preparedness
10 and response plan for any nuclear accident in accordance
11 with Section 65 of the Nuclear Safety Law of 2004 and in
12 development of the Illinois Nuclear Safety Preparedness
13 program in accordance with Section 8 of the Illinois
14 Nuclear Safety Preparedness Act.

15 (2.6) Coordinate with the Department of Public Health
16 with respect to planning for and responding to public
17 health emergencies.

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

21 (4) Promulgate rules and requirements for political
22 subdivision emergency operations plans that are not
23 inconsistent with and are at least as stringent as
24 applicable federal laws and regulations.

25 (5) Review and approve, in accordance with Illinois
26 Emergency Management Agency rules, emergency operations

1 plans for those political subdivisions required to have an
2 emergency services and disaster agency pursuant to this
3 Act.

4 (5.5) Promulgate rules and requirements for the
5 political subdivision emergency management exercises,
6 including, but not limited to, exercises of the emergency
7 operations plans.

8 (5.10) Review, evaluate, and approve, in accordance
9 with Illinois Emergency Management Agency rules, political
10 subdivision emergency management exercises for those
11 political subdivisions required to have an emergency
12 services and disaster agency pursuant to this Act.

13 (6) Determine requirements of the State and its
14 political subdivisions for food, clothing, and other
15 necessities in event of a disaster.

16 (7) Establish a register of persons with types of
17 emergency management training and skills in mitigation,
18 preparedness, response, and recovery.

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

21 (9) Expand the Earthquake Awareness Program and its
22 efforts to distribute earthquake preparedness materials to
23 schools, political subdivisions, community groups, civic
24 organizations, and the media. Emphasis will be placed on
25 those areas of the State most at risk from an earthquake.
26 Maintain the list of all school districts, hospitals,

1 airports, power plants, including nuclear power plants,
2 lakes, dams, emergency response facilities of all types,
3 and all other major public or private structures which are
4 at the greatest risk of damage from earthquakes under
5 circumstances where the damage would cause subsequent harm
6 to the surrounding communities and residents.

7 (10) Disseminate all information, completely and
8 without delay, on water levels for rivers and streams and
9 any other data pertaining to potential flooding supplied
10 by the Division of Water Resources within the Department
11 of Natural Resources to all political subdivisions to the
12 maximum extent possible.

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

22 (11.5) In coordination with the Illinois State Police,
23 develop and implement a community outreach program to
24 promote awareness among the State's parents and children
25 of child abduction prevention and response.

26 (12) Out of funds appropriated for these purposes,

1 award capital and non-capital grants to Illinois hospitals
2 or health care facilities located outside of a city with a
3 population in excess of 1,000,000 to be used for purposes
4 that include, but are not limited to, preparing to respond
5 to mass casualties and disasters, maintaining and
6 improving patient safety and quality of care, and
7 protecting the confidentiality of patient information. No
8 single grant for a capital expenditure shall exceed
9 \$300,000. No single grant for a non-capital expenditure
10 shall exceed \$100,000. In awarding such grants, preference
11 shall be given to hospitals that serve a significant
12 number of Medicaid recipients, but do not qualify for
13 disproportionate share hospital adjustment payments under
14 the Illinois Public Aid Code. To receive such a grant, a
15 hospital or health care facility must provide funding of
16 at least 50% of the cost of the project for which the grant
17 is being requested. In awarding such grants the Illinois
18 Emergency Management Agency shall consider the
19 recommendations of the Illinois Hospital Association.

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

22 (g) The Illinois Emergency Management Agency is authorized
23 to make grants to various higher education institutions,
24 public K-12 school districts, area vocational centers as
25 designated by the State Board of Education, inter-district
26 special education cooperatives, regional safe schools, and

1 nonpublic K-12 schools for safety and security improvements.
2 For the purpose of this subsection (g), "higher education
3 institution" means a public university, a public community
4 college, or an independent, not-for-profit or for-profit
5 higher education institution located in this State. Grants
6 made under this subsection (g) shall be paid out of moneys
7 appropriated for that purpose from the Build Illinois Bond
8 Fund. The Illinois Emergency Management Agency shall adopt
9 rules to implement this subsection (g). These rules may
10 specify: (i) the manner of applying for grants; (ii) project
11 eligibility requirements; (iii) restrictions on the use of
12 grant moneys; (iv) the manner in which the various higher
13 education institutions must account for the use of grant
14 moneys; and (v) any other provision that the Illinois
15 Emergency Management Agency determines to be necessary or
16 useful for the administration of this subsection (g).

17 (g-5) The Illinois Emergency Management Agency is
18 authorized to make grants to public libraries and
19 not-for-profit organizations which are exempt from federal
20 income taxation under section 501(c)(3) of the Federal
21 Internal Revenue Code for eligible security improvements that
22 assist the applicant ~~organization~~ in preventing, preparing
23 for, or responding to threats, attacks, or acts of terrorism.
24 To be eligible for a grant under the program, the Agency must
25 determine that the applicant ~~organization~~ is at a high risk of
26 being subject to threats, attacks, or acts of terrorism based

1 on the applicant's ~~organization's~~ profile, ideology, mission,
2 or beliefs. Eligible security improvements shall include all
3 eligible preparedness activities under the federal Nonprofit
4 Security Grant Program, including, but not limited to,
5 physical security upgrades, security training exercises,
6 preparedness training exercises, contracting with security
7 personnel, and any other security upgrades deemed eligible by
8 the Director. Eligible security improvements shall not
9 duplicate, in part or in whole, a project included under any
10 awarded federal grant or in a pending federal application. The
11 Director shall establish procedures and forms by which
12 applicants may apply for a grant and procedures for
13 distributing grants to recipients. Any security improvements
14 awarded shall remain at the physical property listed in the
15 grant application, unless authorized by Agency rule or
16 approved by the Agency in writing. The procedures shall
17 require each applicant to do the following:

18 (1) identify and substantiate prior or current
19 threats, attacks, or acts of terrorism against the
20 not-for-profit applicant ~~organization~~;

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

24 (3) discuss potential consequences to the applicant
25 ~~organization~~ if the site is damaged, destroyed, or
26 disrupted by a threat, attack, or act of terrorism;

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

5 (5) submit (i) a vulnerability assessment conducted by
6 experienced security, law enforcement, or military
7 personnel, or conducted using an Agency-approved or
8 federal Nonprofit Security Grant Program self-assessment
9 tool, and (ii) a description of how the grant award will be
10 used to address the vulnerabilities identified in the
11 assessment; and

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

14 The Agency is authorized to use funds appropriated for the
15 grant program described in this subsection (g-5) to administer
16 the program. Any Agency Notice of Opportunity for Funding,
17 proposed or final rulemaking, guidance, training opportunity,
18 or other resource related to the grant program must be
19 published on the Agency's publicly available website, and any
20 announcements related to funding shall be shared with all
21 State legislative offices, the Governor's office, emergency
22 services and disaster agencies mandated or required pursuant
23 to subsections (b) through (d) of Section 10, and any other
24 State agencies as determined by the Agency. Subject to
25 appropriation, the grant application period shall be open for
26 no less than 45 calendar days during the first application

1 cycle each fiscal year, unless the Agency determines that a
2 shorter period is necessary to avoid conflicts with the annual
3 federal Nonprofit Security Grant Program funding cycle.
4 Additional application cycles may be conducted during the same
5 fiscal year, subject to availability of funds. Upon request,
6 Agency staff shall provide reasonable assistance to any
7 applicant in completing a grant application or meeting a
8 post-award requirement.

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

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

1 used for disaster response and recovery pursuant to the
2 Disaster Relief Act.

3 (i) The Illinois Emergency Management Agency may by rule
4 assess and collect reasonable fees for attendance at
5 Agency-sponsored conferences to enable the Agency to carry out
6 the requirements of this Act. Any moneys received under this
7 subsection shall be deposited in the Emergency Planning and
8 Training Fund and used by the Agency, subject to
9 appropriation, for planning and training activities.

10 (j) The Illinois Emergency Management Agency is authorized
11 to make grants to other State agencies, public universities,
12 units of local government, and statewide mutual aid
13 organizations to enhance statewide emergency preparedness and
14 response.

15 (k) Subject to appropriation from the Emergency Planning
16 and Training Fund, the Illinois Emergency Management Agency
17 and Office of Homeland Security shall obtain training services
18 and support for local emergency services and support for local
19 emergency services and disaster agencies for training,
20 exercises, and equipment related to carbon dioxide pipelines
21 and sequestration, and, subject to the availability of
22 funding, shall provide \$5,000 per year to the Illinois Fire
23 Service Institute for first responder training required under
24 Section 4-615 of the Public Utilities Act. Amounts in the
25 Emergency Planning and Training Fund will be used by the
26 Illinois Emergency Management Agency and Office of Homeland

1 Security for administrative costs incurred in carrying out the
2 requirements of this subsection. To carry out the purposes of
3 this subsection, the Illinois Emergency Management Agency and
4 Office of Homeland Security may accept moneys from all
5 authorized sources into the Emergency Planning and Training
6 Fund, including, but not limited to, transfers from the Carbon
7 Dioxide Sequestration Administrative Fund and the Public
8 Utility Fund.

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

13 (Source: P.A. 102-16, eff. 6-17-21; 102-538, eff. 8-20-21;
14 102-813, eff. 5-13-22; 102-1115, eff. 1-9-23; 103-418, eff.
15 1-1-24; 103-588, eff. 1-1-25; 103-651, eff. 7-18-24; 103-999,
16 eff. 1-1-25; revised 11-26-24.)

17 Section 99. Effective date. This Act takes effect July 1,
18 2026."