



Rep. Jaime M. Andrade, Jr.

**Filed: 4/9/2025**

10400HB3163ham001

LRB104 08069 JRC 25195 a

1 AMENDMENT TO HOUSE BILL 3163

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3163 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  
9 exempt from inspection and copying:

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

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

16 (c) Applications, related documents, and medical

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

6 (d) Information and records held by the Department of  
7 Public Health and its authorized representatives relating  
8 to known or suspected cases of sexually transmitted  
9 infection or any information the disclosure of which is  
10 restricted under the Illinois Sexually Transmitted  
11 Infection Control Act.

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

14 (f) Firm performance evaluations under Section 55 of  
15 the Architectural, Engineering, and Land Surveying  
16 Qualifications Based Selection Act.

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

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

26 (i) Information contained in a local emergency energy

1 plan submitted to a municipality in accordance with a  
2 local emergency energy plan ordinance that is adopted  
3 under Section 11-21.5-5 of the Illinois Municipal Code.

4 (j) Information and data concerning the distribution  
5 of surcharge moneys collected and remitted by carriers  
6 under the Emergency Telephone System Act.

7 (k) Law enforcement officer identification information  
8 or driver identification information compiled by a law  
9 enforcement agency or the Department of Transportation  
10 under Section 11-212 of the Illinois Vehicle Code.

11 (l) Records and information provided to a residential  
12 health care facility resident sexual assault and death  
13 review team or the Executive Council under the Abuse  
14 Prevention Review Team Act.

15 (m) Information provided to the predatory lending  
16 database created pursuant to Article 3 of the Residential  
17 Real Property Disclosure Act, except to the extent  
18 authorized under that Article.

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

26 (o) Information that is prohibited from being

1 disclosed under Section 4 of the Illinois Health and  
2 Hazardous Substances Registry Act.

3 (p) Security portions of system safety program plans,  
4 investigation reports, surveys, schedules, lists, data, or  
5 information compiled, collected, or prepared by or for the  
6 Department of Transportation under Sections 2705-300 and  
7 2705-616 of the Department of Transportation Law of the  
8 Civil Administrative Code of Illinois, the Regional  
9 Transportation Authority under Section 2.11 of the  
10 Regional Transportation Authority Act, or the St. Clair  
11 County Transit District under the Bi-State Transit Safety  
12 Act (repealed).

13 (q) Information prohibited from being disclosed by the  
14 Personnel Record Review Act.

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

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

19 (t) (Blank).

20 (u) Records and information provided to an independent  
21 team of experts under the Developmental Disability and  
22 Mental Health Safety Act (also known as Brian's Law).

23 (v) Names and information of people who have applied  
24 for or received Firearm Owner's Identification Cards under  
25 the Firearm Owners Identification Card Act or applied for  
26 or received a concealed carry license under the Firearm

1 Concealed Carry Act, unless otherwise authorized by the  
2 Firearm Concealed Carry Act; and databases under the  
3 Firearm Concealed Carry Act, records of the Concealed  
4 Carry Licensing Review Board under the Firearm Concealed  
5 Carry Act, and law enforcement agency objections under the  
6 Firearm Concealed Carry Act.

7 (v-5) Records of the Firearm Owner's Identification  
8 Card Review Board that are exempted from disclosure under  
9 Section 10 of the Firearm Owners Identification Card Act.

10 (w) Personally identifiable information which is  
11 exempted from disclosure under subsection (g) of Section  
12 19.1 of the Toll Highway Act.

13 (x) Information which is exempted from disclosure  
14 under Section 5-1014.3 of the Counties Code or Section  
15 8-11-21 of the Illinois Municipal Code.

16 (y) Confidential information under the Adult  
17 Protective Services Act and its predecessor enabling  
18 statute, the Elder Abuse and Neglect Act, including  
19 information about the identity and administrative finding  
20 against any caregiver of a verified and substantiated  
21 decision of abuse, neglect, or financial exploitation of  
22 an eligible adult maintained in the Registry established  
23 under Section 7.5 of the Adult Protective Services Act.

24 (z) Records and information provided to a fatality  
25 review team or the Illinois Fatality Review Team Advisory  
26 Council under Section 15 of the Adult Protective Services

1 Act.

2 (aa) Information which is exempted from disclosure  
3 under Section 2.37 of the Wildlife Code.

4 (bb) Information which is or was prohibited from  
5 disclosure by the Juvenile Court Act of 1987.

6 (cc) Recordings made under the Law Enforcement  
7 Officer-Worn Body Camera Act, except to the extent  
8 authorized under that Act.

9 (dd) Information that is prohibited from being  
10 disclosed under Section 45 of the Condominium and Common  
11 Interest Community Ombudsperson Act.

12 (ee) Information that is exempted from disclosure  
13 under Section 30.1 of the Pharmacy Practice Act.

14 (ff) Information that is exempted from disclosure  
15 under the Revised Uniform Unclaimed Property Act.

16 (gg) Information that is prohibited from being  
17 disclosed under Section 7-603.5 of the Illinois Vehicle  
18 Code.

19 (hh) Records that are exempt from disclosure under  
20 Section 1A-16.7 of the Election Code.

21 (ii) Information which is exempted from disclosure  
22 under Section 2505-800 of the Department of Revenue Law of  
23 the Civil Administrative Code of Illinois.

24 (jj) Information and reports that are required to be  
25 submitted to the Department of Labor by registering day  
26 and temporary labor service agencies but are exempt from

1 disclosure under subsection (a-1) of Section 45 of the Day  
2 and Temporary Labor Services Act.

3 (kk) Information prohibited from disclosure under the  
4 Seizure and Forfeiture Reporting Act.

5 (ll) Information the disclosure of which is restricted  
6 and exempted under Section 5-30.8 of the Illinois Public  
7 Aid Code.

8 (mm) Records that are exempt from disclosure under  
9 Section 4.2 of the Crime Victims Compensation Act.

10 (nn) Information that is exempt from disclosure under  
11 Section 70 of the Higher Education Student Assistance Act.

12 (oo) Communications, notes, records, and reports  
13 arising out of a peer support counseling session  
14 prohibited from disclosure under the First Responders  
15 Suicide Prevention Act.

16 (pp) Names and all identifying information relating to  
17 an employee of an emergency services provider or law  
18 enforcement agency under the First Responders Suicide  
19 Prevention Act.

20 (qq) Information and records held by the Department of  
21 Public Health and its authorized representatives collected  
22 under the Reproductive Health Act.

23 (rr) Information that is exempt from disclosure under  
24 the Cannabis Regulation and Tax Act.

25 (ss) Data reported by an employer to the Department of  
26 Human Rights pursuant to Section 2-108 of the Illinois

1 Human Rights Act.

2 (tt) Recordings made under the Children's Advocacy  
3 Center Act, except to the extent authorized under that  
4 Act.

5 (uu) Information that is exempt from disclosure under  
6 Section 50 of the Sexual Assault Evidence Submission Act.

7 (vv) Information that is exempt from disclosure under  
8 subsections (f) and (j) of Section 5-36 of the Illinois  
9 Public Aid Code.

10 (ww) Information that is exempt from disclosure under  
11 Section 16.8 of the State Treasurer Act.

12 (xx) Information that is exempt from disclosure or  
13 information that shall not be made public under the  
14 Illinois Insurance Code.

15 (yy) Information prohibited from being disclosed under  
16 the Illinois Educational Labor Relations Act.

17 (zz) Information prohibited from being disclosed under  
18 the Illinois Public Labor Relations Act.

19 (aaa) Information prohibited from being disclosed  
20 under Section 1-167 of the Illinois Pension Code.

21 (bbb) Information that is prohibited from disclosure  
22 by the Illinois Police Training Act and the Illinois State  
23 Police Act.

24 (ccc) Records exempt from disclosure under Section  
25 2605-304 of the Illinois State Police Law of the Civil  
26 Administrative Code of Illinois.

1           (ddd) Information prohibited from being disclosed  
2 under Section 35 of the Address Confidentiality for  
3 Victims of Domestic Violence, Sexual Assault, Human  
4 Trafficking, or Stalking Act.

5           (eee) Information prohibited from being disclosed  
6 under subsection (b) of Section 75 of the Domestic  
7 Violence Fatality Review Act.

8           (fff) Images from cameras under the Expressway Camera  
9 Act. This subsection (fff) is inoperative on and after  
10 July 1, 2025.

11           (ggg) Information prohibited from disclosure under  
12 paragraph (3) of subsection (a) of Section 14 of the Nurse  
13 Agency Licensing Act.

14           (hhh) Information submitted to the Illinois State  
15 Police in an affidavit or application for an assault  
16 weapon endorsement, assault weapon attachment endorsement,  
17 .50 caliber rifle endorsement, or .50 caliber cartridge  
18 endorsement under the Firearm Owners Identification Card  
19 Act.

20           (iii) Data exempt from disclosure under Section 50 of  
21 the School Safety Drill Act.

22           (jjj) Information exempt from disclosure under Section  
23 30 of the Insurance Data Security Law.

24           (kkk) Confidential business information prohibited  
25 from disclosure under Section 45 of the Paint Stewardship  
26 Act.

1 (lll) Data exempt from disclosure under Section  
2 2-3.196 of the School Code.

3 (mmm) Information prohibited from being disclosed  
4 under subsection (e) of Section 1-129 of the Illinois  
5 Power Agency Act.

6 (nnn) Materials received by the Department of Commerce  
7 and Economic Opportunity that are confidential under the  
8 Music and Musicians Tax Credit and Jobs Act.

9 (ooo) Data or information provided pursuant to Section  
10 20 of the Statewide Recycling Needs and Assessment Act.

11 (ppp) Information that is exempt from disclosure under  
12 Section 28-11 of the Lawful Health Care Activity Act.

13 (qqq) Information that is exempt from disclosure under  
14 Section 7-101 of the Illinois Human Rights Act.

15 (rrr) Information prohibited from being disclosed  
16 under Section 4-2 of the Uniform Money Transmission  
17 Modernization Act.

18 (sss) Information exempt from disclosure under Section  
19 40 of the Student-Athlete Endorsement Rights Act.

20 (ttt) Audio recordings made under Section 30 of the  
21 Illinois State Police Act, except to the extent authorized  
22 under that Section.

23 (uuu) Information that is exempt from disclosure by a  
24 governmental agency under Section 1-40 of the Reproductive  
25 Health Act.

26 (Source: P.A. 102-36, eff. 6-25-21; 102-237, eff. 1-1-22;

1 102-292, eff. 1-1-22; 102-520, eff. 8-20-21; 102-559, eff.  
2 8-20-21; 102-813, eff. 5-13-22; 102-946, eff. 7-1-22;  
3 102-1042, eff. 6-3-22; 102-1116, eff. 1-10-23; 103-8, eff.  
4 6-7-23; 103-34, eff. 6-9-23; 103-142, eff. 1-1-24; 103-372,  
5 eff. 1-1-24; 103-472, eff. 8-1-24; 103-508, eff. 8-4-23;  
6 103-580, eff. 12-8-23; 103-592, eff. 6-7-24; 103-605, eff.  
7 7-1-24; 103-636, eff. 7-1-24; 103-724, eff. 1-1-25; 103-786,  
8 eff. 8-7-24; 103-859, eff. 8-9-24; 103-991, eff. 8-9-24;  
9 103-1049, eff. 8-9-24; 103-1081, eff. 3-21-25.)

10 Section 10. The Reproductive Health Act is amended by  
11 changing Section 1-10 and by adding Sections 1-40 and 1-41 as  
12 follows:

13 (775 ILCS 55/1-10)

14 Sec. 1-10. Definitions. As used in this Act:

15 "Abortion" means the use of any instrument, medicine,  
16 drug, or any other substance or device to terminate the  
17 pregnancy of an individual known to be pregnant with an  
18 intention other than to increase the probability of a live  
19 birth, to preserve the life or health of the child after live  
20 birth, or to remove a dead fetus.

21 "Advanced practice registered nurse" has the same meaning  
22 as it does in Section 50-10 of the Nurse Practice Act.

23 "Assisted reproduction" means a method of achieving a  
24 pregnancy through the handling of human oocytes, sperm,

1 zygotes, or embryos for the purpose of establishing a  
2 pregnancy. "Assisted reproduction" includes, but is not  
3 limited to, methods of artificial insemination, in vitro  
4 fertilization, embryo transfer, zygote transfer, embryo  
5 biopsy, preimplantation genetic diagnosis, embryo  
6 cryopreservation, oocyte, gamete, zygote, and embryo donation,  
7 and gestational surrogacy.

8 "Department" means the Illinois Department of Public  
9 Health.

10 "Fetal viability" means that, in the professional judgment  
11 of the attending health care professional, based on the  
12 particular facts of the case, there is a significant  
13 likelihood of a fetus' sustained survival outside the uterus  
14 without the application of extraordinary medical measures.

15 "Governmental agency" means all agencies, authorities,  
16 boards, commissions, departments, institutions, offices, and  
17 any other bodies politic and corporate of this State created  
18 by the constitution or statute, whether in the executive,  
19 judicial, or legislative branch; all units and corporate  
20 outgrowths created by executive order of the Governor or any  
21 constitutional officer, by the Supreme Court, or by resolution  
22 of the General Assembly; or agencies, authorities, boards,  
23 commissions, departments, institutions, offices, and any other  
24 bodies politic and corporate of a unit of local government, or  
25 school district.

26 "Health care professional" means a person who is licensed

1 as a physician, advanced practice registered nurse, or  
2 physician assistant.

3 "Health of the patient" means all factors that are  
4 relevant to the patient's health and well-being, including,  
5 but not limited to, physical, emotional, psychological, and  
6 familial health and age.

7 "Home address" means a permanent residence of the health  
8 care professional and any secondary residences affirmatively  
9 identified by the health care professional.

10 "Immediate family" means a spouse, child, parent, or any  
11 blood relative of the health care professional or the spouse  
12 of the health care representative who lives in the same  
13 residence.

14 "Lawful health care" has the meaning given to that term in  
15 the Lawful Health Care Activity Act.

16 "Maternity care" means the health care provided in  
17 relation to pregnancy, labor and childbirth, and the  
18 postpartum period, and includes prenatal care, care during  
19 labor and birthing, and postpartum care extending through  
20 one-year postpartum. Maternity care shall seek to optimize  
21 positive outcomes for the patient, and be provided on the  
22 basis of the physical and psychosocial needs of the patient.  
23 Notwithstanding any of the above, all care shall be subject to  
24 the informed and voluntary consent of the patient, or the  
25 patient's legal proxy, when the patient is unable to give  
26 consent.

1       "Personal information" means a home address, home  
2 telephone number, mobile telephone number, pager number,  
3 personal email address, social security number, federal tax  
4 identification number, checking and savings account numbers,  
5 credit card numbers, marital status, and identity of children  
6 under the age of 18.

7       "Physician" means any person licensed to practice medicine  
8 in all its branches under the Medical Practice Act of 1987.

9       "Physician assistant" has the same meaning as it does in  
10 Section 4 of the Physician Assistant Practice Act of 1987.

11       "Pregnancy" means the human reproductive process,  
12 beginning with the implantation of an embryo.

13       "Prevailing party" has the same meaning as in the Illinois  
14 Civil Rights Act of 2003.

15       "Publicly available content" means any written, printed,  
16 or electronic document or record that provides information or  
17 that serves as a document or record maintained, controlled, or  
18 in the possession of a governmental agency that may be  
19 obtained by any person or entity, from the Internet, from a  
20 governmental agency upon request free of charge or for a fee,  
21 or in response to a request under the Freedom of Information  
22 Act.

23       "Publicly post" or "publicly display" means to communicate  
24 to another or otherwise make available to the general public.

25       "Reproductive health care" means health care offered,  
26 arranged, or furnished for the purpose of preventing

1 pregnancy, terminating a pregnancy, managing pregnancy loss,  
2 or improving maternal health and birth outcomes. "Reproductive  
3 health care" includes, but is not limited to: contraception;  
4 sterilization; preconception care; assisted reproduction;  
5 maternity care; abortion care; and counseling regarding  
6 reproductive health care.

7 "State" includes any branch, department, agency,  
8 instrumentality, and official or other person acting under  
9 color of law of this State or a political subdivision of the  
10 State, including any unit of local government (including a  
11 home rule unit), school district, instrumentality, or public  
12 subdivision.

13 "Written request" means written notice signed by a health  
14 care professional, sent physically or electronically,  
15 requesting a governmental agency, person, business, or  
16 association to refrain from posting or displaying publicly  
17 available content that includes the personal information of  
18 the health care professional.

19 (Source: P.A. 101-13, eff. 6-12-19; 102-1117, eff. 1-13-23.)

20 (775 ILCS 55/1-40 new)

21 Sec. 1-40. Health care professional privacy by written  
22 request.

23 (a) A health care professional who provides lawful health  
24 care may submit to any governmental agency, person, business,  
25 or association a written request that the governmental agency,

1 person, business, or association refrain from disclosing any  
2 personal information about the health care professional.

3 A representative from the health care professional's  
4 employer may submit a written request on behalf of the health  
5 care professional if: (i) the health care professional gives  
6 written consent to the representative; and (ii) the  
7 representative agrees to furnish a copy of that consent when a  
8 written request is made. The representative shall submit the  
9 written request directly to a governmental agency, person,  
10 business or association.

11 A written request is valid if the health care  
12 professional, or representative of the health care  
13 professional's employer, sends a written request directly to a  
14 governmental agency, person, business, or association.

15 (b) The written request shall specify:

16 (1) what personal information of the health care  
17 professional shall be maintained private;

18 (2) if a health care professional wishes to identify a  
19 secondary residence as a home address, the designation of  
20 such; and

21 (3) the identity of any immediate family, and any  
22 personal information of those persons that shall be  
23 excluded to the extent that it could reasonably be  
24 expected to reveal the personal information of the health  
25 care professional.

26 (c) A written request is valid until the health care

1 professional provides the governmental agency, person,  
2 business, or association with written permission to release  
3 the personal information. Otherwise, a written request from a  
4 health care professional expires on death.

5 (d) If a governmental agency receives a written request  
6 from a health care professional in accordance with subsections  
7 (a) and (b), the governmental agency shall not publicly post  
8 or display publicly available content that includes any  
9 personal information of the health care professional. After  
10 receipt of the request, the governmental agency shall remove  
11 any personal information of the health care professional from  
12 the publicly available content within 5 business days, and  
13 shall not publicly post or display the personal information  
14 unless the health care professional has given the governmental  
15 agency written permission to release the personal information  
16 as required under subsection (c). The personal information of  
17 the health care professional is exempt from the Freedom of  
18 Information Act unless the governmental agency receives  
19 consent from the health care professional to make the personal  
20 information available to the public.

21 (e) If a governmental agency fails to comply with a  
22 written request under subsection (d), the health care  
23 professional may bring an action seeking injunctive or  
24 declaratory relief in any court of competent jurisdiction.

25 (f) If a person, business, or association receives a  
26 written request from a health care professional in accordance

1 with subsections (a) and (b), the person, business, or  
2 association shall refrain from publicly posting or displaying  
3 on the Internet publicly available content that includes the  
4 personal information of a health care professional. After  
5 receipt of a written request, the person, business, or  
6 association: (i) has 72 hours to remove the personal  
7 information from the Internet; (ii) shall ensure that the  
8 personal information of the health care professional is not  
9 made available on any website or subsidiary website controlled  
10 by that person, business, or association; and (iii) shall not  
11 transfer the personal information of the health care  
12 professional to any other person, business, or association  
13 through any medium.

14 (g) A health care professional whose personal information  
15 is made public as a result of a violation of subsection (f) may  
16 bring an action seeking injunctive or declaratory relief in  
17 any court of competent jurisdiction. A court shall award a  
18 prevailing health care professional costs and reasonable  
19 attorney's fees.

20 (h) No governmental agency, person, business, or  
21 association shall be found to have violated any provision of  
22 this Section if the health care professional fails to submit a  
23 written request calling for the protection of the personal  
24 information of the health care professional.

25 (i) This Section and any rules adopted to implement this  
26 Section shall be construed broadly to favor the protection of

1 the personal information of a health care professional.

2 (775 ILCS 55/1-41 new)

3 Sec. 1-41. Prohibited disclosures of personal information  
4 of certain health care professionals.

5 (a) No person shall solicit, sell, or trade on the  
6 Internet any personal information of any health care  
7 professional who provides lawful health care with the intent  
8 to pose an imminent or serious threat to the health and safety  
9 of the health care professional or the health care  
10 professional's immediate family.

11 (b) No person shall knowingly and publicly post on the  
12 Internet the personal information of a health care  
13 professional who provides lawful health care or of the health  
14 care professional's immediate family if the person knows that  
15 publicly posting the personal information poses an imminent  
16 and serious threat to the health and safety of the health care  
17 professional or health care professional's immediate family,  
18 and the violation is a proximate cause of bodily injury or  
19 death of the health care professional or health care  
20 professional's immediate family member.

21 (c) A person who violates subsection (a) or (b) is guilty  
22 of a Class 3 felony.

23 (d) It is not a violation of subsection (a) or (b) if an  
24 employee of a governmental agency publishes personal  
25 information, in good faith, on the website of the governmental

1 agency in the ordinary course of carrying out public functions  
2 if the employee complied with the conditions of this Section.

3 (e) This Section and any rules adopted to implement this  
4 Section shall be construed broadly to favor the protection of  
5 the personal information of a health care professional."