



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

**HB4408**

Introduced 1/14/2026, by Rep. Jackie Haas

#### SYNOPSIS AS INTRODUCED:

5 ILCS 140/7

Amends the Freedom of Information Act. Provides that records in the possession of any public body created in the course of administrative enforcement proceedings, and any law enforcement or correctional agency for law enforcement purposes, that contain the name, address, or other identifying information or contact information of a person who is under the age of 18 years old and who is a victim of sexual abuse, sexual assault, or sexual violence are exempt from inspection and copying under certain provisions regarding a public body redacting the exempt information.

LRB104 16847 BDA 30257 b

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 Freedom of Information Act is amended by  
5 changing Section 7 as follows:

6 (5 ILCS 140/7)

7 (Text of Section before amendment by P.A. 104-300)

8 Sec. 7. Exemptions.

9 (1) When a request is made to inspect or copy a public  
10 record that contains information that is exempt from  
11 disclosure under this Section, but also contains information  
12 that is not exempt from disclosure, the public body may elect  
13 to redact the information that is exempt. The public body  
14 shall make the remaining information available for inspection  
15 and copying. Subject to this requirement, the following shall  
16 be exempt from inspection and copying:

17 (a) Information specifically prohibited from  
18 disclosure by federal or State law or rules and  
19 regulations implementing federal or State law.

20 (b) Private information, unless disclosure is required  
21 by another provision of this Act, a State or federal law,  
22 or a court order.

23 (b-5) Files, documents, and other data or databases

1 maintained by one or more law enforcement agencies and  
2 specifically designed to provide information to one or  
3 more law enforcement agencies regarding the physical or  
4 mental status of one or more individual subjects.

5 (c) Personal information contained within public  
6 records, the disclosure of which would constitute a  
7 clearly unwarranted invasion of personal privacy, unless  
8 the disclosure is consented to in writing by the  
9 individual subjects of the information. "Unwarranted  
10 invasion of personal privacy" means the disclosure of  
11 information that is highly personal or objectionable to a  
12 reasonable person and in which the subject's right to  
13 privacy outweighs any legitimate public interest in  
14 obtaining the information. The disclosure of information  
15 that bears on the public duties of public employees and  
16 officials shall not be considered an invasion of personal  
17 privacy.

18 (d) Records in the possession of any public body  
19 created in the course of administrative enforcement  
20 proceedings, and any law enforcement or correctional  
21 agency for law enforcement purposes, but only to the  
22 extent that disclosure would:

23 (i) interfere with pending or actually and  
24 reasonably contemplated law enforcement proceedings  
25 conducted by any law enforcement or correctional  
26 agency that is the recipient of the request;

1           (ii) interfere with active administrative  
2 enforcement proceedings conducted by the public body  
3 that is the recipient of the request;

4           (iii) create a substantial likelihood that a  
5 person will be deprived of a fair trial or an impartial  
6 hearing;

7           (iv) unavoidably disclose the identity of a  
8 confidential source, confidential information  
9 furnished only by the confidential source, or persons  
10 who file complaints with or provide information to  
11 administrative, investigative, law enforcement, or  
12 penal agencies; except that the identities of  
13 witnesses to traffic crashes, traffic crash reports,  
14 and rescue reports shall be provided by agencies of  
15 local government, except when disclosure would  
16 interfere with an active criminal investigation  
17 conducted by the agency that is the recipient of the  
18 request;

19           (v) disclose unique or specialized investigative  
20 techniques other than those generally used and known  
21 or disclose internal documents of correctional  
22 agencies related to detection, observation, or  
23 investigation of incidents of crime or misconduct, and  
24 disclosure would result in demonstrable harm to the  
25 agency or public body that is the recipient of the  
26 request;

1 (vi) endanger the life or physical safety of law  
2 enforcement personnel or any other person; or

3 (vii) obstruct an ongoing criminal investigation  
4 by the agency that is the recipient of the request.

5 (d-3) Records in the possession of any public body  
6 created in the course of administrative enforcement  
7 proceedings, and any law enforcement or correctional  
8 agency for law enforcement purposes, that contain the  
9 name, address, or other identifying information or contact  
10 information of a person who is under the age of 18 years  
11 old and who is a victim of sexual abuse, sexual assault, or  
12 sexual violence.

13 (d-5) A law enforcement record created for law  
14 enforcement purposes and contained in a shared electronic  
15 record management system if the law enforcement agency  
16 that is the recipient of the request did not create the  
17 record, did not participate in or have a role in any of the  
18 events which are the subject of the record, and only has  
19 access to the record through the shared electronic record  
20 management system.

21 (d-6) Records contained in the Officer Professional  
22 Conduct Database under Section 9.2 of the Illinois Police  
23 Training Act, except to the extent authorized under that  
24 Section. This includes the documents supplied to the  
25 Illinois Law Enforcement Training Standards Board from the  
26 Illinois State Police and Illinois State Police Merit

1 Board.

2 (d-7) Information gathered or records created from the  
3 use of automatic license plate readers in connection with  
4 Section 2-130 of the Illinois Vehicle Code.

5 (e) Records that relate to or affect the security of  
6 correctional institutions and detention facilities.

7 (e-5) Records requested by persons committed to the  
8 Department of Corrections, Department of Human Services  
9 Division of Mental Health, or a county jail if those  
10 materials are available in the library of the correctional  
11 institution or facility or jail where the inmate is  
12 confined.

13 (e-6) Records requested by persons committed to the  
14 Department of Corrections, Department of Human Services  
15 Division of Mental Health, or a county jail if those  
16 materials include records from staff members' personnel  
17 files, staff rosters, or other staffing assignment  
18 information.

19 (e-7) Records requested by persons committed to the  
20 Department of Corrections or Department of Human Services  
21 Division of Mental Health if those materials are available  
22 through an administrative request to the Department of  
23 Corrections or Department of Human Services Division of  
24 Mental Health.

25 (e-8) Records requested by a person committed to the  
26 Department of Corrections, Department of Human Services

1 Division of Mental Health, or a county jail, the  
2 disclosure of which would result in the risk of harm to any  
3 person or the risk of an escape from a jail or correctional  
4 institution or facility.

5 (e-9) Records requested by a person in a county jail  
6 or committed to the Department of Corrections or  
7 Department of Human Services Division of Mental Health,  
8 containing personal information pertaining to the person's  
9 victim or the victim's family, including, but not limited  
10 to, a victim's home address, home telephone number, work  
11 or school address, work telephone number, social security  
12 number, or any other identifying information, except as  
13 may be relevant to a requester's current or potential case  
14 or claim.

15 (e-10) Law enforcement records of other persons  
16 requested by a person committed to the Department of  
17 Corrections, Department of Human Services Division of  
18 Mental Health, or a county jail, including, but not  
19 limited to, arrest and booking records, mug shots, and  
20 crime scene photographs, except as these records may be  
21 relevant to the requester's current or potential case or  
22 claim.

23 (f) Preliminary drafts, notes, recommendations,  
24 memoranda, and other records in which opinions are  
25 expressed, or policies or actions are formulated, except  
26 that a specific record or relevant portion of a record

1 shall not be exempt when the record is publicly cited and  
2 identified by the head of the public body. The exemption  
3 provided in this paragraph (f) extends to all those  
4 records of officers and agencies of the General Assembly  
5 that pertain to the preparation of legislative documents.

6 (g) Trade secrets and commercial or financial  
7 information obtained from a person or business where the  
8 trade secrets or commercial or financial information are  
9 furnished under a claim that they are proprietary,  
10 privileged, or confidential, and that disclosure of the  
11 trade secrets or commercial or financial information would  
12 cause competitive harm to the person or business, and only  
13 insofar as the claim directly applies to the records  
14 requested.

15 The information included under this exemption includes  
16 all trade secrets and commercial or financial information  
17 obtained by a public body, including a public pension  
18 fund, from a private equity fund or a privately held  
19 company within the investment portfolio of a private  
20 equity fund as a result of either investing or evaluating  
21 a potential investment of public funds in a private equity  
22 fund. The exemption contained in this item does not apply  
23 to the aggregate financial performance information of a  
24 private equity fund, nor to the identity of the fund's  
25 managers or general partners. The exemption contained in  
26 this item does not apply to the identity of a privately

1 held company within the investment portfolio of a private  
2 equity fund, unless the disclosure of the identity of a  
3 privately held company may cause competitive harm.

4 Nothing contained in this paragraph (g) shall be  
5 construed to prevent a person or business from consenting  
6 to disclosure.

7 (h) Proposals and bids for any contract, grant, or  
8 agreement, including information which if it were  
9 disclosed would frustrate procurement or give an advantage  
10 to any person proposing to enter into a contractor  
11 agreement with the body, until an award or final selection  
12 is made. Information prepared by or for the body in  
13 preparation of a bid solicitation shall be exempt until an  
14 award or final selection is made.

15 (i) Valuable formulae, computer geographic systems,  
16 designs, drawings, and research data obtained or produced  
17 by any public body when disclosure could reasonably be  
18 expected to produce private gain or public loss. The  
19 exemption for "computer geographic systems" provided in  
20 this paragraph (i) does not extend to requests made by  
21 news media as defined in Section 2 of this Act when the  
22 requested information is not otherwise exempt and the only  
23 purpose of the request is to access and disseminate  
24 information regarding the health, safety, welfare, or  
25 legal rights of the general public.

26 (j) The following information pertaining to

1 educational matters:

2 (i) test questions, scoring keys, and other  
3 examination data used to administer an academic  
4 examination;

5 (ii) information received by a primary or  
6 secondary school, college, or university under its  
7 procedures for the evaluation of faculty members by  
8 their academic peers;

9 (iii) information concerning a school or  
10 university's adjudication of student disciplinary  
11 cases, but only to the extent that disclosure would  
12 unavoidably reveal the identity of the student; and

13 (iv) course materials or research materials used  
14 by faculty members.

15 (k) Architects' plans, engineers' technical  
16 submissions, and other construction related technical  
17 documents for projects not constructed or developed in  
18 whole or in part with public funds and the same for  
19 projects constructed or developed with public funds,  
20 including, but not limited to, power generating and  
21 distribution stations and other transmission and  
22 distribution facilities, water treatment facilities,  
23 airport facilities, sport stadiums, convention centers,  
24 and all government owned, operated, or occupied buildings,  
25 but only to the extent that disclosure would compromise  
26 security.

1           (1) Minutes of meetings of public bodies closed to the  
2 public as provided in the Open Meetings Act until the  
3 public body makes the minutes available to the public  
4 under Section 2.06 of the Open Meetings Act.

5           (m) Communications between a public body and an  
6 attorney or auditor representing the public body that  
7 would not be subject to discovery in litigation, and  
8 materials prepared or compiled by or for a public body in  
9 anticipation of a criminal, civil, or administrative  
10 proceeding upon the request of an attorney advising the  
11 public body, and materials prepared or compiled with  
12 respect to internal audits of public bodies.

13           (n) Records relating to a public body's adjudication  
14 of employee grievances or disciplinary cases; however,  
15 this exemption shall not extend to the final outcome of  
16 cases in which discipline is imposed.

17           (o) Administrative or technical information associated  
18 with automated data processing operations, including, but  
19 not limited to, software, operating protocols, computer  
20 program abstracts, file layouts, source listings, object  
21 modules, load modules, user guides, documentation  
22 pertaining to all logical and physical design of  
23 computerized systems, employee manuals, and any other  
24 information that, if disclosed, would jeopardize the  
25 security of the system or its data or the security of  
26 materials exempt under this Section.

1           (p) Records relating to collective negotiating matters  
2           between public bodies and their employees or  
3           representatives, except that any final contract or  
4           agreement shall be subject to inspection and copying.

5           (q) Test questions, scoring keys, and other  
6           examination data used to determine the qualifications of  
7           an applicant for a license or employment.

8           (r) The records, documents, and information relating  
9           to real estate purchase negotiations until those  
10          negotiations have been completed or otherwise terminated.  
11          With regard to a parcel involved in a pending or actually  
12          and reasonably contemplated eminent domain proceeding  
13          under the Eminent Domain Act, records, documents, and  
14          information relating to that parcel shall be exempt except  
15          as may be allowed under discovery rules adopted by the  
16          Illinois Supreme Court. The records, documents, and  
17          information relating to a real estate sale shall be exempt  
18          until a sale is consummated.

19          (s) Any and all proprietary information and records  
20          related to the operation of an intergovernmental risk  
21          management association or self-insurance pool or jointly  
22          self-administered health and accident cooperative or pool.  
23          Insurance or self-insurance (including any  
24          intergovernmental risk management association or  
25          self-insurance pool) claims, loss or risk management  
26          information, records, data, advice, or communications.

1           (t) Information contained in or related to  
2 examination, operating, or condition reports prepared by,  
3 on behalf of, or for the use of a public body responsible  
4 for the regulation or supervision of financial  
5 institutions, insurance companies, or pharmacy benefit  
6 managers, unless disclosure is otherwise required by State  
7 law.

8           (u) Information that would disclose or might lead to  
9 the disclosure of secret or confidential information,  
10 codes, algorithms, programs, or private keys intended to  
11 be used to create electronic signatures under the Uniform  
12 Electronic Transactions Act.

13           (v) Vulnerability assessments, security measures, and  
14 response policies or plans that are designed to identify,  
15 prevent, or respond to potential attacks upon a  
16 community's population or systems, facilities, or  
17 installations, but only to the extent that disclosure  
18 could reasonably be expected to expose the vulnerability  
19 or jeopardize the effectiveness of the measures, policies,  
20 or plans, or the safety of the personnel who implement  
21 them or the public. Information exempt under this item may  
22 include such things as details pertaining to the  
23 mobilization or deployment of personnel or equipment, to  
24 the operation of communication systems or protocols, to  
25 cybersecurity vulnerabilities, or to tactical operations.

26           (w) (Blank).

1           (x) Maps and other records regarding the location or  
2 security of generation, transmission, distribution,  
3 storage, gathering, treatment, or switching facilities  
4 owned by a utility, by a power generator, or by the  
5 Illinois Power Agency.

6           (y) Information contained in or related to proposals,  
7 bids, or negotiations related to electric power  
8 procurement under Section 1-75 of the Illinois Power  
9 Agency Act and Section 16-111.5 of the Public Utilities  
10 Act that is determined to be confidential and proprietary  
11 by the Illinois Power Agency or by the Illinois Commerce  
12 Commission.

13           (z) Information about students exempted from  
14 disclosure under Section 10-20.38 or 34-18.29 of the  
15 School Code, and information about undergraduate students  
16 enrolled at an institution of higher education exempted  
17 from disclosure under Section 25 of the Illinois Credit  
18 Card Marketing Act of 2009.

19           (aa) Information the disclosure of which is exempted  
20 under the Viatical Settlements Act of 2009.

21           (bb) Records and information provided to a mortality  
22 review team and records maintained by a mortality review  
23 team appointed under the Department of Juvenile Justice  
24 Mortality Review Team Act.

25           (cc) Information regarding interments, entombments, or  
26 inurnments of human remains that are submitted to the

1 Cemetery Oversight Database under the Cemetery Care Act or  
2 the Cemetery Oversight Act, whichever is applicable.

3 (dd) Correspondence and records (i) that may not be  
4 disclosed under Section 11-9 of the Illinois Public Aid  
5 Code or (ii) that pertain to appeals under Section 11-8 of  
6 the Illinois Public Aid Code.

7 (ee) The names, addresses, or other personal  
8 information of persons who are minors and are also  
9 participants and registrants in programs of park  
10 districts, forest preserve districts, conservation  
11 districts, recreation agencies, and special recreation  
12 associations.

13 (ff) The names, addresses, or other personal  
14 information of participants and registrants in programs of  
15 park districts, forest preserve districts, conservation  
16 districts, recreation agencies, and special recreation  
17 associations where such programs are targeted primarily to  
18 minors.

19 (gg) Confidential information described in Section  
20 1-100 of the Illinois Independent Tax Tribunal Act of  
21 2012.

22 (hh) The report submitted to the State Board of  
23 Education by the School Security and Standards Task Force  
24 under item (8) of subsection (d) of Section 2-3.160 of the  
25 School Code and any information contained in that report.

26 (ii) Records requested by persons committed to or

1           detained by the Department of Human Services under the  
2           Sexually Violent Persons Commitment Act or committed to  
3           the Department of Corrections under the Sexually Dangerous  
4           Persons Act if those materials: (i) are available in the  
5           library of the facility where the individual is confined;  
6           (ii) include records from staff members' personnel files,  
7           staff rosters, or other staffing assignment information;  
8           or (iii) are available through an administrative request  
9           to the Department of Human Services or the Department of  
10          Corrections.

11           (jj) Confidential information described in Section  
12          5-535 of the Civil Administrative Code of Illinois.

13           (kk) The public body's credit card numbers, debit card  
14          numbers, bank account numbers, Federal Employer  
15          Identification Number, security code numbers, passwords,  
16          and similar account information, the disclosure of which  
17          could result in identity theft or impression or defrauding  
18          of a governmental entity or a person.

19           (ll) Records concerning the work of the threat  
20          assessment team of a school district, including, but not  
21          limited to, any threat assessment procedure under the  
22          School Safety Drill Act and any information contained in  
23          the procedure.

24           (mm) Information prohibited from being disclosed under  
25          subsections (a) and (b) of Section 15 of the Student  
26          Confidential Reporting Act.

1           (nn) Proprietary information submitted to the  
2 Environmental Protection Agency under the Drug Take-Back  
3 Act.

4           (oo) Records described in subsection (f) of Section  
5 3-5-1 of the Unified Code of Corrections.

6           (pp) Any and all information regarding burials,  
7 interments, or entombments of human remains as required to  
8 be reported to the Department of Natural Resources  
9 pursuant either to the Archaeological and Paleontological  
10 Resources Protection Act or the Human Remains Protection  
11 Act.

12           (qq) Reports described in subsection (e) of Section  
13 16-15 of the Abortion Care Clinical Training Program Act.

14           (rr) Information obtained by a certified local health  
15 department under the Access to Public Health Data Act.

16           (ss) For a request directed to a public body that is  
17 also a HIPAA-covered entity, all information that is  
18 protected health information, including demographic  
19 information, that may be contained within or extracted  
20 from any record held by the public body in compliance with  
21 State and federal medical privacy laws and regulations,  
22 including, but not limited to, the Health Insurance  
23 Portability and Accountability Act and its regulations, 45  
24 CFR Parts 160 and 164. As used in this paragraph,  
25 "HIPAA-covered entity" has the meaning given to the term  
26 "covered entity" in 45 CFR 160.103 and "protected health

1 information" has the meaning given to that term in 45 CFR  
2 160.103.

3 (tt) Proposals or bids submitted by engineering  
4 consultants in response to requests for proposal or other  
5 competitive bidding requests by the Department of  
6 Transportation or the Illinois Toll Highway Authority.

7 (1.5) Any information exempt from disclosure under the  
8 Judicial Privacy Act shall be redacted from public records  
9 prior to disclosure under this Act.

10 (2) A public record that is not in the possession of a  
11 public body but is in the possession of a party with whom the  
12 agency has contracted to perform a governmental function on  
13 behalf of the public body, and that directly relates to the  
14 governmental function and is not otherwise exempt under this  
15 Act, shall be considered a public record of the public body,  
16 for purposes of this Act.

17 (3) This Section does not authorize withholding of  
18 information or limit the availability of records to the  
19 public, except as stated in this Section or otherwise provided  
20 in this Act.

21 (Source: P.A. 102-38, eff. 6-25-21; 102-558, eff. 8-20-21;  
22 102-694, eff. 1-7-22; 102-752, eff. 5-6-22; 102-753, eff.  
23 1-1-23; 102-776, eff. 1-1-23; 102-791, eff. 5-13-22; 102-982,  
24 eff. 7-1-23; 102-1055, eff. 6-10-22; 103-154, eff. 6-30-23;  
25 103-423, eff. 1-1-24; 103-446, eff. 8-4-23; 103-462, eff.  
26 8-4-23; 103-540, eff. 1-1-24; 103-554, eff. 1-1-24; 103-605,

1 eff. 7-1-24; 103-865, eff. 1-1-25.)

2 (Text of Section after amendment by P.A. 104-300)

3 Sec. 7. Exemptions.

4 (1) When a request is made to inspect or copy a public  
5 record that contains information that is exempt from  
6 disclosure under this Section, but also contains information  
7 that is not exempt from disclosure, the public body may elect  
8 to redact the information that is exempt. The public body  
9 shall make the remaining information available for inspection  
10 and copying. Subject to this requirement, the following shall  
11 be exempt from inspection and copying:

12 (a) Records created or compiled by a State public  
13 defender agency or commission subject to the State Public  
14 Defender Act that contain: individual client identity;  
15 individual case file information; individual investigation  
16 records and other records that are otherwise subject to  
17 attorney-client privilege; records that would not be  
18 discoverable in litigation; records under Section 2.15;  
19 training materials; records related to attorney  
20 consultation and representation strategy; or any of the  
21 above concerning clients of county public defenders or  
22 other defender agencies and firms. This exclusion does not  
23 apply to deidentified, aggregated, administrative records,  
24 such as general case processing and workload information.

25 (a-5) Information specifically prohibited from

1 disclosure by federal or State law or rules and  
2 regulations implementing federal or State law.

3 (b) Private information, unless disclosure is required  
4 by another provision of this Act, a State or federal law,  
5 or a court order.

6 (b-5) Files, documents, and other data or databases  
7 maintained by one or more law enforcement agencies and  
8 specifically designed to provide information to one or  
9 more law enforcement agencies regarding the physical or  
10 mental status of one or more individual subjects.

11 (c) Personal information contained within public  
12 records, the disclosure of which would constitute a  
13 clearly unwarranted invasion of personal privacy, unless  
14 the disclosure is consented to in writing by the  
15 individual subjects of the information. "Unwarranted  
16 invasion of personal privacy" means the disclosure of  
17 information that is highly personal or objectionable to a  
18 reasonable person and in which the subject's right to  
19 privacy outweighs any legitimate public interest in  
20 obtaining the information. The disclosure of information  
21 that bears on the public duties of public employees and  
22 officials shall not be considered an invasion of personal  
23 privacy.

24 (d) Records in the possession of any public body  
25 created in the course of administrative enforcement  
26 proceedings, and any law enforcement or correctional

1 agency for law enforcement purposes, but only to the  
2 extent that disclosure would:

3 (i) interfere with pending or actually and  
4 reasonably contemplated law enforcement proceedings  
5 conducted by any law enforcement or correctional  
6 agency that is the recipient of the request;

7 (ii) interfere with active administrative  
8 enforcement proceedings conducted by the public body  
9 that is the recipient of the request;

10 (iii) create a substantial likelihood that a  
11 person will be deprived of a fair trial or an impartial  
12 hearing;

13 (iv) unavoidably disclose the identity of a  
14 confidential source, confidential information  
15 furnished only by the confidential source, or persons  
16 who file complaints with or provide information to  
17 administrative, investigative, law enforcement, or  
18 penal agencies; except that the identities of  
19 witnesses to traffic crashes, traffic crash reports,  
20 and rescue reports shall be provided by agencies of  
21 local government, except when disclosure would  
22 interfere with an active criminal investigation  
23 conducted by the agency that is the recipient of the  
24 request;

25 (v) disclose unique or specialized investigative  
26 techniques other than those generally used and known

1 or disclose internal documents of correctional  
2 agencies related to detection, observation, or  
3 investigation of incidents of crime or misconduct, and  
4 disclosure would result in demonstrable harm to the  
5 agency or public body that is the recipient of the  
6 request;

7 (vi) endanger the life or physical safety of law  
8 enforcement personnel or any other person; or

9 (vii) obstruct an ongoing criminal investigation  
10 by the agency that is the recipient of the request.

11 (d-3) Records in the possession of any public body  
12 created in the course of administrative enforcement  
13 proceedings, and any law enforcement or correctional  
14 agency for law enforcement purposes, that contain the  
15 name, address, or other identifying information or contact  
16 information of a person who is under the age of 18 years  
17 old and who is a victim of sexual abuse, sexual assault, or  
18 sexual violence.

19 (d-5) A law enforcement record created for law  
20 enforcement purposes and contained in a shared electronic  
21 record management system if the law enforcement agency  
22 that is the recipient of the request did not create the  
23 record, did not participate in or have a role in any of the  
24 events which are the subject of the record, and only has  
25 access to the record through the shared electronic record  
26 management system.

1 (d-6) Records contained in the Officer Professional  
2 Conduct Database under Section 9.2 of the Illinois Police  
3 Training Act, except to the extent authorized under that  
4 Section. This includes the documents supplied to the  
5 Illinois Law Enforcement Training Standards Board from the  
6 Illinois State Police and Illinois State Police Merit  
7 Board.

8 (d-7) Information gathered or records created from the  
9 use of automatic license plate readers in connection with  
10 Section 2-130 of the Illinois Vehicle Code.

11 (e) Records that relate to or affect the security of  
12 correctional institutions and detention facilities.

13 (e-5) Records requested by persons committed to the  
14 Department of Corrections, Department of Human Services  
15 Division of Mental Health, or a county jail if those  
16 materials are available in the library of the correctional  
17 institution or facility or jail where the inmate is  
18 confined.

19 (e-6) Records requested by persons committed to the  
20 Department of Corrections, Department of Human Services  
21 Division of Mental Health, or a county jail if those  
22 materials include records from staff members' personnel  
23 files, staff rosters, or other staffing assignment  
24 information.

25 (e-7) Records requested by persons committed to the  
26 Department of Corrections or Department of Human Services

1 Division of Mental Health if those materials are available  
2 through an administrative request to the Department of  
3 Corrections or Department of Human Services Division of  
4 Mental Health.

5 (e-8) Records requested by a person committed to the  
6 Department of Corrections, Department of Human Services  
7 Division of Mental Health, or a county jail, the  
8 disclosure of which would result in the risk of harm to any  
9 person or the risk of an escape from a jail or correctional  
10 institution or facility.

11 (e-9) Records requested by a person in a county jail  
12 or committed to the Department of Corrections or  
13 Department of Human Services Division of Mental Health,  
14 containing personal information pertaining to the person's  
15 victim or the victim's family, including, but not limited  
16 to, a victim's home address, home telephone number, work  
17 or school address, work telephone number, social security  
18 number, or any other identifying information, except as  
19 may be relevant to a requester's current or potential case  
20 or claim.

21 (e-10) Law enforcement records of other persons  
22 requested by a person committed to the Department of  
23 Corrections, Department of Human Services Division of  
24 Mental Health, or a county jail, including, but not  
25 limited to, arrest and booking records, mug shots, and  
26 crime scene photographs, except as these records may be

1 relevant to the requester's current or potential case or  
2 claim.

3 (f) Preliminary drafts, notes, recommendations,  
4 memoranda, and other records in which opinions are  
5 expressed, or policies or actions are formulated, except  
6 that a specific record or relevant portion of a record  
7 shall not be exempt when the record is publicly cited and  
8 identified by the head of the public body. The exemption  
9 provided in this paragraph (f) extends to all those  
10 records of officers and agencies of the General Assembly  
11 that pertain to the preparation of legislative documents.

12 (g) Trade secrets and commercial or financial  
13 information obtained from a person or business where the  
14 trade secrets or commercial or financial information are  
15 furnished under a claim that they are proprietary,  
16 privileged, or confidential, and that disclosure of the  
17 trade secrets or commercial or financial information would  
18 cause competitive harm to the person or business, and only  
19 insofar as the claim directly applies to the records  
20 requested.

21 The information included under this exemption includes  
22 all trade secrets and commercial or financial information  
23 obtained by a public body, including a public pension  
24 fund, from a private equity fund or a privately held  
25 company within the investment portfolio of a private  
26 equity fund as a result of either investing or evaluating

1 a potential investment of public funds in a private equity  
2 fund. The exemption contained in this item does not apply  
3 to the aggregate financial performance information of a  
4 private equity fund, nor to the identity of the fund's  
5 managers or general partners. The exemption contained in  
6 this item does not apply to the identity of a privately  
7 held company within the investment portfolio of a private  
8 equity fund, unless the disclosure of the identity of a  
9 privately held company may cause competitive harm.

10 Nothing contained in this paragraph (g) shall be  
11 construed to prevent a person or business from consenting  
12 to disclosure.

13 (h) Proposals and bids for any contract, grant, or  
14 agreement, including information which if it were  
15 disclosed would frustrate procurement or give an advantage  
16 to any person proposing to enter into a contractor  
17 agreement with the body, until an award or final selection  
18 is made. Information prepared by or for the body in  
19 preparation of a bid solicitation shall be exempt until an  
20 award or final selection is made.

21 (i) Valuable formulae, computer geographic systems,  
22 designs, drawings, and research data obtained or produced  
23 by any public body when disclosure could reasonably be  
24 expected to produce private gain or public loss. The  
25 exemption for "computer geographic systems" provided in  
26 this paragraph (i) does not extend to requests made by

1 news media as defined in Section 2 of this Act when the  
2 requested information is not otherwise exempt and the only  
3 purpose of the request is to access and disseminate  
4 information regarding the health, safety, welfare, or  
5 legal rights of the general public.

6 (j) The following information pertaining to  
7 educational matters:

8 (i) test questions, scoring keys, and other  
9 examination data used to administer an academic  
10 examination;

11 (ii) information received by a primary or  
12 secondary school, college, or university under its  
13 procedures for the evaluation of faculty members by  
14 their academic peers;

15 (iii) information concerning a school or  
16 university's adjudication of student disciplinary  
17 cases, but only to the extent that disclosure would  
18 unavoidably reveal the identity of the student; and

19 (iv) course materials or research materials used  
20 by faculty members.

21 (k) Architects' plans, engineers' technical  
22 submissions, and other construction related technical  
23 documents for projects not constructed or developed in  
24 whole or in part with public funds and the same for  
25 projects constructed or developed with public funds,  
26 including, but not limited to, power generating and

1 distribution stations and other transmission and  
2 distribution facilities, water treatment facilities,  
3 airport facilities, sport stadiums, convention centers,  
4 and all government owned, operated, or occupied buildings,  
5 but only to the extent that disclosure would compromise  
6 security.

7 (l) Minutes of meetings of public bodies closed to the  
8 public as provided in the Open Meetings Act until the  
9 public body makes the minutes available to the public  
10 under Section 2.06 of the Open Meetings Act.

11 (m) Communications between a public body and an  
12 attorney or auditor representing the public body that  
13 would not be subject to discovery in litigation, and  
14 materials prepared or compiled by or for a public body in  
15 anticipation of a criminal, civil, or administrative  
16 proceeding upon the request of an attorney advising the  
17 public body, and materials prepared or compiled with  
18 respect to internal audits of public bodies.

19 (n) Records relating to a public body's adjudication  
20 of employee grievances or disciplinary cases; however,  
21 this exemption shall not extend to the final outcome of  
22 cases in which discipline is imposed.

23 (o) Administrative or technical information associated  
24 with automated data processing operations, including, but  
25 not limited to, software, operating protocols, computer  
26 program abstracts, file layouts, source listings, object

1 modules, load modules, user guides, documentation  
2 pertaining to all logical and physical design of  
3 computerized systems, employee manuals, and any other  
4 information that, if disclosed, would jeopardize the  
5 security of the system or its data or the security of  
6 materials exempt under this Section.

7 (p) Records relating to collective negotiating matters  
8 between public bodies and their employees or  
9 representatives, except that any final contract or  
10 agreement shall be subject to inspection and copying.

11 (q) Test questions, scoring keys, and other  
12 examination data used to determine the qualifications of  
13 an applicant for a license or employment.

14 (r) The records, documents, and information relating  
15 to real estate purchase negotiations until those  
16 negotiations have been completed or otherwise terminated.  
17 With regard to a parcel involved in a pending or actually  
18 and reasonably contemplated eminent domain proceeding  
19 under the Eminent Domain Act, records, documents, and  
20 information relating to that parcel shall be exempt except  
21 as may be allowed under discovery rules adopted by the  
22 Illinois Supreme Court. The records, documents, and  
23 information relating to a real estate sale shall be exempt  
24 until a sale is consummated.

25 (s) Any and all proprietary information and records  
26 related to the operation of an intergovernmental risk

1 management association or self-insurance pool or jointly  
2 self-administered health and accident cooperative or pool.  
3 Insurance or self-insurance (including any  
4 intergovernmental risk management association or  
5 self-insurance pool) claims, loss or risk management  
6 information, records, data, advice, or communications.

7 (t) Information contained in or related to  
8 examination, operating, or condition reports prepared by,  
9 on behalf of, or for the use of a public body responsible  
10 for the regulation or supervision of financial  
11 institutions, insurance companies, or pharmacy benefit  
12 managers, unless disclosure is otherwise required by State  
13 law.

14 (u) Information that would disclose or might lead to  
15 the disclosure of secret or confidential information,  
16 codes, algorithms, programs, or private keys intended to  
17 be used to create electronic signatures under the Uniform  
18 Electronic Transactions Act.

19 (v) Vulnerability assessments, security measures, and  
20 response policies or plans that are designed to identify,  
21 prevent, or respond to potential attacks upon a  
22 community's population or systems, facilities, or  
23 installations, but only to the extent that disclosure  
24 could reasonably be expected to expose the vulnerability  
25 or jeopardize the effectiveness of the measures, policies,  
26 or plans, or the safety of the personnel who implement

1           them or the public. Information exempt under this item may  
2           include such things as details pertaining to the  
3           mobilization or deployment of personnel or equipment, to  
4           the operation of communication systems or protocols, to  
5           cybersecurity vulnerabilities, or to tactical operations.

6           (w) (Blank).

7           (x) Maps and other records regarding the location or  
8           security of generation, transmission, distribution,  
9           storage, gathering, treatment, or switching facilities  
10          owned by a utility, by a power generator, or by the  
11          Illinois Power Agency.

12          (y) Information contained in or related to proposals,  
13          bids, or negotiations related to electric power  
14          procurement under Section 1-75 of the Illinois Power  
15          Agency Act and Section 16-111.5 of the Public Utilities  
16          Act that is determined to be confidential and proprietary  
17          by the Illinois Power Agency or by the Illinois Commerce  
18          Commission.

19          (z) Information about students exempted from  
20          disclosure under Section 10-20.38 or 34-18.29 of the  
21          School Code, and information about undergraduate students  
22          enrolled at an institution of higher education exempted  
23          from disclosure under Section 25 of the Illinois Credit  
24          Card Marketing Act of 2009.

25          (aa) Information the disclosure of which is exempted  
26          under the Viatical Settlements Act of 2009.

1 (bb) Records and information provided to a mortality  
2 review team and records maintained by a mortality review  
3 team appointed under the Department of Juvenile Justice  
4 Mortality Review Team Act.

5 (cc) Information regarding interments, entombments, or  
6 inurnments of human remains that are submitted to the  
7 Cemetery Oversight Database under the Cemetery Care Act or  
8 the Cemetery Oversight Act, whichever is applicable.

9 (dd) Correspondence and records (i) that may not be  
10 disclosed under Section 11-9 of the Illinois Public Aid  
11 Code or (ii) that pertain to appeals under Section 11-8 of  
12 the Illinois Public Aid Code.

13 (ee) The names, addresses, or other personal  
14 information of persons who are minors and are also  
15 participants and registrants in programs of park  
16 districts, forest preserve districts, conservation  
17 districts, recreation agencies, and special recreation  
18 associations.

19 (ff) The names, addresses, or other personal  
20 information of participants and registrants in programs of  
21 park districts, forest preserve districts, conservation  
22 districts, recreation agencies, and special recreation  
23 associations where such programs are targeted primarily to  
24 minors.

25 (gg) Confidential information described in Section  
26 1-100 of the Illinois Independent Tax Tribunal Act of

1 2012.

2 (hh) The report submitted to the State Board of  
3 Education by the School Security and Standards Task Force  
4 under item (8) of subsection (d) of Section 2-3.160 of the  
5 School Code and any information contained in that report.

6 (ii) Records requested by persons committed to or  
7 detained by the Department of Human Services under the  
8 Sexually Violent Persons Commitment Act or committed to  
9 the Department of Corrections under the Sexually Dangerous  
10 Persons Act if those materials: (i) are available in the  
11 library of the facility where the individual is confined;  
12 (ii) include records from staff members' personnel files,  
13 staff rosters, or other staffing assignment information;  
14 or (iii) are available through an administrative request  
15 to the Department of Human Services or the Department of  
16 Corrections.

17 (jj) Confidential information described in Section  
18 5-535 of the Civil Administrative Code of Illinois.

19 (kk) The public body's credit card numbers, debit card  
20 numbers, bank account numbers, Federal Employer  
21 Identification Number, security code numbers, passwords,  
22 and similar account information, the disclosure of which  
23 could result in identity theft or impression or defrauding  
24 of a governmental entity or a person.

25 (ll) Records concerning the work of the threat  
26 assessment team of a school district, including, but not

1 limited to, any threat assessment procedure under the  
2 School Safety Drill Act and any information contained in  
3 the procedure.

4 (mm) Information prohibited from being disclosed under  
5 subsections (a) and (b) of Section 15 of the Student  
6 Confidential Reporting Act.

7 (nn) Proprietary information submitted to the  
8 Environmental Protection Agency under the Drug Take-Back  
9 Act.

10 (oo) Records described in subsection (f) of Section  
11 3-5-1 of the Unified Code of Corrections.

12 (pp) Any and all information regarding burials,  
13 interments, or entombments of human remains as required to  
14 be reported to the Department of Natural Resources  
15 pursuant either to the Archaeological and Paleontological  
16 Resources Protection Act or the Human Remains Protection  
17 Act.

18 (qq) Reports described in subsection (e) of Section  
19 16-15 of the Abortion Care Clinical Training Program Act.

20 (rr) Information obtained by a certified local health  
21 department under the Access to Public Health Data Act.

22 (ss) For a request directed to a public body that is  
23 also a HIPAA-covered entity, all information that is  
24 protected health information, including demographic  
25 information, that may be contained within or extracted  
26 from any record held by the public body in compliance with

1 State and federal medical privacy laws and regulations,  
2 including, but not limited to, the Health Insurance  
3 Portability and Accountability Act and its regulations, 45  
4 CFR Parts 160 and 164. As used in this paragraph,  
5 "HIPAA-covered entity" has the meaning given to the term  
6 "covered entity" in 45 CFR 160.103 and "protected health  
7 information" has the meaning given to that term in 45 CFR  
8 160.103.

9 (tt) Proposals or bids submitted by engineering  
10 consultants in response to requests for proposal or other  
11 competitive bidding requests by the Department of  
12 Transportation or the Illinois Toll Highway Authority.

13 (1.5) Any information exempt from disclosure under the  
14 Judicial Privacy Act shall be redacted from public records  
15 prior to disclosure under this Act.

16 (2) A public record that is not in the possession of a  
17 public body but is in the possession of a party with whom the  
18 agency has contracted to perform a governmental function on  
19 behalf of the public body, and that directly relates to the  
20 governmental function and is not otherwise exempt under this  
21 Act, shall be considered a public record of the public body,  
22 for purposes of this Act.

23 (3) This Section does not authorize withholding of  
24 information or limit the availability of records to the  
25 public, except as stated in this Section or otherwise provided  
26 in this Act.

1 (Source: P.A. 103-154, eff. 6-30-23; 103-423, eff. 1-1-24;  
2 103-446, eff. 8-4-23; 103-462, eff. 8-4-23; 103-540, eff.  
3 1-1-24; 103-554, eff. 1-1-24; 103-605, eff. 7-1-24; 103-865,  
4 eff. 1-1-25; 104-300, eff. 1-1-27.)

5 Section 95. No acceleration or delay. Where this Act makes  
6 changes in a statute that is represented in this Act by text  
7 that is not yet or no longer in effect (for example, a Section  
8 represented by multiple versions), the use of that text does  
9 not accelerate or delay the taking effect of (i) the changes  
10 made by this Act or (ii) provisions derived from any other  
11 Public Act.