



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2322

Introduced 2/7/2025, by Sen. Mike Porfirio

SYNOPSIS AS INTRODUCED:

20 ILCS 3305/1	from Ch. 127, par. 1051
20 ILCS 3305/2	from Ch. 127, par. 1052
20 ILCS 3305/4	from Ch. 127, par. 1054
20 ILCS 3305/5	from Ch. 127, par. 1055
20 ILCS 3305/6	from Ch. 127, par. 1056
20 ILCS 3305/7	from Ch. 127, par. 1057
20 ILCS 3305/8	from Ch. 127, par. 1058
20 ILCS 3305/10	from Ch. 127, par. 1060
20 ILCS 3305/12	from Ch. 127, par. 1062
20 ILCS 3305/14	from Ch. 127, par. 1064
20 ILCS 3305/17.8	
20 ILCS 3305/18	from Ch. 127, par. 1068
20 ILCS 3305/20	from Ch. 127, par. 1070
20 ILCS 3305/23	
20 ILCS 3305/24 new	
20 ILCS 3305/26 new	
20 ILCS 3305/27 new	

Amends the Illinois Emergency Management Agency Act. Changes the name of the Act to the IEMA-OHS Act. Makes conforming changes and adds references to homeland security and the Office of Homeland Security within the Illinois Emergency Management Agency and Office of Homeland Security (IEMA-OHS) throughout the Act. Adds and changes definitions. Deletes provisions regarding certain salaries in previous years. In provisions listing responsibilities of IEMA-OHS, adds responsibilities regarding nuclear and radiation safety and homeland security. Provides for the appointment of a Homeland Security Advisor with the advice and consent of the Senate, as well as discretionary Deputy Homeland Security Advisors, with other requirements. Establishes the Illinois Homeland Security Advisory Council, with certain requirements. Creates the Illinois Cybersecurity Commission, with certain requirements. Creates the position of Statewide Interoperability Coordinator. Makes other changes.

LRB104 12191 BDA 22295 b

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Illinois Emergency Management Agency Act is
5 amended by changing Sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 12,
6 14, 17.8, 18, 20, and 23 and by adding Sections 24, 26, and 27
7 as follows:

8 (20 ILCS 3305/1) (from Ch. 127, par. 1051)

9 Sec. 1. Short Title. This Act may be cited as the IEMA-OHS
10 ~~Illinois Emergency Management Agency Act.~~

11 (Source: P.A. 87-168.)

12 (20 ILCS 3305/2) (from Ch. 127, par. 1052)

13 Sec. 2. Policy and Purposes.

14 (a) Because of the possibility of the occurrence of
15 disasters of unprecedented size and destructiveness resulting
16 from the explosion in this or in neighboring states of atomic
17 or other means from without or by means of sabotage or other
18 disloyal actions within, or from fire, flood, earthquake,
19 telecommunications failure, or other natural or technological
20 causes, and in order to insure that this State will be prepared
21 to and will adequately deal with any disasters, preserve the
22 lives and property of the people of this State and protect the

1 public peace, health, and safety in the event of a disaster, it
2 is found and declared to be necessary:

3 (1) To create a State emergency management and
4 homeland security agency ~~an Illinois Emergency Management~~
5 ~~Agency~~ and to authorize emergency management and homeland
6 security programs within the political subdivisions of the
7 State.

8 (2) To confer upon the Governor and upon the principal
9 executive officer of the political subdivisions of the
10 State the powers provided herein.

11 (3) To provide for the rendering of mutual aid among
12 the political subdivisions and taxing districts of the
13 State and with other states and with respect to the
14 carrying out of ~~an~~ emergency management and homeland
15 security programs ~~program~~.

16 (b) It is further declared to be the purpose of this Act
17 and the policy of the State that all emergency management and
18 homeland security programs of this State be coordinated to the
19 maximum extent with the comparable programs of the federal
20 government, including its various departments and agencies, of
21 other states and localities and private agencies of every
22 type, to the end that the most effective preparation and use
23 may be made of the nation's resources and facilities for
24 dealing with any disaster that may occur.

25 (Source: P.A. 87-168; 88-606, eff. 1-1-95.)

1 (20 ILCS 3305/4) (from Ch. 127, par. 1054)

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

5 "Coordinator" means the staff assistant to the principal
6 executive officer of a political subdivision with the duty of
7 coordinating the emergency management programs of that
8 political subdivision.

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

22 "Disaster" means an occurrence or threat of widespread or
23 severe damage, injury or loss of life or property resulting
24 from any natural, technological, or human cause, including but
25 not limited to fire, flood, earthquake, wind, storm, hazardous
26 materials spill or other water contamination requiring

1 emergency action to avert danger or damage, epidemic, air
2 contamination, blight, extended periods of severe and
3 inclement weather, drought, infestation, critical shortages of
4 essential fuels and energy, explosion, riot, hostile military
5 or paramilitary action, public health emergencies, cyber
6 incidents, or acts of domestic terrorism.

7 "Emergency Management" means the efforts of the State and
8 the political subdivisions to develop, plan, analyze, conduct,
9 provide, implement and maintain programs for disaster
10 mitigation, preparedness, response and recovery.

11 "Emergency Services and Disaster Agency" means the agency
12 by this name, by the name Emergency Management Agency, or by
13 any other name that is established by ordinance within a
14 political subdivision to coordinate the emergency management
15 program within that political subdivision and with private
16 organizations, other political subdivisions, the State and
17 federal governments.

18 "Emergency Operations Plan" means the written plan of the
19 State and political subdivisions describing the organization,
20 mission, and functions of the government and supporting
21 services for responding to and recovering from disasters and
22 shall include plans that take into account the needs of those
23 individuals with household pets and service animals following
24 a major disaster or emergency.

25 "Emergency Services" means the coordination of functions
26 by the State and its political subdivisions ~~subdivision~~, other

1 than functions for which military forces are primarily
2 responsible, as may be necessary or proper to prevent,
3 minimize, repair, and alleviate injury and damage resulting
4 from any natural or technological causes. These functions
5 include, without limitation, fire fighting services, police
6 services, emergency aviation services, medical and health
7 services, HazMat and technical rescue teams, rescue,
8 engineering, warning services, communications, radiological,
9 chemical and other special weapons defense, evacuation of
10 persons from stricken or threatened areas, emergency assigned
11 functions of plant protection, temporary restoration of public
12 utility services and other functions related to civilian
13 protection, together with all other activities necessary or
14 incidental to protecting life or property.

15 "Exercise" means a planned event realistically simulating
16 a disaster, conducted for the purpose of evaluating the
17 political subdivision's coordinated emergency management
18 capabilities or evaluating the State's emergency management
19 and homeland security capabilities, including, but not limited
20 to, testing the emergency operations plan.

21 "HazMat team" means a career or volunteer mobile support
22 team that has been authorized by a unit of local government to
23 respond to hazardous materials emergencies and that is
24 primarily designed for emergency response to chemical or
25 biological terrorism, radiological emergencies, hazardous
26 material spills, releases, or fires, or other contamination

1 events.

2 "Illinois Emergency Management Agency and Office of
3 Homeland Security" or "Agency" means the agency established by
4 this Act within the executive branch of State Government
5 responsible for coordination of the overall emergency
6 management and homeland security programs ~~program~~ of the State
7 and with private organizations, political subdivisions, and
8 the federal government. "Illinois Emergency Management Agency
9 and Office of Homeland Security" also means the State
10 Emergency Response Commission responsible for the
11 implementation of Title III of the Superfund Amendments and
12 Reauthorization Act of 1986.

13 "Interoperable communications" means the ability of
14 emergency response providers and relevant State and local
15 government agencies to communicate through a dedicated public
16 safety network, utilizing information technology systems and
17 radio communications systems, and to exchange voice, data, and
18 video on demand in real time.

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

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

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

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

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

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

13 (i) bioterrorism;

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

17 (iii) a natural disaster;

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

19 (v) a nuclear attack or accident; and

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

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

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

26 (iii) widespread exposure to an infectious or

1 toxic agent that poses a significant risk of
2 substantial future harm to a large number of people in
3 the affected population.

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

10 "Technical rescue team" means a career or volunteer mobile
11 support team that has been authorized by a unit of local
12 government to respond to building collapse, high angle rescue,
13 and other specialized rescue emergencies and that is primarily
14 designated for emergency response to technical rescue events.
15 (Source: P.A. 102-485, eff. 8-20-21.)

16 (20 ILCS 3305/5) (from Ch. 127, par. 1055)

17 Sec. 5. Illinois Emergency Management Agency and Office of
18 Homeland Security.

19 (a) There is created within the executive branch of the
20 State Government an Illinois Emergency Management Agency and
21 Office of Homeland Security and a Director of the Illinois
22 Emergency Management Agency and Office of Homeland Security,
23 herein called the "Director" who shall be the head thereof.
24 The Director shall be appointed by the Governor, with the
25 advice and consent of the Senate, and shall serve for a term of

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

18 ~~For terms beginning on or after January 16, 2023, the~~
19 ~~Assistant Director of the Illinois Emergency Management Agency~~
20 ~~shall receive an annual salary of \$156,600 or as set by the~~
21 ~~Governor, whichever is higher. On July 1, 2023, and on each~~
22 ~~July 1 thereafter, the Assistant Director shall receive an~~
23 ~~increase in salary based on a cost of living adjustment as~~
24 ~~authorized by Senate Joint Resolution 192 of the 86th General~~
25 ~~Assembly.~~

26 (b) The ~~Illinois Emergency Management Agency~~ shall obtain,

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

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

20 (d) The Agency shall have the following emergency
21 management duties:

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

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

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

19 (A) ~~(1)~~ the development of emergency operations
20 plan provisions for hazardous chemical emergencies;
21 and

22 (B) ~~(2)~~ the assessment of emergency response
23 capabilities related to hazardous chemical
24 emergencies.

25 (3) ~~(f)~~ The ~~Illinois Emergency Management~~ Agency
26 shall:

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

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

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

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

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

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

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

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

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

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

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

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

20 (K) ~~(8)~~ Establish a register of government and
21 private response resources available for use in a
22 disaster.

23 (L) ~~(9)~~ Expand the Earthquake Awareness Program
24 and its efforts to distribute earthquake preparedness
25 materials to schools, political subdivisions,
26 community groups, civic organizations, and the media.

1 Emphasis will be placed on those areas of the State
2 most at risk from an earthquake. Maintain the list of
3 all school districts, hospitals, airports, power
4 plants, including nuclear power plants, lakes, dams,
5 emergency response facilities of all types, and all
6 other major public or private structures which are at
7 the greatest risk of damage from earthquakes under
8 circumstances where the damage would cause subsequent
9 harm to the surrounding communities and residents.

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

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

25 (O) ~~(11.5)~~ In coordination with the Illinois State
26 Police, develop and implement a community outreach

1 program to promote awareness among the State's parents
2 and children of child abduction prevention and
3 response.

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

26 (Q) ~~(13)~~ Do all other things necessary, incidental

1 or appropriate for the implementation of this Act.

2 (4) ~~(g)~~ The ~~Illinois Emergency Management~~ Agency is
3 authorized to make grants to various higher education
4 institutions, public K-12 school districts, area
5 vocational centers as designated by the State Board of
6 Education, inter-district special education cooperatives,
7 regional safe schools, and nonpublic K-12 schools for
8 safety and security improvements. For the purpose of this
9 paragraph ~~subsection (g)~~, "higher education institution"
10 means a public university, a public community college, or
11 an independent, not-for-profit or for-profit higher
12 education institution located in this State. Grants made
13 under this paragraph ~~subsection (g)~~ shall be paid out of
14 moneys appropriated for that purpose from the Build
15 Illinois Bond Fund. The ~~Illinois Emergency Management~~
16 Agency shall adopt rules to implement this paragraph
17 ~~subsection (g)~~. These rules may specify: (i) the manner of
18 applying for grants; (ii) project eligibility
19 requirements; (iii) restrictions on the use of grant
20 moneys; (iv) the manner in which the various higher
21 education institutions must account for the use of grant
22 moneys; and (v) any other provision that the ~~Illinois~~
23 ~~Emergency Management~~ Agency determines to be necessary or
24 useful for the administration of this paragraph ~~subsection~~
25 ~~(g)~~.

26 (5) ~~(g 5)~~ The ~~Illinois Emergency Management~~ Agency is

1 authorized to make grants to not-for-profit organizations
2 which are exempt from federal income taxation under
3 section 501(c)(3) of the Federal Internal Revenue Code for
4 eligible security improvements that assist the
5 organization in preventing, preparing for, or responding
6 to threats, attacks, or acts of terrorism. To be eligible
7 for a grant under the program, the Agency must determine
8 that the organization is at a high risk of being subject to
9 threats, attacks, or acts of terrorism based on the
10 organization's profile, ideology, mission, or beliefs.
11 Eligible security improvements shall include all eligible
12 preparedness activities under the federal Nonprofit
13 Security Grant Program, including, but not limited to,
14 physical security upgrades, security training exercises,
15 preparedness training exercises, contracting with security
16 personnel, and any other security upgrades deemed eligible
17 by the Director. Eligible security improvements shall not
18 duplicate, in part or in whole, a project included under
19 any awarded federal grant or in a pending federal
20 application. The Director shall establish procedures and
21 forms by which applicants may apply for a grant and
22 procedures for distributing grants to recipients. Any
23 security improvements awarded shall remain at the physical
24 property listed in the grant application, unless
25 authorized by Agency rule or approved by the Agency in
26 writing. The procedures shall require each applicant to do

1 the following:

2 (A) ~~(1)~~ identify and substantiate prior or current
3 threats, attacks, or acts of terrorism against the
4 not-for-profit organization;

5 (B) ~~(2)~~ indicate the symbolic or strategic value
6 of one or more sites that renders the site a possible
7 target of a threat, attack, or act of terrorism;

8 (C) ~~(3)~~ discuss potential consequences to the
9 organization if the site is damaged, destroyed, or
10 disrupted by a threat, attack, or act of terrorism;

11 (D) ~~(4)~~ describe how the grant will be used to
12 integrate organizational preparedness with broader
13 State and local preparedness efforts, as described by
14 the Agency in each Notice of Opportunity for Funding;

15 (E) ~~(5)~~ submit (i) a vulnerability assessment
16 conducted by experienced security, law enforcement, or
17 military personnel, or conducted using an
18 Agency-approved or federal Nonprofit Security Grant
19 Program self-assessment tool, and (ii) a description
20 of how the grant award will be used to address the
21 vulnerabilities identified in the assessment; and

22 (F) ~~(6)~~ submit any other relevant information as
23 may be required by the Director.

24 The Agency is authorized to use funds appropriated for the
25 grant program described in this paragraph (5) ~~subsection (g) (5)~~
26 to administer the program.

1 (e) The Agency shall have the following homeland security
2 duties:

3 (1) The Homeland Security Advisor is established as
4 follows:

5 (A) A Homeland Security Advisor shall be appointed
6 by, and report to, the Governor, with the advice and
7 consent of the Senate. The Homeland Security Advisor
8 shall serve a 4-year term. The Governor may, in his
9 discretion, appoint one or more Deputy Homeland
10 Security Advisors to function in the absence of the
11 Homeland Security Advisor on such portfolios as he or
12 she deems appropriate.

13 (B) The Homeland Security advisor shall be
14 responsible for leading the State's strategic response
15 and policy recommendations on all matters pertaining
16 to homeland security, including, but not limited to,
17 development and execution of Statewide prevention
18 efforts associated with violence/targeted violence,
19 terrorism, domestic violent extremism, school safety,
20 cybersecurity, critical infrastructure protection,
21 online safety, public safety training, and mutual aid
22 assistance.

23 (C) The Illinois Emergency Management Agency and
24 Office of Homeland Security shall coordinate with and
25 provide administrative support for the Homeland
26 Security Advisor. The Homeland Security Advisor shall

1 not hold any other remunerative public office unless
2 the individual is also appointed as a State agency
3 director or secretary.

4 (D) Coordinates with all executive State agencies,
5 regarding the matters of homeland security. Each
6 executive agency shall coordinate and provide
7 briefings to the Homeland Security Advisor to produce
8 unified State strategies on homeland security.

9 (2) The Agency shall:

10 (A) Coordinate and provide administrative support
11 for the Homeland Security Advisor.

12 (B) Oversee, consult, and coordinate comprehensive
13 strategic response and policy recommendations for the
14 Homeland Security Advisor pertaining to all non-law
15 enforcement matters of homeland security for the
16 State. Such matters shall include the assessment,
17 development, and implementation of policies,
18 protocols, and strategies for the prevention,
19 preparedness, and recovery efforts associated with
20 targeted violence, terrorism, domestic violent
21 extremism, school safety, cybersecurity, critical
22 infrastructure protection, and online safety. The
23 Agency shall also coordinate local, State, and federal
24 agencies in public safety training and mutual aid
25 assistance.

26 (C) Serve as the primary liaison for non-law

1 enforcement national security matters with the U.S.
2 Department of Homeland Security (DHS), the Federal
3 Emergency Management Agency (FEMA), the Cybersecurity
4 and Infrastructure Security Agency (CISA), the Federal
5 Bureau of Investigation (FBI), the Office of the
6 Director of National Intelligence (ODNI), and any
7 other federal agencies for matters pertaining to
8 homeland security in the State.

9 (D) Consult and Coordinates with the Illinois
10 State Police to provide the U.S. Department of
11 Homeland Security (DHS) with relevant
12 counterterrorism, cyber, and transnational organized
13 crime reporting data pertaining to the State.

14 (E) Conduct public risk communication messaging.

15 (F) Adopt rules, regulations, and requirements
16 necessary for implementation of the homeland security
17 programs reflected in this Section.

18 (f) The Agency shall have the following nuclear and
19 radiation safety duties:

20 (1) The Agency shall exercise, administer, and enforce
21 all rights, powers, and duties for nuclear and radiation
22 safety authorized in the Nuclear Safety Law of 2004, 20
23 ILCS 3310/, or successor statutes.

24 (2) The Agency shall develop a comprehensive emergency
25 preparedness and response plan for any nuclear accident in
26 accordance with Section 65 of the Nuclear Safety Law of

1 2004 and in development of the Illinois Nuclear Safety
2 Preparedness program in accordance with Section 8 of the
3 Illinois Nuclear Safety Preparedness Act, or successor
4 statute.

5 (3) The Agency shall have the right to enter on public
6 and private property in order to take soil and air samples
7 for response to a disaster that causes radioactive
8 contamination.

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

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

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

21 (h) ~~(i)~~ The ~~Illinois Emergency Management~~ Agency may by
22 rule assess and collect reasonable fees for attendance at
23 Agency-sponsored conferences to enable the Agency to carry out
24 the requirements of this Act. Any moneys received under this
25 subsection shall be deposited in the Emergency Planning and
26 Training Fund and used by the Agency, subject to

1 appropriation, for planning and training activities.

2 (i)~~(j)~~ The Illinois Emergency Management Agency is
3 authorized to make grants to other State agencies, public
4 universities, units of local government, and statewide mutual
5 aid organizations to enhance statewide emergency preparedness
6 and response. The Agency shall adopt rules for implementation
7 of State-funded grant programs.

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

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

1 Office of Homeland Security may accept moneys from all
2 authorized sources into the Emergency Planning and Training
3 Fund, including, but not limited to, transfers from the Carbon
4 Dioxide Sequestration Administrative Fund and the Public
5 Utility Fund.

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

10 (Source: P.A. 102-16, eff. 6-17-21; 102-538, eff. 8-20-21;
11 102-813, eff. 5-13-22; 102-1115, eff. 1-9-23; 103-418, eff.
12 1-1-24; 103-588, eff. 1-1-25; 103-651, eff. 7-18-24; 103-999,
13 eff. 1-1-25; revised 11-26-24.)

14 (20 ILCS 3305/6) (from Ch. 127, par. 1056)

15 Sec. 6. Emergency Management Powers of the Governor.

16 (a) The Governor shall have general direction and control
17 of the ~~Illinois Emergency Management~~ Agency and shall be
18 responsible for the carrying out of the provisions of this
19 Act.

20 (b) In performing duties under this Act, the Governor is
21 authorized to cooperate with the federal government and with
22 other states in all matters pertaining to emergency
23 management, nuclear and radiation safety, and homeland
24 security.

25 (c) In performing duties under this Act, the Governor is

1 further authorized:

2 (1) To make, amend, and rescind all lawful necessary
3 orders, rules, and regulations to carry out the provisions
4 of this Act within the limits of the authority conferred
5 upon the Governor.

6 (2) To prepare ~~cause to be prepared~~ a comprehensive
7 plans ~~plan~~ and programs ~~program~~ for the emergency
8 management, nuclear and radiation safety, and homeland
9 security of this State, which plan and program shall be
10 integrated into and coordinated with emergency management,
11 nuclear and radiation safety, and homeland security plans
12 and programs of the federal government and of other states
13 whenever possible and which plan and program may include:

14 a. Mitigation of injury and damage caused by
15 disaster.

16 b. Prompt and effective response to disaster.

17 c. Emergency relief.

18 d. Identification of areas particularly vulnerable
19 to disasters.

20 e. Recommendations for zoning, building, and other
21 land-use controls, safety measures for securing
22 permanent structures and other mitigation measures
23 designed to eliminate or reduce disasters or their
24 impact.

25 f. Assistance to political subdivisions in
26 designing emergency operations plans.

1 g. Authorization and procedures for the erection
2 or other construction of temporary works designed to
3 mitigate danger, damage or loss from flood, or other
4 disaster.

5 h. Preparation and distribution to the appropriate
6 State and political subdivision officials of a State
7 catalog of federal, State, and private assistance
8 programs.

9 i. Organization of State personnel and chains of
10 command.

11 j. Coordination of federal, State, and political
12 subdivision emergency management, nuclear and
13 radiation safety, and homeland security activities.

14 k. Other necessary matters.

15 (3) In accordance with the plans ~~plan~~ and programs
16 ~~program~~ for the emergency management, nuclear and
17 radiation safety, and homeland security of this State, and
18 out of funds appropriated for these purposes, to procure
19 and preposition supplies, medicines, materials and
20 equipment, to institute training programs and public
21 information programs, and to take all other preparatory
22 steps including the partial or full mobilization of
23 emergency services and disaster agencies in advance of
24 actual disaster to insure the furnishing of adequately
25 trained and equipped forces for disaster response and
26 recovery.

1 (4) Out of funds appropriated for these purposes, to
2 make studies and surveys of the industries, resources, and
3 facilities in this State as may be necessary to ascertain
4 the capabilities of the State for emergency management
5 phases of mitigation, preparedness, response, and recovery
6 and to plan for the most efficient emergency use thereof.

7 (5) On behalf of this State, to negotiate for and
8 submit to the General Assembly for its approval or
9 rejection reciprocal mutual aid agreements or compacts
10 with other states, either on a statewide or political
11 subdivision basis. The agreements or compacts, shall be
12 limited to the furnishing or exchange of food, clothing,
13 medical or other supplies, engineering and police
14 services; emergency housing and feeding; National and
15 State Guards while under the control of the State; health,
16 medical, and related services; fire fighting, rescue,
17 transportation, communication, and construction services
18 and equipment, provided, however, that if the General
19 Assembly be not in session and the Governor has not
20 proclaimed the existence of a disaster under this Section,
21 then the agreements or compacts shall instead be submitted
22 to an Interim Committee on Emergency Management composed
23 of 5 Senators appointed by the President of the Senate and
24 of 5 Representatives appointed by the Speaker of the
25 House, during the month of June of each odd-numbered year
26 to serve for a 2 year term, beginning July 1 of that year,

1 and until their successors are appointed and qualified, or
2 until termination of their legislative service, whichever
3 first occurs. Vacancies shall be filled by appointment for
4 the unexpired term in the same manner as original
5 appointments. All appointments shall be made in writing
6 and filed with the Secretary of State as a public record.
7 The Committee shall have the power to approve or reject
8 any agreements or compacts for and on behalf of the
9 General Assembly; and, provided further, that an
10 affirmative vote of 2/3 of the members of the Committee
11 shall be necessary for the approval of any agreement or
12 compact.

13 (Source: P.A. 92-73, eff. 1-1-02.)

14 (20 ILCS 3305/7) (from Ch. 127, par. 1057)

15 Sec. 7. Emergency Powers of the Governor. In the event of a
16 disaster, as defined in Section 4, the Governor may, by
17 proclamation declare that a disaster exists. Upon such
18 proclamation, the Governor shall have and may exercise for a
19 period not to exceed 30 days the following emergency powers;
20 provided, however, that the lapse of the emergency powers
21 shall not, as regards any act or acts occurring or committed
22 within the 30-day period, deprive any person, firm,
23 corporation, political subdivision, or body politic of any
24 right or rights to compensation or reimbursement which he,
25 she, it, or they may have under the provisions of this Act:

1 (1) To suspend the provisions of any regulatory
2 statute prescribing procedures for conduct of State
3 business, or the orders, rules and regulations of any
4 State agency, if strict compliance with the provisions of
5 any statute, order, rule, or regulation would in any way
6 prevent, hinder or delay necessary action, including
7 emergency purchases, by the ~~Illinois Emergency Management~~
8 Agency, in coping with the disaster.

9 (2) To utilize all available resources of the State
10 government as reasonably necessary to cope with the
11 disaster and of each political subdivision of the State.

12 (3) To transfer the direction, personnel or functions
13 of State departments and agencies or units thereof for the
14 purpose of performing or facilitating disaster response
15 and recovery programs.

16 (4) On behalf of this State to take possession of, and
17 to acquire full title or a lesser specified interest in,
18 any personal property as may be necessary to accomplish
19 the objectives set forth in Section 2 of this Act,
20 including: airplanes, automobiles, trucks, trailers,
21 buses, and other vehicles; coal, oils, gasoline, and other
22 fuels and means of propulsion; explosives, materials,
23 equipment, and supplies; animals and livestock; feed and
24 seed; food and provisions for humans and animals; clothing
25 and bedding; and medicines and medical and surgical
26 supplies; and to take possession of and for a limited

1 period occupy and use any real estate necessary to
2 accomplish those objectives; but only upon the undertaking
3 by the State to pay just compensation therefor as in this
4 Act provided, and then only under the following
5 provisions:

6 a. The Governor, or the person or persons as the
7 Governor may authorize so to do, may forthwith take
8 possession of property for and on behalf of the State;
9 provided, however, that the Governor or persons shall
10 simultaneously with the taking, deliver to the owner
11 or his or her agent, if the identity of the owner or
12 agency is known or readily ascertainable, a signed
13 statement in writing, that shall include the name and
14 address of the owner, the date and place of the taking,
15 description of the property sufficient to identify it,
16 a statement of interest in the property that is being
17 so taken, and, if possible, a statement in writing,
18 signed by the owner, setting forth the sum that he or
19 she is willing to accept as just compensation for the
20 property or use. Whether or not the owner or agent is
21 known or readily ascertainable, a true copy of the
22 statement shall promptly be filed by the Governor or
23 the person with the Director, who shall keep the
24 docket of the statements. In cases where the sum that
25 the owner is willing to accept as just compensation is
26 less than \$1,000, copies of the statements shall also

1 be filed by the Director with, and shall be passed upon
2 by an Emergency Management Claims Commission,
3 consisting of 3 disinterested citizens who shall be
4 appointed by the Governor, by and with the advice and
5 consent of the Senate, within 20 days after the
6 Governor's declaration of a disaster, and if the sum
7 fixed by them as just compensation be less than \$1,000
8 and is accepted in writing by the owner, then the State
9 Treasurer out of funds appropriated for these
10 purposes, shall, upon certification thereof by the
11 Emergency Management Claims Commission, cause the sum
12 so certified forthwith to be paid to the owner. The
13 Emergency Management Claims Commission is hereby given
14 the power to issue appropriate subpoenas and to
15 administer oaths to witnesses and shall keep
16 appropriate minutes and other records of its actions
17 upon and the disposition made of all claims.

18 b. When the compensation to be paid for the taking
19 or use of property or interest therein is not or cannot
20 be determined and paid under item a of this paragraph
21 (4), a petition in the name of The People of the State
22 of Illinois shall be promptly filed by the Director,
23 which filing may be enforced by mandamus, in the
24 circuit court of the county where the property or any
25 part thereof was located when initially taken or used
26 under the provisions of this Act praying that the

1 amount of compensation to be paid to the person or
2 persons interested therein be fixed and determined.
3 The petition shall include a description of the
4 property that has been taken, shall state the physical
5 condition of the property when taken, shall name as
6 defendants all interested parties, shall set forth the
7 sum of money estimated to be just compensation for the
8 property or interest therein taken or used, and shall
9 be signed by the Director. The litigation shall be
10 handled by the Attorney General for and on behalf of
11 the State.

12 c. Just compensation for the taking or use of
13 property or interest therein shall be promptly
14 ascertained in proceedings and established by judgment
15 against the State, that shall include, as part of the
16 just compensation so awarded, interest at the rate of
17 6% per annum on the fair market value of the property
18 or interest therein from the date of the taking or use
19 to the date of the judgment; and the court may order
20 the payment of delinquent taxes and special
21 assessments out of the amount so awarded as just
22 compensation and may make any other orders with
23 respect to encumbrances, rents, insurance, and other
24 charges, if any, as shall be just and equitable.

25 (5) When required by the exigencies of the disaster,
26 to sell, lend, rent, give, or distribute all or any part of

1 property so or otherwise acquired to the inhabitants of
2 this State, or to political subdivisions of this State,
3 or, under the interstate mutual aid agreements or compacts
4 as are entered into under the provisions of subparagraph
5 (5) of paragraph (c) of Section 6 to other states, and to
6 account for and transmit to the State Treasurer all funds,
7 if any, received therefor.

8 (6) To recommend the evacuation of all or part of the
9 population from any stricken or threatened area within the
10 State if the Governor deems this action necessary.

11 (7) To prescribe routes, modes of transportation, and
12 destinations in connection with evacuation.

13 (8) To control ingress and egress to and from a
14 disaster area, the movement of persons within the area,
15 and the occupancy of premises therein.

16 (9) To suspend or limit the sale, dispensing, or
17 transportation of alcoholic beverages, firearms,
18 explosives, and combustibles.

19 (10) To make provision for the availability and use of
20 temporary emergency housing.

21 (11) A proclamation of a disaster shall activate the
22 State Emergency Operations Plan, and political subdivision
23 emergency operations plans applicable to the political
24 subdivision or area in question and be authority for the
25 deployment and use of any forces that the plan or plans
26 apply and for use or distribution of any supplies,

1 equipment, and materials and facilities assembled,
2 stockpiled or arranged to be made available under this Act
3 or any other provision of law relating to disasters.

4 (12) Control, restrict, and regulate by rationing,
5 freezing, use of quotas, prohibitions on shipments, price
6 fixing, allocation or other means, the use, sale or
7 distribution of food, feed, fuel, clothing and other
8 commodities, materials, goods, or services; and perform
9 and exercise any other functions, powers, and duties as
10 may be necessary to promote and secure the safety and
11 protection of the civilian population.

12 (13) During the continuance of any disaster the
13 Governor is commander-in-chief of the organized and
14 unorganized militia and of all other forces available for
15 emergency duty. To the greatest extent practicable, the
16 Governor shall delegate or assign authority to the
17 Director to manage, coordinate, and direct all resources
18 by orders issued at the time of the disaster.

19 (14) Prohibit increases in the prices of goods and
20 services during a disaster.

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

22 (20 ILCS 3305/8) (from Ch. 127, par. 1058)

23 Sec. 8. Mobile Support Teams.

24 (a) The Governor or Director may cause to be created
25 Mobile Support Teams to aid and to reinforce the ~~Illinois~~

1 ~~Emergency Management~~ Agency, and emergency services and
2 disaster agencies in areas stricken by disaster. Each mobile
3 support team shall have a leader, selected by the Director who
4 will be responsible, under the direction and control of the
5 Director, for the organization, administration, and training,
6 and operation of the mobile support team.

7 (b) Personnel of a mobile support team while on duty
8 pursuant to such a call or while engaged in regularly
9 scheduled training or exercises, whether within or without the
10 State, shall either:

11 (1) If they are paid employees of the State, have the
12 powers, duties, rights, privileges and immunities and
13 receive the compensation incidental to their employment.

14 (2) If they are paid employees of a political
15 subdivision or body politic of this State, and whether
16 serving within or without that political subdivision or
17 body politic, have the powers, duties, rights, privileges
18 and immunities, and receive the compensation incidental to
19 their employment.

20 (3) If they are not employees of the State, political
21 subdivision or body politic, or being such employees, are
22 not normally paid for their services, be entitled to at
23 least one dollar per year compensation from the State.

24 Personnel of a mobile support team who suffer disease,
25 injury or death arising out of or in the course of emergency
26 duty, shall for the purposes of benefits under the Workers'

1 Compensation Act or Workers' Occupational Diseases Act only,
2 be deemed to be employees of this State. If the person
3 diseased, injured or killed is an employee described in item
4 (3) above, the computation of benefits payable under either of
5 those Acts shall be based on income commensurate with
6 comparable State employees doing the same type of work or
7 income from the person's regular employment, whichever is
8 greater.

9 All personnel of mobile support teams shall, while on duty
10 under such call, be reimbursed by this State for all actual and
11 necessary travel and subsistence expenses.

12 (c) The State shall reimburse each political subdivision
13 or body politic from the Disaster Response and Recovery Fund
14 for the compensation paid and the actual and necessary travel,
15 subsistence and maintenance expenses of paid employees of the
16 political subdivision or body politic while serving, outside
17 of its geographical boundaries pursuant to such a call, as
18 members of a mobile support team, and for all payments made for
19 death, disease or injury of those paid employees arising out
20 of and incurred in the course of that duty, and for all losses
21 of or damage to supplies and equipment of the political
22 subdivision or body politic resulting from the operations.

23 (d) Whenever mobile support teams or units of another
24 state, while the Governor has the emergency powers provided
25 for under Section 7 of this Act, render aid to this State under
26 the orders of the Governor of its home state and upon the

1 request of the Governor of this State, all questions relating
2 to reimbursement by this State to the other state and its
3 citizens in regard to the assistance so rendered shall be
4 determined by the mutual aid agreements or interstate compacts
5 described in subparagraph (5) of paragraph (c) of Section 6 as
6 are existing at the time of the assistance rendered or are
7 entered into thereafter and under Section 303 (d) of the
8 Federal Civil Defense Act of 1950.

9 (e) No personnel of mobile support teams of this State may
10 be ordered by the Governor to operate in any other state unless
11 a request for the same has been made by the Governor or duly
12 authorized representative of the other state.

13 (Source: P.A. 98-465, eff. 8-16-13.)

14 (20 ILCS 3305/10) (from Ch. 127, par. 1060)

15 Sec. 10. Emergency Services and Disaster Agencies.

16 (a) Each political subdivision within this State shall be
17 within the jurisdiction of and served by the ~~Illinois~~
18 ~~Emergency Management~~ Agency and by an emergency services and
19 disaster agency responsible for emergency management programs.
20 A township, if the township is in a county having a population
21 of more than 2,000,000, must have approval of the county
22 coordinator before establishment of a township emergency
23 services and disaster agency.

24 (b) Unless multiple county emergency services and disaster
25 agency consolidation is authorized by the ~~Illinois Emergency~~

1 ~~Management~~ Agency with the consent of the respective counties,
2 each county shall maintain an emergency services and disaster
3 agency that has jurisdiction over and serves the entire
4 county, except as otherwise provided under this Act and except
5 that in any county with a population of over 3,000,000
6 containing a municipality with a population of over 500,000
7 the jurisdiction of the county agency shall not extend to the
8 municipality when the municipality has established its own
9 agency.

10 (c) Each municipality with a population of over 500,000
11 shall maintain an emergency services and disaster agency which
12 has jurisdiction over and serves the entire municipality. A
13 municipality with a population less than 500,000 may
14 establish, by ordinance, an agency or department responsible
15 for emergency management within the municipality's corporate
16 limits.

17 (d) The Governor shall determine which municipal
18 corporations, other than those specified in paragraph (c) of
19 this Section, need emergency services and disaster agencies of
20 their own and require that they be established and maintained.
21 The Governor shall make these determinations on the basis of
22 the municipality's disaster vulnerability and capability of
23 response related to population size and concentration. The
24 emergency services and disaster agency of a county or
25 township, shall not have a jurisdiction within a political
26 subdivision having its own emergency services and disaster

1 agency, but shall cooperate with the emergency services and
2 disaster agency of a city, village or incorporated town within
3 their borders. The ~~Illinois Emergency Management~~ Agency shall
4 publish and furnish a current list to the municipalities
5 required to have an emergency services and disaster agency
6 under this subsection.

7 (e) Each municipality that is not required to and does not
8 have an emergency services and disaster agency shall have a
9 liaison officer designated to facilitate the cooperation and
10 protection of that municipal corporation with the county
11 emergency services and disaster agency in which it is located
12 in the work of disaster mitigation, preparedness, response,
13 and recovery.

14 (f) The principal executive officer or his or her designee
15 of each political subdivision in the State shall annually
16 notify the ~~Illinois Emergency Management~~ Agency of the manner
17 in which the political subdivision is providing or securing
18 emergency management, identify the executive head of the
19 agency or the department from which the service is obtained,
20 or the liaison officer in accordance with subsection (e)
21 ~~paragraph (d) of this Section~~ and furnish additional
22 information relating thereto as the ~~Illinois Emergency~~
23 ~~Management~~ Agency requires.

24 (g) Each emergency services and disaster agency shall
25 prepare an emergency operations plan for its geographic
26 boundaries that complies with planning, review, and approval

1 standards promulgated by the ~~Illinois Emergency Management~~
2 Agency. The ~~Illinois Emergency Management~~ Agency shall
3 determine which jurisdictions will be required to include
4 earthquake preparedness in their local emergency operations
5 plans.

6 (h) The emergency services and disaster agency shall
7 prepare and distribute to all appropriate officials in written
8 form a clear and complete statement of the emergency
9 responsibilities of all local departments and officials and of
10 the disaster chain of command.

11 (i) Each emergency services and disaster agency shall have
12 a Coordinator who shall be appointed by the principal
13 executive officer of the political subdivision in the same
14 manner as are the heads of regular governmental departments.
15 If the political subdivision is a county and the principal
16 executive officer appoints the sheriff as the Coordinator, the
17 sheriff may, ~~in addition to his or her regular compensation,~~
18 receive compensation ~~at the same level~~ as provided in Article
19 3 of the Counties Code Section 3 of "An Act in relation to the
20 regulation of motor vehicle traffic and the promotion of
21 safety on public highways in counties", ~~approved August 9,~~
22 ~~1951,~~ as amended. The Coordinator shall have direct
23 responsibility for the organization, administration, training,
24 and operation of the emergency services and disaster agency,
25 subject to the direction and control of that principal
26 executive officer. Each emergency services and disaster agency

1 shall coordinate and may perform emergency management
2 functions within the territorial limits of the political
3 subdivision within which it is organized as are prescribed in
4 and by the State Emergency Operations Plan, and programs,
5 orders, rules and regulations as may be promulgated by the
6 ~~Illinois Emergency Management~~ Agency and by local ordinance
7 and, in addition, shall conduct such functions outside of
8 those territorial limits as may be required under mutual aid
9 agreements and compacts as are entered into under subparagraph
10 (5) of paragraph (c) of Section 6.

11 (j) In carrying out the provisions of this Act, each
12 political subdivision may enter into contracts and incur
13 obligations necessary to place it in a position effectively to
14 combat the disasters as are described in Section 4, to protect
15 the health and safety of persons, to protect property, and to
16 provide emergency assistance to victims of those disasters. If
17 a disaster occurs, each political subdivision may exercise the
18 powers vested under this Section in the light of the
19 exigencies of the disaster and, excepting mandatory
20 constitutional requirements, without regard to the procedures
21 and formalities normally prescribed by law pertaining to the
22 performance of public work, entering into contracts, the
23 incurring of obligations, the employment of temporary workers,
24 the rental of equipment, the purchase of supplies and
25 materials, and the appropriation, expenditure, and disposition
26 of public funds and property.

1 (k) Volunteers who, while engaged in a disaster, an
2 exercise, training related to the emergency operations plan of
3 the political subdivision, or a search-and-rescue team
4 response to an occurrence or threat of injury or loss of life
5 that is beyond local response capabilities, suffer disease,
6 injury or death, shall, for the purposes of benefits under the
7 Workers' Compensation Act or Workers' Occupational Diseases
8 Act only, be deemed to be employees of the State, if: (1) the
9 claimant is a duly qualified and enrolled (sworn in) as a
10 volunteer of the ~~Illinois Emergency Management~~ Agency or an
11 emergency services and disaster agency accredited by the
12 ~~Illinois Emergency Management~~ Agency, and (2) if: (i) the
13 claimant was participating in a disaster as defined in Section
14 4 of this Act, (ii) the exercise or training participated in
15 was specifically and expressly approved by the ~~Illinois~~
16 ~~Emergency Management~~ Agency prior to the exercise or training,
17 or (iii) the search-and-rescue team response was to an
18 occurrence or threat of injury or loss of life that was beyond
19 local response capabilities and was specifically and expressly
20 approved by the ~~Illinois Emergency Management~~ Agency prior to
21 the search-and-rescue team response. The computation of
22 benefits payable under either of those Acts shall be based on
23 the income commensurate with comparable State employees doing
24 the same type work or income from the person's regular
25 employment, whichever is greater.

26 Volunteers who are working under the direction of an

1 emergency services and disaster agency accredited by the
2 ~~Illinois Emergency Management~~ Agency, pursuant to a plan
3 approved by the ~~Illinois Emergency Management~~ Agency (i)
4 during a disaster declared by the Governor under Section 7 of
5 this Act, or (ii) in circumstances otherwise expressly
6 approved by the ~~Illinois Emergency Management~~ Agency, shall be
7 deemed exclusively employees of the State for purposes of
8 Section 8(d) of the Court of Claims Act, provided that the
9 ~~Illinois Emergency Management~~ Agency may, in coordination with
10 the emergency services and disaster agency, audit
11 implementation for compliance with the plan.

12 (1) If any person who is entitled to receive benefits
13 through the application of this Section receives, in
14 connection with the disease, injury or death giving rise to
15 such entitlement, benefits under an Act of Congress or federal
16 program, benefits payable under this Section shall be reduced
17 to the extent of the benefits received under that other Act or
18 program.

19 (m) (1) Prior to conducting an exercise, the principal
20 executive officer of a political subdivision or his or her
21 designee shall provide area media with written
22 notification of the exercise. The notification shall
23 indicate that information relating to the exercise shall
24 not be released to the public until the commencement of
25 the exercise. The notification shall also contain a
26 request that the notice be so posted to ensure that all

1 relevant media personnel are advised of the exercise
2 before it begins.

3 (2) During the conduct of an exercise, all messages,
4 two-way radio communications, briefings, status reports,
5 news releases, and other oral or written communications
6 shall begin and end with the following statement: "This is
7 an exercise message".

8 (Source: P.A. 94-733, eff. 4-27-06.)

9 (20 ILCS 3305/12) (from Ch. 127, par. 1062)

10 Sec. 12. Testing of Disaster Warning Devices. The testing
11 of disaster warning devices including outdoor warning sirens
12 shall be held only on the first Tuesday of each month at 10
13 o'clock in the morning or during exercises that are
14 specifically and expressly approved in advance by the ~~Illinois~~
15 ~~Emergency Management~~ Agency.

16 (Source: P.A. 92-73, eff. 1-1-02.)

17 (20 ILCS 3305/14) (from Ch. 127, par. 1064)

18 Sec. 14. Communications. The ~~Illinois Emergency Management~~
19 Agency shall ascertain what means exist for rapid and
20 efficient communications in times of disaster. The ~~Illinois~~
21 ~~Emergency Management~~ Agency shall consider the desirability of
22 supplementing these communications resources or of integrating
23 them into a comprehensive State or State-Federal
24 telecommunications or other communications system or network.

1 In studying the character and feasibility of any system or its
2 several parts, the ~~Illinois Emergency Management~~ Agency shall
3 evaluate the possibility of multipurpose use thereof for
4 general State and political subdivision purposes. The ~~Illinois~~
5 ~~Emergency Management~~ Agency may promulgate rules to establish
6 policies and procedures relating to telecommunications and the
7 continuation of rapid and efficient communications in times of
8 disaster to the extent authorized by any provision of this Act
9 or other laws and regulations. The ~~Illinois Emergency~~
10 ~~Management~~ Agency shall make recommendations to the Governor
11 as appropriate.

12 (Source: P.A. 86-755; 87-168.)

13 (20 ILCS 3305/17.8)

14 Sec. 17.8. IEMA State Projects Fund. The IEMA State
15 Projects Fund is created as a trust fund in the State treasury.
16 The Fund shall consist of any moneys appropriated to the
17 Agency for purposes of the Illinois' Not-For-Profit Security
18 Grant Program, a grant program authorized by paragraph (5) of
19 subsection (d) ~~subsection (g-5)~~ of Section 5 of this Act, to
20 provide funding support for target hardening activities and
21 other physical security enhancements for qualifying
22 not-for-profit organizations that are at high risk of
23 terrorist attack. The Agency is authorized to use moneys
24 appropriated from the Fund to make grants to not-for-profit
25 organizations for target hardening activities, security

1 personnel, and physical security enhancements and for the
2 payment of administrative expenses associated with the
3 Not-For-Profit Security Grant Program, except that, beginning
4 July 1, 2024, the Agency shall not award grants under this
5 Section to those entities whose primary purpose is to provide
6 medical or mental health services. As used in this Section,
7 "target hardening activities" include, but are not limited to,
8 the purchase and installation of security equipment on real
9 property owned or leased by the not-for-profit organization.
10 Grants, gifts, and moneys from any other source, public or
11 private, may also be deposited into the Fund and used for the
12 purposes authorized by this Act.

13 (Source: P.A. 103-8, eff. 6-7-23; 103-588, eff. 6-5-24.)

14 (20 ILCS 3305/18) (from Ch. 127, par. 1068)

15 Sec. 18. Orders, Rules and Regulations.

16 (a) The Governor shall file a copy of every rule,
17 regulation or order, and any amendment thereof made by the
18 Governor under the provisions of this Act in the office of the
19 Secretary of State. ~~Upon No rule, regulation or order, or any~~
20 ~~amendment thereof shall be effective until 10 days after the~~
21 ~~filing, provided, however, that upon~~ the declaration of a
22 disaster by the Governor as is described in Section 7 the
23 provision relating to the effective date of any rule,
24 regulation, order or amendment issued under this Act and
25 during the state of disaster is abrogated, and the rule,

1 regulation, order or amendment shall become effective
2 immediately upon being filed with the Secretary of State
3 accompanied by a certificate stating the reason as required by
4 the Illinois Administrative Procedure Act.

5 (b) Every emergency services and disaster agency
6 established pursuant to this Act and the coordinators thereof
7 shall execute and enforce the orders, rules and regulations as
8 may be made by the Governor under authority of this Act. Each
9 emergency services and disaster agency shall have available
10 for inspection at its office all orders, rules and regulations
11 made by the Governor, or under the Governor's authority. The
12 ~~Illinois Emergency Management Agency~~ shall publish ~~furnish~~ on
13 the Agency's Internet Department's website the orders, rules
14 and regulations ~~to each such emergency services and disaster~~
15 ~~agency~~. Upon the written request of an emergency services or
16 disaster agency, copies thereof shall be mailed to the
17 emergency services or disaster agency.

18 (Source: P.A. 98-44, eff. 6-28-13.)

19 (20 ILCS 3305/20) (from Ch. 127, par. 1070)

20 Sec. 20. Oath ~~Emergency Management Agency; personnel;~~
21 ~~oath~~. Each person, whether compensated or noncompensated, who
22 is appointed to serve in any capacity in the Illinois
23 Emergency Management Agency and Office of Homeland Security or
24 an emergency services and disaster agency, shall, before
25 entering upon his or her duties, take an oath, in writing,

1 before the Director or before the coordinator of that
2 emergency services and disaster agency or before other persons
3 authorized to administer oaths in this State, which oath shall
4 be filed with the Director or with the coordinator of the
5 emergency services and disaster agency with which he or she
6 shall serve and which oath shall be substantially as follows:

7 "I, _____, do solemnly swear (or affirm) that I
8 will support and defend and bear true faith and allegiance to
9 the Constitution of the United States and the Constitution of
10 the State of Illinois, and the territory, institutions and
11 facilities thereof, both public and private, against all
12 enemies, foreign and domestic; that I take this obligation
13 freely, without any mental reservation or purpose of evasion;
14 and that I will well and faithfully discharge the duties upon
15 which I am about to enter. And I do further swear (or affirm)
16 that I do not advocate, nor am I, nor have I been a member of
17 any political party or organization that advocates the
18 overthrow of the government of the United States or of this
19 State by force or violence; and that during such time as I am
20 affiliated with the (name of political subdivision), I will
21 not advocate nor become a member of any political party or
22 organization that advocates the overthrow of the government of
23 the United States or of this State by force or violence."

24 (Source: P.A. 92-73, eff. 1-1-02.)

1 (Section scheduled to be repealed on January 1, 2032)

2 Sec. 23. Access and Functional Needs Advisory Committee.

3 (a) In this Section, "Advisory Committee" means the Access
4 and Functional Needs Advisory Committee.

5 (b) The Access and Functional Needs Advisory Committee is
6 created.

7 (c) The Advisory Committee shall:

8 (1) Coordinate meetings occurring, at a minimum, 3
9 times each year, in addition to emergency meetings called
10 by the chairperson of the Advisory Committee.

11 (2) Research and provide recommendations for
12 identifying and effectively responding to the needs of
13 persons with access and functional needs before, during,
14 and after a disaster using an intersectional lens for
15 equity.

16 (3) Provide recommendations to the ~~Illinois Emergency~~
17 ~~Management~~ Agency regarding how to ensure that persons
18 with a disability are included in disaster strategies and
19 emergency management plans, including updates and
20 implementation of disaster strategies and emergency
21 management plans.

22 (4) Review and provide recommendations for the
23 ~~Illinois Emergency Management~~ Agency, and all relevant
24 State agencies that are involved in drafting and
25 implementing the Illinois Emergency Operation Plan, to
26 integrate access and functional needs into State and local

1 emergency plans.

2 (d) The Advisory Committee shall be composed of the
3 Director of the ~~Illinois Emergency Management~~ Agency or his or
4 her designee, the Attorney General or his or her designee, the
5 Secretary of Human Services or his or her designee, the
6 Director of Aging or his or her designee, and the Director of
7 Public Health or his or her designee, together with the
8 following members appointed by the Governor on or before
9 January 1, 2022:

10 (1) Two members, either from a municipal or
11 county-level emergency agency or a local emergency
12 management coordinator.

13 (2) Nine members from the community of persons with a
14 disability who represent persons with different types of
15 disabilities, including, but not limited to, individuals
16 with mobility and physical disabilities, hearing and
17 visual disabilities, deafness or who are hard of hearing,
18 blindness or who have low vision, mental health
19 disabilities, and intellectual or developmental
20 disabilities. Members appointed under this paragraph shall
21 reflect a diversity of age, gender, race, and ethnic
22 background.

23 (3) Four members who represent first responders from
24 different geographical regions around the State.

25 (e) Of those members appointed by the Governor, the
26 initial appointments of 6 members shall be for terms of 2 years

1 and the initial appointments of 5 members shall be for terms of
2 4 years. Thereafter, members shall be appointed for terms of 4
3 years. A member shall serve until his or her successor is
4 appointed and qualified. If a vacancy occurs in the Advisory
5 Committee membership, the vacancy shall be filled in the same
6 manner as the original appointment for the remainder of the
7 unexpired term.

8 (f) After all the members are appointed, and annually
9 thereafter, they shall elect a chairperson from among the
10 members appointed under paragraph (2) of subsection (d).

11 (g) The initial meeting of the Advisory Committee shall be
12 convened by the Director of the ~~Illinois Emergency Management~~
13 Agency no later than February 1, 2022.

14 (h) Advisory Committee members shall serve without
15 compensation.

16 (i) The ~~Illinois Emergency Management~~ Agency shall provide
17 administrative support to the Advisory Committee.

18 (j) The Advisory Committee shall prepare and deliver a
19 report to the General Assembly, the Governor's Office, and the
20 ~~Illinois Emergency Management~~ Agency by July 1, 2022, and
21 annually thereafter. The report shall include the following:

22 (1) Identification of core emergency management
23 services that need to be updated or changed to ensure the
24 needs of persons with a disability are met, and shall
25 include disaster strategies in State and local emergency
26 plans.

1 (2) Any proposed changes in State policies, laws,
2 rules, or regulations necessary to fulfill the purposes of
3 this Act.

4 (3) Recommendations on improving the accessibility and
5 effectiveness of disaster and emergency communication.

6 (4) Recommendations on comprehensive training for
7 first responders and other frontline workers when working
8 with persons with a disability during emergency situations
9 or disasters, as defined in Section 4 of the Illinois
10 Emergency Management and Homeland Security Agency Act.

11 (5) Any additional recommendations regarding emergency
12 management and persons with a disability that the Advisory
13 Committee deems necessary.

14 (k) The annual report prepared and delivered under
15 subsection (j) shall be annually considered by the ~~Illinois~~
16 ~~Emergency Management~~ Agency when developing new State and
17 local emergency plans or updating existing State and local
18 emergency plans.

19 (l) The Advisory Committee is dissolved and this Section
20 is repealed on January 1, 2032.

21 (Source: P.A. 102-361, eff. 8-13-21; 102-671, eff. 11-30-21;
22 103-154, eff. 6-30-23.)

23 (20 ILCS 3305/24 new)

24 Sec. 24. Illinois Homeland Security Advisory Council
25 (IL-HSAC).

1 (a) There shall be created an Illinois Homeland Security
2 Advisory Council (IL-HSAC).

3 (b) The IL-HSAC shall report directly to the Homeland
4 Security Advisor who shall serve as the chairperson and submit
5 an annual report to the Governor by March of each year. The
6 report shall detail the activities, accomplishments, and
7 recommendations of the IL-HSAC in the preceding year.

8 (c) The Agency shall provide administrative support for
9 the IL-HSAC.

10 (d) Entities may be appointed to IL-HSAC by the Governor.

11 (e) The duties of IL-HSAC shall be as follows:

12 (1) Develops and provides recommendations regarding
13 the State's domestic terrorism preparedness strategy.

14 (2) Seeks appropriate input from federal agencies,
15 including, but not limited to, the United States
16 Department of Justice, the Federal Bureau of
17 Investigation, the Federal Emergency Management Agency,
18 the United States Department of Health and Human Services,
19 and the United States Department of Homeland Security.

20 (3) Serves as the Illinois Senior Advisory Committee
21 (SAC) with respect to funds received through the federal
22 Homeland Security Grant Program. In that capacity, the
23 IL-HSAC shall provide recommendations to the Agency and to
24 the Homeland Security Advisor on issues related to the
25 application for and use of all appropriate federal funding
26 that relates to preventing, protecting against,

1 mitigating, responding to, and recovering from acts of
2 terrorism and other threats.

3 (4) Provides recommendations to the Agency and to the
4 Homeland Security Advisor on the following:

5 (A) Appropriate training of local, regional and
6 State officials to respond to terrorist incidents
7 involving conventional, chemical, biological and/or
8 nuclear weapons.

9 (B) Issues related to the application for and use
10 of all appropriate State and other funds as may be
11 appropriate and available relating to homeland
12 security.

13 (C) Issues relating to public safety preparedness
14 and mutual aid to include strategies and tactics to
15 coordinate multi-agency response to significant
16 events, act of terrorism or natural disasters where
17 coordination of local, state and private resources is
18 necessary.

19 (D) Coordination of public safety resources and
20 combating terrorism in Illinois.

21 (E) Any changes needed in State statutes,
22 administrative regulations, or in the Illinois
23 Emergency Operations Plan.

24 (20 ILCS 3305/26 new)

25 Sec. 26. Illinois Cybersecurity Commission.

1 (a) There shall be created an Illinois Cybersecurity
2 Commission.

3 (b) The Commission shall report directly to the Homeland
4 Security Advisor who shall serve as chairperson. The Deputy
5 Director of Homeland Security as indicated in subsection
6 5(d)(B)(i) shall serve as chairperson in the absence of the
7 Homeland Security Advisor.

8 (c) The chairperson shall submit a report to the Governor
9 by December of each calendar year detailing the activities,
10 accomplishments, and recommendations of the Commission.

11 (d) The Commission shall be comprised of the following
12 members:

13 (1) Voting Members:

14 (A) The Governor's Homeland Security Advisor or
15 Deputy Homeland Security Advisor;

16 (B) The Director of the Illinois Emergency
17 Management Agency and Office of Homeland Security, or
18 his or her designee;

19 (C) The Chief Information Security Officer of the
20 Illinois Department of Innovation and Technology, or
21 his or her designee;

22 (D) The Illinois Attorney General, or his or her
23 designee;

24 (E) The Adjutant General of the Illinois National
25 Guard, or his or her designee;

26 (F) The Director of the Illinois State Police, or

1 his or her designee;

2 (G) The Chairman of the Illinois Commerce
3 Commission, or his or her designee;

4 (H) The Director of the Illinois Department of
5 Commerce and Economic Opportunity, or his or her
6 designee;

7 (I) The Director of the Illinois Department of
8 Revenue, or his or her designee; and

9 (J) A representative of the Office of the
10 Governor.

11 (2) Non-Voting Members:

12 (A) One representative representing the
13 Information Technology Sector;

14 (B) One representative representing the
15 Communications Sector;

16 (C) One representative representing the Defense
17 Industrial Base Sector;

18 (D) One representative representing the Energy
19 Sector;

20 (E) One representative representing the Financial
21 Services Sector;

22 (F) One representative representing the Healthcare
23 and Public Health Sector; and

24 (G) One representative representing the Water and
25 Wastewater Systems Sector.

26 (H) The Commission may also include as non-voting

1 members:

2 (i) A cybersecurity expert from the Chicago or
3 Springfield field office of the Federal Bureau of
4 Investigation; and

5 (ii) Two cybersecurity experts from the United
6 States Department of Homeland Security, as
7 follows:

8 (I) One cybersecurity expert from the
9 Region 5 Office of the Cybersecurity and
10 Infrastructure Security Agency; and

11 (II) One cybersecurity expert from the
12 Chicago Field Office of the United States
13 Secret Service.

14 (3) Advisory Members:

15 (A) A representative from the Statewide
16 Intelligence Center (STIC); and

17 (B) The Commission may appoint additional advisory
18 members from both the public and private sectors that
19 will provide subject matter expertise.

20 With the exception of the STIC representative, all
21 advisory members shall be approved by a majority of the
22 voting members.

23 (e) The duties and responsibilities of the Commission
24 shall be as follows:

25 (1) Builds and enhances cyber awareness and training
26 for private sector critical infrastructure entities,

1 including education opportunities on ways to prevent
2 cybersecurity attacks and protect personal information;

3 (2) Develops practices, processes, and the overall
4 planning procedures required to protect valuable
5 information, resources, and services, including
6 identifying and disrupting cyber-attacks, improving and
7 expanding statewide security incident response
8 capabilities, and promoting and facilitating cross sector
9 and community training and exercise scenarios for private
10 sector critical infrastructure partners to secure critical
11 systems that serve the public;

12 (3) Develops best practices to help private sector
13 critical infrastructure organizations make risk-based
14 decisions for improving cybersecurity; and

15 (4) Creates and expands partnerships with critical
16 infrastructure sectors to foster continual learning and
17 information sharing, ensuring the safety and resiliency of
18 digital infrastructure and the promoting of
19 identification, evaluation, and information sharing on
20 threats and vulnerabilities impacting the State.

21 (20 ILCS 3305/27 new)

22 Sec. 27. Statewide Interoperability Coordinator (SWIC).

23 (a) As part of the Agency's Office of Homeland Security,
24 there shall be a position created for the Statewide
25 Interoperability Coordinator (SWIC).

1 (b) The duties and responsibilities of the SWIC shall be
2 as follows:

3 (1) Serves as the central coordination point for the
4 State's communications interoperability and assists with
5 mediation between State and local agencies to achieve an
6 interoperable communications system;

7 (2) Develops and disseminates best practices for
8 public safety communications interoperability;

9 (3) Advises the Homeland Security Advisor and Deputy
10 Director of the Agency's Office of Homeland Security on
11 public safety communications interoperability;

12 (4) Serves as a member of the Statewide
13 Interoperability Executive Committee (SIEC) or its
14 successor entity and may act on behalf of the SIEC;

15 (5) Recommends regulatory changes relating to
16 telecommunications and the continuation of rapid and
17 efficient communications during a disaster;

18 (6) Identifies funding opportunities for planned
19 interoperability improvements and coordinates efforts to
20 provide funding;

21 (7) Advises on the issuance of grants for
22 interoperability communication systems;

23 (8) Engages stakeholders to coordinate the Statewide
24 Communications Interoperability Plan (SCIP);

25 (9) Represents the State in national, regional, and
26 local efforts to plan and implement changes needed to

1 achieve interoperability and continuity of communications
2 for emergency responders; and

3 (10) Develops and implements the strategic program for
4 all public safety communications and interoperability
5 activities in partnership with 9-1-1 Administrator,
6 operators of statewide radio systems, emergency management
7 coordinators, and the State Administrative Agency (SAA).