



Sen. Mike Porfirio

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LRB104 12191 BDA 23847 a

1 AMENDMENT TO SENATE BILL 2322

2 AMENDMENT NO. _____. Amend Senate Bill 2322 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Civil Administrative Code of Illinois is
5 amended by changing Sections 5-15, 5-20, and 5-160 and by
6 adding Section 5-425 as follows:

7 (20 ILCS 5/5-15) (was 20 ILCS 5/3)

8 Sec. 5-15. Departments of State government. The
9 Departments of State government are created as follows:

10 The Department on Aging.

11 The Department of Agriculture.

12 The Department of Central Management Services.

13 The Department of Children and Family Services.

14 The Department of Commerce and Economic Opportunity.

15 The Department of Corrections.

16 The Department of Early Childhood.

1 The Department of Employment Security.

2 The Illinois Emergency Management Agency and Office of
3 Homeland Security.

4 The Department of Financial and Professional Regulation.

5 The Department of Healthcare and Family Services.

6 The Department of Human Rights.

7 The Department of Human Services.

8 The Department of Innovation and Technology.

9 The Department of Insurance.

10 The Department of Juvenile Justice.

11 The Department of Labor.

12 The Department of the Lottery.

13 The Department of Natural Resources.

14 The Department of Public Health.

15 The Department of Revenue.

16 The Illinois State Police.

17 The Department of Transportation.

18 The Department of Veterans' Affairs.

19 (Source: P.A. 102-538, eff. 8-20-21; 103-594, eff. 6-25-24.)

20 (20 ILCS 5/5-20) (was 20 ILCS 5/4)

21 Sec. 5-20. Heads of departments. Each department shall
22 have an officer as its head who shall be known as director or
23 secretary and who shall, subject to the provisions of the
24 Civil Administrative Code of Illinois, execute the powers and
25 discharge the duties vested by law in his or her respective

1 department.

2 The following officers are hereby created:

3 Director of Aging, for the Department on Aging.

4 Director of Agriculture, for the Department of
5 Agriculture.

6 Director of Central Management Services, for the
7 Department of Central Management Services.

8 Director of Children and Family Services, for the
9 Department of Children and Family Services.

10 Director of Commerce and Economic Opportunity, for the
11 Department of Commerce and Economic Opportunity.

12 Director of Corrections, for the Department of
13 Corrections.

14 Director of the Illinois Emergency Management Agency and
15 Office of Homeland Security, for the Illinois Emergency
16 Management Agency and Office of Homeland Security.

17 Secretary of Early Childhood, for the Department of Early
18 Childhood.

19 Director of Employment Security, for the Department of
20 Employment Security.

21 Secretary of Financial and Professional Regulation, for
22 the Department of Financial and Professional Regulation.

23 Director of Healthcare and Family Services, for the
24 Department of Healthcare and Family Services.

25 Director of Human Rights, for the Department of Human
26 Rights.

1 Secretary of Human Services, for the Department of Human
2 Services.

3 Secretary of Innovation and Technology, for the Department
4 of Innovation and Technology.

5 Director of Insurance, for the Department of Insurance.

6 Director of Juvenile Justice, for the Department of
7 Juvenile Justice.

8 Director of Labor, for the Department of Labor.

9 Director of the Lottery, for the Department of the
10 Lottery.

11 Director of Natural Resources, for the Department of
12 Natural Resources.

13 Director of Public Health, for the Department of Public
14 Health.

15 Director of Revenue, for the Department of Revenue.

16 Director of the Illinois State Police, for the Illinois
17 State Police.

18 Secretary of Transportation, for the Department of
19 Transportation.

20 Director of Veterans' Affairs, for the Department of
21 Veterans' Affairs.

22 (Source: P.A. 102-538, eff. 8-20-21; 103-594, eff. 6-25-24.)

23 (20 ILCS 5/5-160) (was 20 ILCS 5/5.13h)

24 Sec. 5-160. In the Illinois Emergency Management Agency
25 and Office of Homeland Security. Assistant Director of the

1 Emergency Management Agency and Office of Homeland Security.

2 (Source: P.A. 93-1029, eff. 8-25-04.)

3 (20 ILCS 5/5-425 new)

4 Sec. 5-425. In the Illinois Emergency Management Agency
5 and Office of Homeland Security. For terms beginning on or
6 after January 16, 2023, the Director shall receive an annual
7 salary of \$180,000 or as set by the Governor, whichever is
8 higher. On July 1, 2023, and on each July 1 thereafter, the
9 Director shall receive an increase in salary based on a cost of
10 living adjustment as authorized by Senate Joint Resolution 192
11 of the 86th General Assembly.

12 For terms beginning on or after January 16, 2023, the
13 Assistant Director of the Illinois Emergency Management Agency
14 and Office of Homeland Security shall receive an annual salary
15 of \$156,600 or as set by the Governor, whichever is higher. On
16 July 1, 2023, and on each July 1 thereafter, the Assistant
17 Director shall receive an increase in salary based on a cost of
18 living adjustment as authorized by Senate Joint Resolution 192
19 of the 86th General Assembly.

20 Section 10. The Illinois Emergency Management Agency Act
21 is amended by changing Sections 1, 2, 4, 5, 6, 7, 8, 10, 12,
22 14, 18, 20, and 23 and by adding Sections 24 and 25 as follows:

23 (20 ILCS 3305/1) (from Ch. 127, par. 1051)

1 Sec. 1. Short Title. This Act may be cited as the Emergency
2 Management and Homeland Security ~~Illinois Emergency Management~~
3 ~~Agency~~ Act.

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

5 (20 ILCS 3305/2) (from Ch. 127, par. 1052)

6 Sec. 2. Policy and purposes ~~Purposes~~.

7 (a) Because of the possibility of the occurrence of
8 disasters of unprecedented size and destructiveness resulting
9 from the explosion in this or in neighboring states of atomic
10 or other means from without or by means of sabotage or other
11 disloyal actions within, or from fire, flood, earthquake,
12 telecommunications failure, or other natural or technological
13 causes, and in order to insure that this State will be prepared
14 to and will adequately deal with any disasters, preserve the
15 lives and property of the people of this State and protect the
16 public peace, health, and safety in the event of a disaster, it
17 is found and declared to be necessary:

18 (1) To create a State emergency management and
19 homeland security agency ~~an Illinois Emergency Management~~
20 ~~Agency~~ and to authorize emergency management and homeland
21 security programs within the political subdivisions of the
22 State.

23 (2) To confer upon the Governor and upon the principal
24 executive officer of the political subdivisions of the
25 State the powers provided herein.

1 (3) To provide for the rendering of mutual aid among
2 the political subdivisions and taxing districts of the
3 State and with other states and with respect to the
4 carrying out of an emergency management program.

5 (b) It is further declared to be the purpose of this Act
6 and the policy of the State that all emergency management and
7 homeland security programs of this State be coordinated to the
8 maximum extent with the comparable programs of the federal
9 government, including its various departments and agencies, of
10 other states and localities and private agencies of every
11 type, to the end that the most effective preparation and use
12 may be made of the nation's resources and facilities for
13 dealing with any disaster that may occur.

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

15 (20 ILCS 3305/4) (from Ch. 127, par. 1054)

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

19 "Agency" or "IEMA-OHS" means the Illinois Emergency
20 Management Agency and Office of Homeland Security.

21 "Coordinator" means the staff assistant to the principal
22 executive officer of a political subdivision with the duty of
23 coordinating the emergency management programs of that
24 political subdivision.

25 "Cyber incident" means an event occurring on or conducted

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

13 "Director" means the Director of the Illinois Emergency
14 Management Agency and Office of Homeland Security.

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

26 "Emergency management Management" means the efforts of the

1 State and the political subdivisions to develop, plan,
2 analyze, conduct, provide, implement and maintain programs for
3 disaster mitigation, preparedness, response and recovery.

4 "Emergency Services and Disaster Agency" means the agency
5 by this name, by the name Emergency Management Agency, or by
6 any other name that is established by ordinance within a
7 political subdivision to coordinate the emergency management
8 program within that political subdivision and with private
9 organizations, other political subdivisions, the State and
10 federal governments.

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

19 "Emergency services ~~Services~~" means the coordination of
20 functions by the State and its political subdivisions
21 ~~subdivision~~, other than functions for which military forces
22 are primarily responsible, as may be necessary or proper to
23 prevent, minimize, repair, and alleviate injury and damage
24 resulting from any natural or technological causes. These
25 functions include, without limitation, fire fighting services,
26 police services, emergency aviation services, medical and

1 health services, HazMat and technical rescue teams, rescue,
2 engineering, warning services, communications, radiological,
3 chemical and other special weapons defense, evacuation of
4 persons from stricken or threatened areas, emergency assigned
5 functions of plant protection, temporary restoration of public
6 utility services and other functions related to civilian
7 protection, together with all other activities necessary or
8 incidental to protecting life or property.

9 "Exercise" means an event or activity delivered through
10 discussion or action to develop, assess, or validate
11 capabilities to achieve planned objectives. ~~a planned event~~
12 ~~realistically simulating a disaster, conducted for the purpose~~
13 ~~of evaluating the political subdivision's coordinated~~
14 ~~emergency management capabilities, including, but not limited~~
15 ~~to, testing the emergency operations plan.~~

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

23 "Illinois Emergency Management Agency and Office of
24 Homeland Security" or "Agency" means the agency established by
25 this Act within the executive branch of State Government
26 responsible for coordination of the overall emergency

1 management and homeland security programs ~~program~~ of the State
2 and with private organizations, political subdivisions, and
3 the federal government. "Illinois Emergency Management Agency
4 and Office of Homeland Security" also means the State
5 Emergency Response Commission responsible for the
6 implementation of Title III of the Superfund Amendments and
7 Reauthorization Act of 1986.

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

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

20 "Municipality" means any city, village, and incorporated
21 town.

22 "Political subdivision ~~Subdivision~~" means any county,
23 city, village, or incorporated town or township if the
24 township is in a county having a population of more than
25 2,000,000.

26 "Principal executive officer ~~Executive Officer~~" means

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

7 "Public health emergency" means an occurrence or imminent
8 threat of an illness or health condition that:

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

10 (i) bioterrorism;

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

14 (iii) a natural disaster;

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

16 (v) a nuclear attack or accident; and

17 (b) poses a high probability of any of the following
18 harms:

19 (i) a large number of deaths in the affected
20 population;

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

23 (iii) widespread exposure to an infectious or
24 toxic agent that poses a significant risk of
25 substantial future harm to a large number of people in
26 the affected population.

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

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

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

13 (20 ILCS 3305/5) (from Ch. 127, par. 1055)

14 Sec. 5. Illinois Emergency Management Agency and Office of
15 Homeland Security.

16 (a) Establishment of the Illinois Emergency Management
17 Agency and Office of Homeland Security. There is created
18 within the executive branch of the State Government an
19 Illinois Emergency Management Agency and Office of Homeland
20 Security and a Director of the Illinois Emergency Management
21 Agency and Office of Homeland Security, herein called the
22 "Director" who shall be the head of the Agency ~~thereof~~. The
23 Director shall be appointed by the Governor, with the advice
24 and consent of the Senate, and shall serve for a term of 2
25 years beginning on the third Monday in January of the

1 odd-numbered year, and until a successor is appointed and has
2 been qualified. The Director shall not hold any other
3 remunerative public office. ~~; except that the term of the~~
4 ~~first Director appointed under this Act shall expire on the~~
5 ~~third Monday in January, 1989. The Director shall not hold any~~
6 ~~other remunerative public office. For terms beginning after~~
7 ~~January 18, 2019 (the effective date of Public Act 100-1179)~~
8 ~~and 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) Agency personnel. ~~The Illinois Emergency Management~~

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

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

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

1 professional and technical personnel capable of providing
2 expert 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 shall
5 make field examinations of the areas, circumstances, and
6 conditions that particular political subdivision emergency
7 operations plans are intended to apply.

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

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

21 (2) the assessment of emergency response capabilities
22 related to hazardous chemical emergencies.

23 (f) Emergency management responsibilities of the Agency.
24 The ~~Illinois Emergency Management~~ Agency shall:

25 (1) Coordinate the overall emergency management
26 program of the State.

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

6 (2.5) (Blank). ~~Develop a comprehensive emergency~~
7 ~~preparedness and response plan for any nuclear accident in~~
8 ~~accordance with Section 65 of the Nuclear Safety Law of~~
9 ~~2004 and in development of the Illinois Nuclear Safety~~
10 ~~Preparedness program in accordance with Section 8 of the~~
11 ~~Illinois Nuclear Safety Preparedness Act.~~

12 (2.6) Coordinate with the Department of Public Health
13 with respect to planning for and responding to public
14 health emergencies.

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

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

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

1 (5.5) Promulgate rules and requirements for the
2 political subdivision emergency management exercises,
3 including, but not limited to, exercises of the emergency
4 operations plans.

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

10 (6) Determine requirements of the State and its
11 political subdivisions for food, clothing, and other
12 necessities in event of a disaster.

13 (7) Establish a register of persons with types of
14 emergency management training and skills in mitigation,
15 preparedness, response, and recovery.

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

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

1 at the greatest risk of damage from earthquakes under
2 circumstances where the damage would cause subsequent harm
3 to the surrounding communities and residents.

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

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

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

23 (12) Out of funds appropriated for these purposes,
24 award capital and non-capital grants to Illinois hospitals
25 or health care facilities located outside of a city with a
26 population in excess of 1,000,000 to be used for purposes

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

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

19 (g) School and campus grants. The ~~Illinois—Emergency~~
20 ~~Management~~ Agency is authorized to make grants to various
21 higher education institutions, public K-12 school districts,
22 area vocational centers as designated by the State Board of
23 Education, inter-district special education cooperatives,
24 regional safe schools, and nonpublic K-12 schools for safety
25 and security improvements. For the purpose of this subsection
26 (g), "higher education institution" means a public university,

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

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

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

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

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

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

25 (4) describe how the grant will be used to integrate
26 organizational preparedness with broader State and local

1 preparedness efforts, as described by the Agency in each
2 Notice of Opportunity for Funding;

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

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

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

1 federal Nonprofit Security Grant Program funding cycle.
2 Additional application cycles may be conducted during the same
3 fiscal year, subject to availability of funds. Upon request,
4 Agency staff shall provide reasonable assistance to any
5 applicant in completing a grant application or meeting a
6 post-award requirement.

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

17 (g-10) Homeland Security Advisor.

18 (1) A Homeland Security Advisor shall be appointed by
19 and report to the Governor, by and with the advice and
20 consent of the Senate. The Homeland Security Advisor shall
21 serve a 2-year term. The Homeland Security Advisor shall
22 not hold any other remunerative public office unless the
23 individual is also appointed as a State agency director or
24 secretary. The Governor, may in his or her discretion,
25 appoint one or more Deputy Homeland Security Advisors to
26 function in the absence of the Homeland Security Advisor

1 on such subject matter as he or she deems appropriate.

2 (2) The Homeland Security advisor shall be responsible
3 for leading the State's strategic response and policy
4 recommendations on all matters pertaining to homeland
5 security, including but not limited to development and
6 execution of Statewide prevention efforts associated with
7 violence/targeted violence, terrorism, domestic violent
8 extremism, school safety, critical infrastructure
9 protection, public safety training, and mutual aid
10 assistance.

11 (3) The Homeland Security Advisor shall coordinate
12 with all executive State Agencies, regarding the matters
13 of homeland security. Each executive Agency shall
14 coordinate and provide briefings to the Homeland Security
15 Advisor to produce unified State strategies on homeland
16 security.

17 (4) The Agency shall coordinate with and provide
18 administrative support for the Homeland Security Advisor.

19 (g-15) Homeland Security responsibilities of the Agency.

20 The Agency, through its Office of Homeland Security, shall:

21 (1) Coordinate and provide administrative support for
22 the Homeland Security Advisor.

23 (2) Oversee, consult, and coordinate comprehensive
24 strategic response and policy recommendations for the
25 Homeland Security Advisor pertaining to all non-law
26 enforcement matters of homeland security for the State.

1 Such matters shall include the assessment, development,
2 and implementation of policies, protocols, programs, and
3 strategies for the prevention and preparedness efforts
4 associated with targeted violence, terrorism, domestic
5 violent extremism, school safety, and critical
6 infrastructure protection. The Agency may also assist with
7 coordination of local, state, and federal agencies in
8 public safety training when requested and provide public
9 risk communication messaging as needed.

10 (3) Serve as the primary liaison for non-law
11 enforcement national security matters with the U.S.
12 Department of Homeland Security (DHS), Federal Emergency
13 Management Agency (FEMA), Cybersecurity and Infrastructure
14 Security Agency (CISA), Federal Bureau of Investigation
15 (FBI), Office of the Director of National Intelligence
16 (ODNI), and any other federal agencies for matters
17 pertaining to homeland security in the State. However, the
18 State Liaison Officer to the U.S. Nuclear Regulatory
19 Commission, appointed by the Governor, shall remain the
20 primary liaison for all nuclear regulatory, security, and
21 radiological health and safety matters.

22 (4) Consult and coordinate with the Illinois State
23 Police to provide the U.S. Department of Homeland Security
24 (DHS) with relevant counterterrorism, cyber, and
25 transnational organized crime reporting data pertaining to
26 the State.

1 (5) Promulgate rules, regulations, and requirements
2 necessary for implementation of the homeland security
3 programs reflected in this subparagraph (g-15).

4 (g-20) Nuclear and radiation safety responsibilities of
5 the Agency. The Agency shall be responsible for nuclear and
6 radiation safety and shall:

7 (1) exercise, administer, and enforce all rights,
8 powers, and duties for nuclear and radiation safety
9 authorized in the Nuclear Safety Law of 2004 or successor
10 statutes;

11 (2) develop a comprehensive emergency preparedness and
12 response plan for any nuclear accident in accordance with
13 Section 65 of the Nuclear Safety Law of 2004 and an
14 Illinois nuclear safety preparedness program in accordance
15 with Section 8 of the Illinois Nuclear Safety Preparedness
16 Act or successor statutes; and

17 (3) have the right to enter on public and private
18 property in order to take environmental samples for
19 response to a disaster that reasonably could have caused
20 radioactive contamination. For environmental sampling
21 taken as part of a nuclear power accident, entry shall be
22 consistent with regulatory requirements of the U.S.
23 Nuclear Regulatory Commission.

24 (h) Donations and sponsorships. Except as provided in
25 Section 17.5 of this Act, any moneys received by the Agency
26 from donations or sponsorships unrelated to a disaster shall

1 be deposited in the Emergency Planning and Training Fund and
2 used by the Agency, subject to appropriation, to effectuate
3 planning and training activities. Any moneys received by the
4 Agency from donations during a disaster and intended for
5 disaster response or recovery shall be deposited into the
6 Disaster Response and Recovery Fund and used for disaster
7 response and recovery pursuant to the Disaster Relief Act.

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

16 (j) Other grant-making powers. The ~~Illinois Emergency~~
17 ~~Management~~ Agency is authorized to make grants to other State
18 agencies, public universities, units of local government, and
19 statewide mutual aid organizations to enhance statewide
20 emergency preparedness and response.

21 (k) Subject to appropriation from the Emergency Planning
22 and Training Fund, the Agency ~~Illinois Emergency Management~~
23 ~~Agency and Office of Homeland Security~~ shall obtain training
24 services and support for local emergency services and support
25 for local emergency services and disaster agencies for
26 training, exercises, and equipment related to carbon dioxide

1 pipelines and sequestration, and, subject to the availability
2 of funding, shall provide \$5,000 per year to the Illinois Fire
3 Service Institute for first responder training required under
4 Section 4-615 of the Public Utilities Act. Amounts in the
5 Emergency Planning and Training Fund will be used by the
6 Agency ~~Illinois Emergency Management Agency and Office of~~
7 ~~Homeland Security~~ for administrative costs incurred in
8 carrying out the requirements of this subsection. To carry out
9 the purposes of this subsection, the Illinois Emergency
10 Management Agency and Office of Homeland Security may accept
11 moneys from all authorized sources into the Emergency Planning
12 and Training Fund, including, but not limited to, transfers
13 from the Carbon Dioxide Sequestration Administrative Fund and
14 the Public Utility Fund.

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

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

23 (20 ILCS 3305/6) (from Ch. 127, par. 1056)

24 Sec. 6. Emergency management powers ~~Management Powers~~ of
25 the Governor.

1 (a) The Governor shall have general direction and control
2 of the ~~Illinois Emergency Management~~ Agency and shall be
3 responsible for the carrying out of the provisions of this
4 Act.

5 (b) In performing duties under this Act, the Governor is
6 authorized to cooperate with the federal government and with
7 other states in all matters pertaining to emergency
8 management, nuclear and radiation safety, and homeland
9 security.

10 (c) In performing duties under this Act, the Governor is
11 further authorized:

12 (1) To make, amend, and rescind all lawful necessary
13 orders, rules, and regulations to carry out the provisions
14 of this Act within the limits of the authority conferred
15 upon the Governor.

16 (2) To cause to be prepared a comprehensive plans ~~plan~~
17 and programs ~~program~~ for the emergency management, nuclear
18 and radiation safety, and homeland security of this State,
19 which plans and programs ~~plan and program~~ shall be
20 integrated into and coordinated with emergency management,
21 nuclear and radiation safety, and homeland security plans
22 and programs of the federal government and of other states
23 whenever possible and which plans and programs ~~plan and~~
24 ~~program~~ may include:

25 a. Mitigation of injury and damage caused by
26 disaster.

1 b. Prompt and effective response to disaster.

2 c. Emergency relief.

3 d. Identification of areas particularly vulnerable
4 to disasters.

5 e. Recommendations for zoning, building, and other
6 land-use controls, safety measures for securing
7 permanent structures and other mitigation measures
8 designed to eliminate or reduce disasters or their
9 impact.

10 f. Assistance to political subdivisions in
11 designing emergency operations plans.

12 g. Authorization and procedures for the erection
13 or other construction of temporary works designed to
14 mitigate danger, damage or loss from flood, or other
15 disaster.

16 h. Preparation and distribution to the appropriate
17 State and political subdivision officials of a State
18 catalog of federal, State, and private assistance
19 programs.

20 i. Organization of State personnel and chains of
21 command.

22 j. Coordination of federal, State, and political
23 subdivision emergency management, nuclear and
24 radiation safety, and homeland security activities.

25 k. Other necessary matters.

26 (3) In accordance with the plans ~~plan~~ and programs

1 ~~program~~ for the emergency management, nuclear and
2 radiation safety, and homeland security of this State, and
3 out of funds appropriated for these purposes, to procure
4 and preposition supplies, medicines, materials, and
5 equipment, to institute training programs and public
6 information programs, and to take all other preparatory
7 steps including the partial or full mobilization of
8 emergency services and disaster agencies in advance of
9 actual disaster to insure the furnishing of adequately
10 trained and equipped forces for disaster response and
11 recovery.

12 (4) Out of funds appropriated for these purposes, to
13 make studies and surveys of the industries, resources, and
14 facilities in this State as may be necessary to ascertain
15 the capabilities of the State for emergency management
16 phases of mitigation, preparedness, response, and recovery
17 and to plan for the most efficient emergency use thereof.

18 (5) On behalf of this State, to negotiate for and
19 submit to the General Assembly for its approval or
20 rejection reciprocal mutual aid agreements or compacts
21 with other states, either on a statewide or political
22 subdivision basis. The agreements or compacts shall be
23 limited to the furnishing or exchange of food, clothing,
24 medical, or other supplies; engineering and police
25 services; emergency housing and feeding; National and
26 State Guards while under the control of the State; health,

1 medical, and related services; and fire fighting, rescue,
2 transportation, communication, and construction services
3 and equipment, provided, however, that if the General
4 Assembly be not in session and the Governor has not
5 proclaimed the existence of a disaster under this Section,
6 then the agreements or compacts shall instead be submitted
7 to an Interim Committee on Emergency Management composed
8 of 5 Senators appointed by the President of the Senate and
9 of 5 Representatives appointed by the Speaker of the
10 House, during the month of June of each odd-numbered year
11 to serve for a 2-year ~~2-year~~ term, beginning July 1 of that
12 year, and until their successors are appointed and
13 qualified, or until termination of their legislative
14 service, whichever first occurs. Vacancies shall be filled
15 by appointment for the unexpired term in the same manner
16 as original appointments. All appointments shall be made
17 in writing and filed with the Secretary of State as a
18 public record. The Committee shall have the power to
19 approve or reject any agreements or compacts for and on
20 behalf of the General Assembly; and, provided further,
21 that an affirmative vote of 2/3 of the members of the
22 Committee shall be necessary for the approval of any
23 agreement or compact.

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

25 (20 ILCS 3305/7) (from Ch. 127, par. 1057)

1 Sec. 7. Emergency powers ~~Powers~~ of the Governor. In the
2 event of a disaster, as defined in Section 4, the Governor may,
3 by proclamation declare that a disaster exists. Upon such
4 proclamation, the Governor shall have and may exercise for a
5 period not to exceed 30 days the following emergency powers;
6 provided, however, that the lapse of the emergency powers
7 shall not, as regards any act or acts occurring or committed
8 within the 30-day period, deprive any person, firm,
9 corporation, political subdivision, or body politic of any
10 right or rights to compensation or reimbursement which he,
11 she, it, or they may have under the provisions of this Act:

12 (1) To suspend the provisions of any regulatory
13 statute prescribing procedures for conduct of State
14 business, or the orders, rules and regulations of any
15 State agency, if strict compliance with the provisions of
16 any statute, order, rule, or regulation would in any way
17 prevent, hinder or delay necessary action, including
18 emergency purchases, by the ~~Illinois Emergency Management~~
19 Agency, in coping with the disaster.

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

23 (3) To transfer the direction, personnel or functions
24 of State departments and agencies or units thereof for the
25 purpose of performing or facilitating disaster response
26 and recovery programs.

1 (4) On behalf of this State to take possession of, and
2 to acquire full title or a lesser specified interest in,
3 any personal property as may be necessary to accomplish
4 the objectives set forth in Section 2 of this Act,
5 including: airplanes, automobiles, trucks, trailers,
6 buses, and other vehicles; coal, oils, gasoline, and other
7 fuels and means of propulsion; explosives, materials,
8 equipment, and supplies; animals and livestock; feed and
9 seed; food and provisions for humans and animals; clothing
10 and bedding; and medicines and medical and surgical
11 supplies; and to take possession of and for a limited
12 period occupy and use any real estate necessary to
13 accomplish those objectives; but only upon the undertaking
14 by the State to pay just compensation therefor as in this
15 Act provided, and then only under the following
16 provisions:

17 a. The Governor, or the person or persons as the
18 Governor may authorize so to do, may forthwith take
19 possession of property for and on behalf of the State;
20 provided, however, that the Governor or persons shall
21 simultaneously with the taking, deliver to the owner
22 or his or her agent, if the identity of the owner or
23 agency is known or readily ascertainable, a signed
24 statement in writing, that shall include the name and
25 address of the owner, the date and place of the taking,
26 description of the property sufficient to identify it,

1 a statement of interest in the property that is being
2 so taken, and, if possible, a statement in writing,
3 signed by the owner, setting forth the sum that he or
4 she is willing to accept as just compensation for the
5 property or use. Whether or not the owner or agent is
6 known or readily ascertainable, a true copy of the
7 statement shall promptly be filed by the Governor or
8 the person with the Director, who shall keep the
9 docket of the statements. In cases where the sum that
10 the owner is willing to accept as just compensation is
11 less than \$1,000, copies of the statements shall also
12 be filed by the Director with, and shall be passed upon
13 by an Emergency Management Claims Commission,
14 consisting of 3 disinterested citizens who shall be
15 appointed by the Governor, by and with the advice and
16 consent of the Senate, within 20 days after the
17 Governor's declaration of a disaster, and if the sum
18 fixed by them as just compensation be less than \$1,000
19 and is accepted in writing by the owner, then the State
20 Treasurer out of funds appropriated for these
21 purposes, shall, upon certification thereof by the
22 Emergency Management Claims Commission, cause the sum
23 so certified forthwith to be paid to the owner. The
24 Emergency Management Claims Commission is hereby given
25 the power to issue appropriate subpoenas and to
26 administer oaths to witnesses and shall keep

1 appropriate minutes and other records of its actions
2 upon and the disposition made of all claims.

3 b. When the compensation to be paid for the taking
4 or use of property or interest therein is not or cannot
5 be determined and paid under item a of this paragraph
6 (4), a petition in the name of The People of the State
7 of Illinois shall be promptly filed by the Director,
8 which filing may be enforced by mandamus, in the
9 circuit court of the county where the property or any
10 part thereof was located when initially taken or used
11 under the provisions of this Act praying that the
12 amount of compensation to be paid to the person or
13 persons interested therein be fixed and determined.
14 The petition shall include a description of the
15 property that has been taken, shall state the physical
16 condition of the property when taken, shall name as
17 defendants all interested parties, shall set forth the
18 sum of money estimated to be just compensation for the
19 property or interest therein taken or used, and shall
20 be signed by the Director. The litigation shall be
21 handled by the Attorney General for and on behalf of
22 the State.

23 c. Just compensation for the taking or use of
24 property or interest therein shall be promptly
25 ascertained in proceedings and established by judgment
26 against the State, that shall include, as part of the

1 just compensation so awarded, interest at the rate of
2 6% per annum on the fair market value of the property
3 or interest therein from the date of the taking or use
4 to the date of the judgment; and the court may order
5 the payment of delinquent taxes and special
6 assessments out of the amount so awarded as just
7 compensation and may make any other orders with
8 respect to encumbrances, rents, insurance, and other
9 charges, if any, as shall be just and equitable.

10 (5) When required by the exigencies of the disaster,
11 to sell, lend, rent, give, or distribute all or any part of
12 property so or otherwise acquired to the inhabitants of
13 this State, or to political subdivisions of this State,
14 or, under the interstate mutual aid agreements or compacts
15 as are entered into under the provisions of subparagraph
16 (5) of paragraph (c) of Section 6 to other states, and to
17 account for and transmit to the State Treasurer all funds,
18 if any, received therefor.

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

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

24 (8) To control ingress and egress to and from a
25 disaster area, the movement of persons within the area,
26 and the occupancy of premises therein.

1 (9) To suspend or limit the sale, dispensing, or
2 transportation of alcoholic beverages, firearms,
3 explosives, and combustibles.

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

6 (11) A proclamation of a disaster shall activate the
7 State Emergency Operations Plan, and political subdivision
8 emergency operations plans applicable to the political
9 subdivision or area in question and be authority for the
10 deployment and use of any forces that the plan or plans
11 apply and for use or distribution of any supplies,
12 equipment, and materials and facilities assembled,
13 stockpiled or arranged to be made available under this Act
14 or any other provision of law relating to disasters.

15 (12) Control, restrict, and regulate by rationing,
16 freezing, use of quotas, prohibitions on shipments, price
17 fixing, allocation, or other means, the use, sale or
18 distribution of food, feed, fuel, clothing and other
19 commodities, materials, goods, or services; and perform
20 and exercise any other functions, powers, and duties as
21 may be necessary to promote and secure the safety and
22 protection of the civilian population.

23 (13) During the continuance of any disaster the
24 Governor is commander-in-chief of the organized and
25 unorganized militia and of all other forces available for
26 emergency duty. To the greatest extent practicable, the

1 Governor shall delegate or assign authority to the
2 Director to manage, coordinate, and direct all resources
3 by orders issued at the time of the disaster.

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

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

7 (20 ILCS 3305/8) (from Ch. 127, par. 1058)

8 Sec. 8. Mobile support teams ~~Support Teams~~.

9 (a) The Governor or Director may cause to be created
10 mobile support teams ~~Mobile Support Teams~~ to aid and to
11 reinforce the ~~Illinois Emergency Management~~ Agency, and
12 emergency services and disaster agencies in areas stricken by
13 disaster. Each mobile support team shall have a leader,
14 selected by the Director who will be responsible, under the
15 direction and control of the Director, for the organization,
16 administration, and training, and operation of the mobile
17 support team.

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

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

25 (2) If they are paid employees of a political

1 subdivision or body politic of this State, and whether
2 serving within or without that political subdivision or
3 body politic, have the powers, duties, rights, privileges
4 and immunities, and receive the compensation incidental to
5 their employment.

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

10 Personnel of a mobile support team who suffer disease,
11 injury or death arising out of or in the course of emergency
12 duty, shall for the purposes of benefits under the Workers'
13 Compensation Act or Workers' Occupational Diseases Act only,
14 be deemed to be employees of this State. If the person
15 diseased, injured or killed is an employee described in item
16 (3) above, the computation of benefits payable under either of
17 those Acts shall be based on income commensurate with
18 comparable State employees doing the same type of work or
19 income from the person's regular employment, whichever is
20 greater.

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

24 (c) The State shall reimburse each political subdivision
25 or body politic from the Disaster Response and Recovery Fund
26 for the compensation paid and the actual and necessary travel,

1 subsistence and maintenance expenses of paid employees of the
2 political subdivision or body politic while serving, outside
3 of its geographic ~~geographical~~ boundaries pursuant to such a
4 call, as members of a mobile support team, and for all payments
5 made for death, disease or injury of those paid employees
6 arising out of and incurred in the course of that duty, and for
7 all losses of or damage to supplies and equipment of the
8 political subdivision or body politic resulting from the
9 operations.

10 (d) Whenever mobile support teams or units of another
11 state, while the Governor has the emergency powers provided
12 for under Section 7 of this Act, render aid to this State under
13 the orders of the Governor of its home state and upon the
14 request of the Governor of this State, all questions relating
15 to reimbursement by this State to the other state and its
16 citizens in regard to the assistance so rendered shall be
17 determined by the mutual aid agreements or interstate compacts
18 described in subparagraph (5) of paragraph (c) of Section 6 as
19 are existing at the time of the assistance rendered or are
20 entered into thereafter and under Section 303 (d) of the
21 Federal Civil Defense Act of 1950.

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

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

1 (20 ILCS 3305/10) (from Ch. 127, par. 1060)

2 Sec. 10. Emergency services and disaster agencies ~~Services~~
3 ~~and Disaster Agencies~~.

4 (a) Each political subdivision within this State shall be
5 within the jurisdiction of and served by the ~~Illinois~~
6 ~~Emergency Management~~ Agency and by an emergency services and
7 disaster agency responsible for emergency management programs.
8 A township, if the township is in a county having a population
9 of more than 2,000,000, must have approval of the county
10 coordinator before establishment of a township emergency
11 services and disaster agency.

12 (b) Unless multiple county emergency services and disaster
13 agency consolidation is authorized by the ~~Illinois Emergency~~
14 ~~Management~~ Agency with the consent of the respective counties,
15 each county shall maintain an emergency services and disaster
16 agency that has jurisdiction over and serves the entire
17 county, except as otherwise provided under this Act and except
18 that in any county with a population of over 3,000,000
19 containing a municipality with a population of over 500,000
20 the jurisdiction of the county agency shall not extend to the
21 municipality when the municipality has established its own
22 agency.

23 (c) Each municipality with a population of over 500,000
24 shall maintain an emergency services and disaster agency which
25 has jurisdiction over and serves the entire municipality. A

1 municipality with a population less than 500,000 may
2 establish, by ordinance, an agency or department responsible
3 for emergency management within the municipality's corporate
4 limits.

5 (d) The Governor shall determine which municipal
6 corporations, other than those specified in paragraph (c) of
7 this Section, need emergency services and disaster agencies of
8 their own and require that they be established and maintained.
9 The Governor shall make these determinations on the basis of
10 the municipality's disaster vulnerability and capability of
11 response related to population size and concentration. The
12 emergency services and disaster agency of a county or
13 township, shall not have a jurisdiction within a political
14 subdivision having its own emergency services and disaster
15 agency, but shall cooperate with the emergency services and
16 disaster agency of a city, village or incorporated town within
17 their borders. ~~The Illinois Emergency Management Agency~~ shall
18 publish and furnish a current list to the municipalities
19 required to have an emergency services and disaster agency
20 under this subsection.

21 (e) Each municipality that is not required to and does not
22 have an emergency services and disaster agency shall have a
23 liaison officer designated to facilitate the cooperation and
24 protection of that municipal corporation with the county
25 emergency services and disaster agency in which it is located
26 in the work of disaster mitigation, preparedness, response,

1 and recovery.

2 (f) The principal executive officer or his or her designee
3 of each political subdivision in the State shall annually
4 notify the ~~Illinois Emergency Management~~ Agency of the manner
5 in which the political subdivision is providing or securing
6 emergency management, identify the executive head of the
7 agency or the department from which the service is obtained,
8 or the liaison officer in accordance with subsection (e),
9 ~~paragraph (d) of this Section~~ and furnish additional
10 information relating thereto as the ~~Illinois Emergency~~
11 ~~Management~~ Agency requires.

12 (g) Each emergency services and disaster agency shall
13 prepare an emergency operations plan for its geographic
14 boundaries that complies with planning, review, and approval
15 standards promulgated by the ~~Illinois Emergency Management~~
16 ~~Agency~~. The ~~Illinois Emergency Management~~ Agency shall
17 determine which jurisdictions will be required to include
18 earthquake preparedness in their local emergency operations
19 plans.

20 (h) The emergency services and disaster agency shall
21 prepare and distribute to all appropriate officials in written
22 form a clear and complete statement of the emergency
23 responsibilities of all local departments and officials and of
24 the disaster chain of command.

25 (i) Each emergency services and disaster agency shall have
26 a Coordinator who shall be appointed by the principal

1 executive officer of the political subdivision in the same
2 manner as are the heads of regular governmental departments.
3 If the political subdivision is a county and the principal
4 executive officer appoints the sheriff as the Coordinator, the
5 sheriff may, in addition to his or her regular compensation,
6 receive additional compensation as provided for by the
7 political subdivision at the same level as provided in Section
8 3-6037 of the Counties Code ~~3 of "An Act in relation to the~~
9 ~~regulation of motor vehicle traffic and the promotion of~~
10 ~~safety on public highways in counties", approved August 9,~~
11 ~~1951, as amended.~~ The Coordinator shall have direct
12 responsibility for the organization, administration, training,
13 and operation of the emergency services and disaster agency,
14 subject to the direction and control of that principal
15 executive officer. Each emergency services and disaster agency
16 shall coordinate and may perform emergency management
17 functions within the territorial limits of the political
18 subdivision within which it is organized as are prescribed in
19 and by the State Emergency Operations Plan, and programs,
20 orders, rules and regulations as may be promulgated by the
21 ~~Illinois Emergency Management~~ Agency and by local ordinance
22 and, in addition, shall conduct such functions outside of
23 those territorial limits as may be required under mutual aid
24 agreements and compacts as are entered into under subparagraph
25 (5) of paragraph (c) of Section 6.

26 (j) In carrying out the provisions of this Act, each

1 political subdivision may enter into contracts and incur
2 obligations necessary to place it in a position effectively to
3 combat the disasters as are described in Section 4, to protect
4 the health and safety of persons, to protect property, and to
5 provide emergency assistance to victims of those disasters. If
6 a disaster occurs, each political subdivision may exercise the
7 powers vested under this Section in the light of the
8 exigencies of the disaster and, excepting mandatory
9 constitutional requirements, without regard to the procedures
10 and formalities normally prescribed by law pertaining to the
11 performance of public work, entering into contracts, the
12 incurring of obligations, the employment of temporary workers,
13 the rental of equipment, the purchase of supplies and
14 materials, and the appropriation, expenditure, and disposition
15 of public funds and property.

16 (k) Volunteers who, while engaged in a disaster, an
17 exercise, training related to the emergency operations plan of
18 the political subdivision, or a search-and-rescue team
19 response to an occurrence or threat of injury or loss of life
20 that is beyond local response capabilities, suffer disease,
21 injury or death, shall, for the purposes of benefits under the
22 Workers' Compensation Act or Workers' Occupational Diseases
23 Act only, be deemed to be employees of the State, if: (1) the
24 claimant is a duly qualified and enrolled (sworn in) as a
25 volunteer of the ~~Illinois Emergency Management~~ Agency or an
26 emergency services and disaster agency accredited by the

1 ~~Illinois Emergency Management~~ Agency, and (2) if: (i) the
2 claimant was participating in a disaster as defined in Section
3 4 of this Act, (ii) the exercise or training participated in
4 was specifically and expressly approved by the ~~Illinois~~
5 ~~Emergency Management~~ Agency prior to the exercise or training,
6 or (iii) the search-and-rescue team response was to an
7 occurrence or threat of injury or loss of life that was beyond
8 local response capabilities and was specifically and expressly
9 approved by the ~~Illinois Emergency Management~~ Agency prior to
10 the search-and-rescue team response. The computation of
11 benefits payable under either of those Acts shall be based on
12 the income commensurate with comparable State employees doing
13 the same type work or income from the person's regular
14 employment, whichever is greater.

15 Volunteers who are working under the direction of an
16 emergency services and disaster agency accredited by the
17 Illinois Emergency Management Agency, pursuant to a plan
18 approved by the ~~Illinois Emergency Management~~ Agency (i)
19 during a disaster declared by the Governor under Section 7 of
20 this Act, or (ii) in circumstances otherwise expressly
21 approved by the ~~Illinois Emergency Management~~ Agency, shall be
22 deemed exclusively employees of the State for purposes of
23 Section 8(d) of the Court of Claims Act, provided that the
24 ~~Illinois Emergency Management~~ Agency may, in coordination with
25 the emergency services and disaster agency, audit
26 implementation for compliance with the plan.

1 (1) If any person who is entitled to receive benefits
2 through the application of this Section receives, in
3 connection with the disease, injury or death giving rise to
4 such entitlement, benefits under an Act of Congress or federal
5 program, benefits payable under this Section shall be reduced
6 to the extent of the benefits received under that other Act or
7 program.

8 (m) (1) Prior to conducting an exercise, the principal
9 executive officer of a political subdivision or his or her
10 designee shall provide area media with written
11 notification of the exercise. The notification shall
12 indicate that information relating to the exercise shall
13 not be released to the public until the commencement of
14 the exercise. The notification shall also contain a
15 request that the notice be so posted to ensure that all
16 relevant media personnel are advised of the exercise
17 before it begins.

18 (2) During the conduct of an exercise, all messages,
19 2-way ~~two-way~~ radio communications, briefings, status
20 reports, news releases, and other oral or written
21 communications shall begin and end with the following
22 statement: "This is an exercise message".

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

24 (20 ILCS 3305/12) (from Ch. 127, par. 1062)

25 Sec. 12. Testing of disaster warning devices ~~Disaster~~

1 ~~Warning Devices~~. The testing of disaster warning devices
2 including outdoor warning sirens shall be held only on the
3 first Tuesday of each month at 10 o'clock in the morning or
4 during exercises that are specifically and expressly approved
5 in advance by the ~~Illinois Emergency Management~~ Agency.

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

7 (20 ILCS 3305/14) (from Ch. 127, par. 1064)

8 Sec. 14. Communications. The ~~Illinois Emergency Management~~
9 Agency shall ascertain what means exist for rapid and
10 efficient communications in times of disaster. The ~~Illinois~~
11 ~~Emergency Management~~ Agency shall consider the desirability of
12 supplementing these communications resources or of integrating
13 them into a comprehensive State or State-Federal
14 telecommunications or other communications system or network.
15 In studying the character and feasibility of any system or its
16 several parts, the ~~Illinois Emergency Management~~ Agency shall
17 evaluate the possibility of multipurpose use thereof for
18 general State and political subdivision purposes. The ~~Illinois~~
19 ~~Emergency Management~~ Agency may promulgate rules to establish
20 policies and procedures relating to telecommunications and the
21 continuation of rapid and efficient communications in times of
22 disaster to the extent authorized by any provision of this Act
23 or other laws and regulations. The ~~Illinois Emergency~~
24 ~~Management~~ Agency shall make recommendations to the Governor
25 as appropriate.

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

2 (20 ILCS 3305/18) (from Ch. 127, par. 1068)

3 Sec. 18. Orders, rules, and regulations ~~Orders, Rules and~~
4 ~~Regulations.~~

5 (a) The Governor shall file a copy of every rule,
6 regulation or order, and any amendment thereof made by the
7 Governor under the provisions of this Act in the office of the
8 Secretary of State. Upon ~~No rule, regulation or order, or any~~
9 ~~amendment thereof shall be effective until 10 days after the~~
10 ~~filing, provided, however, that upon~~ the declaration of a
11 disaster by the Governor as is described in Section 7 the
12 provision relating to the effective date of any rule,
13 regulation, order or amendment issued under this Act and
14 during the state of disaster is abrogated, and the rule,
15 regulation, order or amendment shall become effective
16 immediately upon being filed with the Secretary of State
17 accompanied by a certificate stating the reason as required by
18 the Illinois Administrative Procedure Act.

19 (b) Every emergency services and disaster agency
20 established pursuant to this Act and the coordinators thereof
21 shall execute and enforce the orders, rules and regulations as
22 may be made by the Governor under authority of this Act. Each
23 emergency services and disaster agency shall have available
24 for inspection at its office all orders, rules and regulations
25 made by the Governor, or under the Governor's authority. The

1 ~~Illinois Emergency Management Agency shall publish furnish~~ on
2 the Agency's Department's website ~~the~~ orders, rules, and
3 regulations ~~to each such emergency services and disaster~~
4 ~~agency~~. Upon the written request of an emergency services and
5 ~~or~~ disaster agency, copies thereof shall be mailed to the
6 emergency services and ~~or~~ disaster agency.

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

8 (20 ILCS 3305/20) (from Ch. 127, par. 1070)

9 Sec. 20. Oath. ~~Emergency Management Agency; personnel;~~
10 ~~oath.~~ Each person, whether compensated or noncompensated, who
11 is appointed to serve in any capacity in the Illinois
12 Emergency Management Agency and Office of Homeland Security or
13 an emergency services and disaster agency, shall, before
14 entering upon his or her duties, take an oath, in writing,
15 before the Director or before the coordinator of that
16 emergency services and disaster agency or before other persons
17 authorized to administer oaths in this State, which oath shall
18 be filed with the Director or with the coordinator of the
19 emergency services and disaster agency with which he or she
20 shall serve and which oath shall be substantially as follows:

21 "I, _____, do solemnly swear (or affirm) that I
22 will support and defend and bear true faith and allegiance to
23 the Constitution of the United States and the Constitution of
24 the State of Illinois, and the territory, institutions and
25 facilities thereof, both public and private, against all

1 enemies, foreign and domestic; that I take this obligation
2 freely, without any mental reservation or purpose of evasion;
3 and that I will well and faithfully discharge the duties upon
4 which I am about to enter. And I do further swear (or affirm)
5 that I do not advocate, nor am I, nor have I been a member of
6 any political party or organization that advocates the
7 overthrow of the government of the United States or of this
8 State by force or violence; and that during such time as I am
9 affiliated with the (name of political subdivision), I will
10 not advocate nor become a member of any political party or
11 organization that advocates the overthrow of the government of
12 the United States or of this State by force or violence."

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

14 (20 ILCS 3305/23)

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

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

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

19 (b) The Access and Functional Needs Advisory Committee is
20 created.

21 (c) The Advisory Committee shall:

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

25 (2) Research and provide recommendations for

1 identifying and effectively responding to the needs of
2 persons with access and functional needs before, during,
3 and after a disaster using an intersectional lens for
4 equity.

5 (3) Provide recommendations to the ~~Illinois Emergency~~
6 ~~Management~~ Agency regarding how to ensure that persons
7 with a disability are included in disaster strategies and
8 emergency management plans, including updates and
9 implementation of disaster strategies and emergency
10 management plans.

11 (4) Review and provide recommendations for the
12 ~~Illinois Emergency Management~~ Agency, and all relevant
13 State agencies that are involved in drafting and
14 implementing the Illinois Emergency Operation Plan, to
15 integrate access and functional needs into State and local
16 emergency plans.

17 (d) The Advisory Committee shall be composed of the
18 Director of the ~~Illinois Emergency Management~~ Agency or his or
19 her designee, the Attorney General or his or her designee, the
20 Secretary of Human Services or his or her designee, the
21 Director of Aging or his or her designee, and the Director of
22 Public Health or his or her designee, together with the
23 following members appointed by the Governor on or before
24 January 1, 2022:

25 (1) Two members, either from a municipal or
26 county-level emergency agency or a local emergency

1 management coordinator.

2 (2) Nine members from the community of persons with a
3 disability who represent persons with different types of
4 disabilities, including, but not limited to, individuals
5 with mobility and physical disabilities, hearing and
6 visual disabilities, deafness or who are hard of hearing,
7 blindness or who have low vision, mental health
8 disabilities, and intellectual or developmental
9 disabilities. Members appointed under this paragraph shall
10 reflect a diversity of age, gender, race, and ethnic
11 background.

12 (3) Four members who represent first responders from
13 different geographic ~~geographical~~ regions around the
14 State.

15 (e) Of those members appointed by the Governor, the
16 initial appointments of 6 members shall be for terms of 2 years
17 and the initial appointments of 5 members shall be for terms of
18 4 years. Thereafter, members shall be appointed for terms of 4
19 years. A member shall serve until his or her successor is
20 appointed and qualified. If a vacancy occurs in the Advisory
21 Committee membership, the vacancy shall be filled in the same
22 manner as the original appointment for the remainder of the
23 unexpired term.

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

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

4 (h) Advisory Committee members shall serve without
5 compensation.

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

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

12 (1) Identification of core emergency management
13 services that need to be updated or changed to ensure the
14 needs of persons with a disability are met, and shall
15 include disaster strategies in State and local emergency
16 plans.

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

20 (3) Recommendations on improving the accessibility and
21 effectiveness of disaster and emergency communication.

22 (4) Recommendations on comprehensive training for
23 first responders and other frontline workers when working
24 with persons with a disability during emergency situations
25 or disasters, as defined in Section 4 of the ~~Illinois~~
26 ~~Emergency Management~~ Agency Act.

1 (5) Any additional recommendations regarding emergency
2 management and persons with a disability that the Advisory
3 Committee deems necessary.

4 (k) The annual report prepared and delivered under
5 subsection (j) shall be annually considered by the ~~Illinois~~
6 ~~Emergency Management~~ Agency when developing new State and
7 local emergency plans or updating existing State and local
8 emergency plans.

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

11 (Source: P.A. 102-361, eff. 8-13-21; 102-671, eff. 11-30-21;
12 103-154, eff. 6-30-23.)

13 (20 ILCS 3305/24 new)

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

16 (a) The Illinois Homeland Security Advisory Council
17 (IL-HSAC) is hereby created.

18 (b) The IL-HSAC shall report directly to the Homeland
19 Security Advisor, who shall serve as the Chairperson and
20 submit an annual report to the Governor by March 1st of each
21 year. The report shall detail the activities, accomplishments,
22 and recommendations of the IL-HSAC in the preceding year.

23 (c) The Agency shall provide administrative support for
24 the IL-HSAC.

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

1 (e) The IL-HSAC shall have the following powers and
2 duties:

3 (1) to develop and provide recommendations regarding
4 the State's domestic terrorism preparedness strategy;

5 (2) to seek input from federal agencies, including,
6 but not limited to, the United States Department of
7 Justice, the Federal Bureau of Investigation, the Federal
8 Emergency Management Agency, the United States Department
9 of Health and Human Services, and the United States
10 Department of Homeland Security;

11 (3) to serve as the Illinois State Advisory Committee
12 (SAC) with respect to funds received through the federal
13 Homeland Security Grant Program and, in that capacity, to
14 provide recommendations to the Agency and to the Homeland
15 Security Advisor on issues related to the application for
16 and use of all appropriate federal funding that relates to
17 preventing, protecting against, mitigating, responding to,
18 and recovering from acts of terrorism and other threats;

19 (4) to provide recommendations and information to the
20 Agency and to the Homeland Security Advisor regarding:

21 (A) training initiatives for local, regional and
22 State officials to respond to terrorist incidents
23 involving conventional, chemical, biological and/or
24 nuclear weapons;

25 (B) issues related to the application for and use
26 of all appropriate State and other funds as may be

1 appropriate and available relating to homeland
2 security;

3 (C) issues relating to public safety preparedness
4 and mutual aid to include strategies and tactics to
5 coordinate multi-agency response to significant
6 events, act of terrorism or natural disasters where
7 coordination of local, state and private resources is
8 necessary;

9 (D) public safety resources and combating
10 terrorism in Illinois; and

11 (E) any changes needed in State statutes,
12 administrative regulations, or in the Illinois
13 Emergency Operations Plan.

14 (20 ILCS 3305/25 new)

15 Sec. 25. Statewide Interoperability Coordinator (SWIC).

16 (a) The Statewide Interoperability Coordinator is hereby
17 created as a position within the Agency's Office of Homeland
18 Security.

19 (b) The duties and responsibilities of the Statewide
20 Interoperability Coordinator shall be as follows:

21 (1) to serve as the central coordination point for the
22 State's communications interoperability and assists with
23 mediation between State and local agencies to achieve an
24 interoperable communications system;

25 (2) to develop and disseminate best practices for

1 public safety communications interoperability;

2 (3) to advise the Homeland Security Advisor and Deputy
3 Director of the Agency's Office of Homeland Security on
4 public safety communications interoperability;

5 (4) to serve as a member of the Statewide
6 Interoperability Executive Committee (SIEC) or its
7 successor entity and to act on behalf of the SIEC;

8 (5) to recommend regulatory changes relating to
9 telecommunications and the continuation of rapid and
10 efficient communications during a disaster;

11 (6) to identify funding opportunities for planned
12 interoperability improvements and coordinates efforts to
13 provide funding;

14 (7) to advise on the issuance of grants for
15 interoperability communication systems;

16 (8) to engages stakeholders to coordinate the
17 Statewide Communications Interoperability Plan (SCIP);

18 (9) to represent the State in national, regional, and
19 local effort to plan and implement changes needed to
20 achieve interoperability and continuity of communications
21 for emergency responders; and

22 (10) to develop and implement the strategic program
23 for all public safety communications and interoperability
24 activities in partnership with 9-1-1 administrator,
25 operators of statewide radio systems, emergency management
26 coordinators, and the State Administrative Agency (SAA)."