



Sen. Celina Villanueva

**Filed: 5/21/2021**

10200HB3161sam003

LRB102 16114 LNS 26900 a

1 AMENDMENT TO HOUSE BILL 3161

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3161, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

5 "Section 1. Short title. This Act may be cited as the  
6 Domestic Violence Fatality Review Act.

7 Section 5. Definitions. As used in this Act:

8 "Board" means the Illinois Criminal Justice Information  
9 Authority Board.

10 "Case eligible for review" means the case based upon a  
11 qualifying relationship that the regional review teams can  
12 review under Section 70.

13 "Confidential information" means:

14 (1) oral, written, digital, or electronic original or  
15 copied information, records, documents, photographs,  
16 images, exhibits, or communications (i) obtained by the

1 Board, the Statewide Committee, or a regional review team  
2 from a public body for the purpose of addressing whether a  
3 case should be reviewed or for review of an eligible case  
4 under this Act while in the possession of the Board,  
5 Statewide Committee, or regional review team or (ii) in  
6 the possession of, provided to, obtained by, shared with,  
7 discussed by, created by, or maintained by the Board, the  
8 Statewide Committee, or a regional review team for the  
9 purpose of addressing whether a case should be reviewed or  
10 for review of an eligible case;

11 (2) any information that may be in the possession of  
12 the Board, Statewide Committee, or a regional review team  
13 that discloses the identities of victims, survivors,  
14 deceased, or offenders, or their family members, or by  
15 which their identities can be determined by a reasonably  
16 diligent inquiry; and

17 (3) any discussions, deliberations, minutes, notes,  
18 records, or opinions of the members of the Board,  
19 Statewide Committee, or a regional review team with regard  
20 to a case eligible for review to determine whether the  
21 case should be reviewed or a review of an eligible case.  
22 Confidential information does not mean nonidentifying or  
23 aggregate data information or analysis of data, and  
24 recommendations for community and systemic reform.

25 "Deceased" means anyone who died in connection with the  
26 actions of the offender, other than the victim, survivor, or

1 offender.

2 "Domestic violence" means abuse as it is defined in  
3 Section 103 of the Illinois Domestic Violence Act of 1986 and  
4 paragraph (1) of subsection (b) of Section 112A-3 of the Code  
5 of Criminal Procedure of 1963.

6 "Domestic violence fatality review" means the deliberative  
7 process of multiagency and multidisciplinary teams that select  
8 eligible cases of domestic violence related fatalities and  
9 near-fatalities, and trace prior systemic interventions and  
10 involvement to:

11 (1) examine barriers to safety, justice,  
12 self-determination, and equity;

13 (2) identify systemic and community gaps and consider  
14 alternate and more effective systemic responses; and

15 (3) develop recommendations for greater coordinated  
16 and improved community and systemic response and  
17 prevention initiatives to domestic violence in order to  
18 reduce the occurrence, frequency, and severity of domestic  
19 violence and prevent fatalities and near-fatalities.

20 "Familicide" means the killing of a family, including one  
21 or both parents and any children, by a family member.

22 "Fatality" means death caused by suicide or homicide.

23 "Near-fatality" means a death that nearly occurred by  
24 means of suicide or homicide, or an injury that could have  
25 resulted in death.

26 "Offender" means the person who inflicted domestic

1 violence upon the victim and caused the victim's death, or the  
2 person who inflicted domestic violence upon a survivor.  
3 "Offender" includes a person who is deceased or alive, and is  
4 not required to have been the subject of a criminal  
5 investigation or prosecution.

6 "Regional domestic violence fatality review team" or  
7 "regional review team" means a multiagency and  
8 multidisciplinary team that selects and reviews eligible cases  
9 in accordance with Section 45.

10 "Statewide Committee" means the Ad Hoc Statewide Domestic  
11 Violence Fatality Review Committee of the Illinois Criminal  
12 Justice Information Authority Board.

13 "Survivor" means a person who experienced domestic  
14 violence and is alive.

15 "Victim" means the person who experienced domestic  
16 violence and is deceased, including by means of homicide or  
17 suicide.

18 Section 10. Findings. The General Assembly finds and  
19 declares the following:

20 (a) Over 10,000,000 people in the United States experience  
21 physical domestic violence by a current or former partner each  
22 year.

23 (b) According to the Centers for Disease Control and  
24 Prevention of the United States Department of Health and Human  
25 Services, domestic violence accounts for 15% of all violent

1 crime in the United States, and in this State, 42% of women and  
2 26% of men have been harmed by an intimate partner in their  
3 lifetime.

4 (c) According to the U.S. Department of Justice,  
5 nationwide approximately 1 in 4 women and nearly 1 in 7 men  
6 experience severe physical violence resulting from domestic  
7 violence by an intimate partner at some point in their  
8 lifetime.

9 (d) The Illinois Criminal Justice Information Authority  
10 found that while the actual number of domestic violence  
11 incidents are underreported, in this State over 100,000  
12 domestic violence offenses were reported to law enforcement  
13 each year between 2005 and 2017. Between 400,000 and nearly  
14 600,000 orders of protection were filed each year between 2005  
15 and 2017.

16 (e) From 2001 to 2018, State domestic violence agencies  
17 served nearly 800,000 adults and children, at an average of  
18 57,684 clients per year, according to the Illinois Criminal  
19 Justice Information Authority.

20 (f) Domestic violence related homicides account for nearly  
21 1 in 5 murders in the United States. According to the National  
22 Coalition Against Domestic Violence, female homicide victims  
23 are substantially more likely than male homicide victims to  
24 have been killed by an intimate partner. One in 3 female murder  
25 victims are killed by intimate partners. About 4% of male  
26 homicide victims were killed by an intimate partner.

1 Nationwide, 72% of all homicide-suicides involved an intimate  
2 partner of which 94% of the murdered victims are women.

3 (g) The Illinois Criminal Justice Information Authority  
4 found that 15% of all homicides in this State are connected to  
5 domestic violence, such that at least 130 domestic violence  
6 related homicides occurred in this State during 2019. The  
7 Illinois Coalition Against Domestic Violence found that  
8 domestic violence fatalities occurred across at least 26  
9 counties and included at least 7 children between July 2019  
10 and June 2020.

11 (h) The Illinois Criminal Justice Information Authority  
12 found that the estimated financial impact of domestic violence  
13 homicides reported in this State during 2019 would total  
14 nearly \$1.2 billion.

15 (i) Nearly all familicides involve a history of domestic  
16 violence.

17 (j) Effective responses to domestic violence and domestic  
18 violence related fatalities involve governmental, social  
19 services, and other systems in the community. A coordinated  
20 and consistent approach among community and system points of  
21 intervention are important to fostering the safety, stability,  
22 well-being and healing of survivors, and facilitating  
23 meaningful engagement with and sustainable accountability for  
24 offenders.

25 (k) Domestic violence transcends boundaries of race,  
26 religion, ethnicity, sexual orientation, gender identity,

1 disability, culture, socioeconomic status, and geography.

2 (l) Domestic violence related fatalities and  
3 near-fatalities are experienced and responded to differently  
4 in historically marginalized communities. The communities and  
5 systems that victims, survivors, and offenders engage with in  
6 historically marginalized communities are typically those with  
7 power imbalances often rooted in systemic racism and  
8 oppression. Women of color, in particular, face additional  
9 barriers and gaps in accessing systemic and community  
10 responses aimed at reducing domestic violence related  
11 fatalities and near-fatalities.

12 (m) Over 200 domestic violence fatality review teams exist  
13 across the United States. Those teams are engaged in systems  
14 reform in order to improve the response to domestic violence  
15 and reduce and prevent domestic violence related fatalities  
16 and near-fatalities.

17 (n) Domestic violence related fatalities and  
18 near-fatalities can be prevented, and the use of regional  
19 domestic violence fatality review teams under the leadership,  
20 guidance, and technical assistance of the Statewide Committee  
21 in support of the regional teams is an effort toward such  
22 prevention.

23 Section 15. Purposes. The purposes of this Act are:

24 (1) To create the Ad Hoc Statewide Domestic Violence  
25 Fatality Review Committee of the Illinois Criminal Justice

1 Information Authority Board to support domestic violence  
2 fatality review in this State.

3 (2) To establish regional domestic violence fatality  
4 review teams that engage in domestic violence fatality review  
5 in this State in order to foster systemic reform that aims to:

6 (A) reduce domestic violence and domestic violence  
7 related fatalities and near-fatalities in this State;

8 (B) address disparate and discriminatory practices and  
9 attitudes in the systems that interact with victims,  
10 survivors, and offenders; and

11 (C) reduce the cost on society of domestic violence  
12 and domestic violence related fatalities and  
13 near-fatalities by:

14 (i) reviewing selected cases eligible for review;

15 (ii) examining how systems have responded to  
16 individual experiences;

17 (iii) identifying gaps and barriers to effective  
18 and equitable responses that promote safety,  
19 stability, well-being, healing, and accountability;  
20 and

21 (iv) recommending strategies to improve community  
22 and systemic responses to domestic violence in order  
23 to foster points of intervention and support that are  
24 effective, coordinated, collaborative, consistent,  
25 just, and equitable.



1           Section 20. Ad Hoc Statewide Domestic Violence Fatality  
2 Review Committee of the Illinois Criminal Justice Information  
3 Authority Board. The Ad Hoc Statewide Domestic Violence  
4 Fatality Review Committee of the Illinois Criminal Justice  
5 Information Authority Board is hereby created to provide  
6 guidance, leadership, technical assistance, research, and  
7 other supports to the regional domestic violence fatality  
8 review teams in carrying out their responsibilities under this  
9 Act, and to serve as a statewide resource for addressing  
10 domestic violence related fatalities and near-fatalities as  
11 well as other forms of abuse connected to domestic violence.

12           Section 25. Membership of the Statewide Committee.

13           (a) The Statewide Committee shall consist of the following  
14 voting members and nonvoting ex officio members. The voting  
15 membership shall have racial, ethnic, gender, and geographic  
16 diversity and include the following:

17           (1) Four members of the General Assembly as follows: 2  
18 members of the Senate, one member appointed by the  
19 President of the Senate and one member appointed by the  
20 Senate Minority Leader; 2 members of the House of  
21 Representatives, one member appointed by the Speaker of  
22 the House and one member appointed by the House Minority  
23 Leader.

24           (2) One member of the Governor's policy leadership  
25 team appointed by the Governor.

1           (3) Up to 20 public members designated by the Board  
2 Chairperson, including:

3           (A) Four members representing different regional  
4 review teams established under this Act, or at-large  
5 members in accordance with subparagraph (I) if 4  
6 regional review teams have not yet been established at  
7 the time of appointment.

8           (B) Two members representing statewide, regional,  
9 or local organizations that advocate on behalf of  
10 survivors of domestic violence.

11           (C) Two members who are domestic violence  
12 survivors, one of whom may be a family member of a  
13 victim of domestic violence-related fatality or  
14 near-fatality.

15           (D) Four social services providers representing  
16 different geographic areas of the State whose  
17 significant purpose is to provide services to  
18 survivors of domestic violence.

19           (E) Two social service providers who have  
20 significant experience working with domestic violence  
21 offenders.

22           (F) One physician licensed by the State whose  
23 State practice focuses on emergency medicine.

24           (G) One member of the Illinois Association of  
25 Chiefs of Police recommended by the Association  
26 Director or President.

1           (H) One member of the Illinois Sheriffs'  
2 Association recommended by the Association Director or  
3 President.

4           (I) Three at-large members who have substantial  
5 expertise and experience in the response to or  
6 prevention of domestic violence and domestic violence  
7 related fatalities and near-fatalities, or a related  
8 skill or expertise.

9           (b) The following, or a designee, shall serve as nonvoting  
10 ex officio members of the Statewide Committee: the Lieutenant  
11 Governor; the Secretary of Human Services; the Director of  
12 Public Health; the Attorney General; the Director of the  
13 Illinois State Police; the Director of Children and Family  
14 Services; the Director of the Illinois Criminal Justice  
15 Information Authority; the Director of the Office of the  
16 State's Attorney Appellate Prosecutor; the Director of the  
17 Office of the State Appellate Defender; and the Director of  
18 the Administrative Office of the Illinois Courts.

19           Section 30. Statewide Committee terms of members;  
20 vacancies.

21           (a) Terms of the original voting members shall be  
22 staggered as follows: one-half shall be designated for 2-year  
23 terms and one-half shall be designated for 3-year terms. The  
24 length of the initial terms of each original voting member  
25 shall be drawn by lot at the first meeting held by the

1 Statewide Committee and shall be recorded as part of the  
2 minutes of the meeting. After the initial term, each term  
3 shall be for 3 years. Length of terms of co-chairs, the  
4 secretary, and other officers coincide with Statewide  
5 Committee members' terms.

6 (b) The Board Chairperson shall designate members to fill  
7 vacancies in accordance with Section 25. A member whose term  
8 has expired may serve until a successor is appointed and  
9 accepts the appointment.

10 Section 35. Statewide Committee quorum; meetings;  
11 compensation.

12 (a) A quorum shall consist of 7 of the voting members of  
13 the Statewide Committee.

14 (b) The first meeting of the Statewide Committee shall  
15 occur by January 15, 2022. At the first meeting and at  
16 subsequent meetings when terms expire, the voting members  
17 shall elect 2 co-chairs and a secretary from among the voting  
18 members and may elect any other officers and other officers  
19 the voting members deem necessary to carry out the duties and  
20 responsibilities of the Statewide Committee.

21 (c) The Statewide Committee shall meet at least quarterly  
22 each State Fiscal Year. Additional meetings may be called by  
23 the co-chairs, after at least 7 days prior notice to the  
24 Statewide Committee members, or upon a written request signed  
25 by at least 5 Statewide Committee members to the co-chairs for

1 a meeting request. Meetings may be held by a virtual meeting  
2 format during a public health emergency or disaster  
3 proclamation declared by the Governor, or at the discretion of  
4 the co-chairs.

5 (d) The meetings of the Statewide Committee are subject to  
6 the Open Meetings Act, except the following shall occur in  
7 closed executive sessions not subject to the requirements of  
8 the Open Meetings Act:

9 (1) discussions about personnel matters, confidential  
10 information as defined by Section 5, or cases eligible for  
11 review under Section 70; and

12 (2) conducting a domestic violence fatality review.

13 (e) The members shall receive no compensation for their  
14 service as members of the Statewide Committee, but may receive  
15 reimbursement for actual expenses incurred in the performance  
16 of their duties, subject to the availability of funds for that  
17 purpose.

18 Section 40. Duties and responsibilities of the Statewide  
19 Committee.

20 (a) The Statewide Committee shall carry out the following  
21 duties and responsibilities:

22 (1) Subject to available funds, hire or assign a  
23 full-time Program Manager to carry out the duties and  
24 responsibilities of the Statewide Committee and the  
25 purposes of this Act. The Program Manager may hire

1 additional staff, subject to the availability of funds for  
2 that purpose and subject to the approval of the Board. The  
3 Statewide Committee and regional review teams can operate  
4 without an acting Program Manager.

5 (2) Establish and maintain an Internet website.

6 (3) Prepare an annual budget that includes  
7 compensation for the Program Manager and staff, and  
8 financial reimbursement to regional review team members or  
9 teams for actual expenses incurred in the performance of  
10 their duties, subject to the availability of funds for  
11 that purpose.

12 (4) Facilitate the establishment and implementation of  
13 regional review teams across the State over 6 years after  
14 the effective date of this Act and collaboratively develop  
15 regional implementation plans and procedures.

16 (5) Provide training and ongoing technical assistance  
17 to regional review teams.

18 (6) Conduct, or assist in conducting, regional  
19 domestic violence fatality reviews if requested by  
20 regional review teams in specific cases.

21 (7) Develop model confidentiality agreement, policies,  
22 and procedures for the use of regional review teams.

23 (8) Develop guidelines for the annual and biennial  
24 reports of the Statewide Committee and the regional review  
25 teams pursuant to this Section and Section 65.

26 (9) Appoint the initial members of each regional

1 review team in accordance with Section 50 or designate a  
2 founding member of a regional review team to form the  
3 remainder of the regional review team in accordance with  
4 Section 50, unless the regional review team has been  
5 formed prior to the effective date of this Act or elects to  
6 form without the involvement of the Statewide Committee.

7 (10) Create a process whereby the Statewide Committee  
8 shall annually officially recognize regional review teams  
9 that are formed and operated in substantial compliance  
10 with the requirements of this Act, and nonrecognize those  
11 regional review teams that are substantially out of  
12 compliance after reasonable efforts are made by the  
13 Statewide Committee to engage the regional review team's  
14 co-chairs and other regional stakeholders to facilitate  
15 corrective actions to bring the regional review team into  
16 substantial compliance. A nonrecognized regional review  
17 team no longer has the authority to operate under this  
18 Act, however, nonrecognition would not preclude the  
19 formation of a new regional review team for the affected  
20 region.

21 (11) Review, analyze, maintain, and securely store  
22 regional review team reports and recommendations submitted  
23 by each regional review team as required by Section 65.

24 (12) File an annual report with the Governor and the  
25 General Assembly on the operations and activities of the  
26 Statewide Committee and of the regional review teams. The

1 first report shall be due no later than March 1, 2023, and  
2 each subsequent report shall be due no later than March 1  
3 of each year thereafter. The annual report shall be made  
4 publicly available on the Statewide Committee's Internet  
5 website.

6 (13) In even numbered years, file a substantive  
7 biennial report reviewing and analyzing the data and  
8 recommendations collected from the reports of the regional  
9 review teams. The biennial report shall include specific  
10 recommendations for legislative, systemic, policy, and any  
11 other changes to reduce domestic violence and domestic  
12 violence related fatalities and near-fatalities. The first  
13 report shall be due no later than April 1, 2024, and each  
14 subsequent report shall be due no later than April 1 of  
15 each even year thereafter. The biennial report shall be  
16 made publicly available on the Statewide Committee's  
17 Internet website.

18 (b) The Statewide Committee may carry out the following  
19 duties and responsibilities:

20 (1) After a vote by the majority of the voting  
21 Statewide Committee members or a decision by the  
22 co-chairs, establish one or more subcommittees or task  
23 forces to address specific issues regarding domestic  
24 violence, domestic violence fatalities and  
25 near-fatalities, domestic violence fatality review, or  
26 other related issues or subject matters, and may invite



1 nonmembers with expertise on the issue or subject matter  
2 to serve on the subcommittee or task force. Each  
3 subcommittee or task force shall be chaired by a member of  
4 the Statewide Committee.

5 (2) Advise the Governor and General Assembly on  
6 domestic violence, domestic violence fatalities and  
7 near-fatalities, domestic violence fatality review, data,  
8 and related topics or policies.

9 (3) Engage nonmember stakeholders in reviewing  
10 selected recommendations from the regional review teams in  
11 accordance with notions of fairness, equity, justice, due  
12 process, and practicality.

13 (4) Analyze data and identify trends related to  
14 domestic violence and domestic violence related fatalities  
15 and near-fatalities, and develop mechanisms for  
16 collecting, analyzing, and storing data that it collects  
17 or that is provided by the regional review teams.

18 (5) Adopt administrative rules in order to implement  
19 this Act.

20 (6) Subject to the availability of funding and  
21 approval by a vote of the majority of the Statewide  
22 Committee members, engage with and enter into contracts  
23 with a higher education institution or research entity for  
24 research, analysis, training, and educational purposes in  
25 furtherance of the purposes of this Act. Statewide  
26 Committee members or Statewide Committee staff shall not

1 share information with contractors that would disclose the  
2 identities of victims, survivors, deceased, offenders, and  
3 their family members or by which their identities can be  
4 determined by a reasonably diligent inquiry.

5 (7) Support the implementation of systemic and  
6 community reform recommendations in order to advance the  
7 purposes of this Act.

8 (8) Adopt notice of funding opportunities, award  
9 grants, or enter into contracts with statewide or local  
10 organizations that advocate on behalf of survivors.

11 (9) Assign any responsibilities under this Section.

12 (10) Engage in any other activities that enable the  
13 Statewide Committee, its staff, and the regional review  
14 teams to carry out the purposes of this Act.

15 Section 45. Regional domestic violence fatality review  
16 teams. A regional domestic violence fatality review team may  
17 be established within the boundaries of each judicial circuit.  
18 Once a review team is established within the boundaries of the  
19 judicial circuit, the team may establish one or more subteams  
20 to efficiently and effectively carry out the responsibilities  
21 of the regional review team and conduct domestic violence  
22 fatality review.

23 Section 50. Membership of regional domestic violence  
24 fatality review teams. Each regional review team shall, at a

1 minimum, include the following members from within the  
2 boundaries of the judicial circuit:

3 (1) a State's Attorney or Assistant State's Attorney;

4 (2) a public defender or other criminal defense lawyer;

5 (3) a coroner or medical examiner;

6 (4) a Sheriff, Deputy Sheriff, Chief of Police, or other  
7 law enforcement officer with experience in domestic violence  
8 cases;

9 (5) a social services provider whose significant role is  
10 to provide services to survivors of domestic violence;

11 (6) a social services provider who has significant  
12 experience working with domestic violence offenders, if  
13 available in the region;

14 (7) a civil legal services lawyer or pro bono lawyer  
15 connected with a civil legal services program; and

16 (8) at least 2 of the following members: a public health  
17 official; a physician licensed by the State who specializes in  
18 emergency medicine; an advanced practice registered nurse; a  
19 licensed mental health professional such as a psychiatrist,  
20 clinical psychologist, licensed clinical professional  
21 counselor, or licensed clinical social worker; a circuit judge  
22 or associate judge; a clerk of the circuit court or other  
23 elected or appointed court official; an administrative law  
24 judge; an emergency medical technician, paramedic, or other  
25 first responder; a local or regional elected official or State  
26 legislator; a representative from the private business sector;

1 a member of the clergy or other representative of the faith  
2 community; a public housing authority administrator or  
3 manager; an alcohol and substance abuse treatment  
4 professional; a probation or parole officer; a child welfare  
5 administrator, caseworker, or investigator; a public school  
6 administrator, teacher, or school support staff person  
7 licensed and endorsed by the Illinois State Board of  
8 Education; a representative of a State university or community  
9 college; a social science researcher or data analyst; a  
10 survivor or a family member or friend of a survivor or victim;  
11 a supervised child visitation or child exchange staff person;  
12 or a member of the public at-large who has the education,  
13 training, or experience to carry out the purposes of the  
14 regional review team.

15 Section 55. Terms of regional review team members;  
16 vacancies.

17 (a) Terms of the original regional team members shall be  
18 staggered as follows: one-half of the initial members of the  
19 review team shall serve 2-year terms, and one-half of the  
20 initial members shall serve 3-year terms. The initial terms  
21 shall be drawn by lot at the first meeting of the review team.  
22 Following the initial terms, each member of the review team  
23 shall serve 3-year terms. No member shall serve more than 2  
24 consecutive terms. Length of terms of co-chairs, the  
25 secretary, and other officers coincide with regional review

1 team membership terms.

2 (b) Vacancies shall be filled by individuals who meet the  
3 requirements of Section 50 either by an application process or  
4 upon the recommendation of a member of the regional review  
5 team, and approved by a vote of the majority of the regional  
6 review team members. Vacancies occurring during a term shall  
7 be filled to complete the current term. Members whose terms  
8 have expired may continue to serve until a new member is  
9 appointed. Former members are eligible for reappointment after  
10 the expiration of at least 12 months following their last date  
11 of service.

12 Section 60. Regional review team quorum; meetings;  
13 compensation.

14 (a) All members of the regional review team are voting  
15 members. Five members of the regional review team shall  
16 constitute a quorum.

17 (b) At the first meeting and at subsequent meetings when  
18 terms expire, the regional review team shall elect 2 co-chairs  
19 and a secretary and may elect any other officers the voting  
20 members deem necessary to carry out the duties and  
21 responsibilities of the regional review team.

22 (c) Each regional review team shall meet at least  
23 quarterly on a date and at a time and location determined by  
24 the co-chairs. Additional meetings may be convened by the  
25 co-chairs upon at least 7 days prior written notice to the

1 regional review team members, or upon the written request by  
2 at least 5 regional review team members to the co-chairs.  
3 Meetings may be held by virtual meeting format during a public  
4 health emergency or disaster proclamation declared by the  
5 Governor, or at the discretion of the co-chairs.

6 (d) Members of regional review teams are not entitled to  
7 compensation, but may receive reimbursement for actual  
8 expenses incurred in the performance of their duties, subject  
9 to the availability of State or local funds for such purposes.

10 Section 65. Duties and responsibilities of the regional  
11 domestic violence fatality review team.

12 (a) Each regional review team shall carry out the  
13 following duties and responsibilities:

14 (1) Form a regional review team in accordance with  
15 Sections 50 and 55.

16 (2) Report the names, professional titles, if  
17 applicable, and business contact information of each  
18 review team member to the Statewide Committee and inform  
19 the Statewide Committee in a timely manner of any changes  
20 to the membership of the regional review team.

21 (3) Create a secure system of maintaining and storing  
22 minutes, correspondence, and confidential information  
23 related to the regional review team and the domestic  
24 violence fatality reviews.

25 (4) Ensure that each member of the regional review

1 team participates in trainings and technical assistance  
2 provided by the Statewide Committee and other  
3 professionals.

4 (5) Meet at least quarterly and maintain minutes of  
5 the business conducted by the regional review team at each  
6 meeting.

7 (6) Establish priorities for reviewing eligible cases  
8 that consider, in part, demographic and case type  
9 diversity.

10 (7) Based upon information available from a variety of  
11 sources, consider cases eligible for review in accordance  
12 with Section 70.

13 (8) Vote by a majority of the regional review team  
14 members to review a specific case based upon various  
15 factors, including the priorities by the regional review  
16 team.

17 (9) Invite and coordinate with the specific people  
18 designated in Section 50 who were involved in the selected  
19 domestic violence-related fatality or near-fatality to  
20 participate in the domestic violence fatality review.  
21 Members of the regional review team may also participate  
22 directly in the domestic violence fatality review.

23 (10) Execute a confidentiality agreement with each  
24 member of the regional review team and participant of a  
25 domestic violence fatality review in accordance with  
26 Section 75.

1           (11) Conduct a domestic violence fatality review of at  
2           least 2 eligible cases per calendar year, or, if the  
3           regional review team is unable to complete at least 2  
4           reviews in a given year, provide an explanation to the  
5           Statewide Committee in the regional review team's annual  
6           report pursuant to paragraph (12).

7           (12) Prepare and submit an annual report to the  
8           Statewide Committee on the operations and activities of  
9           the regional review team in accordance with guidelines  
10          established by the Statewide Committee. The initial report  
11          shall be due on March 1 following the formation of the  
12          regional review team and subsequent reports shall be  
13          submitted no later than March 1 of each year thereafter.

14          (13) On odd numbered years, prepare and submit to the  
15          Statewide Committee a biennial report based upon the  
16          domestic violence fatality reviews of the corresponding  
17          time period. The biennial report shall include specific  
18          recommendations for legislative, systemic, policy, and any  
19          other changes to reduce domestic violence and domestic  
20          violence related fatalities and near-fatalities. These  
21          recommendations will be reviewed by the Statewide  
22          Committee according to Section 40 and will, in part,  
23          inform the Statewide Committee's biennial report on even  
24          years. Any information that identifies the victims,  
25          survivors, deceased, or offenders, or their family members  
26          or any information by which their identities can be



1 determined by a reasonably diligent inquiry shall not be  
2 disclosed in any domestic violence fatality review  
3 biennial report or by any other means. Any narrative of  
4 nonidentifying facts will be limited to those essential  
5 and indispensable to the explanation of data analysis or a  
6 recommendation for reform. Aggregate and nonidentifying  
7 data, including demographics, may be included in the  
8 biennial report. The first biennial report shall be due no  
9 later than April 1, 2023, and each subsequent report shall  
10 be due no later than April 1 of each odd year thereafter.

11 (b) Each regional review team may carry out the following  
12 duties and responsibilities:

13 (1) Collect and analyze data from its regional area  
14 regarding cases eligible for review that were and were not  
15 reviewed by the regional review team for purposes of  
16 identifying patterns and making recommendations for  
17 community and systemic reforms.

18 (2) Subject to the availability of funding and  
19 approval by a vote of the majority of the regional review  
20 team members, engage with and enter into contracts with a  
21 higher education institution or research entity for  
22 research, analysis, training, and educational purposes in  
23 furtherance of the purposes of this Act. Regional review  
24 team members shall not share information with contractors  
25 that would disclose the identities of victims, survivors,  
26 deceased, offenders, and their family members or by which

1 their identities can be determined by a reasonably  
2 diligent inquiry.

3 (3) Seek funds to support the operations of the  
4 regional review team and the facilitation of domestic  
5 violence fatality reviews.

6 (4) Support the implementation of systemic and  
7 community reform recommendations in order to advance the  
8 purposes of this Act.

9 (5) Engage in any other activities that enable the  
10 regional review team to carry out the purposes of this  
11 Act.

12 Section 70. Case eligible for review by regional review  
13 team. A case eligible for review shall include a fatality or  
14 near-fatality that occurred within the geographic boundaries  
15 of the judicial circuit covered by the regional review team  
16 and a qualifying relationship.

17 (a) A fatality or near-fatality includes at least one of  
18 the following:

19 (1) a homicide, as defined in Article 9 of the  
20 Criminal Code of 2012 in which:

21 (A) the offender causes the death of the victim,  
22 the deceased, or others; or

23 (B) the survivor causes the death of the offender,  
24 the deceased, or others;

25 (2) a suicide or attempt suicide of the offender;

1 (3) a suicide of the victim;

2 (4) a suicide attempt of the survivor;

3 (5) a familicide in which the offender causes the  
4 death of the victim and other members of the victim's  
5 family including, but not limited to, minor or adult  
6 children and parents;

7 (6) the near-fatality of a survivor caused by the  
8 offender;

9 (7) the near-fatality of an offender caused by the  
10 survivor; or

11 (8) any other case involving domestic violence if a  
12 majority of the regional review team vote that a review of  
13 the case will advance the purposes of this Act.

14 (b) A qualifying relationship between the offender and the  
15 victim or survivor shall include instances or a history of  
16 domestic violence perpetrated by the offender against the  
17 victim or survivor and at least one of the following  
18 circumstances:

19 (1) the offender and the victim or survivor:

20 (A) resided together or shared a common dwelling  
21 at any time;

22 (B) have or are alleged to have a child in common;  
23 or

24 (C) are or were engaged, married, divorced,  
25 separated, or had a dating or romantic relationship,  
26 regardless of whether they had sexual relations;

1           (2) the offender stalked the victim or survivor as  
2 described in Section 12-7.3 of the Criminal Code of 2012;

3           (3) the victim or survivor filed for an order of  
4 protection against the offender under the Illinois  
5 Domestic Violence Act of 1986 or Section 112A-2.5 of the  
6 Code of Criminal Procedure of 1963;

7           (4) the victim or survivor filed for a civil no  
8 contact order against the offender under the Civil No  
9 Contact Order Act or Section 112A-14.5 of the Code of  
10 Criminal Procedure of 1963;

11           (5) the victim or survivor filed for a stalking no  
12 contact order against the offender under the Stalking No  
13 Contact Order Act or Section 112A-2.5 of the Code of  
14 Criminal Procedure of 1963;

15           (6) the offender violated an order of protection,  
16 civil no contact order, or stalking no contact order  
17 obtained by the victim or survivor;

18           (7) the deceased resided in the same household as, was  
19 present at the workplace of, was in the proximity of, or  
20 was related by blood or affinity to a victim or survivor;

21           (8) the deceased was a law enforcement officer,  
22 emergency medical technician, or other responder to a  
23 domestic violence incident between the offender and the  
24 victim or survivor; or

25           (9) a relationship between the offender and the  
26 victim, survivor, or deceased exists that a majority of

1 the regional review team votes warrants review of the case  
2 to advance the purposes of this Act.

3 (c) A case eligible review does not require criminal  
4 charges or a conviction.

5 (d) Any criminal investigation, civil, criminal, or  
6 administrative proceeding, and appeals shall be complete for a  
7 case to be eligible for review.

8 Section 75. Confidentiality of regional review teams,  
9 information, and domestic violence fatality reviews.

10 (a) Meetings in which regional review teams are engaged in  
11 a domestic violence fatality review or in which confidential  
12 information is shared or disclosed are closed to the public  
13 and not subject to Section 2 of the Open Meetings Act.

14 (b) Unless otherwise available and lawfully obtained  
15 through another source pursuant to an applicable law that  
16 allows the disclosure and release of the information,  
17 confidential information in the possession of a regional  
18 review team is not:

19 (1) subject to disclosure by the Board, Statewide  
20 Committee, or a regional review team under the Freedom of  
21 Information Act, and this exemption does not extend to  
22 other public bodies unless otherwise provided by law;

23 (2) subject to subpoena and discovery under Section  
24 2-402 of the Code of Civil Procedure, Article 115 of the  
25 Code of Criminal Procedure of 1963, or Illinois Supreme

1 Court Rule 412,; and

2 (3) admissible as evidence in any civil or criminal  
3 proceeding.

4 (c) Confidential information in the possession of a  
5 regional review team shall not be disclosed, released, or  
6 shared except as follows:

7 (1) among Statewide Committee members or Statewide  
8 Committee staff pursuant to the review of an eligible  
9 case;

10 (2) among regional review team members to determine  
11 whether a case is eligible for review or whether an  
12 eligible case should be reviewed;

13 (3) among regional review team members and  
14 participants during a domestic violence fatality review;  
15 or

16 (4) a regional review team votes to share confidential  
17 information for solely educational or research purposes,  
18 consistent with State or federal law, as long as the  
19 information disclosed does not include the identities of  
20 victims, survivors, deceased, or offenders, or their  
21 family members or any information by which their  
22 identities can be determined by a reasonably diligent  
23 inquiry.

24 (d) All Statewide Committee members, Statewide Committee  
25 subcommittee members, Statewide Committee staff, all members  
26 of each regional review team, and any other person who

1 participates in any manner in a review of an eligible case by a  
2 regional review team shall execute a confidentiality agreement  
3 based upon a model confidentiality agreement developed by the  
4 Statewide Committee or a document substantially similar to the  
5 Statewide Committee's model document that acknowledges and  
6 agrees to comply with the responsibility not to disclose or  
7 release confidential information. All executed confidentiality  
8 agreements shall be maintained by the Statewide Committee and  
9 by each regional review team respectively.

10 (e) Members and staff of the Board, Statewide Committee,  
11 and members of a regional review team or participants of a  
12 domestic violence fatality review cannot be subject to  
13 examination or compelled to disclose or release confidential  
14 information in any administrative, civil or criminal  
15 proceeding, except for information that is otherwise available  
16 and lawfully obtained through another source pursuant to an  
17 applicable law that allows the disclosure and release of the  
18 information.

19 Section 80. Access to records and information.

20 (a) Upon the oral or written request by a regional review  
21 team, records and oral or written information relevant to the  
22 purposes of domestic violence fatality review and to the  
23 responsibilities of the regional review team shall be provided  
24 free of charge by the following: State and local governmental  
25 agencies and officials; medical and dental providers; domestic

1 violence offender and partner abuse intervention service  
2 providers; child care providers; and employers. Examples of  
3 records and oral or written information that may be requested  
4 include, but are not limited to: guardian ad litem reports;  
5 parenting evaluations; victim impact statements; mental health  
6 evaluations submitted to a court; probation information,  
7 presentence interviews, and reports; recommendations made  
8 regarding bail and release on own recognizance; child welfare  
9 reports and information; Child Advocacy Center reports and  
10 information; law enforcement incident reports, dispatch  
11 records, statements of victims, witnesses and suspects,  
12 supplemental reports, and probable cause statements; 9-1-1  
13 call-taker's reports; correction and post-sentence probation  
14 or supervision reports; medical, hospital, and dental  
15 treatment records; school records and information; child care  
16 records and information; and employer records and information.  
17 The records and oral or written information may be provided  
18 for purposes of domestic violence fatality review without  
19 authorization of the person or persons to whom the records and  
20 oral or written information relate.

21 (b) The records and oral or written information described  
22 in this Section provided to a regional review team or in a  
23 domestic violence fatality review become confidential  
24 information as defined in this Act. The Statewide Committee,  
25 regional review teams, and any other participant in a domestic  
26 violence fatality review shall maintain the confidentiality



1 and shall not disclose or release the confidential information  
2 received, shared, or obtained.

3 (c) Nothing in this Act shall:

4 (1) limit public access to records or information that  
5 are lawfully available; or

6 (2) change the confidentiality and privilege of  
7 communications under the Illinois Domestic Violence Act of  
8 1986, Section 8-802.1 of the Code of Civil Procedure, the  
9 Mental Health and Developmental Disabilities Code, 42 CFR  
10 2.15, Section 40002(b)(2) of the Violence Against Women  
11 Act of 1994 (34 U.S.C. 12291(b)(2)), 45 CFR 1370.4, and 28  
12 CFR 94.115.

13 (d) The Statewide Committee or a regional review team may  
14 request and obtain information and records from outside the  
15 State by any available legal means.

16 Section 85. Storage and destruction of confidential  
17 information.

18 (a) Following a domestic violence fatality review,  
19 participants who brought or provided confidential information  
20 may return to their possession the confidential information,  
21 shall not disclose or share the confidential information  
22 unless otherwise allowed by State or federal law or not  
23 otherwise privileged, and may destroy the confidential  
24 information unless otherwise prohibited by State or federal  
25 law. Confidential information subject to immediate destruction

1 shall be destroyed as provided under the State Records Act or  
2 Local Records Act.

3 (b) Following a domestic violence fatality review, if one  
4 of the co-chairs of the regional review team is employed by a  
5 public or governmental agency, the co-chair of the regional  
6 review team will store at the place of employment or virtually  
7 on the confidential electronic database or other technology  
8 any remaining confidential information and will maintain the  
9 confidentiality of the information. If neither of the  
10 co-chairs of the regional review team are employed by a public  
11 or governmental agency, the co-chairs will designate a member  
12 of the regional review team employed by a public or  
13 governmental agency to store at the place of the member's  
14 employment or virtually on the member's confidential  
15 electronic database or other technology any remaining  
16 confidential information and will maintain the confidentiality  
17 of the information. One year following the submission of the  
18 regional review team's biennial report pursuant to Section 65,  
19 the co-chair or a designee shall destroy the confidential  
20 information.

21 Section 90. Penalty for unlawful disclosure of  
22 confidential information. Anyone who discloses, receives,  
23 makes use of, or knowingly permits the use of any confidential  
24 information in violation of this Act commits a Class A  
25 misdemeanor.

1           Section 95. Immunity. If acting in good faith, without  
2 malice, and within the protocols established by the Statewide  
3 Committee and the regional review team, members of the  
4 Statewide Committee and regional review team, and anyone  
5 participating in a domestic violence fatality review shall  
6 have immunity from administrative, civil, or criminal  
7 liability for an act or omission related to the participation  
8 in a domestic violence fatality review, notwithstanding  
9 Section 90.

10           Section 900. The Open Meetings Act is amended by changing  
11 Section 2 as follows:

12           (5 ILCS 120/2) (from Ch. 102, par. 42)

13           (Text of Section before amendment by P.A. 101-652)

14           Sec. 2. Open meetings.

15           (a) Openness required. All meetings of public bodies shall  
16 be open to the public unless excepted in subsection (c) and  
17 closed in accordance with Section 2a.

18           (b) Construction of exceptions. The exceptions contained  
19 in subsection (c) are in derogation of the requirement that  
20 public bodies meet in the open, and therefore, the exceptions  
21 are to be strictly construed, extending only to subjects  
22 clearly within their scope. The exceptions authorize but do  
23 not require the holding of a closed meeting to discuss a

1 subject included within an enumerated exception.

2 (c) Exceptions. A public body may hold closed meetings to  
3 consider the following subjects:

4 (1) The appointment, employment, compensation,  
5 discipline, performance, or dismissal of specific  
6 employees, specific individuals who serve as independent  
7 contractors in a park, recreational, or educational  
8 setting, or specific volunteers of the public body or  
9 legal counsel for the public body, including hearing  
10 testimony on a complaint lodged against an employee, a  
11 specific individual who serves as an independent  
12 contractor in a park, recreational, or educational  
13 setting, or a volunteer of the public body or against  
14 legal counsel for the public body to determine its  
15 validity. However, a meeting to consider an increase in  
16 compensation to a specific employee of a public body that  
17 is subject to the Local Government Wage Increase  
18 Transparency Act may not be closed and shall be open to the  
19 public and posted and held in accordance with this Act.

20 (2) Collective negotiating matters between the public  
21 body and its employees or their representatives, or  
22 deliberations concerning salary schedules for one or more  
23 classes of employees.

24 (3) The selection of a person to fill a public office,  
25 as defined in this Act, including a vacancy in a public  
26 office, when the public body is given power to appoint

1 under law or ordinance, or the discipline, performance or  
2 removal of the occupant of a public office, when the  
3 public body is given power to remove the occupant under  
4 law or ordinance.

5 (4) Evidence or testimony presented in open hearing,  
6 or in closed hearing where specifically authorized by law,  
7 to a quasi-adjudicative body, as defined in this Act,  
8 provided that the body prepares and makes available for  
9 public inspection a written decision setting forth its  
10 determinative reasoning.

11 (5) The purchase or lease of real property for the use  
12 of the public body, including meetings held for the  
13 purpose of discussing whether a particular parcel should  
14 be acquired.

15 (6) The setting of a price for sale or lease of  
16 property owned by the public body.

17 (7) The sale or purchase of securities, investments,  
18 or investment contracts. This exception shall not apply to  
19 the investment of assets or income of funds deposited into  
20 the Illinois Prepaid Tuition Trust Fund.

21 (8) Security procedures, school building safety and  
22 security, and the use of personnel and equipment to  
23 respond to an actual, a threatened, or a reasonably  
24 potential danger to the safety of employees, students,  
25 staff, the public, or public property.

26 (9) Student disciplinary cases.

1           (10) The placement of individual students in special  
2 education programs and other matters relating to  
3 individual students.

4           (11) Litigation, when an action against, affecting or  
5 on behalf of the particular public body has been filed and  
6 is pending before a court or administrative tribunal, or  
7 when the public body finds that an action is probable or  
8 imminent, in which case the basis for the finding shall be  
9 recorded and entered into the minutes of the closed  
10 meeting.

11           (12) The establishment of reserves or settlement of  
12 claims as provided in the Local Governmental and  
13 Governmental Employees Tort Immunity Act, if otherwise the  
14 disposition of a claim or potential claim might be  
15 prejudiced, or the review or discussion of claims, loss or  
16 risk management information, records, data, advice or  
17 communications from or with respect to any insurer of the  
18 public body or any intergovernmental risk management  
19 association or self insurance pool of which the public  
20 body is a member.

21           (13) Conciliation of complaints of discrimination in  
22 the sale or rental of housing, when closed meetings are  
23 authorized by the law or ordinance prescribing fair  
24 housing practices and creating a commission or  
25 administrative agency for their enforcement.

26           (14) Informant sources, the hiring or assignment of

1           undercover personnel or equipment, or ongoing, prior or  
2           future criminal investigations, when discussed by a public  
3           body with criminal investigatory responsibilities.

4           (15) Professional ethics or performance when  
5           considered by an advisory body appointed to advise a  
6           licensing or regulatory agency on matters germane to the  
7           advisory body's field of competence.

8           (16) Self evaluation, practices and procedures or  
9           professional ethics, when meeting with a representative of  
10          a statewide association of which the public body is a  
11          member.

12          (17) The recruitment, credentialing, discipline or  
13          formal peer review of physicians or other health care  
14          professionals, or for the discussion of matters protected  
15          under the federal Patient Safety and Quality Improvement  
16          Act of 2005, and the regulations promulgated thereunder,  
17          including 42 C.F.R. Part 3 (73 FR 70732), or the federal  
18          Health Insurance Portability and Accountability Act of  
19          1996, and the regulations promulgated thereunder,  
20          including 45 C.F.R. Parts 160, 162, and 164, by a  
21          hospital, or other institution providing medical care,  
22          that is operated by the public body.

23          (18) Deliberations for decisions of the Prisoner  
24          Review Board.

25          (19) Review or discussion of applications received  
26          under the Experimental Organ Transplantation Procedures

1 Act.

2 (20) The classification and discussion of matters  
3 classified as confidential or continued confidential by  
4 the State Government Suggestion Award Board.

5 (21) Discussion of minutes of meetings lawfully closed  
6 under this Act, whether for purposes of approval by the  
7 body of the minutes or semi-annual review of the minutes  
8 as mandated by Section 2.06.

9 (22) Deliberations for decisions of the State  
10 Emergency Medical Services Disciplinary Review Board.

11 (23) The operation by a municipality of a municipal  
12 utility or the operation of a municipal power agency or  
13 municipal natural gas agency when the discussion involves  
14 (i) contracts relating to the purchase, sale, or delivery  
15 of electricity or natural gas or (ii) the results or  
16 conclusions of load forecast studies.

17 (24) Meetings of a residential health care facility  
18 resident sexual assault and death review team or the  
19 Executive Council under the Abuse Prevention Review Team  
20 Act.

21 (25) Meetings of an independent team of experts under  
22 Brian's Law.

23 (26) Meetings of a mortality review team appointed  
24 under the Department of Juvenile Justice Mortality Review  
25 Team Act.

26 (27) (Blank).



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

5           (29) Meetings between internal or external auditors  
6 and governmental audit committees, finance committees, and  
7 their equivalents, when the discussion involves internal  
8 control weaknesses, identification of potential fraud risk  
9 areas, known or suspected frauds, and fraud interviews  
10 conducted in accordance with generally accepted auditing  
11 standards of the United States of America.

12           (30) Those meetings or portions of meetings of a  
13 fatality review team or the Illinois Fatality Review Team  
14 Advisory Council during which a review of the death of an  
15 eligible adult in which abuse or neglect is suspected,  
16 alleged, or substantiated is conducted pursuant to Section  
17 15 of the Adult Protective Services Act.

18           (31) Meetings and deliberations for decisions of the  
19 Concealed Carry Licensing Review Board under the Firearm  
20 Concealed Carry Act.

21           (32) Meetings between the Regional Transportation  
22 Authority Board and its Service Boards when the discussion  
23 involves review by the Regional Transportation Authority  
24 Board of employment contracts under Section 28d of the  
25 Metropolitan Transit Authority Act and Sections 3A.18 and  
26 3B.26 of the Regional Transportation Authority Act.

1           (33) Those meetings or portions of meetings of the  
2 advisory committee and peer review subcommittee created  
3 under Section 320 of the Illinois Controlled Substances  
4 Act during which specific controlled substance prescriber,  
5 dispenser, or patient information is discussed.

6           (34) Meetings of the Tax Increment Financing Reform  
7 Task Force under Section 2505-800 of the Department of  
8 Revenue Law of the Civil Administrative Code of Illinois.

9           (35) Meetings of the group established to discuss  
10 Medicaid capitation rates under Section 5-30.8 of the  
11 Illinois Public Aid Code.

12           (36) Those deliberations or portions of deliberations  
13 for decisions of the Illinois Gaming Board in which there  
14 is discussed any of the following: (i) personal,  
15 commercial, financial, or other information obtained from  
16 any source that is privileged, proprietary, confidential,  
17 or a trade secret; or (ii) information specifically  
18 exempted from the disclosure by federal or State law.

19           (38) Meetings of the Ad Hoc Statewide Domestic  
20 Violence Fatality Review Committee of the Illinois  
21 Criminal Justice Information Authority Board that occur in  
22 closed executive session under subsection (d) of Section  
23 35 of the Domestic Violence Fatality Review Act.

24           (39) Meetings of the regional review teams under  
25 subsection (a) of Section 75 of the Domestic Violence  
26 Fatality Review Act.

1 (d) Definitions. For purposes of this Section:

2 "Employee" means a person employed by a public body whose  
3 relationship with the public body constitutes an  
4 employer-employee relationship under the usual common law  
5 rules, and who is not an independent contractor.

6 "Public office" means a position created by or under the  
7 Constitution or laws of this State, the occupant of which is  
8 charged with the exercise of some portion of the sovereign  
9 power of this State. The term "public office" shall include  
10 members of the public body, but it shall not include  
11 organizational positions filled by members thereof, whether  
12 established by law or by a public body itself, that exist to  
13 assist the body in the conduct of its business.

14 "Quasi-adjudicative body" means an administrative body  
15 charged by law or ordinance with the responsibility to conduct  
16 hearings, receive evidence or testimony and make  
17 determinations based thereon, but does not include local  
18 electoral boards when such bodies are considering petition  
19 challenges.

20 (e) Final action. No final action may be taken at a closed  
21 meeting. Final action shall be preceded by a public recital of  
22 the nature of the matter being considered and other  
23 information that will inform the public of the business being  
24 conducted.

25 (Source: P.A. 100-201, eff. 8-18-17; 100-465, eff. 8-31-17;  
26 100-646, eff. 7-27-18; 101-31, eff. 6-28-19; 101-459, eff.

1 8-23-19; revised 9-27-19.)

2 (Text of Section after amendment by P.A. 101-652)

3 Sec. 2. Open meetings.

4 (a) Openness required. All meetings of public bodies shall  
5 be open to the public unless excepted in subsection (c) and  
6 closed in accordance with Section 2a.

7 (b) Construction of exceptions. The exceptions contained  
8 in subsection (c) are in derogation of the requirement that  
9 public bodies meet in the open, and therefore, the exceptions  
10 are to be strictly construed, extending only to subjects  
11 clearly within their scope. The exceptions authorize but do  
12 not require the holding of a closed meeting to discuss a  
13 subject included within an enumerated exception.

14 (c) Exceptions. A public body may hold closed meetings to  
15 consider the following subjects:

16 (1) The appointment, employment, compensation,  
17 discipline, performance, or dismissal of specific  
18 employees, specific individuals who serve as independent  
19 contractors in a park, recreational, or educational  
20 setting, or specific volunteers of the public body or  
21 legal counsel for the public body, including hearing  
22 testimony on a complaint lodged against an employee, a  
23 specific individual who serves as an independent  
24 contractor in a park, recreational, or educational  
25 setting, or a volunteer of the public body or against

1 legal counsel for the public body to determine its  
2 validity. However, a meeting to consider an increase in  
3 compensation to a specific employee of a public body that  
4 is subject to the Local Government Wage Increase  
5 Transparency Act may not be closed and shall be open to the  
6 public and posted and held in accordance with this Act.

7 (2) Collective negotiating matters between the public  
8 body and its employees or their representatives, or  
9 deliberations concerning salary schedules for one or more  
10 classes of employees.

11 (3) The selection of a person to fill a public office,  
12 as defined in this Act, including a vacancy in a public  
13 office, when the public body is given power to appoint  
14 under law or ordinance, or the discipline, performance or  
15 removal of the occupant of a public office, when the  
16 public body is given power to remove the occupant under  
17 law or ordinance.

18 (4) Evidence or testimony presented in open hearing,  
19 or in closed hearing where specifically authorized by law,  
20 to a quasi-adjudicative body, as defined in this Act,  
21 provided that the body prepares and makes available for  
22 public inspection a written decision setting forth its  
23 determinative reasoning.

24 (5) The purchase or lease of real property for the use  
25 of the public body, including meetings held for the  
26 purpose of discussing whether a particular parcel should

1 be acquired.

2 (6) The setting of a price for sale or lease of  
3 property owned by the public body.

4 (7) The sale or purchase of securities, investments,  
5 or investment contracts. This exception shall not apply to  
6 the investment of assets or income of funds deposited into  
7 the Illinois Prepaid Tuition Trust Fund.

8 (8) Security procedures, school building safety and  
9 security, and the use of personnel and equipment to  
10 respond to an actual, a threatened, or a reasonably  
11 potential danger to the safety of employees, students,  
12 staff, the public, or public property.

13 (9) Student disciplinary cases.

14 (10) The placement of individual students in special  
15 education programs and other matters relating to  
16 individual students.

17 (11) Litigation, when an action against, affecting or  
18 on behalf of the particular public body has been filed and  
19 is pending before a court or administrative tribunal, or  
20 when the public body finds that an action is probable or  
21 imminent, in which case the basis for the finding shall be  
22 recorded and entered into the minutes of the closed  
23 meeting.

24 (12) The establishment of reserves or settlement of  
25 claims as provided in the Local Governmental and  
26 Governmental Employees Tort Immunity Act, if otherwise the

1 disposition of a claim or potential claim might be  
2 prejudiced, or the review or discussion of claims, loss or  
3 risk management information, records, data, advice or  
4 communications from or with respect to any insurer of the  
5 public body or any intergovernmental risk management  
6 association or self insurance pool of which the public  
7 body is a member.

8 (13) Conciliation of complaints of discrimination in  
9 the sale or rental of housing, when closed meetings are  
10 authorized by the law or ordinance prescribing fair  
11 housing practices and creating a commission or  
12 administrative agency for their enforcement.

13 (14) Informant sources, the hiring or assignment of  
14 undercover personnel or equipment, or ongoing, prior or  
15 future criminal investigations, when discussed by a public  
16 body with criminal investigatory responsibilities.

17 (15) Professional ethics or performance when  
18 considered by an advisory body appointed to advise a  
19 licensing or regulatory agency on matters germane to the  
20 advisory body's field of competence.

21 (16) Self evaluation, practices and procedures or  
22 professional ethics, when meeting with a representative of  
23 a statewide association of which the public body is a  
24 member.

25 (17) The recruitment, credentialing, discipline or  
26 formal peer review of physicians or other health care

1 professionals, or for the discussion of matters protected  
2 under the federal Patient Safety and Quality Improvement  
3 Act of 2005, and the regulations promulgated thereunder,  
4 including 42 C.F.R. Part 3 (73 FR 70732), or the federal  
5 Health Insurance Portability and Accountability Act of  
6 1996, and the regulations promulgated thereunder,  
7 including 45 C.F.R. Parts 160, 162, and 164, by a  
8 hospital, or other institution providing medical care,  
9 that is operated by the public body.

10 (18) Deliberations for decisions of the Prisoner  
11 Review Board.

12 (19) Review or discussion of applications received  
13 under the Experimental Organ Transplantation Procedures  
14 Act.

15 (20) The classification and discussion of matters  
16 classified as confidential or continued confidential by  
17 the State Government Suggestion Award Board.

18 (21) Discussion of minutes of meetings lawfully closed  
19 under this Act, whether for purposes of approval by the  
20 body of the minutes or semi-annual review of the minutes  
21 as mandated by Section 2.06.

22 (22) Deliberations for decisions of the State  
23 Emergency Medical Services Disciplinary Review Board.

24 (23) The operation by a municipality of a municipal  
25 utility or the operation of a municipal power agency or  
26 municipal natural gas agency when the discussion involves



1 (i) contracts relating to the purchase, sale, or delivery  
2 of electricity or natural gas or (ii) the results or  
3 conclusions of load forecast studies.

4 (24) Meetings of a residential health care facility  
5 resident sexual assault and death review team or the  
6 Executive Council under the Abuse Prevention Review Team  
7 Act.

8 (25) Meetings of an independent team of experts under  
9 Brian's Law.

10 (26) Meetings of a mortality review team appointed  
11 under the Department of Juvenile Justice Mortality Review  
12 Team Act.

13 (27) (Blank).

14 (28) Correspondence and records (i) that may not be  
15 disclosed under Section 11-9 of the Illinois Public Aid  
16 Code or (ii) that pertain to appeals under Section 11-8 of  
17 the Illinois Public Aid Code.

18 (29) Meetings between internal or external auditors  
19 and governmental audit committees, finance committees, and  
20 their equivalents, when the discussion involves internal  
21 control weaknesses, identification of potential fraud risk  
22 areas, known or suspected frauds, and fraud interviews  
23 conducted in accordance with generally accepted auditing  
24 standards of the United States of America.

25 (30) Those meetings or portions of meetings of a  
26 fatality review team or the Illinois Fatality Review Team

1           Advisory Council during which a review of the death of an  
2           eligible adult in which abuse or neglect is suspected,  
3           alleged, or substantiated is conducted pursuant to Section  
4           15 of the Adult Protective Services Act.

5           (31) Meetings and deliberations for decisions of the  
6           Concealed Carry Licensing Review Board under the Firearm  
7           Concealed Carry Act.

8           (32) Meetings between the Regional Transportation  
9           Authority Board and its Service Boards when the discussion  
10          involves review by the Regional Transportation Authority  
11          Board of employment contracts under Section 28d of the  
12          Metropolitan Transit Authority Act and Sections 3A.18 and  
13          3B.26 of the Regional Transportation Authority Act.

14          (33) Those meetings or portions of meetings of the  
15          advisory committee and peer review subcommittee created  
16          under Section 320 of the Illinois Controlled Substances  
17          Act during which specific controlled substance prescriber,  
18          dispenser, or patient information is discussed.

19          (34) Meetings of the Tax Increment Financing Reform  
20          Task Force under Section 2505-800 of the Department of  
21          Revenue Law of the Civil Administrative Code of Illinois.

22          (35) Meetings of the group established to discuss  
23          Medicaid capitation rates under Section 5-30.8 of the  
24          Illinois Public Aid Code.

25          (36) Those deliberations or portions of deliberations  
26          for decisions of the Illinois Gaming Board in which there

1 is discussed any of the following: (i) personal,  
2 commercial, financial, or other information obtained from  
3 any source that is privileged, proprietary, confidential,  
4 or a trade secret; or (ii) information specifically  
5 exempted from the disclosure by federal or State law.

6 (37) Deliberations for decisions of the Illinois Law  
7 Enforcement Training Standards Board, the Certification  
8 Review Panel, and the Illinois State Police Merit Board  
9 regarding certification and decertification.

10 (38) Meetings of the Ad Hoc Statewide Domestic  
11 Violence Fatality Review Committee of the Illinois  
12 Criminal Justice Information Authority Board that occur in  
13 closed executive session under subsection (d) of Section  
14 35 of the Domestic Violence Fatality Review Act.

15 (39) Meetings of the regional review teams under  
16 subsection (a) of Section 75 of the Domestic Violence  
17 Fatality Review Act.

18 (d) Definitions. For purposes of this Section:

19 "Employee" means a person employed by a public body whose  
20 relationship with the public body constitutes an  
21 employer-employee relationship under the usual common law  
22 rules, and who is not an independent contractor.

23 "Public office" means a position created by or under the  
24 Constitution or laws of this State, the occupant of which is  
25 charged with the exercise of some portion of the sovereign  
26 power of this State. The term "public office" shall include

1 members of the public body, but it shall not include  
2 organizational positions filled by members thereof, whether  
3 established by law or by a public body itself, that exist to  
4 assist the body in the conduct of its business.

5 "Quasi-adjudicative body" means an administrative body  
6 charged by law or ordinance with the responsibility to conduct  
7 hearings, receive evidence or testimony and make  
8 determinations based thereon, but does not include local  
9 electoral boards when such bodies are considering petition  
10 challenges.

11 (e) Final action. No final action may be taken at a closed  
12 meeting. Final action shall be preceded by a public recital of  
13 the nature of the matter being considered and other  
14 information that will inform the public of the business being  
15 conducted.

16 (Source: P.A. 100-201, eff. 8-18-17; 100-465, eff. 8-31-17;  
17 100-646, eff. 7-27-18; 101-31, eff. 6-28-19; 101-459, eff.  
18 8-23-19; 101-652, eff. 1-1-22.)

19 Section 905. The Freedom of Information Act is amended by  
20 changing Section 7.5 as follows:

21 (5 ILCS 140/7.5)

22 (Text of Section before amendment by P.A. 101-652)

23 Sec. 7.5. Statutory exemptions. To the extent provided for  
24 by the statutes referenced below, the following shall be

1 exempt from inspection and copying:

2 (a) All information determined to be confidential  
3 under Section 4002 of the Technology Advancement and  
4 Development Act.

5 (b) Library circulation and order records identifying  
6 library users with specific materials under the Library  
7 Records Confidentiality Act.

8 (c) Applications, related documents, and medical  
9 records received by the Experimental Organ Transplantation  
10 Procedures Board and any and all documents or other  
11 records prepared by the Experimental Organ Transplantation  
12 Procedures Board or its staff relating to applications it  
13 has received.

14 (d) Information and records held by the Department of  
15 Public Health and its authorized representatives relating  
16 to known or suspected cases of sexually transmissible  
17 disease or any information the disclosure of which is  
18 restricted under the Illinois Sexually Transmissible  
19 Disease Control Act.

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

22 (f) Firm performance evaluations under Section 55 of  
23 the Architectural, Engineering, and Land Surveying  
24 Qualifications Based Selection Act.

25 (g) Information the disclosure of which is restricted  
26 and exempted under Section 50 of the Illinois Prepaid

1 Tuition Act.

2 (h) Information the disclosure of which is exempted  
3 under the State Officials and Employees Ethics Act, and  
4 records of any lawfully created State or local inspector  
5 general's office that would be exempt if created or  
6 obtained by an Executive Inspector General's office under  
7 that Act.

8 (i) Information contained in a local emergency energy  
9 plan submitted to a municipality in accordance with a  
10 local emergency energy plan ordinance that is adopted  
11 under Section 11-21.5-5 of the Illinois Municipal Code.

12 (j) Information and data concerning the distribution  
13 of surcharge moneys collected and remitted by carriers  
14 under the Emergency Telephone System Act.

15 (k) Law enforcement officer identification information  
16 or driver identification information compiled by a law  
17 enforcement agency or the Department of Transportation  
18 under Section 11-212 of the Illinois Vehicle Code.

19 (l) Records and information provided to a residential  
20 health care facility resident sexual assault and death  
21 review team or the Executive Council under the Abuse  
22 Prevention Review Team Act.

23 (m) Information provided to the predatory lending  
24 database created pursuant to Article 3 of the Residential  
25 Real Property Disclosure Act, except to the extent  
26 authorized under that Article.

1           (n) Defense budgets and petitions for certification of  
2           compensation and expenses for court appointed trial  
3           counsel as provided under Sections 10 and 15 of the  
4           Capital Crimes Litigation Act. This subsection (n) shall  
5           apply until the conclusion of the trial of the case, even  
6           if the prosecution chooses not to pursue the death penalty  
7           prior to trial or sentencing.

8           (o) Information that is prohibited from being  
9           disclosed under Section 4 of the Illinois Health and  
10          Hazardous Substances Registry Act.

11          (p) Security portions of system safety program plans,  
12          investigation reports, surveys, schedules, lists, data, or  
13          information compiled, collected, or prepared by or for the  
14          Regional Transportation Authority under Section 2.11 of  
15          the Regional Transportation Authority Act or the St. Clair  
16          County Transit District under the Bi-State Transit Safety  
17          Act.

18          (q) Information prohibited from being disclosed by the  
19          Personnel Record Review Act.

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

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

24          (t) All identified or deidentified health information  
25          in the form of health data or medical records contained  
26          in, stored in, submitted to, transferred by, or released

1 from the Illinois Health Information Exchange, and  
2 identified or deidentified health information in the form  
3 of health data and medical records of the Illinois Health  
4 Information Exchange in the possession of the Illinois  
5 Health Information Exchange Office due to its  
6 administration of the Illinois Health Information  
7 Exchange. The terms "identified" and "deidentified" shall  
8 be given the same meaning as in the Health Insurance  
9 Portability and Accountability Act of 1996, Public Law  
10 104-191, or any subsequent amendments thereto, and any  
11 regulations promulgated thereunder.

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

15 (v) Names and information of people who have applied  
16 for or received Firearm Owner's Identification Cards under  
17 the Firearm Owners Identification Card Act or applied for  
18 or received a concealed carry license under the Firearm  
19 Concealed Carry Act, unless otherwise authorized by the  
20 Firearm Concealed Carry Act; and databases under the  
21 Firearm Concealed Carry Act, records of the Concealed  
22 Carry Licensing Review Board under the Firearm Concealed  
23 Carry Act, and law enforcement agency objections under the  
24 Firearm Concealed Carry Act.

25 (w) Personally identifiable information which is  
26 exempted from disclosure under subsection (g) of Section



1 19.1 of the Toll Highway Act.

2 (x) Information which is exempted from disclosure  
3 under Section 5-1014.3 of the Counties Code or Section  
4 8-11-21 of the Illinois Municipal Code.

5 (y) Confidential information under the Adult  
6 Protective Services Act and its predecessor enabling  
7 statute, the Elder Abuse and Neglect Act, including  
8 information about the identity and administrative finding  
9 against any caregiver of a verified and substantiated  
10 decision of abuse, neglect, or financial exploitation of  
11 an eligible adult maintained in the Registry established  
12 under Section 7.5 of the Adult Protective Services Act.

13 (z) Records and information provided to a fatality  
14 review team or the Illinois Fatality Review Team Advisory  
15 Council under Section 15 of the Adult Protective Services  
16 Act.

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

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

21 (cc) Recordings made under the Law Enforcement  
22 Officer-Worn Body Camera Act, except to the extent  
23 authorized under that Act.

24 (dd) Information that is prohibited from being  
25 disclosed under Section 45 of the Condominium and Common  
26 Interest Community Ombudsperson Act.

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

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

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

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

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

13          (jj) Information and reports that are required to be  
14 submitted to the Department of Labor by registering day  
15 and temporary labor service agencies but are exempt from  
16 disclosure under subsection (a-1) of Section 45 of the Day  
17 and Temporary Labor Services Act.

18          (kk) Information prohibited from disclosure under the  
19 Seizure and Forfeiture Reporting Act.

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

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

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

1           (oo) Communications, notes, records, and reports  
2 arising out of a peer support counseling session  
3 prohibited from disclosure under the First Responders  
4 Suicide Prevention Act.

5           (pp) Names and all identifying information relating to  
6 an employee of an emergency services provider or law  
7 enforcement agency under the First Responders Suicide  
8 Prevention Act.

9           (qq) Information and records held by the Department of  
10 Public Health and its authorized representatives collected  
11 under the Reproductive Health Act.

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

14           (ss) Data reported by an employer to the Department of  
15 Human Rights pursuant to Section 2-108 of the Illinois  
16 Human Rights Act.

17           (tt) Recordings made under the Children's Advocacy  
18 Center Act, except to the extent authorized under that  
19 Act.

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

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

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

1           (xx) Information that is exempt from disclosure or  
2 information that shall not be made public under the  
3 Illinois Insurance Code.

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

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

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

10           (bbb) Information that is exempt from disclosure under  
11 subsection (k) of Section 11 of the Equal Pay Act of 2003.

12           (ddd) Information prohibited from being disclosed  
13 under subsection (b) of Section 75 of the Domestic  
14 Violence Fatality Review Act.

15 (Source: P.A. 100-20, eff. 7-1-17; 100-22, eff. 1-1-18;  
16 100-201, eff. 8-18-17; 100-373, eff. 1-1-18; 100-464, eff.  
17 8-28-17; 100-465, eff. 8-31-17; 100-512, eff. 7-1-18; 100-517,  
18 eff. 6-1-18; 100-646, eff. 7-27-18; 100-690, eff. 1-1-19;  
19 100-863, eff. 8-14-18; 100-887, eff. 8-14-18; 101-13, eff.  
20 6-12-19; 101-27, eff. 6-25-19; 101-81, eff. 7-12-19; 101-221,  
21 eff. 1-1-20; 101-236, eff. 1-1-20; 101-375, eff. 8-16-19;  
22 101-377, eff. 8-16-19; 101-452, eff. 1-1-20; 101-466, eff.  
23 1-1-20; 101-600, eff. 12-6-19; 101-620, eff. 12-20-19; 101-649,  
24 eff. 7-7-20; 101-656, eff. 3-23-21.)

25           (Text of Section after amendment by P.A. 101-652)

1           Sec. 7.5. Statutory exemptions. To the extent provided for  
2 by the statutes referenced below, the following shall be  
3 exempt from inspection and copying:

4           (a) All information determined to be confidential  
5 under Section 4002 of the Technology Advancement and  
6 Development Act.

7           (b) Library circulation and order records identifying  
8 library users with specific materials under the Library  
9 Records Confidentiality Act.

10           (c) Applications, related documents, and medical  
11 records received by the Experimental Organ Transplantation  
12 Procedures Board and any and all documents or other  
13 records prepared by the Experimental Organ Transplantation  
14 Procedures Board or its staff relating to applications it  
15 has received.

16           (d) Information and records held by the Department of  
17 Public Health and its authorized representatives relating  
18 to known or suspected cases of sexually transmissible  
19 disease or any information the disclosure of which is  
20 restricted under the Illinois Sexually Transmissible  
21 Disease Control Act.

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

24           (f) Firm performance evaluations under Section 55 of  
25 the Architectural, Engineering, and Land Surveying  
26 Qualifications Based Selection Act.

1 (g) Information the disclosure of which is restricted  
2 and exempted under Section 50 of the Illinois Prepaid  
3 Tuition Act.

4 (h) Information the disclosure of which is exempted  
5 under the State Officials and Employees Ethics Act, and  
6 records of any lawfully created State or local inspector  
7 general's office that would be exempt if created or  
8 obtained by an Executive Inspector General's office under  
9 that Act.

10 (i) Information contained in a local emergency energy  
11 plan submitted to a municipality in accordance with a  
12 local emergency energy plan ordinance that is adopted  
13 under Section 11-21.5-5 of the Illinois Municipal Code.

14 (j) Information and data concerning the distribution  
15 of surcharge moneys collected and remitted by carriers  
16 under the Emergency Telephone System Act.

17 (k) Law enforcement officer identification information  
18 or driver identification information compiled by a law  
19 enforcement agency or the Department of Transportation  
20 under Section 11-212 of the Illinois Vehicle Code.

21 (l) Records and information provided to a residential  
22 health care facility resident sexual assault and death  
23 review team or the Executive Council under the Abuse  
24 Prevention Review Team Act.

25 (m) Information provided to the predatory lending  
26 database created pursuant to Article 3 of the Residential

1 Real Property Disclosure Act, except to the extent  
2 authorized under that Article.

3 (n) Defense budgets and petitions for certification of  
4 compensation and expenses for court appointed trial  
5 counsel as provided under Sections 10 and 15 of the  
6 Capital Crimes Litigation Act. This subsection (n) shall  
7 apply until the conclusion of the trial of the case, even  
8 if the prosecution chooses not to pursue the death penalty  
9 prior to trial or sentencing.

10 (o) Information that is prohibited from being  
11 disclosed under Section 4 of the Illinois Health and  
12 Hazardous Substances Registry Act.

13 (p) Security portions of system safety program plans,  
14 investigation reports, surveys, schedules, lists, data, or  
15 information compiled, collected, or prepared by or for the  
16 Regional Transportation Authority under Section 2.11 of  
17 the Regional Transportation Authority Act or the St. Clair  
18 County Transit District under the Bi-State Transit Safety  
19 Act.

20 (q) Information prohibited from being disclosed by the  
21 Personnel Record Review Act.

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

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

26 (t) All identified or deidentified health information

1 in the form of health data or medical records contained  
2 in, stored in, submitted to, transferred by, or released  
3 from the Illinois Health Information Exchange, and  
4 identified or deidentified health information in the form  
5 of health data and medical records of the Illinois Health  
6 Information Exchange in the possession of the Illinois  
7 Health Information Exchange Office due to its  
8 administration of the Illinois Health Information  
9 Exchange. The terms "identified" and "deidentified" shall  
10 be given the same meaning as in the Health Insurance  
11 Portability and Accountability Act of 1996, Public Law  
12 104-191, or any subsequent amendments thereto, and any  
13 regulations promulgated thereunder.

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

17 (v) Names and information of people who have applied  
18 for or received Firearm Owner's Identification Cards under  
19 the Firearm Owners Identification Card Act or applied for  
20 or received a concealed carry license under the Firearm  
21 Concealed Carry Act, unless otherwise authorized by the  
22 Firearm Concealed Carry Act; and databases under the  
23 Firearm Concealed Carry Act, records of the Concealed  
24 Carry Licensing Review Board under the Firearm Concealed  
25 Carry Act, and law enforcement agency objections under the  
26 Firearm Concealed Carry Act.



1           (w) Personally identifiable information which is  
2           exempted from disclosure under subsection (g) of Section  
3           19.1 of the Toll Highway Act.

4           (x) Information which is exempted from disclosure  
5           under Section 5-1014.3 of the Counties Code or Section  
6           8-11-21 of the Illinois Municipal Code.

7           (y) Confidential information under the Adult  
8           Protective Services Act and its predecessor enabling  
9           statute, the Elder Abuse and Neglect Act, including  
10          information about the identity and administrative finding  
11          against any caregiver of a verified and substantiated  
12          decision of abuse, neglect, or financial exploitation of  
13          an eligible adult maintained in the Registry established  
14          under Section 7.5 of the Adult Protective Services Act.

15          (z) Records and information provided to a fatality  
16          review team or the Illinois Fatality Review Team Advisory  
17          Council under Section 15 of the Adult Protective Services  
18          Act.

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

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

23          (cc) Recordings made under the Law Enforcement  
24          Officer-Worn Body Camera Act, except to the extent  
25          authorized under that Act.

26          (dd) Information that is prohibited from being

1 disclosed under Section 45 of the Condominium and Common  
2 Interest Community Ombudsperson Act.

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

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

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

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

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

15 (jj) Information and reports that are required to be  
16 submitted to the Department of Labor by registering day  
17 and temporary labor service agencies but are exempt from  
18 disclosure under subsection (a-1) of Section 45 of the Day  
19 and Temporary Labor Services Act.

20 (kk) Information prohibited from disclosure under the  
21 Seizure and Forfeiture Reporting Act.

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

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

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

3           (oo) Communications, notes, records, and reports  
4 arising out of a peer support counseling session  
5 prohibited from disclosure under the First Responders  
6 Suicide Prevention Act.

7           (pp) Names and all identifying information relating to  
8 an employee of an emergency services provider or law  
9 enforcement agency under the First Responders Suicide  
10 Prevention Act.

11           (qq) Information and records held by the Department of  
12 Public Health and its authorized representatives collected  
13 under the Reproductive Health Act.

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

16           (ss) Data reported by an employer to the Department of  
17 Human Rights pursuant to Section 2-108 of the Illinois  
18 Human Rights Act.

19           (tt) Recordings made under the Children's Advocacy  
20 Center Act, except to the extent authorized under that  
21 Act.

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

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

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

3 (xx) Information that is exempt from disclosure or  
4 information that shall not be made public under the  
5 Illinois Insurance Code.

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

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

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

12 (bbb) Information that is exempt from disclosure under  
13 subsection (k) of Section 11 of the Equal Pay Act of 2003.

14 (ccc) ~~(bbb)~~ Information that is prohibited from  
15 disclosure by the Illinois Police Training Act and the  
16 State Police Act.

17 (ddd) Information prohibited from being disclosed  
18 under subsection (b) of Section 75 of the Domestic  
19 Violence Fatality Review Act.

20 (Source: P.A. 100-20, eff. 7-1-17; 100-22, eff. 1-1-18;  
21 100-201, eff. 8-18-17; 100-373, eff. 1-1-18; 100-464, eff.  
22 8-28-17; 100-465, eff. 8-31-17; 100-512, eff. 7-1-18; 100-517,  
23 eff. 6-1-18; 100-646, eff. 7-27-18; 100-690, eff. 1-1-19;  
24 100-863, eff. 8-14-18; 100-887, eff. 8-14-18; 101-13, eff.  
25 6-12-19; 101-27, eff. 6-25-19; 101-81, eff. 7-12-19; 101-221,  
26 eff. 1-1-20; 101-236, eff. 1-1-20; 101-375, eff. 8-16-19;

1 101-377, eff. 8-16-19; 101-452, eff. 1-1-20; 101-466, eff.  
2 1-1-20; 101-600, eff. 12-6-19; 101-620, eff 12-20-19; 101-649,  
3 eff. 7-7-20; 101-652, eff. 1-1-22; 101-656, eff. 3-23-21;  
4 revised 4-21-21.)

5 Section 995. No acceleration or delay. Where this Act  
6 makes changes in a statute that is represented in this Act by  
7 text that is not yet or no longer in effect (for example, a  
8 Section represented by multiple versions), the use of that  
9 text does not accelerate or delay the taking effect of (i) the  
10 changes made by this Act or (ii) provisions derived from any  
11 other Public Act.

12 Section 999. Effective date. This Act takes effect upon  
13 becoming law."