



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

SB1409

Introduced 2/6/2023, by Sen. Laura M. Murphy

#### SYNOPSIS AS INTRODUCED:

430 ILCS 100/19.1 new

Amends the Illinois Emergency Planning and Community Right to Know Act. Provides that local emergency response planning officials, in consultation with the State Emergency Response Commission (SERC), shall partner with school districts in their regions to disseminate information pertaining to safety threats related to the storage and transport of hazardous substances, including petroleum oil and high-hazard flammable trains (HHFTs), to the parents of attending students, faculty and staff, and schools at risk of being negatively impacted by storage facilities of such hazardous substances or the transport of such hazardous substances. Requires the SERC to perform specified tasks. Provides that the Illinois State Board of Education and the Illinois Emergency Management Agency shall have joint rulemaking authority to adopt rules to implement the provisions. Contains other provisions.

LRB103 26933 CPF 53297 b

1 AN ACT concerning safety.

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

4 Section 5. The Illinois Emergency Planning and Community  
5 Right to Know Act is amended by adding Section 19.1 as follows:

6 (430 ILCS 100/19.1 new)

7 Sec. 19.1. Hazardous substance transportation around  
8 schools.

9 (a) Local emergency response planning officials, in  
10 consultation with the SERC, shall partner with school  
11 districts in their regions to disseminate information  
12 pertaining to safety threats related to the storage and  
13 transport of hazardous substances, including petroleum oil and  
14 high-hazard flammable trains (HHFTs), to the parents of  
15 attending students, faculty and staff, and schools at risk of  
16 being negatively impacted by storage facilities of such  
17 hazardous substances or the transport of such hazardous  
18 substances.

19 (b) Local emergency response planning officials, in  
20 consultation with the SERC, shall include school districts in  
21 their regions in the development and implementation of oil  
22 spill response plans specific to incidents involving the  
23 storage and transport of hazardous substances, including

1 petroleum oil and high-hazard flammable trains (HHFTs).

2 (c) The SERC shall perform the following:

3 (1) Identify worst-case scenarios that are to be  
4 communicated to both administrators and teachers within a  
5 school district that is within the region of a local  
6 emergency response planning office. Before any  
7 implementation of a plan may go into effect, teachers and  
8 administrators must be given the opportunity to provide  
9 input on those plans and the Local Emergency Planning  
10 Committee shall take that input into consideration.

11 (2) Identify routes and safety zones, which shall be  
12 visibly marked and communicated to both administrators and  
13 teachers. School personnel shall be provided with  
14 information on routes to take and locations where they can  
15 seek safety for students.

16 (3) Identify and communicate specific types of  
17 hazardous substances that can negatively impact a school  
18 to both administrators and teachers. Response plans may  
19 vary based on the potential impact of different hazardous  
20 substances.

21 (4) Include drills as a component of emergency  
22 response plans. Administrators, teachers, and students  
23 must be given opportunities to practice these emergency  
24 procedures. A review of these drills shall be conducted  
25 within 3 years after the effective date of this amendatory  
26 Act of the 103rd General Assembly to find opportunities

1 for improvement of the drills to better protect children,  
2 teachers, administrators, and any other school personnel.

3 (5) Make emergency response plans for students with  
4 special needs or who have an Individualized Education  
5 Program (IEP).

6 (6) Communicate evacuation locations and procedures to  
7 parents.

8 (7) Create a hierarchy for communication to ensure  
9 that administrators, teachers, parents, and students know  
10 where and how to access information during an emergency.

11 (8) Identify and visibly mark potential impact zones  
12 and safety zones. The visible markings may include, but  
13 are not limited to, pamphlets, stickers on doors, or  
14 signs.

15 (9) Provide information to school districts for the  
16 communication of potential impact zones during student  
17 registration, updated as necessary for each new school  
18 year.

19 (10) Establish rules for the disclosure of a home  
20 located within a potential impact zone upon the purchase  
21 of a home, similar to how water damage is communicated  
22 during the sale or purchase of a home.

23 (11) Work in collaboration with the Illinois Commerce  
24 Commission to create a reduced speed zone for trains. This  
25 zone shall have a limit of 20 mph for freight trains posted  
26 one mile before a school and 2 miles after.

1           (12) Implement an Incident Command System (ICS) as a  
2           mandatory channel for communication.

3           (d) The Illinois State Board of Education and IEMA shall  
4           have joint rulemaking authority to adopt rules to implement  
5           this Section.