



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

SB2812

Introduced 1/17/2024, by Sen. Ann Gillespie

#### SYNOPSIS AS INTRODUCED:

New Act  
50 ILCS 705/6.3  
210 ILCS 50/3.50  
210 ILCS 50/3.51 new

Creates the First Responder Trauma-Informed Response Training Act, which may be referred to as Anna's Law. Provides that, prior to the onboarding processes of a first responder, the individual must complete mandatory pass or fail trauma-informed response training, as established by the Department of Public Health. Provides that a first responder must also complete the pass or fail trauma-informed response training every 18 months after beginning work as a first responder. Provides that, if more than 18 months has elapsed after beginning work as a first responder and the first responder has not completed the retraining, the first responder may not perform trauma-related duties, such as responding to emergency calls, taking statements from victims, or interviewing victims. Provides that, if a first responder who is certified or licensed by the State or a subdivision of the State has not completed the required trauma-informed response retraining, the first responder may be decertified by the certifying entity or the first responder's license may be revoked by the licensing entity if retraining is not completed. Limits the concurrent exercise of home rule powers. Defines terms. Makes conforming changes in the Illinois Police Training Act and the Emergency Medical Services (EMS) Systems Act, including requiring the Department of Public Health to adopt rules to implement the trauma-informed response training and providing that the rules may allow or require the use of a training program from a university, college, or not-for-profit entity.

LRB103 35853 AWJ 65938 b

1 AN ACT concerning government.

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

4 Section 1. Short title; references to Act.

5 (a) Short title. This Act may be cited as the First  
6 Responder Trauma-Informed Response Training Act.

7 (b) References to Act. This Act may be referenced to as  
8 Anna's Law.

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

10 "Emergency medical services personnel" has the meaning  
11 given to that term in Section 3.5 of the Emergency Medical  
12 Services (EMS) Systems Act.

13 "First responder" means a law enforcement officer,  
14 firefighter, emergency medical services personnel, or public  
15 safety telecommunicator.

16 "Law enforcement officer" has the meaning given to that  
17 term in Section 5 of the Law Enforcement Officer Bulletproof  
18 Vest Act.

19 "Onboarding process" means the process in which a first  
20 responder is hired.

21 "Public safety telecommunicator" has the meaning given to  
22 that term in Section 2 of the Emergency Telephone Systems Act.

23 "Trauma-informed response" means programs, procedures, and

1 practices meant to minimize retraumatization of the victim.

2 Section 10. Trauma-informed response training.

3 (a) Prior to the onboarding processes of a first  
4 responder, the individual must complete mandatory pass or fail  
5 trauma-informed response training, as established by the  
6 Department of Public Health.

7 (b) A first responder must also complete the pass or fail  
8 training required under subsection (a) every 18 months after  
9 beginning work as a first responder.

10 Section 15. Failure to complete retraining.

11 (a) If more than 18 months has elapsed after beginning  
12 work as a first responder and the first responder has not  
13 completed the retraining required under subsection (b) of  
14 Section 10, the first responder may not perform trauma-related  
15 duties, such as responding to emergency calls, taking  
16 statements from victims, or interviewing victims.

17 (b) If a first responder who is certified or licensed by  
18 the State or a subdivision of the State has not completed the  
19 retraining required under subsection (b) of Section 10, the  
20 first responder may be decertified by the certifying entity or  
21 the first responder's license may be revoked by the licensing  
22 entity if retraining is not completed.

23 Section 90. Conflict with other laws. To the extent this

1 Act conflicts with any other provision of law, this Act  
2 controls.

3 Section 95. Home rule. A home rule unit may not regulate  
4 trauma-informed response training and first responder  
5 employment in a manner inconsistent with this Act. This Act is  
6 a limitation under subsection (i) of Section 6 of Article VII  
7 of the Illinois Constitution on the concurrent exercise by  
8 home rule units of powers and functions exercised by the  
9 State.

10 Section 100. The Illinois Police Training Act is amended  
11 by changing Section 6.3 as follows:

12 (50 ILCS 705/6.3)

13 Sec. 6.3. Discretionary decertification of full-time and  
14 part-time law enforcement officers.

15 (a) Definitions. For purposes of this Section 6.3:

16 "Duty to intervene" means an obligation to intervene to  
17 prevent harm from occurring that arises when: an officer is  
18 present, and has reason to know (1) that excessive force is  
19 being used or that any constitutional violation has been  
20 committed by a law enforcement official; and (2) the officer  
21 has a realistic opportunity to intervene. This duty applies  
22 equally to supervisory and nonsupervisory officers. If aid is  
23 required, the officer shall not, when reasonable to administer

1 aid, knowingly and willingly refuse to render aid as defined  
2 by State or federal law. An officer does not violate this duty  
3 if the failure to render aid is due to circumstances such as  
4 lack of appropriate specialized training, lack of resources or  
5 equipment, or if it is unsafe or impracticable to render aid.

6 "Excessive use of force" means using force in violation of  
7 State or federal law.

8 "False statement" means (1) any knowingly false statement  
9 provided on a form or report, (2) that the writer does not  
10 believe to be true, and (3) that the writer includes to mislead  
11 a public servant in performing the public servant's official  
12 functions.

13 "Perjury" means that as defined under Sections 32-2 and  
14 32-3 of the Criminal Code of 2012.

15 "Tampers with or fabricates evidence" means if a law  
16 enforcement officer (1) has reason to believe that an official  
17 proceeding is pending or may be instituted, and (2) alters,  
18 destroys, conceals, or removes any record, document, data,  
19 video or thing to impair its validity or availability in the  
20 proceeding.

21 (b) Decertification conduct. The Board has the authority  
22 to decertify a full-time or a part-time law enforcement  
23 officer upon a determination by the Board that the law  
24 enforcement officer has:

25 (1) committed an act that would constitute a felony or  
26 misdemeanor which could serve as basis for automatic

1 decertification, whether or not the law enforcement  
2 officer was criminally prosecuted, and whether or not the  
3 law enforcement officer's employment was terminated;

4 (2) exercised excessive use of force;

5 (3) failed to comply with the officer's duty to  
6 intervene, including through acts or omissions;

7 (4) tampered with a dash camera or body-worn camera or  
8 data recorded by a dash camera or body-worn camera or  
9 directed another to tamper with or turn off a dash camera  
10 or body-worn camera or data recorded by a dash camera or  
11 body-worn camera for the purpose of concealing, destroying  
12 or altering potential evidence;

13 (5) engaged in the following conduct relating to the  
14 reporting, investigation, or prosecution of a crime:  
15 committed perjury, made a false statement, or knowingly  
16 tampered with or fabricated evidence; ~~and~~

17 (6) engaged in any unprofessional, unethical,  
18 deceptive, or deleterious conduct or practice harmful to  
19 the public; such conduct or practice need not have  
20 resulted in actual injury to any person. As used in this  
21 paragraph, the term "unprofessional conduct" shall include  
22 any departure from, or failure to conform to, the minimal  
23 standards of acceptable and prevailing practice of an  
24 officer; and -

25 (7) failed to comply with trauma-informed response  
26 retraining under the First Responder Trauma-Informed

1           Response Training Act.

2           (b-5) The Board has the authority to decertify a full-time  
3 or part-time law enforcement officer notwithstanding whether a  
4 law enforcement agency takes disciplinary action against a law  
5 enforcement officer for the same underlying conduct as  
6 outlined in subsection (b).

7           (c) Notice of Alleged Violation.

8           (1) The following individuals and agencies shall  
9 notify the Board within 7 days of becoming aware of any  
10 violation described in subsection (b):

11           (A) A law enforcement agency as defined in Section  
12 2 or any law enforcement officer of this State. For  
13 this subsection (c), law enforcement agency includes,  
14 but is not limited to, a civilian review board, an  
15 inspector general, and legal counsel for a law  
16 enforcement agency.

17           (B) The Executive Director of the Board;

18           (C) A State's Attorney's Office of this State.

19           "Becoming aware" does not include confidential  
20 communications between agency lawyers and agencies  
21 regarding legal advice. For purposes of this subsection,  
22 "law enforcement agency" does not include the Illinois  
23 Attorney General when providing legal representation to a  
24 law enforcement officer under the State Employee  
25 Indemnification Act.

26           (2) Any person may also notify the Board of any

1           conduct the person believes a law enforcement officer has  
2           committed as described in subsection (b). Such  
3           notifications may be made confidentially. Notwithstanding  
4           any other provision in state law or any collective  
5           bargaining agreement, the Board shall accept notice and  
6           investigate any allegations from individuals who remain  
7           confidential.

8           (3) Upon written request, the Board shall disclose to  
9           the individual or entity who filed a notice of violation  
10          the status of the Board's review.

11          (d) Form. The notice of violation reported under  
12          subsection (c) shall be on a form prescribed by the Board in  
13          its rules. The form shall be publicly available by paper and  
14          electronic means. The form shall include fields for the  
15          following information, at a minimum:

16               (1) the full name, address, and telephone number of  
17               the person submitting the notice;

18               (2) if submitted under subsection (c)(1), the agency  
19               name and title of the person submitting the notice;

20               (3) the full name, badge number, employing agency, and  
21               physical description of the officer, if known;

22               (4) the full name or names, address or addresses,  
23               telephone number or numbers, and physical description or  
24               descriptions of any witnesses, if known;

25               (5) a concise statement of facts that describe the  
26               alleged violation and any copies of supporting evidence



1 including but not limited to any photographic, video, or  
2 audio recordings of the incident;

3 (6) whether the person submitting the notice has  
4 notified any other agency; and

5 (7) an option for an individual, who submits directly  
6 to the Board, to consent to have the individual's identity  
7 disclosed. The identity of any individual providing  
8 information or reporting any possible or alleged violation  
9 to the Board shall be kept confidential and may not be  
10 disclosed without the consent of that individual, unless  
11 the individual consents to disclosure of the individual's  
12 name or disclosure of the individual's identity is  
13 otherwise required by law. The confidentiality granted by  
14 this subsection does not preclude the disclosure of the  
15 identity of a person in any capacity other than as the  
16 source of an allegation.

17 Nothing in this subsection (d) shall preclude the Board  
18 from receiving, investigating, or acting upon allegations made  
19 confidentially or in a format different from the form provided  
20 for in this subsection.

21 (e) Preliminary review.

22 (1) The Board shall complete a preliminary review of  
23 the allegations to determine whether there is sufficient  
24 information to warrant a further investigation of any  
25 violations of the Act. Upon initiating a preliminary  
26 review of the allegations, the Board shall notify the head

1 of the law enforcement agency that employs the law  
2 enforcement officer who is the subject of the allegations.  
3 At the request of the Board, the law enforcement agency  
4 must submit any copies of investigative findings,  
5 evidence, or documentation to the Board in accordance with  
6 rules adopted by the Board to facilitate the Board's  
7 preliminary review. The Board may correspond with the law  
8 enforcement agency, official records clerks or any  
9 investigative agencies in conducting its preliminary  
10 review.

11 (2) During the preliminary review, the Board will take  
12 all reasonable steps to discover any and all objective  
13 verifiable evidence relevant to the alleged violation  
14 through the identification, retention, review, and  
15 analysis of all currently available evidence, including,  
16 but not limited to: all time-sensitive evidence, audio and  
17 video evidence, physical evidence, arrest reports,  
18 photographic evidence, GPS records, computer data, lab  
19 reports, medical documents, and witness interviews. All  
20 reasonable steps will be taken to preserve relevant  
21 evidence identified during the preliminary investigation.

22 (3) If after a preliminary review of the alleged  
23 violation or violations, the Board believes there is  
24 sufficient information to warrant further investigation of  
25 any violations of this Act, the alleged violation or  
26 violations shall be assigned for investigation in

1           accordance with subsection (f).

2           (4) If after a review of the allegations, the Board  
3 believes there is insufficient information supporting the  
4 allegations to warrant further investigation, it may close  
5 a notice. Notification of the Board's decision to close a  
6 notice shall be sent to all relevant individuals,  
7 agencies, and any entities that received notice of the  
8 violation under subsection (c) within 30 days of the  
9 notice being closed, except in cases where the notice is  
10 submitted anonymously if the complainant is unknown.

11           (5) Except when the Board has received notice under  
12 subparagraph (A) of paragraph (1) of subsection (c), no  
13 later than 30 days after receiving notice, the Board shall  
14 report any notice of violation it receives to the relevant  
15 law enforcement agency, unless reporting the notice would  
16 jeopardize any subsequent investigation. The Board shall  
17 also record any notice of violation it receives to the  
18 Officer Professional Conduct Database in accordance with  
19 Section 9.2. The Board shall report to the appropriate  
20 State's Attorney any alleged violations that contain  
21 allegations, claims, or factual assertions that, if true,  
22 would constitute a violation of Illinois law. The Board  
23 shall inform the law enforcement officer via certified  
24 mail that it has received a notice of violation against  
25 the law enforcement officer.

26           If the Board determines that due to the circumstances

1 and the nature of the allegation that it would not be  
2 prudent to notify the law enforcement officer and the  
3 officer's law enforcement agency unless and until the  
4 filing of a Formal Complaint, the Board shall document in  
5 the file the reason or reasons a notification was not  
6 made.

7 (6) If the law enforcement officer is involved in a  
8 criminal proceeding on the same subject as the notice of  
9 violation, the Board is responsible for maintaining a  
10 current status report including court dates, hearings,  
11 pleas, adjudication status and sentencing. A State's  
12 Attorney's Office must notify the Board of any criminal  
13 charges filed against a law enforcement officer, and must  
14 provide updates of significant developments to the Board  
15 in a timely manner but no later than 30 days after such  
16 developments.

17 (f) Investigations; requirements. Investigations are to be  
18 assigned after a preliminary review, unless the investigations  
19 were closed under paragraph (4) of subsection (e), as follows  
20 in paragraphs (1), (2), and (3) of this subsection (f).

21 (1) A law enforcement agency that submits a notice of  
22 violation to the Board under subparagraph (A) of paragraph  
23 (1) of subsection (c) shall be responsible for conducting  
24 an investigation of the underlying allegations except  
25 when: (i) the law enforcement agency refers the notice to  
26 another law enforcement agency or the Board for

1 investigation and such other agency or the Board agrees to  
2 conduct the investigation; (ii) an external, independent,  
3 or civilian oversight agency conducts the investigation in  
4 accordance with local ordinance or other applicable law;  
5 or (iii) the Board has determined that it will conduct the  
6 investigation based upon the facts and circumstances of  
7 the alleged violation, including but not limited to,  
8 investigations regarding the Chief or Sheriff of a law  
9 enforcement agency, familial conflict of interests,  
10 complaints involving a substantial portion of a law  
11 enforcement agency, or complaints involving a policy of a  
12 law enforcement agency. Any agency or entity conducting an  
13 investigation under this paragraph (1) shall submit  
14 quarterly reports to the Board regarding the progress of  
15 the investigation. The quarterly report shall be reviewed  
16 by the individual or individuals at the Board who  
17 conducted the preliminary review, if available.

18 Any agency or entity conducting an investigation under  
19 this paragraph (1) shall, within 7 days of completing an  
20 investigation, deliver an Investigative Summary Report and  
21 copies of any administrative evidence to the Board. If the  
22 Board finds an investigation conducted under this  
23 paragraph (1) is incomplete, unsatisfactory, or deficient  
24 in any way, the Board may direct the investigating entity  
25 or agency to take any additional investigative steps  
26 deemed necessary to thoroughly and satisfactorily complete

1 the investigation, or the Board may take any steps  
2 necessary to complete the investigation. The investigating  
3 entity or agency or, when necessary, the Board will then  
4 amend and re-submit the Investigative Summary Report to  
5 the Board for approval.

6 The Board shall submit a report to the investigating  
7 entity disclosing the name, address, and telephone numbers  
8 of persons who have knowledge of facts which are the  
9 subject of the investigation and identifying the subject  
10 matter of their knowledge.

11 (2) The Board shall investigate and complete an  
12 Investigative Summary Report when a State's Attorney's  
13 Office submits a notice of violation to the Board under  
14 (c) (1) (C).

15 (3) When a person submits a notice to the Board under  
16 paragraph (2) of subsection (c), The Board shall assign  
17 the investigation to the law enforcement agency that  
18 employs the law enforcement officer, except when: (i) the  
19 law enforcement agency requests to refer the notice to  
20 another law enforcement agency or the Board for  
21 investigation and such other agency or the Board agrees to  
22 conduct the investigation; (ii) an external, independent,  
23 or civilian oversight agency conducts the investigation in  
24 accordance with local ordinance or other applicable law;  
25 or (iii) the Board has determined that it will conduct the  
26 investigation based upon the facts and circumstances of

1 the alleged violation, including but not limited to,  
2 investigations regarding the Chief or Sheriff of a law  
3 enforcement agency, familial conflict of interests,  
4 complaints involving a substantial portion of a law  
5 enforcement agency, or complaints involving a policy of a  
6 law enforcement agency.

7 The investigating entity or agency shall submit  
8 quarterly reports to the Board regarding the progress of  
9 the investigation in a form to be determined by the Board.  
10 The quarterly report shall be reviewed by the individual  
11 at the Board who conducted the preliminary review, if  
12 available.

13 The investigating entity or agency shall, within 7 days of  
14 completing an investigation, deliver an Investigative  
15 Summary Report and copies of any evidence to the Board. If  
16 the Board finds an investigation conducted under this  
17 subsection (f)(3) is incomplete, unsatisfactory, or  
18 deficient in any way, the Board may direct the  
19 investigating entity to take any additional investigative  
20 steps deemed necessary to thoroughly and satisfactorily  
21 complete the investigation, or the Board may take any  
22 steps necessary to complete the investigation. The  
23 investigating entity or agency or, when necessary, the  
24 Board will then amend and re-submit the Investigative  
25 Summary Report to the Board for approval. The  
26 investigating entity shall cooperate with and assist the

1 Board, as necessary, in any subsequent investigation.

2 (4) Concurrent Investigations. The Board may, at any  
3 point, initiate a concurrent investigation under this  
4 section. The original investigating entity shall timely  
5 communicate, coordinate, and cooperate with the Board to  
6 the fullest extent. The Board shall promulgate rules that  
7 shall address, at a minimum, the sharing of information  
8 and investigative means such as subpoenas and interviewing  
9 witnesses.

10 (5) Investigative Summary Report. An Investigative  
11 Summary Report shall contain, at a minimum, the  
12 allegations and elements within each allegation followed  
13 by the testimonial, documentary, or physical evidence that  
14 is relevant to each such allegation or element listed and  
15 discussed in association with it. All persons who have  
16 been interviewed and listed in the Investigative Summary  
17 Report will be identified as a complainant, witness,  
18 person with specialized knowledge, or law enforcement  
19 employee.

20 (6) Each law enforcement agency shall adopt a written  
21 policy regarding the investigation of conduct under  
22 subsection (a) that involves a law enforcement officer  
23 employed by that law enforcement agency. The written  
24 policy adopted must include the following, at a minimum:

25 (a) Each law enforcement officer shall immediately  
26 report any conduct under subsection (b) to the



1 appropriate supervising officer.

2 (b) The written policy under this Section shall be  
3 available for inspection and copying under the Freedom  
4 of Information Act, and not subject to any exemption  
5 of that Act.

6 (7) Nothing in this Act shall prohibit a law  
7 enforcement agency from conducting an investigation for  
8 the purpose of internal discipline. However, any such  
9 investigation shall be conducted in a manner that avoids  
10 interference with, and preserves the integrity of, any  
11 separate investigation by the Board being conducted.

12 (g) Formal complaints. Upon receipt of an Investigative  
13 Summary Report, the Board shall review the Report and any  
14 relevant evidence obtained and determine whether there is  
15 reasonable basis to believe that the law enforcement officer  
16 committed any conduct that would be deemed a violation of this  
17 Act. If after reviewing the Report and any other relevant  
18 evidence obtained, the Board determines that a reasonable  
19 basis does exist, the Board shall file a formal complaint with  
20 the Certification Review Panel.

21 (h) Formal Complaint Hearing.

22 (1) Upon issuance of a formal complaint, the Panel  
23 shall set the matter for an initial hearing in front of an  
24 administrative law judge. At least 30 days before the date  
25 set for an initial hearing, the Panel must, in writing,  
26 notify the law enforcement officer subject to the

1 complaint of the following:

2 (i) the allegations against the law enforcement  
3 officer, the time and place for the hearing, and  
4 whether the law enforcement officer's certification  
5 has been temporarily suspended under Section 8.3;

6 (ii) the right to file a written answer to the  
7 complaint with the Panel within 30 days after service  
8 of the notice;

9 (iii) if the law enforcement officer fails to  
10 comply with the notice of the default order in  
11 paragraph (2), the Panel shall enter a default order  
12 against the law enforcement officer along with a  
13 finding that the allegations in the complaint are  
14 deemed admitted, and that the law enforcement  
15 officer's certification may be revoked as a result;  
16 and

17 (iv) the law enforcement officer may request an  
18 informal conference to surrender the officer's  
19 certification.

20 (2) The Board shall send the law enforcement officer  
21 notice of the default order. The notice shall state that  
22 the officer has 30 days to notify the Board in writing of  
23 their desire to have the order vacated and to appear  
24 before the Board. If the law enforcement officer does not  
25 notify the Board within 30 days, the Board may set the  
26 matter for hearing. If the matter is set for hearing, the

1 Board shall send the law enforcement officer the notice of  
2 the date, time and location of the hearing. If the law  
3 enforcement officer or counsel for the officer does  
4 appear, at the Board's discretion, the hearing may proceed  
5 or may be continued to a date and time agreed upon by all  
6 parties. If on the date of the hearing, neither the law  
7 enforcement officer nor counsel for the officer appears,  
8 the Board may proceed with the hearing for default in  
9 their absence.

10 (3) If the law enforcement officer fails to comply  
11 with paragraph (2), all of the allegations contained in  
12 the complaint shall be deemed admitted and the law  
13 enforcement officer shall be decertified if, by a majority  
14 vote of the panel, the conduct charged in the complaint is  
15 found to constitute sufficient grounds for decertification  
16 under this Act. Notice of the decertification decision may  
17 be served by personal delivery, by mail, or, at the  
18 discretion of the Board, by electronic means as adopted by  
19 rule to the address or email address specified by the law  
20 enforcement officer in the officer's last communication  
21 with the Board. Notice shall also be provided to the law  
22 enforcement officer's employing law enforcement agency.

23 (4) The Board, at the request of the law enforcement  
24 officer subject to the Formal Complaint, may suspend a  
25 hearing on a Formal Complaint for no more than one year if  
26 a concurrent criminal matter is pending. If the law

1 enforcement officer requests to have the hearing  
2 suspended, the law enforcement officer's certification  
3 shall be deemed inactive until the law enforcement  
4 officer's Formal Complaint hearing concludes. The Board or  
5 the law enforcement officer may request to have the  
6 hearing suspended for up to 6 additional months for good  
7 cause. This request may be renewed. For purposes of this  
8 paragraph (4), "good cause" means an incident or  
9 occurrence that is beyond the control of the requester and  
10 that prevents the hearing from occurring, or holding the  
11 hearing would impose an undue hardship or prejudice on the  
12 requester.

13 (5) Surrender of certification or waiver. Upon the  
14 Board's issuance of a complaint, and prior to hearing on  
15 the matter, a law enforcement officer may choose to  
16 surrender the officer's certification or waiver by  
17 notifying the Board in writing of the officer's decision  
18 to do so. Upon receipt of such notification from the law  
19 enforcement officer, the Board shall immediately decertify  
20 the officer, or revoke any waiver previously granted. In  
21 the case of a surrender of certification or waiver, the  
22 Board's proceeding shall terminate.

23 (6) Appointment of administrative law judges. The  
24 Board shall retain any attorney licensed to practice law  
25 in the State of Illinois to serve as an administrative law  
26 judge in any action involving a law enforcement officer

1 under this Act. The administrative law judge shall be  
2 retained to a term of no greater than 4 years. If more than  
3 one judge is retained, the terms shall be staggered. The  
4 administrative law judge has full authority to conduct the  
5 hearings.

6 Administrative law judges will receive initial and  
7 annual training that is adequate in quality, quantity,  
8 scope, and type, and will cover, at minimum the following  
9 topics:

10 (i) constitutional and other relevant law on  
11 police-community encounters, including the law on the  
12 use of force and stops, searches, and arrests;

13 (ii) police tactics;

14 (iii) investigations of police conduct;

15 (iv) impartial policing;

16 (v) policing individuals in crisis;

17 (vi) Illinois police policies, procedures, and  
18 disciplinary rules;

19 (vii) procedural justice; and

20 (viii) community outreach.

21 The Board shall determine the content and extent of  
22 the training within the scope provided for by this  
23 subsection.

24 (7) Hearing. At the hearing, the administrative law  
25 judge will hear the allegations alleged in the complaint.  
26 The law enforcement officer, the counsel of the officer's

1 choosing, and the Board, or the officer's counsel, shall  
2 be afforded the opportunity to present any pertinent  
3 statements, testimony, evidence, and arguments. The law  
4 enforcement officer shall be afforded the opportunity to  
5 request that the Board compel the attendance of witnesses  
6 and production of related documents. After the conclusion  
7 of the hearing, the administrative law judge shall report  
8 any findings of fact, conclusions of law, and recommended  
9 disposition to the Panel. If the law enforcement officer  
10 objects to any procedural or substantive legal portion of  
11 the report, the officer may do so by written brief filed  
12 with the Panel within 14 days after receipt of the report.  
13 The Panel may grant reasonable extensions for good cause  
14 shown or when mutually agreed upon by the parties.

15 No later than 28 days before the hearing, a party  
16 shall disclose the following:

17 (i) The name and, if known, the address and  
18 telephone number of each individual likely to have  
19 information relevant to the hearing that the  
20 disclosing party may use to support its claims or  
21 defenses. This includes, but is not limited to, any  
22 name that has previously been held as confidential by  
23 the Board.

24 (ii) A copy of any documents and videos that are in  
25 the possession, custody, or control of the party, and  
26 that the disclosing party may use to support its

1 claims or defenses.

2 (8) Certification Review Meeting. Upon receipt of the  
3 administrative law judge's findings of fact, conclusions  
4 of law, and recommended disposition, and any submitted  
5 objections from the law enforcement officer, the Panel  
6 shall call for a certification review meeting.

7 In such a meeting, the Panel may adjourn into a closed  
8 conference for the purposes of deliberating on the  
9 evidence presented during the hearing. In closed  
10 conference, the Panel shall consider the hearing officer's  
11 findings of fact, conclusions of law, and recommended  
12 disposition and may deliberate on all evidence and  
13 testimony received and may consider the weight and  
14 credibility to be given to the evidence received. No new  
15 or additional evidence may be presented to the Panel.  
16 After concluding its deliberations, the Panel shall  
17 convene in open session for its consideration of the  
18 matter. If a simple majority of the Panel finds that no  
19 allegations in the complaint supporting one or more  
20 charges of misconduct are proven by clear and convincing  
21 evidence, then the Panel shall recommend to the Board that  
22 the complaint be dismissed. If a simple majority of the  
23 Panel finds that the allegations in the complaint  
24 supporting one or more charges of misconduct are proven by  
25 clear and convincing evidence, then the Panel shall  
26 recommend to the Board to decertify the officer. The Panel

1 shall prepare a summary report as soon as practicable  
2 after the completion of the meeting including the  
3 following: the hearing officer's findings of fact,  
4 conclusions of law, recommended disposition, and the  
5 Panel's order.

6 (9) Final action by the Board. After receiving the  
7 Panel's recommendations and any objections by the law  
8 enforcement officer, and after due consideration of the  
9 Panel's recommendations, the Board, by majority vote,  
10 shall issue a final decision to decertify the law  
11 enforcement officer or take no action in regard to the law  
12 enforcement officer. No new or additional evidence may be  
13 presented to the Board. If the Board makes a final  
14 decision contrary to the recommendations of the Panel, the  
15 Board shall set forth in its final written decision the  
16 specific written reasons for not following the Panel's  
17 recommendations. A copy of the Board's final decision  
18 shall be served upon the law enforcement officer by the  
19 Board, either personally or as provided in this Act for  
20 the service of a notice of hearing. A copy of the Board's  
21 final decision also shall be delivered to the last  
22 employing law enforcement agency, the complainant, and the  
23 Panel.

24 (10) Reconsideration of the Board's Decision. Within  
25 30 days after service of the Board's final decision, the  
26 Panel or the law enforcement officer may file a written



1 motion for reconsideration with the Review Committee. The  
2 motion for reconsideration shall specify the particular  
3 grounds for reconsideration. The non-moving party may  
4 respond to the motion for reconsideration. The Review  
5 Committee shall only address the issues raised by the  
6 parties.

7 The Review Committee may deny the motion for  
8 reconsideration, or it may grant the motion in whole or in  
9 part and issue a new final decision in the matter. The  
10 Review Committee must notify the law enforcement officer  
11 and their last employing law enforcement agency within 14  
12 days of a denial and state the reasons for denial.

13 (i) This Section applies to conduct by a full-time or  
14 part-time law enforcement officer in violation of subsection  
15 (b) that occurred before, on, or after the effective date of  
16 this amendatory Act of the 102nd General Assembly.

17 (j) Notwithstanding any provision of law to the contrary,  
18 the changes made to this Section by this amendatory Act of the  
19 102nd General Assembly and Public Act 101-652 take effect July  
20 1, 2022.

21 (Source: P.A. 101-652, eff. 1-1-22; 102-694, eff. 1-7-22.)

22 Section 105. The Emergency Medical Services (EMS) Systems  
23 Act is amended by changing Section 3.50 and adding Section  
24 3.51 as follows:

1 (210 ILCS 50/3.50)

2 Sec. 3.50. Emergency Medical Services personnel licensure  
3 levels.

4 (a) "Emergency Medical Technician" or "EMT" means a person  
5 who has successfully completed a course in basic life support  
6 as approved by the Department, is currently licensed by the  
7 Department in accordance with standards prescribed by this Act  
8 and rules adopted by the Department pursuant to this Act, and  
9 practices within an EMS System. A valid Emergency Medical  
10 Technician-Basic (EMT-B) license issued under this Act shall  
11 continue to be valid and shall be recognized as an Emergency  
12 Medical Technician (EMT) license until the Emergency Medical  
13 Technician-Basic (EMT-B) license expires.

14 (b) "Emergency Medical Technician-Intermediate" or "EMT-I"  
15 means a person who has successfully completed a course in  
16 intermediate life support as approved by the Department, is  
17 currently licensed by the Department in accordance with  
18 standards prescribed by this Act and rules adopted by the  
19 Department pursuant to this Act, and practices within an  
20 Intermediate or Advanced Life Support EMS System.

21 (b-5) "Advanced Emergency Medical Technician" or "A-EMT"  
22 means a person who has successfully completed a course in  
23 basic and limited advanced emergency medical care as approved  
24 by the Department, is currently licensed by the Department in  
25 accordance with standards prescribed by this Act and rules  
26 adopted by the Department pursuant to this Act, and practices

1 within an Intermediate or Advanced Life Support EMS System.

2 (c) "Paramedic (EMT-P)" means a person who has  
3 successfully completed a course in advanced life support care  
4 as approved by the Department, is licensed by the Department  
5 in accordance with standards prescribed by this Act and rules  
6 adopted by the Department pursuant to this Act, and practices  
7 within an Advanced Life Support EMS System. A valid Emergency  
8 Medical Technician-Paramedic (EMT-P) license issued under this  
9 Act shall continue to be valid and shall be recognized as a  
10 Paramedic license until the Emergency Medical  
11 Technician-Paramedic (EMT-P) license expires.

12 (c-5) "Emergency Medical Responder" or "EMR (First  
13 Responder)" means a person who has successfully completed a  
14 course in emergency medical response as approved by the  
15 Department and provides emergency medical response services in  
16 accordance with the level of care established by the National  
17 EMS Educational Standards Emergency Medical Responder course  
18 as modified by the Department, or who provides services as  
19 part of an EMS System response plan, as approved by the  
20 Department, of that EMS System. The Department shall have the  
21 authority to adopt rules governing the curriculum, practice,  
22 and necessary equipment applicable to Emergency Medical  
23 Responders.

24 On August 15, 2014 (the effective date of Public Act  
25 98-973), a person who is licensed by the Department as a First  
26 Responder and has completed a Department-approved course in

1 first responder defibrillator training based on, or equivalent  
2 to, the National EMS Educational Standards or other standards  
3 previously recognized by the Department shall be eligible for  
4 licensure as an Emergency Medical Responder upon meeting the  
5 licensure requirements and submitting an application to the  
6 Department. A valid First Responder license issued under this  
7 Act shall continue to be valid and shall be recognized as an  
8 Emergency Medical Responder license until the First Responder  
9 license expires.

10 (c-10) All EMS Systems and licensees shall be fully  
11 compliant with the National EMS Education Standards, as  
12 modified by the Department in administrative rules, within 24  
13 months after the adoption of the administrative rules.

14 (d) The Department shall have the authority and  
15 responsibility to:

16 (1) Prescribe education and training requirements,  
17 which includes training in the use of epinephrine, for all  
18 levels of EMS personnel except for EMRs, based on the  
19 National EMS Educational Standards and any modifications  
20 to those curricula specified by the Department through  
21 rules adopted pursuant to this Act.

22 (2) Prescribe licensure testing requirements for all  
23 levels of EMS personnel, which shall include a requirement  
24 that all phases of instruction, training, and field  
25 experience be completed before taking the appropriate  
26 licensure examination. Candidates may elect to take the

1 appropriate National Registry examination in lieu of the  
2 Department's examination, but are responsible for making  
3 their own arrangements for taking the National Registry  
4 examination. In prescribing licensure testing requirements  
5 for honorably discharged members of the armed forces of  
6 the United States under this paragraph (2), the Department  
7 shall ensure that a candidate's military emergency medical  
8 training, emergency medical curriculum completed, and  
9 clinical experience, as described in paragraph (2.5), are  
10 recognized.

11 (2.5) Review applications for EMS personnel licensure  
12 from honorably discharged members of the armed forces of  
13 the United States with military emergency medical  
14 training. Applications shall be filed with the Department  
15 within one year after military discharge and shall  
16 contain: (i) proof of successful completion of military  
17 emergency medical training; (ii) a detailed description of  
18 the emergency medical curriculum completed; and (iii) a  
19 detailed description of the applicant's clinical  
20 experience. The Department may request additional and  
21 clarifying information. The Department shall evaluate the  
22 application, including the applicant's training and  
23 experience, consistent with the standards set forth under  
24 subsections (a), (b), (c), and (d) of Section 3.10. If the  
25 application clearly demonstrates that the training and  
26 experience meet such standards, the Department shall offer

1 the applicant the opportunity to successfully complete a  
2 Department-approved EMS personnel examination for the  
3 level of license for which the applicant is qualified.  
4 Upon passage of an examination, the Department shall issue  
5 a license, which shall be subject to all provisions of  
6 this Act that are otherwise applicable to the level of EMS  
7 personnel license issued.

8 (3) License individuals as an EMR, EMT, EMT-I, A-EMT,  
9 or Paramedic who have met the Department's education,  
10 training and examination requirements.

11 (4) Prescribe annual continuing education and  
12 relicensure requirements for all EMS personnel licensure  
13 levels.

14 (5) Relicense individuals as an EMD, EMR, EMT, EMT-I,  
15 A-EMT, PHRN, PHAPRN, PHPA, or Paramedic every 4 years,  
16 based on their compliance with continuing education and  
17 relicensure requirements as required by the Department  
18 pursuant to this Act. Every 4 years, a Paramedic shall  
19 have 100 hours of approved continuing education, an EMT-I  
20 and an advanced EMT shall have 80 hours of approved  
21 continuing education, and an EMT shall have 60 hours of  
22 approved continuing education. An Illinois licensed EMR,  
23 EMD, EMT, EMT-I, A-EMT, Paramedic, ECRN, PHPA, PHAPRN, or  
24 PHRN whose license has been expired for less than 36  
25 months may apply for reinstatement by the Department.  
26 Reinstatement shall require that the applicant (i) submit

1           satisfactory proof of completion of continuing medical  
2           education and clinical requirements to be prescribed by  
3           the Department in an administrative rule; (ii) submit a  
4           positive recommendation from an Illinois EMS Medical  
5           Director attesting to the applicant's qualifications for  
6           retesting; and (iii) pass a Department approved test for  
7           the level of EMS personnel license sought to be  
8           reinstated.

9           (6) Grant inactive status to any EMR, EMD, EMT, EMT-I,  
10          A-EMT, Paramedic, ECRN, PHAPRN, PHPA, or PHRN who  
11          qualifies, based on standards and procedures established  
12          by the Department in rules adopted pursuant to this Act.

13          (7) Charge a fee for EMS personnel examination,  
14          licensure, and license renewal.

15          (8) Suspend, revoke, or refuse to issue or renew the  
16          license of any licensee, after an opportunity for an  
17          impartial hearing before a neutral administrative law  
18          judge appointed by the Director, where the preponderance  
19          of the evidence shows one or more of the following:

20                 (A) The licensee has not met continuing education  
21                 or relicensure requirements as prescribed by the  
22                 Department;

23                 (B) The licensee has failed to maintain  
24                 proficiency in the level of skills for which he or she  
25                 is licensed;

26                 (C) The licensee, during the provision of medical

1 services, engaged in dishonorable, unethical, or  
2 unprofessional conduct of a character likely to  
3 deceive, defraud, or harm the public;

4 (D) The licensee has failed to maintain or has  
5 violated standards of performance and conduct as  
6 prescribed by the Department in rules adopted pursuant  
7 to this Act or his or her EMS System's Program Plan;

8 (E) The licensee is physically impaired to the  
9 extent that he or she cannot physically perform the  
10 skills and functions for which he or she is licensed,  
11 as verified by a physician, unless the person is on  
12 inactive status pursuant to Department regulations;

13 (F) The licensee is mentally impaired to the  
14 extent that he or she cannot exercise the appropriate  
15 judgment, skill and safety for performing the  
16 functions for which he or she is licensed, as verified  
17 by a physician, unless the person is on inactive  
18 status pursuant to Department regulations;

19 (G) The licensee has violated this Act or any rule  
20 adopted by the Department pursuant to this Act; ~~or~~

21 (H) The licensee has been convicted (or entered a  
22 plea of guilty or nolo contendere) by a court of  
23 competent jurisdiction of a Class X, Class 1, or Class  
24 2 felony in this State or an out-of-state equivalent  
25 offense; or -

26 (I) The licensee has failed to comply with



1           trauma-informed response retraining under the First  
2           Responder Trauma-Informed Response Training Act.

3           (9) Prescribe education and training requirements in  
4           the administration and use of opioid antagonists for all  
5           levels of EMS personnel based on the National EMS  
6           Educational Standards and any modifications to those  
7           curricula specified by the Department through rules  
8           adopted pursuant to this Act.

9           (d-5) An EMR, EMD, EMT, EMT-I, A-EMT, Paramedic, ECRN,  
10          PHAPRN, PHPA, or PHRN who is a member of the Illinois National  
11          Guard or an Illinois State Trooper or who exclusively serves  
12          as a volunteer for units of local government with a population  
13          base of less than 5,000 or as a volunteer for a not-for-profit  
14          organization that serves a service area with a population base  
15          of less than 5,000 may submit an application to the Department  
16          for a waiver of the fees described under paragraph (7) of  
17          subsection (d) of this Section on a form prescribed by the  
18          Department.

19          The education requirements prescribed by the Department  
20          under this Section must allow for the suspension of those  
21          requirements in the case of a member of the armed services or  
22          reserve forces of the United States or a member of the Illinois  
23          National Guard who is on active duty pursuant to an executive  
24          order of the President of the United States, an act of the  
25          Congress of the United States, or an order of the Governor at  
26          the time that the member would otherwise be required to

1 fulfill a particular education requirement. Such a person must  
2 fulfill the education requirement within 6 months after his or  
3 her release from active duty.

4 (e) In the event that any rule of the Department or an EMS  
5 Medical Director that requires testing for drug use as a  
6 condition of the applicable EMS personnel license conflicts  
7 with or duplicates a provision of a collective bargaining  
8 agreement that requires testing for drug use, that rule shall  
9 not apply to any person covered by the collective bargaining  
10 agreement.

11 (f) At the time of applying for or renewing his or her  
12 license, an applicant for a license or license renewal may  
13 submit an email address to the Department. The Department  
14 shall keep the email address on file as a form of contact for  
15 the individual. The Department shall send license renewal  
16 notices electronically and by mail to a licensee who provides  
17 the Department with his or her email address. The notices  
18 shall be sent at least 60 days prior to the expiration date of  
19 the license.

20 (Source: P.A. 101-81, eff. 7-12-19; 101-153, eff. 1-1-20;  
21 102-558, eff. 8-20-21; 102-623, eff. 8-27-21.)

22 (210 ILCS 50/3.51 new)

23 Sec. 3.51. Trauma-informed response training; rules. The  
24 Department shall adopt rules to implement the trauma-informed  
25 response training required under the First Responder

1 Trauma-Informed Response Training Act. The rules may allow or  
2 require the use of a training program from a university,  
3 college, or not-for-profit entity.