



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

SB3728

Introduced 2/9/2024, by Sen. Jason Plummer

#### SYNOPSIS AS INTRODUCED:

New Act  
5 ILCS 430/20-10  
740 ILCS 174/15

Creates the Research, Education, and Government Operations Protection Act. Defines terms. Provides that the purpose of the Act is to protect Illinois' research, educational system, and government operations from malicious influence from foreign countries of concern. Requires a State agency, political subdivision, institution of K-12 education, or institution of higher education to disclose information about gifts and contracts from specified countries of concern, and requires approval from the Executive Inspector General for the Agencies of the Illinois Governor for gifts and contracts from counties of concern. Restricts international cultural agreements and student associations within institutions of K-12 education and institutions of higher education. Requires institutes of higher education with a research budget of \$10,000,000 or more to perform specified research and foreign travel screening before accepting applicants from countries of concern or allowing travel to countries of concern. Provides that, subject to the approval of the State Board of Higher Education and Illinois Community College Board, an institution of higher education shall only enter into a new or renew an existing academic partnership with an academic or research institution located in a country of concern under specified circumstances. Prohibits certain trade secret actions, imposing a Class X felony for violation of the provisions. Limits the concurrent exercise of home rule powers. Amends the State Officials and Employees Ethics Act and Whistleblower Act to make conforming changes. Effective January 1, 2025.

LRB103 39056 AWJ 69193 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. This Act may be cited as the  
5 Research, Education, and Government Operations Protection Act.

6 Section 5. Purpose. The purpose of this Act is to protect  
7 Illinois' research, educational system, and government  
8 operations from malicious influence from foreign countries of  
9 concern.

10 Section 10. Definitions. As used in this Act:

11 "Affiliate organization" means an entity under the control  
12 of or established for the benefit of an organization required  
13 to report under the Act, including a direct-support  
14 organization.

15 "Agreement" means a written or spoken statement of mutual  
16 interest in cultural exchange or academic or research  
17 collaboration.

18 "Country of concern" means the People's Republic of China,  
19 the Russian Federation, the Islamic Republic of Iran, the  
20 Democratic People's Republic of Korea, the Republic of Cuba,  
21 the Venezuelan regime of Nicolás Maduro, the Syrian Arab  
22 Republic, a foreign terrorist organization as designated by

1 the Secretary of State under Section 219 of the Immigration  
2 and Naturalization Act (8 U.S.C. 1189), including an agent of  
3 or any other entity under significant control of such an  
4 entity, or any other entity declared by the Governor to be a  
5 "country of concern" after consultation with the Director of  
6 the Illinois Emergency Management Agency and Office of  
7 Homeland Security.

8 "Direct-support organization" means an organization that  
9 is organized and operated to receive, hold, invest, and  
10 administer property and to make expenditures to or for the  
11 benefit of an institution of higher education or for the  
12 benefit of a research and development park or research and  
13 development authority affiliated with an institution of higher  
14 education.

15 "Executive Inspector General" means the Executive  
16 Inspector General for the Agencies of the Illinois Governor.

17 "Foreign agent" means an officer, employee, proxy,  
18 servant, delegate, or representative of a foreign government.

19 "Foreign government" means the government of a country,  
20 nation, or group of nations, or a province or other political  
21 subdivision of a country or nation, including an agent of the  
22 government, other than the government of the United States.

23 "Foreign instrumentality" means an agency, bureau,  
24 ministry, component, institution, association or a legal,  
25 commercial, or business organization, corporation, firm, or  
26 entity that is substantially owned, controlled, sponsored,

1 commanded, managed, or dominated by a foreign government.

2 "Foreign source" means any of the following:

3 (1) A foreign government or an agency of a foreign  
4 government.

5 (2) A legal entity, governmental or otherwise, created  
6 solely under the laws of a foreign state or states.

7 (3) An individual who is not a citizen or a national of  
8 the United States or a territory or protectorate of the  
9 United States.

10 (4) A partnership, association, corporation,  
11 organization, or any other combination of persons  
12 organized under the laws of or having its principal place  
13 of business in a country of concern or subsidiary of such  
14 entity.

15 (5) An agent, including a subsidiary or an affiliate  
16 organization of a foreign legal entity, acting on behalf  
17 of a foreign government or foreign instrumentality.

18 (6) A political party or member of a political party.  
19 For the purposes of this paragraph, "political party"  
20 means an organization or combination of individuals whose  
21 aim or purpose is, or who is engaged in an activity devoted  
22 in whole or in part to, the establishment, administration,  
23 control, or acquisition of administration or control of a  
24 government of a country of concern or a subdivision  
25 thereof, or the furtherance or influencing of the  
26 political or public interest, policies, or relations of a

1 government of a country of concern of subdivision thereof.

2 "Gift" means money or property of any kind voluntarily  
3 transferred, granted, endowed, awarded, donated, or any  
4 combination thereof, including a conditional or unconditional  
5 pledge of a voluntarily transfer, endowment, award, or  
6 donation. As used in this definition, "pledge" means a  
7 promise, an agreement, or an expressed intention to give a  
8 gift, and "grant" means a transfer of money for a specified  
9 purpose, including a conditional gift.

10 "Institution of higher education" means a public  
11 institution of higher education, as that term is defined in  
12 Section 5 of the Public Higher Education Act.

13 "Institution of K-12 education" means a public school, as  
14 that term is defined in Section 1-3 of the School Code.

15 "Obtain or use" means any manner of:

16 (A) taking or exercising unlawful control over  
17 property;

18 (B) making an unauthorized use, disposition, or  
19 transfer of property;

20 (C) obtaining property by fraud, willful  
21 misrepresentation of a future act, or false promise; or

22 (D) conduct generally known as stealing; larceny,  
23 purloining, abstracting, embezzlement, misapplication,  
24 misappropriation, conversion, or obtaining money or  
25 property by false pretenses, fraud, or deception or other  
26 conduct similar in nature.

1 "Partnership" means, as used in Section 15, a faculty or  
2 student exchange program, a study-abroad program, a  
3 matriculation program, a recruiting program, or a dual degree  
4 program.

5 "Person" means a natural person, corporation, business  
6 trust, estate, trust, partnership, association, joint venture,  
7 government, governmental subdivision or agency, or any other  
8 legal or commercial entity.

9 "State agency or political subdivision" means an agency or  
10 unit of the State or a unit of local government created or  
11 established by law.

12 "Trade secret" means the whole or a portion or phase of a  
13 formula, pattern, device, combination of devices, or  
14 compilation of information which is for use, or is used, in the  
15 operation of a business and which provides the business an  
16 advantage, or an opportunity to obtain an advantage, over  
17 those who do not know or use it. "Trade secret" includes  
18 scientific, technical, or commercial information, including  
19 financial information, and includes a design, process,  
20 procedure, list of suppliers, list of customers, business  
21 code, or improvement thereof, whether tangible or intangible,  
22 and regardless of whether or how it is stored, compiled, or  
23 memorialized physically, electronically, graphically,  
24 photographically, or in writing. "Trade secret" also includes,  
25 irrespective of novelty, invention, patentability, the state  
26 of the prior art, and the level of skill in the business, art,

1 or field to which the subject matter pertains, the following  
2 elements:

3 (1) a secret;

4 (2) of value;

5 (3) for use or in use by the business; and

6 (4) of advantage to the business, or providing an  
7 opportunity to obtain an advantage, over those who do not  
8 know or use it when the owner thereof takes measures to  
9 prevent it from becoming available to persons other than  
10 those selected by the owner to have access thereto for  
11 limited purposes.

12 "Traffic" means, as used in Section 30:

13 (1) to sell, transfer, distribute, dispense, or  
14 otherwise dispose of property; or

15 (2) to buy, receive, possess, obtain control of, or  
16 use property with the intent to sell, transfer,  
17 distribute, dispense, or otherwise dispose of such  
18 property.

19 Section 15. Gift and contract reporting requirements for  
20 countries of concern.

21 (a) Disclosure requirements for past gifts from countries  
22 of concern.

23 (1) A State agency, political subdivision, institution  
24 of K-12 education, or institution of higher education that  
25 has received directly or indirectly a gift with any value

1 from a foreign source from a country of concern after  
2 January 1, 2025 shall disclose such gifts to the Executive  
3 Inspector General by March 1, 2025:

4 (2) Unless otherwise prohibited or deemed confidential  
5 under State or federal law, such disclosure shall include  
6 the date of the gift, the amount of the gift, the purpose  
7 of the gift, the identification of the persons for whom  
8 the gift is explicitly intended to benefit, any applicable  
9 conditions, requirements, restrictions, or terms made part  
10 of the gift, the name and country of residence or domicile  
11 of the foreign source, the name and mailing address of the  
12 disclosing entity, and, as applicable, the date of  
13 termination of the gift.

14 (3) The Executive Inspector General shall maintain a  
15 public web portal to disclose information on past gifts  
16 from countries of concern.

17 (4) Under this subsection, a gift received from a  
18 foreign source through an intermediary or affiliate  
19 organization shall be considered an indirect gift to the  
20 State agency, political subdivision, institution of K-12  
21 education, or institution of higher education and is  
22 subject to the disclosure process described in this  
23 subsection.

24 (5) Upon the request of the Governor, the President of  
25 the Senate, or the Speaker of the House of  
26 Representatives, the Executive Inspector General must



1 inspect or audit a past gift or gift agreement.

2 (b) Approval requirements for future gifts from countries  
3 of concern.

4 (1) A State agency, political subdivision, institution  
5 of K-12 education, or institution of higher education that  
6 has been offered directly or indirectly a gift with any  
7 value from a foreign source from a country of concern  
8 after January 1, 2025 shall disclose such gift. State  
9 agencies and other political subdivisions, including  
10 institutions of K-12 education and institutions of higher  
11 education, shall disclose such gifts to the Executive  
12 Inspector General before accepting such gifts.

13 (2) Unless otherwise prohibited or deemed confidential  
14 under State or federal law, such disclosure shall include  
15 the date of the gift, the amount of the gift, the purpose  
16 of the gift, the identification of the persons for whom  
17 the gift is explicitly intended to benefit, any applicable  
18 conditions, requirements, restrictions, or terms made part  
19 of the gift, the name and country of residence or domicile  
20 of the foreign source, the name and mailing address of the  
21 disclosing entity, and, as applicable, the date of  
22 termination of the gift.

23 (3) Within 30 days after receiving the disclosure of  
24 the proposed gift, the Executive Inspector General shall  
25 issue a final decision to the relevant State agency,  
26 political subdivision, institution of K-12 education, or

1 institution of higher education on whether and under what  
2 conditions the relevant State agency, political  
3 subdivision, institution of K-12 education, or institution  
4 of higher education may accept the gift as follows:

5 (A) The Executive Inspector General shall develop  
6 disclosure forms, rules, and procedures for deciding  
7 upon whether to allow a State agency, political  
8 subdivision, institution of K-12 education, or  
9 institution of higher education to accept gifts from  
10 countries of concern.

11 (B) The Executive Inspector General shall maintain  
12 a public web portal disclosing proposed and accepted  
13 gifts from countries of concern described in this  
14 Section, along with the Executive Inspector General's  
15 final decision on whether to allow the relevant State  
16 agency, political subdivision, institution of K-12  
17 education, or institution of higher education to  
18 accept the gift.

19 (4) Under this subsection, a gift received from a  
20 foreign source through an intermediary shall be considered  
21 an indirect gift with the State agency, political  
22 subdivision, institution of K-12 education, or institution  
23 of higher education and is subject to the approval process  
24 described in this subsection.

25 (5) Upon the request of the Governor, the President of  
26 the Senate, or the Speaker of the House of

1 Representatives, the Executive Inspector General must  
2 inspect or audit a gift or gift agreement.

3 (c) Disclosure requirements for past contracts from  
4 countries of concern

5 (1) A State agency, political subdivision, institution  
6 of K-12 education, or institution of higher education that  
7 has entered into directly or indirectly a contract with  
8 any value from a foreign source from a country of concern  
9 before January 1, 2025 shall disclose such contracts to  
10 the Executive Inspector General by March 1, 2025.

11 (2) Unless otherwise prohibited or deemed confidential  
12 under State or federal law, such disclosure shall include  
13 the date of the contract, the amount of the contract, the  
14 purpose of the contract, the identification of the persons  
15 for whom the contract is explicitly intended to benefit,  
16 any applicable conditions, requirements, restrictions, or  
17 terms made part of the contract, a copy of the contract,  
18 the name and country of residence or domicile of the  
19 foreign source, the name and mailing address of the  
20 disclosing entity, and, as applicable, the date of  
21 termination of the contract.

22 (3) Under this subsection, a contract entered into  
23 with a foreign source through an intermediary or affiliate  
24 organization shall be considered an indirect contract to  
25 the State agency, political subdivision, institution of  
26 K-12 education, or institution of higher education and is

1 subject to the disclosure process described in this  
2 subsection.

3 (4) The Executive Inspector General shall maintain a  
4 public web portal to disclose information on past proposed  
5 and entered into contracts from countries of concern.

6 (5) Upon the request of the Governor, the President of  
7 the Senate, or the Speaker of the House of  
8 Representatives, the Executive Inspector General must  
9 inspect or audit a past contract.

10 (d) Approval requirements for future contracts from  
11 countries of concern

12 (1) A State agency, political subdivision, institution  
13 of K-12 education, or institution of higher education that  
14 has been offered or has proposed directly or indirectly a  
15 contract with any value from or with a foreign source from  
16 a country of concern after January 1, 2025 shall disclose  
17 such proposed contract to the Executive Inspector General  
18 before entering into such contract.

19 (2) Unless otherwise prohibited or deemed confidential  
20 under State or federal law, such disclosure shall include  
21 the date of the gift, the amount of the gift, the purpose  
22 of the gift, the identification of the persons for whom  
23 the gift is explicitly intended to benefit, any applicable  
24 conditions, requirements, restrictions, or terms made part  
25 of the gift, the name and country of residence or domicile  
26 of the foreign source, the name and mailing address of the

1 disclosing entity, and, as applicable, the date of  
2 termination of the gift.

3 (3) Within 30 days of receiving the disclosure of the  
4 proposed gift, the Executive Inspector General shall issue  
5 a final decision to the relevant State agency, political  
6 subdivision, institution of K-12 education, or institution  
7 of higher education on whether and under what conditions  
8 the relevant State agency, political subdivision,  
9 institution of K-12 education, or institution of higher  
10 education may accept the gift as follows:

11 (A) The Executive Inspector General shall develop  
12 disclosure forms, rules, and procedures for deciding  
13 upon whether to allow State agencies or political  
14 subdivisions to accept gifts from countries of  
15 concern.

16 (B) The Executive Inspector General shall maintain  
17 a public web portal disclosing proposed gifts from  
18 countries of concern and information on past proposed  
19 and entered into contracts from countries of concern  
20 described in this Section, along with the Executive  
21 Inspector General's final decision on whether to allow  
22 the relevant State agency or political subdivision to  
23 accept the gift.

24 (4) Under this subsection, a contract proposed from a  
25 foreign source through an intermediary or affiliate  
26 organization shall be considered an indirect contract with

1 the State agency, political subdivision, institution of  
2 K-12 education, or institution of higher education and is  
3 subject to the approval process described in this  
4 subsection.

5 (5) Upon the request of the Governor, the President of  
6 the Senate, or the Speaker of the House of  
7 Representatives, the Executive Inspector General must  
8 inspect or audit a contract agreement.

9 (e) Enforcement, penalties, and rewards.

10 (1) Upon receiving a referral from the a compliance  
11 officer of a State agency, political subdivision,  
12 institution of K-12 education, or institution of higher  
13 education or a sworn complaint based upon substantive  
14 information and reasonable belief, the Executive Inspector  
15 General must investigate an allegation of violation of  
16 this Act. The Executive Inspector General may request  
17 records relevant to a reasonable suspicion of a violation  
18 of this Act. The entity with whom records were requested  
19 must provide the required records within 10 days after  
20 such request or at a later time agreed to by the  
21 investigating State agency, political subdivision,  
22 institution of K-12 education, or institution of higher  
23 education.

24 (2) Except as provided by paragraph (4), failure to  
25 make a disclosure required under this Act or failure to  
26 provide records requested under paragraph (1) constitutes

1 a civil violation punishable upon a final administrative  
2 finding with a civil penalty of \$10,000 for a first  
3 violation or \$20,000 for a subsequent violation. The  
4 Executive Inspector General may assess the penalty after a  
5 hearing after notice to the State agency, political  
6 subdivision, institution of K-12 education, or institution  
7 of higher education with an opportunity of the agency,  
8 political subdivision, or institution to be heard. The  
9 Attorney General may bring an action in circuit court to  
10 enforce a civil penalty assessed under this paragraph. If  
11 the State is the prevailing party, the State is entitled  
12 to costs and reasonable attorney's fees.

13 (3) In addition to a civil penalty assessed under  
14 paragraph (2), a final order determining a violation by  
15 the Executive Inspector General must include a  
16 determination of the identity of the officer responsible  
17 for acceptance of the undisclosed gift. Such order must  
18 also include a referral by the Executive Inspector General  
19 to the Governor or other officer authorized to suspend or  
20 remove from public office the officer responsible for  
21 acceptance of the undisclosed gift. A copy of such  
22 referral must be provided to the President of the Senate  
23 and the Speaker of the House of Representatives for  
24 oversight of such suspension and removal authority.

25 (4) An institution of K-12 education or an institution  
26 of higher education that knowingly, willfully, or

1 negligently fails to disclose the information required by  
2 this subsection shall be subject to a civil penalty of  
3 105% of the amount of the undisclosed gift or contract,  
4 payable only from non-State funds of the institution of  
5 K-12 education or institution of higher education or the  
6 affiliate organization that received such gift. The  
7 recovered funds must be deposited into the General Revenue  
8 Fund. The Executive Inspector General may enforce this  
9 subsection and impose the civil penalty as provided in  
10 paragraph (2).

11 (5) A whistleblower who reports an undisclosed foreign  
12 gift or contract to the Executive Inspector General may  
13 also report such undisclosed gift or contract to the  
14 Attorney General or a State agency, political subdivision,  
15 institution of K-12 education, or institution of higher  
16 education and retain whistleblower protection under the  
17 Whistleblower Act or State Officials and Employees Ethics  
18 Act, as applicable. Such whistleblower shall be entitled  
19 to receive a reward in the amount of 25% of any penalty  
20 recovered by the Executive Inspector General or the  
21 Attorney General under this subsection. The Executive  
22 Inspector General or the Attorney General may incur  
23 expenditures to provide such reward from the penalty  
24 recovery. The reward may be paid through an intermediate  
25 attorney or trustee designated by the whistleblower.

26 (f) Information reported under subsection (a) is not



1 confidential or exempt from disclosure under the Freedom of  
2 Information Act, except as otherwise provided by law,  
3 including laws protecting trade secrets.

4 (g) The Executive Inspector General may adopt rules to  
5 implement this Section.

6 Section 20. International cultural agreements and student  
7 associations within educational institutions.

8 (a) International cultural agreements and student  
9 associations within institutions of K-12 education or  
10 institutions of higher education are restricted as follows:

11 (1) An institution of K-12 education or institution of  
12 higher education may not participate in a cultural  
13 exchange agreement with a foreign source from a country of  
14 concern, or an entity controlled by a country of concern,  
15 that:

16 (A) constrains the freedom of contract of such  
17 public entity;

18 (B) allows the curricula or values of a program in  
19 the State to be directed, controlled, or influenced by  
20 the country of concern; or

21 (C) promotes an agenda detrimental to the safety  
22 or security of Illinois, its residents, or the United  
23 States.

24 (2) Prior to the execution of a cultural exchange  
25 agreement with a foreign source from a country of concern,

1 the substance of the agreement shall be shared with  
2 federal agencies concerned with protecting national  
3 security or enforcing trade sanctions, embargoes, or other  
4 restrictions under federal law. If a federal agency  
5 provides information suggesting that such an agreement  
6 promotes an agenda detrimental to the safety or security  
7 of Illinois, the United States, or its residents, the  
8 institution of K-12 education or institution of higher  
9 education may not enter into the agreement.

10 (3) Prior to the execution of a cultural exchange  
11 agreement with a foreign source from a country of concern,  
12 the substance of the agreement shall be shared with the  
13 Executive Inspector General. If the Executive Inspector  
14 General provides information suggesting that such an  
15 agreement promotes an agenda detrimental to the safety or  
16 security of Illinois, the United States, or its residents,  
17 the institution of K-12 education or institution of higher  
18 education may not enter into the agreement.

19 (4) Each institution of higher education shall submit  
20 the information required in paragraph (5) to each  
21 institution's board and each institution of K-12 education  
22 shall submit the information required in paragraph (5) to  
23 the State Board of Education, respectively, by July 1,  
24 2025, and on each July 1 thereafter.

25 (5) By December 1, 2025, and each December 1  
26 thereafter, the State Board of Higher Education, the

1 Illinois Community College Board, and the State Board of  
2 Education, respectively, shall submit a report to the  
3 Governor, the President of the Senate, and the Speaker of  
4 the House of Representatives relating to partnerships and  
5 agreements of institutions of K-12 education and  
6 institutions of higher education made with educational  
7 institutions or other institutions based in countries of  
8 concern. At a minimum, the report must include the  
9 following information for the previous fiscal year:

10 (A) Data reflecting a grant program, agreement,  
11 partnership, or contract between an institution of  
12 higher education and a college, university, or entity  
13 that is based in or controlled by a country of concern  
14 or foreign principal.

15 (B) Data reflecting an office, campus, or physical  
16 location used or maintained by an institution of  
17 higher education in a country of concern or foreign  
18 principal.

19 (C) The date on which a grant program, agreement,  
20 partnership, or contract reported pursuant to  
21 subparagraph (A) is expected to terminate.

22 (6) No students' or scholars' association affiliated  
23 with an institution of K-12 education or an institution of  
24 higher education may accept a gift or grant from a foreign  
25 source from a country of concern or enter into a contract  
26 or agreement with a foreign source from a country of

1 concern, subject to the following:

2 (A) The institution of K-12 education or  
3 institution of higher education must end any  
4 affiliation with the student or scholars' association  
5 if the student or scholars' association violates this  
6 paragraph (6).

7 (B) Member dues or fees received are not a gift or  
8 grant from a foreign source from a country of concern.

9 (b) The State Board of Higher Education, the Illinois  
10 Community College Board, and the State Board of Education  
11 shall adopt rules to administer this Section.

12 Section 25. Higher education research; foreign travel  
13 screening.

14 (a) Screening requirements and disclosure.

15 (1) Each institute of higher education or affiliate  
16 organization that has a research budget of \$10,000,000 or  
17 more must screen applicants seeking employment in research  
18 or research-related support positions, graduate and  
19 undergraduate students applying for research or  
20 research-related support positions, and applicants for  
21 positions of visiting researcher who are citizens of a  
22 foreign country and who are not permanent residents of the  
23 United States, or who are citizens and permanent residents  
24 of the United States who have an affiliation with an  
25 institution or program, or at least one year of prior

1 employment or training, with the exception of employment  
2 or training by the agency of the United States government,  
3 in a country of concern. Such screening is required prior  
4 to interviewing such applicants or offering to such an  
5 applicant a position of employment or of visiting  
6 researcher. At the discretion of the university or entity,  
7 other applicants for such positions may be screened.

8 (2) In addition to satisfying all employment and  
9 enrollment qualifications imposed by federal law, the  
10 Board of Governors or governing board of the applicable  
11 entity must require the following of applicants included  
12 in paragraph (1):

13 (A) A foreign applicant must submit a complete  
14 copy of the applicant's passport and most recently  
15 submitted Online Nonimmigrant Visa Application  
16 (DS-160). After extraction and submission of all  
17 information relevant to the requirements of this  
18 Section, a university or entity may destroy or return  
19 the copy of the DS-160 submitted by an applicant to the  
20 applicant.

21 (B) All applicants described in paragraph (1) must  
22 submit:

23 (i) a complete resume and curriculum vitae,  
24 including every institution of higher education  
25 attended;

26 (ii) all previous employment since the

1 applicant's eighteenth birthday;

2 (iii) a list of all published material for  
3 which the applicant received credit as an author,  
4 a researcher, or otherwise to which the applicant  
5 contributed significant research, writing, or  
6 editorial support;

7 (iv) a list of the applicant's current and  
8 pending research funding from any source,  
9 including funder, amount, applicant's role on the  
10 project, and brief description of the research;

11 (v) a full disclosure of nonuniversity  
12 professional activities, including an affiliation  
13 with an institution or program in a country of  
14 concern; and

15 (vi) for applicants who have been continually  
16 employed or enrolled in a postsecondary education  
17 institution in the United States for 20 years or  
18 more, the resume may include employment history  
19 before the most recent 20 years.

20 (3) The president or chief administrative officer of  
21 the institute of higher education or affiliate  
22 organization shall designate a research integrity office  
23 to review all materials required in paragraph (2) and take  
24 reasonable steps to verify all attendance, employment,  
25 publications, and contributions listed in the application  
26 required in paragraph (2). Reasonable steps include

1 searching public databases for research publications and  
2 presentations and public conflict of interest records to  
3 identify a research publication or presentation that may  
4 have been omitted from the application, contacting all  
5 employers of the most recent 10 years to verify  
6 employment, contacting all institutions of higher  
7 education attended to verify enrollment and educational  
8 progress, searching public listings of persons subject to  
9 sanctions or restrictions under federal law, submitting  
10 the applicant's name and other identifying information to  
11 the Federal Bureau of Investigation or a federal agency  
12 reasonably willing to scrutinize such applicant for  
13 national security or counterespionage purposes, and any  
14 other steps deemed appropriate to the office. The  
15 institute of higher education or affiliate organization  
16 may also direct the office to approve applicants for hire  
17 based on a risk-based determination considering the nature  
18 of the research and the background and ongoing  
19 affiliations of the applicant.

20 (4) The requirements of this Section must be completed  
21 before interviewing or offering a position to an  
22 individual described in paragraph (1) in a research or  
23 research-related support position and before granting such  
24 individual any access to research data or activities or  
25 other sensitive data. An applicant who must be screened  
26 under this Section may not be employed in a research or

1 research-related support position if he or she fails to  
2 disclose a substantial educational, employment, or  
3 research-related activity or publication or presentation  
4 at the time of submitting an application required in  
5 paragraph (2) unless the department head, or a designee,  
6 certifies in writing the substance of the nondisclosure  
7 and the reasons for disregarding such failure to disclose.  
8 A copy of such certification must be kept in the  
9 investigative file of the Executive Inspector General and  
10 must be submitted to the nearest Federal Bureau of  
11 Investigation field office.

12 (5) The Executive Inspector General must report to the  
13 nearest Federal Bureau of Investigation field office, and  
14 to any law enforcement agency designated by the Governor,  
15 and to the governing board of the institution of higher  
16 education or affiliate organization described in paragraph  
17 (1), the identity of the applicant who was rejected for  
18 employment based on the scrutiny required by this Section  
19 or other risk-based screening.

20 (6) By December 31, 2025, the Executive Inspector  
21 General, the State Board of Education, State Board Of  
22 Higher education, and the Illinois Community College Board  
23 must perform an operation audit regarding the  
24 implementation of this Section.

25 (b) International travel approval and monitoring program.  
26 By December 31, 2025, each institution of higher education or



1 affiliate organization that has a research budget of  
2 \$10,000,000 or more must establish an international travel  
3 approval and monitoring program. The program must require  
4 preapproval and screening by a research integrity office  
5 designated by the president or chief administrative officer of  
6 the institution of higher education or affiliate organization  
7 for an employment-related foreign travel and  
8 employment-related foreign activities engaged in by all  
9 faculty, researchers, and research department staff. Such  
10 requirement shall be in addition to any other travel approval  
11 process applicable to the institution of higher education or  
12 affiliate.

13 (c) Pre-approval requirements.

14 (1) Pre-approval by the research integrity office must  
15 be based on the applicant's review and acknowledgment of  
16 guidance published by the employing institution of higher  
17 education or affiliate organization which relates to  
18 countries of concern, countries under sanction, or other  
19 restrictions or designations imposed by the State or the  
20 United States government; including any federal licensing  
21 requirements; customs rules; export controls; restrictions  
22 on taking university or entity property, including  
23 intellectual property, abroad; restrictions on  
24 presentations, teaching, and interactions with foreign  
25 colleagues; and other subjects important to the research  
26 and academic integrity of the institution of higher

1 education.

2 (2) Pre-approval must be based on the binding  
3 commitment of the individual traveler not to violate the  
4 institution of higher education's or affiliate  
5 organization's limitations on travel and activities abroad  
6 and to obey all applicable federal laws.

7 (d) Record maintenance. The institution of higher  
8 education or affiliate organization must maintain records of  
9 all foreign travel requests and approvals; expenses reimbursed  
10 by the university or affiliate organization during such  
11 travel, including for travel, food, and lodging; and payments  
12 and honoraria received during such travel and activities,  
13 including for travel, food, and lodging. The institution of  
14 higher education must also keep records of the purpose of the  
15 travel and any records related to the foreign activity review.  
16 Such records must be retained for at least 3 years or any  
17 longer period of time required by any other applicable State  
18 or federal law.

19 (e) Annual report. An institution of higher education or  
20 affiliate must provide an annual report of foreign travel to  
21 countries of concern listing individual travelers, foreign  
22 locations visited, and foreign institutions visited to the  
23 governing board of the applicable entity.

24 (f) Operational audit. By December 31, 2025, the Executive  
25 Inspector General, the State Board of Education, State Board  
26 Of Higher Education, or the Illinois Community College Board

1 must perform an operational audit regarding the implementation  
2 of this Section.

3 Section 30. Research Partnerships.

4 (a) Subject to the approval of the State Board of Higher  
5 Education and Illinois Community College Board, an institution  
6 of higher education shall only enter into a new or renew an  
7 existing academic partnership with an academic or research  
8 institution located in a country of concern if the institution  
9 of higher education maintains sufficient structural safeguards  
10 to protect the institution of higher education's intellectual  
11 property, the security of the State of Illinois, and the  
12 national security interests of the United States. The State  
13 Board of Higher Education and Illinois Community College Board  
14 shall only approve an institution of higher education's  
15 partnership if the institution's board, in consultation with  
16 the Attorney General, determines the partnership meets the  
17 safeguard requirements prescribed under this Section. The  
18 safeguard requirements shall include, at a minimum, all of the  
19 following:

20 (1) compliance with all federal requirements,  
21 including the requirements of federal research sponsors  
22 and federal export control agencies, including regulations  
23 regarding international traffic in arms and export  
24 administration regulations, and economic and trade  
25 sanctions administered by the federal office of foreign

1 assets control;

2 (2) annual formal institution-level programs for  
3 faculty on conflicts of interest and conflicts of  
4 commitment; and

5 (3) a formalized foreign visitor process and uniform  
6 visiting scholar agreement.

7 (b) The State Board of Higher Education and Illinois  
8 Community College Board, in consultation with the Attorney  
9 General, may reject or terminate a research partnership  
10 between an institution of higher education and an academic or  
11 research institution located in a country of concern at any  
12 time and for any purpose.

13 Section 35. Intellectual property protections.

14 (a) Prohibitions.

15 (1) It is unlawful for a person to willfully and  
16 without authorization obtain or use or attempt to obtain  
17 or use a trade secret with the intent to either  
18 temporarily or permanently:

19 (A) deprive or withhold from the owner thereof the  
20 control or benefit of a trade secret; or

21 (B) appropriate a trade secret to the person's own  
22 use or to the use of another person not entitled to the  
23 trade secret.

24 (b) Penalties.

25 (1) A person who violates subsection (a) commits theft

1 of a trade secret, a Class X felony.

2 (2) A person who traffics in or attempts to traffic in  
3 a trade secret that the person knows or should know was  
4 obtained or used without authorization commits trafficking  
5 in trade secrets, a Class X felony.

6 (3) Whenever a person is charged with a violation of  
7 paragraph (1) or (2) that was committed with the intent to  
8 benefit a foreign government, a foreign agent, or a  
9 foreign instrumentality, the offense for which the person  
10 is charged shall be classified as follows:

11 (A) In the case of theft of a trade secret, a Class  
12 X felony.

13 (B) In the case of trafficking in trade secrets, a  
14 Class X felony.

15 Section 90. Home rule. A home rule unit may not regulate  
16 gifts and contracts from foreign countries of concern in a  
17 manner inconsistent with this Act. This Act is a limitation  
18 under subsection (i) of Section 6 of Article VII of the  
19 Illinois Constitution on the concurrent exercise by home rule  
20 units of powers and functions exercised by the State.

21 Section 97. Severability. The provisions of this Act are  
22 severable under Section 1.31 of the Statute on Statutes.

23 Section 900. The State Officials and Employees Ethics Act

1 is amended by changing Section 20-10 as follows:

2 (5 ILCS 430/20-10)

3 Sec. 20-10. Offices of Executive Inspectors General.

4 (a) Five independent Offices of the Executive Inspector  
5 General are created, one each for the Governor, the Attorney  
6 General, the Secretary of State, the Comptroller, and the  
7 Treasurer. Each Office shall be under the direction and  
8 supervision of an Executive Inspector General and shall be a  
9 fully independent office with separate appropriations.

10 (b) The Governor, Attorney General, Secretary of State,  
11 Comptroller, and Treasurer shall each appoint an Executive  
12 Inspector General, without regard to political affiliation and  
13 solely on the basis of integrity and demonstrated ability.  
14 Appointments shall be made by and with the advice and consent  
15 of the Senate by three-fifths of the elected members  
16 concurring by record vote. Any nomination not acted upon by  
17 the Senate within 60 session days of the receipt thereof shall  
18 be deemed to have received the advice and consent of the  
19 Senate. If, during a recess of the Senate, there is a vacancy  
20 in an office of Executive Inspector General, the appointing  
21 authority shall make a temporary appointment until the next  
22 meeting of the Senate when the appointing authority shall make  
23 a nomination to fill that office. No person rejected for an  
24 office of Executive Inspector General shall, except by the  
25 Senate's request, be nominated again for that office at the

1 same session of the Senate or be appointed to that office  
2 during a recess of that Senate.

3 Nothing in this Article precludes the appointment by the  
4 Governor, Attorney General, Secretary of State, Comptroller,  
5 or Treasurer of any other inspector general required or  
6 permitted by law. The Governor, Attorney General, Secretary of  
7 State, Comptroller, and Treasurer each may appoint an existing  
8 inspector general as the Executive Inspector General required  
9 by this Article, provided that such an inspector general is  
10 not prohibited by law, rule, jurisdiction, qualification, or  
11 interest from serving as the Executive Inspector General  
12 required by this Article. An appointing authority may not  
13 appoint a relative as an Executive Inspector General.

14 Each Executive Inspector General shall have the following  
15 qualifications:

16 (1) has not been convicted of any felony under the  
17 laws of this State, another State, or the United States;

18 (2) has earned a baccalaureate degree from an  
19 institution of higher education; and

20 (3) has 5 or more years of cumulative service (A) with  
21 a federal, State, or local law enforcement agency, at  
22 least 2 years of which have been in a progressive  
23 investigatory capacity; (B) as a federal, State, or local  
24 prosecutor; (C) as a senior manager or executive of a  
25 federal, State, or local agency; (D) as a member, an  
26 officer, or a State or federal judge; or (E) representing

1 any combination of items (A) through (D).

2 The term of each initial Executive Inspector General shall  
3 commence upon qualification and shall run through June 30,  
4 2008. The initial appointments shall be made within 60 days  
5 after the effective date of this Act.

6 After the initial term, each Executive Inspector General  
7 shall serve for 5-year terms commencing on July 1 of the year  
8 of appointment and running through June 30 of the fifth  
9 following year. An Executive Inspector General may be  
10 reappointed to one or more subsequent terms.

11 A vacancy occurring other than at the end of a term shall  
12 be filled by the appointing authority only for the balance of  
13 the term of the Executive Inspector General whose office is  
14 vacant.

15 Terms shall run regardless of whether the position is  
16 filled.

17 (c) The Executive Inspector General appointed by the  
18 Attorney General shall have jurisdiction over the Attorney  
19 General and all officers and employees of, and vendors and  
20 others doing business with, State agencies within the  
21 jurisdiction of the Attorney General. The Executive Inspector  
22 General appointed by the Secretary of State shall have  
23 jurisdiction over the Secretary of State and all officers and  
24 employees of, and vendors and others doing business with,  
25 State agencies within the jurisdiction of the Secretary of  
26 State. The Executive Inspector General appointed by the



1 Comptroller shall have jurisdiction over the Comptroller and  
2 all officers and employees of, and vendors and others doing  
3 business with, State agencies within the jurisdiction of the  
4 Comptroller. The Executive Inspector General appointed by the  
5 Treasurer shall have jurisdiction over the Treasurer and all  
6 officers and employees of, and vendors and others doing  
7 business with, State agencies within the jurisdiction of the  
8 Treasurer. The Executive Inspector General appointed by the  
9 Governor shall have jurisdiction over (i) the Governor, (ii)  
10 the Lieutenant Governor, (iii) all officers and employees of,  
11 and vendors and others doing business with, executive branch  
12 State agencies under the jurisdiction of the Executive Ethics  
13 Commission and not within the jurisdiction of the Attorney  
14 General, the Secretary of State, the Comptroller, or the  
15 Treasurer, (iv) all board members and employees of the  
16 Regional Transit Boards and all vendors and others doing  
17 business with the Regional Transit Boards, ~~and~~ (v) all board  
18 members and employees of the Regional Development Authorities  
19 and all vendors and others doing business with the Regional  
20 Development Authorities, and (vi) entities to which the  
21 Executive Inspector General was given jurisdiction over in the  
22 Research, Education, and Government Operations Protection Act.

23 The jurisdiction of each Executive Inspector General is to  
24 investigate allegations of fraud, waste, abuse, mismanagement,  
25 misconduct, nonfeasance, misfeasance, malfeasance, or  
26 violations of this Act or violations of other related laws and

1 rules.

2 Each Executive Inspector General shall have jurisdiction  
3 over complainants in violation of subsection (e) of Section  
4 20-63 for disclosing a summary report prepared by the  
5 respective Executive Inspector General.

6 (d) The compensation for each Executive Inspector General  
7 shall be determined by the Executive Ethics Commission and  
8 shall be provided from appropriations made to the Comptroller  
9 for this purpose. For terms of office beginning on or after  
10 July 1, 2023, each Executive Inspector General shall receive,  
11 on July 1 of each year, beginning on July 1, 2024, an increase  
12 in salary based on a cost of living adjustment as authorized by  
13 Senate Joint Resolution 192 of the 86th General Assembly.  
14 Subject to Section 20-45 of this Act, each Executive Inspector  
15 General has full authority to organize his or her Office of the  
16 Executive Inspector General, including the employment and  
17 determination of the compensation of staff, such as deputies,  
18 assistants, and other employees, as appropriations permit. A  
19 separate appropriation shall be made for each Office of  
20 Executive Inspector General.

21 (e) No Executive Inspector General or employee of the  
22 Office of the Executive Inspector General may, during his or  
23 her term of appointment or employment:

24 (1) become a candidate for any elective office;

25 (2) hold any other elected or appointed public office  
26 except for appointments on governmental advisory boards or

1 study commissions or as otherwise expressly authorized by  
2 law;

3 (3) be actively involved in the affairs of any  
4 political party or political organization; or

5 (4) advocate for the appointment of another person to  
6 an appointed or elected office or position or actively  
7 participate in any campaign for any elective office.

8 In this subsection an appointed public office means a  
9 position authorized by law that is filled by an appointing  
10 authority as provided by law and does not include employment  
11 by hiring in the ordinary course of business.

12 (e-1) No Executive Inspector General or employee of the  
13 Office of the Executive Inspector General may, for one year  
14 after the termination of his or her appointment or employment:

15 (1) become a candidate for any elective office;

16 (2) hold any elected public office; or

17 (3) hold any appointed State, county, or local  
18 judicial office.

19 (e-2) The requirements of item (3) of subsection (e-1) may  
20 be waived by the Executive Ethics Commission.

21 (f) An Executive Inspector General may be removed only for  
22 cause and may be removed only by the appointing constitutional  
23 officer. At the time of the removal, the appointing  
24 constitutional officer must report to the Executive Ethics  
25 Commission the justification for the removal.

26 (Source: P.A. 102-558, eff. 8-20-21; 102-1115, eff. 1-9-23;

1 103-517, eff. 8-11-23.)

2 Section 905. The Whistleblower Act is amended by changing  
3 Section 15 as follows:

4 (740 ILCS 174/15)

5 Sec. 15. Retaliation for certain disclosures prohibited.

6 (a) An employer may not retaliate against an employee who  
7 discloses information in a court, an administrative hearing,  
8 or before a legislative commission or committee, or in any  
9 other proceeding, where the employee has reasonable cause to  
10 believe that the information discloses a violation of a State  
11 or federal law, rule, or regulation.

12 (b) An employer may not retaliate against an employee for  
13 disclosing information to a government or law enforcement  
14 agency, where the employee has reasonable cause to believe  
15 that the information discloses a violation of a State or  
16 federal law, rule, or regulation.

17 A State agency, political subdivision, institution of K-12  
18 education, or institution of higher education, as those terms  
19 are defined in Section 10 of the Research, Education, and  
20 Government Operations Protection Act, may not retaliate  
21 against any person, whether or not that person is an employee  
22 of the agency, political subdivision, or institution, for  
23 disclosing information under the Research, Education, and  
24 Government Operations Protection Act if the employee has

1 reasonable cause to believe that the information discloses a  
2 violation of State or federal law, rule, or regulation.

3 (Source: P.A. 95-128, eff. 1-1-08.)

4 Section 999. Effective date. This Act takes effect January  
5 1, 2025.