

SB1503



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB1503

Introduced 2/9/2007, by Sen. Dan Cronin

SYNOPSIS AS INTRODUCED:

5 ILCS 350/1

from Ch. 127, par. 1301

Amends the State Employee Indemnification Act. Includes as "employees" for State indemnification purposes Department of Children and Family Services contractors providing child welfare services. Effective immediately.

LRB095 11083 JAM 31410 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 5. The State Employee Indemnification Act is
5 amended by changing Section 1 as follows:

6 (5 ILCS 350/1) (from Ch. 127, par. 1301)

7 Sec. 1. Definitions. For the purpose of this Act:

8 (a) The term "State" means the State of Illinois, the
9 General Assembly, the court, or any State office, department,
10 division, bureau, board, commission, or committee, the
11 governing boards of the public institutions of higher education
12 created by the State, the Illinois National Guard, the
13 Comprehensive Health Insurance Board, any poison control
14 center designated under the Poison Control System Act that
15 receives State funding, or any other agency or instrumentality
16 of the State. It does not mean any local public entity as that
17 term is defined in Section 1-206 of the Local Governmental and
18 Governmental Employees Tort Immunity Act or a pension fund.

19 (b) The term "employee" means any present or former elected
20 or appointed officer, trustee or employee of the State, or of a
21 pension fund, any present or former commissioner or employee of
22 the Executive Ethics Commission or of the Legislative Ethics
23 Commission, any present or former Executive, Legislative, or

1 Auditor General's Inspector General, any present or former
2 employee of an Office of an Executive, Legislative, or Auditor
3 General's Inspector General, any present or former member of
4 the Illinois National Guard while on active duty, individuals
5 or organizations who contract with the Department of
6 Corrections, the Comprehensive Health Insurance Board, or the
7 Department of Veterans' Affairs to provide services,
8 individuals or organizations who contract with the Department
9 of Human Services (as successor to the Department of Mental
10 Health and Developmental Disabilities) to provide services
11 including but not limited to treatment and other services for
12 sexually violent persons, individuals or organizations who
13 contract with the Department of Military Affairs for youth
14 programs, individuals or organizations who contract to perform
15 carnival and amusement ride safety inspections for the
16 Department of Labor, individual representatives of or
17 designated organizations authorized to represent the Office of
18 State Long-Term Ombudsman for the Department on Aging,
19 individual representatives of or organizations designated by
20 the Department on Aging in the performance of their duties as
21 elder abuse provider agencies or regional administrative
22 agencies under the Elder Abuse and Neglect Act, individuals or
23 organizations who perform volunteer services for the State
24 where such volunteer relationship is reduced to writing,
25 individuals who serve on any public entity (whether created by
26 law or administrative action) described in paragraph (a) of

1 this Section, individuals or not for profit organizations who,
2 either as volunteers, where such volunteer relationship is
3 reduced to writing, or pursuant to contract, furnish
4 professional advice or consultation to any agency or
5 instrumentality of the State, individuals who or organizations
6 that contract with the Department of Children and Family
7 Services to provide child welfare services, individuals who
8 serve as foster parents for the Department of Children and
9 Family Services when caring for a Department ward, and
10 individuals who serve as arbitrators pursuant to Part 10A of
11 Article II of the Code of Civil Procedure and the rules of the
12 Supreme Court implementing Part 10A, each as now or hereafter
13 amended, but does not mean an independent contractor except as
14 provided in this Section. The term includes an individual
15 appointed as an inspector by the Director of State Police when
16 performing duties within the scope of the activities of a
17 Metropolitan Enforcement Group or a law enforcement
18 organization established under the Intergovernmental
19 Cooperation Act. An individual who renders professional advice
20 and consultation to the State through an organization which
21 qualifies as an "employee" under the Act is also an employee.
22 The term includes the estate or personal representative of an
23 employee.

24 (c) The term "pension fund" means a retirement system or
25 pension fund created under the Illinois Pension Code.

26 (Source: P.A. 93-617, eff. 12-9-03.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.