

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 Illinois Emergency Management Agency Act is
5 amended by changing Section 5 as follows:

6 (20 ILCS 3305/5) (from Ch. 127, par. 1055)

7 Sec. 5. Illinois Emergency Management Agency.

8 (a) There is created within the executive branch of the
9 State Government an Illinois Emergency Management Agency and a
10 Director of the Illinois Emergency Management Agency, herein
11 called the "Director" who shall be the head thereof. The
12 Director shall be appointed by the Governor, with the advice
13 and consent of the Senate, and shall serve for a term of 2
14 years beginning on the third Monday in January of the
15 odd-numbered year, and until a successor is appointed and has
16 qualified; except that the term of the first Director appointed
17 under this Act shall expire on the third Monday in January,
18 1989. The Director shall not hold any other remunerative public
19 office. The Director shall receive an annual salary as set by
20 the Compensation Review Board.

21 (b) The Illinois Emergency Management Agency shall obtain,
22 under the provisions of the Personnel Code, technical,
23 clerical, stenographic and other administrative personnel, and

1 may make expenditures within the appropriation therefor as may
2 be necessary to carry out the purpose of this Act. The agency
3 created by this Act is intended to be a successor to the agency
4 created under the Illinois Emergency Services and Disaster
5 Agency Act of 1975 and the personnel, equipment, records, and
6 appropriations of that agency are transferred to the successor
7 agency as of the effective date of this Act.

8 (c) The Director, subject to the direction and control of
9 the Governor, shall be the executive head of the Illinois
10 Emergency Management Agency and the State Emergency Response
11 Commission and shall be responsible under the direction of the
12 Governor, for carrying out the program for emergency management
13 of this State. The Director shall also maintain liaison and
14 cooperate with the emergency management organizations of this
15 State and other states and of the federal government.

16 (d) The Illinois Emergency Management Agency shall take an
17 integral part in the development and revision of political
18 subdivision emergency operations plans prepared under
19 paragraph (f) of Section 10. To this end it shall employ or
20 otherwise secure the services of professional and technical
21 personnel capable of providing expert assistance to the
22 emergency services and disaster agencies. These personnel
23 shall consult with emergency services and disaster agencies on
24 a regular basis and shall make field examinations of the areas,
25 circumstances, and conditions that particular political
26 subdivision emergency operations plans are intended to apply.

1 (e) The Illinois Emergency Management Agency and political
2 subdivisions shall be encouraged to form an emergency
3 management advisory committee composed of private and public
4 personnel representing the emergency management phases of
5 mitigation, preparedness, response, and recovery. The Local
6 Emergency Planning Committee, as created under the Illinois
7 Emergency Planning and Community Right to Know Act, shall serve
8 as an advisory committee to the emergency services and disaster
9 agency or agencies serving within the boundaries of that Local
10 Emergency Planning Committee planning district for:

11 (1) the development of emergency operations plan
12 provisions for hazardous chemical emergencies; and

13 (2) the assessment of emergency response capabilities
14 related to hazardous chemical emergencies.

15 (f) The Illinois Emergency Management Agency shall:

16 (1) Coordinate the overall emergency management
17 program of the State.

18 (2) Cooperate with local governments, the federal
19 government and any public or private agency or entity in
20 achieving any purpose of this Act and in implementing
21 emergency management programs for mitigation,
22 preparedness, response, and recovery.

23 (2.5) Develop a comprehensive emergency preparedness
24 and response plan for any nuclear accident in accordance
25 with Section 65 of the Department of Nuclear Safety Law of
26 2004 (20 ILCS 3310) and in development of the Illinois

1 Nuclear Safety Preparedness program in accordance with
2 Section 8 of the Illinois Nuclear Safety Preparedness Act.

3 (2.6) Coordinate with the Department of Public Health
4 with respect to planning for and responding to public
5 health emergencies.

6 (3) Prepare, for issuance by the Governor, executive
7 orders, proclamations, and regulations as necessary or
8 appropriate in coping with disasters.

9 (4) Promulgate rules and requirements for political
10 subdivision emergency operations plans that are not
11 inconsistent with and are at least as stringent as
12 applicable federal laws and regulations.

13 (5) Review and approve, in accordance with Illinois
14 Emergency Management Agency rules, emergency operations
15 plans for those political subdivisions required to have an
16 emergency services and disaster agency pursuant to this
17 Act.

18 (5.5) Promulgate rules and requirements for the
19 political subdivision emergency management exercises,
20 including, but not limited to, exercises of the emergency
21 operations plans.

22 (5.10) Review, evaluate, and approve, in accordance
23 with Illinois Emergency Management Agency rules, political
24 subdivision emergency management exercises for those
25 political subdivisions required to have an emergency
26 services and disaster agency pursuant to this Act.

1 (6) Determine requirements of the State and its
2 political subdivisions for food, clothing, and other
3 necessities in event of a disaster.

4 (7) Establish a register of persons with types of
5 emergency management training and skills in mitigation,
6 preparedness, response, and recovery.

7 (8) Establish a register of government and private
8 response resources available for use in a disaster.

9 (9) Expand the Earthquake Awareness Program and its
10 efforts to distribute earthquake preparedness materials to
11 schools, political subdivisions, community groups, civic
12 organizations, and the media. Emphasis will be placed on
13 those areas of the State most at risk from an earthquake.
14 Maintain the list of all school districts, hospitals,
15 airports, power plants, including nuclear power plants,
16 lakes, dams, emergency response facilities of all types,
17 and all other major public or private structures which are
18 at the greatest risk of damage from earthquakes under
19 circumstances where the damage would cause subsequent harm
20 to the surrounding communities and residents.

21 (10) Disseminate all information, completely and
22 without delay, on water levels for rivers and streams and
23 any other data pertaining to potential flooding supplied by
24 the Division of Water Resources within the Department of
25 Natural Resources to all political subdivisions to the
26 maximum extent possible.

1 (11) Develop agreements, if feasible, with medical
2 supply and equipment firms to supply resources as are
3 necessary to respond to an earthquake or any other disaster
4 as defined in this Act. These resources will be made
5 available upon notifying the vendor of the disaster.
6 Payment for the resources will be in accordance with
7 Section 7 of this Act. The Illinois Department of Public
8 Health shall determine which resources will be required and
9 requested.

10 (11.5) In coordination with the Department of State
11 Police, develop and implement a community outreach program
12 to promote awareness among the State's parents and children
13 of child abduction prevention and response.

14 (12) Out of funds appropriated for these purposes,
15 award capital and non-capital grants to Illinois hospitals
16 or health care facilities located outside of a city with a
17 population in excess of 1,000,000 to be used for purposes
18 that include, but are not limited to, preparing to respond
19 to mass casualties and disasters, maintaining and
20 improving patient safety and quality of care, and
21 protecting the confidentiality of patient information. No
22 single grant for a capital expenditure shall exceed
23 \$300,000. No single grant for a non-capital expenditure
24 shall exceed \$100,000. In awarding such grants, preference
25 shall be given to hospitals that serve a significant number
26 of Medicaid recipients, but do not qualify for

1 disproportionate share hospital adjustment payments under
2 the Illinois Public Aid Code. To receive such a grant, a
3 hospital or health care facility must provide funding of at
4 least 50% of the cost of the project for which the grant is
5 being requested. In awarding such grants the Illinois
6 Emergency Management Agency shall consider the
7 recommendations of the Illinois Hospital Association.

8 (13) Do all other things necessary, incidental or
9 appropriate for the implementation of this Act.

10 (g) The Illinois Emergency Management Agency is authorized
11 to make grants to various higher education institutions, public
12 K-12 school districts, area vocational centers as designated by
13 the State Board of Education, inter-district special education
14 cooperatives, regional safe schools, and nonpublic K-12
15 schools for safety and security improvements. For the purpose
16 of this subsection (g), "higher education institution" means a
17 public university, a public community college, or an
18 independent, not-for-profit or for-profit higher education
19 institution located in this State. Grants made under this
20 subsection (g) shall be paid out of moneys appropriated for
21 that purpose from the Build Illinois Bond Fund. The Illinois
22 Emergency Management Agency shall adopt rules to implement this
23 subsection (g). These rules may specify: (i) the manner of
24 applying for grants; (ii) project eligibility requirements;
25 (iii) restrictions on the use of grant moneys; (iv) the manner
26 in which the various higher education institutions must account

1 for the use of grant moneys; and (v) any other provision that
2 the Illinois Emergency Management Agency determines to be
3 necessary or useful for the administration of this subsection
4 (g).

5 (g-5) The Illinois Emergency Management Agency is
6 authorized to make grants to not-for-profit organizations
7 which are exempt from federal income taxation under section
8 501(c)(3) of the Federal Internal Revenue Code for eligible
9 security improvements that assist the organization in
10 preventing, preparing for, or responding to acts of terrorism.
11 The Director shall establish procedures and forms by which
12 applicants may apply for a grant, and procedures for
13 distributing grants to recipients. The procedures shall
14 require each applicant to do the following:

15 (1) identify and substantiate prior threats or attacks
16 by a terrorist organization, network, or cell against the
17 not-for-profit organization;

18 (2) indicate the symbolic or strategic value of one or
19 more sites that renders the site a possible target of
20 terrorism;

21 (3) discuss potential consequences to the organization
22 if the site is damaged, destroyed, or disrupted by a
23 terrorist act;

24 (4) describe how the grant will be used to integrate
25 organizational preparedness with broader State and local
26 preparedness efforts;

1 (5) submit a vulnerability assessment conducted by
2 experienced security, law enforcement, or military
3 personnel, and a description of how the grant award will be
4 used to address the vulnerabilities identified in the
5 assessment; and

6 (6) submit any other relevant information as may be
7 required by the Director.

8 The Agency is authorized to use funds appropriated for the
9 grant program described in this subsection (g-5) to administer
10 the program.

11 (h) Except as provided in Section 17.5 of this Act, any
12 moneys received by the Agency from donations or sponsorships
13 shall be deposited in the Emergency Planning and Training Fund
14 and used by the Agency, subject to appropriation, to effectuate
15 planning and training activities.

16 (Source: P.A. 98-465, eff. 8-16-13; 98-664, eff. 6-23-14.)

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.