



Sen. Ira I. Silverstein

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10000HB4011sam001

LRB100 11820 RJF 26457 a

1 AMENDMENT TO HOUSE BILL 4011

2 AMENDMENT NO. _____. Amend House Bill 4011 by replacing
3 everything after the enacting clause with the following:

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

1 under this Act shall expire on the third Monday in January,
2 1989. The Director shall not hold any other remunerative public
3 office. The Director shall receive an annual salary as set by
4 the Compensation Review Board.

5 (b) The Illinois Emergency Management Agency shall obtain,
6 under the provisions of the Personnel Code, technical,
7 clerical, stenographic and other administrative personnel, and
8 may make expenditures within the appropriation therefor as may
9 be necessary to carry out the purpose of this Act. The agency
10 created by this Act is intended to be a successor to the agency
11 created under the Illinois Emergency Services and Disaster
12 Agency Act of 1975 and the personnel, equipment, records, and
13 appropriations of that agency are transferred to the successor
14 agency as of the effective date of this Act.

15 (c) The Director, subject to the direction and control of
16 the Governor, shall be the executive head of the Illinois
17 Emergency Management Agency and the State Emergency Response
18 Commission and shall be responsible under the direction of the
19 Governor, for carrying out the program for emergency management
20 of this State. The Director shall also maintain liaison and
21 cooperate with the emergency management organizations of this
22 State and other states and of the federal government.

23 (d) The Illinois Emergency Management Agency shall take an
24 integral part in the development and revision of political
25 subdivision emergency operations plans prepared under
26 paragraph (f) of Section 10. To this end it shall employ or

1 otherwise secure the services of professional and technical
2 personnel capable of providing expert assistance to the
3 emergency services and disaster agencies. These personnel
4 shall consult with emergency services and disaster agencies on
5 a regular basis and shall make field examinations of the areas,
6 circumstances, and conditions that particular political
7 subdivision emergency operations plans are intended to apply.

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

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

20 (2) the assessment of emergency response capabilities
21 related to hazardous chemical emergencies.

22 (f) The Illinois Emergency Management Agency shall:

23 (1) Coordinate the overall emergency management
24 program of the State.

25 (2) Cooperate with local governments, the federal
26 government and any public or private agency or entity in

1 achieving any purpose of this Act and in implementing
2 emergency management programs for mitigation,
3 preparedness, response, and recovery.

4 (2.5) Develop a comprehensive emergency preparedness
5 and response plan for any nuclear accident in accordance
6 with Section 65 of the Department of Nuclear Safety Law of
7 2004 (20 ILCS 3310) and in development of the Illinois
8 Nuclear Safety Preparedness program in accordance with
9 Section 8 of the Illinois Nuclear Safety Preparedness Act.

10 (2.6) Coordinate with the Department of Public Health
11 with respect to planning for and responding to public
12 health emergencies.

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

16 (4) Promulgate rules and requirements for political
17 subdivision emergency operations plans that are not
18 inconsistent with and are at least as stringent as
19 applicable federal laws and regulations.

20 (5) Review and approve, in accordance with Illinois
21 Emergency Management Agency rules, emergency operations
22 plans for those political subdivisions required to have an
23 emergency services and disaster agency pursuant to this
24 Act.

25 (5.5) Promulgate rules and requirements for the
26 political subdivision emergency management exercises,

1 including, but not limited to, exercises of the emergency
2 operations plans.

3 (5.10) Review, evaluate, and approve, in accordance
4 with Illinois Emergency Management Agency rules, political
5 subdivision emergency management exercises for those
6 political subdivisions required to have an emergency
7 services and disaster agency pursuant to this Act.

8 (6) Determine requirements of the State and its
9 political subdivisions for food, clothing, and other
10 necessities in event of a disaster.

11 (7) Establish a register of persons with types of
12 emergency management training and skills in mitigation,
13 preparedness, response, and recovery.

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

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

1 to the surrounding communities and residents.

2 (10) Disseminate all information, completely and
3 without delay, on water levels for rivers and streams and
4 any other data pertaining to potential flooding supplied by
5 the Division of Water Resources within the Department of
6 Natural Resources to all political subdivisions to the
7 maximum extent possible.

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

17 (11.5) In coordination with the Department of State
18 Police, develop and implement a community outreach program
19 to promote awareness among the State's parents and children
20 of child abduction prevention and response.

21 (12) Out of funds appropriated for these purposes,
22 award capital and non-capital grants to Illinois hospitals
23 or health care facilities located outside of a city with a
24 population in excess of 1,000,000 to be used for purposes
25 that include, but are not limited to, preparing to respond
26 to mass casualties and disasters, maintaining and

1 improving patient safety and quality of care, and
2 protecting the confidentiality of patient information. No
3 single grant for a capital expenditure shall exceed
4 \$300,000. No single grant for a non-capital expenditure
5 shall exceed \$100,000. In awarding such grants, preference
6 shall be given to hospitals that serve a significant number
7 of Medicaid recipients, but do not qualify for
8 disproportionate share hospital adjustment payments under
9 the Illinois Public Aid Code. To receive such a grant, a
10 hospital or health care facility must provide funding of at
11 least 50% of the cost of the project for which the grant is
12 being requested. In awarding such grants the Illinois
13 Emergency Management Agency shall consider the
14 recommendations of the Illinois Hospital Association.

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

17 (g) The Illinois Emergency Management Agency is authorized
18 to make grants to various higher education institutions, public
19 K-12 school districts, area vocational centers as designated by
20 the State Board of Education, inter-district special education
21 cooperatives, regional safe schools, and nonpublic K-12
22 schools for safety and security improvements. For the purpose
23 of this subsection (g), "higher education institution" means a
24 public university, a public community college, or an
25 independent, not-for-profit or for-profit higher education
26 institution located in this State. Grants made under this

1 subsection (g) shall be paid out of moneys appropriated for
2 that purpose from the Build Illinois Bond Fund. The Illinois
3 Emergency Management Agency shall adopt rules to implement this
4 subsection (g). These rules may specify: (i) the manner of
5 applying for grants; (ii) project eligibility requirements;
6 (iii) restrictions on the use of grant moneys; (iv) the manner
7 in which the various higher education institutions must account
8 for the use of grant moneys; and (v) any other provision that
9 the Illinois Emergency Management Agency determines to be
10 necessary or useful for the administration of this subsection
11 (g).

12 (g-5) The Illinois Emergency Management Agency is
13 authorized to make grants or otherwise provide assistance to,
14 on an emergency basis, not-for-profit organizations which are
15 exempt from federal income taxation under section 501(c)(3) of
16 the Federal Internal Revenue Code for eligible security
17 improvements that assist the organization in preventing,
18 preparing for, or responding to acts of terrorism. The Director
19 shall establish procedures and forms by which applicants may
20 apply for a grant, and procedures for distributing grants to
21 recipients. The procedures shall require each applicant to do
22 the following:

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

26 (2) indicate the symbolic or strategic value of one or

1 more sites that renders the site a possible target of
2 terrorism;

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

6 (4) describe how the grant will be used to integrate
7 organizational preparedness with broader State and local
8 preparedness efforts;

9 (5) submit a vulnerability assessment conducted by
10 experienced security, law enforcement, or military
11 personnel, and a description of how the grant award will be
12 used to address the vulnerabilities identified in the
13 assessment; and

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

16 The amount and distribution of grant funds provided to
17 applicants under this subsection (g-5) shall be wholly within
18 the discretion of the Director. Upon request of the Director, a
19 State agency shall provide the Director with assistance in
20 administering the grants.

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

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

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