

1 AN ACT concerning first responders.

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 First
5 Responders Suicide Prevention Act.

6 Section 5. Definitions. In this Act:

7 "Emergency services provider" means any public employer
8 that employs persons to provide firefighting services.

9 "Emergency services personnel" means any employee of an
10 emergency services provider who is engaged in providing fire
11 fighting services.

12 "Employee assistance program" means a program established
13 by a law enforcement agency, emergency services provider,
14 union, or other entity providing counseling support,
15 referrals, information, or other social services to public
16 safety personnel or emergency services personnel.

17 "Law enforcement agency" means any county sheriff,
18 municipal police department, police department established by
19 a university, Department of State Police, Department of
20 Corrections, Department of Children and Family Services,
21 Division of Probation Services of the Supreme Court, the Office
22 of the Statewide 9-1-1 Administrator, and other local or county
23 agency comprised of county probation officers, corrections

1 employees, or 9-1-1 telecommunicators or emergency medical
2 dispatchers.

3 "Peer support counseling session" means communication with
4 a counselor through an employee assistance program or a trained
5 peer support counselor designated by the emergency services
6 provider or law enforcement agency.

7 "Public safety personnel" means any employee of a law
8 enforcement agency.

9 Section 10. Establishment of employee assistance program;
10 applicability. An emergency services provider, law enforcement
11 agency, union, or other entity providing counseling support,
12 referrals, information, or other social services to public
13 safety personnel or emergency services personnel that creates
14 an employee assistance program is subject to this Act. This Act
15 also applies to peer support counseling sessions conducted by
16 an employee or other person who: (1) has been designated by a
17 law enforcement agency or emergency services provider or by an
18 employee assistance program to act as a counselor; and (2) has
19 received training in counseling to provide emotional and moral
20 support to public safety personnel or emergency services
21 personnel who have been involved in emotionally traumatic
22 incidents by reason of their employment that may affect their
23 ability to execute their respective duties. An emergency
24 services provider or law enforcement agency shall give
25 appropriate training in counseling to provide emotional and

1 moral support to persons designated as a peer support
2 counselor. Emergency services personnel and public safety
3 personnel may refer any person to an employee assistance
4 program or peer support counselor within the emergency services
5 provider or law enforcement agency, or if those services are
6 not available within the agency, to another employee assistance
7 program or peer support counseling program that is available.

8 Section 20. Confidentiality; exemptions.

9 (a) Any communication made by a participant or counselor in
10 a peer support counseling session conducted by a law
11 enforcement agency or by an emergency services provider for
12 public safety personnel or emergency services personnel and any
13 oral or written information conveyed in the peer support
14 counseling session is confidential and may not be disclosed by
15 any person participating in the peer support counseling session
16 and shall not be released to any person or entity.

17 (b) Any communication relating to a peer support counseling
18 session made confidential under this Section that is made
19 between counselors, between counselors and the supervisors or
20 staff of an employee assistance program, or between the
21 supervisor or staff of an employee assistance program, is
22 confidential and may not be disclosed.

23 (c) This Section does not prohibit any communications
24 between counselors who conduct peer support counseling
25 sessions or any communications between counselors and the

1 supervisors or staff of an employee assistance program.

2 (c-5) Any communication described in subsection (a) or (b)
3 is subject to subpoena.

4 (d) This Section does not apply to:

5 (1) any threat of suicide or homicide made by a
6 participant in a peer counseling session or any information
7 conveyed in a peer support counseling session related to a
8 threat of suicide or homicide;

9 (2) any information relating to the abuse of children
10 or of the elderly or other information that is required to
11 be reported by law; or

12 (3) any admission of criminal conduct.

13 (e) All communications, notes, records, and reports
14 arising out of a peer support counseling session are not
15 subject to disclosure under Section 7.5 of the Freedom of
16 Information Act.

17 (f) A cause of action exists for public safety personnel or
18 emergency services personnel if the emergency services
19 provider or law enforcement agency uses confidential
20 information obtained during a confidential peer support
21 counseling session conducted by a law enforcement agency or by
22 an emergency services provider for an adverse employment action
23 against the participant.

24 Section 25. Judicial proceedings. Any oral communication
25 or written information made or conveyed by a participant or

1 counselor in a peer support session, including an employee
2 assistance program, is not admissible in any judicial
3 proceeding, arbitration proceeding, or other adjudicatory
4 proceeding, except to the extent necessary in an action
5 described in subsection (f) of Section 20.

6 Section 105. The Freedom of Information Act is amended by
7 changing Section 7.5 as follows:

8 (5 ILCS 140/7.5)

9 Sec. 7.5. Statutory exemptions. To the extent provided for
10 by the statutes referenced below, the following shall be exempt
11 from inspection and copying:

12 (a) All information determined to be confidential
13 under Section 4002 of the Technology Advancement and
14 Development Act.

15 (b) Library circulation and order records identifying
16 library users with specific materials under the Library
17 Records Confidentiality Act.

18 (c) Applications, related documents, and medical
19 records received by the Experimental Organ Transplantation
20 Procedures Board and any and all documents or other records
21 prepared by the Experimental Organ Transplantation
22 Procedures Board or its staff relating to applications it
23 has received.

24 (d) Information and records held by the Department of

1 Public Health and its authorized representatives relating
2 to known or suspected cases of sexually transmissible
3 disease or any information the disclosure of which is
4 restricted under the Illinois Sexually Transmissible
5 Disease Control Act.

6 (e) Information the disclosure of which is exempted
7 under Section 30 of the Radon Industry Licensing Act.

8 (f) Firm performance evaluations under Section 55 of
9 the Architectural, Engineering, and Land Surveying
10 Qualifications Based Selection Act.

11 (g) Information the disclosure of which is restricted
12 and exempted under Section 50 of the Illinois Prepaid
13 Tuition Act.

14 (h) Information the disclosure of which is exempted
15 under the State Officials and Employees Ethics Act, and
16 records of any lawfully created State or local inspector
17 general's office that would be exempt if created or
18 obtained by an Executive Inspector General's office under
19 that Act.

20 (i) Information contained in a local emergency energy
21 plan submitted to a municipality in accordance with a local
22 emergency energy plan ordinance that is adopted under
23 Section 11-21.5-5 of the Illinois Municipal Code.

24 (j) Information and data concerning the distribution
25 of surcharge moneys collected and remitted by carriers
26 under the Emergency Telephone System Act.

1 (k) Law enforcement officer identification information
2 or driver identification information compiled by a law
3 enforcement agency or the Department of Transportation
4 under Section 11-212 of the Illinois Vehicle Code.

5 (l) Records and information provided to a residential
6 health care facility resident sexual assault and death
7 review team or the Executive Council under the Abuse
8 Prevention Review Team Act.

9 (m) Information provided to the predatory lending
10 database created pursuant to Article 3 of the Residential
11 Real Property Disclosure Act, except to the extent
12 authorized under that Article.

13 (n) Defense budgets and petitions for certification of
14 compensation and expenses for court appointed trial
15 counsel as provided under Sections 10 and 15 of the Capital
16 Crimes Litigation Act. This subsection (n) shall apply
17 until the conclusion of the trial of the case, even if the
18 prosecution chooses not to pursue the death penalty prior
19 to trial or sentencing.

20 (o) Information that is prohibited from being
21 disclosed under Section 4 of the Illinois Health and
22 Hazardous Substances Registry Act.

23 (p) Security portions of system safety program plans,
24 investigation reports, surveys, schedules, lists, data, or
25 information compiled, collected, or prepared by or for the
26 Regional Transportation Authority under Section 2.11 of

1 the Regional Transportation Authority Act or the St. Clair
2 County Transit District under the Bi-State Transit Safety
3 Act.

4 (q) Information prohibited from being disclosed by the
5 Personnel Record ~~Records~~ Review Act.

6 (r) Information prohibited from being disclosed by the
7 Illinois School Student Records Act.

8 (s) Information the disclosure of which is restricted
9 under Section 5-108 of the Public Utilities Act.

10 (t) All identified or deidentified health information
11 in the form of health data or medical records contained in,
12 stored in, submitted to, transferred by, or released from
13 the Illinois Health Information Exchange, and identified
14 or deidentified health information in the form of health
15 data and medical records of the Illinois Health Information
16 Exchange in the possession of the Illinois Health
17 Information Exchange Authority due to its administration
18 of the Illinois Health Information Exchange. The terms
19 "identified" and "deidentified" shall be given the same
20 meaning as in the Health Insurance Portability and
21 Accountability Act of 1996, Public Law 104-191, or any
22 subsequent amendments thereto, and any regulations
23 promulgated thereunder.

24 (u) Records and information provided to an independent
25 team of experts under the Developmental Disability and
26 Mental Health Safety Act (also known as Brian's Law).

1 (v) Names and information of people who have applied
2 for or received Firearm Owner's Identification Cards under
3 the Firearm Owners Identification Card Act or applied for
4 or received a concealed carry license under the Firearm
5 Concealed Carry Act, unless otherwise authorized by the
6 Firearm Concealed Carry Act; and databases under the
7 Firearm Concealed Carry Act, records of the Concealed Carry
8 Licensing Review Board under the Firearm Concealed Carry
9 Act, and law enforcement agency objections under the
10 Firearm Concealed Carry Act.

11 (w) Personally identifiable information which is
12 exempted from disclosure under subsection (g) of Section
13 19.1 of the Toll Highway Act.

14 (x) Information which is exempted from disclosure
15 under Section 5-1014.3 of the Counties Code or Section
16 8-11-21 of the Illinois Municipal Code.

17 (y) Confidential information under the Adult
18 Protective Services Act and its predecessor enabling
19 statute, the Elder Abuse and Neglect Act, including
20 information about the identity and administrative finding
21 against any caregiver of a verified and substantiated
22 decision of abuse, neglect, or financial exploitation of an
23 eligible adult maintained in the Registry established
24 under Section 7.5 of the Adult Protective Services Act.

25 (z) Records and information provided to a fatality
26 review team or the Illinois Fatality Review Team Advisory

1 Council under Section 15 of the Adult Protective Services
2 Act.

3 (aa) Information which is exempted from disclosure
4 under Section 2.37 of the Wildlife Code.

5 (bb) Information which is or was prohibited from
6 disclosure by the Juvenile Court Act of 1987.

7 (cc) Recordings made under the Law Enforcement
8 Officer-Worn Body Camera Act, except to the extent
9 authorized under that Act.

10 (dd) Information that is prohibited from being
11 disclosed under Section 45 of the Condominium and Common
12 Interest Community Ombudsperson Act.

13 (ee) Information that is exempted from disclosure
14 under Section 30.1 of the Pharmacy Practice Act.

15 (ff) Information that is exempted from disclosure
16 under the Revised Uniform Unclaimed Property Act.

17 (gg) Information that is prohibited from being
18 disclosed under Section 7-603.5 of the Illinois Vehicle
19 Code.

20 (hh) Records that are exempt from disclosure under
21 Section 1A-16.7 of the Election Code.

22 (ii) Information which is exempted from disclosure
23 under Section 2505-800 of the Department of Revenue Law of
24 the Civil Administrative Code of Illinois.

25 (jj) Information and reports that are required to be
26 submitted to the Department of Labor by registering day and

1 temporary labor service agencies but are exempt from
2 disclosure under subsection (a-1) of Section 45 of the Day
3 and Temporary Labor Services Act.

4 (kk) Information prohibited from disclosure under the
5 Seizure and Forfeiture Reporting Act.

6 (ll) Information the disclosure of which is restricted
7 and exempted under Section 5-30.8 of the Illinois Public
8 Aid Code.

9 (mm) ~~(ll)~~ Records that are exempt from disclosure under
10 Section 4.2 of the Crime Victims Compensation Act.

11 (nn) ~~(ll)~~ Information that is exempt from disclosure
12 under Section 70 of the Higher Education Student Assistance
13 Act.

14 (oo) Communications, notes, records, and reports
15 arising out of a peer support counseling session prohibited
16 from disclosure under the First Responders Suicide
17 Prevention Act.

18 (Source: P.A. 99-78, eff. 7-20-15; 99-298, eff. 8-6-15; 99-352,
19 eff. 1-1-16; 99-642, eff. 7-28-16; 99-776, eff. 8-12-16;
20 99-863, eff. 8-19-16; 100-20, eff. 7-1-17; 100-22, eff. 1-1-18;
21 100-201, eff. 8-18-17; 100-373, eff. 1-1-18; 100-464, eff.
22 8-28-17; 100-465, eff. 8-31-17; 100-512, eff. 7-1-18; 100-517,
23 eff. 6-1-18; 100-646, eff. 7-27-18; 100-690, eff. 1-1-19;
24 100-863, eff. 8-14-18; 100-887, eff. 8-14-18; revised
25 10-12-18.)

1 Section 107. The Department of Natural Resources Act is
2 amended by adding Section 1-31 as follows:

3 (20 ILCS 801/1-31 new)

4 Sec. 1-31. Possession of a Firearm Owner's Identification
5 Card. The Department shall not make possession of a Firearm
6 Owner's Identification Card a condition of continued
7 employment if the Conservation Police officer's Firearm
8 Owner's Identification Card is revoked or seized because the
9 Conservation Police officer has been a patient of a mental
10 health facility and the Conservation Police officer has not
11 been determined to pose a clear and present danger to himself,
12 herself, or others as determined by a physician, clinical
13 psychologist, or qualified examiner. Nothing in this Section
14 shall otherwise impair an employer's ability to determine a
15 Conservation Police officer's fitness for duty. A collective
16 bargaining agreement already in effect on this issue on the
17 effective date of this amendatory Act of the 101st General
18 Assembly cannot be modified, but on or after the effective date
19 of this amendatory Act of the 101st General Assembly, the
20 employer cannot require a Firearm Owner's Identification Card
21 as a condition of continued employment in a collective
22 bargaining agreement. The employer shall document if and why a
23 Conservation Police officer has been determined to pose a clear
24 and present danger.

1 Section 110. The Department of State Police Law of the
2 Civil Administrative Code of Illinois is amended by adding
3 Section 2605-610 as follows:

4 (20 ILCS 2605/2605-610 new)

5 Sec. 2605-610. Possession of a Firearm Owner's
6 Identification Card. The Department shall not make possession
7 of a Firearm Owner's Identification Card a condition of
8 continued employment if the State Police officer's Firearm
9 Owner's Identification Card is revoked or seized because the
10 State Police officer has been a patient of a mental health
11 facility and the State Police officer has not been determined
12 to pose a clear and present danger to himself, herself, or
13 others as determined by a physician, clinical psychologist, or
14 qualified examiner. Nothing in this Section shall otherwise
15 impair an employer's ability to determine a State Police
16 officer's fitness for duty. A collective bargaining agreement
17 already in effect on this issue on the effective date of this
18 amendatory Act of the 101st General Assembly cannot be
19 modified, but on or after the effective date of this amendatory
20 Act of the 101st General Assembly, the employer cannot require
21 a Firearm Owner's Identification Card as a condition of
22 continued employment in a collective bargaining agreement. The
23 employer shall document if and why a State Police officer has
24 been determined to pose a clear and present danger.

1 Section 115. The Illinois Police Training Act is amended by
2 changing Section 7 as follows:

3 (50 ILCS 705/7) (from Ch. 85, par. 507)

4 Sec. 7. Rules and standards for schools. The Board shall
5 adopt rules and minimum standards for such schools which shall
6 include, but not be limited to, the following:

7 a. The curriculum for probationary police officers
8 which shall be offered by all certified schools shall
9 include, but not be limited to, courses of procedural
10 justice, arrest and use and control tactics, search and
11 seizure, including temporary questioning, civil rights,
12 human rights, human relations, cultural competency,
13 including implicit bias and racial and ethnic sensitivity,
14 criminal law, law of criminal procedure, constitutional
15 and proper use of law enforcement authority, vehicle and
16 traffic law including uniform and non-discriminatory
17 enforcement of the Illinois Vehicle Code, traffic control
18 and accident investigation, techniques of obtaining
19 physical evidence, court testimonies, statements, reports,
20 firearms training, training in the use of electronic
21 control devices, including the psychological and
22 physiological effects of the use of those devices on
23 humans, first-aid (including cardiopulmonary
24 resuscitation), training in the administration of opioid
25 antagonists as defined in paragraph (1) of subsection (e)

1 of Section 5-23 of the Substance Use Disorder Act, handling
2 of juvenile offenders, recognition of mental conditions
3 and crises, including, but not limited to, the disease of
4 addiction, which require immediate assistance and response
5 and methods to safeguard and provide assistance to a person
6 in need of mental treatment, recognition of abuse, neglect,
7 financial exploitation, and self-neglect of adults with
8 disabilities and older adults, as defined in Section 2 of
9 the Adult Protective Services Act, crimes against the
10 elderly, law of evidence, the hazards of high-speed police
11 vehicle chases with an emphasis on alternatives to the
12 high-speed chase, and physical training. The curriculum
13 shall include specific training in techniques for
14 immediate response to and investigation of cases of
15 domestic violence and of sexual assault of adults and
16 children, including cultural perceptions and common myths
17 of sexual assault and sexual abuse as well as interview
18 techniques that are age sensitive and are trauma informed,
19 victim centered, and victim sensitive. The curriculum
20 shall include training in techniques designed to promote
21 effective communication at the initial contact with crime
22 victims and ways to comprehensively explain to victims and
23 witnesses their rights under the Rights of Crime Victims
24 and Witnesses Act and the Crime Victims Compensation Act.
25 The curriculum shall also include training in effective
26 recognition of and responses to stress, trauma, and

1 post-traumatic stress experienced by police officers that
2 is consistent with Section 25 of the Illinois Mental Health
3 First Aid Training Act in a peer setting. The curriculum
4 shall also include a block of instruction aimed at
5 identifying and interacting with persons with autism and
6 other developmental or physical disabilities, reducing
7 barriers to reporting crimes against persons with autism,
8 and addressing the unique challenges presented by cases
9 involving victims or witnesses with autism and other
10 developmental disabilities. The curriculum for permanent
11 police officers shall include, but not be limited to: (1)
12 refresher and in-service training in any of the courses
13 listed above in this subparagraph, (2) advanced courses in
14 any of the subjects listed above in this subparagraph, (3)
15 training for supervisory personnel, and (4) specialized
16 training in subjects and fields to be selected by the
17 board. The training in the use of electronic control
18 devices shall be conducted for probationary police
19 officers, including University police officers.

20 b. Minimum courses of study, attendance requirements
21 and equipment requirements.

22 c. Minimum requirements for instructors.

23 d. Minimum basic training requirements, which a
24 probationary police officer must satisfactorily complete
25 before being eligible for permanent employment as a local
26 law enforcement officer for a participating local

1 governmental agency. Those requirements shall include
2 training in first aid (including cardiopulmonary
3 resuscitation).

4 e. Minimum basic training requirements, which a
5 probationary county corrections officer must
6 satisfactorily complete before being eligible for
7 permanent employment as a county corrections officer for a
8 participating local governmental agency.

9 f. Minimum basic training requirements which a
10 probationary court security officer must satisfactorily
11 complete before being eligible for permanent employment as
12 a court security officer for a participating local
13 governmental agency. The Board shall establish those
14 training requirements which it considers appropriate for
15 court security officers and shall certify schools to
16 conduct that training.

17 A person hired to serve as a court security officer
18 must obtain from the Board a certificate (i) attesting to
19 his or her successful completion of the training course;
20 (ii) attesting to his or her satisfactory completion of a
21 training program of similar content and number of hours
22 that has been found acceptable by the Board under the
23 provisions of this Act; or (iii) attesting to the Board's
24 determination that the training course is unnecessary
25 because of the person's extensive prior law enforcement
26 experience.

1 Individuals who currently serve as court security
2 officers shall be deemed qualified to continue to serve in
3 that capacity so long as they are certified as provided by
4 this Act within 24 months of June 1, 1997 (the effective
5 date of Public Act 89-685). Failure to be so certified,
6 absent a waiver from the Board, shall cause the officer to
7 forfeit his or her position.

8 All individuals hired as court security officers on or
9 after June 1, 1997 (the effective date of Public Act
10 89-685) shall be certified within 12 months of the date of
11 their hire, unless a waiver has been obtained by the Board,
12 or they shall forfeit their positions.

13 The Sheriff's Merit Commission, if one exists, or the
14 Sheriff's Office if there is no Sheriff's Merit Commission,
15 shall maintain a list of all individuals who have filed
16 applications to become court security officers and who meet
17 the eligibility requirements established under this Act.
18 Either the Sheriff's Merit Commission, or the Sheriff's
19 Office if no Sheriff's Merit Commission exists, shall
20 establish a schedule of reasonable intervals for
21 verification of the applicants' qualifications under this
22 Act and as established by the Board.

23 g. Minimum in-service training requirements, which a
24 police officer must satisfactorily complete every 3 years.
25 Those requirements shall include constitutional and proper
26 use of law enforcement authority, procedural justice,

1 civil rights, human rights, mental health awareness and
2 response, and cultural competency.

3 h. Minimum in-service training requirements, which a
4 police officer must satisfactorily complete at least
5 annually. Those requirements shall include law updates and
6 use of force training which shall include scenario based
7 training, or similar training approved by the Board.

8 (Source: P.A. 99-352, eff. 1-1-16; 99-480, eff. 9-9-15; 99-642,
9 eff. 7-28-16; 99-801, eff. 1-1-17; 100-121, eff. 1-1-18;
10 100-247, eff. 1-1-18; 100-759, eff. 1-1-19; 100-863, eff.
11 8-14-18; 100-910, eff. 1-1-19; revised 9-28-19.)

12 Section 117. The Uniform Peace Officers' Disciplinary Act
13 is amended by changing Section 7.2 as follows:

14 (50 ILCS 725/7.2)

15 Sec. 7.2. Possession of a Firearm Owner's Identification
16 Card. An employer of an officer shall not make possession of a
17 Firearm Owner's Identification Card a condition of continued
18 employment if the officer's Firearm Owner's Identification
19 Card is revoked or seized because the officer has been a
20 patient of a mental health facility and the officer has not
21 been determined to pose a clear and present danger to himself,
22 herself, or others as determined by a physician, clinical
23 psychologist, or qualified examiner. Nothing in this Section
24 shall otherwise impair an employer's ability to determine an

1 officer's fitness for duty. On and after the effective date of
2 this amendatory Act of the 100th General Assembly, Section 6 of
3 this Act shall not apply to the prohibition requiring a Firearm
4 Owner's Identification Card as a condition of continued
5 employment, but a collective bargaining agreement already in
6 effect on that issue on the effective date of this amendatory
7 Act of the 100th General Assembly cannot be modified. The
8 employer shall document if and why an officer has been
9 determined to pose a clear and present danger.

10 (Source: P.A. 100-911, eff. 8-17-18.)

11 Section 120. The Illinois Fire Protection Training Act is
12 amended by changing Section 8 as follows:

13 (50 ILCS 740/8) (from Ch. 85, par. 538)

14 Sec. 8. Rules and minimum standards for schools. The Office
15 shall adopt rules and minimum standards for such schools which
16 shall include but not be limited to the following:

17 a. Minimum courses of study, resources, facilities,
18 apparatus, equipment, reference material, established
19 records and procedures as determined by the Office.

20 b. Minimum requirements for instructors.

21 c. Minimum basic training requirements, which a
22 trainee must satisfactorily complete before being eligible
23 for permanent employment as a firefighter ~~fire fighter~~ in
24 the fire department of a participating local governmental

1 agency. Those requirements shall include training in first
2 aid (including cardiopulmonary resuscitation) and training
3 in the administration of opioid antagonists as defined in
4 paragraph (1) of subsection (e) of Section 5-23 of the
5 Substance Use Disorder Act.

6 d. Training in effective recognition of and responses
7 to stress, trauma, and post-traumatic stress experienced
8 by firefighters that is consistent with Section 25 of the
9 Illinois Mental Health First Aid Training Act in a peer
10 setting.

11 (Source: P.A. 99-480, eff. 9-9-15; 100-759, eff. 1-1-19.)

12 Section 130. The Counties Code is amended by adding
13 Sections 3-6012.2 and 3-6050 as follows:

14 (55 ILCS 5/3-6012.2 new)

15 Sec. 3-6012.2. Mental health specialists; sheriff's
16 offices. For every 1,000 persons a sheriff's office employs,
17 that sheriff's office shall employ at least one mental health
18 specialist.

19 (55 ILCS 5/3-6050 new)

20 Sec. 3-6050. Possession of a Firearm Owner's
21 Identification Card. An employer of a law enforcement officer
22 shall not make possession of a Firearm Owner's Identification
23 Card a condition of continued employment if the law enforcement

1 officer's Firearm Owner's Identification Card is revoked or
2 seized because the law enforcement officer has been a patient
3 of a mental health facility and the law enforcement officer has
4 not been determined to pose a clear and present danger to
5 himself, herself, or others as determined by a physician,
6 clinical psychologist, or qualified examiner. Nothing in this
7 Section shall otherwise impair an employer's ability to
8 determine a law enforcement officer's fitness for duty. A
9 collective bargaining agreement already in effect on this issue
10 on the effective date of this amendatory Act of the 101st
11 General Assembly cannot be modified, but on or after the
12 effective date of this amendatory Act of the 101st General
13 Assembly, the employer cannot require a Firearm Owner's
14 Identification Card as a condition of continued employment in a
15 collective bargaining agreement. The employer shall document
16 if and why a law enforcement officer has been determined to
17 pose a clear and present danger.

18 Section 135. The Illinois Municipal Code is amended by
19 adding Sections 11-1-14 and 11-6-11 as follows:

20 (65 ILCS 5/11-1-14 new)

21 Sec. 11-1-14. Mental health specialists; police. The
22 corporate authorities of each municipality which has
23 established a police department shall require the employment of
24 at least one mental health specialist for every 1,000 persons

1 employed.

2 (65 ILCS 5/11-6-11 new)

3 Sec. 11-6-11. Mental health specialists; fire. The
4 corporate authorities of each municipality which has
5 established firefighting services shall require the employment
6 of at least one mental health specialist for every 1,000
7 persons employed.

8 Section 140. The Probation and Probation Officers Act is
9 amended by adding Section 19 as follows:

10 (730 ILCS 110/19 new)

11 Sec. 19. Possession of a Firearm Owner's Identification
12 Card. An employer of a probation officer shall not make
13 possession of a Firearm Owner's Identification Card a condition
14 of continued employment if the probation officer's Firearm
15 Owner's Identification Card is revoked or seized because the
16 probation officer has been a patient of a mental health
17 facility and the officer has not been determined to pose a
18 clear and present danger to himself, herself, or others as
19 determined by a physician, clinical psychologist, or qualified
20 examiner. Nothing in this Section shall otherwise impair an
21 employer's ability to determine a probation officer's fitness
22 for duty. A collective bargaining agreement already in effect
23 on this issue on the effective date of this amendatory Act of

1 the 101st General Assembly cannot be modified, but on or after
2 the effective date of this amendatory Act of the 101st General
3 Assembly, the employer cannot require a Firearm Owner's
4 Identification Card as a condition of continued employment in a
5 collective bargaining agreement. The employer shall document
6 if and why a probation officer has been determined to pose a
7 clear and present danger.

8 Section 999. Effective date. This Act takes effect upon
9 becoming law.