



Sen. Terry Link

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1 AMENDMENT TO HOUSE BILL 2766

2 AMENDMENT NO. _____. Amend House Bill 2766 by replacing
3 everything after the enacting clause with the following:

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 "Law enforcement agency" means any county sheriff,
13 municipal police department, police department established by
14 a university, Department of State Police, Department of
15 Corrections, Department of Children and Family Services,
16 Division of Probation Services of the Supreme Court, the Office

1 of the Statewide 9-1-1 Administrator, and other local or county
2 agency comprised of county probation officers, corrections
3 employees, or 9-1-1 telecommunicators or emergency medical
4 dispatchers.

5 "Peer support advisor" means an employee, approved by the
6 law enforcement agency or the emergency provider, who
7 voluntarily provides confidential support and assistance to
8 fellow employees experiencing personal or professional
9 problems. An emergency services provider or law enforcement
10 agency shall provide peer support advisors with an appropriate
11 level of training in counseling to provide emotional and moral
12 support.

13 "Peer support counseling program" means a program
14 established by an emergency services provider, a law
15 enforcement agency, or collective bargaining organization to
16 train employees to serve as peer support advisors to conduct
17 peer support counseling sessions.

18 "Peer support counseling session" means communication with
19 a peer support advisor designated by an emergency services
20 provider or law enforcement agency. A peer support counseling
21 session is accomplished primarily through listening,
22 assessing, assisting with problem-solving, making referrals to
23 a professional when necessary and conducting follow-up as
24 needed.

25 "Public safety personnel" means any employee of a law
26 enforcement agency.

1 Section 10. Establishment of peer support program;
2 applicability. Any emergency services provider, law
3 enforcement agency, or collective bargaining organization that
4 creates a peer support program is subject to this Act. An
5 emergency services provider, law enforcement agency, or
6 collective bargaining organization shall ensure that peer
7 support advisors receive appropriate training in counseling to
8 conduct peer support counseling sessions. Emergency services
9 personnel and public safety personnel may refer any person to a
10 peer support advisor within the emergency services provider or
11 law enforcement agency, or if those services are not available
12 within the agency, to another peer support counseling program
13 that is available and approved by the emergency services
14 provider or law enforcement agency. Notwithstanding any other
15 provision of this Act, public safety personnel may not mandate
16 that any employee participate in a peer support counseling
17 program.

18 Section 20. Confidentiality; exemptions.

19 (a) Any communication made by an employee of an emergency
20 services provider or law enforcement agency or peer support
21 advisor in a peer support counseling session and any oral or
22 written information conveyed in the peer support counseling
23 session is confidential and may not be disclosed by any person
24 participating in the peer support counseling session and shall

1 not be released to any person or entity.

2 (b) Any communication relating to a peer support counseling
3 session made confidential under this Section that is made
4 between peer support advisors and the supervisors or staff of a
5 peer support counseling program, or between the supervisor or
6 staff of a peer support counseling program, is confidential and
7 may not be disclosed.

8 (c) This Section does not prohibit any communications
9 between counselors who conduct peer support counseling
10 sessions or any communications between counselors and the
11 supervisors or staff of a peer support counseling program.

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

14 (d) This Section does not apply to:

15 (1) any threat of suicide or homicide made by a
16 participant in a peer support counseling session or any
17 information conveyed in a peer support counseling session
18 related to a threat of suicide or homicide;

19 (2) any information mandated by law or agency policy to
20 be reported, including, but not limited to, domestic
21 violence, child abuse or neglect, or elder abuse or
22 neglect; or

23 (3) any admission of criminal conduct.

24 (e) All communications, notes, records, and reports
25 arising out of a peer support counseling session are not
26 subject to disclosure under Section 7.5 of the Freedom of

1 Information Act.

2 (e-5) A department that establishes a peer support
3 counseling program shall develop a policy or rule that imposes
4 disciplinary measures against a peer support advisor who
5 violates the confidentiality of the peer support counseling
6 program by sharing information learned in a peer support
7 counseling session with department personnel who are not
8 supervisors or staff of the peer support counseling program,
9 unless the information is related to the exemptions in
10 subsection (d).

11 (f) A cause of action exists for public safety personnel or
12 emergency services personnel if the emergency services
13 provider or law enforcement agency uses confidential
14 information obtained during a confidential peer support
15 counseling session conducted by a law enforcement agency or by
16 an emergency services provider for an adverse employment action
17 against the participant.

18 Section 25. Judicial proceedings. Any oral communication
19 or written information made or conveyed by a participant or
20 peer support advisor in a peer support counseling session is
21 not admissible in any judicial proceeding, arbitration
22 proceeding, or other adjudicatory proceeding, except to the
23 extent necessary to enforce subsection (f) of Section 20.

24 Section 30. Other provisions of law. Nothing in this Act

1 limits or reduces any confidentiality protections or legal
2 privileges that are otherwise provided by law or rule,
3 including, but not limited to, local ordinance, State or
4 federal law, or court rule. Any confidentiality provision
5 enacted by local ordinance on or after the effective date of
6 this Act may not diminish the protections enumerated in this
7 Act.

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

10 (5 ILCS 140/7.5)

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

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

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

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

1 has received.

2 (d) Information and records held by the Department of
3 Public Health and its authorized representatives relating
4 to known or suspected cases of sexually transmissible
5 disease or any information the disclosure of which is
6 restricted under the Illinois Sexually Transmissible
7 Disease Control Act.

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

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

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

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

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

26 (j) Information and data concerning the distribution

1 of surcharge moneys collected and remitted by carriers
2 under the Emergency Telephone System Act.

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

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

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

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

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

25 (p) Security portions of system safety program plans,
26 investigation reports, surveys, schedules, lists, data, or

1 information compiled, collected, or prepared by or for the
2 Regional Transportation Authority under Section 2.11 of
3 the Regional Transportation Authority Act or the St. Clair
4 County Transit District under the Bi-State Transit Safety
5 Act.

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

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

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

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

26 (u) Records and information provided to an independent

1 team of experts under the Developmental Disability and
2 Mental Health Safety Act (also known as Brian's Law).

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

13 (w) Personally identifiable information which is
14 exempted from disclosure under subsection (g) of Section
15 19.1 of the Toll Highway Act.

16 (x) Information which is exempted from disclosure
17 under Section 5-1014.3 of the Counties Code or Section
18 8-11-21 of the Illinois Municipal Code.

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

1 (z) Records and information provided to a fatality
2 review team or the Illinois Fatality Review Team Advisory
3 Council under Section 15 of the Adult Protective Services
4 Act.

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

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

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

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

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

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

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

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

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

1 (jj) Information and reports that are required to be
2 submitted to the Department of Labor by registering day and
3 temporary labor service agencies but are exempt from
4 disclosure under subsection (a-1) of Section 45 of the Day
5 and Temporary Labor Services Act.

6 (kk) Information prohibited from disclosure under the
7 Seizure and Forfeiture Reporting Act.

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

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

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

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

20 (Source: P.A. 99-78, eff. 7-20-15; 99-298, eff. 8-6-15; 99-352,
21 eff. 1-1-16; 99-642, eff. 7-28-16; 99-776, eff. 8-12-16;
22 99-863, eff. 8-19-16; 100-20, eff. 7-1-17; 100-22, eff. 1-1-18;
23 100-201, eff. 8-18-17; 100-373, eff. 1-1-18; 100-464, eff.
24 8-28-17; 100-465, eff. 8-31-17; 100-512, eff. 7-1-18; 100-517,
25 eff. 6-1-18; 100-646, eff. 7-27-18; 100-690, eff. 1-1-19;
26 100-863, eff. 8-14-18; 100-887, eff. 8-14-18; revised

1 10-12-18.)

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

4 (20 ILCS 801/1-31 new)

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

1 and present danger.

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

5 (20 ILCS 2605/2605-610 new)

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

1 been determined to pose a clear and present danger.

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

4 (50 ILCS 705/7) (from Ch. 85, par. 507)

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

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

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

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

22 b. Minimum courses of study, attendance requirements
23 and equipment requirements.

24 c. Minimum requirements for instructors.

25 d. Minimum basic training requirements, which a
26 probationary police officer must satisfactorily complete

1 before being eligible for permanent employment as a local
2 law enforcement officer for a participating local
3 governmental agency. Those requirements shall include
4 training in first aid (including cardiopulmonary
5 resuscitation).

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

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

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

1 because of the person's extensive prior law enforcement
2 experience.

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

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

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

25 g. Minimum in-service training requirements, which a
26 police officer must satisfactorily complete every 3 years.

1 Those requirements shall include constitutional and proper
2 use of law enforcement authority, procedural justice,
3 civil rights, human rights, mental health awareness and
4 response, and cultural competency.

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

10 (Source: P.A. 99-352, eff. 1-1-16; 99-480, eff. 9-9-15; 99-642,
11 eff. 7-28-16; 99-801, eff. 1-1-17; 100-121, eff. 1-1-18;
12 100-247, eff. 1-1-18; 100-759, eff. 1-1-19; 100-863, eff.
13 8-14-18; 100-910, eff. 1-1-19; revised 9-28-19.)

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

16 (50 ILCS 725/7.2)

17 Sec. 7.2. Possession of a Firearm Owner's Identification
18 Card. An employer of an officer shall not make possession of a
19 Firearm Owner's Identification Card a condition of continued
20 employment if the officer's Firearm Owner's Identification
21 Card is revoked or seized because the officer has been a
22 patient of a mental health facility and the officer has not
23 been determined to pose a clear and present danger to himself,
24 herself, or others as determined by a physician, clinical

1 psychologist, or qualified examiner. Nothing in this Section
2 shall otherwise impair an employer's ability to determine an
3 officer's fitness for duty. On and after the effective date of
4 this amendatory Act of the 100th General Assembly, Section 6 of
5 this Act shall not apply to the prohibition requiring a Firearm
6 Owner's Identification Card as a condition of continued
7 employment, but a collective bargaining agreement already in
8 effect on that issue on the effective date of this amendatory
9 Act of the 100th General Assembly cannot be modified. The
10 employer shall document if and why an officer has been
11 determined to pose a clear and present danger.

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

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

15 (50 ILCS 740/8) (from Ch. 85, par. 538)

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

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

22 b. Minimum requirements for instructors.

23 c. Minimum basic training requirements, which a
24 trainee must satisfactorily complete before being eligible

1 for permanent employment as a firefighter ~~fire fighter~~ in
2 the fire department of a participating local governmental
3 agency. Those requirements shall include training in first
4 aid (including cardiopulmonary resuscitation) and training
5 in the administration of opioid antagonists as defined in
6 paragraph (1) of subsection (e) of Section 5-23 of the
7 Substance Use Disorder Act.

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

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

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

16 (55 ILCS 5/3-6012.2 new)

17 Sec. 3-6012.2. Mental health specialists; sheriff's
18 offices. Sheriff's offices shall ensure that mental health
19 resources, including counselors or therapists, are available
20 to each sheriff's office's employees, whether through direct
21 employment by that office, contract employment, or other means.

22 (55 ILCS 5/3-6050 new)

23 Sec. 3-6050. Possession of a Firearm Owner's

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

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

23 (65 ILCS 5/11-1-14 new)

24 Sec. 11-1-14. Mental health specialists; police. The

1 corporate authorities of each municipality which has
2 established a police department shall ensure that mental health
3 resources, including counselors or therapists, are available
4 to that police department's employees, whether through direct
5 employment by that department, contract employment, or other
6 means.

7 (65 ILCS 5/11-6-11 new)

8 Sec. 11-6-11. Mental health specialists; fire. The
9 corporate authorities of each municipality which has
10 established firefighting services shall ensure that mental
11 health resources, including counselors or therapists, are
12 available to that fire department's employees, whether through
13 direct employment by that department, contract employment, or
14 other means.

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

17 (730 ILCS 110/19 new)

18 Sec. 19. Possession of a Firearm Owner's Identification
19 Card. An employer of a probation officer shall not make
20 possession of a Firearm Owner's Identification Card a condition
21 of continued employment if the probation officer's Firearm
22 Owner's Identification Card is revoked or seized because the
23 probation officer has been a patient of a mental health

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

15 Section 999. Effective date. This Act takes effect upon
16 becoming law."