

HB5396



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB5396

by Rep. Keith R. Wheeler - Grant Wehrli - Amy Grant

SYNOPSIS AS INTRODUCED:

20 ILCS 3305/4

from Ch. 127, par. 1054

Amends the Illinois Emergency Management Agency Act. Provides that a cyber attack is a "disaster".

LRB101 16600 CPF 65984 b

A BILL FOR

1 AN ACT concerning State 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 4 as follows:

6 (20 ILCS 3305/4) (from Ch. 127, par. 1054)

7 Sec. 4. Definitions. As used in this Act, unless the
8 context clearly indicates otherwise, the following words and
9 terms have the meanings ascribed to them in this Section:

10 "Coordinator" means the staff assistant to the principal
11 executive officer of a political subdivision with the duty of
12 coordinating the emergency management programs of that
13 political subdivision.

14 "Disaster" means an occurrence or threat of widespread or
15 severe damage, injury or loss of life or property resulting
16 from any natural or technological cause, including but not
17 limited to fire, flood, earthquake, wind, storm, hazardous
18 materials spill or other water contamination requiring
19 emergency action to avert danger or damage, epidemic, air
20 contamination, blight, extended periods of severe and
21 inclement weather, drought, infestation, critical shortages of
22 essential fuels and energy, explosion, riot, hostile military
23 or paramilitary action, public health emergencies, ~~or~~ acts of

1 domestic terrorism, or cyber attacks.

2 "Emergency Management" means the efforts of the State and
3 the political subdivisions to develop, plan, analyze, conduct,
4 provide, implement and maintain programs for disaster
5 mitigation, preparedness, response and recovery.

6 "Emergency Services and Disaster Agency" means the agency
7 by this name, by the name Emergency Management Agency, or by
8 any other name that is established by ordinance within a
9 political subdivision to coordinate the emergency management
10 program within that political subdivision and with private
11 organizations, other political subdivisions, the State and
12 federal governments.

13 "Emergency Operations Plan" means the written plan of the
14 State and political subdivisions describing the organization,
15 mission, and functions of the government and supporting
16 services for responding to and recovering from disasters and
17 shall include plans that take into account the needs of those
18 individuals with household pets and service animals following a
19 major disaster or emergency.

20 "Emergency Services" means the coordination of functions
21 by the State and its political subdivision, other than
22 functions for which military forces are primarily responsible,
23 as may be necessary or proper to prevent, minimize, repair, and
24 alleviate injury and damage resulting from any natural or
25 technological causes. These functions include, without
26 limitation, fire fighting services, police services, emergency

1 aviation services, medical and health services, HazMat and
2 technical rescue teams, rescue, engineering, warning services,
3 communications, radiological, chemical and other special
4 weapons defense, evacuation of persons from stricken or
5 threatened areas, emergency assigned functions of plant
6 protection, temporary restoration of public utility services
7 and other functions related to civilian protection, together
8 with all other activities necessary or incidental to protecting
9 life or property.

10 "Exercise" means a planned event realistically simulating
11 a disaster, conducted for the purpose of evaluating the
12 political subdivision's coordinated emergency management
13 capabilities, including, but not limited to, testing the
14 emergency operations plan.

15 "HazMat team" means a career or volunteer mobile support
16 team that has been authorized by a unit of local government to
17 respond to hazardous materials emergencies and that is
18 primarily designed for emergency response to chemical or
19 biological terrorism, radiological emergencies, hazardous
20 material spills, releases, or fires, or other contamination
21 events.

22 "Illinois Emergency Management Agency" means the agency
23 established by this Act within the executive branch of State
24 Government responsible for coordination of the overall
25 emergency management program of the State and with private
26 organizations, political subdivisions, and the federal

1 government. Illinois Emergency Management Agency also means
2 the State Emergency Response Commission responsible for the
3 implementation of Title III of the Superfund Amendments and
4 Reauthorization Act of 1986.

5 "Mobile Support Team" means a group of individuals
6 designated as a team by the Governor or Director to train prior
7 to and to be dispatched, if the Governor or the Director so
8 determines, to aid and reinforce the State and political
9 subdivision emergency management efforts in response to a
10 disaster.

11 "Municipality" means any city, village, and incorporated
12 town.

13 "Political Subdivision" means any county, city, village,
14 or incorporated town or township if the township is in a county
15 having a population of more than 2,000,000.

16 "Principal Executive Officer" means chair of the county
17 board, supervisor of a township if the township is in a county
18 having a population of more than 2,000,000, mayor of a city or
19 incorporated town, president of a village, or in their absence
20 or disability, the interim successor as established under
21 Section 7 of the Emergency Interim Executive Succession Act.

22 "Public health emergency" means an occurrence or imminent
23 threat of an illness or health condition that:

24 (a) is believed to be caused by any of the following:

25 (i) bioterrorism;

26 (ii) the appearance of a novel or previously

1 controlled or eradicated infectious agent or
2 biological toxin;

3 (iii) a natural disaster;

4 (iv) a chemical attack or accidental release; or

5 (v) a nuclear attack or accident; and

6 (b) poses a high probability of any of the following
7 harms:

8 (i) a large number of deaths in the affected
9 population;

10 (ii) a large number of serious or long-term
11 disabilities in the affected population; or

12 (iii) widespread exposure to an infectious or
13 toxic agent that poses a significant risk of
14 substantial future harm to a large number of people in
15 the affected population.

16 "Statewide mutual aid organization" means an entity with
17 local government members throughout the State that facilitates
18 temporary assistance through its members in a particular public
19 safety discipline, such as police, fire or emergency
20 management, when an occurrence exceeds a member jurisdiction's
21 capabilities.

22 "Technical rescue team" means a career or volunteer mobile
23 support team that has been authorized by a unit of local
24 government to respond to building collapse, high angle rescue,
25 and other specialized rescue emergencies and that is primarily
26 designated for emergency response to technical rescue events.

1 (Source: P.A. 100-587, eff. 6-4-18.)