



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3161

Introduced 2/19/2021, by Rep. Maurice A. West, II

SYNOPSIS AS INTRODUCED:

New Act

5 ILCS 120/2

from Ch. 102, par. 42

5 ILCS 140/7.5

Creates the Domestic Violence Fatality Review Act. Defines terms. Establishes findings and purposes of the Act. Creates the Illinois Domestic Violence Fatality Review Commission, and provides for: membership; terms and vacancies of members; quorum; meetings; compensation; duties; and responsibilities. Allows a regional domestic violence fatality review team to be established within the boundaries of each judicial circuit, and provides for: membership; terms and vacancies of members; quorum; meetings; compensation; duties; and responsibilities. Adds provisions governing: cases eligible for review; confidentiality of regional review teams, information, and domestic violence fatality reviews; access to records and information; storage and destruction of confidential information; penalties for unlawful disclosure of confidential information; and immunity. Makes conforming changes in the Open Meetings Act and the Freedom of Information Act. Effective immediately.

LRB102 16114 LNS 21489 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning domestic violence.

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
5 Domestic Violence Fatality Review Act.

6 Section 5. Definitions. As used in this Act:

7 "Case eligible for review" means the case based upon a
8 qualifying relationship that the regional review teams can
9 review under Section 70.

10 "Commission" means the Illinois Domestic Violence Fatality
11 Review Commission.

12 "Confidential information" means:

13 (1) any oral, written, digital or electronic, original
14 or copied information, records, documents, photographs,
15 images, exhibits, or communications provided to, obtained
16 by, shared with, discussed by, created by, or maintained
17 by the Commission or by a regional review team with regard
18 to a case eligible for review to determine whether the
19 case should be reviewed or a review of an eligible case;

20 (2) any information that discloses the identities of
21 victims, survivors, deceased, or offenders, or their
22 family members, or any information by which their
23 identities can be determined by a reasonably diligent

1 inquiry; and

2 (3) any discussions, deliberations, minutes, notes,
3 records, or opinions of the Commission members or members
4 of a regional review team with regard to a case eligible
5 for review to determine whether the case should be
6 reviewed or a review of an eligible case. Confidential
7 information does not mean nonidentifying or aggregate data
8 information or analysis of data, and recommendations for
9 community and systemic reform.

10 "Deceased" means anyone who died in connection with the
11 actions of the offender, other than the victim, survivor, or
12 offender.

13 "Domestic violence" means abuse as it is defined in
14 Section 103 of the Illinois Domestic Violence Act of 1986 and
15 paragraph (1) of subsection (b) of Section 112A-3 of the Code
16 of Criminal Procedure of 1963.

17 "Domestic violence fatality review" means the deliberative
18 process of multiagency and multidisciplinary teams that select
19 eligible cases of domestic violence related fatalities and
20 near-fatalities, and trace prior systemic interventions and
21 involvement to:

22 (1) examine barriers to safety, justice,
23 self-determination, and equity;

24 (2) identify systemic and community gaps and consider
25 alternate and more effective systemic responses; and

26 (3) develop recommendations for greater coordinated

1 and improved community and systemic response and
2 prevention initiatives to domestic violence in order to
3 reduce the occurrence, frequency, and severity of domestic
4 violence and prevent fatalities and near-fatalities.

5 "Familicide" means the killing of a family, including one
6 or both parents and any children, by a family member.

7 "Fatality" means death caused by suicide or homicide.

8 "Near-fatality" means a death that nearly occurred by
9 means of suicide or homicide, or an injury that could have
10 resulted in death.

11 "Offender" means the person who inflicted domestic
12 violence upon the victim and caused the victim's death, or the
13 person who inflicted domestic violence upon a survivor.

14 "Offender" includes a person who is deceased or alive, and is
15 not required to have been the subject of a criminal
16 investigation or prosecution.

17 "Regional domestic violence fatality review team" or
18 "regional review team" means a multiagency and
19 multidisciplinary team that selects and reviews eligible cases
20 in accordance with Section 45.

21 "Survivor" means a person who experienced domestic
22 violence and is alive.

23 "Victim" means the person who experienced domestic
24 violence and is deceased, including by means of homicide or
25 suicide.

1 Section 10. Findings. The General Assembly finds and
2 declares the following:

3 (a) Over 10,000,000 people in the United States experience
4 physical domestic violence by a current or former partner each
5 year.

6 (b) According to the Centers for Disease Control and
7 Prevention of the United States Department of Health and Human
8 Services, domestic violence accounts for 15% of all violent
9 crime in the United States, and in this State, 42% of women and
10 26% of men have been harmed by an intimate partner in their
11 lifetime.

12 (c) According to the U.S. Department of Justice,
13 nationwide approximately 1 in 4 women and nearly 1 in 7 men
14 experience severe physical violence resulting from domestic
15 violence by an intimate partner at some point in their
16 lifetime.

17 (d) The Illinois Criminal Justice Information Authority
18 found that while the actual number of domestic violence
19 incidents are underreported, in this State over 100,000
20 domestic violence offenses were reported to law enforcement
21 each year between 2005 and 2017. Between 400,000 and nearly
22 600,000 orders of protection were filed each year between 2005
23 and 2017.

24 (e) From 2001 to 2018, State domestic violence agencies
25 served nearly 800,000 adults and children, at an average of
26 57,684 clients per year, according to the Illinois Criminal

1 Justice Information Authority.

2 (f) Domestic violence related homicides account for nearly
3 1 in 5 murders in the United States. According to the National
4 Coalition Against Domestic Violence, female homicide victims
5 are substantially more likely than male homicide victims to
6 have been killed by an intimate partner. One in 3 female murder
7 victims are killed by intimate partners. About 4% of male
8 homicide victims were killed by an intimate partner.
9 Nationwide, 72% of all homicide-suicides involved an intimate
10 partner of which 94% of the murdered victims are women.

11 (g) The Illinois Criminal Justice Information Authority
12 found that 15% of all homicides in this State are connected to
13 domestic violence, such that at least 130 domestic violence
14 related homicides occurred in this State during 2019. The
15 Illinois Coalition Against Domestic Violence found that
16 domestic violence fatalities occurred across at least 26
17 counties and included at least 7 children between July 2019
18 and June 2020.

19 (h) The Illinois Criminal Justice Information Authority
20 found that the estimated impact of domestic violence homicides
21 reported in this State during 2019 would total nearly \$1.2
22 billion.

23 (i) Nearly all familicides involve a history of domestic
24 violence.

25 (j) Effective responses to domestic violence and domestic
26 violence related fatalities involve governmental, social

1 services, and other systems in the community. A coordinated
2 and consistent approach among community and system points of
3 intervention are important to fostering the safety, stability,
4 well-being and healing of survivors, and facilitating
5 meaningful engagement with and sustainable accountability for
6 offenders.

7 (k) Domestic violence transcends boundaries of race,
8 religion, ethnicity, sexual orientation, gender identity,
9 disability, culture, socioeconomic status, and geography.

10 (l) Domestic violence related fatalities and
11 near-fatalities are experienced and responded to differently
12 in historically marginalized communities. The communities and
13 systems that victims, survivors, and offenders engage with in
14 historically marginalized communities are typically those with
15 power imbalances often rooted in systemic racism and
16 oppression. Women of color, in particular, face additional
17 barriers and gaps in accessing systemic and community
18 responses aimed at reducing domestic violence related
19 fatalities and near-fatalities.

20 (m) Over 200 domestic violence fatality review teams exist
21 across the United States. Those teams are engaged in systems
22 reform in order to improve the response to domestic violence
23 and reduce and prevent domestic violence related fatalities
24 and near-fatalities.

25 (n) Domestic violence related fatalities and
26 near-fatalities can be prevented, and the use of regional

1 domestic violence fatality review teams under the leadership,
2 guidance, and technical assistance of the Commission is an
3 effort toward such prevention.

4 Section 15. Purposes. The purposes of this Act are:

5 (1) To create the Illinois Domestic Violence Fatality
6 Review Commission within State government to support domestic
7 violence fatality review in this State.

8 (2) To establish regional domestic violence fatality
9 review teams that engage in domestic violence fatality review
10 in this State in order to foster systemic reform that aims to:

11 (A) reduce domestic violence and domestic violence
12 related fatalities and near-fatalities in this State;

13 (B) address disparate and discriminatory practices and
14 attitudes in the systems that interact with victims,
15 survivors, and offenders; and

16 (C) reduce the cost on society of domestic violence
17 and domestic violence related fatalities and
18 near-fatalities by:

19 (i) reviewing selected cases eligible for review;

20 (ii) examining how systems have responded to
21 individual experiences;

22 (iii) identifying gaps and barriers to effective
23 and equitable responses that promote safety,
24 stability, well-being, healing, and accountability;
25 and

1 (iv) recommending strategies to improve community
2 and systemic responses to domestic violence in order
3 to foster points of intervention and support that are
4 effective, coordinated, collaborative, consistent,
5 just, and equitable.

6 Section 20. Illinois Domestic Violence Fatality Review
7 Commission. The Illinois Domestic Violence Fatality Review
8 Commission is hereby created to provide guidance, leadership,
9 technical assistance, research, and other supports to the
10 regional domestic violence fatality review teams in carrying
11 out their responsibilities under this Act, and to serve as a
12 statewide resource for addressing domestic violence related
13 fatalities and near-fatalities as well as other forms of abuse
14 connected to domestic violence.

15 Section 25. Membership of the Commission.

16 (a) The Commission shall consist of the following voting
17 members and nonvoting ex officio members. The voting
18 membership shall have racial, ethnic, gender, and geographic
19 diversity and include the following:

20 (1) Four members of the General Assembly as follows: 2
21 members of the Senate, one member appointed by the
22 President of the Senate and one member appointed by the
23 Senate Minority Leader; 2 members of the House of
24 Representatives, one member appointed by the Speaker of

1 the House and one member appointed by the House Minority
2 Leader.

3 (2) One member of the Governor's policy leadership
4 team appointed by the Governor.

5 (3) Up to 19 public members appointed by the Governor,
6 including:

7 (A) Four members representing different regional
8 review teams established under this Act, or at-large
9 members in accordance with subparagraph (I) if 4
10 regional review teams have not yet been established at
11 the time of appointment.

12 (B) Two members representing statewide, regional,
13 or local organizations that advocate on behalf of
14 survivors of domestic violence.

15 (C) Two members who are domestic violence
16 survivors, one of whom may be a family member of a
17 victim of domestic violence-related fatality or
18 near-fatality.

19 (D) Four social services providers representing
20 different geographic areas of the State whose
21 significant purpose is to provide services to
22 survivors of domestic violence.

23 (E) Two social service providers who have
24 significant experience working with domestic violence
25 offenders.

26 (F) One physician licensed by the State whose

1 State practice focuses on emergency medicine.

2 (G) One member of the Illinois Association of
3 Chiefs of Police recommended by the Association
4 Director or President.

5 (H) One member of the Illinois Sheriffs'
6 Association recommended by the Association Director or
7 President.

8 (I) Three at-large members who have substantial
9 expertise and experience in the response to or
10 prevention of domestic violence and domestic violence
11 related fatalities and near-fatalities, or a related
12 skill or expertise.

13 (b) The following, or a designee, shall serve as nonvoting
14 ex officio members of the Commission: the Lieutenant Governor;
15 the Secretary of Human Services; the Director of Public
16 Health; the Attorney General; the Director of the Illinois
17 State Police; the Director of Children and Family Services;
18 the Director of the Illinois Criminal Justice Information
19 Authority; the Director of the Office of the State's Attorney
20 Appellate Prosecutor; and the Director of the Office of the
21 State Appellate Defender.

22 Section 30. Commission terms of members; vacancies.

23 (a) Terms of the original voting members shall be
24 staggered as follows: one-half shall be appointed for 2-year
25 terms and one-half shall be appointed for 3-year terms. The

1 length of the initial terms of each original voting member
2 shall be drawn by lot at the first meeting held by the
3 Commission and shall be recorded as part of the minutes of the
4 meeting. After the initial term, each term shall be for 3
5 years. No member may serve more than 2 consecutive terms.
6 Former members are eligible for reappointment after a waiting
7 period of at least 12 months following their last date of
8 service as a member of the Commission. Length of terms of
9 co-chairs, the secretary, and other officers coincide with
10 regional review team membership terms.

11 (b) Vacancies shall be filled in accordance with Section
12 25. Appointments to fill vacancies occurring before the
13 expiration of a term are for the remainder of the unexpired
14 term. A member whose term has expired may serve until a
15 successor is appointed and accepts the appointment.

16 Section 35. Commission quorum; meetings; compensation.

17 (a) A quorum shall consist of a majority of the voting
18 members of the Commission.

19 (b) The first meeting of the Commission shall occur 60
20 days after a quorum of the Commission is appointed, or no later
21 than 180 days after the effective date of this Act regardless
22 of whether a quorum of the Commission has been appointed. At
23 the first meeting and at subsequent meetings when terms
24 expire, the voting members shall elect 2 co-chairs and a
25 secretary from among the voting members and may elect any

1 other officers and other officers the voting members deem
2 necessary to carry out the duties and responsibilities of the
3 Commission.

4 (c) The Commission shall meet at least quarterly each
5 State Fiscal Year. Additional meetings may be called by the
6 co-chairs, after at least 7 days prior notice to the
7 Commission members, or upon a written request signed by at
8 least 5 Commission members to the co-chairs for a meeting
9 request. Meetings may be held by a virtual meeting format
10 during a public health emergency or disaster proclamation
11 declared by the Governor, or at the discretion of the
12 co-chairs.

13 (d) The meetings of the Commission are subject to the Open
14 Meetings Act, except the following shall occur in closed
15 executive sessions not subject to the requirements of the Open
16 Meetings Act:

17 (1) discussions about personnel matters, confidential
18 information as defined by Section 5, or cases eligible for
19 review under Section 70;

20 (2) conducting a domestic violence fatality review;
21 and

22 (3) any other matters that the Commission co-chairs
23 deem necessary or a majority of the Commission members
24 vote to discuss in a closed executive session in order to
25 advance the purposes of this Act.

26 (e) The members shall receive no compensation for their

1 service as members of the Commission, but may receive
2 reimbursement for actual expenses incurred in the performance
3 of their duties, subject to the availability of funds for that
4 purpose.

5 Section 40. Duties and responsibilities of the Commission.

6 (a) The Commission shall carry out the following duties
7 and responsibilities:

8 (1) Hire a full-time Executive Director to carry out
9 the duties and responsibilities of the Commission and the
10 purposes of this Act. The Executive Director may hire
11 additional staff, subject to the availability of funds for
12 that purpose and subject to the approval of the
13 Commission. The Commission and regional review teams can
14 operate without an acting Executive Director.

15 (2) Establish and maintain an Internet website.

16 (3) Prepare an annual budget that includes
17 compensation for the Executive Director and staff, and
18 financial reimbursement to regional review team members or
19 teams for actual expenses incurred in the performance of
20 their duties, subject to the availability of funds for
21 that purpose.

22 (4) Facilitate the establishment and implementation of
23 regional review teams and collaboratively develop regional
24 implementation plans and procedures.

25 (5) Provide training and ongoing technical assistance

1 to regional review teams.

2 (6) Conduct, or assist in conducting, regional
3 domestic violence fatality reviews if requested by
4 regional review teams in specific cases.

5 (7) Develop model confidentiality agreement, policies,
6 and procedures for the use of regional review teams.

7 (8) Develop guidelines for the annual and biennial
8 reports of the Commission and the regional review teams
9 pursuant to this Section and Section 65.

10 (9) Appoint the initial members of each regional
11 review team in accordance with Section 50 or designate a
12 founding member of a regional review team to form the
13 remainder of the regional review team in accordance with
14 Section 50, unless the regional review team has been
15 formed prior to the effective date of this Act or elects to
16 form without the involvement of the Commission.

17 (10) Create a process whereby the Commission shall
18 annually officially recognize regional review teams that
19 are formed and operated in substantial compliance with the
20 requirements of this Act, and nonrecognize those regional
21 review teams that are substantially out of compliance
22 after reasonable efforts are made by the Commission to
23 engage the regional review team's co-chairs and other
24 regional stakeholders to facilitate corrective actions to
25 bring the regional review team into substantial
26 compliance. A nonrecognized regional review team no longer

1 has the authority to operate under this Act, however,
2 nonrecognition would not preclude the formation of a new
3 regional review team for the affected region.

4 (11) Review, analyze, maintain, and securely store
5 regional review team reports and recommendations submitted
6 by each regional review team as required by Section 65.

7 (12) File an annual report with the Governor and the
8 General Assembly on the operations and activities of the
9 Commission and of the regional review teams. The first
10 report shall be due no later than March 1, 2023, and each
11 subsequent report shall be due no later than March 1 of
12 each year thereafter. The annual report shall be made
13 publicly available on the Commission's Internet website.

14 (13) In even numbered years, file a substantive
15 biennial report reviewing and analyzing the data and
16 recommendations collected from the reports of the regional
17 review teams. The biennial report shall include specific
18 recommendations for legislative, systemic, policy, and any
19 other changes to reduce domestic violence and domestic
20 violence related fatalities and near-fatalities. The first
21 report shall be due no later than April 1, 2024, and each
22 subsequent report shall be due no later than April 1 of
23 each even year thereafter. The biennial report shall be
24 made publicly available on the Commission's Internet
25 website.

26 (b) The Commission may carry out the following duties and

1 responsibilities:

2 (1) After a vote by the majority of the voting
3 Commission members or a decision by the co-chairs,
4 establish one or more subcommittees or task forces to
5 address specific issues regarding domestic violence,
6 domestic violence fatalities and near-fatalities, domestic
7 violence fatality review, or other related issues or
8 subject matters, and may invite nonmembers with expertise
9 on the issue or subject matter to serve on the
10 subcommittee or task force. Each subcommittee or task
11 force shall be chaired by a member of the Commission.

12 (2) Advise the Governor and General Assembly on
13 domestic violence, domestic violence fatalities and
14 near-fatalities, domestic violence fatality review, data,
15 and related topics or policies.

16 (3) Engage nonmember stakeholders in reviewing
17 selected recommendations from the regional review teams in
18 accordance with notions of fairness, equity, justice, due
19 process, and practicality.

20 (4) Analyze data and identify trends related to
21 domestic violence and domestic violence related fatalities
22 and near-fatalities, and develop mechanisms for
23 collecting, analyzing, and storing data that it collects
24 or that is provided by the regional review teams.

25 (5) Adopt administrative rules in order to implement
26 this Act.

1 (6) Subject to the availability of funding and
2 approval by a vote of the majority of the Commission
3 members, engage with and enter into contracts with a
4 higher education institution or research entity for
5 research, analysis, training, and educational purposes in
6 furtherance of the purposes of this Act. Commission
7 members or Commission staff shall not share information
8 with contractors that would disclose the identities of
9 victims, survivors, deceased, offenders, and their family
10 members or by which their identities can be determined by
11 a reasonably diligent inquiry.

12 (7) Support the implementation of systemic and
13 community reform recommendations in order to advance the
14 purposes of this Act.

15 (8) Engage in any other activities that enable the
16 Commission, its staff, and the regional review teams to
17 carry out the purposes of this Act.

18 Section 45. Regional domestic violence fatality review
19 teams. A regional domestic violence fatality review team may
20 be established within the boundaries of each judicial circuit.
21 Once a review team is established within the boundaries of the
22 judicial circuit, the team may establish one or more subteams
23 to efficiently and effectively carry out the responsibilities
24 of the regional review team and conduct domestic violence
25 fatality review.

1 Section 50. Membership of regional domestic violence
2 fatality review teams. Each regional review team shall, at a
3 minimum, include the following members from within the
4 boundaries of the judicial circuit:

5 (1) a State's Attorney or Assistant State's Attorney;

6 (2) a public defender or other criminal defense lawyer;

7 (3) a coroner or medical examiner;

8 (4) a Sheriff, Deputy Sheriff, Chief of Police, or other
9 law enforcement officer with experience in domestic violence
10 cases;

11 (5) a social services provider whose significant role is
12 to provide services to survivors of domestic violence;

13 (6) a social services provider who has significant
14 experience working with domestic violence offenders, if
15 available in the region;

16 (7) a civil legal services lawyer or pro bono lawyer
17 connected with a civil legal services program; and

18 (8) at least 2 of the following members: a public health
19 official; a physician licensed by the State who specializes in
20 emergency medicine; an advanced practice registered nurse; a
21 licensed mental health professional such as a psychiatrist,
22 clinical psychologist, licensed clinical professional
23 counselor, or licensed clinical social worker; a circuit judge
24 or associate judge; a clerk of the circuit court or other
25 elected or appointed court official; an administrative law

1 judge; an emergency medical technician, paramedic, or other
2 first responder; a local or regional elected official or State
3 legislator; a representative from the private business sector;
4 a member of the clergy or other representative of the faith
5 community; a public housing authority administrator or
6 manager; an alcohol and substance abuse treatment
7 professional; a probation or parole officer; a child welfare
8 administrator, caseworker, or investigator; a public school
9 administrator, teacher, or school support staff person
10 licensed and endorsed by the Illinois State Board of
11 Education; a representative of a State university or community
12 college; a social science researcher or data analyst; a
13 survivor or a family member or friend of a survivor or victim;
14 a supervised child visitation or child exchange staff person;
15 or a member of the public at-large who has the education,
16 training, or experience to carry out the purposes of the
17 regional review team.

18 Section 55. Terms of regional review team members;
19 vacancies.

20 (a) Terms of the original regional team members shall be
21 staggered as follows: one-half of the initial members of the
22 review team shall serve 2-year terms, and one-half of the
23 initial members shall serve 3-year terms. The initial terms
24 shall be drawn by lot at the first meeting of the review team.
25 Following the initial terms each member of the review team

1 shall serve 3-year terms. No member shall serve more than 2
2 consecutive terms. Length of terms of co-chairs, the
3 secretary, and other officers coincide with regional review
4 team membership terms.

5 (b) Vacancies shall be filled by individuals who meet the
6 requirements of Section 50 either by an application process or
7 upon the recommendation of a member of the review team, and
8 approved by a vote of the majority of the regional review team
9 members. Vacancies occurring during a term shall be filled to
10 complete the current term. Members whose terms have expired
11 may continue to serve until a new member is appointed. Former
12 members are eligible for reappointment after the expiration of
13 at least 12 months following their last date of service.

14 Section 60. Regional review team quorum; meetings;
15 compensation.

16 (a) All members of the regional review team are voting
17 members. A majority of the members of the regional review team
18 shall constitute a quorum.

19 (b) At the first meeting and at subsequent meetings when
20 terms expire, the regional review team shall elect 2 co-chairs
21 and a secretary and may elect any other officers the voting
22 members deem necessary to carry out the duties and
23 responsibilities of the Commission.

24 (c) Each regional review team shall meet at least
25 quarterly on a date and at a time and location determined by

1 the co-chairs. Additional meetings may be convened by the
2 co-chairs upon at least 7 days prior written notice to the
3 regional review team members, or upon the written request by
4 at least 5 regional review team members to the co-chairs.
5 Meetings may be held by virtual meeting format during a public
6 health emergency or disaster proclamation declared by the
7 Governor, or at the discretion of the co-chairs.

8 (d) Members of regional review teams are not entitled to
9 compensation, but may receive reimbursement for actual
10 expenses incurred in the performance of their duties, subject
11 to the availability of State or local funds for such purposes.

12 Section 65. Duties and responsibilities of the regional
13 domestic violence fatality review team.

14 (a) Each regional review team shall carry out the
15 following duties and responsibilities:

16 (1) Form a regional review team in accordance with
17 Sections 50 and 55.

18 (2) Report the names, professional titles, if
19 applicable, and business contact information of each
20 review team member to the Commission and inform the
21 Commission in a timely manner of any changes to the
22 membership of the regional review team.

23 (3) Create a secure system of maintaining and storing
24 minutes, correspondence, and confidential information
25 related to the regional review team and the domestic

1 violence fatality reviews.

2 (4) Ensure that each member of the regional review
3 team participates in trainings and technical assistance
4 provided by the Commission and other professionals.

5 (5) Meet at least quarterly and maintain minutes of
6 the business conducted by the regional review team at each
7 meeting.

8 (6) Establish priorities for reviewing eligible cases
9 that consider, in part, demographic and case type
10 diversity.

11 (7) Based upon information available from a variety of
12 sources, consider cases eligible for review in accordance
13 with Section 70.

14 (8) Vote by a majority of the regional review team
15 members to review a specific case based upon various
16 factors, including the priorities by the regional review
17 team.

18 (9) Invite and coordinate with the specific people
19 designated in Section 50 who were involved in the selected
20 domestic violence-related fatality or near-fatality to
21 participate in the domestic violence fatality review.
22 Members of the regional review team may also participate
23 directly in the domestic violence fatality review.

24 (10) Execute a confidentiality agreement with each
25 member of the regional review team and participant of a
26 domestic violence fatality review in accordance with

1 Section 75.

2 (11) Conduct a domestic violence fatality review of at
3 least 2 eligible cases per calendar year, or, if the
4 regional review team is unable to complete at least 2
5 reviews in a given year, provide an explanation to the
6 Commission in the regional review team's annual report
7 pursuant to paragraph (12).

8 (12) Prepare and submit an annual report to the
9 Commission on the operations and activities of the
10 regional review team in accordance with guidelines
11 established by the Commission. The initial report shall be
12 due on March 1 following the formation of the regional
13 review team and subsequent reports shall be submitted no
14 later than March 1 of each year thereafter.

15 (13) On odd numbered years, prepare and submit to the
16 Commission a biennial report based upon the domestic
17 violence fatality reviews of the corresponding time
18 period. The biennial report shall include specific
19 recommendations for legislative, systemic, policy, and any
20 other changes to reduce domestic violence and domestic
21 violence related fatalities and near-fatalities. These
22 recommendations will be reviewed by the Commission
23 according to Section 40 and will, in part, inform the
24 Commission's biennial report on even years. Any
25 information that identifies the victims, survivors,
26 deceased, or offenders, or their family members or any

1 information by which their identities can be determined by
2 a reasonably diligent inquiry shall not be disclosed in
3 any domestic violence fatality review biennial report or
4 by any other means. Any narrative of nonidentifying facts
5 will be limited to those essential and indispensable to
6 the explanation of data analysis or a recommendation for
7 reform. Aggregate and nonidentifying data, including
8 demographics, may be included in the biennial report. The
9 first biennial report shall be due no later than April 1,
10 2023, and each subsequent report shall be due no later
11 than April 1 of each odd year thereafter.

12 (b) Each regional review team may carry out the following
13 duties and responsibilities:

14 (1) Collect and analyze data from its regional area
15 regarding cases eligible for review that were and were not
16 reviewed by the regional review team for purposes of
17 identifying patterns and making recommendations for
18 community and systemic reforms.

19 (2) Subject to the availability of funding and
20 approval by a vote of the majority of the regional review
21 team members, engage with and enter into contracts with a
22 higher education institution or research entity for
23 research, analysis, training, and educational purposes in
24 furtherance of the purposes of this Act. Regional review
25 team members shall not share information with contractors
26 that would disclose the identities of victims, survivors,

1 deceased, offenders, and their family members or by which
2 their identities can be determined by a reasonably
3 diligent inquiry.

4 (3) Seek funds to support the operations of the
5 regional review team and the facilitation of domestic
6 violence fatality reviews.

7 (4) Support the implementation of systemic and
8 community reform recommendations in order to advance the
9 purposes of this Act.

10 (5) Engage in any other activities that enable the
11 regional review team to carry out the purposes of this
12 Act.

13 Section 70. Case eligible for review by regional review
14 team. A case eligible for review shall include a fatality or
15 near-fatality that occurred within the geographic boundaries
16 of the judicial circuit covered by the regional review team
17 and a qualifying relationship.

18 (a) A fatality or near-fatality includes at least one of
19 the following:

20 (1) a homicide, as defined in Article 9 of the
21 Criminal Code of 2012 in which:

22 (A) the offender causes the death of the victim,
23 the deceased, or others; or

24 (B) the survivor causes the death of the offender,
25 the deceased, or others;

- 1 (2) a suicide or attempt suicide of the offender;
- 2 (3) a suicide of the victim;
- 3 (4) a suicide attempt of the survivor;
- 4 (5) a familicide in which the offender causes the
5 death of the victim and other members of the victim's
6 family including, but not limited to, minor or adult
7 children and parents;
- 8 (6) the near-fatality of a survivor caused by the
9 offender;
- 10 (7) the near-fatality of an offender caused by the
11 survivor; or
- 12 (8) any other case involving domestic violence if a
13 majority of the regional review team vote that a review of
14 the case will advance the purposes of this Act.
- 15 (b) A qualifying relationship between the offender and the
16 victim or survivor shall include instances or a history of
17 domestic violence perpetrated by the offender against the
18 victim or survivor and at least one of the following
19 circumstances:
- 20 (1) the offender and the victim or survivor:
- 21 (A) resided together or shared a common dwelling
22 at any time;
- 23 (B) have or are alleged to have a child in common;
- 24 or
- 25 (C) are or were engaged, married, divorced,
26 separated, or had a dating or romantic relationship,

1 regardless of whether they had sexual relations;

2 (2) the offender stalked the victim or survivor as
3 described in Section 12-7.3 of the Criminal Code of 2012;

4 (3) the victim or survivor filed for an order of
5 protection against the offender under the Illinois
6 Domestic Violence Act of 1986 or Section 112A-2.5 of the
7 Code of Criminal Procedure of 1963;

8 (4) the victim or survivor filed for a civil no
9 contact order against the offender under the Civil No
10 Contact Order Act or Section 112A-14.5 of the Code of
11 Criminal Procedure of 1963;

12 (5) the victim or survivor filed for a stalking no
13 contact order against the offender under the Stalking No
14 Contact Order Act or Section 112A-2.5 of the Code of
15 Criminal Procedure of 1963;

16 (6) the offender violated an order of protection,
17 civil no contact order, or stalking no contact order
18 obtained by the victim or survivor;

19 (7) the deceased resided in the same household as, was
20 present at the workplace of, was in the proximity of, or
21 was related by blood or affinity to a victim or survivor;

22 (8) the deceased was a law enforcement officer,
23 emergency medical technician, or other responder to a
24 domestic violence incident between the offender and the
25 victim or survivor; or

26 (9) a relationship between the offender and the

1 victim, survivor, or deceased exists that a majority of
2 the regional review team votes warrants review of the case
3 to advance the purposes of this Act.

4 (c) A case eligible review does not require criminal
5 charges or a conviction.

6 (d) Any criminal investigation, civil, criminal, or
7 administrative proceeding, and appeals shall be complete for a
8 case to be eligible for review.

9 Section 75. Confidentiality of regional review teams,
10 information, and domestic violence fatality reviews.

11 (a) Meetings in which regional review teams are engaged in
12 any activity related to domestic violence fatality review or
13 in which confidential information is shared or disclosed are
14 closed to the public and not subject to Section 2 of the Open
15 Meetings Act.

16 (b) Unless otherwise available and lawfully obtained
17 through another source pursuant to an applicable law that
18 allows the disclosure and release of the information,
19 confidential information is not:

20 (1) subject to the Freedom of Information Act;

21 (2) subject to subpoena and discovery under Section
22 2-402 of the Code of Civil Procedure, Article 115 of the
23 Code of Criminal Procedure of 1963, or Illinois Supreme
24 Court Rule 412,; and

25 (3) admissible as evidence in any civil or criminal

1 proceeding.

2 (c) Confidential information shall not be disclosed,
3 released or shared except as follows:

4 (1) among Commission members or Commission staff
5 pursuant to the review of an eligible case;

6 (2) among regional review team members to determine
7 whether a case is eligible for review or whether an
8 eligible case should be reviewed;

9 (3) among regional review team members and
10 participants during a domestic violence fatality review;
11 or

12 (4) a regional review team votes to share confidential
13 information for solely educational or research purposes,
14 consistent with State or federal law, as long as the
15 information disclosed does not include the identities of
16 victims, survivors, deceased, or offenders, or their
17 family members or any information by which their
18 identities can be determined by a reasonably diligent
19 inquiry.

20 (d) All Commission members, Commission subcommittee
21 members, Commission staff, all members of each regional review
22 team, and any other person who participates in any manner in a
23 review of an eligible case by a regional review team shall
24 execute a confidentiality agreement based upon a model
25 confidentiality agreement developed by the Commission or a
26 document substantially similar to the Commission's model

1 document that acknowledges and agrees to comply with the
2 responsibility not to disclose or release confidential
3 information. All executed confidentiality agreements shall be
4 maintained by the Commission and by each regional review team
5 respectively.

6 (e) Members and staff of the Commission, members of a
7 regional review team or participants of a domestic violence
8 fatality review cannot be subject to examination or compelled
9 to disclose or release confidential information in any
10 administrative, civil or criminal proceeding, except for
11 information that is otherwise available and lawfully obtained
12 through another source pursuant to an applicable law that
13 allows the disclosure and release of the information.

14 Section 80. Access to records and information.

15 (a) Upon the oral or written request by a regional review
16 team, records and oral or written information relevant to the
17 purposes of domestic violence fatality review and to the
18 responsibilities of the regional review team shall be provided
19 free of charge by the following: State and local governmental
20 agencies and officials; medical and dental providers; domestic
21 violence offender and partner abuse intervention service
22 providers; child care providers; and employers. Examples of
23 records and oral or written information that may be requested
24 include, but are not limited to: guardian ad litem reports;
25 parenting evaluations; victim impact statements; mental health

1 evaluations submitted to a court; probation information,
2 presentence interviews, and reports; recommendations made
3 regarding bail and release on own recognizance; child welfare
4 reports and information; Child Advocacy Center reports and
5 information; law enforcement incident reports, dispatch
6 records, statements of victims, witnesses and suspects,
7 supplemental reports, and probable cause statements; 9-1-1
8 call-taker's reports; correction and post-sentence probation
9 or supervision reports; medical, hospital, and dental
10 treatment records; school records and information; child care
11 records and information; and employer records and information.
12 The records and oral or written information may be provided
13 for purposes of domestic violence fatality review without
14 authorization of the person or persons to whom the records and
15 oral or written information relate.

16 (b) The records and oral or written information described
17 in this Section provided to a regional review team or in a
18 domestic violence fatality review become confidential
19 information as defined in this Act. The Commission, regional
20 review teams, and any other participant in a domestic violence
21 fatality review shall maintain the confidentiality and shall
22 not disclose or release the confidential information received,
23 shared, or obtained.

24 (c) Nothing in this Act shall:

25 (1) limit public access to records or information that
26 are lawfully available; or

1 (2) change the confidentiality and privilege of
2 communications under the Illinois Domestic Violence Act of
3 1986, Section 8-802.1 of the Code of Civil Procedure, the
4 Mental Health and Developmental Disabilities Code, 42 CFR
5 2.15, Section 40002(b)(2) of the Violence Against Women
6 Act of 1994 (34 U.S.C. 12291(b)(2)), 45 CFR 1370.4, and 28
7 CFR 94.115.

8 (d) The Commission or a regional review team may request
9 and obtain information and records from outside the State by
10 any available legal means.

11 Section 85. Storage and destruction of confidential
12 information.

13 (a) Following a domestic violence fatality review,
14 participants who brought or provided confidential information
15 may return to their possession the confidential information,
16 shall not disclose or share the confidential information
17 unless otherwise allowed by State or federal law or not
18 otherwise privileged, and may destroy the confidential
19 information unless otherwise prohibited by State or federal
20 law.

21 (b) Following a domestic violence fatality review, the
22 co-chairs of the regional review team will store at the place
23 of their employment or virtually on their confidential
24 electronic database or other technology any remaining
25 confidential information and will maintain the confidentiality

1 of the information. One year following the submission of the
2 regional review team's biennial report pursuant to Section 65,
3 the co-chair or a designee shall destroy the confidential
4 information.

5 Section 90. Penalty for unlawful disclosure of
6 confidential information. Anyone who discloses, receives,
7 makes use of, or knowingly permits the use of any confidential
8 information in violation of this Act commits a Class A
9 misdemeanor.

10 Section 95. Immunity. If acting in good faith, without
11 malice, and within the protocols established by the Commission
12 and the regional review team, members of the Commission and
13 regional review team, and anyone participating in a domestic
14 violence fatality review shall have immunity from
15 administrative, civil, or criminal liability for an act or
16 omission related to the participation in a domestic violence
17 fatality review, notwithstanding Section 90.

18 Section 900. The Open Meetings Act is amended by changing
19 Section 2 as follows:

20 (5 ILCS 120/2) (from Ch. 102, par. 42)

21 Sec. 2. Open meetings.

22 (a) Openness required. All meetings of public bodies shall

1 be open to the public unless excepted in subsection (c) and
2 closed in accordance with Section 2a.

3 (b) Construction of exceptions. The exceptions contained
4 in subsection (c) are in derogation of the requirement that
5 public bodies meet in the open, and therefore, the exceptions
6 are to be strictly construed, extending only to subjects
7 clearly within their scope. The exceptions authorize but do
8 not require the holding of a closed meeting to discuss a
9 subject included within an enumerated exception.

10 (c) Exceptions. A public body may hold closed meetings to
11 consider the following subjects:

12 (1) The appointment, employment, compensation,
13 discipline, performance, or dismissal of specific
14 employees, specific individuals who serve as independent
15 contractors in a park, recreational, or educational
16 setting, or specific volunteers of the public body or
17 legal counsel for the public body, including hearing
18 testimony on a complaint lodged against an employee, a
19 specific individual who serves as an independent
20 contractor in a park, recreational, or educational
21 setting, or a volunteer of the public body or against
22 legal counsel for the public body to determine its
23 validity. However, a meeting to consider an increase in
24 compensation to a specific employee of a public body that
25 is subject to the Local Government Wage Increase
26 Transparency Act may not be closed and shall be open to the

1 public and posted and held in accordance with this Act.

2 (2) Collective negotiating matters between the public
3 body and its employees or their representatives, or
4 deliberations concerning salary schedules for one or more
5 classes of employees.

6 (3) The selection of a person to fill a public office,
7 as defined in this Act, including a vacancy in a public
8 office, when the public body is given power to appoint
9 under law or ordinance, or the discipline, performance or
10 removal of the occupant of a public office, when the
11 public body is given power to remove the occupant under
12 law or ordinance.

13 (4) Evidence or testimony presented in open hearing,
14 or in closed hearing where specifically authorized by law,
15 to a quasi-adjudicative body, as defined in this Act,
16 provided that the body prepares and makes available for
17 public inspection a written decision setting forth its
18 determinative reasoning.

19 (5) The purchase or lease of real property for the use
20 of the public body, including meetings held for the
21 purpose of discussing whether a particular parcel should
22 be acquired.

23 (6) The setting of a price for sale or lease of
24 property owned by the public body.

25 (7) The sale or purchase of securities, investments,
26 or investment contracts. This exception shall not apply to

1 the investment of assets or income of funds deposited into
2 the Illinois Prepaid Tuition Trust Fund.

3 (8) Security procedures, school building safety and
4 security, and the use of personnel and equipment to
5 respond to an actual, a threatened, or a reasonably
6 potential danger to the safety of employees, students,
7 staff, the public, or public property.

8 (9) Student disciplinary cases.

9 (10) The placement of individual students in special
10 education programs and other matters relating to
11 individual students.

12 (11) Litigation, when an action against, affecting or
13 on behalf of the particular public body has been filed and
14 is pending before a court or administrative tribunal, or
15 when the public body finds that an action is probable or
16 imminent, in which case the basis for the finding shall be
17 recorded and entered into the minutes of the closed
18 meeting.

19 (12) The establishment of reserves or settlement of
20 claims as provided in the Local Governmental and
21 Governmental Employees Tort Immunity Act, if otherwise the
22 disposition of a claim or potential claim might be
23 prejudiced, or the review or discussion of claims, loss or
24 risk management information, records, data, advice or
25 communications from or with respect to any insurer of the
26 public body or any intergovernmental risk management

1 association or self insurance pool of which the public
2 body is a member.

3 (13) Conciliation of complaints of discrimination in
4 the sale or rental of housing, when closed meetings are
5 authorized by the law or ordinance prescribing fair
6 housing practices and creating a commission or
7 administrative agency for their enforcement.

8 (14) Informant sources, the hiring or assignment of
9 undercover personnel or equipment, or ongoing, prior or
10 future criminal investigations, when discussed by a public
11 body with criminal investigatory responsibilities.

12 (15) Professional ethics or performance when
13 considered by an advisory body appointed to advise a
14 licensing or regulatory agency on matters germane to the
15 advisory body's field of competence.

16 (16) Self evaluation, practices and procedures or
17 professional ethics, when meeting with a representative of
18 a statewide association of which the public body is a
19 member.

20 (17) The recruitment, credentialing, discipline or
21 formal peer review of physicians or other health care
22 professionals, or for the discussion of matters protected
23 under the federal Patient Safety and Quality Improvement
24 Act of 2005, and the regulations promulgated thereunder,
25 including 42 C.F.R. Part 3 (73 FR 70732), or the federal
26 Health Insurance Portability and Accountability Act of

1 1996, and the regulations promulgated thereunder,
2 including 45 C.F.R. Parts 160, 162, and 164, by a
3 hospital, or other institution providing medical care,
4 that is operated by the public body.

5 (18) Deliberations for decisions of the Prisoner
6 Review Board.

7 (19) Review or discussion of applications received
8 under the Experimental Organ Transplantation Procedures
9 Act.

10 (20) The classification and discussion of matters
11 classified as confidential or continued confidential by
12 the State Government Suggestion Award Board.

13 (21) Discussion of minutes of meetings lawfully closed
14 under this Act, whether for purposes of approval by the
15 body of the minutes or semi-annual review of the minutes
16 as mandated by Section 2.06.

17 (22) Deliberations for decisions of the State
18 Emergency Medical Services Disciplinary Review Board.

19 (23) The operation by a municipality of a municipal
20 utility or the operation of a municipal power agency or
21 municipal natural gas agency when the discussion involves
22 (i) contracts relating to the purchase, sale, or delivery
23 of electricity or natural gas or (ii) the results or
24 conclusions of load forecast studies.

25 (24) Meetings of a residential health care facility
26 resident sexual assault and death review team or the

1 Executive Council under the Abuse Prevention Review Team
2 Act.

3 (25) Meetings of an independent team of experts under
4 Brian's Law.

5 (26) Meetings of a mortality review team appointed
6 under the Department of Juvenile Justice Mortality Review
7 Team Act.

8 (27) (Blank).

9 (28) Correspondence and records (i) that may not be
10 disclosed under Section 11-9 of the Illinois Public Aid
11 Code or (ii) that pertain to appeals under Section 11-8 of
12 the Illinois Public Aid Code.

13 (29) Meetings between internal or external auditors
14 and governmental audit committees, finance committees, and
15 their equivalents, when the discussion involves internal
16 control weaknesses, identification of potential fraud risk
17 areas, known or suspected frauds, and fraud interviews
18 conducted in accordance with generally accepted auditing
19 standards of the United States of America.

20 (30) Those meetings or portions of meetings of a
21 fatality review team or the Illinois Fatality Review Team
22 Advisory Council during which a review of the death of an
23 eligible adult in which abuse or neglect is suspected,
24 alleged, or substantiated is conducted pursuant to Section
25 15 of the Adult Protective Services Act.

26 (31) Meetings and deliberations for decisions of the

1 Concealed Carry Licensing Review Board under the Firearm
2 Concealed Carry Act.

3 (32) Meetings between the Regional Transportation
4 Authority Board and its Service Boards when the discussion
5 involves review by the Regional Transportation Authority
6 Board of employment contracts under Section 28d of the
7 Metropolitan Transit Authority Act and Sections 3A.18 and
8 3B.26 of the Regional Transportation Authority Act.

9 (33) Those meetings or portions of meetings of the
10 advisory committee and peer review subcommittee created
11 under Section 320 of the Illinois Controlled Substances
12 Act during which specific controlled substance prescriber,
13 dispenser, or patient information is discussed.

14 (34) Meetings of the Tax Increment Financing Reform
15 Task Force under Section 2505-800 of the Department of
16 Revenue Law of the Civil Administrative Code of Illinois.

17 (35) Meetings of the group established to discuss
18 Medicaid capitation rates under Section 5-30.8 of the
19 Illinois Public Aid Code.

20 (36) Those deliberations or portions of deliberations
21 for decisions of the Illinois Gaming Board in which there
22 is discussed any of the following: (i) personal,
23 commercial, financial, or other information obtained from
24 any source that is privileged, proprietary, confidential,
25 or a trade secret; or (ii) information specifically
26 exempted from the disclosure by federal or State law.

1 (37) Meetings of the regional review teams under
2 Section 75 of the Domestic Violence Fatality Review Act.

3 (d) Definitions. For purposes of this Section:

4 "Employee" means a person employed by a public body whose
5 relationship with the public body constitutes an
6 employer-employee relationship under the usual common law
7 rules, and who is not an independent contractor.

8 "Public office" means a position created by or under the
9 Constitution or laws of this State, the occupant of which is
10 charged with the exercise of some portion of the sovereign
11 power of this State. The term "public office" shall include
12 members of the public body, but it shall not include
13 organizational positions filled by members thereof, whether
14 established by law or by a public body itself, that exist to
15 assist the body in the conduct of its business.

16 "Quasi-adjudicative body" means an administrative body
17 charged by law or ordinance with the responsibility to conduct
18 hearings, receive evidence or testimony and make
19 determinations based thereon, but does not include local
20 electoral boards when such bodies are considering petition
21 challenges.

22 (e) Final action. No final action may be taken at a closed
23 meeting. Final action shall be preceded by a public recital of
24 the nature of the matter being considered and other
25 information that will inform the public of the business being
26 conducted.

1 (Source: P.A. 100-201, eff. 8-18-17; 100-465, eff. 8-31-17;
2 100-646, eff. 7-27-18; 101-31, eff. 6-28-19; 101-459, eff.
3 8-23-19; revised 9-27-19.)

4 Section 905. The Freedom of Information Act is amended by
5 changing Section 7.5 as follows:

6 (5 ILCS 140/7.5)

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

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

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

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

22 (d) Information and records held by the Department of
23 Public Health and its authorized representatives relating
24 to known or suspected cases of sexually transmissible

1 disease or any information the disclosure of which is
2 restricted under the Illinois Sexually Transmissible
3 Disease Control Act.

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

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

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

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

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

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

25 (k) Law enforcement officer identification information
26 or driver identification information compiled by a law

1 enforcement agency or the Department of Transportation
2 under Section 11-212 of the Illinois Vehicle Code.

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

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

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

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

21 (p) Security portions of system safety program plans,
22 investigation reports, surveys, schedules, lists, data, or
23 information compiled, collected, or prepared by or for the
24 Regional Transportation Authority under Section 2.11 of
25 the Regional Transportation Authority Act or the St. Clair
26 County Transit District under the Bi-State Transit Safety

1 Act.

2 (q) Information prohibited from being disclosed by the
3 Personnel Record Review Act.

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

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

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

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

25 (v) Names and information of people who have applied
26 for or received Firearm Owner's Identification Cards under

1 the Firearm Owners Identification Card Act or applied for
2 or received a concealed carry license under the Firearm
3 Concealed Carry Act, unless otherwise authorized by the
4 Firearm Concealed Carry Act; and databases under the
5 Firearm Concealed Carry Act, records of the Concealed
6 Carry Licensing Review Board under the Firearm Concealed
7 Carry Act, and law enforcement agency objections under the
8 Firearm Concealed Carry Act.

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

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

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

23 (z) Records and information provided to a fatality
24 review team or the Illinois Fatality Review Team Advisory
25 Council under Section 15 of the Adult Protective Services
26 Act.

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

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

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

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

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

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

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

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

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

23 (jj) Information and reports that are required to be
24 submitted to the Department of Labor by registering day
25 and temporary labor service agencies but are exempt from
26 disclosure under subsection (a-1) of Section 45 of the Day

1 and Temporary Labor Services Act.

2 (kk) Information prohibited from disclosure under the
3 Seizure and Forfeiture Reporting Act.

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

7 (mm) Records that are exempt from disclosure under
8 Section 4.2 of the Crime Victims Compensation Act.

9 (nn) Information that is exempt from disclosure under
10 Section 70 of the Higher Education Student Assistance Act.

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

15 (pp) Names and all identifying information relating to
16 an employee of an emergency services provider or law
17 enforcement agency under the First Responders Suicide
18 Prevention Act.

19 (qq) Information and records held by the Department of
20 Public Health and its authorized representatives collected
21 under the Reproductive Health Act.

22 (rr) Information that is exempt from disclosure under
23 the Cannabis Regulation and Tax Act.

24 (ss) Data reported by an employer to the Department of
25 Human Rights pursuant to Section 2-108 of the Illinois
26 Human Rights Act.

1 (tt) Recordings made under the Children's Advocacy
2 Center Act, except to the extent authorized under that
3 Act.

4 (uu) Information that is exempt from disclosure under
5 Section 50 of the Sexual Assault Evidence Submission Act.

6 (vv) Information that is exempt from disclosure under
7 subsections (f) and (j) of Section 5-36 of the Illinois
8 Public Aid Code.

9 (ww) Information that is exempt from disclosure under
10 Section 16.8 of the State Treasurer Act.

11 (xx) Information that is exempt from disclosure or
12 information that shall not be made public under the
13 Illinois Insurance Code.

14 (yy) Information prohibited from being disclosed under
15 the Illinois Educational Labor Relations Act.

16 (zz) Information prohibited from being disclosed under
17 the Illinois Public Labor Relations Act.

18 (aaa) Information prohibited from being disclosed
19 under Section 1-167 of the Illinois Pension Code.

20 (bbb) Information prohibited from being disclosed
21 under subsection (d) of Section 35 of the Domestic
22 Violence Fatality Review Act.

23 (Source: P.A. 100-20, eff. 7-1-17; 100-22, eff. 1-1-18;
24 100-201, eff. 8-18-17; 100-373, eff. 1-1-18; 100-464, eff.
25 8-28-17; 100-465, eff. 8-31-17; 100-512, eff. 7-1-18; 100-517,
26 eff. 6-1-18; 100-646, eff. 7-27-18; 100-690, eff. 1-1-19;

1 100-863, eff. 8-14-18; 100-887, eff. 8-14-18; 101-13, eff.
2 6-12-19; 101-27, eff. 6-25-19; 101-81, eff. 7-12-19; 101-221,
3 eff. 1-1-20; 101-236, eff. 1-1-20; 101-375, eff. 8-16-19;
4 101-377, eff. 8-16-19; 101-452, eff. 1-1-20; 101-466, eff.
5 1-1-20; 101-600, eff. 12-6-19; 101-620, eff 12-20-19; 101-649,
6 eff. 7-7-20.)

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