

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 service 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 service provider whose significant role is to  
12 provide services to survivors of domestic violence;

13           (6) a social service 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 attempted 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 for 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.