

1 AN ACT concerning health.

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 Access  
5 to Public Health Data Act.

6 Section 5. Definition. In this Act, "public health data"  
7 includes, but is not limited to, birth and death certificate  
8 data, hospital discharge data, adverse pregnancy outcomes  
9 reporting system (APORS) data, cancer registry data, syndromic  
10 surveillance data, and prescription monitoring program (PMP)  
11 data.

12 Section 10. Access to public health data; certified local  
13 health departments; safeguards.

14 (a) Notwithstanding any other provision of State law to  
15 the contrary, the Department of Public Health, the Department  
16 of Human Services, and the Department of Healthcare and Family  
17 Services shall, at the request of a certified local health  
18 department in this State, make any and all public health data  
19 related to residents of that certified local health  
20 department's jurisdiction available to that certified local  
21 health department for the purposes of preventing or  
22 controlling disease, injury, or disability. The commissioner,

1 executive director, chief operating officer, chief medical  
2 officer, or equivalent executive leader of a certified local  
3 health department has express authority to request and receive  
4 such data.

5 (b) A certified local health department shall have access  
6 to data under this Act only for the purposes identified in this  
7 Act. The Department of Public Health, the Department of Human  
8 Services, the Department of Healthcare and Family Services,  
9 and the requesting certified local health department shall  
10 protect the privacy and security of data obtained under this  
11 Act in accordance with applicable federal and State law and  
12 shall apply appropriate administrative, physical, and  
13 technical safeguards to ensure the privacy and security of the  
14 data and protect the data from unauthorized access, use, or  
15 disclosure. Appropriate safeguards include, but are not  
16 limited to, authentication and authorization of users prior to  
17 gaining access to data obtained under this Act.

18 (c) A certified local health department shall apply  
19 appropriate controls to ensure that access to data under this  
20 Act is provided on a minimum, necessary basis and limited to  
21 only those persons whose public health duties and  
22 responsibilities require such access. Any data obtained under  
23 this Act and in the possession of a certified local health  
24 department shall be exempt from inspection and copying under  
25 subsection (pp) of Section 7 of the Freedom of Information  
26 Act. Any data obtained under this Act shall not be admissible

1 as evidence nor discoverable in any action of any kind in any  
2 court or before any tribunal, board, agency, or person. The  
3 access to or disclosure of any information or data by a  
4 certified local health department under this Act shall not  
5 waive or have any effect upon its nondiscoverability or  
6 inadmissibility. The identity of any individual identified in  
7 data obtained under this Act shall be confidential and shall  
8 not be disclosed publicly or in any action of any kind.

9 Section 15. Data use agreements. A disclosing State  
10 department and the requesting certified local health  
11 department shall enter into a data use agreement to ensure  
12 appropriate, effective, and efficient use of data obtained  
13 under this Act by the certified local health department,  
14 though no data use agreement shall, in a manner inconsistent  
15 with the purpose or requirements of this Act, impede certified  
16 local health department access to any public health data  
17 available to the Department of Public Health, the Department  
18 of Human Services, or the Department of Healthcare and Family  
19 Services, nor shall it require indemnification as a  
20 prerequisite to access.

21 Section 20. Standard request data forms. Within 60 days  
22 after the effective date of this Act, the Department of Public  
23 Health, the Department of Human Services, and the Department  
24 of Healthcare and Family Services shall develop a standard

1 data request form for use by certified local health  
2 departments, the terms of which shall be limited to data  
3 content, format, method of transfer, analytic and statistical  
4 methods, scope of use, and requirements for safeguarding the  
5 data.

6 Section 25. Latest available data. The Department of  
7 Public Health, the Department of Human Services, and the  
8 Department of Healthcare and Family Services must provide the  
9 latest available data for each certified local health  
10 department request within 90 business days after receiving the  
11 data request form.

12 Section 30. Rules. The Department of Public Health, the  
13 Department of Human Services, and the Department of Healthcare  
14 and Family Services may adopt any rules necessary to implement  
15 this Act.

16 Section 900. The Freedom of Information Act is amended by  
17 changing Section 7 as follows:

18 (5 ILCS 140/7)

19 (Text of Section before amendment by P.A. 102-753,  
20 102-776, and 102-982)

21 Sec. 7. Exemptions.

22 (1) When a request is made to inspect or copy a public

1 record that contains information that is exempt from  
2 disclosure under this Section, but also contains information  
3 that is not exempt from disclosure, the public body may elect  
4 to redact the information that is exempt. The public body  
5 shall make the remaining information available for inspection  
6 and copying. Subject to this requirement, the following shall  
7 be exempt from inspection and copying:

8 (a) Information specifically prohibited from  
9 disclosure by federal or State law or rules and  
10 regulations implementing federal or State law.

11 (b) Private information, unless disclosure is required  
12 by another provision of this Act, a State or federal law,  
13 or a court order.

14 (b-5) Files, documents, and other data or databases  
15 maintained by one or more law enforcement agencies and  
16 specifically designed to provide information to one or  
17 more law enforcement agencies regarding the physical or  
18 mental status of one or more individual subjects.

19 (c) Personal information contained within public  
20 records, the disclosure of which would constitute a  
21 clearly unwarranted invasion of personal privacy, unless  
22 the disclosure is consented to in writing by the  
23 individual subjects of the information. "Unwarranted  
24 invasion of personal privacy" means the disclosure of  
25 information that is highly personal or objectionable to a  
26 reasonable person and in which the subject's right to

1 privacy outweighs any legitimate public interest in  
2 obtaining the information. The disclosure of information  
3 that bears on the public duties of public employees and  
4 officials shall not be considered an invasion of personal  
5 privacy.

6 (d) Records in the possession of any public body  
7 created in the course of administrative enforcement  
8 proceedings, and any law enforcement or correctional  
9 agency for law enforcement purposes, but only to the  
10 extent that disclosure would:

11 (i) interfere with pending or actually and  
12 reasonably contemplated law enforcement proceedings  
13 conducted by any law enforcement or correctional  
14 agency that is the recipient of the request;

15 (ii) interfere with active administrative  
16 enforcement proceedings conducted by the public body  
17 that is the recipient of the request;

18 (iii) create a substantial likelihood that a  
19 person will be deprived of a fair trial or an impartial  
20 hearing;

21 (iv) unavoidably disclose the identity of a  
22 confidential source, confidential information  
23 furnished only by the confidential source, or persons  
24 who file complaints with or provide information to  
25 administrative, investigative, law enforcement, or  
26 penal agencies; except that the identities of

1 witnesses to traffic accidents, traffic accident  
2 reports, and rescue reports shall be provided by  
3 agencies of local government, except when disclosure  
4 would interfere with an active criminal investigation  
5 conducted by the agency that is the recipient of the  
6 request;

7 (v) disclose unique or specialized investigative  
8 techniques other than those generally used and known  
9 or disclose internal documents of correctional  
10 agencies related to detection, observation, or  
11 investigation of incidents of crime or misconduct, and  
12 disclosure would result in demonstrable harm to the  
13 agency or public body that is the recipient of the  
14 request;

15 (vi) endanger the life or physical safety of law  
16 enforcement personnel or any other person; or

17 (vii) obstruct an ongoing criminal investigation  
18 by the agency that is the recipient of the request.

19 (d-5) A law enforcement record created for law  
20 enforcement purposes and contained in a shared electronic  
21 record management system if the law enforcement agency  
22 that is the recipient of the request did not create the  
23 record, did not participate in or have a role in any of the  
24 events which are the subject of the record, and only has  
25 access to the record through the shared electronic record  
26 management system.

1 (d-6) Records contained in the Officer Professional  
2 Conduct Database under Section 9.2 of the Illinois Police  
3 Training Act, except to the extent authorized under that  
4 Section. This includes the documents supplied to the  
5 Illinois Law Enforcement Training Standards Board from the  
6 Illinois State Police and Illinois State Police Merit  
7 Board.

8 (e) Records that relate to or affect the security of  
9 correctional institutions and detention facilities.

10 (e-5) Records requested by persons committed to the  
11 Department of Corrections, Department of Human Services  
12 Division of Mental Health, or a county jail if those  
13 materials are available in the library of the correctional  
14 institution or facility or jail where the inmate is  
15 confined.

16 (e-6) Records requested by persons committed to the  
17 Department of Corrections, Department of Human Services  
18 Division of Mental Health, or a county jail if those  
19 materials include records from staff members' personnel  
20 files, staff rosters, or other staffing assignment  
21 information.

22 (e-7) Records requested by persons committed to the  
23 Department of Corrections or Department of Human Services  
24 Division of Mental Health if those materials are available  
25 through an administrative request to the Department of  
26 Corrections or Department of Human Services Division of



1 Mental Health.

2 (e-8) Records requested by a person committed to the  
3 Department of Corrections, Department of Human Services  
4 Division of Mental Health, or a county jail, the  
5 disclosure of which would result in the risk of harm to any  
6 person or the risk of an escape from a jail or correctional  
7 institution or facility.

8 (e-9) Records requested by a person in a county jail  
9 or committed to the Department of Corrections or  
10 Department of Human Services Division of Mental Health,  
11 containing personal information pertaining to the person's  
12 victim or the victim's family, including, but not limited  
13 to, a victim's home address, home telephone number, work  
14 or school address, work telephone number, social security  
15 number, or any other identifying information, except as  
16 may be relevant to a requester's current or potential case  
17 or claim.

18 (e-10) Law enforcement records of other persons  
19 requested by a person committed to the Department of  
20 Corrections, Department of Human Services Division of  
21 Mental Health, or a county jail, including, but not  
22 limited to, arrest and booking records, mug shots, and  
23 crime scene photographs, except as these records may be  
24 relevant to the requester's current or potential case or  
25 claim.

26 (f) Preliminary drafts, notes, recommendations,

1 memoranda, and other records in which opinions are  
2 expressed, or policies or actions are formulated, except  
3 that a specific record or relevant portion of a record  
4 shall not be exempt when the record is publicly cited and  
5 identified by the head of the public body. The exemption  
6 provided in this paragraph (f) extends to all those  
7 records of officers and agencies of the General Assembly  
8 that pertain to the preparation of legislative documents.

9 (g) Trade secrets and commercial or financial  
10 information obtained from a person or business where the  
11 trade secrets or commercial or financial information are  
12 furnished under a claim that they are proprietary,  
13 privileged, or confidential, and that disclosure of the  
14 trade secrets or commercial or financial information would  
15 cause competitive harm to the person or business, and only  
16 insofar as the claim directly applies to the records  
17 requested.

18 The information included under this exemption includes  
19 all trade secrets and commercial or financial information  
20 obtained by a public body, including a public pension  
21 fund, from a private equity fund or a privately held  
22 company within the investment portfolio of a private  
23 equity fund as a result of either investing or evaluating  
24 a potential investment of public funds in a private equity  
25 fund. The exemption contained in this item does not apply  
26 to the aggregate financial performance information of a

1 private equity fund, nor to the identity of the fund's  
2 managers or general partners. The exemption contained in  
3 this item does not apply to the identity of a privately  
4 held company within the investment portfolio of a private  
5 equity fund, unless the disclosure of the identity of a  
6 privately held company may cause competitive harm.

7 Nothing contained in this paragraph (g) shall be  
8 construed to prevent a person or business from consenting  
9 to disclosure.

10 (h) Proposals and bids for any contract, grant, or  
11 agreement, including information which if it were  
12 disclosed would frustrate procurement or give an advantage  
13 to any person proposing to enter into a contractor  
14 agreement with the body, until an award or final selection  
15 is made. Information prepared by or for the body in  
16 preparation of a bid solicitation shall be exempt until an  
17 award or final selection is made.

18 (i) Valuable formulae, computer geographic systems,  
19 designs, drawings, and research data obtained or produced  
20 by any public body when disclosure could reasonably be  
21 expected to produce private gain or public loss. The  
22 exemption for "computer geographic systems" provided in  
23 this paragraph (i) does not extend to requests made by  
24 news media as defined in Section 2 of this Act when the  
25 requested information is not otherwise exempt and the only  
26 purpose of the request is to access and disseminate

1 information regarding the health, safety, welfare, or  
2 legal rights of the general public.

3 (j) The following information pertaining to  
4 educational matters:

5 (i) test questions, scoring keys, and other  
6 examination data used to administer an academic  
7 examination;

8 (ii) information received by a primary or  
9 secondary school, college, or university under its  
10 procedures for the evaluation of faculty members by  
11 their academic peers;

12 (iii) information concerning a school or  
13 university's adjudication of student disciplinary  
14 cases, but only to the extent that disclosure would  
15 unavoidably reveal the identity of the student; and

16 (iv) course materials or research materials used  
17 by faculty members.

18 (k) Architects' plans, engineers' technical  
19 submissions, and other construction related technical  
20 documents for projects not constructed or developed in  
21 whole or in part with public funds and the same for  
22 projects constructed or developed with public funds,  
23 including, but not limited to, power generating and  
24 distribution stations and other transmission and  
25 distribution facilities, water treatment facilities,  
26 airport facilities, sport stadiums, convention centers,

1 and all government owned, operated, or occupied buildings,  
2 but only to the extent that disclosure would compromise  
3 security.

4 (l) Minutes of meetings of public bodies closed to the  
5 public as provided in the Open Meetings Act until the  
6 public body makes the minutes available to the public  
7 under Section 2.06 of the Open Meetings Act.

8 (m) Communications between a public body and an  
9 attorney or auditor representing the public body that  
10 would not be subject to discovery in litigation, and  
11 materials prepared or compiled by or for a public body in  
12 anticipation of a criminal, civil, or administrative  
13 proceeding upon the request of an attorney advising the  
14 public body, and materials prepared or compiled with  
15 respect to internal audits of public bodies.

16 (n) Records relating to a public body's adjudication  
17 of employee grievances or disciplinary cases; however,  
18 this exemption shall not extend to the final outcome of  
19 cases in which discipline is imposed.

20 (o) Administrative or technical information associated  
21 with automated data processing operations, including, but  
22 not limited to, software, operating protocols, computer  
23 program abstracts, file layouts, source listings, object  
24 modules, load modules, user guides, documentation  
25 pertaining to all logical and physical design of  
26 computerized systems, employee manuals, and any other

1 information that, if disclosed, would jeopardize the  
2 security of the system or its data or the security of  
3 materials exempt under this Section.

4 (p) Records relating to collective negotiating matters  
5 between public bodies and their employees or  
6 representatives, except that any final contract or  
7 agreement shall be subject to inspection and copying.

8 (q) Test questions, scoring keys, and other  
9 examination data used to determine the qualifications of  
10 an applicant for a license or employment.

11 (r) The records, documents, and information relating  
12 to real estate purchase negotiations until those  
13 negotiations have been completed or otherwise terminated.  
14 With regard to a parcel involved in a pending or actually  
15 and reasonably contemplated eminent domain proceeding  
16 under the Eminent Domain Act, records, documents, and  
17 information relating to that parcel shall be exempt except  
18 as may be allowed under discovery rules adopted by the  
19 Illinois Supreme Court. The records, documents, and  
20 information relating to a real estate sale shall be exempt  
21 until a sale is consummated.

22 (s) Any and all proprietary information and records  
23 related to the operation of an intergovernmental risk  
24 management association or self-insurance pool or jointly  
25 self-administered health and accident cooperative or pool.  
26 Insurance or self-insurance ~~self-insurance~~ (including any

1           intergovernmental risk management association or  
2           self-insurance ~~self-insurance~~ pool) claims, loss or risk  
3           management information, records, data, advice, or  
4           communications.

5           (t) Information contained in or related to  
6           examination, operating, or condition reports prepared by,  
7           on behalf of, or for the use of a public body responsible  
8           for the regulation or supervision of financial  
9           institutions, insurance companies, or pharmacy benefit  
10          managers, unless disclosure is otherwise required by State  
11          law.

12          (u) Information that would disclose or might lead to  
13          the disclosure of secret or confidential information,  
14          codes, algorithms, programs, or private keys intended to  
15          be used to create electronic signatures under the Uniform  
16          Electronic Transactions Act.

17          (v) Vulnerability assessments, security measures, and  
18          response policies or plans that are designed to identify,  
19          prevent, or respond to potential attacks upon a  
20          community's population or systems, facilities, or  
21          installations, the destruction or contamination of which  
22          would constitute a clear and present danger to the health  
23          or safety of the community, but only to the extent that  
24          disclosure could reasonably be expected to jeopardize the  
25          effectiveness of the measures or the safety of the  
26          personnel who implement them or the public. Information

1 exempt under this item may include such things as details  
2 pertaining to the mobilization or deployment of personnel  
3 or equipment, to the operation of communication systems or  
4 protocols, or to tactical operations.

5 (w) (Blank).

6 (x) Maps and other records regarding the location or  
7 security of generation, transmission, distribution,  
8 storage, gathering, treatment, or switching facilities  
9 owned by a utility, by a power generator, or by the  
10 Illinois Power Agency.

11 (y) Information contained in or related to proposals,  
12 bids, or negotiations related to electric power  
13 procurement under Section 1-75 of the Illinois Power  
14 Agency Act and Section 16-111.5 of the Public Utilities  
15 Act that is determined to be confidential and proprietary  
16 by the Illinois Power Agency or by the Illinois Commerce  
17 Commission.

18 (z) Information about students exempted from  
19 disclosure under Section ~~Sections~~ 10-20.38 or 34-18.29 of  
20 the School Code, and information about undergraduate  
21 students enrolled at an institution of higher education  
22 exempted from disclosure under Section 25 of the Illinois  
23 Credit Card Marketing Act of 2009.

24 (aa) Information the disclosure of which is exempted  
25 under the Viatical Settlements Act of 2009.

26 (bb) Records and information provided to a mortality



1 review team and records maintained by a mortality review  
2 team appointed under the Department of Juvenile Justice  
3 Mortality Review Team Act.

4 (cc) Information regarding interments, entombments, or  
5 inurnments of human remains that are submitted to the  
6 Cemetery Oversight Database under the Cemetery Care Act or  
7 the Cemetery Oversight Act, whichever is applicable.

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

12 (ee) The names, addresses, or other personal  
13 information of persons who are minors and are also  
14 participants and registrants in programs of park  
15 districts, forest preserve districts, conservation  
16 districts, recreation agencies, and special recreation  
17 associations.

18 (ff) The names, addresses, or other personal  
19 information of participants and registrants in programs of  
20 park districts, forest preserve districts, conservation  
21 districts, recreation agencies, and special recreation  
22 associations where such programs are targeted primarily to  
23 minors.

24 (gg) Confidential information described in Section  
25 1-100 of the Illinois Independent Tax Tribunal Act of  
26 2012.

1           (hh) The report submitted to the State Board of  
2 Education by the School Security and Standards Task Force  
3 under item (8) of subsection (d) of Section 2-3.160 of the  
4 School Code and any information contained in that report.

5           (ii) Records requested by persons committed to or  
6 detained by the Department of Human Services under the  
7 Sexually Violent Persons Commitment Act or committed to  
8 the Department of Corrections under the Sexually Dangerous  
9 Persons Act if those materials: (i) are available in the  
10 library of the facility where the individual is confined;  
11 (ii) include records from staff members' personnel files,  
12 staff rosters, or other staffing assignment information;  
13 or (iii) are available through an administrative request  
14 to the Department of Human Services or the Department of  
15 Corrections.

16           (jj) Confidential information described in Section  
17 5-535 of the Civil Administrative Code of Illinois.

18           (kk) The public body's credit card numbers, debit card  
19 numbers, bank account numbers, Federal Employer  
20 Identification Number, security code numbers, passwords,  
21 and similar account information, the disclosure of which  
22 could result in identity theft or impression or defrauding  
23 of a governmental entity or a person.

24           (ll) Records concerning the work of the threat  
25 assessment team of a school district, including, but not  
26 limited to, any threat assessment procedure under the

1 School Safety Drill Act and any information contained in  
2 the procedure.

3 (mm) Information prohibited from being disclosed under  
4 subsections (a) and (b) of Section 15 of the Student  
5 Confidential Reporting Act.

6 (nn) ~~(mm)~~ Proprietary information submitted to the  
7 Environmental Protection Agency under the Drug Take-Back  
8 Act.

9 (1.5) Any information exempt from disclosure under the  
10 Judicial Privacy Act shall be redacted from public records  
11 prior to disclosure under this Act.

12 (2) A public record that is not in the possession of a  
13 public body but is in the possession of a party with whom the  
14 agency has contracted to perform a governmental function on  
15 behalf of the public body, and that directly relates to the  
16 governmental function and is not otherwise exempt under this  
17 Act, shall be considered a public record of the public body,  
18 for purposes of this Act.

19 (3) This Section does not authorize withholding of  
20 information or limit the availability of records to the  
21 public, except as stated in this Section or otherwise provided  
22 in this Act.

23 (Source: P.A. 101-434, eff. 1-1-20; 101-452, eff. 1-1-20;  
24 101-455, eff. 8-23-19; 101-652, eff. 1-1-22; 102-38, eff.  
25 6-25-21; 102-558, eff. 8-20-21; 102-694, eff. 1-7-22; 102-752,  
26 eff. 5-6-22; 102-791, eff. 5-13-22; 102-1055, eff. 6-10-22;

1 revised 8-1-22.)

2 (Text of Section after amendment by P.A. 102-753 and  
3 102-776 but before amendment by P.A. 102-982)

4 Sec. 7. Exemptions.

5 (1) When a request is made to inspect or copy a public  
6 record that contains information that is exempt from  
7 disclosure under this Section, but also contains information  
8 that is not exempt from disclosure, the public body may elect  
9 to redact the information that is exempt. The public body  
10 shall make the remaining information available for inspection  
11 and copying. Subject to this requirement, the following shall  
12 be exempt from inspection and copying:

13 (a) Information specifically prohibited from  
14 disclosure by federal or State law or rules and  
15 regulations implementing federal or State law.

16 (b) Private information, unless disclosure is required  
17 by another provision of this Act, a State or federal law,  
18 or a court order.

19 (b-5) Files, documents, and other data or databases  
20 maintained by one or more law enforcement agencies and  
21 specifically designed to provide information to one or  
22 more law enforcement agencies regarding the physical or  
23 mental status of one or more individual subjects.

24 (c) Personal information contained within public  
25 records, the disclosure of which would constitute a

1 clearly unwarranted invasion of personal privacy, unless  
2 the disclosure is consented to in writing by the  
3 individual subjects of the information. "Unwarranted  
4 invasion of personal privacy" means the disclosure of  
5 information that is highly personal or objectionable to a  
6 reasonable person and in which the subject's right to  
7 privacy outweighs any legitimate public interest in  
8 obtaining the information. The disclosure of information  
9 that bears on the public duties of public employees and  
10 officials shall not be considered an invasion of personal  
11 privacy.

12 (d) Records in the possession of any public body  
13 created in the course of administrative enforcement  
14 proceedings, and any law enforcement or correctional  
15 agency for law enforcement purposes, but only to the  
16 extent that disclosure would:

17 (i) interfere with pending or actually and  
18 reasonably contemplated law enforcement proceedings  
19 conducted by any law enforcement or correctional  
20 agency that is the recipient of the request;

21 (ii) interfere with active administrative  
22 enforcement proceedings conducted by the public body  
23 that is the recipient of the request;

24 (iii) create a substantial likelihood that a  
25 person will be deprived of a fair trial or an impartial  
26 hearing;

1           (iv) unavoidably disclose the identity of a  
2 confidential source, confidential information  
3 furnished only by the confidential source, or persons  
4 who file complaints with or provide information to  
5 administrative, investigative, law enforcement, or  
6 penal agencies; except that the identities of  
7 witnesses to traffic accidents, traffic accident  
8 reports, and rescue reports shall be provided by  
9 agencies of local government, except when disclosure  
10 would interfere with an active criminal investigation  
11 conducted by the agency that is the recipient of the  
12 request;

13           (v) disclose unique or specialized investigative  
14 techniques other than those generally used and known  
15 or disclose internal documents of correctional  
16 agencies related to detection, observation, or  
17 investigation of incidents of crime or misconduct, and  
18 disclosure would result in demonstrable harm to the  
19 agency or public body that is the recipient of the  
20 request;

21           (vi) endanger the life or physical safety of law  
22 enforcement personnel or any other person; or

23           (vii) obstruct an ongoing criminal investigation  
24 by the agency that is the recipient of the request.

25           (d-5) A law enforcement record created for law  
26 enforcement purposes and contained in a shared electronic

1 record management system if the law enforcement agency  
2 that is the recipient of the request did not create the  
3 record, did not participate in or have a role in any of the  
4 events which are the subject of the record, and only has  
5 access to the record through the shared electronic record  
6 management system.

7 (d-6) Records contained in the Officer Professional  
8 Conduct Database under Section 9.2 of the Illinois Police  
9 Training Act, except to the extent authorized under that  
10 Section. This includes the documents supplied to the  
11 Illinois Law Enforcement Training Standards Board from the  
12 Illinois State Police and Illinois State Police Merit  
13 Board.

14 (e) Records that relate to or affect the security of  
15 correctional institutions and detention facilities.

16 (e-5) Records requested by persons committed to the  
17 Department of Corrections, Department of Human Services  
18 Division of Mental Health, or a county jail if those  
19 materials are available in the library of the correctional  
20 institution or facility or jail where the inmate is  
21 confined.

22 (e-6) Records requested by persons committed to the  
23 Department of Corrections, Department of Human Services  
24 Division of Mental Health, or a county jail if those  
25 materials include records from staff members' personnel  
26 files, staff rosters, or other staffing assignment

1 information.

2 (e-7) Records requested by persons committed to the  
3 Department of Corrections or Department of Human Services  
4 Division of Mental Health if those materials are available  
5 through an administrative request to the Department of  
6 Corrections or Department of Human Services Division of  
7 Mental Health.

8 (e-8) Records requested by a person committed to the  
9 Department of Corrections, Department of Human Services  
10 Division of Mental Health, or a county jail, the  
11 disclosure of which would result in the risk of harm to any  
12 person or the risk of an escape from a jail or correctional  
13 institution or facility.

14 (e-9) Records requested by a person in a county jail  
15 or committed to the Department of Corrections or  
16 Department of Human Services Division of Mental Health,  
17 containing personal information pertaining to the person's  
18 victim or the victim's family, including, but not limited  
19 to, a victim's home address, home telephone number, work  
20 or school address, work telephone number, social security  
21 number, or any other identifying information, except as  
22 may be relevant to a requester's current or potential case  
23 or claim.

24 (e-10) Law enforcement records of other persons  
25 requested by a person committed to the Department of  
26 Corrections, Department of Human Services Division of



1 Mental Health, or a county jail, including, but not  
2 limited to, arrest and booking records, mug shots, and  
3 crime scene photographs, except as these records may be  
4 relevant to the requester's current or potential case or  
5 claim.

6 (f) Preliminary drafts, notes, recommendations,  
7 memoranda, and other records in which opinions are  
8 expressed, or policies or actions are formulated, except  
9 that a specific record or relevant portion of a record  
10 shall not be exempt when the record is publicly cited and  
11 identified by the head of the public body. The exemption  
12 provided in this paragraph (f) extends to all those  
13 records of officers and agencies of the General Assembly  
14 that pertain to the preparation of legislative documents.

15 (g) Trade secrets and commercial or financial  
16 information obtained from a person or business where the  
17 trade secrets or commercial or financial information are  
18 furnished under a claim that they are proprietary,  
19 privileged, or confidential, and that disclosure of the  
20 trade secrets or commercial or financial information would  
21 cause competitive harm to the person or business, and only  
22 insofar as the claim directly applies to the records  
23 requested.

24 The information included under this exemption includes  
25 all trade secrets and commercial or financial information  
26 obtained by a public body, including a public pension

1 fund, from a private equity fund or a privately held  
2 company within the investment portfolio of a private  
3 equity fund as a result of either investing or evaluating  
4 a potential investment of public funds in a private equity  
5 fund. The exemption contained in this item does not apply  
6 to the aggregate financial performance information of a  
7 private equity fund, nor to the identity of the fund's  
8 managers or general partners. The exemption contained in  
9 this item does not apply to the identity of a privately  
10 held company within the investment portfolio of a private  
11 equity fund, unless the disclosure of the identity of a  
12 privately held company may cause competitive harm.

13 Nothing contained in this paragraph (g) shall be  
14 construed to prevent a person or business from consenting  
15 to disclosure.

16 (h) Proposals and bids for any contract, grant, or  
17 agreement, including information which if it were  
18 disclosed would frustrate procurement or give an advantage  
19 to any person proposing to enter into a contractor  
20 agreement with the body, until an award or final selection  
21 is made. Information prepared by or for the body in  
22 preparation of a bid solicitation shall be exempt until an  
23 award or final selection is made.

24 (i) Valuable formulae, computer geographic systems,  
25 designs, drawings, and research data obtained or produced  
26 by any public body when disclosure could reasonably be

1 expected to produce private gain or public loss. The  
2 exemption for "computer geographic systems" provided in  
3 this paragraph (i) does not extend to requests made by  
4 news media as defined in Section 2 of this Act when the  
5 requested information is not otherwise exempt and the only  
6 purpose of the request is to access and disseminate  
7 information regarding the health, safety, welfare, or  
8 legal rights of the general public.

9 (j) The following information pertaining to  
10 educational matters:

11 (i) test questions, scoring keys, and other  
12 examination data used to administer an academic  
13 examination;

14 (ii) information received by a primary or  
15 secondary school, college, or university under its  
16 procedures for the evaluation of faculty members by  
17 their academic peers;

18 (iii) information concerning a school or  
19 university's adjudication of student disciplinary  
20 cases, but only to the extent that disclosure would  
21 unavoidably reveal the identity of the student; and

22 (iv) course materials or research materials used  
23 by faculty members.

24 (k) Architects' plans, engineers' technical  
25 submissions, and other construction related technical  
26 documents for projects not constructed or developed in

1 whole or in part with public funds and the same for  
2 projects constructed or developed with public funds,  
3 including, but not limited to, power generating and  
4 distribution stations and other transmission and  
5 distribution facilities, water treatment facilities,  
6 airport facilities, sport stadiums, convention centers,  
7 and all government owned, operated, or occupied buildings,  
8 but only to the extent that disclosure would compromise  
9 security.

10 (l) Minutes of meetings of public bodies closed to the  
11 public as provided in the Open Meetings Act until the  
12 public body makes the minutes available to the public  
13 under Section 2.06 of the Open Meetings Act.

14 (m) Communications between a public body and an  
15 attorney or auditor representing the public body that  
16 would not be subject to discovery in litigation, and  
17 materials prepared or compiled by or for a public body in  
18 anticipation of a criminal, civil, or administrative  
19 proceeding upon the request of an attorney advising the  
20 public body, and materials prepared or compiled with  
21 respect to internal audits of public bodies.

22 (n) Records relating to a public body's adjudication  
23 of employee grievances or disciplinary cases; however,  
24 this exemption shall not extend to the final outcome of  
25 cases in which discipline is imposed.

26 (o) Administrative or technical information associated

1 with automated data processing operations, including, but  
2 not limited to, software, operating protocols, computer  
3 program abstracts, file layouts, source listings, object  
4 modules, load modules, user guides, documentation  
5 pertaining to all logical and physical design of  
6 computerized systems, employee manuals, and any other  
7 information that, if disclosed, would jeopardize the  
8 security of the system or its data or the security of  
9 materials exempt under this Section.

10 (p) Records relating to collective negotiating matters  
11 between public bodies and their employees or  
12 representatives, except that any final contract or  
13 agreement shall be subject to inspection and copying.

14 (q) Test questions, scoring keys, and other  
15 examination data used to determine the qualifications of  
16 an applicant for a license or employment.

17 (r) The records, documents, and information relating  
18 to real estate purchase negotiations until those  
19 negotiations have been completed or otherwise terminated.  
20 With regard to a parcel involved in a pending or actually  
21 and reasonably contemplated eminent domain proceeding  
22 under the Eminent Domain Act, records, documents, and  
23 information relating to that parcel shall be exempt except  
24 as may be allowed under discovery rules adopted by the  
25 Illinois Supreme Court. The records, documents, and  
26 information relating to a real estate sale shall be exempt

1 until a sale is consummated.

2 (s) Any and all proprietary information and records  
3 related to the operation of an intergovernmental risk  
4 management association or self-insurance pool or jointly  
5 self-administered health and accident cooperative or pool.  
6 Insurance or self-insurance ~~self-insurance~~ (including any  
7 intergovernmental risk management association or  
8 self-insurance ~~self-insurance~~ pool) claims, loss or risk  
9 management information, records, data, advice, or  
10 communications.

11 (t) Information contained in or related to  
12 examination, operating, or condition reports prepared by,  
13 on behalf of, or for the use of a public body responsible  
14 for the regulation or supervision of financial  
15 institutions, insurance companies, or pharmacy benefit  
16 managers, unless disclosure is otherwise required by State  
17 law.

18 (u) Information that would disclose or might lead to  
19 the disclosure of secret or confidential information,  
20 codes, algorithms, programs, or private keys intended to  
21 be used to create electronic signatures under the Uniform  
22 Electronic Transactions Act.

23 (v) Vulnerability assessments, security measures, and  
24 response policies or plans that are designed to identify,  
25 prevent, or respond to potential attacks upon a  
26 community's population or systems, facilities, or

1 installations, but only to the extent that disclosure  
2 could reasonably be expected to expose the vulnerability  
3 or jeopardize the effectiveness of the measures, policies,  
4 or plans, or the safety of the personnel who implement  
5 them or the public. Information exempt under this item may  
6 include such things as details pertaining to the  
7 mobilization or deployment of personnel or equipment, to  
8 the operation of communication systems or protocols, to  
9 cybersecurity vulnerabilities, or to tactical operations.

10 (w) (Blank).

11 (x) Maps and other records regarding the location or  
12 security of generation, transmission, distribution,  
13 storage, gathering, treatment, or switching facilities  
14 owned by a utility, by a power generator, or by the  
15 Illinois Power Agency.

16 (y) Information contained in or related to proposals,  
17 bids, or negotiations related to electric power  
18 procurement under Section 1-75 of the Illinois Power  
19 Agency Act and Section 16-111.5 of the Public Utilities  
20 Act that is determined to be confidential and proprietary  
21 by the Illinois Power Agency or by the Illinois Commerce  
22 Commission.

23 (z) Information about students exempted from  
24 disclosure under Section ~~Sections~~ 10-20.38 or 34-18.29 of  
25 the School Code, and information about undergraduate  
26 students enrolled at an institution of higher education

1           exempted from disclosure under Section 25 of the Illinois  
2           Credit Card Marketing Act of 2009.

3           (aa) Information the disclosure of which is exempted  
4           under the Viatical Settlements Act of 2009.

5           (bb) Records and information provided to a mortality  
6           review team and records maintained by a mortality review  
7           team appointed under the Department of Juvenile Justice  
8           Mortality Review Team Act.

9           (cc) Information regarding interments, entombments, or  
10          inurnments of human remains that are submitted to the  
11          Cemetery Oversight Database under the Cemetery Care Act or  
12          the Cemetery Oversight Act, whichever is applicable.

13          (dd) Correspondence and records (i) that may not be  
14          disclosed under Section 11-9 of the Illinois Public Aid  
15          Code or (ii) that pertain to appeals under Section 11-8 of  
16          the Illinois Public Aid Code.

17          (ee) The names, addresses, or other personal  
18          information of persons who are minors and are also  
19          participants and registrants in programs of park  
20          districts, forest preserve districts, conservation  
21          districts, recreation agencies, and special recreation  
22          associations.

23          (ff) The names, addresses, or other personal  
24          information of participants and registrants in programs of  
25          park districts, forest preserve districts, conservation  
26          districts, recreation agencies, and special recreation



1 associations where such programs are targeted primarily to  
2 minors.

3 (gg) Confidential information described in Section  
4 1-100 of the Illinois Independent Tax Tribunal Act of  
5 2012.

6 (hh) The report submitted to the State Board of  
7 Education by the School Security and Standards Task Force  
8 under item (8) of subsection (d) of Section 2-3.160 of the  
9 School Code and any information contained in that report.

10 (ii) Records requested by persons committed to or  
11 detained by the Department of Human Services under the  
12 Sexually Violent Persons Commitment Act or committed to  
13 the Department of Corrections under the Sexually Dangerous  
14 Persons Act if those materials: (i) are available in the  
15 library of the facility where the individual is confined;  
16 (ii) include records from staff members' personnel files,  
17 staff rosters, or other staffing assignment information;  
18 or (iii) are available through an administrative request  
19 to the Department of Human Services or the Department of  
20 Corrections.

21 (jj) Confidential information described in Section  
22 5-535 of the Civil Administrative Code of Illinois.

23 (kk) The public body's credit card numbers, debit card  
24 numbers, bank account numbers, Federal Employer  
25 Identification Number, security code numbers, passwords,  
26 and similar account information, the disclosure of which

1           could result in identity theft or impression or defrauding  
2           of a governmental entity or a person.

3           (11) Records concerning the work of the threat  
4           assessment team of a school district, including, but not  
5           limited to, any threat assessment procedure under the  
6           School Safety Drill Act and any information contained in  
7           the procedure.

8           (mm) Information prohibited from being disclosed under  
9           subsections (a) and (b) of Section 15 of the Student  
10          Confidential Reporting Act.

11          (nn) ~~(mm)~~ Proprietary information submitted to the  
12          Environmental Protection Agency under the Drug Take-Back  
13          Act.

14          (oo) ~~(mm)~~ Records described in subsection (f) of  
15          Section 3-5-1 of the Unified Code of Corrections.

16          (1.5) Any information exempt from disclosure under the  
17          Judicial Privacy Act shall be redacted from public records  
18          prior to disclosure under this Act.

19          (2) A public record that is not in the possession of a  
20          public body but is in the possession of a party with whom the  
21          agency has contracted to perform a governmental function on  
22          behalf of the public body, and that directly relates to the  
23          governmental function and is not otherwise exempt under this  
24          Act, shall be considered a public record of the public body,  
25          for purposes of this Act.

26          (3) This Section does not authorize withholding of

1 information or limit the availability of records to the  
2 public, except as stated in this Section or otherwise provided  
3 in this Act.

4 (Source: P.A. 101-434, eff. 1-1-20; 101-452, eff. 1-1-20;  
5 101-455, eff. 8-23-19; 101-652, eff. 1-1-22; 102-38, eff.  
6 6-25-21; 102-558, eff. 8-20-21; 102-694, eff. 1-7-22; 102-752,  
7 eff. 5-6-22; 102-753, eff. 1-1-23; 102-776, eff. 1-1-23;  
8 102-791, eff. 5-13-22; 102-1055, eff. 6-10-22; revised  
9 8-1-22.)

10 (Text of Section after amendment by P.A. 102-982)

11 Sec. 7. Exemptions.

12 (1) When a request is made to inspect or copy a public  
13 record that contains information that is exempt from  
14 disclosure under this Section, but also contains information  
15 that is not exempt from disclosure, the public body may elect  
16 to redact the information that is exempt. The public body  
17 shall make the remaining information available for inspection  
18 and copying. Subject to this requirement, the following shall  
19 be exempt from inspection and copying:

20 (a) Information specifically prohibited from  
21 disclosure by federal or State law or rules and  
22 regulations implementing federal or State law.

23 (b) Private information, unless disclosure is required  
24 by another provision of this Act, a State or federal law,  
25 or a court order.

1           (b-5) Files, documents, and other data or databases  
2 maintained by one or more law enforcement agencies and  
3 specifically designed to provide information to one or  
4 more law enforcement agencies regarding the physical or  
5 mental status of one or more individual subjects.

6           (c) Personal information contained within public  
7 records, the disclosure of which would constitute a  
8 clearly unwarranted invasion of personal privacy, unless  
9 the disclosure is consented to in writing by the  
10 individual subjects of the information. "Unwarranted  
11 invasion of personal privacy" means the disclosure of  
12 information that is highly personal or objectionable to a  
13 reasonable person and in which the subject's right to  
14 privacy outweighs any legitimate public interest in  
15 obtaining the information. The disclosure of information  
16 that bears on the public duties of public employees and  
17 officials shall not be considered an invasion of personal  
18 privacy.

19           (d) Records in the possession of any public body  
20 created in the course of administrative enforcement  
21 proceedings, and any law enforcement or correctional  
22 agency for law enforcement purposes, but only to the  
23 extent that disclosure would:

24           (i) interfere with pending or actually and  
25 reasonably contemplated law enforcement proceedings  
26 conducted by any law enforcement or correctional

1 agency that is the recipient of the request;

2 (ii) interfere with active administrative  
3 enforcement proceedings conducted by the public body  
4 that is the recipient of the request;

5 (iii) create a substantial likelihood that a  
6 person will be deprived of a fair trial or an impartial  
7 hearing;

8 (iv) unavoidably disclose the identity of a  
9 confidential source, confidential information  
10 furnished only by the confidential source, or persons  
11 who file complaints with or provide information to  
12 administrative, investigative, law enforcement, or  
13 penal agencies; except that the identities of  
14 witnesses to traffic crashes, traffic crash reports,  
15 and rescue reports shall be provided by agencies of  
16 local government, except when disclosure would  
17 interfere with an active criminal investigation  
18 conducted by the agency that is the recipient of the  
19 request;

20 (v) disclose unique or specialized investigative  
21 techniques other than those generally used and known  
22 or disclose internal documents of correctional  
23 agencies related to detection, observation, or  
24 investigation of incidents of crime or misconduct, and  
25 disclosure would result in demonstrable harm to the  
26 agency or public body that is the recipient of the

1 request;

2 (vi) endanger the life or physical safety of law  
3 enforcement personnel or any other person; or

4 (vii) obstruct an ongoing criminal investigation  
5 by the agency that is the recipient of the request.

6 (d-5) A law enforcement record created for law  
7 enforcement purposes and contained in a shared electronic  
8 record management system if the law enforcement agency  
9 that is the recipient of the request did not create the  
10 record, did not participate in or have a role in any of the  
11 events which are the subject of the record, and only has  
12 access to the record through the shared electronic record  
13 management system.

14 (d-6) Records contained in the Officer Professional  
15 Conduct Database under Section 9.2 of the Illinois Police  
16 Training Act, except to the extent authorized under that  
17 Section. This includes the documents supplied to the  
18 Illinois Law Enforcement Training Standards Board from the  
19 Illinois State Police and Illinois State Police Merit  
20 Board.

21 (e) Records that relate to or affect the security of  
22 correctional institutions and detention facilities.

23 (e-5) Records requested by persons committed to the  
24 Department of Corrections, Department of Human Services  
25 Division of Mental Health, or a county jail if those  
26 materials are available in the library of the correctional

1 institution or facility or jail where the inmate is  
2 confined.

3 (e-6) Records requested by persons committed to the  
4 Department of Corrections, Department of Human Services  
5 Division of Mental Health, or a county jail if those  
6 materials include records from staff members' personnel  
7 files, staff rosters, or other staffing assignment  
8 information.

9 (e-7) Records requested by persons committed to the  
10 Department of Corrections or Department of Human Services  
11 Division of Mental Health if those materials are available  
12 through an administrative request to the Department of  
13 Corrections or Department of Human Services Division of  
14 Mental Health.

15 (e-8) Records requested by a person committed to the  
16 Department of Corrections, Department of Human Services  
17 Division of Mental Health, or a county jail, the  
18 disclosure of which would result in the risk of harm to any  
19 person or the risk of an escape from a jail or correctional  
20 institution or facility.

21 (e-9) Records requested by a person in a county jail  
22 or committed to the Department of Corrections or  
23 Department of Human Services Division of Mental Health,  
24 containing personal information pertaining to the person's  
25 victim or the victim's family, including, but not limited  
26 to, a victim's home address, home telephone number, work

1 or school address, work telephone number, social security  
2 number, or any other identifying information, except as  
3 may be relevant to a requester's current or potential case  
4 or claim.

5 (e-10) Law enforcement records of other persons  
6 requested by a person committed to the Department of  
7 Corrections, Department of Human Services Division of  
8 Mental Health, or a county jail, including, but not  
9 limited to, arrest and booking records, mug shots, and  
10 crime scene photographs, except as these records may be  
11 relevant to the requester's current or potential case or  
12 claim.

13 (f) Preliminary drafts, notes, recommendations,  
14 memoranda, and other records in which opinions are  
15 expressed, or policies or actions are formulated, except  
16 that a specific record or relevant portion of a record  
17 shall not be exempt when the record is publicly cited and  
18 identified by the head of the public body. The exemption  
19 provided in this paragraph (f) extends to all those  
20 records of officers and agencies of the General Assembly  
21 that pertain to the preparation of legislative documents.

22 (g) Trade secrets and commercial or financial  
23 information obtained from a person or business where the  
24 trade secrets or commercial or financial information are  
25 furnished under a claim that they are proprietary,  
26 privileged, or confidential, and that disclosure of the



1 trade secrets or commercial or financial information would  
2 cause competitive harm to the person or business, and only  
3 insofar as the claim directly applies to the records  
4 requested.

5 The information included under this exemption includes  
6 all trade secrets and commercial or financial information  
7 obtained by a public body, including a public pension  
8 fund, from a private equity fund or a privately held  
9 company within the investment portfolio of a private  
10 equity fund as a result of either investing or evaluating  
11 a potential investment of public funds in a private equity  
12 fund. The exemption contained in this item does not apply  
13 to the aggregate financial performance information of a  
14 private equity fund, nor to the identity of the fund's  
15 managers or general partners. The exemption contained in  
16 this item does not apply to the identity of a privately  
17 held company within the investment portfolio of a private  
18 equity fund, unless the disclosure of the identity of a  
19 privately held company may cause competitive harm.

20 Nothing contained in this paragraph (g) shall be  
21 construed to prevent a person or business from consenting  
22 to disclosure.

23 (h) Proposals and bids for any contract, grant, or  
24 agreement, including information which if it were  
25 disclosed would frustrate procurement or give an advantage  
26 to any person proposing to enter into a contractor

1 agreement with the body, until an award or final selection  
2 is made. Information prepared by or for the body in  
3 preparation of a bid solicitation shall be exempt until an  
4 award or final selection is made.

5 (i) Valuable formulae, computer geographic systems,  
6 designs, drawings, and research data obtained or produced  
7 by any public body when disclosure could reasonably be  
8 expected to produce private gain or public loss. The  
9 exemption for "computer geographic systems" provided in  
10 this paragraph (i) does not extend to requests made by  
11 news media as defined in Section 2 of this Act when the  
12 requested information is not otherwise exempt and the only  
13 purpose of the request is to access and disseminate  
14 information regarding the health, safety, welfare, or  
15 legal rights of the general public.

16 (j) The following information pertaining to  
17 educational matters:

18 (i) test questions, scoring keys, and other  
19 examination data used to administer an academic  
20 examination;

21 (ii) information received by a primary or  
22 secondary school, college, or university under its  
23 procedures for the evaluation of faculty members by  
24 their academic peers;

25 (iii) information concerning a school or  
26 university's adjudication of student disciplinary

1 cases, but only to the extent that disclosure would  
2 unavoidably reveal the identity of the student; and

3 (iv) course materials or research materials used  
4 by faculty members.

5 (k) Architects' plans, engineers' technical  
6 submissions, and other construction related technical  
7 documents for projects not constructed or developed in  
8 whole or in part with public funds and the same for  
9 projects constructed or developed with public funds,  
10 including, but not limited to, power generating and  
11 distribution stations and other transmission and  
12 distribution facilities, water treatment facilities,  
13 airport facilities, sport stadiums, convention centers,  
14 and all government owned, operated, or occupied buildings,  
15 but only to the extent that disclosure would compromise  
16 security.

17 (l) Minutes of meetings of public bodies closed to the  
18 public as provided in the Open Meetings Act until the  
19 public body makes the minutes available to the public  
20 under Section 2.06 of the Open Meetings Act.

21 (m) Communications between a public body and an  
22 attorney or auditor representing the public body that  
23 would not be subject to discovery in litigation, and  
24 materials prepared or compiled by or for a public body in  
25 anticipation of a criminal, civil, or administrative  
26 proceeding upon the request of an attorney advising the

1 public body, and materials prepared or compiled with  
2 respect to internal audits of public bodies.

3 (n) Records relating to a public body's adjudication  
4 of employee grievances or disciplinary cases; however,  
5 this exemption shall not extend to the final outcome of  
6 cases in which discipline is imposed.

7 (o) Administrative or technical information associated  
8 with automated data processing operations, including, but  
9 not limited to, software, operating protocols, computer  
10 program abstracts, file layouts, source listings, object  
11 modules, load modules, user guides, documentation  
12 pertaining to all logical and physical design of  
13 computerized systems, employee manuals, and any other  
14 information that, if disclosed, would jeopardize the  
15 security of the system or its data or the security of  
16 materials exempt under this Section.

17 (p) Records relating to collective negotiating matters  
18 between public bodies and their employees or  
19 representatives, except that any final contract or  
20 agreement shall be subject to inspection and copying.

21 (q) Test questions, scoring keys, and other  
22 examination data used to determine the qualifications of  
23 an applicant for a license or employment.

24 (r) The records, documents, and information relating  
25 to real estate purchase negotiations until those  
26 negotiations have been completed or otherwise terminated.

1 With regard to a parcel involved in a pending or actually  
2 and reasonably contemplated eminent domain proceeding  
3 under the Eminent Domain Act, records, documents, and  
4 information relating to that parcel shall be exempt except  
5 as may be allowed under discovery rules adopted by the  
6 Illinois Supreme Court. The records, documents, and  
7 information relating to a real estate sale shall be exempt  
8 until a sale is consummated.

9 (s) Any and all proprietary information and records  
10 related to the operation of an intergovernmental risk  
11 management association or self-insurance pool or jointly  
12 self-administered health and accident cooperative or pool.  
13 Insurance or self-insurance ~~self-insurance~~ (including any  
14 intergovernmental risk management association or  
15 self-insurance ~~self-insurance~~ pool) claims, loss or risk  
16 management information, records, data, advice, or  
17 communications.

18 (t) Information contained in or related to  
19 examination, operating, or condition reports prepared by,  
20 on behalf of, or for the use of a public body responsible  
21 for the regulation or supervision of financial  
22 institutions, insurance companies, or pharmacy benefit  
23 managers, unless disclosure is otherwise required by State  
24 law.

25 (u) Information that would disclose or might lead to  
26 the disclosure of secret or confidential information,

1 codes, algorithms, programs, or private keys intended to  
2 be used to create electronic signatures under the Uniform  
3 Electronic Transactions Act.

4 (v) Vulnerability assessments, security measures, and  
5 response policies or plans that are designed to identify,  
6 prevent, or respond to potential attacks upon a  
7 community's population or systems, facilities, or  
8 installations, but only to the extent that disclosure  
9 could reasonably be expected to expose the vulnerability  
10 or jeopardize the effectiveness of the measures, policies,  
11 or plans, or the safety of the personnel who implement  
12 them or the public. Information exempt under this item may  
13 include such things as details pertaining to the  
14 mobilization or deployment of personnel or equipment, to  
15 the operation of communication systems or protocols, to  
16 cybersecurity vulnerabilities, or to tactical operations.

17 (w) (Blank).

18 (x) Maps and other records regarding the location or  
19 security of generation, transmission, distribution,  
20 storage, gathering, treatment, or switching facilities  
21 owned by a utility, by a power generator, or by the  
22 Illinois Power Agency.

23 (y) Information contained in or related to proposals,  
24 bids, or negotiations related to electric power  
25 procurement under Section 1-75 of the Illinois Power  
26 Agency Act and Section 16-111.5 of the Public Utilities

1 Act that is determined to be confidential and proprietary  
2 by the Illinois Power Agency or by the Illinois Commerce  
3 Commission.

4 (z) Information about students exempted from  
5 disclosure under Section ~~Sections~~ 10-20.38 or 34-18.29 of  
6 the School Code, and information about undergraduate  
7 students enrolled at an institution of higher education  
8 exempted from disclosure under Section 25 of the Illinois  
9 Credit Card Marketing Act of 2009.

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12 (bb) Records and information provided to a mortality  
13 review team and records maintained by a mortality review  
14 team appointed under the Department of Juvenile Justice  
15 Mortality Review Team Act.

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17 inurnments of human remains that are submitted to the  
18 Cemetery Oversight Database under the Cemetery Care Act or  
19 the Cemetery Oversight Act, whichever is applicable.

20 (dd) Correspondence and records (i) that may not be  
21 disclosed under Section 11-9 of the Illinois Public Aid  
22 Code or (ii) that pertain to appeals under Section 11-8 of  
23 the Illinois Public Aid Code.

24 (ee) The names, addresses, or other personal  
25 information of persons who are minors and are also  
26 participants and registrants in programs of park

1 districts, forest preserve districts, conservation  
2 districts, recreation agencies, and special recreation  
3 associations.

4 (ff) The names, addresses, or other personal  
5 information of participants and registrants in programs of  
6 park districts, forest preserve districts, conservation  
7 districts, recreation agencies, and special recreation  
8 associations where such programs are targeted primarily to  
9 minors.

10 (gg) Confidential information described in Section  
11 1-100 of the Illinois Independent Tax Tribunal Act of  
12 2012.

13 (hh) The report submitted to the State Board of  
14 Education by the School Security and Standards Task Force  
15 under item (8) of subsection (d) of Section 2-3.160 of the  
16 School Code and any information contained in that report.

17 (ii) Records requested by persons committed to or  
18 detained by the Department of Human Services under the  
19 Sexually Violent Persons Commitment Act or committed to  
20 the Department of Corrections under the Sexually Dangerous  
21 Persons Act if those materials: (i) are available in the  
22 library of the facility where the individual is confined;  
23 (ii) include records from staff members' personnel files,  
24 staff rosters, or other staffing assignment information;  
25 or (iii) are available through an administrative request  
26 to the Department of Human Services or the Department of



1 Corrections.

2 (jj) Confidential information described in Section  
3 5-535 of the Civil Administrative Code of Illinois.

4 (kk) The public body's credit card numbers, debit card  
5 numbers, bank account numbers, Federal Employer  
6 Identification Number, security code numbers, passwords,  
7 and similar account information, the disclosure of which  
8 could result in identity theft or impression or defrauding  
9 of a governmental entity or a person.

10 (ll) Records concerning the work of the threat  
11 assessment team of a school district, including, but not  
12 limited to, any threat assessment procedure under the  
13 School Safety Drill Act and any information contained in  
14 the procedure.

15 (mm) Information prohibited from being disclosed under  
16 subsections (a) and (b) of Section 15 of the Student  
17 Confidential Reporting Act.

18 (nn) ~~(mm)~~ Proprietary information submitted to the  
19 Environmental Protection Agency under the Drug Take-Back  
20 Act.

21 (oo) ~~(mm)~~ Records described in subsection (f) of  
22 Section 3-5-1 of the Unified Code of Corrections.

23 (pp) Information obtained by a certified local health  
24 department under the Access to Public Health Data Act.

25 (1.5) Any information exempt from disclosure under the  
26 Judicial Privacy Act shall be redacted from public records

1 prior to disclosure under this Act.

2 (2) A public record that is not in the possession of a  
3 public body but is in the possession of a party with whom the  
4 agency has contracted to perform a governmental function on  
5 behalf of the public body, and that directly relates to the  
6 governmental function and is not otherwise exempt under this  
7 Act, shall be considered a public record of the public body,  
8 for purposes of this Act.

9 (3) This Section does not authorize withholding of  
10 information or limit the availability of records to the  
11 public, except as stated in this Section or otherwise provided  
12 in this Act.

13 (Source: P.A. 101-434, eff. 1-1-20; 101-452, eff. 1-1-20;  
14 101-455, eff. 8-23-19; 101-652, eff. 1-1-22; 102-38, eff.  
15 6-25-21; 102-558, eff. 8-20-21; 102-694, eff. 1-7-22; 102-752,  
16 eff. 5-6-22; 102-753, eff. 1-1-23; 102-776, eff. 1-1-23;  
17 102-791, eff. 5-13-22; 102-982, eff. 7-1-23; 102-1055, eff.  
18 6-10-22; revised 8-1-22.)

19 Section 905. The Vital Records Act is amended by changing  
20 Section 24 as follows:

21 (410 ILCS 535/24) (from Ch. 111 1/2, par. 73-24)

22 Sec. 24. (1) To protect the integrity of vital records, to  
23 insure their proper use, and to insure the efficient and  
24 proper administration of the vital records system, access to

1 vital records, and indexes thereof, including vital records in  
2 the custody of local registrars and county clerks originating  
3 prior to January 1, 1916, is limited to the custodian and his  
4 employees, and then only for administrative purposes, except  
5 that the indexes of those records in the custody of local  
6 registrars and county clerks, originating prior to January 1,  
7 1916, shall be made available to persons for the purpose of  
8 genealogical research. Original, photographic or  
9 microphotographic reproductions of original records of births  
10 100 years old and older and deaths 50 years old and older, and  
11 marriage records 75 years old and older on file in the State  
12 Office of Vital Records and in the custody of the county clerks  
13 may be made available for inspection in the Illinois State  
14 Archives reference area, Illinois Regional Archives  
15 Depositories, and other libraries approved by the Illinois  
16 State Registrar and the Director of the Illinois State  
17 Archives, provided that the photographic or microphotographic  
18 copies are made at no cost to the county or to the State of  
19 Illinois. It is unlawful for any custodian to permit  
20 inspection of, or to disclose information contained in, vital  
21 records, or to copy or permit to be copied, all or part of any  
22 such record except as authorized by this Act or regulations  
23 adopted pursuant thereto.

24 (2) The State Registrar of Vital Records, or his agent,  
25 and any municipal, county, multi-county, public health  
26 district, or regional health officer recognized by the

1 Department may examine vital records for the purpose only of  
2 carrying out the public health programs and responsibilities  
3 under his jurisdiction.

4 (3) The State Registrar of Vital Records, may disclose, or  
5 authorize the disclosure of, data contained in the vital  
6 records when deemed essential for bona fide research purposes  
7 which are not for private gain.

8 This amendatory Act of 1973 does not apply to any home rule  
9 unit.

10 (4) The State Registrar shall exchange with the Department  
11 of Healthcare and Family Services information that may be  
12 necessary for the establishment of paternity and the  
13 establishment, modification, and enforcement of child support  
14 orders entered pursuant to the Illinois Public Aid Code, the  
15 Illinois Marriage and Dissolution of Marriage Act, the  
16 Non-Support of Spouse and Children Act, the Non-Support  
17 Punishment Act, the Revised Uniform Reciprocal Enforcement of  
18 Support Act, the Uniform Interstate Family Support Act, the  
19 Illinois Parentage Act of 1984, or the Illinois Parentage Act  
20 of 2015. Notwithstanding any provisions in this Act to the  
21 contrary, the State Registrar shall not be liable to any  
22 person for any disclosure of information to the Department of  
23 Healthcare and Family Services (formerly Illinois Department  
24 of Public Aid) under this subsection or for any other action  
25 taken in good faith to comply with the requirements of this  
26 subsection.

1       (5) No rule adopted by the Department shall be construed,  
2       either explicitly or implicitly, as restricting access to  
3       vital records by any municipality, county, multicounty, public  
4       health district, or regional health officer recognized by the  
5       Department for the purposes described in subsections (2) and  
6       (3).

7       (Source: P.A. 99-85, eff. 1-1-16.)

8       Section 995. No acceleration or delay. Where this Act  
9       makes changes in a statute that is represented in this Act by  
10      text that is not yet or no longer in effect (for example, a  
11      Section represented by multiple versions), the use of that  
12      text does not accelerate or delay the taking effect of (i) the  
13      changes made by this Act or (ii) provisions derived from any  
14      other Public Act.