

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

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

6 (5 ILCS 140/7.5)

7 (Text of Section before amendment by P.A. 103-472)

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

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

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

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

23 (d) Information and records held by the Department of

1 Public Health and its authorized representatives relating
2 to known or suspected cases of sexually transmissible
3 disease or any information the disclosure of which is
4 restricted under the Illinois Sexually Transmissible
5 Disease Control Act.

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

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

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

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

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

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

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

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

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

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

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

23 (p) Security portions of system safety program plans,
24 investigation reports, surveys, schedules, lists, data, or
25 information compiled, collected, or prepared by or for the
26 Department of Transportation under Sections 2705-300 and

1 2705-616 of the Department of Transportation Law of the
2 Civil Administrative Code of Illinois, the Regional
3 Transportation Authority under Section 2.11 of the
4 Regional Transportation Authority Act, or the St. Clair
5 County Transit District under the Bi-State Transit Safety
6 Act (repealed).

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

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

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

13 (t) (Blank).

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

17 (v) Names and information of people who have applied
18 for or received Firearm Owner's Identification Cards under
19 the Firearm Owners Identification Card Act or applied for
20 or received a concealed carry license under the Firearm
21 Concealed Carry Act, unless otherwise authorized by the
22 Firearm Concealed Carry Act; and databases under the
23 Firearm Concealed Carry Act, records of the Concealed
24 Carry Licensing Review Board under the Firearm Concealed
25 Carry Act, and law enforcement agency objections under the
26 Firearm Concealed Carry Act.

1 (v-5) Records of the Firearm Owner's Identification
2 Card Review Board that are exempted from disclosure under
3 Section 10 of the Firearm Owners Identification Card Act.

4 (w) Personally identifiable information which is
5 exempted from disclosure under subsection (g) of Section
6 19.1 of the Toll Highway Act.

7 (x) Information which is exempted from disclosure
8 under Section 5-1014.3 of the Counties Code or Section
9 8-11-21 of the Illinois Municipal Code.

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

18 (z) Records and information provided to a fatality
19 review team or the Illinois Fatality Review Team Advisory
20 Council under Section 15 of the Adult Protective Services
21 Act.

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

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

26 (cc) Recordings made under the Law Enforcement

1 Officer-Worn Body Camera Act, except to the extent
2 authorized under that Act.

3 (dd) Information that is prohibited from being
4 disclosed under Section 45 of the Condominium and Common
5 Interest Community Ombudsperson Act.

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

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

10 (gg) Information that is prohibited from being
11 disclosed under Section 7-603.5 of the Illinois Vehicle
12 Code.

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

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

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

23 (kk) Information prohibited from disclosure under the
24 Seizure and Forfeiture Reporting Act.

25 (ll) Information the disclosure of which is restricted
26 and exempted under Section 5-30.8 of the Illinois Public

1 Aid Code.

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

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

6 (oo) Communications, notes, records, and reports
7 arising out of a peer support counseling session
8 prohibited from disclosure under the First Responders
9 Suicide Prevention Act.

10 (pp) Names and all identifying information relating to
11 an employee of an emergency services provider or law
12 enforcement agency under the First Responders Suicide
13 Prevention Act.

14 (qq) Information and records held by the Department of
15 Public Health and its authorized representatives collected
16 under the Reproductive Health Act.

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

19 (ss) Data reported by an employer to the Department of
20 Human Rights pursuant to Section 2-108 of the Illinois
21 Human Rights Act.

22 (tt) Recordings made under the Children's Advocacy
23 Center Act, except to the extent authorized under that
24 Act.

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

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

4 (wv) Information that is exempt from disclosure under
5 Section 16.8 of the State Treasurer Act.

6 (xx) Information that is exempt from disclosure or
7 information that shall not be made public under the
8 Illinois Insurance Code.

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

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

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

15 (bbb) Information that is prohibited from disclosure
16 by the Illinois Police Training Act and the Illinois State
17 Police Act.

18 (ccc) Records exempt from disclosure under Section
19 2605-304 of the Illinois State Police Law of the Civil
20 Administrative Code of Illinois.

21 (ddd) Information prohibited from being disclosed
22 under Section 35 of the Address Confidentiality for
23 Victims of Domestic Violence, Sexual Assault, Human
24 Trafficking, or Stalking Act.

25 (eee) Information prohibited from being disclosed
26 under subsection (b) of Section 75 of the Domestic

1 Violence Fatality Review Act.

2 (fff) Images from cameras under the Expressway Camera
3 Act. This subsection (fff) is inoperative on and after
4 July 1, 2025.

5 (ggg) Information prohibited from disclosure under
6 paragraph (3) of subsection (a) of Section 14 of the Nurse
7 Agency Licensing Act.

8 (hhh) Information submitted to the Illinois State
9 Police in an affidavit or application for an assault
10 weapon endorsement, assault weapon attachment endorsement,
11 .50 caliber rifle endorsement, or .50 caliber cartridge
12 endorsement under the Firearm Owners Identification Card
13 Act.

14 (iii) Data exempt from disclosure under Section 50 of
15 the School Safety Drill Act.

16 (jjj) ~~(hhh)~~ Information exempt from disclosure under
17 Section 30 of the Insurance Data Security Law.

18 (kkk) ~~(iii)~~ Confidential business information
19 prohibited from disclosure under Section 45 of the Paint
20 Stewardship Act.

21 (lll) (Reserved).

22 (mmm) ~~(iii)~~ Information prohibited from being
23 disclosed under subsection (e) of Section 1-129 of the
24 Illinois Power Agency Act.

25 (nnn) Information that is exempt from disclosure under
26 Section 28-11 of the Lawful Health Care Activity Act.

1 (Source: P.A. 102-36, eff. 6-25-21; 102-237, eff. 1-1-22;
2 102-292, eff. 1-1-22; 102-520, eff. 8-20-21; 102-559, eff.
3 8-20-21; 102-813, eff. 5-13-22; 102-946, eff. 7-1-22;
4 102-1042, eff. 6-3-22; 102-1116, eff. 1-10-23; 103-8, eff.
5 6-7-23; 103-34, eff. 6-9-23; 103-142, eff. 1-1-24; 103-372,
6 eff. 1-1-24; 103-508, eff. 8-4-23; 103-580, eff. 12-8-23;
7 revised 1-2-24.)

8 (Text of Section after amendment by P.A. 103-472)

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8 Police in an affidavit or application for an assault
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14 the School Safety Drill Act.

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16 Section 30 of the Insurance Data Security Law.

17 (kkk) ~~(iii)~~ Confidential business information
18 prohibited from disclosure under Section 45 of the Paint
19 Stewardship Act.

20 (lll) ~~(iii)~~ Data exempt from disclosure under Section
21 2-3.196 of the School Code.

22 (mmm) ~~(iii)~~ Information prohibited from being
23 disclosed under subsection (e) of Section 1-129 of the
24 Illinois Power Agency Act.

25 (nnn) Information that is exempt from disclosure under
26 Section 28-11 of the Lawful Health Care Activity Act.

1 (Source: P.A. 102-36, eff. 6-25-21; 102-237, eff. 1-1-22;
2 102-292, eff. 1-1-22; 102-520, eff. 8-20-21; 102-559, eff.
3 8-20-21; 102-813, eff. 5-13-22; 102-946, eff. 7-1-22;
4 102-1042, eff. 6-3-22; 102-1116, eff. 1-10-23; 103-8, eff.
5 6-7-23; 103-34, eff. 6-9-23; 103-142, eff. 1-1-24; 103-372,
6 eff. 1-1-24; 103-472, eff. 8-1-24; 103-508, eff. 8-4-23;
7 103-580, eff. 12-8-23; revised 1-2-24.)

8 Section 10. The Illinois Public Aid Code is amended by
9 changing Section 11-15 as follows:

10 (305 ILCS 5/11-15) (from Ch. 23, par. 11-15)

11 Sec. 11-15. Application requirements.

12 (1) An application for financial aid shall be filed in
13 writing by the person requesting aid and, in the case of a
14 request for family aid, by the head of that family, except as
15 otherwise permitted in paragraph (2). Applications for aid
16 under Articles III, IV, and V shall be filed in writing with
17 any local office of the Department of Human Services in the
18 manner prescribed by the Department. Applications for aid
19 under Article VI shall be filed in writing with the local
20 governmental unit upon forms approved by the Department.

21 Each applicant shall provide information as to the amount
22 of property, real and personal, owned by him or her within the
23 period of time preceding the application as required under
24 Sections 3-1.3, 4-1.11, and 5-2.1 of this Code. The applicant

1 shall also furnish information concerning all income, money
2 contributions, and other support from any source, and the
3 beneficiary and the amount or cash surrender or loan value of
4 all insurance policies held by himself or herself or any
5 member of his family for whom aid is requested.

6 (2) An application, in all instances to be in writing, may
7 be filed in behalf of a person considered to be in need of
8 financial aid under Articles III, IV, V, or VI only if the
9 person

10 (a) has been adjudged to be under legal disability; or

11 (b) is unable because of minority or physical or
12 mental disability, to execute the application; or

13 (c) in the case of need for funeral and burial, died
14 before an application was filed and the application is
15 filed not more than 30 days after the person's death,
16 excluding the day on which the death occurred.

17 Applications in behalf of persons specified in (a) and (b)
18 shall be filed by the applicant's legal guardian or, if a
19 guardian has not been appointed or the applicant has no legal
20 guardian or the guardian is not available, by a relative or
21 other person, acceptable under the rules of the Illinois
22 Department, who is able to furnish the required information.
23 Applications in behalf of persons specified in (c) shall be
24 filed by any next of kin of the deceased who is not under legal
25 disability or, if there are no such next of kin or they are
26 unknown or unavailable, by a person, acceptable under the

1 rules of the Illinois Department, who is able to furnish the
2 required information.

3 Notwithstanding any other provision of this paragraph (2),
4 a minor may sign and file an application on the minor's own
5 behalf if the application is for the Article V family planning
6 program established under Section 5-5 by Public Act 102-665.

7 (3) The application shall contain a written declaration to
8 be signed by the applicant, or in behalf of the applicant by a
9 person qualified under paragraph (2), in substantially the
10 following form, the parenthetical references being applicable
11 to an application filed by a person in behalf of the applicant:

12 "I declare under penalties of perjury that I have examined
13 this form and all accompanying statements or documents
14 pertaining to the income and resources of myself (the
15 applicant) or any member of my family (the applicant's family)
16 included in this application for aid, or pertaining to any
17 other matter having bearing upon my (the applicant's)
18 eligibility for aid, and to the best of my knowledge and belief
19 the information supplied is true, correct, and complete".

20 (4) If an application for financial aid is filed for a
21 family, and any person in that family is under 18 years of age,
22 the application shall be accompanied by the following for each
23 such person under 18 years of age:

24 (i) a copy of the person's birth certificate, or
25 (ii) other reliable proof, as determined by the
26 Department, of the person's identity and age.

1 The Illinois Department shall provide information to all
2 families, orally by an intake worker and in writing when the
3 application is filed, about the availability and location of
4 immunization services.

5 (5) Once an applicant is determined eligible for aid, he
6 or she has the right to request to have the case transferred to
7 another local office of the Department of Human Services for
8 his or her convenience based on one of the following factors:
9 the location of his or her employer; the location of his or her
10 child care provider; access to reliable transportation; or the
11 location of a social service provider that he or she sees on a
12 regular basis. Within 5 business days after the request for
13 transfer, the Department shall transfer the case, assign a
14 caseworker, make appropriate entries in the computer system,
15 and issue a written notice to the recipient that includes the
16 name of and contact information for the caseworker. The
17 location of the recipient's case may be reconsidered on the
18 recipient's request or at the time of redetermination of
19 eligibility.

20 (Source: P.A. 96-867, eff. 1-1-11.)

21 Section 15. The Lawful Health Care Activity Act is amended
22 by changing Section 28-10 and by adding Sections 28-11, 28-12,
23 28-13, and 28-14 as follows:

24 (735 ILCS 40/28-10)

1 Sec. 28-10. Definitions. As used in this Act:

2 "Lawful health care" means:

3 (1) reproductive health care that is not unlawful
4 under the laws of this State, including on any theory of
5 vicarious, joint, several, or conspiracy liability; or

6 (2) the treatment of gender dysphoria or the
7 affirmation of an individual's gender identity or gender
8 expression, including, but not limited to, all supplies,
9 care, and services of a medical, behavioral health, mental
10 health, surgical, psychiatric, therapeutic, diagnostic,
11 preventative, rehabilitative, or supportive nature that is
12 not unlawful under the laws of this State, including on
13 any theory of vicarious, joint, several, or conspiracy
14 liability.

15 "Lawful health care activity" means seeking, providing,
16 receiving, assisting in seeking, providing, or receiving,
17 providing material support for, or traveling to obtain lawful
18 health care.

19 "Health records related to lawful health care" means
20 records that identify a person who has sought or received
21 lawful healthcare, including, but not limited to, information
22 regarding an individual's medical history, mental or physical
23 condition, or medical treatment or diagnosis by a healthcare
24 professional, and insurance and billing records for medical
25 care.

26 "Location information related to lawful health care" means

1 precise location information that could be reasonably used to
2 identify a person's attempt to acquire or receive lawful
3 health care, including, but not limited to, records of the
4 location of a person's license plate, records of the location
5 of a cell phone or other device that tracks location, or
6 records of observations of a person's location when the
7 location is near a provider of lawful health care.

8 "Reproductive health care" shall have the same meaning as
9 Section 1-10 of the Reproductive Health Act.

10 "State" has the meaning given in Section 1-10 of the
11 Reproductive Health Act.

12 (Source: P.A. 102-1117, eff. 1-13-23.)

13 (735 ILCS 40/28-11 new)

14 Sec. 28-11. Prohibited State actions.

15 (a) Unless otherwise necessary to comply with Illinois or
16 federal law, the State shall not provide any information or
17 expend or use any time, money, facilities, property,
18 equipment, personnel, or other resources to assist any
19 individual, or out-of-state officer, official, agency, entity,
20 or department seeking to impose civil or criminal liability
21 upon a person or entity for lawful healthcare activity.

22 (b) Location information related to lawful health care and
23 health records related to lawful health care are confidential
24 and exempt from disclosure under the Freedom of Information
25 Act.

1 (c) This Section does not apply if an individual or
2 out-of-state officer, official, agency, entity, or department
3 is investigating conduct that would be subject to civil or
4 criminal liability under the laws of Illinois.

5 (735 ILCS 40/28-12 new)

6 Sec. 28-12. Cause of action.

7 (a) Any party aggrieved by conduct or regulation in
8 violation of Section 28-11 of this Act may bring a civil action
9 in a federal district court or State circuit court against the
10 offending unit of government. Any State claim brought in
11 federal district court shall be a supplemental claim to a
12 federal claim. Any action brought under this Act shall be
13 commenced within 2 years after the cause of action was
14 discovered.

15 (b) Upon motion, a court shall award reasonable attorney's
16 fees, court costs, and litigation expenses, including expert
17 witness fees and other litigation expenses, to a plaintiff who
18 is a prevailing party in any action brought under this Act. In
19 awarding reasonable attorney's fees, the court shall consider
20 the degree to which the relief obtained relates to the relief
21 sought.

22 (735 ILCS 40/28-13 new)

23 Sec. 28-13. Reservation of rights. Nothing in this Section
24 shall be construed to narrow, restrict, or otherwise limit in

1 any way any rights, protections, or causes of action with
2 respect to lawful health care, including, but not limited to,
3 any rights, protections, or causes of action set forth in the
4 Reproductive Health Act.

5 (735 ILCS 40/28-14 new)

6 Sec. 28-14. Home rule preemption. The regulation of lawful
7 health care activity is an exclusive power and function of the
8 State. A home rule unit may not regulate lawful health care
9 activity. This Section is a denial and limitation of home rule
10 powers and functions under subsection (h) of Section 6 of
11 Article VII of the Illinois Constitution.

12 Section 95. No acceleration or delay. Where this Act makes
13 changes in a statute that is represented in this Act by text
14 that is not yet or no longer in effect (for example, a Section
15 represented by multiple versions), the use of that text does
16 not accelerate or delay the taking effect of (i) the changes
17 made by this Act or (ii) provisions derived from any other
18 Public Act.

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.