



Sen. Linda Holmes

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10300SB0836sam001

LRB103 03291 LNS 60119 a

1 AMENDMENT TO SENATE BILL 836

2 AMENDMENT NO. _____. Amend Senate Bill 836 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the Paint
5 Stewardship Act.

6 Section 5. Findings. The General Assembly finds that:

7 (1) Leftover architectural paints present significant
8 waste management issues for counties and municipalities and
9 create costly environmental, health, and safety risks if not
10 properly managed.

11 (2) Nationally, an estimated 10% of architectural paint
12 purchased by consumers is leftover. Current governmental
13 programs collect only a fraction of the potential leftover
14 paint for proper reuse, recycling, or disposal. In northern
15 Illinois, there are only 4 permanent household hazardous waste
16 facilities, and these facilities do not typically accept latex

1 paint, which is the most common paint purchased by consumers.

2 (3) It is in the best interest of this State for paint
3 manufacturers to assume responsibility for the development and
4 implementation of a cost-effective paint stewardship program
5 that will educate consumers on strategies to reduce the
6 generation of leftover paint; provide opportunities to reuse
7 leftover paint; and collect, transport, and process leftover
8 paint for end-of-life management, including reuse, recycling,
9 energy recovery, and disposal. Requiring paint manufacturers
10 to assume responsibility for the collection, recycling, reuse,
11 transportation, and disposal of leftover paint will provide
12 more opportunities for consumers to properly manage their
13 leftover paint, provide fiscal relief for this State and local
14 governments in managing leftover paint, keep paint out of the
15 waste stream, and conserve natural resources.

16 (4) Similar architectural paint stewardship programs
17 currently operate in 11 jurisdictions and successfully divert
18 a significant portion of the collected paint waste from
19 landfills. These paint stewardship programs are saving
20 counties and municipalities the cost of managing paint waste
21 and have been successful at recycling leftover paint into
22 recycled paint products as well as other products. For
23 instance, in the State of Oregon, 64% of the latex paint
24 collected in the 2019-2020 fiscal year was recycled into paint
25 products, and in Minnesota, 48% of the latex paint collected
26 during the same period was reused or recycled into paint

1 products. Given the lack of access to architectural paint
2 collection programs in Illinois, especially for leftover latex
3 architectural paint, and the demonstrated ability of the paint
4 industry to collect and recycle a substantial portion of
5 leftover architectural paint, this legislation is necessary.
6 It will create a statewide program that diverts a significant
7 portion of paint waste from landfills and facilitates the
8 recycling of leftover paint into paint and other products.

9 (5) Establishing a paint stewardship program in Illinois
10 will create jobs as the marketplace adjusts to the needs of a
11 robust program that requires transporters and processors.
12 Certain infrastructure already exists in the State, and the
13 program may attract additional resources.

14 (6) Legislation is needed to establish this program in
15 part because of the risk of antitrust lawsuits. The program
16 involves activities by competitors in the paint industry and
17 may affect the costs or prices of those competitors. As
18 construed by the courts, the antitrust laws impose severe
19 constraints on concerted action by competitors that affect
20 costs or prices. Absent State legislation, participation in
21 this program would entail an unacceptable risk of class action
22 lawsuits. These risks can be mitigated by legislation that
23 would bar application of federal antitrust law under the
24 "state action" doctrine. Under that doctrine, federal
25 antitrust law does not apply to conduct that is (1) undertaken
26 pursuant to a clearly expressed and affirmatively articulated

1 state policy to displace or limit competition and (2) actively
2 supervised by the state.

3 (7) To ensure that this defense will be available to
4 protect participants in the program, it is important for this
5 State's legislation to be specific about the conduct it is
6 authorizing and to express clearly that the State is
7 authorizing that conduct pursuant to a conscious policy
8 decision to limit the unfettered operation of market forces.
9 It is also critical for the legislation to provide for active
10 supervision of the conduct that might otherwise be subject to
11 antitrust attack. In particular, the legislation must provide
12 for active supervision of the decisions concerning the
13 assessments that will fund the program. A clear articulation
14 of the State's purposes and policies and provisions for active
15 State supervision of the program will ensure that industry
16 participation in the program will not trigger litigation.

17 (8) To ensure that the costs of the program are
18 distributed in an equitable and competitively neutral manner,
19 the program will be funded through an assessment on each
20 container of paint sold in this State. That assessment will be
21 sufficient to recover, but not exceed, the costs of sustaining
22 the program and will be reviewed and approved by the
23 Environmental Protection Agency. Funds collected through the
24 assessment will be used by the representative organization to
25 operate and sustain the program.

1 Section 10. Definitions. In this Act:

2 "Agency" means the Environmental Protection Agency.

3 "Architectural paint" means interior and exterior
4 architectural coatings sold in containers of 5 gallons or
5 less. "Architectural paint" does not include industrial
6 original equipment or specialty coatings.

7 "Collection site" means any location, place, tract of
8 land, or facility or improvement at which architectural paint
9 is accepted into a postconsumer paint collection program
10 pursuant to a postconsumer paint collection program plan.

11 "Environmentally sound management practices" means
12 procedures for the collection, storage, transportation, reuse,
13 recycling, and disposal of architectural paint in a manner
14 that complies with all applicable federal, State, and local
15 laws and any rules, regulations, and ordinances for the
16 protection of human health and the environment. These
17 procedures shall address adequate recordkeeping, tracking and
18 documenting of the final disposition of materials, and
19 environmental liability coverage for the representative
20 organization.

21 "Household waste" has the meaning given to that term in
22 Section 3.230 of the Environmental Protection Act.

23 "Manufacturer" means a manufacturer of architectural paint
24 who sells, offers for sale, or distributes the architectural
25 paint in the State under the manufacturer's own name or brand
26 or another brand. "Manufacturer" does not include a retailer

1 that trademarks or owns a brand of architectural paint that is
2 sold, offered for sale, or distributed within or into this
3 State and that is manufactured by a person other than a
4 retailer.

5 "Person" has the meaning given to that term in Section
6 3.315 of the Environmental Protection Act.

7 "Postconsumer paint" means architectural paint not used
8 and no longer wanted by a purchaser.

9 "Program" means the postconsumer paint stewardship program
10 established pursuant to Section 15.

11 "Recycling" has the meaning given to that term in Section
12 3.380 of the Environmental Protection Act.

13 "Representative organization" means a nonprofit
14 organization established by one or more manufacturers to
15 implement a postconsumer paint stewardship program under this
16 Act.

17 "Retailer" means a person that sells or offers to sell at
18 retail in this State architectural paint.

19 "Very small quantity generator" has the meaning given to
20 that term in 40 CFR 260.10.

21 Section 15. Paint stewardship program plan.

22 (a) Each manufacturer of architectural paint sold or
23 offered for sale at retail in the State shall submit to the
24 Agency a plan for the establishment of a postconsumer paint
25 stewardship program. The program shall seek to reduce the

1 generation of postconsumer paint, promote its reuse and
2 recycling, and manage the postconsumer paint waste stream
3 using environmentally sound management practices.

4 (b) A plan submitted under this Section shall:

5 (1) Provide a list of participating manufacturers and
6 brands covered by the program.

7 (2) Provide information on the architectural paint
8 products covered under the program, such as interior or
9 exterior water-based and oil-based coatings, primers,
10 sealers, or wood coatings.

11 (3) Describe how it will provide for the statewide
12 collection of postconsumer architectural paint in the
13 State. The manufacturer or representative organization may
14 coordinate the program with existing household hazardous
15 waste collection infrastructure as is mutually agreeable
16 with the person operating the household waste collection
17 infrastructure.

18 (4) Provide a goal of sufficient number and geographic
19 distribution of collection sites, collection services, or
20 collection events for postconsumer architectural paint to
21 meet the following criteria:

22 (A) at least 90% of State residents shall have a
23 collection site, collection service, or collection
24 event within a 15-mile radius; and

25 (B) at least one collection site, collection
26 service, or collection event for every 50,000

1 residents of the State.

2 (5) Describe how postconsumer paint will be managed
3 using the following strategies: reuse, recycling, energy
4 recovery, and disposal.

5 (6) Describe education and outreach efforts to inform
6 consumers about the program. These efforts should include:

7 (A) information about collection opportunities for
8 postconsumer paint;

9 (B) information about the fee for the operation of
10 the program that shall be included in the purchase
11 price of all architectural paint sold in the State;
12 and

13 (C) efforts to promote the source reduction,
14 reuse, and recycling of architectural paint.

15 (7) Include a certification from an independent
16 auditor that any added fee to paint sold in the State as a
17 result of the postconsumer paint stewardship program does
18 not exceed the costs to operate and sustain the program in
19 accordance with sound management practices. The
20 independent auditor shall verify that the amount added to
21 each unit of paint will cover the costs and sustain the
22 postconsumer paint stewardship program.

23 (8) Describe how the paint stewardship program will
24 incorporate and compensate service providers for
25 activities conducted under the program that may include:

26 (A) the collection of postconsumer architectural

1 paint and architectural paint containers through
2 permanent collection sites, collection events, or
3 curbside services;

4 (B) the reuse or processing of postconsumer
5 architectural paint at a permanent collection site;
6 and

7 (C) the transportation, recycling, and proper
8 disposal of postconsumer architectural paint.

9 (c) Independent audits conducted for the purposes of this
10 Act must be conducted in accordance with generally accepted
11 auditing standards. The work product of the independent
12 auditor shall be submitted to the Agency as part of the annual
13 report required by Section 40. The cost of any work performed
14 by the independent auditor shall be funded by the program.

15 (d) Not later than 60 days after submission of the plan
16 under this Section, the Agency shall determine in writing
17 whether to approve the plan as submitted or disapprove the
18 plan. The Agency shall approve a plan if it contains all of the
19 information required under subsection (b). If the plan is
20 disapproved, the manufacturer or representative organization
21 shall resubmit a plan within 45 calendar days of receipt of the
22 notice of disapproval.

23 (e) If a manufacturer or representative organization
24 determines that the paint stewardship fee should be adjusted
25 because the independent audit reveals that the cost of
26 administering the program exceeds the revenues generated by

1 the paint stewardship fee, the manufacturer or representative
2 organization shall submit to the Agency a justification for
3 the adjustment as well as financial reports to support the
4 adjustment, including a 5-year projection of the financial
5 status of the organization. The submission shall include a
6 certification from an independent auditor that the proposed
7 fee adjustment will generate revenues necessary and sufficient
8 to pay the program expenses, including any accumulated debt,
9 and develop a reasonable reserve level sufficient to sustain
10 the program. The Agency shall approve the fee adjustment if
11 the submission contains all of the information required under
12 this subsection.

13 (f) Within 45 calendar days after Agency approval of a
14 plan, the Agency shall post on its website, and the
15 manufacturer or representative organization shall post on its
16 website, the names of the manufacturers participating in the
17 plan, the brands of architectural paint covered by the
18 program, and a copy of the plan.

19 (g) Each manufacturer under the plan shall include in the
20 price of any architectural paint sold to retailers or
21 distributors in the State the per container amount of the fee
22 set forth in the plan or fee adjustment. If a representative
23 organization is implementing the plan for a manufacturer, the
24 manufacturer is responsible for filing, reporting, and
25 remitting the paint stewardship fee assessment for each
26 container of architectural paint to the representative

1 organization. A retailer or distributor shall not deduct the
2 amount of the fee from the purchase price of any paint it
3 sells.

4 Section 20. Incineration prohibited. No person shall
5 incinerate architectural paint collected pursuant to a paint
6 stewardship plan approved in accordance with Section 15.

7 Section 25. Plan submission. The plan required by Section
8 15 shall be submitted not later than 12 months after the
9 effective date of this Act.

10 Section 30. Sale of paint.

11 (a) A manufacturer or retailer shall not sell or offer for
12 sale architectural paint to any person in the State unless the
13 manufacturer of the paint brand or the manufacturer's
14 representative organization is implementing a paint
15 stewardship plan approved in accordance with Section 15.

16 (b) A retailer shall not be in violation of subsection (a)
17 if, on the date the architectural paint was sold or offered for
18 sale, the paint or the paint's manufacturer are listed on the
19 Agency's website pursuant to subsection (f) of Section 15.

20 (c) A paint collection site accepting paint for a program
21 approved under this Act shall not charge for the collection of
22 the paint when it is offered for collection.

23 (d) No retailer is required to participate in a paint

1 stewardship program as a collection site. A retailer may
2 participate as a paint collection site on a voluntary basis,
3 subject to the same terms, conditions, and requirements that
4 apply to any other collection site.

5 (e) Nothing in this Act shall require a retailer to track,
6 file, report, submit, or remit a paint stewardship assessment,
7 sales data, or any other information on behalf of a
8 manufacturer, distributor, or representative organization.
9 Nothing in this Act prohibits a manufacturer and a retailer
10 from entering into remitter agreements.

11 Section 35. Liability. A manufacturer or representative
12 organization participating in a postconsumer paint stewardship
13 program shall not be liable for any claim of a violation of
14 antitrust, restraint of trade, unfair trade practice, or other
15 anticompetitive conduct arising from conduct undertaken in
16 accordance with the program.

17 Section 40. Annual report. By July 1, 2026, and each July 1
18 thereafter, a manufacturer or representative organization
19 shall submit a report to the Agency that details the
20 implementation of the manufacturer's or representative
21 organization's program during the prior calendar year. The
22 report shall include:

23 (1) a description of the methods used to collect and
24 transport the postconsumer paint collected by the program;

1 (2) the volume and type of postconsumer paint
2 collected and a description of the methods used to process
3 the paint, including reuse, recycling, and other methods;

4 (3) samples of the educational materials provided to
5 consumers of architectural paint; and

6 (4) the total cost of the program and an independent
7 financial audit of the program. An independent financial
8 auditor shall be chosen by the manufacturer or
9 representative organization.

10 The Agency and the manufacturer or manufacturer's
11 representative organization shall post a copy of each annual
12 report on their websites.

13 Section 45. Disclosure. Financial, production, or sales
14 data reported to the Agency by a manufacturer, retailer, or
15 representative organization is confidential business
16 information that is exempt from disclosure under the Freedom
17 of Information Act.

18 Section 50. Program plan submission fee. A manufacturer or
19 representative organization submitting a program plan shall
20 pay an administrative fee of \$10,000 to the Agency at the time
21 of submission.

22 Section 55. Administration fee. By July 1, 2026, and each
23 July 1 thereafter, a manufacturer or representative

1 organization operating a stewardship program shall remit to
2 the Agency a \$40,000 administration fee.

3 Section 60. Implementation. Six months following the date
4 of the program approval, a manufacturer or representative
5 organization shall implement a postconsumer paint collection
6 plan approved in accordance with Section 15.

7 Section 65. Postconsumer paint from households and small
8 businesses.

9 (a) Delivery of leftover architectural paint by households
10 and very small quantity generators to a collection site is
11 authorized to the extent provided in the postconsumer paint
12 program approved in accordance with Section 15 and in
13 accordance with federal and State law, rules, and regulations.

14 (b) Collection sites shall accept and temporarily store
15 architectural paint from households and very small quantity
16 generators to the extent provided in the postconsumer paint
17 stewardship program approved in accordance with Section 15 and
18 in accordance with federal and State law, rules, and
19 regulations.

20 (c) Nothing in this Act shall be construed as restricting
21 the collection of architectural paint by a postconsumer paint
22 stewardship program where the collection is authorized under
23 any otherwise applicable hazardous waste or solid waste laws,
24 rules, or regulations.

1 (d) Nothing in this Act shall be construed to affect any
2 requirements applicable to any person under any otherwise
3 applicable hazardous waste or solid waste laws, rules, or
4 regulations.

5 Section 70. Penalties.

6 (a) Any person who violates any provision of this Act is
7 liable for a civil penalty of \$7,000 per violation, except
8 that the failure to register or pay a fee under this Act shall
9 cause the person who fails to register or pay the fee to be
10 liable for a civil penalty that is double the applicable
11 registration fee.

12 (b) The penalties provided for in this Section may be
13 recovered in a civil action brought in the name of the people
14 of the State of Illinois by the State's Attorney of the county
15 in which the violation occurred or by the Attorney General.
16 Any penalties collected under this Section in an action in
17 which the Attorney General has prevailed shall be deposited
18 into the Environmental Protection Trust Fund, to be used in
19 accordance with the provision of the Environmental Protection
20 Trust Fund Act.

21 (c) The Attorney General or the State's Attorney of a
22 county in which a violation occurs may institute a civil
23 action for an injunction, prohibitory or mandatory, to
24 restrain violations of this Act or to require such actions as
25 may be necessary to address violations of this Act.

1 (d) The penalties and injunctions provided in this Act are
2 in addition to any penalties, injunctions, or other relief
3 provided under any other State law. Nothing in this Act bars a
4 cause of action by the State for any other penalty,
5 injunction, or other relief provided by any other law.

6 (e) Any person who knowingly makes a false, fictitious, or
7 fraudulent material statement, orally or in writing, to the
8 Agency, related to or required by this Act or any rule adopted
9 under this Act commits a Class 4 felony, and each such
10 statement or writing shall be considered a separate Class 4
11 felony. A person who, after being convicted under this
12 subsection, violates this subsection a second or subsequent
13 time commits a Class 3 felony.

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

16 (5 ILCS 140/7.5)

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

20 (a) All information determined to be confidential
21 under Section 4002 of the Technology Advancement and
22 Development Act.

23 (b) Library circulation and order records identifying
24 library users with specific materials under the Library

1 Records Confidentiality Act.

2 (c) Applications, related documents, and medical
3 records received by the Experimental Organ Transplantation
4 Procedures Board and any and all documents or other
5 records prepared by the Experimental Organ Transplantation
6 Procedures Board or its staff relating to applications it
7 has received.

8 (d) Information and records held by the Department of
9 Public Health and its authorized representatives relating
10 to known or suspected cases of sexually transmissible
11 disease or any information the disclosure of which is
12 restricted under the Illinois Sexually Transmissible
13 Disease Control Act.

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

16 (f) Firm performance evaluations under Section 55 of
17 the Architectural, Engineering, and Land Surveying
18 Qualifications Based Selection Act.

19 (g) Information the disclosure of which is restricted
20 and exempted under Section 50 of the Illinois Prepaid
21 Tuition Act.

22 (h) Information the disclosure of which is exempted
23 under the State Officials and Employees Ethics Act, and
24 records of any lawfully created State or local inspector
25 general's office that would be exempt if created or
26 obtained by an Executive Inspector General's office under

1 that Act.

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

6 (j) Information and data concerning the distribution
7 of surcharge moneys collected and remitted by carriers
8 under the Emergency Telephone System Act.

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

13 (l) Records and information provided to a residential
14 health care facility resident sexual assault and death
15 review team or the Executive Council under the Abuse
16 Prevention Review Team Act.

17 (m) Information provided to the predatory lending
18 database created pursuant to Article 3 of the Residential
19 Real Property Disclosure Act, except to the extent
20 authorized under that Article.

21 (n) Defense budgets and petitions for certification of
22 compensation and expenses for court appointed trial
23 counsel as provided under Sections 10 and 15 of the
24 Capital Crimes Litigation Act. This subsection (n) shall
25 apply until the conclusion of the trial of the case, even
26 if the prosecution chooses not to pursue the death penalty

1 prior to trial or sentencing.

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

5 (p) Security portions of system safety program plans,
6 investigation reports, surveys, schedules, lists, data, or
7 information compiled, collected, or prepared by or for the
8 Department of Transportation under Sections 2705-300 and
9 2705-616 of the Department of Transportation Law of the
10 Civil Administrative Code of Illinois, the Regional
11 Transportation Authority under Section 2.11 of the
12 Regional Transportation Authority Act, or the St. Clair
13 County Transit District under the Bi-State Transit Safety
14 Act.

15 (q) Information prohibited from being disclosed by the
16 Personnel Record Review Act.

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

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

21 (t) All identified or deidentified health information
22 in the form of health data or medical records contained
23 in, stored in, submitted to, transferred by, or released
24 from the Illinois Health Information Exchange, and
25 identified or deidentified health information in the form
26 of health data and medical records of the Illinois Health

1 Information Exchange in the possession of the Illinois
2 Health Information Exchange Office due to its
3 administration of the Illinois Health Information
4 Exchange. The terms "identified" and "deidentified" shall
5 be given the same meaning as in the Health Insurance
6 Portability and Accountability Act of 1996, Public Law
7 104-191, or any subsequent amendments thereto, and any
8 regulations promulgated thereunder.

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

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

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

25 (w) Personally identifiable information which is
26 exempted from disclosure under subsection (g) of Section

1 19.1 of the Toll Highway Act.

2 (x) Information which is exempted from disclosure
3 under Section 5-1014.3 of the Counties Code or Section
4 8-11-21 of the Illinois Municipal Code.

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

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

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

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

21 (cc) Recordings made under the Law Enforcement
22 Officer-Worn Body Camera Act, except to the extent
23 authorized under that Act.

24 (dd) Information that is prohibited from being
25 disclosed under Section 45 of the Condominium and Common
26 Interest Community Ombudsperson Act.

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

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

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

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

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

13 (jj) Information and reports that are required to be
14 submitted to the Department of Labor by registering day
15 and temporary labor service agencies but are exempt from
16 disclosure under subsection (a-1) of Section 45 of the Day
17 and Temporary Labor Services Act.

18 (kk) Information prohibited from disclosure under the
19 Seizure and Forfeiture Reporting Act.

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

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

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

1 (oo) Communications, notes, records, and reports
2 arising out of a peer support counseling session
3 prohibited from disclosure under the First Responders
4 Suicide Prevention Act.

5 (pp) Names and all identifying information relating to
6 an employee of an emergency services provider or law
7 enforcement agency under the First Responders Suicide
8 Prevention Act.

9 (qq) Information and records held by the Department of
10 Public Health and its authorized representatives collected
11 under the Reproductive Health Act.

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

14 (ss) Data reported by an employer to the Department of
15 Human Rights pursuant to Section 2-108 of the Illinois
16 Human Rights Act.

17 (tt) Recordings made under the Children's Advocacy
18 Center Act, except to the extent authorized under that
19 Act.

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

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

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

1 (xx) Information that is exempt from disclosure or
2 information that shall not be made public under the
3 Illinois Insurance Code.

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

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

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

10 (bbb) Information that is prohibited from disclosure
11 by the Illinois Police Training Act and the Illinois State
12 Police Act.

13 (ccc) Records exempt from disclosure under Section
14 2605-304 of the Illinois State Police Law of the Civil
15 Administrative Code of Illinois.

16 (ddd) Information prohibited from being disclosed
17 under Section 35 of the Address Confidentiality for
18 Victims of Domestic Violence, Sexual Assault, Human
19 Trafficking, or Stalking Act.

20 (eee) Information prohibited from being disclosed
21 under subsection (b) of Section 75 of the Domestic
22 Violence Fatality Review Act.

23 (fff) Images from cameras under the Expressway Camera
24 Act. This subsection (fff) is inoperative on and after
25 July 1, 2023.

26 (ggg) Information prohibited from disclosure under

1 paragraph (3) of subsection (a) of Section 14 of the Nurse
2 Agency Licensing Act.

3 (hhh) Information submitted to the Illinois Department
4 ~~of~~ State Police in an affidavit or application for an
5 assault weapon endorsement, assault weapon attachment
6 endorsement, .50 caliber rifle endorsement, or .50 caliber
7 cartridge endorsement under the Firearm Owners
8 Identification Card Act.

9 (iii) Confidential business information prohibited
10 from disclosure under Section 45 of the Paint Stewardship
11 Act.

12 (Source: P.A. 101-13, eff. 6-12-19; 101-27, eff. 6-25-19;
13 101-81, eff. 7-12-19; 101-221, eff. 1-1-20; 101-236, eff.
14 1-1-20; 101-375, eff. 8-16-19; 101-377, eff. 8-16-19; 101-452,
15 eff. 1-1-20; 101-466, eff. 1-1-20; 101-600, eff. 12-6-19;
16 101-620, eff. 12-20-19; 101-649, eff. 7-7-20; 101-652, eff.
17 1-1-22; 101-656, eff. 3-23-21; 102-36, eff. 6-25-21; 102-237,
18 eff. 1-1-22; 102-292, eff. 1-1-22; 102-520, eff. 8-20-21;
19 102-559, eff. 8-20-21; 102-813, eff. 5-13-22; 102-946, eff.
20 7-1-22; 102-1042, eff. 6-3-22; 102-1116, eff. 1-10-23; revised
21 2-13-23.)".