

1 AN ACT concerning State government.

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

4 Section 5. The Secretary of State Act is amended by adding  
5 Section 34 as follows:

6 (15 ILCS 305/34 new)

7 Sec. 34. Advance Directive Registry.

8 (a) By January 1, 2027, the Secretary of State shall  
9 establish an electronic registry, to be known as the Advance  
10 Directive Registry, through which residents of the State of  
11 Illinois may deposit, with the Secretary of State, a completed  
12 Department of Public Health Uniform Practitioner Order for  
13 Life-Sustaining Treatment (POLST) form. In calendar year 2026,  
14 the Secretary of State shall, in good faith, promote the  
15 Advance Directive Registry throughout the State by  
16 disseminating information about the Advance Directive Registry  
17 in the form and manner prescribed by the Secretary of State.

18 (b) Information in the Advance Directive Registry shall be  
19 made available electronically to Emergency Medical Services  
20 personnel as defined in the Emergency Medical Services (EMS)  
21 Systems Act, administrators of hospitals licensed under the  
22 Hospital Licensing Act, and administrators of hospitals  
23 organized under the University of Illinois Hospital Act.

1 Hospital administrators shall, as appropriate for their  
2 respective hospital, provide access to information in the  
3 Advance Directive Registry to hospital health care providers  
4 and health care professionals. Persons may rely on information  
5 obtained from the Advance Directive Registry as an accurate  
6 copy of the documents filed with the Advance Directive  
7 Registry.

8 (c) Nothing in this Section shall limit the right to amend  
9 or revoke a Department of Public Health Uniform POLST form  
10 previously filed with the Advance Directive Registry.

11 (d) The Secretary of State shall adopt any rules necessary  
12 to implement this amendatory Act of the 103rd General  
13 Assembly, and the Secretary of State shall also provide on the  
14 Secretary of State's website information regarding use of the  
15 Advance Directive Registry.

16 (e) In the absence of gross negligence or willful  
17 misconduct, the Secretary of State and employees of the  
18 Secretary of State are immune from any civil or criminal  
19 liability in connection with the creation and maintenance of  
20 the Advance Directive Registry described in this Section.

21 (f) A person who knowingly submits a document to the  
22 Advance Directive Registry without authorization or assists in  
23 such submission shall be guilty of a Class A misdemeanor.

24 (g) Nothing in this Section requires a health care  
25 professional or health care provider, including Emergency  
26 Medical Services personnel as defined in the Emergency Medical

1 Services (EMS) Systems Act, a hospital licensed under the  
2 Hospital Licensing Act, and a hospital organized under the  
3 University of Illinois Hospital Act, to (i) inquire whether a  
4 patient has a Department of Public Health Uniform POLST form  
5 registered on the Advance Directive Registry or (ii) access or  
6 search the Advance Directive Registry to determine whether a  
7 patient has registered a Department of Public Health Uniform  
8 POLST form or the terms of the form.

9 (h) A health care professional or health care provider,  
10 including Emergency Medical Services personnel as defined in  
11 the Emergency Medical Services (EMS) Systems Act, a hospital  
12 licensed under the Hospital Licensing Act, and a hospital  
13 organized under the University of Illinois Hospital Act, is  
14 not subject to civil or criminal liability or professional  
15 discipline for failure to access or search the Advance  
16 Directive Registry. Notwithstanding any other provision of  
17 this Section, a health care professional or health care  
18 provider who relies in good faith on the provisions of a  
19 Department of Public Health Uniform POLST form retrieved from  
20 the Advance Directive Registry is immune from criminal and  
21 civil liability as described in subsection (d) of Section 65  
22 of the Health Care Surrogate Act and Section 3.150 of the  
23 Emergency Medical Services (EMS) Systems Act.