

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 hospitals licensed under the
20 Hospital Licensing Act and hospitals organized under the
21 University of Illinois Hospital Act, and those hospitals may
22 rely on information obtained from the Advance Directive
23 Registry as an accurate copy of the documents filed with the

1 Advance Directive Registry.

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

5 (d) The Secretary of State shall adopt any rules necessary
6 to implement this amendatory Act of the 103rd General
7 Assembly, and the Secretary of State shall also provide on the
8 Secretary of State's website information regarding use of the
9 Advance Directive Registry.

10 (e) In the absence of gross negligence or willful
11 misconduct, the Secretary of State and employees of the
12 Secretary of State are immune from any civil or criminal
13 liability in connection with the creation and maintenance of
14 the Advance Directive Registry described in this Section.

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

18 (g) Nothing in this Section requires a health care
19 professional or health care provider, including a hospital
20 licensed under the Hospital Licensing Act and a hospital
21 organized under the University of Illinois Hospital Act, to

22 (i) inquire whether a patient has a Department of Public
23 Health Uniform POLST form registered on the Advance Directive
24 Registry or (ii) access or search the Advance Directive
25 Registry to determine whether a patient has registered a
26 Department of Public Health Uniform POLST form or the terms of

1 the form.

2 (h) A health care professional or health care provider,
3 including a hospital licensed under the Hospital Licensing Act
4 and a hospital organized under the University of Illinois
5 Hospital Act, is not subject to civil or criminal liability or
6 professional discipline for failure to access or search the
7 Advance Directive Registry. Notwithstanding any other
8 provision of this Section, a health care professional or
9 health care provider who relies in good faith on the
10 provisions of a Department of Public Health Uniform POLST form
11 retrieved from the Advance Directive Registry is immune from
12 criminal and civil liability as described in subsection (d) of
13 Section 65 of the Health Care Surrogate Act.