

**103RD GENERAL ASSEMBLY****State of Illinois****2023 and 2024****SB3223**

Introduced 2/6/2024, by Sen. Mike Porfirio

**SYNOPSIS AS INTRODUCED:**

20 ILCS 1805/29.1 new

Amends the Military Code of Illinois. Requires the Governor to organize and maintain within this State, on a reserve basis, a volunteer civilian cybersecurity auxiliary force, known as the Illinois Cyber Auxiliary Force (ICAF), that is capable of being expanded and trained to educate and protect from cyber incidents State, county, and local government entities and critical infrastructure, including election systems, businesses, and the citizens of this State. Provides that in the case of an emergency proclaimed by the Governor, or caused by illicit actors or imminent danger, the Governor, as Commander-in-Chief, shall expand the ICAF as the exigency of the occasion requires. Provides that the ICAF shall be operated as an interagency effort between the Illinois Department of Military Affairs (IDMA), the Illinois Emergency Management Agency and Office of Homeland Security (IEMA-OHS), and the Illinois Department of Innovation and Technology (DoIT). Provides that IEMA-OHS shall have oversight of the entire program and act as the lead agency for the ICAF for mission and project development; DoIT shall evaluate threats and recommend missions to the Homeland Security Advisor; and IDMA shall focus on recruiting, manning, and mission assignments. Provides that the Adjutant General, in cooperation with the Homeland Security Advisor, shall request activation of ICAF for cyber incident response; and that IDMA shall stock and issue uniform articles as required. Contains provisions concerning training for ICAF members; funds appropriated by the General Assembly for the actual and necessary expenses incurred by the ICAF for administration, training, and deployment; and the adoption of rules by IEMA-OHS that are consistent with the provisions of law governing the membership, organization, administration, equipment, and maintenance of the ICAF. Provides that ICAF members may not be called or ordered into the military service. Provides that no person shall be accepted into the ICAF who is not a United States national or a lawful permanent resident. Contains provisions concerning background checks on applicants; the removal or resignation of ICAF members; and other matters.

LRB103 38867 KTG 69004 b

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 Military Code of Illinois is amended by  
5 adding Section 29.1 as follows:

6 (20 ILCS 1805/29.1 new)

7 Sec. 29.1. Creation of Illinois Cyber Auxiliary Force.

8 (a) The Governor shall organize and maintain within this  
9 State, on a reserve basis, a volunteer civilian cybersecurity  
10 auxiliary force, known as the Illinois Cyber Auxiliary Force  
11 (ICAF), that is capable of being expanded and trained to  
12 educate and protect from cyber incidents State, county, and  
13 local government entities and critical infrastructure,  
14 including election systems, businesses, and the citizens of  
15 this State. In the case of an emergency proclaimed by the  
16 Governor, or caused by illicit actors or imminent danger, the  
17 Governor, as Commander-in-Chief, shall expand the ICAF as the  
18 exigency of the occasion requires.

19 (b) The ICAF shall be operated as an interagency effort  
20 between the Illinois Department of Military Affairs (IDMA),  
21 the Illinois Emergency Management Agency and Office of  
22 Homeland Security (IEMA-OHS), and the Illinois Department of  
23 Innovation and Technology (DoIT).

1           (1) IEMA-OHS shall have oversight of the entire  
2           program and act as the lead agency for the ICAF for mission  
3           and project development. The Homeland Security Advisor  
4           shall be the final approval for ICAF missions. IEMA-OHS  
5           shall be responsible for the evaluation and exercising of  
6           the ICAF.

7           (2) DoIT shall evaluate threats and recommend missions  
8           to the Homeland Security Advisor. DoIT shall develop  
9           standards and training for ICAF members, while ensuring  
10           their training and credentials meet mission requirements.  
11           DoIT cyber navigators may provide liaison support to the  
12           ICAF.

13           (3) IDMA shall focus on recruiting, manning, and  
14           mission assignments. IDMA shall provide key sustainment  
15           requirements, such as pay and reimbursement for missions  
16           utilizing existing State Active Duty systems and  
17           processes. The Adjutant General, in cooperation with the  
18           Homeland Security Advisor, shall request activation of  
19           ICAF for cyber incident response. IDMA shall stock and  
20           issue uniform articles as required.

21           (c) Appropriate training shall be provided to current and  
22           potential members of the ICAF. While performing training and  
23           other volunteer duties such as public engagement, current and  
24           potential auxiliary members shall serve in an unpaid volunteer  
25           status.

26           (d) The ICAF shall use funds appropriated by the General

1 Assembly for the actual and necessary expenses incurred by the  
2 ICAF for administration, training, and deployment of the ICAF,  
3 at the discretion of the Director of IEMA-OHS or the  
4 Director's designee. Expenses for administration, training,  
5 and deployment may include, but are not limited to, permanent  
6 or temporary State employees or contractual internal or  
7 external administrative staff, travel and subsistence  
8 expenses, the purchase or rental of equipment and hardware,  
9 and local operational support.

10 (e) The Director of IEMA-OHS shall adopt rules consistent  
11 with the provisions of law governing the membership,  
12 organization, administration, equipment, and maintenance of  
13 the ICAF.

14 (f) ICAF members may not be called or ordered into the  
15 military service of the United States.

16 (g) No person shall be accepted into the ICAF who is not a  
17 United States national or a lawful permanent resident.  
18 Applicants shall be subject to an appropriate background  
19 check, in accordance with rules adopted by the Director of  
20 IEMA-OHS, before admittance into the ICAF. Notwithstanding any  
21 other provision of this Code, no person shall be disqualified  
22 from acceptance into the ICAF on the basis that the person is  
23 an employee of the State or a political subdivision of the  
24 State, or an employee or proprietor of a private entity that  
25 conducts business with the State or a political subdivision of  
26 the State.

1       (h) The Director of IEMA-OHS may accept the resignation of  
2 any ICAF member at any time. ICAF members serve at the pleasure  
3 of the Governor and may be removed from the auxiliary in  
4 accordance with adopted rules. The Director of IEMA-OHS may  
5 require reimbursement for training, equipment, and uniforms if  
6 an ICAF member does not serve the full term of the member's  
7 membership agreement and the member's inability to serve out  
8 the term of the membership agreement was not due to a  
9 disability or a similar disabling medical condition.

10       (i) The Governor, may authorize the Director of IEMA-OHS  
11 to employ individuals or units of the ICAF as compensated  
12 State employees using IDMA State Active Duty procedures to  
13 protect State, county, and local government entities and  
14 critical infrastructure, including election systems, or for  
15 training as the Governor determines necessary. The Governor,  
16 upon the request of a business or U.S. citizen, also may order  
17 individuals or units of the ICAF to State Active Duty to  
18 protect that business or U.S. citizen.