



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB1507

Introduced 02/10/05, by Rep. David R. Leitch - William Delgado  
- Frank J. Mautino - Elizabeth Coulson - Carolyn H. Krause

#### SYNOPSIS AS INTRODUCED:

5 ILCS 350/1

from Ch. 127, par. 1301

Amends the State Employee Indemnification Act. Includes as "employees" for State indemnification purposes certain child welfare agencies providing services for the Department of Children and Family Services. Effective immediately.

LRB094 09527 JAM 39778 b

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT concerning government.

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

4 Section 5. The State Employee Indemnification Act is  
5 amended by changing Section 1 as follows:

6 (5 ILCS 350/1) (from Ch. 127, par. 1301)

7 Sec. 1. Definitions. For the purpose of this Act:

8 (a) The term "State" means the State of Illinois, the  
9 General Assembly, the court, or any State office, department,  
10 division, bureau, board, commission, or committee, the  
11 governing boards of the public institutions of higher education  
12 created by the State, the Illinois National Guard, the  
13 Comprehensive Health Insurance Board, any poison control  
14 center designated under the Poison Control System Act that  
15 receives State funding, or any other agency or instrumentality  
16 of the State. It does not mean any local public entity as that  
17 term is defined in Section 1-206 of the Local Governmental and  
18 Governmental Employees Tort Immunity Act or a pension fund.

19 (b) The term "employee" means any present or former elected  
20 or appointed officer, trustee or employee of the State, or of a  
21 pension fund, any present or former commissioner or employee of  
22 the Executive Ethics Commission or of the Legislative Ethics  
23 Commission, any present or former Executive, Legislative, or  
24 Auditor General's Inspector General, any present or former  
25 employee of an Office of an Executive, Legislative, or Auditor  
26 General's Inspector General, any present or former member of  
27 the Illinois National Guard while on active duty, individuals  
28 or organizations who contract with the Department of  
29 Corrections, the Comprehensive Health Insurance Board, or the  
30 Department of Veterans' Affairs to provide services,  
31 individuals or organizations who contract with the Department  
32 of Human Services (as successor to the Department of Mental

1 Health and Developmental Disabilities) to provide services  
2 including but not limited to treatment and other services for  
3 sexually violent persons, individuals or organizations who  
4 contract with the Department of Military Affairs for youth  
5 programs, individuals or organizations who contract to perform  
6 carnival and amusement ride safety inspections for the  
7 Department of Labor, individual representatives of or  
8 designated organizations authorized to represent the Office of  
9 State Long-Term Ombudsman for the Department on Aging,  
10 individual representatives of or organizations designated by  
11 the Department on Aging in the performance of their duties as  
12 elder abuse provider agencies or regional administrative  
13 agencies under the Elder Abuse and Neglect Act, individuals or  
14 organizations who perform volunteer services for the State  
15 where such volunteer relationship is reduced to writing,  
16 individuals who serve on any public entity (whether created by  
17 law or administrative action) described in paragraph (a) of  
18 this Section, individuals or not for profit organizations who,  
19 either as volunteers, where such volunteer relationship is  
20 reduced to writing, or pursuant to contract, furnish  
21 professional advice or consultation to any agency or  
22 instrumentality of the State, child welfare agencies providing  
23 services for the Department of Children and Family Services  
24 that are funded in part by Title IVB or Title IVE of the  
25 federal Social Security Act, individuals who serve as foster  
26 parents for the Department of Children and Family Services when  
27 caring for a Department ward, and individuals who serve as  
28 arbitrators pursuant to Part 10A of Article II of the Code of  
29 Civil Procedure and the rules of the Supreme Court implementing  
30 Part 10A, each as now or hereafter amended, but does not mean  
31 an independent contractor except as provided in this Section.  
32 The term includes an individual appointed as an inspector by  
33 the Director of State Police when performing duties within the  
34 scope of the activities of a Metropolitan Enforcement Group or  
35 a law enforcement organization established under the  
36 Intergovernmental Cooperation Act. An individual who renders

1 professional advice and consultation to the State through an  
2 organization which qualifies as an "employee" under the Act is  
3 also an employee. The term includes the estate or personal  
4 representative of an employee.

5 (c) The term "pension fund" means a retirement system or  
6 pension fund created under the Illinois Pension Code.

7 (Source: P.A. 93-617, eff. 12-9-03.)

8 Section 99. Effective date. This Act takes effect upon  
9 becoming law.