

1 AN ACT concerning safety.

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

4 Section 1. Short title. This Act may be cited as the First  
5 Responder Building Mapping System Act.

6 Section 5. Purpose. The General Assembly recognizes the  
7 extreme dangers present when the safety of our citizens  
8 requires first responders, such as police and firefighters, to  
9 evacuate and secure a building. In an effort to prepare for  
10 responding to unintended disasters, criminal acts, and acts of  
11 terrorism, the General Assembly intends to create a statewide  
12 first responder building mapping information system that will  
13 provide all first responders with the information they need to  
14 be successful when disaster strikes. The first responder  
15 building mapping system created by this Act is to be developed  
16 for a limited and specific purpose and is in no way to be  
17 construed as imposing standards or system requirements on any  
18 other mapping systems developed and used for any other  
19 government purposes.

20 Section 10. Statewide first responder building mapping  
21 information system. Subject to a separate appropriation made  
22 for that purpose, the Illinois Emergency Management Agency  
23 shall create and operate a statewide first responder building  
24 mapping information system.

25 All State agencies, units of local government, and school  
26 districts must use building mapping software that complies with  
27 the building mapping software standards developed as provided  
28 in this Act for any building mapped for this purpose after the  
29 statewide first responder building mapping information system  
30 is operational. If, before the creation of the statewide  
31 building mapping information system, a State agency, unit of

1 local government, or school district has used building mapping  
2 software standards that do not comply with this Act, the State  
3 agency, unit of local government, or school district may  
4 continue to use its own building mapping system unless the  
5 Illinois Emergency Management Agency provides funding to bring  
6 the governmental entity's system into compliance with  
7 standards developed under this Act.

8 All State, unit of local government, and school district  
9 owned buildings that are occupied by its employees must be  
10 mapped when funding is provided by the Illinois Emergency  
11 Management Agency or from other sources. Nothing in this Act  
12 requires any State agency, unit of local government, or school  
13 district to map a building unless the entire cost of mapping  
14 the building is provided by the Illinois Emergency Management  
15 Agency or from other sources for that purpose.

16 Once the statewide first responder building mapping  
17 information system is operational, the building mapping  
18 information data for all State, unit of local government, and  
19 school district buildings that are mapped must be forwarded to  
20 the Illinois Emergency Management Agency. All participating  
21 private and federally owned buildings may voluntarily forward  
22 their mapping and emergency information data to the Illinois  
23 Emergency Management Agency. The Illinois Emergency Management  
24 Agency may refuse any building mapping information that does  
25 not comply with the specifications developed under this Act.

26 Consistent with the guidelines developed under this Act,  
27 the Illinois Emergency Management Agency shall electronically  
28 make the building mapping information available to all State,  
29 local, and federal law enforcement agencies and to all Illinois  
30 fire protection districts and fire departments.

31 Consistent with the guidelines developed under this Act,  
32 the Illinois Emergency Management Agency shall develop  
33 building mapping software standards that must be used to  
34 participate in the statewide first responder building mapping  
35 information system.

36 The Illinois Emergency Management Agency shall pursue

1 federal funds to:

2 (a) create the statewide first responder building  
3 mapping information system; and

4 (b) develop grants for the mapping of all State, unit  
5 of local government, and school district buildings in the  
6 order determined by the Illinois Emergency Management  
7 Agency after consultation with the First Responder Mapping  
8 Task Force.

9 All tactical and intelligence information provided to the  
10 Illinois Emergency Management Agency under this Act is exempt  
11 from public disclosure under the Freedom of Information Act.

12 Section 15. First Responder Mapping Task Force. The  
13 Illinois Emergency management Agency shall establish, within  
14 the Agency, a First Responder Mapping Task Force as an advisory  
15 body to assist in the establishment of guidelines related to  
16 the statewide first responder building mapping information  
17 system. The Director shall make appropriate appointments to the  
18 Task force. Members shall serve at the pleasure of the  
19 Director.

20 The First Responder Mapping Task Force shall advise and  
21 assist the Illinois Emergency Management Agency with the  
22 following:

23 (a) Developing the type of information to be included  
24 in the statewide first responder building mapping  
25 information system. The information shall include, but is  
26 not limited to: floor plans, fire protection information,  
27 evacuation plans, utility information, known hazards, and  
28 text and digital images showing emergency personnel  
29 contact information.

30 (b) Developing building mapping software standards  
31 that must be used by all entities participating in the  
32 statewide first responder building mapping information  
33 system.

34 (c) Determining the order in which buildings shall be  
35 mapped when funding is received.

1 (d) Developing guidelines on how the information shall  
2 be made available. These guidelines shall include detailed  
3 procedures and security systems to ensure that the  
4 information is made available only to the government entity  
5 that either owns the building or is responding to an  
6 incident at the building.

7 (e) Recommending training guidelines regarding using  
8 the statewide first responder building mapping information  
9 system.

10 Nothing in this Section supersedes the authority of State  
11 agencies, units of local governments, and school districts to  
12 control and maintain access to information within their  
13 independent systems.

14 Section 25. The Freedom of Information Act is amended by  
15 changing Section 7 as follows:

16 (5 ILCS 140/7) (from Ch. 116, par. 207)

17 Sec. 7. Exemptions.

18 (1) The following shall be exempt from inspection and  
19 copying:

20 (a) Information specifically prohibited from  
21 disclosure by federal or State law or rules and regulations  
22 adopted under federal or State law.

23 (b) Information that, if disclosed, would constitute a  
24 clearly unwarranted invasion of personal privacy, unless  
25 the disclosure is consented to in writing by the individual  
26 subjects of the information. The disclosure of information  
27 that bears on the public duties of public employees and  
28 officials shall not be considered an invasion of personal  
29 privacy. Information exempted under this subsection (b)  
30 shall include but is not limited to:

31 (i) files and personal information maintained with  
32 respect to clients, patients, residents, students or  
33 other individuals receiving social, medical,  
34 educational, vocational, financial, supervisory or

1           custodial care or services directly or indirectly from  
2           federal agencies or public bodies;

3           (ii) personnel files and personal information  
4           maintained with respect to employees, appointees or  
5           elected officials of any public body or applicants for  
6           those positions;

7           (iii) files and personal information maintained  
8           with respect to any applicant, registrant or licensee  
9           by any public body cooperating with or engaged in  
10          professional or occupational registration, licensure  
11          or discipline;

12          (iv) information required of any taxpayer in  
13          connection with the assessment or collection of any tax  
14          unless disclosure is otherwise required by State  
15          statute;

16          (v) information revealing the identity of persons  
17          who file complaints with or provide information to  
18          administrative, investigative, law enforcement or  
19          penal agencies; provided, however, that identification  
20          of witnesses to traffic accidents, traffic accident  
21          reports, and rescue reports may be provided by agencies  
22          of local government, except in a case for which a  
23          criminal investigation is ongoing, without  
24          constituting a clearly unwarranted per se invasion of  
25          personal privacy under this subsection; and

26          (vi) the names, addresses, or other personal  
27          information of participants and registrants in park  
28          district, forest preserve district, and conservation  
29          district programs.

30          (c) Records compiled by any public body for  
31          administrative enforcement proceedings and any law  
32          enforcement or correctional agency for law enforcement  
33          purposes or for internal matters of a public body, but only  
34          to the extent that disclosure would:

35                 (i) interfere with pending or actually and  
36                 reasonably contemplated law enforcement proceedings

1 conducted by any law enforcement or correctional  
2 agency;

3 (ii) interfere with pending administrative  
4 enforcement proceedings conducted by any public body;

5 (iii) deprive a person of a fair trial or an  
6 impartial hearing;

7 (iv) unavoidably disclose the identity of a  
8 confidential source or confidential information  
9 furnished only by the confidential source;

10 (v) disclose unique or specialized investigative  
11 techniques other than those generally used and known or  
12 disclose internal documents of correctional agencies  
13 related to detection, observation or investigation of  
14 incidents of crime or misconduct;

15 (vi) constitute an invasion of personal privacy  
16 under subsection (b) of this Section;

17 (vii) endanger the life or physical safety of law  
18 enforcement personnel or any other person; or

19 (viii) obstruct an ongoing criminal investigation.

20 (d) Criminal history record information maintained by  
21 State or local criminal justice agencies, except the  
22 following which shall be open for public inspection and  
23 copying:

24 (i) chronologically maintained arrest information,  
25 such as traditional arrest logs or blotters;

26 (ii) the name of a person in the custody of a law  
27 enforcement agency and the charges for which that  
28 person is being held;

29 (iii) court records that are public;

30 (iv) records that are otherwise available under  
31 State or local law; or

32 (v) records in which the requesting party is the  
33 individual identified, except as provided under part  
34 (vii) of paragraph (c) of subsection (1) of this  
35 Section.

36 "Criminal history record information" means data

1 identifiable to an individual and consisting of  
2 descriptions or notations of arrests, detentions,  
3 indictments, informations, pre-trial proceedings, trials,  
4 or other formal events in the criminal justice system or  
5 descriptions or notations of criminal charges (including  
6 criminal violations of local municipal ordinances) and the  
7 nature of any disposition arising therefrom, including  
8 sentencing, court or correctional supervision,  
9 rehabilitation and release. The term does not apply to  
10 statistical records and reports in which individuals are  
11 not identified and from which their identities are not  
12 ascertainable, or to information that is for criminal  
13 investigative or intelligence purposes.

14 (e) Records that relate to or affect the security of  
15 correctional institutions and detention facilities.

16 (f) Preliminary drafts, notes, recommendations,  
17 memoranda and other records in which opinions are  
18 expressed, or policies or actions are formulated, except  
19 that a specific record or relevant portion of a record  
20 shall not be exempt when the record is publicly cited and  
21 identified by the head of the public body. The exemption  
22 provided in this paragraph (f) extends to all those records  
23 of officers and agencies of the General Assembly that  
24 pertain to the preparation of legislative documents.

25 (g) Trade secrets and commercial or financial  
26 information obtained from a person or business where the  
27 trade secrets or information are proprietary, privileged  
28 or confidential, or where disclosure of the trade secrets  
29 or information may cause competitive harm, including all  
30 information determined to be confidential under Section  
31 4002 of the Technology Advancement and Development Act.  
32 Nothing contained in this paragraph (g) shall be construed  
33 to prevent a person or business from consenting to  
34 disclosure.

35 (h) Proposals and bids for any contract, grant, or  
36 agreement, including information which if it were

1 disclosed would frustrate procurement or give an advantage  
2 to any person proposing to enter into a contractor  
3 agreement with the body, until an award or final selection  
4 is made. Information prepared by or for the body in  
5 preparation of a bid solicitation shall be exempt until an  
6 award or final selection is made.

7 (i) Valuable formulae, computer geographic systems,  
8 designs, drawings and research data obtained or produced by  
9 any public body when disclosure could reasonably be  
10 expected to produce private gain or public loss. The  
11 exemption for "computer geographic systems" provided in  
12 this paragraph (i) does not extend to requests made by news  
13 media as defined in Section 2 of this Act when the  
14 requested information is not otherwise exempt and the only  
15 purpose of the request is to access and disseminate  
16 information regarding the health, safety, welfare, or  
17 legal rights of the general public.

18 (j) Test questions, scoring keys and other examination  
19 data used to administer an academic examination or  
20 determined the qualifications of an applicant for a license  
21 or employment.

22 (k) Architects' plans, engineers' technical  
23 submissions, and other construction related technical  
24 documents for projects not constructed or developed in  
25 whole or in part with public funds and the same for  
26 projects constructed or developed with public funds, but  
27 only to the extent that disclosure would compromise  
28 security, including but not limited to water treatment  
29 facilities, airport facilities, sport stadiums, convention  
30 centers, and all government owned, operated, or occupied  
31 buildings.

32 (l) Library circulation and order records identifying  
33 library users with specific materials.

34 (m) Minutes of meetings of public bodies closed to the  
35 public as provided in the Open Meetings Act until the  
36 public body makes the minutes available to the public under



1 Section 2.06 of the Open Meetings Act.

2 (n) Communications between a public body and an  
3 attorney or auditor representing the public body that would  
4 not be subject to discovery in litigation, and materials  
5 prepared or compiled by or for a public body in  
6 anticipation of a criminal, civil or administrative  
7 proceeding upon the request of an attorney advising the  
8 public body, and materials prepared or compiled with  
9 respect to internal audits of public bodies.

10 (o) Information received by a primary or secondary  
11 school, college or university under its procedures for the  
12 evaluation of faculty members by their academic peers.

13 (p) Administrative or technical information associated  
14 with automated data processing operations, including but  
15 not limited to software, operating protocols, computer  
16 program abstracts, file layouts, source listings, object  
17 modules, load modules, user guides, documentation  
18 pertaining to all logical and physical design of  
19 computerized systems, employee manuals, and any other  
20 information that, if disclosed, would jeopardize the  
21 security of the system or its data or the security of  
22 materials exempt under this Section.

23 (q) Documents or materials relating to collective  
24 negotiating matters between public bodies and their  
25 employees or representatives, except that any final  
26 contract or agreement shall be subject to inspection and  
27 copying.

28 (r) Drafts, notes, recommendations and memoranda  
29 pertaining to the financing and marketing transactions of  
30 the public body. The records of ownership, registration,  
31 transfer, and exchange of municipal debt obligations, and  
32 of persons to whom payment with respect to these  
33 obligations is made.

34 (s) The records, documents and information relating to  
35 real estate purchase negotiations until those negotiations  
36 have been completed or otherwise terminated. With regard to

1 a parcel involved in a pending or actually and reasonably  
2 contemplated eminent domain proceeding under Article VII  
3 of the Code of Civil Procedure, records, documents and  
4 information relating to that parcel shall be exempt except  
5 as may be allowed under discovery rules adopted by the  
6 Illinois Supreme Court. The records, documents and  
7 information relating to a real estate sale shall be exempt  
8 until a sale is consummated.

9 (t) Any and all proprietary information and records  
10 related to the operation of an intergovernmental risk  
11 management association or self-insurance pool or jointly  
12 self-administered health and accident cooperative or pool.

13 (u) Information concerning a university's adjudication  
14 of student or employee grievance or disciplinary cases, to  
15 the extent that disclosure would reveal the identity of the  
16 student or employee and information concerning any public  
17 body's adjudication of student or employee grievances or  
18 disciplinary cases, except for the final outcome of the  
19 cases.

20 (v) Course materials or research materials used by  
21 faculty members.

22 (w) Information related solely to the internal  
23 personnel rules and practices of a public body.

24 (x) Information contained in or related to  
25 examination, operating, or condition reports prepared by,  
26 on behalf of, or for the use of a public body responsible  
27 for the regulation or supervision of financial  
28 institutions or insurance companies, unless disclosure is  
29 otherwise required by State law.

30 (y) Information the disclosure of which is restricted  
31 under Section 5-108 of the Public Utilities Act.

32 (z) Manuals or instruction to staff that relate to  
33 establishment or collection of liability for any State tax  
34 or that relate to investigations by a public body to  
35 determine violation of any criminal law.

36 (aa) Applications, related documents, and medical

1 records received by the Experimental Organ Transplantation  
2 Procedures Board and any and all documents or other records  
3 prepared by the Experimental Organ Transplantation  
4 Procedures Board or its staff relating to applications it  
5 has received.

6 (bb) Insurance or self insurance (including any  
7 intergovernmental risk management association or self  
8 insurance pool) claims, loss or risk management  
9 information, records, data, advice or communications.

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

16 (dd) Information the disclosure of which is exempted  
17 under Section 30 of the Radon Industry Licensing Act.

18 (ee) Firm performance evaluations under Section 55 of  
19 the Architectural, Engineering, and Land Surveying  
20 Qualifications Based Selection Act.

21 (ff) Security portions of system safety program plans,  
22 investigation reports, surveys, schedules, lists, data, or  
23 information compiled, collected, or prepared by or for the  
24 Regional Transportation Authority under Section 2.11 of  
25 the Regional Transportation Authority Act or the St. Clair  
26 County Transit District under the Bi-State Transit Safety  
27 Act.

28 (gg) Information the disclosure of which is restricted  
29 and exempted under Section 50 of the Illinois Prepaid  
30 Tuition Act.

31 (hh) Information the disclosure of which is exempted  
32 under the State Officials and Employees Ethics Act.

33 (ii) Beginning July 1, 1999, information that would  
34 disclose or might lead to the disclosure of secret or  
35 confidential information, codes, algorithms, programs, or  
36 private keys intended to be used to create electronic or

1 digital signatures under the Electronic Commerce Security  
2 Act.

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

7 (kk) Information and data concerning the distribution  
8 of surcharge moneys collected and remitted by wireless  
9 carriers under the Wireless Emergency Telephone Safety  
10 Act.

11 (ll) Vulnerability assessments, security measures, and  
12 response policies or plans that are designed to identify,  
13 prevent, or respond to potential attacks upon a community's  
14 population or systems, facilities, or installations, the  
15 destruction or contamination of which would constitute a  
16 clear and present danger to the health or safety of the  
17 community, but only to the extent that disclosure could  
18 reasonably be expected to jeopardize the effectiveness of  
19 the measures or the safety of the personnel who implement  
20 them or the public. Information exempt under this item may  
21 include such things as details pertaining to the  
22 mobilization or deployment of personnel or equipment, to  
23 the operation of communication systems or protocols, or to  
24 tactical operations.

25 (mm) Maps and other records regarding the location or  
26 security of a utility's generation, transmission,  
27 distribution, storage, gathering, treatment, or switching  
28 facilities.

29 (nn) Law enforcement officer identification  
30 information or driver identification information compiled  
31 by a law enforcement agency or the Department of  
32 Transportation under Section 11-212 of the Illinois  
33 Vehicle Code.

34 (oo) Records and information provided to a residential  
35 health care facility resident sexual assault and death  
36 review team or the Residential Health Care Facility

1 Resident Sexual Assault and Death Review Teams Executive  
2 Council under the Residential Health Care Facility  
3 Resident Sexual Assault and Death Review Team Act.

4 (pp) Building mapping records and other information  
5 compiled by the Illinois Emergency Management Agency under  
6 the First Responder Building Mapping System Act.

7 (2) This Section does not authorize withholding of  
8 information or limit the availability of records to the public,  
9 except as stated in this Section or otherwise provided in this  
10 Act.

11 (Source: P.A. 92-16, eff. 6-28-01; 92-241, eff. 8-3-01; 92-281,  
12 eff. 8-7-01; 92-645, eff. 7-11-02; 92-651, eff. 7-11-02; 93-43,  
13 eff. 7-1-03; 93-209, eff. 7-18-03; 93-237, eff. 7-22-03;  
14 93-325, eff. 7-23-03, 93-422, eff. 8-5-03; 93-577, eff.  
15 8-21-03; 93-617, eff. 12-9-03.)

16 Section 99. Effective date. This Act takes effect upon  
17 becoming law.