

# HB3037



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB3037

by Rep. Naomi D. Jakobsson

#### SYNOPSIS AS INTRODUCED:

20 ILCS 3305/5

from Ch. 127, par. 1055

Amends the Illinois Emergency Management Agency Act. Authorizes the Illinois Emergency Management Agency to assess reasonable fees for attendance at Agency-sponsored conferences and trainings to enable the Agency to carry out the requirements of the Act. Requires moneys generated from these fees to be deposited in the Emergency Planning and Training Fund and used by the Agency, subject to appropriation, to effectuate planning and training activities. Effective immediately.

LRB098 08952 JDS 39085 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

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 Illinois Emergency Management Agency Act is  
5 amended by changing Section 5 as follows:

6 (20 ILCS 3305/5) (from Ch. 127, par. 1055)

7 Sec. 5. Illinois Emergency Management Agency.

8 (a) There is created within the executive branch of the  
9 State Government an Illinois Emergency Management Agency and a  
10 Director of the Illinois Emergency Management Agency, herein  
11 called the "Director" who shall be the head thereof. The  
12 Director shall be appointed by the Governor, with the advice  
13 and consent of the Senate, and shall serve for a term of 2  
14 years beginning on the third Monday in January of the  
15 odd-numbered year, and until a successor is appointed and has  
16 qualified; except that the term of the first Director appointed  
17 under this Act shall expire on the third Monday in January,  
18 1989. The Director shall not hold any other remunerative public  
19 office. The Director shall receive an annual salary as set by  
20 the Compensation Review Board.

21 (b) The Illinois Emergency Management Agency shall obtain,  
22 under the provisions of the Personnel Code, technical,  
23 clerical, stenographic and other administrative personnel, and

1 may make expenditures within the appropriation therefor as may  
2 be necessary to carry out the purpose of this Act. The agency  
3 created by this Act is intended to be a successor to the agency  
4 created under the Illinois Emergency Services and Disaster  
5 Agency Act of 1975 and the personnel, equipment, records, and  
6 appropriations of that agency are transferred to the successor  
7 agency as of the effective date of this Act.

8 (c) The Director, subject to the direction and control of  
9 the Governor, shall be the executive head of the Illinois  
10 Emergency Management Agency and the State Emergency Response  
11 Commission and shall be responsible under the direction of the  
12 Governor, for carrying out the program for emergency management  
13 of this State. The Director shall also maintain liaison and  
14 cooperate with the emergency management organizations of this  
15 State and other states and of the federal government.

16 (d) The Illinois Emergency Management Agency shall take an  
17 integral part in the development and revision of political  
18 subdivision emergency operations plans prepared under  
19 paragraph (f) of Section 10. To this end it shall employ or  
20 otherwise secure the services of professional and technical  
21 personnel capable of providing expert assistance to the  
22 emergency services and disaster agencies. These personnel  
23 shall consult with emergency services and disaster agencies on  
24 a regular basis and shall make field examinations of the areas,  
25 circumstances, and conditions that particular political  
26 subdivision emergency operations plans are intended to apply.

1           (e) The Illinois Emergency Management Agency and political  
2 subdivisions shall be encouraged to form an emergency  
3 management advisory committee composed of private and public  
4 personnel representing the emergency management phases of  
5 mitigation, preparedness, response, and recovery. The Local  
6 Emergency Planning Committee, as created under the Illinois  
7 Emergency Planning and Community Right to Know Act, shall serve  
8 as an advisory committee to the emergency services and disaster  
9 agency or agencies serving within the boundaries of that Local  
10 Emergency Planning Committee planning district for:

11           (1) the development of emergency operations plan  
12 provisions for hazardous chemical emergencies; and

13           (2) the assessment of emergency response capabilities  
14 related to hazardous chemical emergencies.

15           (f) The Illinois Emergency Management Agency shall:

16           (1) Coordinate the overall emergency management  
17 program of the State.

18           (2) Cooperate with local governments, the federal  
19 government and any public or private agency or entity in  
20 achieving any purpose of this Act and in implementing  
21 emergency management programs for mitigation,  
22 preparedness, response, and recovery.

23           (2.5) Develop a comprehensive emergency preparedness  
24 and response plan for any nuclear accident in accordance  
25 with Section 65 of the Department of Nuclear Safety Law of  
26 2004 (20 ILCS 3310) and in development of the Illinois

1 Nuclear Safety Preparedness program in accordance with  
2 Section 8 of the Illinois Nuclear Safety Preparedness Act.

3 (2.6) Coordinate with the Department of Public Health  
4 with respect to planning for and responding to public  
5 health emergencies.

6 (3) Prepare, for issuance by the Governor, executive  
7 orders, proclamations, and regulations as necessary or  
8 appropriate in coping with disasters.

9 (4) Promulgate rules and requirements for political  
10 subdivision emergency operations plans that are not  
11 inconsistent with and are at least as stringent as  
12 applicable federal laws and regulations.

13 (5) Review and approve, in accordance with Illinois  
14 Emergency Management Agency rules, emergency operations  
15 plans for those political subdivisions required to have an  
16 emergency services and disaster agency pursuant to this  
17 Act.

18 (5.5) Promulgate rules and requirements for the  
19 political subdivision emergency management exercises,  
20 including, but not limited to, exercises of the emergency  
21 operations plans.

22 (5.10) Review, evaluate, and approve, in accordance  
23 with Illinois Emergency Management Agency rules, political  
24 subdivision emergency management exercises for those  
25 political subdivisions required to have an emergency  
26 services and disaster agency pursuant to this Act.

1           (6) Determine requirements of the State and its  
2 political subdivisions for food, clothing, and other  
3 necessities in event of a disaster.

4           (7) Establish a register of persons with types of  
5 emergency management training and skills in mitigation,  
6 preparedness, response, and recovery.

7           (8) Establish a register of government and private  
8 response resources available for use in a disaster.

9           (9) Expand the Earthquake Awareness Program and its  
10 efforts to distribute earthquake preparedness materials to  
11 schools, political subdivisions, community groups, civic  
12 organizations, and the media. Emphasis will be placed on  
13 those areas of the State most at risk from an earthquake.  
14 Maintain the list of all school districts, hospitals,  
15 airports, power plants, including nuclear power plants,  
16 lakes, dams, emergency response facilities of all types,  
17 and all other major public or private structures which are  
18 at the greatest risk of damage from earthquakes under  
19 circumstances where the damage would cause subsequent harm  
20 to the surrounding communities and residents.

21           (10) Disseminate all information, completely and  
22 without delay, on water levels for rivers and streams and  
23 any other data pertaining to potential flooding supplied by  
24 the Division of Water Resources within the Department of  
25 Natural Resources to all political subdivisions to the  
26 maximum extent possible.

1           (11) Develop agreements, if feasible, with medical  
2           supply and equipment firms to supply resources as are  
3           necessary to respond to an earthquake or any other disaster  
4           as defined in this Act. These resources will be made  
5           available upon notifying the vendor of the disaster.  
6           Payment for the resources will be in accordance with  
7           Section 7 of this Act. The Illinois Department of Public  
8           Health shall determine which resources will be required and  
9           requested.

10           (11.5) In coordination with the Department of State  
11           Police, develop and implement a community outreach program  
12           to promote awareness among the State's parents and children  
13           of child abduction prevention and response.

14           (12) Out of funds appropriated for these purposes,  
15           award capital and non-capital grants to Illinois hospitals  
16           or health care facilities located outside of a city with a  
17           population in excess of 1,000,000 to be used for purposes  
18           that include, but are not limited to, preparing to respond  
19           to mass casualties and disasters, maintaining and  
20           improving patient safety and quality of care, and  
21           protecting the confidentiality of patient information. No  
22           single grant for a capital expenditure shall exceed  
23           \$300,000. No single grant for a non-capital expenditure  
24           shall exceed \$100,000. In awarding such grants, preference  
25           shall be given to hospitals that serve a significant number  
26           of Medicaid recipients, but do not qualify for

1 disproportionate share hospital adjustment payments under  
2 the Illinois Public Aid Code. To receive such a grant, a  
3 hospital or health care facility must provide funding of at  
4 least 50% of the cost of the project for which the grant is  
5 being requested. In awarding such grants the Illinois  
6 Emergency Management Agency shall consider the  
7 recommendations of the Illinois Hospital Association.

8 (13) Do all other things necessary, incidental or  
9 appropriate for the implementation of this Act.

10 (g) The Illinois Emergency Management Agency is authorized  
11 to make grants to various higher education institutions for  
12 safety and security improvements. For the purpose of this  
13 subsection (g), "higher education institution" means a public  
14 university, a public community college, or an independent,  
15 not-for-profit or for-profit higher education institution  
16 located in this State. Grants made under this subsection (g)  
17 shall be paid out of moneys appropriated for that purpose from  
18 the Build Illinois Bond Fund. The Illinois Emergency Management  
19 Agency shall adopt rules to implement this subsection (g).  
20 These rules may specify: (i) the manner of applying for grants;  
21 (ii) project eligibility requirements; (iii) restrictions on  
22 the use of grant moneys; (iv) the manner in which the various  
23 higher education institutions must account for the use of grant  
24 moneys; and (v) any other provision that the Illinois Emergency  
25 Management Agency determines to be necessary or useful for the  
26 administration of this subsection (g).



1       (h) The Illinois Emergency Management Agency may assess  
2       reasonable fees for attendance at Agency-sponsored conferences  
3       and trainings to enable the Agency to carry out the  
4       requirements of this Act. Any moneys generated pursuant to this  
5       subsection shall be deposited in the Emergency Planning and  
6       Training Fund and used by the Agency, subject to appropriation,  
7       to effectuate planning and training activities.

8       (Source: P.A. 96-800, eff. 10-30-09; 96-820, eff. 11-18-09;  
9       96-1000, eff. 7-2-10.)

10       Section 99. Effective date. This Act takes effect upon  
11       becoming law.