

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
20 elected or appointed officer, trustee or employee of the State,
21 or of a pension fund; ~~any~~ any present or former commissioner or
22 employee of the Executive Ethics Commission or of the
23 Legislative Ethics Commission; ~~any~~ any present or former

1 Executive, Legislative, or Auditor General's Inspector
2 General;; any present or former employee of an Office of an
3 Executive, Legislative, or Auditor General's Inspector
4 General;; any present or former member of the Illinois National
5 Guard while on active duty;; individuals or organizations who
6 contract with the Department of Corrections, the Department of
7 Juvenile Justice, the Comprehensive Health Insurance Board, or
8 the Department of Veterans' Affairs to provide services;;
9 individuals or organizations who contract with the Department
10 of Human Services (as successor to the Department of Mental
11 Health and Developmental Disabilities) to provide services
12 including but not limited to treatment and other services for
13 sexually violent persons;; individuals or organizations who
14 contract with the Department of Military Affairs for youth
15 programs;; individuals or organizations who contract to
16 perform carnival and amusement ride safety inspections for the
17 Department of Labor; individuals who contract with the Office
18 of the State's Attorneys Appellate Prosecutor to provide legal
19 services, but only when performing duties within the scope of
20 the Office's prosecutorial activities; individual
21 representatives of or designated organizations authorized to
22 represent the Office of State Long-Term Ombudsman for the
23 Department on Aging;; individual representatives of or
24 organizations designated by the Department on Aging in the
25 performance of their duties as adult protective services
26 agencies or regional administrative agencies under the Adult

1 Protective Services Act;IT individuals or organizations
2 appointed as members of a review team or the Advisory Council
3 under the Adult Protective Services Act;IT individuals or
4 organizations who perform volunteer services for the State
5 where such volunteer relationship is reduced to writing;IT
6 individuals who serve on any public entity (whether created by
7 law or administrative action) described in paragraph (a) of
8 this Section;IT individuals or not for profit organizations who,
9 either as volunteers, where such volunteer relationship is
10 reduced to writing, or pursuant to contract, furnish
11 professional advice or consultation to any agency or
12 instrumentality of the State;IT individuals who serve as foster
13 parents for the Department of Children and Family Services when
14 caring for a Department ward;IT individuals who serve as members
15 of an independent team of experts under Brian's Law;IT and
16 individuals who serve as arbitrators pursuant to Part 10A of
17 Article II of the Code of Civil Procedure and the rules of the
18 Supreme Court implementing Part 10A, each as now or hereafter
19 amended; the term "employee", ~~but~~ does not mean an independent
20 contractor except as provided in this Section. The term
21 includes an individual appointed as an inspector by the
22 Director of State Police when performing duties within the
23 scope of the activities of a Metropolitan Enforcement Group or
24 a law enforcement organization established under the
25 Intergovernmental Cooperation Act. An individual who renders
26 professional advice and consultation to the State through an

1 organization which qualifies as an "employee" under the Act is
2 also an employee. The term includes the estate or personal
3 representative of an employee.

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

6 (Source: P.A. 98-49, eff. 7-1-13; 98-83, eff. 7-15-13; revised
7 8-9-13.)

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