

AN ACT concerning government.

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

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

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

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

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

(b) The term "employee" means: any present or former elected or appointed officer, trustee or employee of the State, or of a pension fund; ~~any~~ any present or former commissioner or employee of the Executive Ethics Commission or of the Legislative Ethics Commission; ~~any~~ any present or former

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

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

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

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

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

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