



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB4355

by Rep. Arthur Turner

#### SYNOPSIS AS INTRODUCED:

5 ILCS 140/2	from Ch. 116, par. 202
5 ILCS 140/7	from Ch. 116, par. 207
5 ILCS 140/7.5	

Amends the Freedom of Information Act. Provides that recordings of a law enforcement officer discharging a firearm, or an officer-involved death, from an in-car video camera or an officer-worn body camera shall not be exempt from inspection and copying, unless the public body asserts an exemption under this Act supported by a court order finding the asserted exemption to be applicable to the requested recording. Requires the court to conduct an expedited hearing on the applicability of the exemption asserted. Incorporates definitions from the Law Enforcement Camera Grant Act and the Police and Community Relations Improvement Act. Effective immediately.

LRB099 15686 JWD 39985 b

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 Freedom of Information Act is amended by  
5 changing Sections 2, 7, and 7.5 as follows:

6 (5 ILCS 140/2) (from Ch. 116, par. 202)

7 (Text of Section before amendment by P.A. 99-478)

8 Sec. 2. Definitions. As used in this Act:

9 (a) "Public body" means all legislative, executive,  
10 administrative, or advisory bodies of the State, state  
11 universities and colleges, counties, townships, cities,  
12 villages, incorporated towns, school districts and all other  
13 municipal corporations, boards, bureaus, committees, or  
14 commissions of this State, any subsidiary bodies of any of the  
15 foregoing including but not limited to committees and  
16 subcommittees thereof, and a School Finance Authority created  
17 under Article 1E of the School Code. "Public body" does not  
18 include a child death review team or the Illinois Child Death  
19 Review Teams Executive Council established under the Child  
20 Death Review Team Act, or a regional youth advisory board or  
21 the Statewide Youth Advisory Board established under the  
22 Department of Children and Family Services Statewide Youth  
23 Advisory Board Act.

1           (b) "Person" means any individual, corporation,  
2 partnership, firm, organization or association, acting  
3 individually or as a group.

4           (c) "Public records" means all records, reports, forms,  
5 writings, letters, memoranda, books, papers, maps,  
6 photographs, microfilms, cards, tapes, recordings, electronic  
7 data processing records, electronic communications, recorded  
8 information and all other documentary materials pertaining to  
9 the transaction of public business, regardless of physical form  
10 or characteristics, having been prepared by or for, or having  
11 been or being used by, received by, in the possession of, or  
12 under the control of any public body.

13           (c-5) "Private information" means unique identifiers,  
14 including a person's social security number, driver's license  
15 number, employee identification number, biometric identifiers,  
16 personal financial information, passwords or other access  
17 codes, medical records, home or personal telephone numbers, and  
18 personal email addresses. Private information also includes  
19 home address and personal license plates, except as otherwise  
20 provided by law or when compiled without possibility of  
21 attribution to any person.

22           (c-10) "Commercial purpose" means the use of any part of a  
23 public record or records, or information derived from public  
24 records, in any form for sale, resale, or solicitation or  
25 advertisement for sales or services. For purposes of this  
26 definition, requests made by news media and non-profit,

1 scientific, or academic organizations shall not be considered  
2 to be made for a "commercial purpose" when the principal  
3 purpose of the request is (i) to access and disseminate  
4 information concerning news and current or passing events, (ii)  
5 for articles of opinion or features of interest to the public,  
6 or (iii) for the purpose of academic, scientific, or public  
7 research or education.

8 (d) "Copying" means the reproduction of any public record  
9 by means of any photographic, electronic, mechanical or other  
10 process, device or means now known or hereafter developed and  
11 available to the public body.

12 (e) "Head of the public body" means the president, mayor,  
13 chairman, presiding officer, director, superintendent,  
14 manager, supervisor or individual otherwise holding primary  
15 executive and administrative authority for the public body, or  
16 such person's duly authorized designee.

17 (f) "News media" means a newspaper or other periodical  
18 issued at regular intervals whether in print or electronic  
19 format, a news service whether in print or electronic format, a  
20 radio station, a television station, a television network, a  
21 community antenna television service, or a person or  
22 corporation engaged in making news reels or other motion  
23 picture news for public showing.

24 (g) "Recurrent requester", as used in Section 3.2 of this  
25 Act, means a person that, in the 12 months immediately  
26 preceding the request, has submitted to the same public body

1 (i) a minimum of 50 requests for records, (ii) a minimum of 15  
2 requests for records within a 30-day period, or (iii) a minimum  
3 of 7 requests for records within a 7-day period. For purposes  
4 of this definition, requests made by news media and non-profit,  
5 scientific, or academic organizations shall not be considered  
6 in calculating the number of requests made in the time periods  
7 in this definition when the principal purpose of the requests  
8 is (i) to access and disseminate information concerning news  
9 and current or passing events, (ii) for articles of opinion or  
10 features of interest to the public, or (iii) for the purpose of  
11 academic, scientific, or public research or education.

12 For the purposes of this subsection (g), "request" means a  
13 written document (or oral request, if the public body chooses  
14 to honor oral requests) that is submitted to a public body via  
15 personal delivery, mail, telefax, electronic mail, or other  
16 means available to the public body and that identifies the  
17 particular public record the requester seeks. One request may  
18 identify multiple records to be inspected or copied.

19 (h) "Voluminous request" means a request that: (i) includes  
20 more than 5 individual requests for more than 5 different  
21 categories of records or a combination of individual requests  
22 that total requests for more than 5 different categories of  
23 records in a period of 20 business days; or (ii) requires the  
24 compilation of more than 500 letter or legal-sized pages of  
25 public records unless a single requested record exceeds 500  
26 pages. "Single requested record" may include, but is not

1 limited to, one report, form, e-mail, letter, memorandum, book,  
2 map, microfilm, tape, or recording.

3 "Voluminous request" does not include a request made by  
4 news media and non-profit, scientific, or academic  
5 organizations if the principal purpose of the request is: (1)  
6 to access and disseminate information concerning news and  
7 current or passing events; (2) for articles of opinion or  
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13 personal delivery, mail, telefax, electronic mail, or other  
14 means available to the public body and that identifies the  
15 particular public record or records the requester seeks. One  
16 request may identify multiple individual records to be  
17 inspected or copied.

18 (j) "In-car video camera" has the meaning provided in  
19 Section 5 of the Law Enforcement Camera Grant Act.

20 (k) "Officer-involved death" has the meaning provided in  
21 Section 1-5 of the Police and Community Relations Improvement  
22 Act.

23 (l) "Officer-worn body camera" has the meaning provided in  
24 Section 5 of the Law Enforcement Camera Grant Act.

25 (Source: P.A. 98-806, eff. 1-1-15; 98-1129, eff. 12-3-14;  
26 99-78, eff. 7-20-15.)

1 (Text of Section after amendment by P.A. 99-478)

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7 municipal corporations, boards, bureaus, committees, or  
8 commissions of this State, any subsidiary bodies of any of the  
9 foregoing including but not limited to committees and  
10 subcommittees thereof, and a School Finance Authority created  
11 under Article 1E of the School Code. "Public body" does not  
12 include a child death review team or the Illinois Child Death  
13 Review Teams Executive Council established under the Child  
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1 the transaction of public business, regardless of physical form  
2 or characteristics, having been prepared by or for, or having  
3 been or being used by, received by, in the possession of, or  
4 under the control of any public body.

5 (c-5) "Private information" means unique identifiers,  
6 including a person's social security number, driver's license  
7 number, employee identification number, biometric identifiers,  
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19 scientific, or academic organizations shall not be considered  
20 to be made for a "commercial purpose" when the principal  
21 purpose of the request is (i) to access and disseminate  
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2 process, device or means now known or hereafter developed and  
3 available to the public body.

4 (e) "Head of the public body" means the president, mayor,  
5 chairman, presiding officer, director, superintendent,  
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2 features of interest to the public, or (iii) for the purpose of  
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4 For the purposes of this subsection (g), "request" means a  
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19 limited to, one report, form, e-mail, letter, memorandum, book,  
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6 means available to the public body and that identifies the  
7 particular public record or records the requester seeks. One  
8 request may identify multiple individual records to be  
9 inspected or copied.

10 (i) "Severance agreement" means a mutual agreement between  
11 any public body and its employee for the employee's resignation  
12 in exchange for payment by the public body.

13 (j) "In-car video camera" has the meaning provided in  
14 Section 5 of the Law Enforcement Camera Grant Act.

15 (k) "Officer-involved death" has the meaning provided in  
16 Section 1-5 of the Police and Community Relations Improvement  
17 Act.

18 (l) "Officer-worn body camera" has the meaning provided in  
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20 (Source: P.A. 98-806, eff. 1-1-15; 98-1129, eff. 12-3-14;  
21 99-78, eff. 7-20-15; 99-478, eff. 6-1-16.)

22 (5 ILCS 140/7) (from Ch. 116, par. 207)

23 Sec. 7. Exemptions.

24 (1) When a request is made to inspect or copy a public  
25 record that contains information that is exempt from disclosure

1 under this Section, but also contains information that is not  
2 exempt from disclosure, the public body may elect to redact the  
3 information that is exempt. The public body shall make the  
4 remaining information available for inspection and copying.  
5 Subject to this requirement, the following shall be exempt from  
6 inspection and copying:

7 (a) Information specifically prohibited from  
8 disclosure by federal or State law or rules and regulations  
9 implementing federal or State law.

10 (b) Private information, unless disclosure is required  
11 by another provision of this Act, a State or federal law or  
12 a court order.

13 (b-5) Files, documents, and other data or databases  
14 maintained by one or more law enforcement agencies and  
15 specifically designed to provide information to one or more  
16 law enforcement agencies regarding the physical or mental  
17 status of one or more individual subjects.

18 (c) Personal information contained within public  
19 records, the disclosure of which would constitute a clearly  
20 unwarranted invasion of personal privacy, unless the  
21 disclosure is consented to in writing by the individual  
22 subjects of the information. "Unwarranted invasion of  
23 personal privacy" means the disclosure of information that  
24 is highly personal or objectionable to a reasonable person  
25 and in which the subject's right to privacy outweighs any  
26 legitimate public interest in obtaining the information.

1 The disclosure of information that bears on the public  
2 duties of public employees and officials shall not be  
3 considered an invasion of personal privacy.

4 (d) Except as otherwise provided in subsection (4) of  
5 this Section, records ~~Records~~ in the possession of any  
6 public body created in the course of administrative  
7 enforcement proceedings, and any law enforcement or  
8 correctional agency for law enforcement purposes, but only  
9 to the extent that disclosure would:

10 (i) interfere with pending or actually and  
11 reasonably contemplated law enforcement proceedings  
12 conducted by any law enforcement or correctional  
13 agency that is the recipient of the request;

14 (ii) interfere with active administrative  
15 enforcement proceedings conducted by the public body  
16 that is the recipient of the request;

17 (iii) create a substantial likelihood that a  
18 person will be deprived of a fair trial or an impartial  
19 hearing;

20 (iv) unavoidably disclose the identity of a  
21 confidential source, confidential information  
22 furnished only by the confidential source, or persons  
23 who file complaints with or provide information to  
24 administrative, investigative, law enforcement, or  
25 penal agencies; except that the identities of  
26 witnesses to traffic accidents, traffic accident

1 reports, and rescue reports shall be provided by  
2 agencies of local government, except when disclosure  
3 would interfere with an active criminal investigation  
4 conducted by the agency that is the recipient of the  
5 request;

6 (v) disclose unique or specialized investigative  
7 techniques other than those generally used and known or  
8 disclose internal documents of correctional agencies  
9 related to detection, observation or investigation of  
10 incidents of crime or misconduct, and disclosure would  
11 result in demonstrable harm to the agency or public  
12 body that is the recipient of the request;

13 (vi) endanger the life or physical safety of law  
14 enforcement personnel or any other person; or

15 (vii) obstruct an ongoing criminal investigation  
16 by the agency that is the recipient of the request.

17 (d-5) A law enforcement record created for law  
18 enforcement purposes and contained in a shared electronic  
19 record management system if the law enforcement agency that  
20 is the recipient of the request did not create the record,  
21 did not participate in or have a role in any of the events  
22 which are the subject of the record, and only has access to  
23 the record through the shared electronic record management  
24 system.

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

1           (e-5) Records requested by persons committed to the  
2 Department of Corrections if those materials are available  
3 in the library of the correctional facility where the  
4 inmate is confined.

5           (e-6) Records requested by persons committed to the  
6 Department of Corrections if those materials include  
7 records from staff members' personnel files, staff  
8 rosters, or other staffing assignment information.

9           (e-7) Records requested by persons committed to the  
10 Department of Corrections if those materials are available  
11 through an administrative request to the Department of  
12 Corrections.

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

22           (g) Trade secrets and commercial or financial  
23 information obtained from a person or business where the  
24 trade secrets or commercial or financial information are  
25 furnished under a claim that they are proprietary,  
26 privileged or confidential, and that disclosure of the

1 trade secrets or commercial or financial information would  
2 cause competitive harm to the person or business, and only  
3 insofar as the claim directly applies to the records  
4 requested.

5 The information included under this exemption includes  
6 all trade secrets and commercial or financial information  
7 obtained by a public body, including a public pension fund,  
8 from a private equity fund or a privately held company  
9 within the investment portfolio of a private equity fund as  
10 a result of either investing or evaluating a potential  
11 investment of public funds in a private equity fund. The  
12 exemption contained in this item does not apply to the  
13 aggregate financial performance information of a private  
14 equity fund, nor to the identity of the fund's managers or  
15 general partners. The exemption contained in this item does  
16 not apply to the identity of a privately held company  
17 within the investment portfolio of a private equity fund,  
18 unless the disclosure of the identity of a privately held  
19 company may cause competitive harm.

20 Nothing contained in this paragraph (g) shall be  
21 construed to prevent a person or business from consenting  
22 to disclosure.

23 (h) Proposals and bids for any contract, grant, or  
24 agreement, including information which if it were  
25 disclosed would frustrate procurement or give an advantage  
26 to any person proposing to enter into a contractor



1 agreement with the body, until an award or final selection  
2 is made. Information prepared by or for the body in  
3 preparation of a bid solicitation shall be exempt until an  
4 award or final selection is made.

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

16 (j) The following information pertaining to  
17 educational matters:

18 (i) test questions, scoring keys and other  
19 examination data used to administer an academic  
20 examination;

21 (ii) information received by a primary or  
22 secondary school, college, or university under its  
23 procedures for the evaluation of faculty members by  
24 their academic peers;

25 (iii) information concerning a school or  
26 university's adjudication of student disciplinary

1 cases, but only to the extent that disclosure would  
2 unavoidably reveal the identity of the student; and

3 (iv) course materials or research materials used  
4 by faculty members.

5 (k) Architects' plans, engineers' technical  
6 submissions, and other construction related technical  
7 documents for projects not constructed or developed in  
8 whole or in part with public funds and the same for  
9 projects constructed or developed with public funds,  
10 including but not limited to power generating and  
11 distribution stations and other transmission and  
12 distribution facilities, water treatment facilities,  
13 airport facilities, sport stadiums, convention centers,  
14 and all government owned, operated, or occupied buildings,  
15 but only to the extent that disclosure would compromise  
16 security.

17 (l) Minutes of meetings of public bodies closed to the  
18 public as provided in the Open Meetings Act until the  
19 public body makes the minutes available to the public under  
20 Section 2.06 of the Open Meetings Act.

21 (m) Communications between a public body and an  
22 attorney or auditor representing the public body that would  
23 not be subject to discovery in litigation, and materials  
24 prepared or compiled by or for a public body in  
25 anticipation of a criminal, civil or administrative  
26 proceeding upon the request of an attorney advising the

1 public body, and materials prepared or compiled with  
2 respect to internal audits of public bodies.

3 (n) Records relating to a public body's adjudication of  
4 employee grievances or disciplinary cases; however, this  
5 exemption shall not extend to the final outcome of cases in  
6 which discipline is imposed.

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

17 (p) Records relating to collective negotiating matters  
18 between public bodies and their employees or  
19 representatives, except that any final contract or  
20 agreement shall be subject to inspection and copying.

21 (q) Test questions, scoring keys, and other  
22 examination data used to determine the qualifications of an  
23 applicant for a license or employment.

24 (r) The records, documents, and information relating  
25 to real estate purchase negotiations until those  
26 negotiations have been completed or otherwise terminated.

1 With regard to a parcel involved in a pending or actually  
2 and reasonably contemplated eminent domain proceeding  
3 under the Eminent Domain Act, 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 (s) 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 Insurance or self insurance (including any  
14 intergovernmental risk management association or self  
15 insurance pool) claims, loss or risk management  
16 information, records, data, advice or communications.

17 (t) Information contained in or related to  
18 examination, operating, or condition reports prepared by,  
19 on behalf of, or for the use of a public body responsible  
20 for the regulation or supervision of financial  
21 institutions or insurance companies, unless disclosure is  
22 otherwise required by State law.

23 (u) Information that would disclose or might lead to  
24 the disclosure of secret or confidential information,  
25 codes, algorithms, programs, or private keys intended to be  
26 used to create electronic or digital signatures under the

1 Electronic Commerce Security Act.

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

16 (w) (Blank).

17 (x) Maps and other records regarding the location or  
18 security of generation, transmission, distribution,  
19 storage, gathering, treatment, or switching facilities  
20 owned by a utility, by a power generator, or by the  
21 Illinois Power Agency.

22 (y) Information contained in or related to proposals,  
23 bids, or negotiations related to electric power  
24 procurement under Section 1-75 of the Illinois Power Agency  
25 Act and Section 16-111.5 of the Public Utilities Act that  
26 is determined to be confidential and proprietary by the

1 Illinois Power Agency or by the Illinois Commerce  
2 Commission.

3 (z) Information about students exempted from  
4 disclosure under Sections 10-20.38 or 34-18.29 of the  
5 School Code, and information about undergraduate students  
6 enrolled at an institution of higher education exempted  
7 from disclosure under Section 25 of the Illinois Credit  
8 Card Marketing Act of 2009.

9 (aa) Information the disclosure of which is exempted  
10 under the Viatical Settlements Act of 2009.

11 (bb) Records and information provided to a mortality  
12 review team and records maintained by a mortality review  
13 team appointed under the Department of Juvenile Justice  
14 Mortality Review Team Act.

15 (cc) Information regarding interments, entombments, or  
16 inurnments of human remains that are submitted to the  
17 Cemetery Oversight Database under the Cemetery Care Act or  
18 the Cemetery Oversight Act, whichever is applicable.

19 (dd) Correspondence and records (i) that may not be  
20 disclosed under Section 11-9 of the Public Aid Code or (ii)  
21 that pertain to appeals under Section 11-8 of the Public  
22 Aid Code.

23 (ee) The names, addresses, or other personal  
24 information of persons who are minors and are also  
25 participants and registrants in programs of park  
26 districts, forest preserve districts, conservation

1 districts, recreation agencies, and special recreation  
2 associations.

3 (ff) The names, addresses, or other personal  
4 information of participants and registrants in programs of  
5 park districts, forest preserve districts, conservation  
6 districts, recreation agencies, and special recreation  
7 associations where such programs are targeted primarily to  
8 minors.

9 (gg) Confidential information described in Section  
10 1-100 of the Illinois Independent Tax Tribunal Act of 2012.

11 (hh) The report submitted to the State Board of  
12 Education by the School Security and Standards Task Force  
13 under item (8) of subsection (d) of Section 2-3.160 of the  
14 School Code and any information contained in that report.

15 (ii) Records requested by persons committed to or  
16 detained by the Department of Human Services under the  
17 Sexually Violent Persons Commitment Act or committed to the  
18 Department of Corrections under the Sexually Dangerous  
19 Persons Act if those materials: (i) are available in the  
20 library of the facility where the individual is confined;  
21 (ii) include records from staff members' personnel files,  
22 staff rosters, or other staffing assignment information;  
23 or (iii) are available through an administrative request to  
24 the Department of Human Services or the Department of  
25 Corrections.

26 jj ~~(ii)~~ Confidential information described in Section

1 5-535 of the Civil Administrative Code of Illinois.

2 (1.5) Any information exempt from disclosure under the  
3 Judicial Privacy Act shall be redacted from public records  
4 prior to disclosure under this Act.

5 (2) A public record that is not in the possession of a  
6 public body but is in the possession of a party with whom the  
7 agency has contracted to perform a governmental function on  
8 behalf of the public body, and that directly relates to the  
9 governmental function and is not otherwise exempt under this  
10 Act, shall be considered a public record of the public body,  
11 for purposes of this Act.

12 (3) This Section does not authorize withholding of  
13 information or limit the availability of records to the public,  
14 except as stated in this Section or otherwise provided in this  
15 Act.

16 (4) Notwithstanding any other provision of this Section,  
17 recordings of a law enforcement officer discharging a firearm,  
18 or an officer-involved death, from an in-car video camera or an  
19 officer-worn body camera shall not be exempt from inspection  
20 and copying, unless the public body asserts an exemption under  
21 this Act supported by a court order finding the asserted  
22 exemption to be applicable to the requested recording. Upon  
23 motion filed by a public body receiving such a request, the  
24 court shall conduct an expedited hearing on the applicability  
25 of the exemption asserted by the public body to the recordings  
26 requested.



1 (Source: P.A. 98-463, eff. 8-16-13; 98-578, eff. 8-27-13;  
2 98-695, eff. 7-3-14; 99-298, eff. 8-6-15; 99-346, eff. 1-1-16;  
3 revised 10-14-15.)

4 (5 ILCS 140/7.5)

5 Sec. 7.5. Statutory exemptions. To the extent provided for  
6 by the statutes referenced below, the following shall be exempt  
7 from inspection and copying:

8 (a) All information determined to be confidential  
9 under Section 4002 of the Technology Advancement and  
10 Development Act.

11 (b) Library circulation and order records identifying  
12 library users with specific materials under the Library  
13 Records Confidentiality Act.

14 (c) Applications, related documents, and medical  
15 records received by the Experimental Organ Transplantation  
16 Procedures Board and any and all documents or other records  
17 prepared by the Experimental Organ Transplantation  
18 Procedures Board or its staff relating to applications it  
19 has received.

20 (d) Information and records held by the Department of  
21 Public Health and its authorized representatives relating  
22 to known or suspected cases of sexually transmissible  
23 disease or any information the disclosure of which is  
24 restricted under the Illinois Sexually Transmissible  
25 Disease Control Act.

1           (e) Information the disclosure of which is exempted  
2 under Section 30 of the Radon Industry Licensing Act.

3           (f) Firm performance evaluations under Section 55 of  
4 the Architectural, Engineering, and Land Surveying  
5 Qualifications Based Selection Act.

6           (g) Information the disclosure of which is restricted  
7 and exempted under Section 50 of the Illinois Prepaid  
8 Tuition Act.

9           (h) Information the disclosure of which is exempted  
10 under the State Officials and Employees Ethics Act, and  
11 records of any lawfully created State or local inspector  
12 general's office that would be exempt if created or  
13 obtained by an Executive Inspector General's office under  
14 that Act.

15           (i) Information contained in a local emergency energy  
16 plan submitted to a municipality in accordance with a local  
17 emergency energy plan ordinance that is adopted under  
18 Section 11-21.5-5 of the Illinois Municipal Code.

19           (j) Information and data concerning the distribution  
20 of surcharge moneys collected and remitted by wireless  
21 carriers under the Wireless Emergency Telephone Safety  
22 Act.

23           (k) Law enforcement officer identification information  
24 or driver identification information compiled by a law  
25 enforcement agency or the Department of Transportation  
26 under Section 11-212 of the Illinois Vehicle Code.

1           (1) Records and information provided to a residential  
2 health care facility resident sexual assault and death  
3 review team or the Executive Council under the Abuse  
4 Prevention Review Team Act.

5           (m) Information provided to the predatory lending  
6 database created pursuant to Article 3 of the Residential  
7 Real Property Disclosure Act, except to the extent  
8 authorized under that Article.

9           (n) Defense budgets and petitions for certification of  
10 compensation and expenses for court appointed trial  
11 counsel as provided under Sections 10 and 15 of the Capital  
12 Crimes Litigation Act. This subsection (n) shall apply  
13 until the conclusion of the trial of the case, even if the  
14 prosecution chooses not to pursue the death penalty prior  
15 to trial or sentencing.

16           (o) Information that is prohibited from being  
17 disclosed under Section 4 of the Illinois Health and  
18 Hazardous Substances Registry Act.

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

26           (q) Information prohibited from being disclosed by the

1 Personnel Records Review Act.

2 (r) Information prohibited from being disclosed by the  
3 Illinois School Student Records Act.

4 (s) Information the disclosure of which is restricted  
5 under Section 5-108 of the Public Utilities Act.

6 (t) All identified or deidentified health information  
7 in the form of health data or medical records contained in,  
8 stored in, submitted to, transferred by, or released from  
9 the Illinois Health Information Exchange, and identified  
10 or deidentified health information in the form of health  
11 data and medical records of the Illinois Health Information  
12 Exchange in the possession of the Illinois Health  
13 Information Exchange Authority due to its administration  
14 of the Illinois Health Information Exchange. The terms  
15 "identified" and "deidentified" shall be given the same  
16 meaning as in the Health Insurance Portability and  
17 Accountability and Portability Act of 1996, Public Law  
18 104-191, or any subsequent amendments thereto, and any  
19 regulations promulgated thereunder.

20 (u) Records and information provided to an independent  
21 team of experts under Brian's Law.

22 (v) Names and information of people who have applied  
23 for or received Firearm Owner's Identification Cards under  
24 the Firearm Owners Identification Card Act or applied for  
25 or received a concealed carry license under the Firearm  
26 Concealed Carry Act, unless otherwise authorized by the

1 Firearm Concealed Carry Act; and databases under the  
2 Firearm Concealed Carry Act, records of the Concealed Carry  
3 Licensing Review Board under the Firearm Concealed Carry  
4 Act, and law enforcement agency objections under the  
5 Firearm Concealed Carry Act.

6 (w) Personally identifiable information which is  
7 exempted from disclosure under subsection (g) of Section  
8 19.1 of the Toll Highway Act.

9 (x) Information which is exempted from disclosure  
10 under Section 5-1014.3 of the Counties Code or Section  
11 8-11-21 of the Illinois Municipal Code.

12 (y) Confidential information under the Adult  
13 Protective Services Act and its predecessor enabling  
14 statute, the Elder Abuse and Neglect Act, including  
15 information about the identity and administrative finding  
16 against any caregiver of a verified and substantiated  
17 decision of abuse, neglect, or financial exploitation of an  
18 eligible adult maintained in the Registry established  
19 under Section 7.5 of the Adult Protective Services Act.

20 (z) Records and information provided to a fatality  
21 review team or the Illinois Fatality Review Team Advisory  
22 Council under Section 15 of the Adult Protective Services  
23 Act.

24 (aa) Information which is exempted from disclosure  
25 under Section 2.37 of the Wildlife Code.

26 (bb) Information which is or was prohibited from

1 disclosure by the Juvenile Court Act of 1987.

2 (cc) ~~(bb)~~ Recordings made under the Law Enforcement  
3 Officer-Worn Body Camera Act, except to the extent  
4 authorized under that Act or under subsection (4) of  
5 Section 7 of this Act.

6 (Source: P.A. 98-49, eff. 7-1-13; 98-63, eff. 7-9-13; 98-756,  
7 eff. 7-16-14; 98-1039, eff. 8-25-14; 98-1045, eff. 8-25-14;  
8 99-78, eff. 7-20-15; 99-298, eff. 8-6-15; 99-352, eff. 1-1-16;  
9 revised 10-14-15.)

10 Section 95. No acceleration or delay. Where this Act makes  
11 changes in a statute that is represented in this Act by text  
12 that is not yet or no longer in effect (for example, a Section  
13 represented by multiple versions), the use of that text does  
14 not accelerate or delay the taking effect of (i) the changes  
15 made by this Act or (ii) provisions derived from any other  
16 Public Act.

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