



Sen. M. Maggie Crotty

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1 AMENDMENT TO SENATE BILL 27

2 AMENDMENT NO. _____. Amend Senate Bill 27 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Department of State Police Law of the Civil
5 Administrative Code of Illinois is amended by changing Section
6 2605-375 as follows:

7 (20 ILCS 2605/2605-375) (was 20 ILCS 2605/55a in part)

8 Sec. 2605-375. Missing persons; Law Enforcement Agencies
9 Data System (LEADS); Silver Alerts.

10 (a) To establish and maintain a statewide Law Enforcement
11 Agencies Data System (LEADS) for the purpose of providing
12 electronic access by authorized entities to criminal justice
13 data repositories and effecting an immediate law enforcement
14 response to reports of missing persons, including lost, missing
15 or runaway minors and missing endangered seniors. The
16 Department shall implement an automatic data exchange system to

1 compile, to maintain, and to make available to other law
2 enforcement agencies for immediate dissemination data that can
3 assist appropriate agencies in recovering missing persons and
4 provide access by authorized entities to various data
5 repositories available through LEADS for criminal justice and
6 related purposes. To assist the Department in this effort,
7 funds may be appropriated from the LEADS Maintenance Fund.

8 (b) In exercising its duties under this Section, the
9 Department shall provide a uniform reporting format (LEADS) for
10 the entry of pertinent information regarding the report of a
11 missing person into LEADS. The report must include all of the
12 following:

13 (1) Relevant information obtained from the
14 notification concerning the missing person, including all
15 of the following:

16 (A) a physical description of the missing person;

17 (B) the date, time, and place that the missing
18 person was last seen; and

19 (C) the missing person's address.

20 (2) Information gathered by a preliminary
21 investigation, if one was made.

22 (3) A statement by the law enforcement officer in
23 charge stating the officer's assessment of the case based
24 on the evidence and information received.

25 (b-5) The Department of State Police shall:

26 (1) Develop and implement a policy whereby a statewide

1 or regional alert would be used in situations relating to
2 the disappearances of individuals, based on criteria and in
3 a format established by the Department. Such a format shall
4 include, but not be limited to, the age of the missing
5 person and the suspected circumstance of the
6 disappearance.

7 (1.5) In developing the alert system policy under
8 paragraph (1) of this subsection, include Silver Alerts for
9 use with respect to missing endangered seniors, as defined
10 in Section 2605-5, and persons with disabilities. The
11 Silver alert system policy must require the Department, at
12 a minimum, to:

13 (A) Establish a Silver Plan Task force to monitor
14 and review the implementation and operation of the
15 Silver Alert system, including procedures, budgetary
16 requirements, and response protocols. The Task Force
17 shall also develop additional network resources for
18 use in the system.

19 (B) Coordinate with the Illinois Department of
20 Transportation for the use of electronic message signs
21 on roads and highways in the vicinity of the
22 disappearance of a missing endangered senior or person
23 with a disability to immediately provide critical
24 information to the public.

25 (C) Coordinate with the Illinois Emergency
26 Management Agency in the development and

1 implementation of a community outreach program to
2 promote public awareness of the Silver Alert system.

3 (2) Notify all law enforcement agencies that reports of
4 missing persons shall be entered as soon as the minimum
5 level of data specified by the Department is available to
6 the reporting agency and that no waiting period for the
7 entry of the data exists.

8 (3) Compile and retain information regarding lost,
9 abducted, missing, or runaway minors in a separate data
10 file, in a manner that allows that information to be used
11 by law enforcement and other agencies deemed appropriate by
12 the Director, for investigative purposes. The information
13 shall include the disposition of all reported lost,
14 abducted, missing, or runaway minor cases.

15 (4) Compile and maintain an historic data repository
16 relating to lost, abducted, missing, or runaway minors and
17 other missing persons, including, but not limited to,
18 missing endangered seniors, in order to develop and improve
19 techniques utilized by law enforcement agencies when
20 responding to reports of missing persons.

21 (5) Create a quality control program regarding
22 confirmation of missing person data, timeliness of entries
23 of missing person reports into LEADS, and performance
24 audits of all entering agencies.

25 (c) The Illinois Law Enforcement Training Standards Board
26 shall conduct a training program for law enforcement personnel

1 of local governmental agencies in the Missing Persons
2 Identification Act.

3 (d) The Department of State Police shall perform the duties
4 prescribed in the Missing Persons Identification Act, subject
5 to appropriation.

6 (Source: P.A. 94-145, eff. 1-1-06; 95-192, eff. 8-16-07.)

7 Section 10. The Department of Transportation Law of the
8 Civil Administrative Code of Illinois is amended by changing
9 Section 2705-505.5 as follows:

10 (20 ILCS 2705/2705-505.5)

11 Sec. 2705-505.5. Child abduction and missing endangered
12 seniors and persons with disabilities message signs. The
13 Department of Transportation shall coordinate with the
14 Department of State Police in the use of electronic message
15 signs on roads and highways in the vicinity of a child
16 abduction or the disappearance of a missing endangered senior
17 or person with a disability to immediately provide critical
18 information to the public.

19 (Source: P.A. 93-310, eff. 7-23-03.)

20 Section 15. The Illinois Emergency Management Agency Act is
21 amended by changing Section 5 as follows:

22 (20 ILCS 3305/5) (from Ch. 127, par. 1055)

1 Sec. 5. Illinois Emergency Management Agency.

2 (a) There is created within the executive branch of the
3 State Government an Illinois Emergency Management Agency and a
4 Director of the Illinois Emergency Management Agency, herein
5 called the "Director" who shall be the head thereof. The
6 Director shall be appointed by the Governor, with the advice
7 and consent of the Senate, and shall serve for a term of 2
8 years beginning on the third Monday in January of the
9 odd-numbered year, and until a successor is appointed and has
10 qualified; except that the term of the first Director appointed
11 under this Act shall expire on the third Monday in January,
12 1989. The Director shall not hold any other remunerative public
13 office. The Director shall receive an annual salary as set by
14 the Governor from time to time or the amount set by the
15 Compensation Review Board, whichever is higher. If set by the
16 Governor, the Director's annual salary may not exceed 85% of
17 the Governor's annual salary.

18 (b) The Illinois Emergency Management Agency shall obtain,
19 under the provisions of the Personnel Code, technical,
20 clerical, stenographic and other administrative personnel, and
21 may make expenditures within the appropriation therefor as may
22 be necessary to carry out the purpose of this Act. The agency
23 created by this Act is intended to be a successor to the agency
24 created under the Illinois Emergency Services and Disaster
25 Agency Act of 1975 and the personnel, equipment, records, and
26 appropriations of that agency are transferred to the successor

1 agency as of the effective date of this Act.

2 (c) The Director, subject to the direction and control of
3 the Governor, shall be the executive head of the Illinois
4 Emergency Management Agency and the State Emergency Response
5 Commission and shall be responsible under the direction of the
6 Governor, for carrying out the program for emergency management
7 of this State. The Director shall also maintain liaison and
8 cooperate with the emergency management organizations of this
9 State and other states and of the federal government.

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

21 (e) The Illinois Emergency Management Agency and political
22 subdivisions shall be encouraged to form an emergency
23 management advisory committee composed of private and public
24 personnel representing the emergency management phases of
25 mitigation, preparedness, response, and recovery. The Local
26 Emergency Planning Committee, as created under the Illinois

1 Emergency Planning and Community Right to Know Act, shall serve
2 as an advisory committee to the emergency services and disaster
3 agency or agencies serving within the boundaries of that Local
4 Emergency Planning Committee planning district for:

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

7 (2) the assessment of emergency response capabilities
8 related to hazardous chemical emergencies.

9 (f) The Illinois Emergency Management Agency shall:

10 (1) Coordinate the overall emergency management
11 program of the State.

12 (2) Cooperate with local governments, the federal
13 government and any public or private agency or entity in
14 achieving any purpose of this Act and in implementing
15 emergency management programs for mitigation,
16 preparedness, response, and recovery.

17 (2.5) Develop a comprehensive emergency preparedness
18 and response plan for any nuclear accident in accordance
19 with Section 65 of the Department of Nuclear Safety Law of
20 2004 (20 ILCS 3310) and in development of the Illinois
21 Nuclear Safety Preparedness program in accordance with
22 Section 8 of the Illinois Nuclear Safety Preparedness Act.

23 (2.6) Coordinate with the Department of Public Health
24 with respect to planning for and responding to public
25 health emergencies.

26 (3) Prepare, for issuance by the Governor, executive

1 orders, proclamations, and regulations as necessary or
2 appropriate in coping with disasters.

3 (4) Promulgate rules and requirements for political
4 subdivision emergency operations plans that are not
5 inconsistent with and are at least as stringent as
6 applicable federal laws and regulations.

7 (5) Review and approve, in accordance with Illinois
8 Emergency Management Agency rules, emergency operations
9 plans for those political subdivisions required to have an
10 emergency services and disaster agency pursuant to this
11 Act.

12 (5.5) Promulgate rules and requirements for the
13 political subdivision emergency management exercises,
14 including, but not limited to, exercises of the emergency
15 operations plans.

16 (5.10) Review, evaluate, and approve, in accordance
17 with Illinois Emergency Management Agency rules, political
18 subdivision emergency management exercises for those
19 political subdivisions required to have an emergency
20 services and disaster agency pursuant to this Act.

21 (6) Determine requirements of the State and its
22 political subdivisions for food, clothing, and other
23 necessities in event of a disaster.

24 (7) Establish a register of persons with types of
25 emergency management training and skills in mitigation,
26 preparedness, response, and recovery.

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

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

15 (10) Disseminate all information, completely and
16 without delay, on water levels for rivers and streams and
17 any other data pertaining to potential flooding supplied by
18 the Division of Water Resources within the Department of
19 Natural Resources to all political subdivisions to the
20 maximum extent possible.

21 (11) Develop agreements, if feasible, with medical
22 supply and equipment firms to supply resources as are
23 necessary to respond to an earthquake or any other disaster
24 as defined in this Act. These resources will be made
25 available upon notifying the vendor of the disaster.
26 Payment for the resources will be in accordance with

1 Section 7 of this Act. The Illinois Department of Public
2 Health shall determine which resources will be required and
3 requested.

4 (11.5) In coordination with the Department of State
5 Police, develop and implement a community outreach program
6 to promote (i) awareness among the State's parents and
7 children of child abduction prevention and response and
8 (ii) public awareness of the Silver Alert system developed
9 under Section 2605-375 of the Department of State Police
10 Law of the Civil Administrative Code of Illinois.

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

1 least 50% of the cost of the project for which the grant is
2 being requested. In awarding such grants the Illinois
3 Emergency Management Agency shall consider the
4 recommendations of the Illinois Hospital Association.

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

7 (Source: P.A. 93-249, eff. 7-22-03; 93-310, eff. 7-23-03;
8 94-334, eff. 1-1-06.)

9 Section 20. The Illinois Police Training Act is amended by
10 changing Section 10.10 as follows:

11 (50 ILCS 705/10.10)

12 Sec. 10.10. Training in child abduction (AMBER) alert
13 system and missing endangered senior or person with a
14 disability (Silver) alert system. The Board shall conduct a
15 training program for law enforcement personnel of local
16 governmental agencies in the statewide coordinated child
17 abduction (AMBER) alert system developed under Section
18 2605-480 of the Department of State Police Law of the Civil
19 Administrative Code of Illinois and the statewide coordinated
20 missing endangered senior or person with a disability (Silver)
21 alert system developed under Section 2605-375 of the Department
22 of State Police Law of the Civil Administrative Code of
23 Illinois.

24 (Source: P.A. 93-310, eff. 7-23-03; 94-145, eff. 1-1-06.)

1 Section 25. The Missing Persons Identification Act is
2 amended by changing Section 10 as follows:

3 (50 ILCS 722/10)

4 Sec. 10. Law enforcement analysis and reporting of missing
5 person information.

6 (a) Prompt determination of high-risk missing person.

7 (1) Definition. "High-risk missing person" means a
8 person whose whereabouts are not currently known and whose
9 circumstances indicate that the person may be at risk of
10 injury or death. The circumstances that indicate that a
11 person is a high-risk missing person include, but are not
12 limited to, any of the following:

13 (A) the person is missing as a result of a stranger
14 abduction;

15 (B) the person is missing under suspicious
16 circumstances;

17 (C) the person is missing under unknown
18 circumstances;

19 (D) the person is missing under known dangerous
20 circumstances;

21 (E) the person is missing more than 30 days;

22 (F) the person has already been designated as a
23 high-risk missing person by another law enforcement
24 agency;

1 (F-5) the person is a missing endangered senior as
2 defined in Section 2605-5 of the Department of State
3 Police Law of the Civil Administrative Code of
4 Illinois;

5 (F-10) the person is a missing endangered person
6 with a disability as defined in the Disability Services
7 Act of 2003.

8 (G) there is evidence that the person is at risk
9 because:

10 (i) the person is in need of medical attention
11 or prescription medication;

12 (ii) the person does not have a pattern of
13 running away or disappearing;

14 (iii) the person may have been abducted by a
15 non-custodial parent;

16 (iv) the person is mentally impaired;

17 (v) the person is under the age of 21;

18 (vi) the person has been the subject of past
19 threats or acts of violence;

20 (vii) the person has eloped from a nursing
21 home; or

22 (H) any other factor that may, in the judgment of
23 the law enforcement official, indicate that the
24 missing person may be at risk.

25 (2) Law enforcement risk assessment.

26 (A) Upon initial receipt of a missing person

1 report, the law enforcement agency shall immediately
2 determine whether there is a basis to determine that
3 the missing person is a high-risk missing person.

4 (B) If a law enforcement agency has previously
5 determined that a missing person is not a high-risk
6 missing person, but obtains new information, it shall
7 immediately determine whether the information
8 indicates that the missing person is a high-risk
9 missing person.

10 (C) Law enforcement agencies are encouraged to
11 establish written protocols for the handling of
12 missing person cases to accomplish the purposes of this
13 Act.

14 (3) Law enforcement agency reports.

15 (A) The responding local law enforcement agency
16 shall immediately enter all collected information
17 relating to the missing person case in the Law
18 Enforcement Agencies Data System (LEADS) and the
19 National Crime Information Center (NCIC) databases.
20 The information shall be provided in accordance with
21 applicable guidelines relating to the databases. The
22 information shall be entered as follows:

23 (i) All appropriate DNA profiles, as
24 determined by the Department of State Police,
25 shall be uploaded into the missing person
26 databases of the State DNA Index System (SDIS) and

1 National DNA Index System (NDIS) after completion
2 of the DNA analysis and other procedures required
3 for database entry.

4 (ii) Information relevant to the Federal
5 Bureau of Investigation's Violent Criminal
6 Apprehension Program shall be entered as soon as
7 possible.

8 (iii) The Department of State Police shall
9 ensure that persons entering data relating to
10 medical or dental records in State or federal
11 databases are specifically trained to understand
12 and correctly enter the information sought by
13 these databases. The Department of State Police
14 shall either use a person with specific expertise
15 in medical or dental records for this purpose or
16 consult with a chief medical examiner, forensic
17 anthropologist, or odontologist to ensure the
18 accuracy and completeness of information entered
19 into the State and federal databases.

20 (B) The Department of State Police shall
21 immediately notify all law enforcement agencies within
22 this State and the surrounding region of the
23 information that will aid in the prompt location and
24 safe return of the high-risk missing person.

25 (C) The local law enforcement agencies that
26 receive the notification from the Department of State

1 Police shall notify officers to be on the lookout for
2 the missing person or a suspected abductor.

3 (D) Pursuant to any applicable State criteria,
4 local law enforcement agencies shall also provide for
5 the prompt use of an Amber Alert in cases involving
6 abducted children or a Silver Alert in cases involving
7 missing endangered seniors and persons with
8 disabilities; or public dissemination of photographs
9 in appropriate high risk cases.

10 (Source: P.A. 95-192, eff. 8-16-07.)

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