

1 AN ACT concerning indemnification.

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
12 education created by the State, the Illinois National Guard,
13 the Comprehensive Health Insurance Board, any metropolitan
14 enforcement group established under the Intergovernmental
15 Cooperation Act, any poison control center designated under
16 the Poison Control System Act that receives State funding, or
17 any other agency or instrumentality of the State. It does
18 not mean any local public entity as that term is defined in
19 Section 1-206 of the Local Governmental and Governmental
20 Employees Tort Immunity Act or a pension fund.

21 (b) The term "employee" means any present or former
22 elected or appointed officer, trustee or employee of the
23 State, or of a pension fund, any present or former member of
24 the Illinois National Guard while on active duty, individuals
25 or organizations who contract with the Department of
26 Corrections, the Comprehensive Health Insurance Board, or the
27 Department of Veterans' Affairs to provide services,
28 individuals or organizations who contract with the Department
29 of Human Services (as successor to the Department of Mental
30 Health and Developmental Disabilities) to provide services
31 including but not limited to treatment and other services for

1 sexually violent persons, individuals or organizations who
2 contract with the Department of Military Affairs for youth
3 programs, individuals or organizations who contract to
4 perform carnival and amusement ride safety inspections for
5 the Department of Labor, individual representatives of or
6 designated organizations authorized to represent the Office
7 of State Long-Term Ombudsman for the Department on Aging,
8 individual representatives of or organizations designated by
9 the Department on Aging in the performance of their duties as
10 elder abuse provider agencies or regional administrative
11 agencies under the Elder Abuse and Neglect Act, individuals
12 or organizations who perform volunteer services for the State
13 where such volunteer relationship is reduced to writing,
14 individuals who serve on any public entity (whether created
15 by law or administrative action) described in paragraph (a)
16 of this Section, individuals or not for profit organizations
17 who, either as volunteers, where such volunteer relationship
18 is reduced to writing, or pursuant to contract, furnish
19 professional advice or consultation to any agency or
20 instrumentality of the State, individuals who serve as foster
21 parents for the Department of Children and Family Services
22 when caring for a Department ward, and individuals who serve
23 as arbitrators pursuant to Part 10A of Article II of the Code
24 of Civil Procedure and the rules of the Supreme Court
25 implementing Part 10A, each as now or hereafter amended, but
26 does not mean an independent contractor except as provided in
27 this Section. The term includes an individual appointed as an
28 inspector by the Director of State Police when performing
29 duties within the scope of the activities of a Metropolitan
30 Enforcement Group or a law enforcement organization
31 established under the Intergovernmental Cooperation Act. An
32 individual who renders professional advice and consultation
33 to the State through an organization which qualifies as an
34 "employee" under the Act is also an employee. The term

1 includes the estate or personal representative of an
2 employee.

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

5 (Source: P.A. 90-793, eff. 8-14-98; 91-726, eff. 6-2-00.)