

Meetings and Publications Legislation As of June 14, 2019

Click on Each Bill Number for Additional Information
(ISACo)

If Bill Title is **Highlighted Yellow** = Passed through Both Chambers

HOUSE BILLS			
Bill	Sponsor	Title	Summary
HB 2124 ISACO Supports	E. Welch	open meetings act-exceptions	Amends the Open Meeting Act. Provides that a public body may hold a closed meeting to consider the appointment, employment, compensation, discipline, performance, or dismissal of specific employees, specific individuals who serve as independent contractors in a park, recreational, or educational setting, or specific volunteers of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee, a specific individual who serves as an independent contractor in a park, recreational, or educational setting (rather than an independent contractor), or a volunteer of the public body or against legal counsel for the public body to determine its validity. Effective immediately.
HB 2283 ISACO Opposes	T. Morrison	Open Meetings Posting Records	Amends the Open Meetings Act. Requires a unit of local government or school district with an operating budget of \$1 million or more to maintain an Internet website and post to that website, for the current calendar or fiscal year, the following information: (1) information about elected and appointed officials; (2) notice of and materials prepared for meetings; (3) procedures for requesting information from the unit of local government or school district; (4) annual budget; (5) ordinances; (6) procedures to apply for building permits and zoning variances; (7) financial reports and audits; (8) information concerning employee

			<p>compensation; (9) contracts with lobbying firms; (10) taxes and fees imposed by the unit of local government or school district; (11) rules governing the award of contracts; (12) bids and contracts worth \$25,000 or more; (13) a debt disclosure report; and (14) public notices. Provides that any citizen who is a resident of the unit of local government or school district may bring a mandamus or injunction action to compel the unit of local government or school district to comply with the Internet posting requirements. Limits home rule powers. Amends the State Mandates Act.</p>
HB 2615	A. Grant	open govt-prevailing party	<p>Amends the Open Meetings Act and the Freedom of Information Act. Provides that substantially prevails and prevails mean: (1) the party obtains some of his or her requested relief through a judicial order in his or her favor or through any settlement agreement approved by the court; or (2) the pursuit of a nonfrivolous claim was a catalyst for a unilateral change in position by the opposing party relative to the relief sought.</p>
HB 3001	C. Davidsmeyer	arrest record-media inspection	<p>Amends the Local Records Act. Provides that various information after an individual's arrest must be made available to the news media for inspection and copying as soon as practicable after the individual's arraignment (rather than in no event shall the time period exceed 72 hours from the arrest).</p>
HB 3136	B. Halbrook	foia-definitions, leads info	<p>Amends the Freedom of Information Act. Provides that public body includes road districts. Defines Freedom of Information officer as an employee or official of a public body who is appointed by the public body and responsible for responding to all requests for information received by the public body. Provides that the Department of State Police shall furnish to a requester: (1) all information contained in the Law Enforcement Agencies Data System about the requester; and (2) every instance the</p>

			name or vehicle registration information of the requester was queried and the name of the person making the inquiry. Provides that the information provided to a requester shall include all information contained in the Law Enforcement Agencies Data System relating to the requester, and is not limited to name and license plate information.
HB 3138	B. Halbrook	foia-public official access	Amends the Freedom of Information Act. Provides that an elected or appointed public official of a public body has a right to all records of the public body to which the official is elected or appointed, and to the records of each subsidiary of the public body to which the official is elected or appointed. Provides that a member of the General Assembly shall have access to all records of each State agency. Provides that records of a public body shall be provided under equal circumstances to all persons entitled to records under the new provisions. Provides that records shall be provided within 5 business days, unless a mutual agreement between the official and the public body provides otherwise. Provides that an official entitled to records under the new provisions is not required to submit a request for records under other provisions of the Act. Provides that the new provisions do not apply to records exempt under specified Sections of the Act.
HB 3146	B. Halbrook	open meetings act-public body	Amends the Open Meetings Act and the Freedom of Information Act. Modifies the term public body under the respective Acts to include all other units of government, including, but not limited to, township road districts of this State, and any combination of public body entities formed under an intergovernmental agreement that includes provisions for a governing body of the agency created by the agreement.
HB 3147	B. Halbrook	open meetings act-notice	Amends the Open Meetings Act to provide that if a change is made concerning regular

			meeting dates, times, or locations (currently, only change in dates), at least 10 days' notice of such change shall be given by publication in a newspaper of general circulation in the area in which such body functions. At least 10 days' notice of a change made in regular meeting dates, times or locations may also be provided on the website of a public body in addition to providing notice in a newspaper, or in lieu of providing notice in a newspaper if there is no such newspaper of general circulation in the area in which the public body functions.
HB 3175	P. Windhorst	foia-private info define	Amends the Freedom of Information Act. Provides that private information includes, but is not limited to, the name and any identifying information of a victim in a sexual assault investigation.
HB 3599	S. Yingling	foia-government associations	Amends the Freedom of Information Act. Defines member-based organization as any group, association, or organization that: (1) has a membership that includes one or more government taxing bodies; (2) lobbies on behalf of its governmental members; and (3) receives a majority of its funding from its governmental members. Provides that a member-based organization is a public body under the Act; however, only records relating to the member-based organization's receipt of public funds or its expenditures made in whole or in part with public funds are public records subject to inspection and copying by the public.
HB 3603	S. Yingling	foia-government associations	Amends the Freedom of Information Act. Defines member-based organization as any group, association, or organization that: (1) has a membership that includes one or more government taxing bodies; (2) lobbies on behalf of its governmental members; and (3) receives a majority of its funding from its governmental members. Provides that a member-based organization is a public body under the Act; however, only records relating to the member-based organization's receipt of public funds or its

			expenditures made in whole or in part with public funds are public records subject to inspection and copying by the public.
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SENATE BILLS			
Bill	Sponsor	Title	Summary
SB 189 ISACO Supports	J. Oberweis	muni cd-electronic publication	Amends the Property Tax Code, the Local Government Financial Statement Act, the Illinois Municipal Budget Law, the Medical Service Facility Act, the Innovation Development and Economy Act, and the Illinois Municipal Code. Changes various provisions requiring notice by publication in newspapers to allow an option of publication on websites of municipalities and specified units of local government.
SB 196 ISACO Supports	M. Bush	open meetings act-exceptions	Amends the Open Meetings Act. Provides that a public body may hold a closed meeting to consider the appointment, employment, compensation, discipline, performance, or dismissal of specific employees, specific independent contractors, or specific volunteers (currently, only specific employees) of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee, independent contractor, or volunteer of the public body or against legal counsel for the public body to determine its validity. Effective immediately.
SB 1007	C. Weaver	Counties-Documents-Military	Amends the Recorder Division of the Counties Code to provide that certificates of discharge and other specified documents relating to military service that have been recorded by a county clerk or recorder of deeds shall be made available for public inspection and copying in accordance with the archival schedule adopted by the National Archives and Records Administration and subject to redaction of information that is considered private under the Illinois Freedom of Information Act, the Federal Freedom of Information Act, and the Federal Privacy Act. Effective immediately.

SB 1216	T. Cullerton	foia-fail to disclose-penalty	Amends the Freedom of Information Act. Provides that a public body that asserts that a record is exempt from disclosure has the burden of proving by clear and convincing evidence that release of the record would harm an interest protected by the asserted exemption. Removes the requirement that, before imposing specified civil penalties, the court find that a public body willfully and intentionally failed to comply with the Act or otherwise acted in bad faith. Provides that in assessing the civil penalty, the court shall consider in aggravation or mitigation, among other factors, whether the public body acted in bad faith and the extent to which the public body delayed the resolution of the request or lawsuit. Provides that, under specified circumstances, the court shall (rather than may) impose an additional penalty of up to \$1,000 for each day the violation continues.
SB 1245 <i>ISACO Supports</i>	D. Syverson	open meetings-exceptions	Amends the Open Meetings Act. Provides that a public body may hold closed meetings to consider, among other subjects, deliberations or portions of deliberations for decisions of the Illinois Gaming Board in which specified information is discussed.
SB 1345	S. Bennett	foia-booking photographs	Amends the Freedom of Information Act. Provides that a booking photograph shall be furnished within 72 hours after the arrest only if there is an imminent threat to public or personal safety. Provides that any person or entity engaged in publishing or otherwise disseminating criminal record information through print or electronic media shall not make booking photographs available for publishing prior to an arrestee's conviction of the crime, except a booking photograph shall be made available for publishing if the booking photograph would assist in addressing an imminent threat to public or personal safety, as determined by the chief law enforcement officer.

SB 1385	A. Muñoz	Local Gvt-body Worn Cameras	Amends the Law Enforcement Officer-Worn Body Camera Act. Provides that any recording disclosed under the Freedom of Information Act shall be redacted to remove identification of any person that appears on the recording and is not a subject of the encounter, directly involved in the encounter, and all law enforcement officer identifiers if the recordings are made available from any law enforcement or government agency to the media or public unless that law enforcement officer has been criminally charged relative to the recorded incident. Provides that if any law enforcement or government agency fails to follow the requirements of the Act, the agency is liable for a penalty of \$100 per day to the affected individual. Provides that the individual and that individual's labor organization has the right to file suit against that law enforcement agency to require the agency to comply with the terms of the Act.
SB 1699	S. Stadelman	govt records-social networking	Amends the Freedom of Information Act. Prohibits, with exceptions, a law enforcement agency from publishing booking photographs on its social networking website (instead of its social media website). Provides that "social networking website" has the meaning provided in the Right to Privacy in the Workplace Act. Adds the same restrictions to the State Records Act. Effective immediately.
SB 1712 <i>ISACO Supports</i>	D. Koehler	foia-public body credit cards	Amends the Freedom of Information Act. Exempts from disclosure a public body's credit card numbers, debit card numbers, bank account numbers, Federal Employer Identification Number, security code numbers, passwords, and similar account information, the disclosure of which could result in identity theft or impression or defrauding of a governmental entity or a person. Effective January 1, 2020.

SB 2133	S. Bennett	foia-private info define	Amends the Freedom of Information Act. Provides that private information includes, but is not limited to, the name and any identifying information of a victim in a sexual assault investigation.
SB 2135 <i>ISACO Supports</i>	T. Link	foia-arrest/criminal records	Amends the Freedom of Information Act. Exempts from inspection and copying a law enforcement record created for law enforcement purposes if the law enforcement agency that is the recipient of the request did not create the record and did not participate in or have a role in any of the events that are the subject of the record. Provides that if a law enforcement agency receives a request for a law enforcement record created for law enforcement purposes that it did not create, the law enforcement agency shall direct the requester to the law enforcement agency that created the law enforcement record. Deletes language exempting from inspection and copying a law enforcement record created for law enforcement purposes and contained in a shared electronic record management system if the law enforcement agency that is the recipient of the request did not create the record, did not participate in or have a role in any of the events which are the subject of the record, and only has access to the record through the shared electronic record management system.