



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB2385

by Rep. Peter Breen

SYNOPSIS AS INTRODUCED:

50 ILCS 205/17 new

Amends the Local Records Act. Provides that all emails that are in connection with the transaction of public business sent or received by an agency, an employee, staff member, or contractor of an agency, or an officer of an agency are public records regardless if the emails are sent or received on a personal or agency-provided email address. Requires an agency that provides an email address to one or more of its staff members, employees, or contractors to provide an email address for all officers of the agency. Provides that staff members, employees, contractors, and officers shall use agency-provided email for all communications in connection with the transaction of public business. Provides that staff members, employees, contractors, and officers shall promptly forward, print, or otherwise provide any email sent or received on his or her personal email address to his or her agency if the email is in connection with the transaction of public business. Effective immediately.

LRB100 08086 AWJ 18172 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 5. The Local Records Act is amended by adding
5 Section 17 as follows:

6 (50 ILCS 205/17 new)

7 Sec. 17. Email.

8 (a) All emails that are in connection with the transaction
9 of public business sent or received by an agency, an employee,
10 staff member, or contractor of an agency, or an officer of an
11 agency are public records regardless of whether the email is
12 sent or received on a personal or agency-provided email
13 address.

14 (b) If an agency provides an email address to one or more
15 of its staff members, employees, or contractors, it shall
16 provide an email address for all officers of that agency.

17 (c) If an agency provides an email address to staff
18 members, employees, contractors, or officers, the staff
19 members, employees, contractors, and officers shall use the
20 agency-provided email for all communications in connection
21 with the transaction of public business.

22 (d) If a staff member, employee, contractor, or officer has
23 an agency-provided email address, the staff member, employee,

1 contractor, or officer shall promptly forward any email sent or
2 received on his or her personal email address to his or her
3 agency-provided email if the email is in connection with the
4 transaction of public business. If the staff member, employee,
5 contractor, or officer does not have an agency-provided email
6 address and receives an email on his or her personal email
7 address that is in connection with the transaction of public
8 business, the staff member, employee, contractor, or officer
9 shall promptly print out or otherwise provide a copy of the
10 email to his or her agency.

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