



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4375

by Rep. Peter Breen

SYNOPSIS AS INTRODUCED:

New Act

Creates the Local Government Email Act. Provides that all emails that are in connection with the transaction of public business sent or received by a unit of local government or school district or an employee, staff member, trustee, board member, elected official, or officer of a unit of local government or school district are public records regardless if the emails are sent or received on a personal or unit-provided or district-provided email address. Requires a unit of local government or school district that provides an email address to one or more of its employees, staff members, trustees, board members, elected officials, or officers to provide an email address for all employees, staff members, trustees, board members, elected officials, and officers of the unit of local government or school district. Provides that employees, staff members, trustees, board members, elected officials, or officers shall use unit-provided or district-provided email for all communications in connection with the transaction of public business. Provides that employees, staff members, trustees, board members, elected officials, or officers shall promptly forward, print, or otherwise provide any email sent or received on his or her personal email address to his or her unit of local government or school district if the email is in connection with the transaction of public business. Provides that if an email received on a personal email was carbon copied to a unit-provided and controlled or district-provided and controlled email, a copy of the email does not need to be provided to the unit or district. Effective immediately.

LRB100 17401 AWJ 32567 b

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 1. Short title. This Act may be cited as the Local
5 Government Email Act.

6 Section 5. Public policy. It is the public policy of the
7 State that all emails that are in connection with the
8 transaction of public business sent or received by a unit of
9 local government or school district or an employee, staff
10 member, trustee, board member, elected official, or officer of
11 a unit of local government or school district are public
12 records regardless of whether the email is sent or received on
13 a personal or unit-provided and controlled or
14 district-provided and controlled email address.

15 Section 10. Emails.

16 (a) If a unit of local government or school district
17 provides an email address under its control to one or more of
18 its staff members, employees, trustees, board members, elected
19 officials, or officers it shall provide an email address under
20 its control for all staff members, employees, trustees, board
21 members, elected officials, and officers of that unit of local
22 government or school district.

1 (b) If a unit of local government or school district
2 provides an email address under its control to staff members,
3 employees, trustees, board members, elected officials, or
4 officers, the staff members, employees, trustees, board
5 members, elected officials, and officers shall use the
6 unit-provided and controlled or district-provided and
7 controlled email for all communications in connection with the
8 transaction of public business.

9 (c) If a staff member, employee, trustee, board member,
10 elected official, or officer of a unit of local government or
11 school district has a unit-provided and controlled or
12 district-provided and controlled email address, the staff
13 member, employee, trustee, board member, elected official, or
14 officer shall promptly forward any email sent or received on
15 his or her personal email address to his or her unit-provided
16 and controlled or district-provided and controlled email if the
17 email is in connection with the transaction of public business.
18 If the staff member, employee, trustee, board member, elected
19 official, or officer does not have a unit-provided and
20 controlled or district-provided and controlled email address
21 and receives an email on his or her personal email address that
22 is in connection with the transaction of public business and
23 that was not received from or carbon copied to another
24 unit-provided and controlled or district-provided and
25 controlled email address, the staff member, employee, trustee,
26 board member, elected official, or officer shall promptly

1 provide a copy of the email to his or her unit of local
2 government or school district.

3 Section 15. Obligations under existing law. Obligations
4 under this Act are in addition to and do not in any way alter
5 any other obligations under existing law.

6 Section 97. Applicability. The requirements of this Act
7 apply prospectively.

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.