

SB0059



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB0059

Introduced 1/11/2017, by Sen. Pamela J. Althoff

SYNOPSIS AS INTRODUCED:

50 ILCS 205/7

from Ch. 116, par. 43.107

Amends the Local Records Act. Provides that if an officer or agency submits a Local Records Disposal Certificate to the Local Records Commission and no objection to the Certificate has been received by the Local Records Commission within 30 days after the Local Record Disposal Certificate has been received by the Local Records Commission, then the officer or agency may dispose of the records listed on the Local Records Disposal Certificate without Local Records Commission review or approval.

LRB100 05439 AWJ 15450 b

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 changing
5 Section 7 as follows:

6 (50 ILCS 205/7) (from Ch. 116, par. 43.107)

7 Sec. 7. Disposition rules. Except as otherwise provided by
8 law, no public record shall be disposed of by any officer or
9 agency unless the written approval of the appropriate Local
10 Records Commission is first obtained.

11 The Commission shall issue regulations which shall be
12 binding on all such officers. Such regulations shall establish
13 procedures for compiling and submitting to the Commission lists
14 and schedules of public records proposed for disposal;
15 procedures for the physical destruction or other disposition of
16 such public records; procedures for the management and
17 preservation of electronically generated and maintained
18 records; and standards for the reproduction of such public
19 records by photography, microphotographic processes, or
20 digitized electronic format. Such standards shall relate to the
21 quality of the film to be used, preparation of the public
22 records for filming or electronic conversion, proper
23 identification matter on such records so that an individual

1 document or series of documents can be located on the film or
2 digitized electronic form with reasonable facility, and that
3 the copies contain all significant record detail, to the end
4 that the copies will be adequate. Any public record may be
5 reproduced in a microfilm or digitized electronic format. The
6 agency may dispose of the original of any reproduced record
7 providing: (i) the reproduction process forms a durable medium
8 that accurately and legibly reproduces the original record in
9 all details, that does not permit additions, deletions, or
10 changes to the original document images, and, if electronic,
11 that are retained in a trustworthy manner so that the records,
12 and the information contained in the records, are accessible
13 and usable for subsequent reference at all times while the
14 information must be retained, (ii) the reproduction is retained
15 for the prescribed retention period, and (iii) the Commission
16 is notified when the original record is disposed of and also
17 when the reproduced record is disposed of.

18 Such regulations shall also provide that the State
19 archivist may retain any records which the Commission has
20 authorized to be destroyed, where they have a historical value,
21 and that the State archivist may deposit them in the State
22 Archives, State Historical Library, or a university library, or
23 with a historical society, museum, or library.

24 Notwithstanding any other provision of this Act or its
25 rules, if an officer or agency submits a Local Records Disposal
26 Certificate to the Commission and no objection to the

1 Certificate has been received by the Commission within 30 days
2 after the Local Record Disposal Certificate has been received
3 by the Commission, then the officer or agency may dispose of
4 the records listed on the Local Records Disposal Certificate
5 without Commission review or approval.

6 (Source: P.A. 99-147, eff. 1-1-16.)