



Sen. Michael W. Frerichs

Filed: 4/18/2013

09800HB2370sam001

LRB098 07030 NHT 43781 a

1 AMENDMENT TO HOUSE BILL 2370

2 AMENDMENT NO. _____. Amend House Bill 2370 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Open Meetings Act is amended by changing
5 Section 1.05 as follows:

6 (5 ILCS 120/1.05)

7 Sec. 1.05. Training.

8 (a) Every public body shall designate employees, officers,
9 or members to receive training on compliance with this Act.
10 Each public body shall submit a list of designated employees,
11 officers, or members to the Public Access Counselor. Within 6
12 months after the effective date of this amendatory Act of the
13 96th General Assembly, the designated employees, officers, and
14 members must successfully complete an electronic training
15 curriculum, developed and administered by the Public Access
16 Counselor, and thereafter must successfully complete an annual

1 training program. Thereafter, whenever a public body
2 designates an additional employee, officer, or member to
3 receive this training, that person must successfully complete
4 the electronic training curriculum within 30 days after that
5 designation.

6 (b) Except as otherwise provided in this Section, each
7 elected or appointed member of a public body subject to this
8 Act who is such a member on the effective date of this
9 amendatory Act of the 97th General Assembly must successfully
10 complete the electronic training curriculum developed and
11 administered by the Public Access Counselor. For these members,
12 the training must be completed within one year after the
13 effective date of this amendatory Act.

14 Except as otherwise provided in this Section, each elected
15 or appointed member of a public body subject to this Act who
16 becomes such a member after the effective date of this
17 amendatory Act of the 97th General Assembly shall successfully
18 complete the electronic training curriculum developed and
19 administered by the Public Access Counselor. For these members,
20 the training must be completed not later than the 90th day
21 after the date the member:

22 (1) takes the oath of office, if the member is required
23 to take an oath of office to assume the person's duties as
24 a member of the public body; or

25 (2) otherwise assumes responsibilities as a member of
26 the public body, if the member is not required to take an

1 oath of office to assume the person's duties as a member of
2 the governmental body.

3 Each member successfully completing the electronic
4 training curriculum shall file a copy of the certificate of
5 completion with the public body.

6 Completing the required training as a member of the public
7 body satisfies the requirements of this Section with regard to
8 the member's service on a committee or subcommittee of the
9 public body and the member's ex officio service on any other
10 public body.

11 The failure of one or more members of a public body to
12 complete the training required by this Section does not affect
13 the validity of an action taken by the public body.

14 An elected or appointed member of a public body subject to
15 this Act who has successfully completed the training required
16 under this subsection (b) and filed a copy of the certificate
17 of completion with the public body is not required to
18 subsequently complete the training required under this
19 subsection (b).

20 (c) An elected school board member may satisfy the training
21 requirements of this Section by participating in a course of
22 training sponsored or conducted by an organization created
23 under Article 23 of the School Code. An elected or appointed
24 community college board member may satisfy the training
25 requirements of this Section by participating in a course of
26 training sponsored or conducted by an association created under

1 Section 3-55 of the Public Community College Act. The course of
2 training for school board or community college board members
3 shall include, but not be limited to, instruction in:

4 (1) the general background of the legal requirements
5 for open meetings;

6 (2) the applicability of this Act to public bodies;

7 (3) procedures and requirements regarding quorums,
8 notice, and record-keeping under this Act;

9 (4) procedures and requirements for holding an open
10 meeting and for holding a closed meeting under this Act;
11 and

12 (5) penalties and other consequences for failing to
13 comply with this Act.

14 If an organization created under Article 23 of the School
15 Code or an association created under Section 3-55 of the Public
16 Community College Act provides a course of training under this
17 subsection (c), it must provide a certificate of course
18 completion to each ~~school~~ board member who successfully
19 completes that course of training.

20 (d) A commissioner of a drainage district may satisfy the
21 training requirements of this Section by participating in a
22 course of training sponsored or conducted by an organization
23 that represents the drainage districts created under the
24 Illinois Drainage Code. The course of training shall include,
25 but not be limited to, instruction in:

26 (1) the general background of the legal requirements

- 1 for open meetings;
- 2 (2) the applicability of this Act to public bodies;
- 3 (3) procedures and requirements regarding quorums,
4 notice, and record-keeping under this Act;
- 5 (4) procedures and requirements for holding an open
6 meeting and for holding a closed meeting under this Act;
7 and
- 8 (5) penalties and other consequences for failing to
9 comply with this Act.

10 If an organization that represents the drainage districts
11 created under the Illinois Drainage Code provides a course of
12 training under this subsection (d), it must provide a
13 certificate of course completion to each commissioner who
14 successfully completes that course of training.

15 (e) A director of a soil and water conservation district
16 may satisfy the training requirements of this Section by
17 participating in a course of training sponsored or conducted by
18 an organization that represents soil and water conservation
19 districts created under the Soil and Water Conservation
20 Districts Act. The course of training shall include, but not be
21 limited to, instruction in:

- 22 (1) the general background of the legal requirements
23 for open meetings;
- 24 (2) the applicability of this Act to public bodies;
- 25 (3) procedures and requirements regarding quorums,
26 notice, and record-keeping under this Act;

1 (4) procedures and requirements for holding an open
2 meeting and for holding a closed meeting under this Act;
3 and

4 (5) penalties and other consequences for failing to
5 comply with this Act.

6 If an organization that represents the soil and water
7 conservation districts created under the Soil and Water
8 Conservation Districts Act provides a course of training under
9 this subsection (e), it must provide a certificate of course
10 completion to each director who successfully completes that
11 course of training.

12 (Source: P.A. 96-542, eff. 1-1-10; 97-504, eff. 1-1-12;
13 97-1153, eff. 1-25-13.)

14 Section 99. Effective date. This Act takes effect January
15 1, 2014."