



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB3006

by Rep. Al Riley

#### SYNOPSIS AS INTRODUCED:

5 ILCS 140/4 from Ch. 116, par. 204  
5 ILCS 140/8.1 new  
5 ILCS 140/8.5  
50 ILCS 205/20 rep.  
715 ILCS 5/2.1

Amends the Freedom of Information Act. Deletes language providing that a public body that maintains a website shall also post specified information on its website. Provides that a unit of local government or school district with annual operating expenditures of more than \$1 million for 2 consecutive years that has a website maintained by the full-time staff of the public body shall post to that website specified information. Provides that a public record is considered published on the public body's website even if it is hosted on a website that is maintained by another governmental entity if a hyperlink to the public record is provided on the public body's website. Amends the Local Records Act. Repeals a Section providing that specified units of local government and school districts shall post specified information to their websites. Amends the Notice By Publication Act. Provides that whenever an officer of a court, unit of local government, or school district is required by law to provide notice by publication in a newspaper, it is sufficient to publish, in lieu of the entire text of the notice, the following information: (1) a citation to the statutory basis for the requirement that the notice be published; and (2) the Internet website where the full text of the notice may be found.

LRB100 10285 HEP 20472 b

HOME RULE NOTE  
ACT MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

1 AN ACT concerning government.

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

4 Section 5. The Freedom of Information Act is amended by  
5 changing Sections 4 and 8.5 and by adding Section 8.1 as  
6 follows:

7 (5 ILCS 140/4) (from Ch. 116, par. 204)

8 Sec. 4. Each public body shall prominently display at each  
9 of its administrative or regional offices, make available for  
10 inspection and copying, and send through the mail if requested,  
11 each of the following:

12 (a) A brief description of itself, which will include,  
13 but not be limited to, a short summary of its purpose, a  
14 block diagram giving its functional subdivisions, the  
15 total amount of its operating budget, the number and  
16 location of all of its separate offices, the approximate  
17 number of full and part-time employees, and the  
18 identification and membership of any board, commission,  
19 committee, or council which operates in an advisory  
20 capacity relative to the operation of the public body, or  
21 which exercises control over its policies or procedures, or  
22 to which the public body is required to report and be  
23 answerable for its operations; and

1 (b) A brief description of the methods whereby the  
2 public may request information and public records, a  
3 directory designating the Freedom of Information officer  
4 or officers, the address where requests for public records  
5 should be directed, and any fees allowable under Section 6  
6 of this Act.

7 ~~A public body that maintains a website shall also post this~~  
8 ~~information on its website.~~

9 (Source: P.A. 96-542, eff. 1-1-10; 96-1000, eff. 7-2-10.)

10 (5 ILCS 140/8.1 new)

11 Sec. 8.1. Website requirements.

12 (a) A unit of local government or school district with  
13 annual operating expenditures of more than \$1 million for 2  
14 consecutive years that has a website that is maintained by the  
15 full-time staff of the public body shall post to that website  
16 the following information:

17 (1) A mechanism, such as a uniform single email  
18 address, for members of the public to electronically  
19 communicate with elected officials of that unit of local  
20 government or school district, unless the officials have  
21 individual email addresses for that purpose as required in  
22 Section 20 of the Local Records Act.

23 (2) Meeting notices, agenda, and minutes in accordance  
24 with the requirements of the Open Meetings Act.

25 (3) Information required by Section 4b of this Act.

1           (4) Information required by Section 17-1.2 of the  
2           School Code, as applicable.

3           (5) A copy of the current tax levy for the unit of  
4           local government or school district.

5           (6) A copy of the conduct ordinances for the unit of  
6           local government, if any.

7           (7) The procedures required to apply for building  
8           permits and zoning variances that may be administered or  
9           issued by the unit of local government.

10           (8) For units of local government only, a hyperlink to  
11           the local government warehouse section of the  
12           Comptroller's website, with a brief statement indicating  
13           that the local government's annual financial report and  
14           annual audit, if required, are accessible at that website.

15           (9) For school districts only, a hyperlink to the State  
16           Board of Education's website, with a brief statement  
17           indicating that the school district's annual budget,  
18           statement of affairs, and an annual report on all contracts  
19           over \$25,000 is accessible at that website.

20           (10) For units of local government only, a hyperlink to  
21           the local government section of the Illinois Department of  
22           Revenue website, with a brief statement indicating that  
23           information concerning the property taxes assessed by  
24           units of local government is accessible at that website.

25           (11) A copy of the unit of local government or school  
26           district's most recent annual statement of receipts and

1 disbursements required under the Public Funds Statement  
2 Publication Act, the Illinois Municipal Code, or the School  
3 Code.

4 (12) A hyperlink to the lobbyist information search  
5 section of the Illinois Secretary of State's website.

6 (13) Either: (i) the ordinances, policies, or rules  
7 governing the award of all bids and contracts for purchase  
8 in the amount of more than \$25,000; or (ii) a citation and  
9 hyperlink to the applicable State statute through the  
10 General Assembly's website.

11 (14) Either: (i) a list of all contracts for purchase  
12 in the amount of more than \$25,000; or (ii) a copy of the  
13 unit of local government's most recent annual statement of  
14 receipts and disbursements or school district's report on  
15 contracts required by Section 10-20.44 of the School Code,  
16 as applicable.

17 (15) a hyperlink to the campaign contributions search  
18 section of the Illinois State Board of Elections website.

19 (16) a hyperlink to the website referenced in Section  
20 2.1 of the Notice by Publication Act.

21 (b) a hyperlink to a webpage containing the information  
22 required to be posted under subsection (a) shall be displayed  
23 on the home page of the unit of local government or school  
24 district.

25 (c) No home rule unit may adopt posting requirements that  
26 are less restrictive than this Section. This Section is a

1 limitation under subsection (i) of Section 6 of Article VII of  
2 the Illinois Constitution on the concurrent exercise by home  
3 rule units of powers and functions exercised by the State.

4 (5 ILCS 140/8.5)

5 Sec. 8.5. Records maintained online.

6 (a) Notwithstanding any provision of this Act to the  
7 contrary, a public body is not required to copy a public record  
8 that is published on the public body's website. The public body  
9 shall notify the requester that the public record is available  
10 online and direct the requester to the website where the record  
11 can be reasonably accessed. For purposes of this subsection, a  
12 public record is considered published on the public body's  
13 website even if it is hosted on a website that is maintained by  
14 another governmental entity if a hyperlink to the public record  
15 is provided on the public body's website.

16 (b) If the person requesting the public record is unable to  
17 reasonably access the record online after being directed to the  
18 website pursuant to subsection (a) of this Section, the  
19 requester may re-submit his or her request for the record  
20 stating his or her inability to reasonably access the record  
21 online, and the public body shall make the requested record  
22 available for inspection or copying as provided in Section 3 of  
23 this Act.

24 (Source: P.A. 98-1129, eff. 12-3-14.)

1 (50 ILCS 205/20 rep.)

2 Section 10. The Local Records Act is amended by repealing  
3 Section 20.

4 Section 15. The Notice By Publication Act is amended by  
5 changing Section 2.1 as follows:

6 (715 ILCS 5/2.1)

7 Sec. 2.1. Internet publication ~~Statewide website~~.

8 (a) Whenever notice by publication in a newspaper is  
9 required by law, order of court, or contract, the newspaper  
10 publishing the notice shall, at no additional cost to  
11 government, place the notice on the statewide website  
12 established and maintained as a joint venture of the majority  
13 of Illinois newspapers as a repository for such notices.

14 (b) Whenever an officer of a court, unit of local  
15 government, or school district is required by law to provide  
16 notice by publication in a newspaper, it is sufficient to  
17 publish, in lieu of the entire text of the notice, the  
18 following information:

19 (1) a citation to the statutory basis for the  
20 requirement that the notice be published; and

21 (2) the Internet website where the full text of the  
22 notice may be found.

23 (Source: P.A. 96-1144, eff. 12-31-12.)