

# HB4003



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4003

by Rep. Laura Fine

### SYNOPSIS AS INTRODUCED:

5 ILCS 140/3.1

Amends the Freedom of Information Act. Provides that a public body may deny a request if: (1) the request is made for a commercial purpose; (2) the request is made by the same person for the same records previously provided; and (3) the request is made less than 6 months after the previous request. Effective immediately.

LRB100 10819 HEP 21052 b

A BILL FOR

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 Section 3.1 as follows:

6 (5 ILCS 140/3.1)

7 Sec. 3.1. Requests for commercial purposes.

8 (a) A public body shall respond to a request for records to  
9 be used for a commercial purpose within 21 working days after  
10 receipt. The response shall (i) provide to the requester an  
11 estimate of the time required by the public body to provide the  
12 records requested and an estimate of the fees to be charged,  
13 which the public body may require the person to pay in full  
14 before copying the requested documents, (ii) deny the request  
15 pursuant to one or more of the exemptions set out in this Act,  
16 (iii) notify the requester that the request is unduly  
17 burdensome and extend an opportunity to the requester to  
18 attempt to reduce the request to manageable proportions, or  
19 (iv) provide the records requested.

20 (b) Unless the records are exempt from disclosure, a public  
21 body shall comply with a request within a reasonable period  
22 considering the size and complexity of the request, and giving  
23 priority to records requested for non-commercial purposes.

1 (c) It is a violation of this Act for a person to knowingly  
2 obtain a public record for a commercial purpose without  
3 disclosing that it is for a commercial purpose, if requested to  
4 do so by the public body.

5 (d) A public body may deny a request if:

6 (1) the request is made for a commercial purpose;

7 (2) the request is made by the same person for the same  
8 records previously provided under this Act; and

9 (3) the request is made less than 6 months after the  
10 previous request.

11 (Source: P.A. 96-542, eff. 1-1-10.)

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