



Rep. David McSweeney

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10000HB4242ham002

LRB100 16953 RJF 36651 a

1 AMENDMENT TO HOUSE BILL 4242

2 AMENDMENT NO. _____. Amend House Bill 4242 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Local Records Act is amended by adding
5 Section 3c as follows:

6 (50 ILCS 205/3c new)

7 Sec. 3c. Severance agreements due to sexual harassment and
8 sexual discrimination.

9 (a) When a unit of local government, school district,
10 community college district, or other local taxing body enters a
11 severance agreement with an employee or contractor because the
12 employee or contractor was found to have engaged in sexual
13 harassment or sexual discrimination, as defined by the Illinois
14 Human Rights Act or Title VII of the Civil Rights Act of 1963,
15 the public body shall publish on its Internet website, if one
16 is maintained, and make available to the news media for

1 inspection and copying within 72 hours of the taxing body's
2 approval of the severance agreement the following information:

3 (1) the full name and title of the person receiving
4 payment under the severance agreement;

5 (2) the amount of the payment;

6 (3) that the employee or contractor was found to have
7 engaged in sexual harassment or sexual discrimination, as
8 applicable; and

9 (4) the date, time, and location of the meeting at
10 which the taxing body approved the severance agreement.

11 For the purposes of this subsection (a), "news media" means
12 personnel of a newspaper or other periodical issued at regular
13 intervals whether in print or electronic format, a news service
14 whether in print or electronic format, a radio station, a
15 television station, a television network, a community antenna
16 television service, or a person or corporation engaged in
17 making news reels or other motion picture news for public
18 showing.

19 (b) The information required to be provided by this Section
20 may be withheld if it is determined that disclosure would:

21 (1) interfere with pending or actually and reasonably
22 contemplated law enforcement proceedings conducted by any
23 law enforcement agency;

24 (2) interfere with pending or actually and reasonably
25 contemplated legal or administrative proceedings
26 instigated by the complainant of the sexual harassment or

1 discrimination at issue, including, but not limited to,
2 proceedings under the Illinois Human Rights Act, Title VII
3 of the Civil Rights Act of 1963, or civil law;

4 (3) result in the direct or indirect disclosure of the
5 identity of a complainant who has not consented to
6 disclosure of his or her identity; or

7 (4) endanger the life or physical safety of the
8 complainant of the sexual harassment or discrimination at
9 issue.

10 (c) No unit of local government, school district, community
11 college district, or other local taxing body shall incur
12 liability as a result of its compliance with this Section,
13 except for willful or wanton misconduct.

14 (d) The requirements of subsection (a) of this Section do
15 not supersede the confidentiality provisions of the severance
16 agreement.

17 (e) Nothing in this Section shall limit disclosure of
18 public records required to be disclosed under this Act or the
19 Freedom of Information Act.

20 Section 99. Effective date. This Act takes effect upon
21 becoming law."