

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 1. Short title. This Act may be cited as the Local
5 Government Electronic Notification Act.

6 Section 5. Purpose and construction.

7 (a) This Act is intended to facilitate communication from
8 units of local government or county officers to residents and
9 taxpayers.

10 (b) The General Assembly finds the following:

11 (1) Illinois law requires notification by United
12 States mail to interested parties in many circumstances.

13 (2) Many Illinois residents and taxpayers desire to
14 receive notifications electronically for ease, speed,
15 efficiency, security, and accountability.

16 (3) Electronic communications can be less expensive
17 while providing a greater service to taxpayers and
18 residents.

19 (4) No resident or taxpayer should ever be required to
20 receive electronically any notifications that are
21 currently required to be sent out by United States mail.

22 Section 7. Applicability.

1 (a) Notwithstanding any other provision of this Act, any
2 electronic notifications authorized by statute shall continue
3 to be authorized and the General Assembly by law may authorize
4 other electronic notifications.

5 (b) This Act does not apply to a school district.

6 Section 10. Definitions.

7 (a) As used in this Act:

8 "Electronic notification delivery system" means a computer
9 program that notifies interested parties of a unit of local
10 government's action and that may have features that confirm
11 physical addresses and email addresses, confirm ownership, and
12 confirm receipt of an electronic notification.

13 "Electronic notification recipient" means a person who
14 affirmatively informs a unit of local government or county
15 officer that he or she would like to receive electronically a
16 notification that would have been sent by the unit of local
17 government or county officer via United States mail.

18 (b) For the purposes of this Act, an identity is confirmed
19 if:

20 (1) the electronic notification recipient provides a
21 birthdate and Social Security number that can be matched
22 with the records of the Secretary of State or the county
23 clerk;

24 (2) a mailing sent by United States mail to the
25 electronic notification recipient is responded to

1 digitally with a unique code;

2 (3) the electronic notification recipient uses a
3 digital signature as defined in the Electronic Commerce
4 Security Act; or

5 (4) the electronic notification recipient signs up in
6 person with the unit of local government or county officer
7 and provides a government-issued identification.

8 (c) For the purposes of this Act, a physical address of an
9 electronic notification recipient is confirmed if the
10 electronic notification recipient's address is matched with
11 the records of the Secretary of State and an email address of
12 an electronic notification recipient is confirmed when an email
13 to that email address has been delivered and affirmatively
14 responded to in a way that can be tracked by the electronic
15 notification delivery system.

16 (d) For the purposes of this Act, an electronic
17 notification recipient's ownership is confirmed if his or her
18 name is matched with the records of the county recorder of
19 deeds.

20 (e) For the purposes of this Act, the receipt of an
21 electronic notification is confirmed if an electronic
22 notification recipient:

23 (1) responds to the electronic notification; or

24 (2) reads the electronic notification in an electronic
25 notification delivery system that is able to track that an
26 email has been opened.

1 Section 15. Electronic notification system. Units of local
2 government and county officers may establish a process to allow
3 people to select electronic notifications through an
4 electronic notification delivery system for governmental
5 mailings that are being sent by United States mail. Any process
6 established for this purpose:

7 (1) must not require all notifications from the unit of
8 local government or county officer be electronic and must
9 allow people to opt in or opt out for specific types of
10 mailings;

11 (2) must include a mechanism for confirming the
12 identity of individuals opting in for statutorily required
13 notifications;

14 (3) must include a mechanism to confirm ownership of
15 property where the statutory notification requirement is
16 based on ownership;

17 (4) must present to the submitter, prior to completion
18 of the application to receive electronic notifications, a
19 message in substantially the following form:

20 "By completing this form, I understand that I have
21 agreed to be notified via email or other electronic
22 means regarding those governmental notifications that
23 I have selected. I understand that, regarding those
24 issues for which I have selected electronic
25 notification, I will possibly not receive

1 notifications through the United States mail. I
2 understand that any unit of local government or county
3 officer may rescind this agreement by electronic
4 notification and that any unit of local government may
5 also notify me regarding any issue through the United
6 States mail if the unit of local government or county
7 officer desires in addition to the electronic
8 notification I have selected."; and

9 (5) must allow an electronic notification recipient to
10 rescind his or her electronic notification request either
11 through the mail or electronically.

12 Section 25. Ancillary uses. Upon request of an electronic
13 notification recipient, a unit of local government or county
14 officer may utilize the electronic notification delivery
15 system to notify people of information that is not statutorily
16 required.

17 Section 30. Intergovernmental cooperation. A unit of local
18 government or county officer may enter into an
19 intergovernmental agreement with another unit of local
20 government or county officer to provide electronic
21 notifications as provided in this Act and to share data for
22 that purpose.