



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

**HB4463**

Introduced 1/21/2022, by Rep. Sam Yingling

#### SYNOPSIS AS INTRODUCED:

5 ILCS 120/1.05

Amends the Open Meetings Act. Provides that an elected or appointed member of a public body of a township may satisfy specified training requirements of the Act by participating in a course of training sponsored or conducted by an organization that represents townships created under the Township Code. Specifies the contents of the course of training. Provides that if an organization that represents townships provides a course of training, it must provide a certificate of course completion to each elected or appointed member of a public body who successfully completes that course of training.

LRB102 22319 RJF 31456 b

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 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 January 1, 2010 (the effective date of Public Act  
13 96-542), the designated employees, officers, and members must  
14 successfully complete an electronic training curriculum,  
15 developed and administered by the Public Access Counselor, and  
16 thereafter must successfully complete an annual training  
17 program. Thereafter, whenever a public body designates an  
18 additional employee, officer, or member to receive this  
19 training, that person must successfully complete the  
20 electronic training curriculum within 30 days after that  
21 designation.

22 (b) Except as otherwise provided in this Section, each  
23 elected or appointed member of a public body subject to this

1 Act who is such a member on January 1, 2012 (the effective date  
2 of Public Act 97-504) must successfully complete the  
3 electronic training curriculum developed and administered by  
4 the Public Access Counselor. For these members, the training  
5 must be completed within one year after January 1, 2012 (the  
6 effective date of Public Act 97-504).

7 Except as otherwise provided in this Section, each elected  
8 or appointed member of a public body subject to this Act who  
9 becomes such a member after January 1, 2012 (the effective  
10 date of Public Act 97-504) shall successfully complete the  
11 electronic training curriculum developed and administered by  
12 the Public Access Counselor. For these members, the training  
13 must be completed not later than the 90th day after the date  
14 the member:

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

18 (2) otherwise assumes responsibilities as a member of  
19 the public body, if the member is not required to take an  
20 oath of office to assume the person's duties as a member of  
21 the governmental body.

22 Each member successfully completing the electronic  
23 training curriculum shall file a copy of the certificate of  
24 completion with the public body.

25 Completing the required training as a member of the public  
26 body satisfies the requirements of this Section with regard to

1 the member's service on a committee or subcommittee of the  
2 public body and the member's ex officio service on any other  
3 public body.

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

7 An elected or appointed member of a public body subject to  
8 this Act who has successfully completed the training required  
9 under this subsection (b) and filed a copy of the certificate  
10 of completion with the public body is not required to  
11 subsequently complete the training required under this  
12 subsection (b).

13 (c) An elected school board member may satisfy the  
14 training requirements of this Section by participating in a  
15 course of training sponsored or conducted by an organization  
16 created under Article 23 of the School Code. The course of  
17 training shall include, but not be limited to, instruction in:

18 (1) the general background of the legal requirements  
19 for open meetings;

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

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

23 (4) procedures and requirements for holding an open  
24 meeting and for holding a closed meeting under this Act;  
25 and

26 (5) penalties and other consequences for failing to

1           comply with this Act.

2           If an organization created under Article 23 of the School  
3 Code provides a course of training under this subsection (c),  
4 it must provide a certificate of course completion to each  
5 school board member who successfully completes that course of  
6 training.

7           (d) A commissioner of a drainage district may satisfy the  
8 training requirements of this Section by participating in a  
9 course of training sponsored or conducted by an organization  
10 that represents the drainage districts created under the  
11 Illinois Drainage Code. The course of training shall include,  
12 but not be limited to, instruction in:

13                   (1) the general background of the legal requirements  
14 for open meetings;

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

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

18                   (4) procedures and requirements for holding an open  
19 meeting and for holding a closed meeting under this Act;  
20 and

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

23           If an organization that represents the drainage districts  
24 created under the Illinois Drainage Code provides a course of  
25 training under this subsection (d), it must provide a  
26 certificate of course completion to each commissioner who

1 successfully completes that course of training.

2 (e) A director of a soil and water conservation district  
3 may satisfy the training requirements of this Section by  
4 participating in a course of training sponsored or conducted  
5 by an organization that represents soil and water conservation  
6 districts created under the Soil and Water Conservation  
7 Districts Act. The course of training shall include, but not  
8 be limited to, instruction in:

9 (1) the general background of the legal requirements  
10 for open meetings;

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

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

14 (4) procedures and requirements for holding an open  
15 meeting and for holding a closed meeting under this Act;  
16 and

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

19 If an organization that represents the soil and water  
20 conservation districts created under the Soil and Water  
21 Conservation Districts Act provides a course of training under  
22 this subsection (e), it must provide a certificate of course  
23 completion to each director who successfully completes that  
24 course of training.

25 (f) An elected or appointed member of a public body of a  
26 park district, forest preserve district, or conservation

1 district may satisfy the training requirements of this Section  
2 by participating in a course of training sponsored or  
3 conducted by an organization that represents the park  
4 districts created in the Park District Code. The course of  
5 training shall include, but not be limited to, instruction in:

6 (1) the general background of the legal requirements  
7 for open meetings;

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

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

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

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

16 If an organization that represents the park districts  
17 created in the Park District Code provides a course of  
18 training under this subsection (f), it must provide a  
19 certificate of course completion to each elected or appointed  
20 member of a public body who successfully completes that course  
21 of training.

22 (g) An elected or appointed member of the board of  
23 trustees of a fire protection district may satisfy the  
24 training requirements of this Section by participating in a  
25 course of training sponsored or conducted by an organization  
26 that represents fire protection districts created under the

1 Fire Protection District Act. The course of training shall  
2 include, but not be limited to, instruction in:

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

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

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

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

10 and

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

13 If an organization that represents fire protection  
14 districts organized under the Fire Protection District Act  
15 provides a course of training under this subsection (g), it  
16 must provide a certificate of course completion to each  
17 elected or appointed member of a board of trustees who  
18 successfully completes that course of training.

19 (h) An elected or appointed member of a public body of a  
20 municipality may satisfy the training requirements of this  
21 Section by participating in a course of training sponsored or  
22 conducted by an organization that represents municipalities as  
23 designated in Section 1-8-1 of the Illinois Municipal Code.  
24 The course of training shall include, but not be limited to,  
25 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 municipalities as

11 designated in Section 1-8-1 of the Illinois Municipal Code

12 provides a course of training under this subsection (h), it

13 must provide a certificate of course completion to each

14 elected or appointed member of a public body who successfully

15 completes that course of training.

16 (i) An elected or appointed member of a public body of a

17 township may satisfy the training requirements of this Section

18 by participating in a course of training sponsored or

19 conducted by an organization that represents townships created

20 under the Township Code. The course of training shall include,

21 but not be 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 townships created under  
7           the Township Code provides a course of training under this  
8           subsection (i), it must provide a certificate of course  
9           completion to each elected or appointed member of a public  
10           body who successfully completes that course of training.

11           (Source: P.A. 101-233, eff. 1-1-20; 102-558, eff. 8-20-21.)