



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3164

Introduced 2/17/2023, by Rep. Jennifer Sanalidro

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.

LRB103 25097 DTM 51432 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, it must provide a certificate of course completion
9 to each elected or appointed member of a public body who
10 successfully completes that course of training.

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