



State Government Administration Committee

**Filed: 3/14/2007**

09500HB0511ham001

LRB095 06822 JAM 33559 a

1 AMENDMENT TO HOUSE BILL 511

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 511 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Freedom of Information Act is amended by  
5 changing Section 2 as follows:

6 (5 ILCS 140/2) (from Ch. 116, par. 202)

7 Sec. 2. Definitions. As used in this Act:

8 (a) "Public body" means any legislative, executive,  
9 administrative, or advisory bodies of the State, state  
10 universities and colleges, counties, townships, cities,  
11 villages, incorporated towns, school districts and all other  
12 municipal corporations, boards, bureaus, committees, or  
13 commissions of this State, any subsidiary bodies of any of the  
14 foregoing including but not limited to committees and  
15 subcommittees which are supported in whole or in part by tax  
16 revenue, or which expend tax revenue, and a School Finance

1 Authority created under Article 1E of the School Code. "Public  
2 body" does not include a child death review team or the  
3 Illinois Child Death Review Teams Executive Council  
4 established under the Child Death Review Team Act.

5 (b) "Person" means any individual, corporation,  
6 partnership, firm, organization or association, acting  
7 individually or as a group.

8 (c) "Public records" means all records, reports, forms,  
9 writings, letters, memoranda, books, papers, maps,  
10 photographs, microfilms, cards, tapes, recordings, electronic  
11 data processing records, recorded information and all other  
12 documentary materials, regardless of physical form or  
13 characteristics, having been prepared, or having been or being  
14 used, received, possessed or under the control of any public  
15 body. "Public records" includes, but is expressly not limited  
16 to: (i) administrative manuals, procedural rules, and  
17 instructions to staff, unless exempted by Section 7(p) of this  
18 Act; (ii) final opinions and orders made in the adjudication of  
19 cases, except an educational institution's adjudication of  
20 student or employee grievance or disciplinary cases; (iii)  
21 substantive rules; (iv) statements and interpretations of  
22 policy which have been adopted by a public body; (v) final  
23 planning policies, recommendations, and decisions; (vi)  
24 factual reports, inspection reports, and studies whether  
25 prepared by or for the public body; (vii) all information in  
26 any account, voucher, or contract dealing with the receipt or

1 expenditure of public or other funds of public bodies; (viii)  
2 the names, salaries, titles, and dates of employment of all  
3 employees and officers of public bodies; (ix) materials  
4 containing opinions concerning the rights of the state, the  
5 public, a subdivision of state or a local government, or of any  
6 private persons; (x) the name of every official and the final  
7 records of voting in all proceedings of public bodies; (xi)  
8 applications for any contract, permit, grant, or agreement  
9 except as exempted from disclosure by subsection (g) of Section  
10 7 of this Act; (xii) each report, document, study, or  
11 publication prepared by independent consultants or other  
12 independent contractors for the public body; (xiii) all other  
13 information required by law to be made available for public  
14 inspection or copying; (xiv) information relating to any grant  
15 or contract made by or between a public body and another public  
16 body or private organization; (xv) waiver documents filed with  
17 the State Superintendent of Education or the president of the  
18 University of Illinois under Section 30-12.5 of the School  
19 Code, concerning nominees for General Assembly scholarships  
20 under Sections 30-9, 30-10, and 30-11 of the School Code; (xvi)  
21 complaints, results of complaints, and Department of Children  
22 and Family Services staff findings of licensing violations at  
23 day care facilities, provided that personal and identifying  
24 information is not released; ~~and~~ (xvii) records, reports,  
25 forms, writings, letters, memoranda, books, papers, and other  
26 documentary information, regardless of physical form or

1 characteristics, having been prepared, or having been or being  
2 used, received, possessed, or under the control of the Illinois  
3 Sports Facilities Authority dealing with the receipt or  
4 expenditure of public funds or other funds of the Authority in  
5 connection with the reconstruction, renovation, remodeling,  
6 extension, or improvement of all or substantially all of an  
7 existing "facility" as that term is defined in the Illinois  
8 Sports Facilities Authority Act ; and (xviii) only that portion  
9 of settlement agreements entered into by or on behalf of a  
10 public body that shows the total amount of any moneys or total  
11 financial value of other agreements, that are not otherwise  
12 exempt under Section 7 of this Act, that resulted in a  
13 financial payment to or financial payout by the public body and  
14 the amount of moneys expended by or on behalf of the public  
15 body for the prosecution, defense, or settlement of any  
16 litigation.

17 (d) "Copying" means the reproduction of any public record  
18 by means of any photographic, electronic, mechanical or other  
19 process, device or means.

20 (e) "Head of the public body" means the president, mayor,  
21 chairman, presiding officer, director, superintendent,  
22 manager, supervisor or individual otherwise holding primary  
23 executive and administrative authority for the public body, or  
24 such person's duly authorized designee.

25 (f) "News media" means a newspaper or other periodical  
26 issued at regular intervals whether in print or electronic

1 format, a news service whether in print or electronic format, a  
2 radio station, a television station, a television network, a  
3 community antenna television service, or a person or  
4 corporation engaged in making news reels or other motion  
5 picture news for public showing.

6 (Source: P.A. 91-935, eff. 6-1-01; 92-335, eff. 8-10-01;  
7 92-468, eff. 8-22-01; 92-547, eff. 6-13-02; 92-651, eff.  
8 7-11-02.)

9 Section 99. Effective date. This Act takes effect upon  
10 becoming law."