

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 Illinois Notary Public Act is amended by
5 changing Sections 3-101, 3-102, 3-104, and 6-102 as follows:

6 (5 ILCS 312/3-101) (from Ch. 102, par. 203-101)

7 Sec. 3-101. Official Seal and Signature.

8 (a) Each notary public shall, upon receiving the commission
9 from the county clerk, obtain an official rubber stamp seal
10 with which the notary shall authenticate his official acts. The
11 rubber stamp seal shall contain the following information:

12 (1) ~~(a)~~ the words "Official Seal";

13 (2) ~~(b)~~ the notary's official name;

14 (3) ~~(c)~~ the words "Notary Public", "State of Illinois",
15 and "My commission expires _____ (commission
16 expiration date)"; and

17 (4) ~~(d)~~ a serrated or milled edge border in a
18 rectangular form not more than one inch in height by two
19 and one-half inches in length surrounding the information.

20 (b) At the time of the notarial act, a notary public shall
21 officially sign every notary certificate and affix the rubber
22 stamp seal clearly and legibly using black ink, so that it is
23 capable of photographic reproduction. The illegibility of any

1 of the information required by this Section does not affect the
2 validity of a transaction.

3 This subsection does not apply on or after July 1, 2011.
4 (Source: P.A. 84-322.)

5 (5 ILCS 312/3-102) (from Ch. 102, par. 203-102)
6 Sec. 3-102. Notarial Record; Residential Real Property
7 Transactions ~~Official Signature.~~

8 (a) This Section shall apply to every notarial act in
9 Illinois involving a document of conveyance that transfers or
10 purports to transfer title to residential real property located
11 in Cook County.

12 (b) As used in this Section, the following terms shall have
13 the meanings ascribed to them:

14 (1) "Document of Conveyance" shall mean a written
15 instrument that transfers or purports to transfer title
16 effecting a change in ownership to Residential Real
17 Property, excluding:

18 (i) court-ordered and court-authorized conveyances
19 of Residential Real Property, including without
20 limitation, quit-claim deeds executed pursuant to a
21 marital settlement agreement incorporated into a
22 judgment of dissolution of marriage, and transfers in
23 the administration of a probate estate;

24 (ii) judicial sale deeds relating to Residential
25 Real Property, including without limitation, sale

1 deeds issued pursuant to proceedings to foreclose a
2 mortgage or execute on a levy to enforce a judgment;

3 (iii) deeds transferring ownership of Residential
4 Real Property to a trust where the beneficiary is also
5 the grantor;

6 (iv) deeds from grantors to themselves that are
7 intended to change the nature or type of tenancy by
8 which they own Residential Real Property;

9 (v) deeds from a grantor to the grantor and another
10 natural person that are intended to establish a tenancy
11 by which the grantor and the other natural person own
12 Residential Real Property;

13 (vi) deeds executed to the mortgagee in lieu of
14 foreclosure of a mortgage; and

15 (vii) deeds transferring ownership to a revocable
16 or irrevocable grantor trust where the beneficiary
17 includes the grantor.

18 (2) "Financial Institution" shall mean a State or
19 federally chartered bank, savings and loan association,
20 savings bank, or credit union.

21 (3) "Notarial Record" shall mean the written document
22 created in conformity with this Section by a notary in
23 connection with Documents of Conveyance.

24 (4) "Residential Real Property" shall mean a building
25 or buildings located in Cook County, Illinois and
26 containing one to 4 dwelling units or an individual

1 residential condominium unit.

2 (5) "Title Insurance Agent" shall have the meaning
3 ascribed to it under the Title Insurance Act.

4 (6) "Title Insurance Company" shall have the meaning
5 ascribed to it under the Title Insurance Act.

6 (c) A notary appointed and commissioned as a notary in
7 Illinois shall, in addition to compliance with other provisions
8 of this Act, create a Notarial Record of each notarial act
9 performed in connection with a Document of Conveyance. The
10 Notarial Record shall contain:

11 (1) The date of the notarial act;

12 (2) The type, title, or a description of the Document
13 of Conveyance being notarized, and the property index
14 number ("PIN") used to identify the Residential Real
15 Property for assessment or taxation purposes and the common
16 street address for the Residential Real Property that is
17 the subject of the Document of Conveyance;

18 (3) The signature, printed name, and residence street
19 address of each person whose signature is the subject of
20 the notarial act and a certification by the person that the
21 property is Residential Real Property as defined in this
22 Section, which states "The undersigned grantor hereby
23 certifies that the real property identified in this
24 Notarial Record is Residential Real Property as defined in
25 the Illinois Notary Public Act".

26 (4) A description of the satisfactory evidence

1 reviewed by the notary to determine the identity of the
2 person whose signature is the subject of the notarial act;

3 (5) The date of notarization, the fee charged for the
4 notarial act, the Notary's home or business phone number,
5 the Notary's residence street address, the Notary's
6 commission expiration date, the correct legal name of the
7 Notary's employer or principal, and the business street
8 address of the Notary's employer or principal; and

9 (6) The notary public shall require the person signing
10 the Document of Conveyance (including an agent acting on
11 behalf of a principal under a duly executed power of
12 attorney), whose signature is the subject of the notarial
13 act, to place his or her right thumbprint on the Notarial
14 Record. If the right thumbprint is not available, then the
15 notary shall have the party use his or her left thumb, or
16 any available finger, and shall so indicate on the Notarial
17 Record. If the party signing the document is physically
18 unable to provide a thumbprint or fingerprint, the notary
19 shall so indicate on the Notarial Record and shall also
20 provide an explanation of that physical condition. The
21 notary may obtain the thumbprint by any means that reliably
22 captures the image of the finger in a physical or
23 electronic medium.

24 (d) If a notarial act under this Section is performed by a
25 notary who is a principal, employee, or agent of a Title
26 Insurance Company, Title Insurance Agent, Financial

1 Institution, or attorney at law, the notary shall deliver the
2 original Notarial Record to the notary's employer or principal
3 within 14 days after the performance of the notarial act for
4 retention for a period of 7 years as part of the employer's or
5 principal's business records. In the event of a sale or merger
6 of any of the foregoing entities or persons, the successor or
7 assignee of the entity or person shall assume the
8 responsibility to maintain the Notarial Record for the balance
9 of the 7-year business records retention period. Liquidation or
10 other cessation of activities in the ordinary course of
11 business by any of the foregoing entities or persons shall
12 relieve the entity or person from the obligation to maintain
13 Notarial Records after delivery of Notarial Records to the
14 Recorder of Deeds of Cook County, Illinois.

15 (e) If a notarial act is performed by a notary who is not a
16 principal, employee, or agent of a Title Insurance Company,
17 Title Insurance Agent, Financial Institution, or attorney at
18 law, the notary shall deliver the original Notarial Record
19 within 14 days after the performance of the notarial act to the
20 Recorder of Deeds of Cook County, Illinois for retention for a
21 period of 7 years, accompanied by a filing fee of \$5.

22 (f) The Notarial Record required under subsection (c) of
23 this Section shall be created and maintained for each person
24 whose signature is the subject of a notarial act regarding a
25 Document of Conveyance and shall be in substantially the
26 following form:

1 **NOTARIAL RECORD - RESIDENTIAL REAL PROPERTY TRANSACTIONS**

2 Date Notarized:

3 Fee: \$

4 The undersigned grantor hereby certifies that the real property
5 identified in this Notarial Record is Residential Real Property
6 as defined in the Illinois Notary Public Act.

7 Grantor's (Signer's) Printed Name:

8 Grantor's (Signer's) Signature:

9 Grantor's (Signer's) Residential Street Address, City, State,
10 and Zip:

11 Type or Name of Document of Conveyance:

12 PIN No. of Residential Real Property:

13 Common Street Address of Residential Real Property:

14 Thumbprint or Fingerprint:

15 Description of Means of Identification:

1 Additional Comments:

2 Name of Notary Printed:

3 Notary Phone Number:

4 Commission Expiration Date:

5 Residential Street Address of Notary, City, State, and Zip:

6 Name of Notary's Employer or Principal:

7 Business Street Address of Notary's Employer or Principal,
8 City, State, and Zip:

9 (g) No copies of the original Notarial Record may be made
10 or retained by the Notary. The Notary's employer or principal
11 may retain copies of the Notarial Records as part of its
12 business records, subject to applicable privacy and
13 confidentiality standards.

14 (h) The failure of a notary to comply with the procedure
15 set forth in this Section shall not affect the validity of the
16 Residential Real Property transaction in connection to which
17 the Document of Conveyance is executed, in the absence of
18 fraud.

19 (i) The Notarial Record or other medium containing the

1 thumbprint or fingerprint required by subsection (c)(6) shall
2 be made available or disclosed only upon receipt of a subpoena
3 duly authorized by a court of competent jurisdiction. Such
4 Notarial Record or other medium shall not be subject to
5 disclosure under the Freedom of Information Act and shall not
6 be made available to any other party, other than a party in
7 succession of interest to the party maintaining the Notarial
8 Record or other medium pursuant to subsection (d) or (e).

9 (j) In the event there is a breach in the security of a
10 Notarial Record maintained pursuant to subsections (d) and (e)
11 by the Recorder of Deeds of Cook County, Illinois, the Recorder
12 shall notify the person identified as the "signer" in the
13 Notarial Record at the signer's residential street address set
14 forth in the Notarial Record. "Breach" shall mean unauthorized
15 acquisition of the fingerprint data contained in the Notarial
16 Record that compromises the security, confidentiality, or
17 integrity of the fingerprint data maintained by the Recorder.
18 The notification shall be in writing and made in the most
19 expedient time possible and without unreasonable delay,
20 consistent with any measures necessary to determine the scope
21 of the breach and restore the reasonable security,
22 confidentiality, and integrity of the Recorder's data system.

23 (k) Subsections (a) through (i) shall not apply on and
24 after July 1, 2011.

25 (l) Beginning July 1, 2011, at ~~At~~ the time of notarization,
26 a notary public shall officially sign every notary certificate

1 and affix the rubber stamp seal clearly and legibly using black
2 ink, so that it is capable of photographic reproduction. The
3 illegibility of any of the information required by this Section
4 does not affect the validity of a transaction.

5 (Source: P.A. 84-322.)

6 (5 ILCS 312/3-104) (from Ch. 102, par. 203-104)

7 Sec. 3-104. Maximum Fee.

8 (a) Except as provided in subsection (b) of this Section,
9 the maximum fee in this State is \$1.00 for any notarial act
10 performed and, until July 1, 2011, up to \$25 for any notarial
11 act performed pursuant to Section 3-102.

12 (b) Fees for a notary public, agency, or any other person
13 who is not an attorney or an accredited representative filling
14 out immigration forms shall be limited to the following:

15 (1) \$10 per form completion;

16 (2) \$10 per page for the translation of a non-English
17 language into English where such translation is required
18 for immigration forms;

19 (3) \$1 for notarizing;

20 (4) \$3 to execute any procedures necessary to obtain a
21 document required to complete immigration forms; and

22 (5) A maximum of \$75 for one complete application.

23 Fees authorized under this subsection shall not include
24 application fees required to be submitted with immigration
25 applications.

1 Any person who violates the provisions of this subsection
2 shall be guilty of a Class A misdemeanor for a first offense
3 and a Class 3 felony for a second or subsequent offense
4 committed within 5 years of a previous conviction for the same
5 offense.

6 (c) Upon his own information or upon complaint of any
7 person, the Attorney General or any State's Attorney, or their
8 designee, may maintain an action for injunctive relief in the
9 court against any notary public or any other person who
10 violates the provisions of subsection (b) of this Section.
11 These remedies are in addition to, and not in substitution for,
12 other available remedies.

13 If the Attorney General or any State's Attorney fails to
14 bring an action as provided pursuant to this subsection within
15 90 days of receipt of a complaint, any person may file a civil
16 action to enforce the provisions of this subsection and
17 maintain an action for injunctive relief.

18 (d) All notaries public must provide receipts and keep
19 records for fees accepted for services provided. Failure to
20 provide receipts and keep records that can be presented as
21 evidence of no wrongdoing shall be construed as a presumptive
22 admission of allegations raised in complaints against the
23 notary for violations related to accepting prohibited fees.

24 (Source: P.A. 93-1001, eff. 8-23-04.)

25 (5 ILCS 312/6-102) (from Ch. 102, par. 206-102)

1 Sec. 6-102. Notarial Acts. (a) In taking an acknowledgment,
2 the notary public must determine, either from personal
3 knowledge or from satisfactory evidence, that the person
4 appearing before the notary and making the acknowledgment is
5 the person whose true signature is on the instrument.

6 (b) In taking a verification upon oath or affirmation, the
7 notary public must determine, either from personal knowledge or
8 from satisfactory evidence, that the person appearing before
9 the notary and making the verification is the person whose true
10 signature is on the statement verified.

11 (c) In witnessing or attesting a signature, the notary
12 public must determine, either from personal knowledge or from
13 satisfactory evidence, that the signature is that of the person
14 appearing before the notary and named therein.

15 (d) A notary public has satisfactory evidence that a person
16 is the person whose true signature is on a document if that
17 person:

18 (1) is personally known to the notary;

19 (2) is identified upon the oath or affirmation of a
20 credible witness personally known to the notary; or

21 (3) is identified on the basis of identification documents.
22 Until July 1, 2011, identification documents are documents that
23 are valid at the time of the notarial act, issued by a state or
24 federal government agency, and bearing the photographic image
25 of the individual's face and signature of the individual.

26 (Source: P.A. 84-322.)

1 Section 10. The Freedom of Information Act is amended by
2 changing Section 7 as follows:

3 (5 ILCS 140/7) (from Ch. 116, par. 207)

4 Sec. 7. Exemptions.

5 (1) The following shall be exempt from inspection and
6 copying:

7 (a) Information specifically prohibited from
8 disclosure by federal or State law or rules and regulations
9 adopted under federal or State law.

10 (b) Information that, if disclosed, would constitute a
11 clearly unwarranted invasion of personal privacy, unless
12 the disclosure is consented to in writing by the individual
13 subjects of the information. The disclosure of information
14 that bears on the public duties of public employees and
15 officials shall not be considered an invasion of personal
16 privacy. Information exempted under this subsection (b)
17 shall include but is not limited to:

18 (i) files and personal information maintained with
19 respect to clients, patients, residents, students or
20 other individuals receiving social, medical,
21 educational, vocational, financial, supervisory or
22 custodial care or services directly or indirectly from
23 federal agencies or public bodies;

24 (ii) personnel files and personal information

1 maintained with respect to employees, appointees or
2 elected officials of any public body or applicants for
3 those positions;

4 (iii) files and personal information maintained
5 with respect to any applicant, registrant or licensee
6 by any public body cooperating with or engaged in
7 professional or occupational registration, licensure
8 or discipline;

9 (iv) information required of any taxpayer in
10 connection with the assessment or collection of any tax
11 unless disclosure is otherwise required by State
12 statute;

13 (v) information revealing the identity of persons
14 who file complaints with or provide information to
15 administrative, investigative, law enforcement or
16 penal agencies; provided, however, that identification
17 of witnesses to traffic accidents, traffic accident
18 reports, and rescue reports may be provided by agencies
19 of local government, except in a case for which a
20 criminal investigation is ongoing, without
21 constituting a clearly unwarranted per se invasion of
22 personal privacy under this subsection; ~~and~~

23 (vi) the names, addresses, or other personal
24 information of participants and registrants in park
25 district, forest preserve district, and conservation
26 district programs; and -

1 (vii) the Notarial Record or other medium
2 containing the thumbprint or fingerprint required by
3 Section 3-102(c)(6) of the Illinois Notary Public Act.

4 (c) Records compiled by any public body for
5 administrative enforcement proceedings and any law
6 enforcement or correctional agency for law enforcement
7 purposes or for internal matters of a public body, but only
8 to the extent that disclosure would:

9 (i) interfere with pending or actually and
10 reasonably contemplated law enforcement proceedings
11 conducted by any law enforcement or correctional
12 agency;

13 (ii) interfere with pending administrative
14 enforcement proceedings conducted by any public body;

15 (iii) deprive a person of a fair trial or an
16 impartial hearing;

17 (iv) unavoidably disclose the identity of a
18 confidential source or confidential information
19 furnished only by the confidential source;

20 (v) disclose unique or specialized investigative
21 techniques other than those generally used and known or
22 disclose internal documents of correctional agencies
23 related to detection, observation or investigation of
24 incidents of crime or misconduct;

25 (vi) constitute an invasion of personal privacy
26 under subsection (b) of this Section;

1 (vii) endanger the life or physical safety of law
2 enforcement personnel or any other person; or

3 (viii) obstruct an ongoing criminal investigation.

4 (d) Criminal history record information maintained by
5 State or local criminal justice agencies, except the
6 following which shall be open for public inspection and
7 copying:

8 (i) chronologically maintained arrest information,
9 such as traditional arrest logs or blotters;

10 (ii) the name of a person in the custody of a law
11 enforcement agency and the charges for which that
12 person is being held;

13 (iii) court records that are public;

14 (iv) records that are otherwise available under
15 State or local law; or

16 (v) records in which the requesting party is the
17 individual identified, except as provided under part
18 (vii) of paragraph (c) of subsection (1) of this
19 Section.

20 "Criminal history record information" means data
21 identifiable to an individual and consisting of
22 descriptions or notations of arrests, detentions,
23 indictments, informations, pre-trial proceedings, trials,
24 or other formal events in the criminal justice system or
25 descriptions or notations of criminal charges (including
26 criminal violations of local municipal ordinances) and the

1 nature of any disposition arising therefrom, including
2 sentencing, court or correctional supervision,
3 rehabilitation and release. The term does not apply to
4 statistical records and reports in which individuals are
5 not identified and from which their identities are not
6 ascertainable, or to information that is for criminal
7 investigative or intelligence purposes.

8 (e) Records that relate to or affect the security of
9 correctional institutions and detention facilities.

10 (f) Preliminary drafts, notes, recommendations,
11 memoranda and other records in which opinions are
12 expressed, or policies or actions are formulated, except
13 that a specific record or relevant portion of a record
14 shall not be exempt when the record is publicly cited and
15 identified by the head of the public body. The exemption
16 provided in this paragraph (f) extends to all those records
17 of officers and agencies of the General Assembly that
18 pertain to the preparation of legislative documents.

19 (g) Trade secrets and commercial or financial
20 information obtained from a person or business where the
21 trade secrets or information are proprietary, privileged
22 or confidential, or where disclosure of the trade secrets
23 or information may cause competitive harm, including:

24 (i) All information determined to be confidential
25 under Section 4002 of the Technology Advancement and
26 Development Act.

1 (ii) All trade secrets and commercial or financial
2 information obtained by a public body, including a
3 public pension fund, from a private equity fund or a
4 privately held company within the investment portfolio
5 of a private equity fund as a result of either
6 investing or evaluating a potential investment of
7 public funds in a private equity fund. The exemption
8 contained in this item does not apply to the aggregate
9 financial performance information of a private equity
10 fund, nor to the identity of the fund's managers or
11 general partners. The exemption contained in this item
12 does not apply to the identity of a privately held
13 company within the investment portfolio of a private
14 equity fund, unless the disclosure of the identity of a
15 privately held company may cause competitive harm.

16 Nothing contained in this paragraph (g) shall be construed
17 to prevent a person or business from consenting to disclosure.

18 (h) Proposals and bids for any contract, grant, or
19 agreement, including information which if it were
20 disclosed would frustrate procurement or give an advantage
21 to any person proposing to enter into a contractor
22 agreement with the body, until an award or final selection
23 is made. Information prepared by or for the body in
24 preparation of a bid solicitation shall be exempt until an
25 award or final selection is made.

26 (i) Valuable formulae, computer geographic systems,

1 designs, drawings and research data obtained or produced by
2 any public body when disclosure could reasonably be
3 expected to produce private gain or public loss. The
4 exemption for "computer geographic systems" provided in
5 this paragraph (i) does not extend to requests made by news
6 media as defined in Section 2 of this Act when the
7 requested information is not otherwise exempt and the only
8 purpose of the request is to access and disseminate
9 information regarding the health, safety, welfare, or
10 legal rights of the general public.

11 (j) Test questions, scoring keys and other examination
12 data used to administer an academic examination or
13 determined the qualifications of an applicant for a license
14 or employment.

15 (k) Architects' plans, engineers' technical
16 submissions, and other construction related technical
17 documents for projects not constructed or developed in
18 whole or in part with public funds and the same for
19 projects constructed or developed with public funds, but
20 only to the extent that disclosure would compromise
21 security, including but not limited to water treatment
22 facilities, airport facilities, sport stadiums, convention
23 centers, and all government owned, operated, or occupied
24 buildings.

25 (l) Library circulation and order records identifying
26 library users with specific materials.

1 (m) Minutes of meetings of public bodies closed to the
2 public as provided in the Open Meetings Act until the
3 public body makes the minutes available to the public under
4 Section 2.06 of the Open Meetings Act.

5 (n) Communications between a public body and an
6 attorney or auditor representing the public body that would
7 not be subject to discovery in litigation, and materials
8 prepared or compiled by or for a public body in
9 anticipation of a criminal, civil or administrative
10 proceeding upon the request of an attorney advising the
11 public body, and materials prepared or compiled with
12 respect to internal audits of public bodies.

13 (o) Information received by a primary or secondary
14 school, college or university under its procedures for the
15 evaluation of faculty members by their academic peers.

16 (p) Administrative or technical information associated
17 with automated data processing operations, including but
18 not limited to software, operating protocols, computer
19 program abstracts, file layouts, source listings, object
20 modules, load modules, user guides, documentation
21 pertaining to all logical and physical design of
22 computerized systems, employee manuals, and any other
23 information that, if disclosed, would jeopardize the
24 security of the system or its data or the security of
25 materials exempt under this Section.

26 (q) Documents or materials relating to collective

1 negotiating matters between public bodies and their
2 employees or representatives, except that any final
3 contract or agreement shall be subject to inspection and
4 copying.

5 (r) Drafts, notes, recommendations and memoranda
6 pertaining to the financing and marketing transactions of
7 the public body. The records of ownership, registration,
8 transfer, and exchange of municipal debt obligations, and
9 of persons to whom payment with respect to these
10 obligations is made.

11 (s) The records, documents and information relating to
12 real estate purchase negotiations until those negotiations
13 have been completed or otherwise terminated. With regard to
14 a parcel involved in a pending or actually and reasonably
15 contemplated eminent domain proceeding under the Eminent
16 Domain Act, records, documents and information relating to
17 that parcel shall be exempt except as may be allowed under
18 discovery rules adopted by the Illinois Supreme Court. The
19 records, documents and information relating to a real
20 estate sale shall be exempt until a sale is consummated.

21 (t) Any and all proprietary information and records
22 related to the operation of an intergovernmental risk
23 management association or self-insurance pool or jointly
24 self-administered health and accident cooperative or pool.

25 (u) Information concerning a university's adjudication
26 of student or employee grievance or disciplinary cases, to

1 the extent that disclosure would reveal the identity of the
2 student or employee and information concerning any public
3 body's adjudication of student or employee grievances or
4 disciplinary cases, except for the final outcome of the
5 cases.

6 (v) Course materials or research materials used by
7 faculty members.

8 (w) Information related solely to the internal
9 personnel rules and practices of a public body.

10 (x) Information contained in or related to
11 examination, operating, or condition reports prepared by,
12 on behalf of, or for the use of a public body responsible
13 for the regulation or supervision of financial
14 institutions or insurance companies, unless disclosure is
15 otherwise required by State law.

16 (y) Information the disclosure of which is restricted
17 under Section 5-108 of the Public Utilities Act.

18 (z) Manuals or instruction to staff that relate to
19 establishment or collection of liability for any State tax
20 or that relate to investigations by a public body to
21 determine violation of any criminal law.

22 (aa) Applications, related documents, and medical
23 records received by the Experimental Organ Transplantation
24 Procedures Board and any and all documents or other records
25 prepared by the Experimental Organ Transplantation
26 Procedures Board or its staff relating to applications it

1 has received.

2 (bb) Insurance or self insurance (including any
3 intergovernmental risk management association or self
4 insurance pool) claims, loss or risk management
5 information, records, data, advice or communications.

6 (cc) Information and records held by the Department of
7 Public Health and its authorized representatives relating
8 to known or suspected cases of sexually transmissible
9 disease or any information the disclosure of which is
10 restricted under the Illinois Sexually Transmissible
11 Disease Control Act.

12 (dd) Information the disclosure of which is exempted
13 under Section 30 of the Radon Industry Licensing Act.

14 (ee) Firm performance evaluations under Section 55 of
15 the Architectural, Engineering, and Land Surveying
16 Qualifications Based Selection Act.

17 (ff) Security portions of system safety program plans,
18 investigation reports, surveys, schedules, lists, data, or
19 information compiled, collected, or prepared by or for the
20 Regional Transportation Authority under Section 2.11 of
21 the Regional Transportation Authority Act or the St. Clair
22 County Transit District under the Bi-State Transit Safety
23 Act.

24 (gg) Information the disclosure of which is restricted
25 and exempted under Section 50 of the Illinois Prepaid
26 Tuition Act.

1 (hh) Information the disclosure of which is exempted
2 under the State Officials and Employees Ethics Act.

3 (ii) Beginning July 1, 1999, information that would
4 disclose or might lead to the disclosure of secret or
5 confidential information, codes, algorithms, programs, or
6 private keys intended to be used to create electronic or
7 digital signatures under the Electronic Commerce Security
8 Act.

9 (jj) Information contained in a local emergency energy
10 plan submitted to a municipality in accordance with a local
11 emergency energy plan ordinance that is adopted under
12 Section 11-21.5-5 of the Illinois Municipal Code.

13 (kk) Information and data concerning the distribution
14 of surcharge moneys collected and remitted by wireless
15 carriers under the Wireless Emergency Telephone Safety
16 Act.

17 (ll) Vulnerability assessments, security measures, and
18 response policies or plans that are designed to identify,
19 prevent, or respond to potential attacks upon a community's
20 population or systems, facilities, or installations, the
21 destruction or contamination of which would constitute a
22 clear and present danger to the health or safety of the
23 community, but only to the extent that disclosure could
24 reasonably be expected to jeopardize the effectiveness of
25 the measures or the safety of the personnel who implement
26 them or the public. Information exempt under this item may

1 include such things as details pertaining to the
2 mobilization or deployment of personnel or equipment, to
3 the operation of communication systems or protocols, or to
4 tactical operations.

5 (mm) Maps and other records regarding the location or
6 security of a utility's generation, transmission,
7 distribution, storage, gathering, treatment, or switching
8 facilities.

9 (nn) Law enforcement officer identification
10 information or driver identification information compiled
11 by a law enforcement agency or the Department of
12 Transportation under Section 11-212 of the Illinois
13 Vehicle Code.

14 (oo) Records and information provided to a residential
15 health care facility resident sexual assault and death
16 review team or the Executive Council under the Abuse
17 Prevention Review Team Act.

18 (pp) Information provided to the predatory lending
19 database created pursuant to Article 3 of the Residential
20 Real Property Disclosure Act, except to the extent
21 authorized under that Article.

22 (qq) Defense budgets and petitions for certification
23 of compensation and expenses for court appointed trial
24 counsel as provided under Sections 10 and 15 of the Capital
25 Crimes Litigation Act. This subsection (qq) shall apply
26 until the conclusion of the trial of the case, even if the

1 prosecution chooses not to pursue the death penalty prior
2 to trial or sentencing.

3 (2) This Section does not authorize withholding of
4 information or limit the availability of records to the public,
5 except as stated in this Section or otherwise provided in this
6 Act.

7 (Source: P.A. 93-43, eff. 7-1-03; 93-209, eff. 7-18-03; 93-237,
8 eff. 7-22-03; 93-325, eff. 7-23-03, 93-422, eff. 8-5-03;
9 93-577, eff. 8-21-03; 93-617, eff. 12-9-03; 94-280, eff.
10 1-1-06; 94-508, eff. 1-1-06; 94-664, eff. 1-1-06; 94-931, eff.
11 6-26-06; 94-953, eff. 6-27-06; 94-1055, eff. 1-1-07; revised
12 8-3-06.)

13 Section 99. Effective date. This Act takes effect July 1,
14 2008.