



Rep. Franco Coladipietro

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1 AMENDMENT TO HOUSE BILL 1373

2 AMENDMENT NO. _____. Amend House Bill 1373 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The State Records Act is amended by changing
5 Section 16 as follows:

6 (5 ILCS 160/16) (from Ch. 116, par. 43.19)

7 Sec. 16. There is created the State Records Commission. The
8 Commission shall consist of the following State officials or
9 their authorized representatives: the Secretary of State, who
10 shall act as chairman; the State Historian, who shall serve as
11 secretary; the State Treasurer; the Director of Central
12 Management Services; the Attorney General; and the State
13 Comptroller. The Commission shall meet whenever called by the
14 chairman, who shall have no vote on matters considered by the
15 Commission. It shall be the duty of the Commission to determine
16 what records no longer have any administrative, fiscal, legal,

1 research, or historical value and should be destroyed or
2 disposed of otherwise. The Commission may make recommendations
3 to the Secretary of State concerning policies, guidelines, and
4 best practices for addressing electronic records management
5 issues as authorized under Section 37 of the Government
6 Electronic Records Act.

7 (Source: P.A. 92-866, eff. 1-3-03.)

8 Section 10. The Government Electronic Records Act is
9 amended by changing Section 10 and adding Section 37 as
10 follows:

11 (20 ILCS 35/10)

12 Sec. 10. Definitions.

13 "Commission" means the State Records Commission created
14 under Section 16 of the State Records Act.

15 ~~"Board" means the Electronic Records Advisory Board.~~

16 "Electronic transfer" means transfer of documents or
17 reports by electronic means. Appropriate electronic transfer
18 includes, but is not limited to, transfer by electronic mail,
19 facsimile transmission, or posting downloadable versions on an
20 Internet website, with electronic notice of the posting.

21 "Government agency" means all parts, boards, and
22 commissions of the executive branch of the State government
23 including, but not limited to, State colleges and universities
24 and their governing boards and all departments established by

1 the Civil Administrative Code of Illinois.

2 "Record" has the meaning ascribed to it in the Illinois
3 State Records Act (5 ILCS 160/).

4 (Source: P.A. 96-1363, eff. 7-28-10.)

5 (20 ILCS 35/37 new)

6 Sec. 37. Recommendations concerning electronic records
7 management issues. The State Records Commission may make
8 recommendations to the Secretary of State concerning policies,
9 guidelines, and best practices for addressing electronic
10 records management issues. After receiving recommendations
11 from the Commission, the Secretary of State shall, as soon as
12 practical, post the Commission's recommendations on its
13 official Internet website and distribute those recommendations
14 to all government agencies.

15 (20 ILCS 35/30 rep.)

16 (20 ILCS 35/40 rep.)

17 Section 15. The Government Electronic Records Act is
18 amended by repealing Sections 30 and 40.

19 Section 99. Effective date. This Act takes effect upon
20 becoming law."