



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1869

by Rep. Frank J. Mautino

SYNOPSIS AS INTRODUCED:

715 ILCS 5/5.1 new

Amends the Notice By Publication Act. Provides that notwithstanding any other law, if a statute requires a unit of local government or school district to publish a public notice in a newspaper then, at its discretion, the unit of local government or school district may satisfy that requirement by publishing the public notice on its own website, accessible to the general public, for the same time periods applicable to the newspaper publication. Provides that if a public notice is published on a website in this manner, then the unit of local government or school district must publish a notification of the website publication in a newspaper which states the website notice is available, the accurate website address of the unit of local government or school district, and a location where print versions of the item published are available. Provides that a unit of local government or school district must maintain accurate records of the content and duration of each website publication for public inspection. Provides that a public notice published on a website is not invalidated if the website becomes temporarily unavailable due to technical reasons provided that the public notice is available to the general public for at least 75% of the time that the public notice is required to be available. Defines terms. Effective immediately.

LRB097 09260 AJO 50815 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning notices.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Notice By Publication Act is amended by
5 adding Section 5.1 as follows:

6 (715 ILCS 5/5.1 new)

7 Sec. 5.1. Public notice by website.

8 (a) Notwithstanding any other provision of law, if any
9 statute requires a unit of local government or school district
10 to publish a public notice in any newspaper, then, at the
11 discretion of the unit of local government or school district,
12 that publication requirement may be satisfied by publishing the
13 public notice on a website that is maintained by the unit of
14 local government or school district. The public notice must be
15 published on a portion of the website that is readily
16 accessible to the general public. The public notice must be
17 available for viewing for the same time periods that apply to
18 the newspaper publication.

19 (b) If a unit of local government or school district
20 publishes a public notice on its website, then it must publish
21 a notification of the website publication in a newspaper as
22 described in Section 5. The newspaper notification must contain
23 a statement that the website public notice is available, the

1 complete and accurate website address of the unit of local
2 government or school district, and a listing of the address and
3 location where print versions of the public notice are
4 available.

5 (c) If the unit of local government or school district
6 publishes a public notice on a website under this Section, then
7 it must maintain an accurate record of the content and duration
8 of each website publication. The record must be available for
9 inspection to the general public to determine whether the
10 public notice requirements have been satisfied.

11 (d) If the unit of local government or school district
12 publishes a public notice on a website under this Section, it
13 must maintain a paper list of all public notices that are
14 published on the website and maintain paper copies of each
15 public notice that is currently published on the website. The
16 list and copies of the public notices must be available for
17 public inspection at the primary office of the unit of local
18 government or school district.

19 (e) Any public notice published on a website under this
20 Section is not invalidated if the website becomes temporarily
21 unavailable due to technical reasons provided that the public
22 notice is available to the general public for at least 75% of
23 the time that the public notice is required to be available
24 under subsection (a).

25 (f) For the purposes of this Section:

26 "Public notice" means any notice, account, report, or any

1 other record required by law to be published by the unit of
2 local government or school district.

3 "Website that is maintained by the unit of local government
4 or school district" means a website on which public notices
5 must be posted under Section 2.02 of the Open Meetings Act.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.