



Rep. Jeanne M Ives

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LRB098 07537 OMW 44512 a

1 AMENDMENT TO HOUSE BILL 3312

2 AMENDMENT NO. _____. Amend House Bill 3312, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Freedom of Information Act is amended by
6 changing Section 7.5 as follows:

7 (5 ILCS 140/7.5)

8 Sec. 7.5. Statutory Exemptions. To the extent provided for
9 by the statutes referenced below, the following shall be exempt
10 from inspection and copying:

11 (a) All information determined to be confidential under
12 Section 4002 of the Technology Advancement and Development Act.

13 (b) Library circulation and order records identifying
14 library users with specific materials under the Library Records
15 Confidentiality Act.

16 (c) Applications, related documents, and medical records

1 received by the Experimental Organ Transplantation Procedures
2 Board and any and all documents or other records prepared by
3 the Experimental Organ Transplantation Procedures Board or its
4 staff relating to applications it has received.

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

10 (e) Information the disclosure of which is exempted under
11 Section 30 of the Radon Industry Licensing Act.

12 (f) Firm performance evaluations under Section 55 of the
13 Architectural, Engineering, and Land Surveying Qualifications
14 Based Selection Act.

15 (g) Information the disclosure of which is restricted and
16 exempted under Section 50 of the Illinois Prepaid Tuition Act.

17 (h) Information the disclosure of which is exempted under
18 the State Officials and Employees Ethics Act, and records of
19 any lawfully created State or local inspector general's office
20 that would be exempt if created or obtained by an Executive
21 Inspector General's office under that Act.

22 (i) Information contained in a local emergency energy plan
23 submitted to a municipality in accordance with a local
24 emergency energy plan ordinance that is adopted under Section
25 11-21.5-5 of the Illinois Municipal Code.

26 (j) Information and data concerning the distribution of

1 surcharge moneys collected and remitted by wireless carriers
2 under the Wireless Emergency Telephone Safety Act.

3 (k) Law enforcement officer identification information or
4 driver identification information compiled by a law
5 enforcement agency or the Department of Transportation under
6 Section 11-212 of the Illinois Vehicle Code.

7 (l) Records and information provided to a residential
8 health care facility resident sexual assault and death review
9 team or the Executive Council under the Abuse Prevention Review
10 Team Act.

11 (m) Information provided to the predatory lending database
12 created pursuant to Article 3 of the Residential Real Property
13 Disclosure Act, except to the extent authorized under that
14 Article.

15 (n) Defense budgets and petitions for certification of
16 compensation and expenses for court appointed trial counsel as
17 provided under Sections 10 and 15 of the Capital Crimes
18 Litigation Act. This subsection (n) shall apply until the
19 conclusion of the trial of the case, even if the prosecution
20 chooses not to pursue the death penalty prior to trial or
21 sentencing.

22 (o) Information that is prohibited from being disclosed
23 under Section 4 of the Illinois Health and Hazardous Substances
24 Registry Act.

25 (p) Security portions of system safety program plans,
26 investigation reports, surveys, schedules, lists, data, or

1 information compiled, collected, or prepared by or for the
2 Regional Transportation Authority under Section 2.11 of the
3 Regional Transportation Authority Act or the St. Clair County
4 Transit District under the Bi-State Transit Safety Act.

5 (q) Information prohibited from being disclosed by the
6 Personnel Records Review Act.

7 (r) Information prohibited from being disclosed by the
8 Illinois School Student Records Act.

9 (s) Information the disclosure of which is restricted under
10 Section 5-108 of the Public Utilities Act.

11 (t) All identified or deidentified health information in
12 the form of health data or medical records contained in, stored
13 in, submitted to, transferred by, or released from the Illinois
14 Health Information Exchange, and identified or deidentified
15 health information in the form of health data and medical
16 records of the Illinois Health Information Exchange in the
17 possession of the Illinois Health Information Exchange
18 Authority due to its administration of the Illinois Health
19 Information Exchange. The terms "identified" and
20 "deidentified" shall be given the same meaning as in the Health
21 Insurance Accountability and Portability Act of 1996, Public
22 Law 104-191, or any subsequent amendments thereto, and any
23 regulations promulgated thereunder.

24 (u) Records and information provided to an independent team
25 of experts under Brian's Law.

26 (v) Names and information of people who have applied for or

1 received Firearm Owner's Identification Cards under the
2 Firearm Owners Identification Card Act.

3 (w) Personally identifiable information which is exempted
4 from disclosure under subsection (g) of Section 19.1 of the
5 Toll Highway Act.

6 (x) Information which is exempted from disclosure under
7 Section 5-1014.3 of the Counties Code or Section 8-11-21 of the
8 Illinois Municipal Code.

9 (y) Any record or information that a unit of local
10 government or school district maintains an electronic copy of
11 on its Internet website pursuant to the Local Records Act.

12 (Source: P.A. 96-542, eff. 1-1-10; 96-1235, eff. 1-1-11;
13 96-1331, eff. 7-27-10; 97-80, eff. 7-5-11; 97-333, eff.
14 8-12-11; 97-342, eff. 8-12-11; 97-813, eff. 7-13-12; 97-976,
15 eff. 1-1-13.)".

16 Section 10. The Local Records Act is amended by adding
17 Section 20 as follows:

18 (50 ILCS 205/20 new)

19 Sec. 20. Internet posting.

20 (a) A unit of local government or school district may
21 maintain an Internet website and post to its website for the
22 current calendar or fiscal year, as the case may be, the
23 following information:

24 (1) The contact information, including the phone

1 number and e-mail address, for all elected and appointed
2 officials, the Freedom of Information Officer, the chief
3 administrator, and the head administrator for each
4 department.

5 (2) The agenda, board packets, and any other prepared
6 materials of all regular meetings.

7 (3) In accordance with the Freedom of Information Act,
8 the procedure for requesting information from the unit of
9 local government or school district.

10 (4) The annual budget and appropriation ordinances.

11 (5) The ordinances under which the unit of local
12 government or school district operates and all ordinances
13 thereafter adopted.

14 (6) The procedures required to apply for building
15 permits and zoning variances.

16 (7) Any budget, financial audit, audit schedule, or
17 special project report, including without limitation the
18 comprehensive annual financial report, performance audits,
19 and reports required under the Tax Increment Allocation
20 Redevelopment Act in the Illinois Municipal Code. All
21 reports may include the following:

22 (A) All actual revenues and expenditures for at
23 least the 3 previous fiscal years. Any report focusing
24 on any subset of Total may specify that only partial
25 amounts are shown and identify the Total amount and the
26 nature of items not included in the report.

1 (B) Revenues may be broken out by source, including
2 the broad categories of local, State, and federal tax
3 dollars.

4 (C) Expenditures may be separated into current
5 operating, capital, and debt service.

6 (D) Expenditure summaries for units of local
7 government may reflect the per-resident calculation
8 for comparison to other governmental bodies. For
9 schools, a per-pupil calculation may be made based on
10 full-time or equivalent enrollment.

11 (E) Audits may include a management letter.

12 (8) A detailed list of the total compensation paid to
13 each employee including wages, salary, overtime, and
14 benefits, including health, dental, life, and pension.

15 (9) Contracts with lobbying firms hired by the unit of
16 local government or school district. The name and amount of
17 money paid to lobbying associations by the unit of local
18 government or school district.

19 (10) A detailed list of the taxes and fees imposed by
20 the unit of local government or school district.

21 (11) The ordinances and rules governing the award of
22 all bids and contracts for purchase in the amount of
23 \$25,000 or more.

24 (12) All bids and contracts for purchase in the amount
25 of \$25,000 or more.

26 (13) All campaign contributions made by a vendor to an

1 official of the unit of local government or school
2 district.

3 (14) A debt disclosure report that may include the
4 following:

5 (A) sum total of all debts and liabilities;

6 (B) sum total of gross tax levy for the most recent
7 tax year;

8 (C) gross operating budget revenue for the most
9 recent fiscal year;

10 (D) total pension liability;

11 (E) total unfunded pension liability; and

12 (F) actuarial cost method used to calculate total
13 pension liability and total unfunded pension
14 liability, and other post-employment benefits,
15 including:

16 (i) projected investment rate of return;

17 (ii) actual investment rate of return over the
18 past 10 years;

19 (iii) annual rate of salary increases;

20 (iv) participant mortality rate; and

21 (v) healthcare cost trend rate for Other
22 Post-Employment Benefits (OPEB); and

23 (15) Public notices.

24 (b) Each unit of local government or school district may
25 develop, maintain, and make publicly available a single
26 expenditure and revenue web site database that allows the

1 public, at no cost, to review information concerning moneys
2 collected and expended by the unit of local government or
3 school district. The web site database may include the
4 following data concerning all expenditures made by the unit of
5 local government or school district:

6 (1) the name and principal location or address of the
7 entity receiving moneys, except that information
8 concerning a payment to an employee of the unit of local
9 government or school district may identify the individual
10 employee by name and business address or location only;

11 (2) the amount of expended moneys;

12 (3) the funding source of the expended moneys;

13 (4) the date of the expenditure;

14 (5) the name of the budget program, activity, or
15 category supporting the expenditure;

16 (6) a description of the purpose for the expenditure;

17 and

18 (7) to the extent possible, a unique identifier for
19 each expenditure.

20 The expenditure data may be provided in an open structured
21 data format that may be downloaded by the user with access to
22 all data. The web site database may contain only information
23 that is a public record or that is not confidential or
24 otherwise protected from public disclosure pursuant to State or
25 federal law.

26 The unit of local government or school district may update

1 the financial data contained on the web site database at least
2 monthly, and archive the financial data, which may remain
3 accessible on the web site database. The database may be easily
4 accessible from the main page of the unit of local government
5 or school district's web site. The unit of local government or
6 school district may create and make easily accessible an
7 automated Rich Site Summary (RSS) feed to which users of the
8 web site database may subscribe for notification of updates to
9 the database.

10 (c) The information posted pursuant to subsection (a) may
11 be easily accessible from the unit of local government's or
12 school district's home page.

13 (d) The postings permitted by this Section are in addition
14 to any other posting requirements required by law or ordinance.

15 (e) All local records posted pursuant to this amendatory
16 Act of the 98th General Assembly may remain posted on the
17 entity's website, or subsequent websites, in perpetuity.

18 Section 97. Severability. The provisions of this Act are
19 severable under Section 1.31 of the Statute on Statutes.

20 Section 999. Effective date. This Act takes effect upon
21 becoming law.".