

1 AN ACT concerning local government.

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

4 Section 1. The Open Meetings Act is amended by adding
5 Section 2.03.5 as follows:

6 (5 ILCS 120/2.03.5 new)

7 Sec. 2.03.5. Internet posting requirements.

8 (a) A unit of local government or school district with a
9 budget of \$1 million or more shall maintain an Internet website
10 and post to its website for the current calendar or fiscal
11 year, as the case may be, the following information:

12 (1) The contact information, including the phone
13 number and e-mail address, for all elected and appointed
14 officials, the Freedom of Information Officer, the chief
15 administrator, and the head administrator for each
16 department.

17 (2) The agenda, board packets, and any other prepared
18 materials of all regular meetings shall be posted at least
19 72 hours before a meeting. The agenda, board packets, and
20 any other prepared materials of all special or emergency
21 meetings shall be posted at least 24 hours before a
22 meeting. The posting shall indicate if the agendas are in
23 draft form. The minutes from any regular or special meeting

1 shall be posted within 72 hours of approval.

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

5 (4) The annual budget and appropriation ordinances.

6 (5) The ordinances under which the unit of local
7 government or school district operates as of the effective
8 date of this amendatory Act of the 99th General Assembly
9 and all ordinances thereafter adopted.

10 (6) The procedures required to apply for building
11 permits and zoning variances.

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

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

23 (B) Revenues should be broken out by source,
24 including the broad categories of local, State, and
25 federal tax dollars.

26 (C) Expenditures should be separated into current

1 operating, capital, and debt service.

2 (D) Expenditure summaries for units of local
3 government should reflect the per-resident calculation
4 for comparison to other governmental bodies. For
5 schools, a per-pupil calculation should be made based
6 on full-time or equivalent enrollment.

7 (E) Audits should include a management letter.

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

11 (9) Contracts with lobbying firms hired by the unit of
12 local government or school district. The name and amount of
13 money paid to lobbying associations by the unit of local
14 government or school district.

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

17 (11) The ordinances and rules governing the award of
18 all bids and contracts for purchase in the amount of
19 \$25,000 or more.

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

22 (13) All campaign contributions made by a vendor to an
23 official of the unit of local government or school
24 district.

25 (14) A debt disclosure report that includes the
26 following:

- 1 (A) sum total of all debts and liabilities;
2 (B) sum total of gross tax levy for the most recent
3 tax year;
4 (C) gross operating budget revenue for the most
5 recent fiscal year;
6 (D) total pension liability;
7 (E) total unfunded pension liability; and
8 (F) actuarial cost method used to calculate total
9 pension liability and total unfunded pension
10 liability, and other post-employment benefits,
11 including:
12 (i) projected investment rate of return;
13 (ii) actual investment rate of return over the
14 past 10 years;
15 (iii) annual rate of salary increases;
16 (iv) participant mortality rate; and
17 (v) healthcare cost trend rate for Other
18 Post-Employment Benefits (OPEB); and
19 (15) Public notices.
20 (b) No later than one year from the effective date of this
21 amendatory Act of the 99th General Assembly, each unit of local
22 government or school district shall develop, maintain, and make
23 publicly available a single, searchable expenditure and
24 revenue web site database that allows the public, at no cost,
25 to review information concerning moneys collected and expended
26 by the unit of local government or school district. The web

1 site database shall include the following data concerning all
2 expenditures made by the unit of local government or school
3 district:

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

10 (2) the amount of expended moneys;

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

12 (4) the date of the expenditure;

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

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

16 and

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

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

26 The unit of local government or school district shall

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

10 The unit of local government or school district may meet
11 all requirements of this subsection by having the information
12 and data required to be included on the unit's web site
13 database posted in the Illinois Transparency and
14 Accountability Portal.

15 This subsection shall not apply until 6 months after the
16 effective date of this amendatory Act of the 99th General
17 Assembly.

18 (c) The information required to be posted under subsection
19 (a) must be easily accessible from the unit of local
20 government's or school district's home page and searchable.

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

23 (e) If a unit of local government or school district fails
24 to comply with this Section, then any citizen who is a resident
25 of the unit of local government or school district may file
26 suit in the circuit court for the county where the unit of

1 local government or school district is located. The citizen may
2 bring a mandamus or injunction action to compel the unit of
3 local government or school district to comply with the
4 requirements set forth in subsection (a). The court may impose
5 any penalty or other sanction as it deems appropriate. The
6 court, in its discretion, may also award to the citizen
7 bringing the action reasonable attorneys' fees and costs.

8 (f) No home rule unit may adopt posting requirements that
9 are less restrictive than this Section. This Section is a
10 limitation under subsection (i) of Section 6 of Article VII of
11 the Illinois Constitution on the concurrent exercise by home
12 rule units of powers and functions exercised by the State.

13 (g) All local records required to be posted by this
14 amendatory Act of the 99th General Assembly shall remain posted
15 on the entity's website, or subsequent websites, in perpetuity.

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

18 (5 ILCS 140/7.5)

19 Sec. 7.5. Statutory exemptions ~~Exemptions~~. To the extent
20 provided for by the statutes referenced below, the following
21 shall be exempt from inspection and copying:

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

1 (b) Library circulation and order records identifying
2 library users with specific materials under the Library
3 Records Confidentiality Act.

4 (c) Applications, related documents, and medical
5 records received by the Experimental Organ Transplantation
6 Procedures Board and any and all documents or other records
7 prepared by the Experimental Organ Transplantation
8 Procedures Board or its staff relating to applications it
9 has received.

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

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

18 (f) Firm performance evaluations under Section 55 of
19 the Architectural, Engineering, and Land Surveying
20 Qualifications Based Selection Act.

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

24 (h) Information the disclosure of which is exempted
25 under the State Officials and Employees Ethics Act, and
26 records of any lawfully created State or local inspector

1 general's office that would be exempt if created or
2 obtained by an Executive Inspector General's office under
3 that Act.

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

8 (j) Information and data concerning the distribution
9 of surcharge moneys collected and remitted by wireless
10 carriers under the Wireless Emergency Telephone Safety
11 Act.

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

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

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

24 (n) Defense budgets and petitions for certification of
25 compensation and expenses for court appointed trial
26 counsel as provided under Sections 10 and 15 of the Capital

1 Crimes Litigation Act. This subsection (n) shall apply
2 until the conclusion of the trial of the case, even if the
3 prosecution chooses not to pursue the death penalty prior
4 to trial or sentencing.

5 (o) Information that is prohibited from being
6 disclosed under Section 4 of the Illinois Health and
7 Hazardous Substances Registry Act.

8 (p) Security portions of system safety program plans,
9 investigation reports, surveys, schedules, lists, data, or
10 information compiled, collected, or prepared by or for the
11 Regional Transportation Authority under Section 2.11 of
12 the Regional Transportation Authority Act or the St. Clair
13 County Transit District under the Bi-State Transit Safety
14 Act.

15 (q) Information prohibited from being disclosed by the
16 Personnel Records Review Act.

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

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

21 (t) All identified or deidentified health information
22 in the form of health data or medical records contained in,
23 stored in, submitted to, transferred by, or released from
24 the Illinois Health Information Exchange, and identified
25 or deidentified health information in the form of health
26 data and medical records of the Illinois Health Information

1 Exchange in the possession of the Illinois Health
2 Information Exchange Authority due to its administration
3 of the Illinois Health Information Exchange. The terms
4 "identified" and "deidentified" shall be given the same
5 meaning as in the Health Insurance Accountability and
6 Portability Act of 1996, Public Law 104-191, or any
7 subsequent amendments thereto, and any regulations
8 promulgated thereunder.

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

11 (v) Names and information of people who have applied
12 for or received Firearm Owner's Identification Cards under
13 the Firearm Owners Identification Card Act or applied for
14 or received a concealed carry license under the Firearm
15 Concealed Carry Act, unless otherwise authorized by the
16 Firearm Concealed Carry Act; and databases under the
17 Firearm Concealed Carry Act, records of the Concealed Carry
18 Licensing Review Board under the Firearm Concealed Carry
19 Act, and law enforcement agency objections under the
20 Firearm Concealed Carry Act.

21 (w) Personally identifiable information which is
22 exempted from disclosure under subsection (g) of Section
23 19.1 of the Toll Highway Act.

24 (x) Information which is exempted from disclosure
25 under Section 5-1014.3 of the Counties Code or Section
26 8-11-21 of the Illinois Municipal Code.

1 (y) Confidential information under the Adult
2 Protective Services Act and its predecessor enabling
3 statute, the Elder Abuse and Neglect Act, including
4 information about the identity and administrative finding
5 against any caregiver of a verified and substantiated
6 decision of abuse, neglect, or financial exploitation of an
7 eligible adult maintained in the Registry established
8 under Section 7.5 of the Adult Protective Services Act.

9 (z) Records and information provided to a fatality
10 review team or the Illinois Fatality Review Team Advisory
11 Council under Section 15 of the Adult Protective Services
12 Act.

13 (aa) Information which is exempted from disclosure
14 under Section 2.37 of the Wildlife Code.

15 (bb) Any record or information that a unit of local
16 government or school district maintains an electronic copy
17 on its Internet website in order to comply with the Open
18 Meetings Act.

19 (Source: P.A. 97-80, eff. 7-5-11; 97-333, eff. 8-12-11; 97-342,
20 eff. 8-12-11; 97-813, eff. 7-13-12; 97-976, eff. 1-1-13; 98-49,
21 eff. 7-1-13; 98-63, eff. 7-9-13; 98-756, eff. 7-16-14; 98-1039,
22 eff. 8-25-14; 98-1045, eff. 8-25-14; revised 10-1-14.)

23 Section 10. The Department of Central Management Services
24 Law of the Civil Administrative Code of Illinois is amended by
25 changing Section 405-335 as follows:

1 (20 ILCS 405/405-335)

2 Sec. 405-335. Illinois Transparency and Accountability
3 Portal (ITAP).

4 (a) The Department, within 12 months after the effective
5 date of this amendatory Act of the 96th General Assembly, shall
6 establish and maintain a website, known as the Illinois
7 Transparency and Accountability Portal (ITAP), with a
8 full-time webmaster tasked with compiling and updating the ITAP
9 database with information received from all State agencies as
10 defined in this Section. Within 6 months of the effective date
11 of this amendatory Act, ITAP shall have the capability to
12 compile and update the ITAP database with information received
13 from all school districts and units of local government
14 including, but not limited to, counties, townships, library
15 districts, and municipalities. Subject to appropriation, the
16 full-time webmaster must also compile and update the ITAP
17 database with information received from all school districts
18 and units of local government including, but not limited to,
19 counties, townships, library districts, and municipalities.

20 (b) For purposes of this Section:

21 "State agency" means the offices of the constitutional
22 officers identified in Article V of the Illinois Constitution,
23 executive agencies, and departments, boards, commissions, and
24 Authorities under the Governor.

25 "Contracts" means payment obligations with vendors on file

1 with the Office of the Comptroller to purchase goods and
2 services exceeding \$10,000 in value (or, in the case of
3 professional or artistic services, exceeding \$5,000 in value).

4 "Appropriation" means line-item detail of spending
5 approved by the General Assembly and Governor, categorized by
6 object of expenditure.

7 "Individual consultants" means temporary workers eligible
8 to receive State benefits paid on a State payroll.

9 "Recipients" means State agencies receiving
10 appropriations.

11 (c) The ITAP shall provide direct access to each of the
12 following:

13 (1) A database of all current State employees and
14 individual consultants, except sworn law enforcement
15 officers, sorted separately by:

16 (i) Name.

17 (ii) Employing State agency.

18 (iii) Employing State division.

19 (iv) Employment position title.

20 (v) Current pay rate and year-to-date pay.

21 (2) A database of all current State expenditures,
22 sorted separately by agency, category, recipient, and
23 Representative District.

24 (3) A database of all development assistance
25 reportable pursuant to the Corporate Accountability for
26 Tax Expenditures Act, sorted separately by tax credit

1 category, taxpayer, and Representative District.

2 (4) A database of all revocations and suspensions of
3 State occupation and use tax certificates of registration
4 and all revocations and suspensions of State professional
5 licenses, sorted separately by name, geographic location,
6 and certificate of registration number or license number,
7 as applicable. Professional license revocations and
8 suspensions shall be posted only if resulting from a
9 failure to pay taxes, license fees, or child support.

10 (5) A database of all current State contracts, sorted
11 separately by contractor name, awarding officer or agency,
12 contract value, and goods or services provided.

13 (6) A database of all employees hired after the
14 effective date of this amendatory Act of 2010, sorted
15 searchably by each of the following at the time of
16 employment:

17 (i) Name.

18 (ii) Employing State agency.

19 (iii) Employing State division.

20 (iv) Employment position title.

21 (v) Current pay rate and year-to-date pay.

22 (vi) County of employment location.

23 (vii) Rutan status.

24 (viii) Status of position as subject to collective
25 bargaining, subject to merit compensation, or exempt
26 under Section 4d of the Personnel Code.

1 (ix) Employment status as probationary, trainee,
2 intern, certified, or exempt from certification.

3 (x) Status as a military veteran.

4 (7) A searchable database of all current county,
5 township, library district, and municipal employees sorted
6 separately by:

7 (i) Employing unit of local government.

8 (ii) Employment position title.

9 (iii) Current pay rate and year-to-date pay.

10 (8) A searchable database of all county, township, and
11 municipal employees hired on or after the effective date of
12 this amendatory Act of the 97th General Assembly, sorted
13 separately by each of the following at the time of
14 employment:

15 (i) Employing unit of local government.

16 (ii) Employment position title.

17 (iii) Current pay rate and year-to-date pay.

18 (9) A searchable database of all library district
19 employees hired on or after August 9, 2013 (the effective
20 date of Public Act 98-246), sorted separately by each of
21 the following at the time of employment:

22 (i) Employing unit of local government.

23 (ii) Employment position title.

24 (iii) Current pay rate and year-to-date pay.

25 (10) A link to a website maintained by the Department
26 that contains a list of contact information for each State

1 agency, including a telephone number and a link to the
2 Agency's website. Each State agency shall be responsible
3 for providing and updating the Department with this
4 information.

5 (11) Information provided to ITAP pursuant to Section
6 2.03.5 of the Open Meetings Act.

7 (d) The ITAP shall include all information required to be
8 published by subsection (c) of this Section that is available
9 to the Department in a format the Department can compile and
10 publish on the ITAP. The Department shall update the ITAP as
11 additional information becomes available in a format that can
12 be compiled and published on the ITAP by the Department.

13 (e) Each State agency, county, township, library district,
14 and municipality shall cooperate with the Department in
15 furnishing the information necessary for the implementation of
16 this Section within a timeframe specified by the Department.

17 (f) Each county, township, library district, or
18 municipality submitting information to be displayed on the
19 Illinois Transparency and Accountability Portal (ITAP) is
20 responsible for the accuracy of the information provided.

21 (g) The Department, within 6 months after January 1, 2014
22 (the effective date of Public Act 98-283), shall distribute a
23 spreadsheet or otherwise make data entry available to each
24 State agency to facilitate the collection of data on the
25 State's annual workforce characteristics, workforce
26 compensation, and employee mobility. The Department shall

1 determine the data to be collected by each State agency. Each
2 State agency shall cooperate with the Department in furnishing
3 the data necessary for the implementation of this subsection
4 within the timeframe specified by the Department. The
5 Department shall publish the data received from each State
6 agency on the ITAP or another open data site annually.

7 (Source: P.A. 97-744, eff. 1-1-13; 98-246, eff. 8-9-13; 98-283,
8 eff. 1-1-14; 98-756, eff. 7-16-14; 98-1084, eff. 1-1-15.)

9 Section 90. The State Mandates Act is amended by adding
10 Section 8.39 as follows:

11 (30 ILCS 805/8.39 new)

12 Sec. 8.39. Exempt mandate. Notwithstanding Sections 6 and 8
13 of this Act, no reimbursement by the State is required for the
14 implementation of any mandate created by this amendatory Act of
15 the 99th General Assembly.

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

18 Section 999. Effective date. This Act takes effect upon
19 becoming law.