



## 99TH GENERAL ASSEMBLY

### State of Illinois

### 2015 and 2016

### SB0859

Introduced 2/11/2015, by Sen. Karen McConnaughay

#### SYNOPSIS AS INTRODUCED:

50 ILCS 205/25 new  
30 ILCS 805/8.39 new

Amends the Local Records Act. Provides that a unit of local government or a school district located in a county with a population of 100,000 or more shall have a website containing the following information for the current calendar year: (1) procedures to apply for building permits and zoning variances; (2) contracts with lobbying firms; (3) rules governing the award of contracts; (4) bids and contracts worth \$25,000 or more; (5) campaign contributions made by a vendor; and (6) all vendor disclosures of relationships to any employee of that unit of local government or school district. Provides that any citizen who is a resident of the unit of local government or school district may bring a mandamus or injunction action to compel the unit of local government or school district to comply with the Internet posting requirements. Provides a posting in perpetuity clause. Limits home rule powers. Amends the State Mandates Act to require implementation without reimbursement. Contains a severability clause. Effective immediately.

LRB099 06801 AWJ 26875 b

FISCAL NOTE ACT  
MAY APPLY

HOME RULE NOTE  
ACT MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

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 5. The Local Records Act is amended by adding  
5 Section 25 as follows:

6 (50 ILCS 205/25 new)

7 Sec. 25. Website posting requirements for counties with a  
8 population of 100,000 or more; suit for noncompliance.

9 (a) A unit of local government or school district located  
10 in a county with a population of 100,000 or more shall, within  
11 90 days of the effective date of this amendatory Act of the  
12 99th General Assembly, maintain an Internet website and post to  
13 its website for the current calendar year the following  
14 information:

15 (1) The procedures required to apply for building  
16 permits and zoning variances.

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

21 (3) The ordinances and rules governing the award of all  
22 bids and contracts for purchase, including collective  
23 bargaining agreements and employment contracts.

1           (4) All bids and contracts for purchase in the amount  
2           of \$25,000 or more, including collective bargaining  
3           agreements and employment contracts.

4           (5) All campaign contributions made by a vendor to an  
5           official of the unit of local government or school  
6           district.

7           (6) All vendor disclosures of relationships to any  
8           employee of that unit of local government or school  
9           district.

10          (b) The postings required by this Section are in addition  
11          to any other posting requirements required by law or ordinance.

12          (c) If a unit of local government or school district fails  
13          to comply with this Section, then any citizen who is a resident  
14          of the unit of local government or school district may file  
15          suit in the circuit court for the county where the unit of  
16          local government or school district is located. The citizen may  
17          bring a mandamus or injunction action to compel the unit of  
18          local government or school district to comply with the  
19          requirements set forth in subsection (a) or (b), as applicable.  
20          The court may impose any penalty or other sanction as it deems  
21          appropriate. The court, in its discretion, may also award to  
22          the citizen bringing the action reasonable attorneys' fees and  
23          costs.

24          (d) No home rule unit may adopt posting requirements that  
25          are less restrictive than this Section. This Section is a  
26          limitation under subsection (i) of Section 6 of Article VII of

1 the Illinois Constitution on the concurrent exercise by home  
2 rule units of powers and functions exercised by the State.

3 (e) All local records required to be posted by this Section  
4 shall remain posted on the entity's website, or subsequent  
5 websites, in perpetuity.

6 Section 10. The State Mandates Act is amended by adding  
7 Section 8.39 as follows:

8 (30 ILCS 805/8.39 new)

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

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

15 Section 99. Effective date. This Act takes effect upon  
16 becoming law.