

AN ACT concerning State government.

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

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

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

Sec. 16. There is created the State Records Commission. The Commission shall consist of the following State officials or their authorized representatives: the Secretary of State, who shall act as chairman; the State Historian, who shall serve as secretary; the State Treasurer; the Director of Central Management Services; the Attorney General; and the State Comptroller. The Commission shall meet whenever called by the chairman, who shall have no vote on matters considered by the Commission. It shall be the duty of the Commission to determine what records no longer have any administrative, fiscal, legal, research, or historical value and should be destroyed or disposed of otherwise. The Commission may make recommendations to the Secretary of State concerning policies, guidelines, and best practices for addressing electronic records management issues as authorized under Section 37 of the Government Electronic Records Act.

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

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

(20 ILCS 35/10)

Sec. 10. Definitions.

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

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

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

"Government agency" means all parts, boards, and commissions of the executive branch of the State government including, but not limited to, State colleges and universities and their governing boards and all departments established by the Civil Administrative Code of Illinois.

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

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

(20 ILCS 35/37 new)

Sec. 37. Recommendations concerning electronic records

management issues. The State Records Commission may make recommendations to the Secretary of State concerning policies, guidelines, and best practices for addressing electronic records management issues. After receiving recommendations from the Commission, the Secretary of State shall, as soon as practical, post the Commission's recommendations on its official Internet website and distribute those recommendations to all government agencies.

(20 ILCS 35/30 rep.)

(20 ILCS 35/40 rep.)

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

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