

HB3385



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3385

by Rep. Jeanne M Ives

SYNOPSIS AS INTRODUCED:

5 ILCS 140/3.5

Amends the Freedom of Information Act. Provides that each public body shall designate one or more public officials or employees of the public body (instead of "one or more officials or employees") to act as its Freedom of Information officer or officers.

LRB100 10918 HEP 21155 b

A BILL FOR

1 AN ACT concerning government.

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

4 Section 5. The Freedom of Information Act is amended by
5 changing Section 3.5 as follows:

6 (5 ILCS 140/3.5)

7 Sec. 3.5. Freedom of Information officers.

8 (a) Each public body shall designate one or more public
9 officials or employees of the public body to act as its Freedom
10 of Information officer or officers. Except in instances when
11 records are furnished immediately, Freedom of Information
12 officers, or their designees, shall receive requests submitted
13 to the public body under this Act, ensure that the public body
14 responds to requests in a timely fashion, and issue responses
15 under this Act. Freedom of Information officers shall develop a
16 list of documents or categories of records that the public body
17 shall immediately disclose upon request.

18 Upon receiving a request for a public record, the Freedom
19 of Information officer shall:

20 (1) note the date the public body receives the written
21 request;

22 (2) compute the day on which the period for response
23 will expire and make a notation of that date on the written

1 request;

2 (3) maintain an electronic or paper copy of a written
3 request, including all documents submitted with the
4 request until the request has been complied with or denied;
5 and

6 (4) create a file for the retention of the original
7 request, a copy of the response, a record of written
8 communications with the requester, and a copy of other
9 communications.

10 (b) All Freedom of Information officers shall, within 6
11 months after the effective date of this amendatory Act of the
12 96th General Assembly, successfully complete an electronic
13 training curriculum to be developed by the Public Access
14 Counselor and thereafter successfully complete an annual
15 training program. Thereafter, whenever a new Freedom of
16 Information officer is designated by a public body, that person
17 shall successfully complete the electronic training curriculum
18 within 30 days after assuming the position. Successful
19 completion of the required training curriculum within the
20 periods provided shall be a prerequisite to continue serving as
21 a Freedom of Information officer.

22 (Source: P.A. 96-542, eff. 1-1-10.)