



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB3139

Introduced 2/17/2023, by Rep. Edgar Gonzalez, Jr.

#### SYNOPSIS AS INTRODUCED:

805 ILCS 105/114.05  
805 ILCS 105/114.15 new

from Ch. 32, par. 114.05

Amends the General Not For Profit Corporation Act of 1986. Provides that in its annual report filed with the Secretary of State, a domestic or foreign corporation shall include the aggregated demographic information of its directors and officers, including race, ethnicity, gender, disability status, veteran status, sexual orientation, and gender identity. Provides that no later than 30 calendar days after filing the annual report with the Secretary of State, a corporation shall post to the corporation's publicly available website, if one exists, the aggregated demographic information of the corporation's directors and officers. Effective January 1, 2024.

LRB103 28341 SPS 54720 b

1 AN ACT concerning business.

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

4 Section 5. The General Not For Profit Corporation Act of  
5 1986 is amended by changing Section 114.05 and by adding  
6 Section 114.15 as follows:

7 (805 ILCS 105/114.05) (from Ch. 32, par. 114.05)

8 Sec. 114.05. Annual report of domestic or foreign  
9 corporation. Each domestic corporation organized under this  
10 Act, and each foreign corporation authorized to conduct  
11 affairs in this State, shall file, within the time prescribed  
12 by this Act, an annual report setting forth:

13 (a) The name of the corporation.

14 (b) The address, including street and number, or rural  
15 route number, of its registered office in this State, and  
16 the name of its registered agent at such address.

17 (c) The address, including street and number, or rural  
18 route number, of its principal office.

19 (d) The names and respective addresses, including  
20 street and number, or rural route number, of its directors  
21 and officers.

22 (e) A brief statement of the character of the affairs  
23 which the corporation is actually conducting from among

1 the purposes authorized in Section 103.05 of this Act.

2 (f) Whether the corporation is a Condominium  
3 Association as established under the Condominium Property  
4 Act, a Cooperative Housing Corporation defined in Section  
5 216 of the Internal Revenue Code of 1954 or a Homeowner  
6 Association which administers a common-interest community  
7 as defined in subsection (c) of Section 9-102 of the Code  
8 of Civil Procedure.

9 (g) Such additional information as may be necessary or  
10 appropriate in order to enable the Secretary of State to  
11 administer this Act and to verify the proper amount of  
12 fees payable by the corporation.

13 (h) The aggregated demographic information of the  
14 corporation's directors and officers, including race,  
15 ethnicity, gender, disability status, veteran status,  
16 sexual orientation, and gender identity.

17 Such annual report shall be made on forms prescribed and  
18 furnished by the Secretary of State, and the information  
19 therein required by subsections (a) to (d), both inclusive,  
20 and subsection (h) of this Section, shall be given as of the  
21 date of the execution of the annual report. It shall be  
22 executed by the corporation by any authorized officer and  
23 verified by him or her, or, if the corporation is in the hands  
24 of a receiver or trustee, it shall be executed on behalf of the  
25 corporation and verified by such receiver or trustee.

26 (Source: P.A. 101-578, eff. 8-26-19.)

1 (805 ILCS 105/114.15 new)

2 Sec. 114.15. Posting demographic information. No later  
3 than 30 calendar days after filing the annual report with the  
4 Secretary of State, a corporation shall post to the  
5 corporation's publicly available website, if one exists, the  
6 aggregated demographic information of the corporation's  
7 directors and officers as described in subsection (h) of  
8 Section 114.05. The aggregated demographic information shall  
9 be accessible on the corporation's publicly available website  
10 for at least 5 years after it is posted. A corporation that  
11 posts the full annual report on its website fulfills this  
12 posting requirement.

13 Section 99. Effective date. This Act takes effect January  
14 1, 2024.