

AN ACT concerning local government.

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

Section 1. Short title. This Act may be cited as the Local Government Electronic Notification Act.

Section 5. Purpose and construction.

(a) This Act is intended to facilitate communication from units of local government or county officers to residents and taxpayers.

(b) The General Assembly finds the following:

(1) Illinois law requires notification by United States mail to interested parties in many circumstances.

(2) Many Illinois residents and taxpayers desire to receive notifications electronically for ease, speed, efficiency, security, and accountability.

(3) Electronic communications can be less expensive while providing a greater service to taxpayers and residents.

(4) No resident or taxpayer should ever be required to receive electronically any notifications that are currently required to be sent out by United States mail.

Section 7. Applicability.

(a) Notwithstanding any other provision of this Act, any electronic notifications authorized by statute shall continue to be authorized and the General Assembly by law may authorize other electronic notifications.

(b) This Act does not apply to a school district.

Section 10. Definitions.

(a) As used in this Act:

"Electronic notification delivery system" means a computer program that notifies interested parties of a unit of local government's action and that may have features that confirm physical addresses and email addresses, confirm ownership, and confirm receipt of an electronic notification.

"Electronic notification recipient" means a person who affirmatively informs a unit of local government or county officer that he or she would like to receive electronically a notification that would have been sent by the unit of local government or county officer via United States mail.

(b) For the purposes of this Act, an identity is confirmed if:

(1) the electronic notification recipient provides a birthdate and Social Security number that can be matched with the records of the Secretary of State or the county clerk;

(2) a mailing sent by United States mail to the electronic notification recipient is responded to

digitally with a unique code;

(3) the electronic notification recipient uses a digital signature as defined in the Electronic Commerce Security Act; or

(4) the electronic notification recipient signs up in person with the unit of local government or county officer and provides a government-issued identification.

(c) For the purposes of this Act, a physical address of an electronic notification recipient is confirmed if the electronic notification recipient's address is matched with the records of the Secretary of State and an email address of an electronic notification recipient is confirmed when an email to that email address has been delivered and affirmatively responded to in a way that can be tracked by the electronic notification delivery system.

(d) For the purposes of this Act, an electronic notification recipient's ownership is confirmed if his or her name is matched with the records of the county recorder of deeds.

(e) For the purposes of this Act, the receipt of an electronic notification is confirmed if an electronic notification recipient:

(1) responds to the electronic notification; or

(2) reads the electronic notification in an electronic notification delivery system that is able to track that an email has been opened.

Section 15. Electronic notification system. Units of local government and county officers may establish a process to allow people to select electronic notifications through an electronic notification delivery system for governmental mailings that are being sent by United States mail. Any process established for this purpose:

(1) must not require all notifications from the unit of local government or county officer be electronic and must allow people to opt in or opt out for specific types of mailings;

(2) must include a mechanism for confirming the identity of individuals opting in for statutorily required notifications;

(3) must include a mechanism to confirm ownership of property where the statutory notification requirement is based on ownership;

(4) must present to the submitter, prior to completion of the application to receive electronic notifications, a message in substantially the following form:

"By completing this form, I understand that I have agreed to be notified via email or other electronic means regarding those governmental notifications that I have selected. I understand that, regarding those issues for which I have selected electronic notification, I will possibly not receive

notifications through the United States mail. I understand that any unit of local government or county officer may rescind this agreement by electronic notification and that any unit of local government may also notify me regarding any issue through the United States mail if the unit of local government or county officer desires in addition to the electronic notification I have selected."; and

(5) must allow an electronic notification recipient to rescind his or her electronic notification request either through the mail or electronically.

Section 25. Ancillary uses. Upon request of an electronic notification recipient, a unit of local government or county officer may utilize the electronic notification delivery system to notify people of information that is not statutorily required.

Section 30. Intergovernmental cooperation. A unit of local government or county officer may enter into an intergovernmental agreement with another unit of local government or county officer to provide electronic notifications as provided in this Act and to share data for that purpose.