



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB0048

Introduced 1/9/2025, by Rep. David Friess

SYNOPSIS AS INTRODUCED:

5 ILCS 120/2.01
5 ILCS 120/7

from Ch. 102, par. 42.01

Amends the Open Meetings Act. In a provision permitting an interactive video conference in establishing a quorum for a local workforce investment area in an open meeting of that public body, with certain conditions, adds that a tourism board, convention center board, or civic center board also is permitted to use an interactive video conference in establishing a quorum, with the same conditions. In a provision exempting a local workforce innovation area, with certain conditions, from requirements to be physically present at the location of a closed meeting, adds the same exemption for a tourism board, convention center board, or civic center board, with the same conditions. In a provision exempting a local workforce innovation area, with certain conditions, from limitations regarding attendance by members of a public body by a means other than physical presence, adds the same exemption for a tourism board, convention center board, or civic center board, with the same conditions. Replaces references to "local workforce innovation areas" with references to "local workforce investment areas" in provisions regarding exemptions from requirements to be physically present at the location of a closed meeting and exemptions from limitations regarding attendance by other than physical presence.

LRB104 03148 BDA 13169 b

1 AN ACT concerning State government.

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

4 Section 5. The Open Meetings Act is amended by changing
5 Sections 2.01 and 7 as follows:

6 (5 ILCS 120/2.01) (from Ch. 102, par. 42.01)

7 Sec. 2.01. All meetings required by this Act to be public
8 shall be held at specified times and places which are
9 convenient and open to the public. No meeting required by this
10 Act to be public shall be held on a legal holiday unless the
11 regular meeting day falls on that holiday.

12 Except as otherwise provided in this Act, a quorum of
13 members of a public body must be physically present at the
14 location of an open meeting. If, however, an open meeting of a
15 public body (i) with statewide jurisdiction, (ii) that is an
16 Illinois library system with jurisdiction over a specific
17 geographic area of more than 4,500 square miles, (iii) that is
18 a municipal transit district with jurisdiction over a specific
19 geographic area of more than 4,500 square miles, or (iv) ~~that~~
20 ~~is a local workforce investment area~~ with jurisdiction over a
21 specific geographic area of more than 4,500 square miles that
22 is a local workforce investment area, tourism board,
23 convention center board, or civic center board is held

1 simultaneously at one of its offices and one or more other
2 locations in a public building, which may include other of its
3 offices, through an interactive video conference and the
4 public body provides public notice and public access as
5 required under this Act for all locations, then members
6 physically present in those locations all count towards
7 determining a quorum. "Public building", as used in this
8 Section, means any building or portion thereof owned or leased
9 by any public body. The requirement that a quorum be
10 physically present at the location of an open meeting shall
11 not apply, however, to State advisory boards or bodies that do
12 not have authority to make binding recommendations or
13 determinations or to take any other substantive action.

14 Except as otherwise provided in this Act, a quorum of
15 members of a public body that is not (i) a public body with
16 statewide jurisdiction, (ii) an Illinois library system with
17 jurisdiction over a specific geographic area of more than
18 4,500 square miles, (iii) a municipal transit district with
19 jurisdiction over a specific geographic area of more than
20 4,500 square miles, or (iv) a public body ~~a local workforce~~
21 ~~innovation area~~ with jurisdiction over a specific geographic
22 area of more than 4,500 square miles that is a local workforce
23 investment area, tourism board, convention center board, or
24 civic center board must be physically present at the location
25 of a closed meeting. Other members who are not physically
26 present at a closed meeting of such a public body may

1 participate in the meeting by means of a video or audio
2 conference. For the purposes of this Section, "local workforce
3 innovation area" means any local workforce innovation area or
4 areas designated by the Governor pursuant to the federal
5 Workforce Innovation and Opportunity Act or its reauthorizing
6 legislation.

7 (Source: P.A. 100-477, eff. 9-8-17; 101-640, eff. 6-12-20.)

8 (5 ILCS 120/7)

9 Sec. 7. Attendance by a means other than physical
10 presence.

11 (a) If a quorum of the members of the public body is
12 physically present as required by Section 2.01, a majority of
13 the public body may allow a member of that body to attend the
14 meeting by other means if the member is prevented from
15 physically attending because of: (i) personal illness or
16 disability; (ii) employment purposes or the business of the
17 public body; (iii) a family or other emergency; or (iv)
18 unexpected childcare obligations. "Other means" is by video or
19 audio conference.

20 (b) If a member wishes to attend a meeting by other means,
21 the member must notify the recording secretary or clerk of the
22 public body before the meeting unless advance notice is
23 impractical.

24 (c) A majority of the public body may allow a member to
25 attend a meeting by other means only in accordance with and to

1 the extent allowed by rules adopted by the public body. The
2 rules must conform to the requirements and restrictions of
3 this Section, may further limit the extent to which attendance
4 by other means is allowed, and may provide for the giving of
5 additional notice to the public or further facilitate public
6 access to meetings.

7 (d) The limitations of this Section shall not apply to (i)
8 closed meetings of (A) public bodies with statewide
9 jurisdiction, (B) Illinois library systems with jurisdiction
10 over a specific geographic area of more than 4,500 square
11 miles, (C) municipal transit districts with jurisdiction over
12 a specific geographic area of more than 4,500 square miles, or
13 (D) public bodies ~~local workforce innovation areas~~ with
14 jurisdiction over a specific geographic area of more than
15 4,500 square miles that are a local workforce investment area,
16 tourism board, convention center board, or civic center board
17 or (ii) open or closed meetings of State advisory boards or
18 bodies that do not have authority to make binding
19 recommendations or determinations or to take any other
20 substantive action. State advisory boards or bodies, public
21 bodies with statewide jurisdiction, Illinois library systems
22 with jurisdiction over a specific geographic area of more than
23 4,500 square miles, municipal transit districts with
24 jurisdiction over a specific geographic area of more than
25 4,500 square miles, and local workforce investment areas with
26 jurisdiction over a specific geographic area of more than

1 4,500 square miles, however, may permit members to attend
2 meetings by other means only in accordance with and to the
3 extent allowed by specific procedural rules adopted by the
4 body. For the purposes of this Section, "local workforce
5 innovation area" means any local workforce innovation area or
6 areas designated by the Governor pursuant to the federal
7 Workforce Innovation and Opportunity Act or its reauthorizing
8 legislation.

9 (e) Subject to the requirements of Section 2.06 but
10 notwithstanding any other provision of law, an open or closed
11 meeting subject to this Act may be conducted by audio or video
12 conference, without the physical presence of a quorum of the
13 members, so long as the following conditions are met:

14 (1) the Governor or the Director of the Illinois
15 Department of Public Health has issued a disaster
16 declaration related to public health concerns because of a
17 disaster as defined in Section 4 of the Illinois Emergency
18 Management Agency Act, and all or part of the jurisdiction
19 of the public body is covered by the disaster area;

20 (2) the head of the public body as defined in
21 subsection (e) of Section 2 of the Freedom of Information
22 Act determines that an in-person meeting or a meeting
23 conducted under this Act is not practical or prudent
24 because of a disaster;

25 (3) all members of the body participating in the
26 meeting, wherever their physical location, shall be

1 verified and can hear one another and can hear all
2 discussion and testimony;

3 (4) for open meetings, members of the public present
4 at the regular meeting location of the body can hear all
5 discussion and testimony and all votes of the members of
6 the body, unless attendance at the regular meeting
7 location is not feasible due to the disaster, including
8 the issued disaster declaration, in which case the public
9 body must make alternative arrangements and provide notice
10 pursuant to this Section of such alternative arrangements
11 in a manner to allow any interested member of the public
12 access to contemporaneously hear all discussion,
13 testimony, and roll call votes, such as by offering a
14 telephone number or a web-based link;

15 (5) at least one member of the body, chief legal
16 counsel, or chief administrative officer is physically
17 present at the regular meeting location, unless unfeasible
18 due to the disaster, including the issued disaster
19 declaration; and

20 (6) all votes are conducted by roll call, so each
21 member's vote on each issue can be identified and
22 recorded.

23 (7) Except in the event of a bona fide emergency, 48
24 hours' notice shall be given of a meeting to be held
25 pursuant to this Section. Notice shall be given to all
26 members of the public body, shall be posted on the website

1 of the public body, and shall also be provided to any news
2 media who has requested notice of meetings pursuant to
3 subsection (a) of Section 2.02 of this Act. If the public
4 body declares a bona fide emergency:

5 (A) Notice shall be given pursuant to subsection
6 (a) of Section 2.02 of this Act, and the presiding
7 officer shall state the nature of the emergency at the
8 beginning of the meeting.

9 (B) The public body must comply with the verbatim
10 recording requirements set forth in Section 2.06 of
11 this Act.

12 (8) Each member of the body participating in a meeting
13 by audio or video conference for a meeting held pursuant
14 to this Section is considered present at the meeting for
15 purposes of determining a quorum and participating in all
16 proceedings.

17 (9) In addition to the requirements for open meetings
18 under Section 2.06, public bodies holding open meetings
19 under this subsection (e) must also keep a verbatim record
20 of all their meetings in the form of an audio or video
21 recording. Verbatim records made under this paragraph (9)
22 shall be made available to the public under, and are
23 otherwise subject to, the provisions of Section 2.06.

24 (10) The public body shall bear all costs associated
25 with compliance with this subsection (e).

26 (Source: P.A. 103-311, eff. 7-28-23.)