



Rep. David Friess

Filed: 3/3/2025

10400HB0048ham001

LRB104 03148 BDA 22743 a

1 AMENDMENT TO HOUSE BILL 48

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 48 by replacing  
3 everything after the enacting clause with the following:

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  
15 the Southwestern Illinois Metropolitan and Regional Planning  
16 Commission or a public body (i) with statewide jurisdiction,

1 (ii) that is an Illinois library system with jurisdiction over  
2 a specific geographic area of more than 4,500 square miles,  
3 (iii) that is a municipal transit district with jurisdiction  
4 over a specific geographic area of more than 4,500 square  
5 miles, or (iv) ~~that is a local workforce investment area~~ with  
6 jurisdiction over a specific geographic area of more than  
7 4,500 square miles that is a local workforce investment area,  
8 tourism board, convention center board, or civic center board  
9 is held simultaneously at one of its offices and one or more  
10 other locations in a public building, which may include other  
11 of its offices, through an interactive video conference and  
12 the public body provides public notice and public access as  
13 required under this Act for all locations, then members  
14 physically present in those locations all count towards  
15 determining a quorum. "Public building", as used in this  
16 Section, means any building or portion thereof owned or leased  
17 by any public body. The requirement that a quorum be  
18 physically present at the location of an open meeting shall  
19 not apply, however, to State advisory boards or bodies that do  
20 not have authority to make binding recommendations or  
21 determinations or to take any other substantive action.

22 Except as otherwise provided in this Act, a quorum of  
23 members of a public body that is not the Southwestern Illinois  
24 Metropolitan and Regional Planning Commission or (i) a public  
25 body with statewide jurisdiction, (ii) an Illinois library  
26 system with jurisdiction over a specific geographic area of

1 more than 4,500 square miles, (iii) a municipal transit  
2 district with jurisdiction over a specific geographic area of  
3 more than 4,500 square miles, or (iv) a public body ~~a local~~  
4 ~~workforce innovation area~~ with jurisdiction over a specific  
5 geographic area of more than 4,500 square miles that is a local  
6 workforce investment area, tourism board, convention center  
7 board, or civic center board must be physically present at the  
8 location of a closed meeting. Other members who are not  
9 physically present at a closed meeting of such a public body  
10 may participate in the meeting by means of a video or audio  
11 conference. For the purposes of this Section, "local workforce  
12 innovation area" means any local workforce innovation area or  
13 areas designated by the Governor pursuant to the federal  
14 Workforce Innovation and Opportunity Act or its reauthorizing  
15 legislation.

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

17 (5 ILCS 120/7)

18 Sec. 7. Attendance by a means other than physical  
19 presence.

20 (a) If a quorum of the members of the public body is  
21 physically present as required by Section 2.01, a majority of  
22 the public body may allow a member of that body to attend the  
23 meeting by other means if the member is prevented from  
24 physically attending because of: (i) personal illness or  
25 disability; (ii) employment purposes or the business of the

1 public body; (iii) a family or other emergency; or (iv)  
2 unexpected childcare obligations. "Other means" is by video or  
3 audio conference.

4 (b) If a member wishes to attend a meeting by other means,  
5 the member must notify the recording secretary or clerk of the  
6 public body before the meeting unless advance notice is  
7 impractical.

8 (c) A majority of the public body may allow a member to  
9 attend a meeting by other means only in accordance with and to  
10 the extent allowed by rules adopted by the public body. The  
11 rules must conform to the requirements and restrictions of  
12 this Section, may further limit the extent to which attendance  
13 by other means is allowed, and may provide for the giving of  
14 additional notice to the public or further facilitate public  
15 access to meetings.

16 (d) The limitations of this Section shall not apply to (i)  
17 closed meetings of the Southwestern Illinois Metropolitan and  
18 Regional Planning Commission or (A) public bodies with  
19 statewide jurisdiction, (B) Illinois library systems with  
20 jurisdiction over a specific geographic area of more than  
21 4,500 square miles, (C) municipal transit districts with  
22 jurisdiction over a specific geographic area of more than  
23 4,500 square miles, or (D) a public body ~~local workforce~~  
24 ~~innovation areas~~ with jurisdiction over a specific geographic  
25 area of more than 4,500 square miles that is a local workforce  
26 investment area, tourism board, convention center board, or

1 civic center board or (ii) open or closed meetings of State  
2 advisory boards or bodies that do not have authority to make  
3 binding recommendations or determinations or to take any other  
4 substantive action. State advisory boards or bodies, public  
5 bodies with statewide jurisdiction, Illinois library systems  
6 with jurisdiction over a specific geographic area of more than  
7 4,500 square miles, municipal transit districts with  
8 jurisdiction over a specific geographic area of more than  
9 4,500 square miles, and local workforce investment areas with  
10 jurisdiction over a specific geographic area of more than  
11 4,500 square miles, however, may permit members to attend  
12 meetings by other means only in accordance with and to the  
13 extent allowed by specific procedural rules adopted by the  
14 body. For the purposes of this Section, "local workforce  
15 innovation area" means any local workforce innovation area or  
16 areas designated by the Governor pursuant to the federal  
17 Workforce Innovation and Opportunity Act or its reauthorizing  
18 legislation.

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

24 (1) the Governor or the Director of the Illinois  
25 Department of Public Health has issued a disaster  
26 declaration related to public health concerns because of a

1 disaster as defined in Section 4 of the Illinois Emergency  
2 Management Agency Act, and all or part of the jurisdiction  
3 of the public body is covered by the disaster area;

4 (2) the head of the public body as defined in  
5 subsection (e) of Section 2 of the Freedom of Information  
6 Act determines that an in-person meeting or a meeting  
7 conducted under this Act is not practical or prudent  
8 because of a disaster;

9 (3) all members of the body participating in the  
10 meeting, wherever their physical location, shall be  
11 verified and can hear one another and can hear all  
12 discussion and testimony;

13 (4) for open meetings, members of the public present  
14 at the regular meeting location of the body can hear all  
15 discussion and testimony and all votes of the members of  
16 the body, unless attendance at the regular meeting  
17 location is not feasible due to the disaster, including  
18 the issued disaster declaration, in which case the public  
19 body must make alternative arrangements and provide notice  
20 pursuant to this Section of such alternative arrangements  
21 in a manner to allow any interested member of the public  
22 access to contemporaneously hear all discussion,  
23 testimony, and roll call votes, such as by offering a  
24 telephone number or a web-based link;

25 (5) at least one member of the body, chief legal  
26 counsel, or chief administrative officer is physically

1 present at the regular meeting location, unless unfeasible  
2 due to the disaster, including the issued disaster  
3 declaration; and

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

7 (7) Except in the event of a bona fide emergency, 48  
8 hours' notice shall be given of a meeting to be held  
9 pursuant to this Section. Notice shall be given to all  
10 members of the public body, shall be posted on the website  
11 of the public body, and shall also be provided to any news  
12 media who has requested notice of meetings pursuant to  
13 subsection (a) of Section 2.02 of this Act. If the public  
14 body declares a bona fide emergency:

15 (A) Notice shall be given pursuant to subsection  
16 (a) of Section 2.02 of this Act, and the presiding  
17 officer shall state the nature of the emergency at the  
18 beginning of the meeting.

19 (B) The public body must comply with the verbatim  
20 recording requirements set forth in Section 2.06 of  
21 this Act.

22 (8) Each member of the body participating in a meeting  
23 by audio or video conference for a meeting held pursuant  
24 to this Section is considered present at the meeting for  
25 purposes of determining a quorum and participating in all  
26 proceedings.

1           (9) In addition to the requirements for open meetings  
2           under Section 2.06, public bodies holding open meetings  
3           under this subsection (e) must also keep a verbatim record  
4           of all their meetings in the form of an audio or video  
5           recording. Verbatim records made under this paragraph (9)  
6           shall be made available to the public under, and are  
7           otherwise subject to, the provisions of Section 2.06.

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

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