



Sen. Bill Cunningham

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10400HB1373sam001

LRB104 07544 RLC 27016 a

1 AMENDMENT TO HOUSE BILL 1373

2 AMENDMENT NO. _____. Amend House Bill 1373 on page 1, by
3 inserting immediately below line 3 the following:

4 "Section 3. The Open Meetings Act is amended by changing
5 Section 2 as follows:

6 (5 ILCS 120/2) (from Ch. 102, par. 42)

7 Sec. 2. Open meetings.

8 (a) Openness required. All meetings of public bodies shall
9 be open to the public unless excepted in subsection (c) and
10 closed in accordance with Section 2a.

11 (b) Construction of exceptions. The exceptions contained
12 in subsection (c) are in derogation of the requirement that
13 public bodies meet in the open, and therefore, the exceptions
14 are to be strictly construed, extending only to subjects
15 clearly within their scope. The exceptions authorize but do
16 not require the holding of a closed meeting to discuss a

1 subject included within an enumerated exception.

2 (c) Exceptions. A public body may hold closed meetings to
3 consider the following subjects:

4 (1) The appointment, employment, compensation,
5 discipline, performance, or dismissal of specific
6 employees, specific individuals who serve as independent
7 contractors in a park, recreational, or educational
8 setting, or specific volunteers of the public body or
9 legal counsel for the public body, including hearing
10 testimony on a complaint lodged against an employee, a
11 specific individual who serves as an independent
12 contractor in a park, recreational, or educational
13 setting, or a volunteer of the public body or against
14 legal counsel for the public body to determine its
15 validity. However, a meeting to consider an increase in
16 compensation to a specific employee of a public body that
17 is subject to the Local Government Wage Increase
18 Transparency Act may not be closed and shall be open to the
19 public and posted and held in accordance with this Act.

20 (2) Collective negotiating matters between the public
21 body and its employees or their representatives, or
22 deliberations concerning salary schedules for one or more
23 classes of employees.

24 (3) The selection of a person to fill a public office,
25 as defined in this Act, including a vacancy in a public
26 office, when the public body is given power to appoint

1 under law or ordinance, or the discipline, performance or
2 removal of the occupant of a public office, when the
3 public body is given power to remove the occupant under
4 law or ordinance.

5 (4) Evidence or testimony presented in open hearing,
6 or in closed hearing where specifically authorized by law,
7 to a quasi-adjudicative body, as defined in this Act,
8 provided that the body prepares and makes available for
9 public inspection a written decision setting forth its
10 determinative reasoning.

11 (4.5) Evidence or testimony presented to a school
12 board regarding denial of admission to school events or
13 property pursuant to Section 24-24 of the School Code,
14 provided that the school board prepares and makes
15 available for public inspection a written decision setting
16 forth its determinative reasoning.

17 (5) The purchase or lease of real property for the use
18 of the public body, including meetings held for the
19 purpose of discussing whether a particular parcel should
20 be acquired.

21 (6) The setting of a price for sale or lease of
22 property owned by the public body.

23 (7) The sale or purchase of securities, investments,
24 or investment contracts. This exception shall not apply to
25 the investment of assets or income of funds deposited into
26 the Illinois Prepaid Tuition Trust Fund.

(8) Security procedures, school building safety and security, and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger to the safety of employees, students, staff, the public, or public property.

(9) Student disciplinary cases.

(10) The placement of individual students in special education programs and other matters relating to individual students.

(11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.

(12) The establishment of reserves or settlement of claims as provided in the Local Governmental and Governmental Employees Tort Immunity Act, if otherwise the disposition of a claim or potential claim might be prejudiced, or the review or discussion of claims, loss or risk management information, records, data, advice or communications from or with respect to any insurer of the public body or any intergovernmental risk management association or self insurance pool of which the public body is a member.

(13) Conciliation of complaints of discrimination in the sale or rental of housing, when closed meetings are authorized by the law or ordinance prescribing fair housing practices and creating a commission or administrative agency for their enforcement.

(14) Informant sources, the hiring or assignment of undercover personnel or equipment, or ongoing, prior or future criminal investigations, when discussed by a public body with criminal investigatory responsibilities.

(15) Professional ethics or performance when considered by an advisory body appointed to advise a licensing or regulatory agency on matters germane to the advisory body's field of competence.

(16) Self evaluation, practices and procedures or professional ethics, when meeting with a representative of a statewide association of which the public body is a member.

(17) The recruitment, credentialing, discipline or formal peer review of physicians or other health care professionals, or for the discussion of matters protected under the federal Patient Safety and Quality Improvement Act of 2005, and the regulations promulgated thereunder, including 42 C.F.R. Part 3 (73 FR 70732), or the federal Health Insurance Portability and Accountability Act of 1996, and the regulations promulgated thereunder, including 45 C.F.R. Parts 160, 162, and 164, by a

hospital, or other institution providing medical care, that is operated by the public body.

(18) Deliberations for decisions of the Prisoner Review Board.

(19) Review or discussion of applications received under the Experimental Organ Transplantation Procedures Act.

(20) The classification and discussion of matters classified as confidential or continued confidential by the State Government Suggestion Award Board.

(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.

(22) Deliberations for decisions of the State Emergency Medical Services Disciplinary Review Board.

(23) The operation by a municipality of a municipal utility or the operation of a municipal power agency or municipal natural gas agency when the discussion involves (i) contracts relating to the purchase, sale, or delivery of electricity or natural gas or (ii) the results or conclusions of load forecast studies.

(24) Meetings of a residential health care facility resident sexual assault and death review team or the Executive Council under the Abuse Prevention Review Team Act.

(25) Meetings of an independent team of experts under Brian's Law.

(26) Meetings of a mortality review team appointed under the Department of Juvenile Justice Mortality Review Team Act.

(27) (Blank).

(28) Correspondence and records (i) that may not be disclosed under Section 11-9 of the Illinois Public Aid Code or (ii) that pertain to appeals under Section 11-8 of the Illinois Public Aid Code.

(29) Meetings between internal or external auditors and governmental audit committees, finance committees, and their equivalents, when the discussion involves internal control weaknesses, identification of potential fraud risk areas, known or suspected frauds, and fraud interviews conducted in accordance with generally accepted auditing standards of the United States of America.

(30) (Blank).

(31) Meetings and deliberations for decisions of the Concealed Carry Licensing Review Board under the Firearm Concealed Carry Act.

(32) Meetings between the Regional Transportation Authority Board and its Service Boards when the discussion involves review by the Regional Transportation Authority Board of employment contracts under Section 28d of the Metropolitan Transit Authority Act and Sections 3A.18 and

1 3B.26 of the Regional Transportation Authority Act.

2 (33) Those meetings or portions of meetings of the
3 advisory committee and peer review subcommittee created
4 under Section 320 of the Illinois Controlled Substances
5 Act during which specific controlled substance prescriber,
6 dispenser, or patient information is discussed.

7 (34) Meetings of the Tax Increment Financing Reform
8 Task Force under Section 2505-800 of the Department of
9 Revenue Law of the Civil Administrative Code of Illinois.

10 (35) Meetings of the group established to discuss
11 Medicaid capitation rates under Section 5-30.8 of the
12 Illinois Public Aid Code.

13 (36) Those deliberations or portions of deliberations
14 for decisions of the Illinois Gaming Board in which there
15 is discussed any of the following: (i) personal,
16 commercial, financial, or other information obtained from
17 any source that is privileged, proprietary, confidential,
18 or a trade secret; or (ii) information specifically
19 exempted from the disclosure by federal or State law.

20 (37) Deliberations for decisions of the Illinois Law
21 Enforcement Training Standards Board, the Certification
22 Review Panel, and the Illinois State Police Merit Board
23 regarding certification and decertification.

24 (38) Meetings of the Ad Hoc Statewide Domestic
25 Violence Fatality Review Committee of the Illinois
26 Criminal Justice Information Authority Board that occur in

closed executive session under subsection (d) of Section 35 of the Domestic Violence Fatality Review Act.

(39) Meetings of the regional review teams under subsection (a) of Section 75 of the Domestic Violence Fatality Review Act.

(40) Meetings of the Firearm Owner's Identification Card Review Board under Section 10 of the Firearm Owners Identification Card Act.

(41) Discussions of the Attorney General's Crime Firearm Database Task Force in which the information is privileged or confidential or is specifically exempted from disclosure by federal or State law or rules and regulations implementing federal or State law. This paragraph (41) is inoperative on and after May 1, 2026.

(d) Definitions. For purposes of this Section:

"Employee" means a person employed by a public body whose relationship with the public body constitutes an employer-employee relationship under the usual common law rules, and who is not an independent contractor.

"Public office" means a position created by or under the Constitution or laws of this State, the occupant of which is charged with the exercise of some portion of the sovereign power of this State. The term "public office" shall include members of the public body, but it shall not include organizational positions filled by members thereof, whether established by law or by a public body itself, that exist to

1 assist the body in the conduct of its business.

2 "Quasi-adjudicative body" means an administrative body
3 charged by law or ordinance with the responsibility to conduct
4 hearings, receive evidence or testimony and make
5 determinations based thereon, but does not include local
6 electoral boards when such bodies are considering petition
7 challenges.

8 (e) Final action. No final action may be taken at a closed
9 meeting. Final action shall be preceded by a public recital of
10 the nature of the matter being considered and other
11 information that will inform the public of the business being
12 conducted.

13 (Source: P.A. 102-237, eff. 1-1-22; 102-520, eff. 8-20-21;
14 102-558, eff. 8-20-21; 102-813, eff. 5-13-22; 103-311, eff.
15 7-28-23; 103-626, eff. 1-1-25.)

16 Section 4. The Attorney General Act is amended by adding
17 Section 6.7 as follows:

18 (15 ILCS 205/6.7 new)

19 Sec. 6.7. Crime Firearm Database Task Force.

20 (a) A task force composed of individuals chosen by the
21 Attorney General to be known as the Attorney General's Crime
22 Firearm Database Task Force is created in the Office of the
23 Attorney General.

24 (b) Members of the Task Force shall serve at the pleasure

1 of the Attorney General or for such terms as the Attorney
2 General may designate.

3 (c) The Task Force shall convene at the call of the
4 Attorney General and shall hold at least 4 meetings.

5 (d) The Task Force shall study the use of databases in this
6 State to track firearms used in crime.

7 (e) The Task Force members shall serve without
8 compensation.

9 (f) The Task Force shall submit its final recommendations
10 to the General Assembly no later than May 1, 2026, and upon the
11 submission of its final recommendations, the Task Force is
12 dissolved.".