

HB3443



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3443

Introduced 2/18/2025, by Rep. Maurice A. West, II

SYNOPSIS AS INTRODUCED:

5 ILCS 120/2.01
20 ILCS 4010/2004.5

from Ch. 102, par. 42.01

Amends the Open Meetings Act. Provides that the requirement that a quorum be physically present at the location of an open meeting shall not apply to the Illinois Council on Developmental Disabilities. Amends the Illinois Council on Developmental Disabilities Law. Provides that a member of the Council may request permission of the chairperson to attend a meeting by video or audio conference, and that request shall be granted if the member is prevented from physically attending due to personal illness or disability or if the member is required to provide care to a family member who has a disability. Effective immediately.

LRB104 09566 BDA 19629 b

A BILL FOR

1 AN ACT concerning 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 Section 2.01 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 is
22 held simultaneously at one of its offices and one or more other
23 locations in a public building, which may include other of its

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

13 Except as otherwise provided in this Act, a quorum of
14 members of a public body that is not (i) a public body with
15 statewide jurisdiction, (ii) an Illinois library system with
16 jurisdiction over a specific geographic area of more than
17 4,500 square miles, (iii) a municipal transit district with
18 jurisdiction over a specific geographic area of more than
19 4,500 square miles, or (iv) a local workforce innovation area
20 with jurisdiction over a specific geographic area of more than
21 4,500 square miles must be physically present at the location
22 of a closed meeting. Other members who are not physically
23 present at a closed meeting of such a public body may
24 participate in the meeting by means of a video or audio
25 conference. For the purposes of this Section, "local workforce
26 innovation area" means any local workforce innovation area or

1 areas designated by the Governor pursuant to the federal
2 Workforce Innovation and Opportunity Act or its reauthorizing
3 legislation.

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

5 Section 10. The Illinois Council on Developmental
6 Disabilities Law is amended by changing Section 2004.5 as
7 follows:

8 (20 ILCS 4010/2004.5)

9 Sec. 2004.5. Council membership. The General Assembly
10 intends that the reduction in the membership of the Council
11 shall occur through attrition between the effective date of
12 this amendatory Act of the 91st General Assembly and January
13 1, 2001. In the event that the terms of 10 voting members have
14 not expired by January 1, 2001, members of the Council serving
15 on that date shall continue to serve until their terms expire.

16 (a) The membership of the Council must reasonably
17 represent the diversity of this State. Not less than 60% of the
18 Council's membership must be individuals with developmental
19 disabilities, parents or guardians of children with
20 developmental disabilities, or immediate relatives or
21 guardians of adults with developmental disabilities who cannot
22 advocate for themselves.

23 The Council must also include representatives of State
24 agencies that administer moneys under federal laws that relate

1 to individuals with developmental disabilities; the State
2 University Center for Excellence in Developmental Disabilities
3 Education, Research, and Service; the State protection and
4 advocacy system; and representatives of local and
5 non-governmental agencies and private non-profit groups
6 concerned with services for individuals with developmental
7 disabilities. The members described in this paragraph must
8 have sufficient authority to engage in policy-making,
9 planning, and implementation on behalf of the department,
10 agency, or program that they represent. Those members may not
11 take part in any discussion of grants or contracts for which
12 their departments, agencies, or programs are grantees,
13 contractors, or applicants and must comply with any other
14 relevant conflict of interest provisions in the Council's
15 policies or bylaws.

16 (b) Seventeen voting members, appointed by the Governor,
17 must be persons with developmental disabilities, parents or
18 guardians of persons with developmental disabilities, or
19 immediate relatives or guardians of persons with
20 mentally-impairing developmental disabilities. None of these
21 members may be employees of a State agency that receives funds
22 or provides services under the federal Developmental
23 Disabilities Assistance and Bill of Rights Act of 1996 (42
24 U.S.C. 6000 et seq.), as now or hereafter amended, managing
25 employees of any other entity that receives moneys or provides
26 services under the federal Developmental Disabilities

1 Assistance and Bill of Rights Act of 1996 (42 U.S.C. 6000 et
2 seq.), as now or hereafter amended, or persons with an
3 ownership interest in or a controlling interest in such an
4 entity. Of the members appointed under this subsection (b):

5 (1) at least 6 must be persons with developmental
6 disabilities;

7 (2) at least 6 must be parents, immediate relatives,
8 or guardians of children and adults with developmental
9 disabilities, including individuals with
10 mentally-imparing developmental disabilities who cannot
11 advocate for themselves; and

12 (3) 5 members must be a combination of persons
13 described in paragraphs (1) and (2); at least one of whom
14 must be (i) an immediate relative or guardian of an
15 individual with a developmental disability who resides or
16 who previously resided in an institution or (ii) an
17 individual with a developmental disability who resides or
18 who previously resided in an institution.

19 (c) Two voting members, appointed by the Governor, must be
20 representatives of local and non-governmental agencies and
21 private non-profit groups concerned with services for
22 individuals with developmental disabilities.

23 (d) Nine voting members shall be the Director of
24 Healthcare and Family Services, or his or her designee; the
25 Director of Aging, or his or her designee; the Director of
26 Children and Family Services, or his or her designee; a

1 representative of the State Board of Education; a
2 representative of the State protection and advocacy system; a
3 representative of the State University Center for Excellence
4 in Developmental Disabilities Education, Research, and
5 Service; representatives of the Office of Developmental
6 Disabilities and the Office of Community Health and Prevention
7 of the Department of Human Services (as the State's lead
8 agency for Title V of the Social Security Act, 42 U.S.C. 701 et
9 seq.) designated by the Secretary of Human Services; and a
10 representative of the State entity that administers federal
11 moneys under the federal Rehabilitation Act.

12 (e) The Director of the Governor's Office of Management
13 and Budget, or his or her designee, shall be a non-voting
14 member of the Council.

15 (f) The Governor must provide for the timely rotation of
16 members.

17 Appointments to the Council shall be for terms of 3 years.
18 Appointments to fill vacancies occurring before the expiration
19 of a term shall be for the remainder of the term. Members shall
20 serve until their successors are appointed.

21 The Council, at the discretion of the Governor, may
22 coordinate and provide recommendations for new members to the
23 Governor based upon their review of the Council's composition
24 and on input received from other organizations and individuals
25 representing persons with developmental disabilities,
26 including the non-State agency members of the Council. The

1 Council must, at least once each year, advise the Governor on
2 the Council's membership requirements and vacancies, including
3 rotation requirements.

4 No member may serve for more than 2 successive terms.

5 (g) Members may not receive compensation for their
6 services, but shall be reimbursed for their reasonable
7 expenses plus up to \$50 per day for any loss of wages incurred
8 in the performance of their duties.

9 (h) The total membership of the Council consists of the
10 number of voting members, as defined in this Section,
11 excluding any vacant positions. A quorum is a simple majority
12 of the total membership and is sufficient to constitute the
13 transaction of the business of the Council unless otherwise
14 stipulated in the bylaws of the Council. A member of the
15 Council may request permission of the chairperson to attend a
16 meeting by video or audio conference. The request shall be
17 granted, and the member shall be counted toward a quorum if the
18 member is prevented from physically attending due to personal
19 illness or disability or if the member is required to provide
20 care to a family member who has a disability.

21 (i) The Council must meet at least quarterly.

22 (Source: P.A. 94-793, eff. 5-19-06; 95-331, eff. 8-21-07.)

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.