



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4176

Introduced 10/28/2025, by Rep. Daniel Didech

SYNOPSIS AS INTRODUCED:

5 ILCS 120/2

from Ch. 102, par. 42

If and only if Senate Bill 243 of the 104th General Assembly, as amended by House Amendment No. 1, becomes law, then the Open Meetings Act is amended to allow a public body to hold closed meetings to consider self evaluation, practices and procedures, or professional ethics, when meeting with a representative of a statewide association (rather than a statewide or regional association) of which the public body is a member. Effective upon becoming law or on the date Senate Bill 243 of the 104th General Assembly takes effect, whichever is later.

LRB104 15913 BDA 29142 b

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. If and only if Senate Bill 243 of the 104th
5 General Assembly, as amended by House Amendment No. 1, becomes
6 law, then the Open Meetings Act is amended by changing Section
7 2 as follows:

8 (5 ILCS 120/2) (from Ch. 102, par. 42)

9 Sec. 2. Open meetings.

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

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

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

22 (1) The appointment, employment, compensation,
23 discipline, performance, or dismissal of specific

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

15 (2) Collective negotiating matters between the public
16 body and its employees or their representatives, or
17 deliberations concerning salary schedules for one or more
18 classes of employees.

19 (3) The selection of a person to fill a public office,
20 as defined in this Act, including a vacancy in a public
21 office, when the public body is given power to appoint
22 under law or ordinance, or the discipline, performance or
23 removal of the occupant of a public office, when the
24 public body is given power to remove the occupant under
25 law or ordinance.

26 (4) Evidence or testimony presented in open hearing,

1 or in closed hearing where specifically authorized by law,
2 to a quasi-adjudicative body, as defined in this Act,
3 provided that the body prepares and makes available for
4 public inspection a written decision setting forth its
5 determinative reasoning.

6 (4.5) Evidence or testimony presented to a school
7 board regarding denial of admission to school events or
8 property pursuant to Section 24-24 of the School Code,
9 provided that the school board prepares and makes
10 available for public inspection a written decision setting
11 forth its determinative reasoning.

12 (5) The purchase or lease of real property for the use
13 of the public body, including meetings held for the
14 purpose of discussing whether a particular parcel should
15 be acquired.

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

18 (7) The sale or purchase of securities, investments,
19 or investment contracts. This exception shall not apply to
20 the investment of assets or income of funds deposited into
21 the Illinois Prepaid Tuition Trust Fund.

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

1 (9) Student disciplinary cases.

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

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

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

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

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

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

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

13 (17) The recruitment, credentialing, discipline or
14 formal peer review of physicians or other health care
15 professionals, or for the discussion of matters protected
16 under the federal Patient Safety and Quality Improvement
17 Act of 2005, and the regulations promulgated thereunder,
18 including 42 C.F.R. Part 3 (73 FR 70732), or the federal
19 Health Insurance Portability and Accountability Act of
20 1996, and the regulations promulgated thereunder,
21 including 45 C.F.R. Parts 160, 162, and 164, by a
22 hospital, or other institution providing medical care,
23 that is operated by the public body.

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

26 (19) Review or discussion of applications received

1 under the Experimental Organ Transplantation Procedures
2 Act.

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

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

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

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

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

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

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

1 (27) (Blank).

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

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

13 (30) (Blank).

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

17 (32) Meetings between the Regional Transportation
18 Authority Board and its Service Boards when the discussion
19 involves review by the Regional Transportation Authority
20 Board of employment contracts under Section 28d of the
21 Metropolitan Transit Authority Act and Sections 3A.18 and
22 3B.26 of the Regional Transportation Authority Act.

23 (33) Those meetings or portions of meetings of the
24 advisory committee and peer review subcommittee created
25 under Section 320 of the Illinois Controlled Substances
26 Act during which specific controlled substance prescriber,

1 dispenser, or patient information is discussed.

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

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

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

15 (37) Deliberations for decisions of the Illinois Law
16 Enforcement Training Standards Board, the Certification
17 Review Panel, and the Illinois State Police Merit Board
18 regarding certification and decertification.

19 (38) Meetings of the Ad Hoc Statewide Domestic
20 Violence Fatality Review Committee of the Illinois
21 Criminal Justice Information Authority Board that occur in
22 closed executive session under subsection (d) of Section
23 35 of the Domestic Violence Fatality Review Act.

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

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

4 (d) Definitions. For purposes of this Section:

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

9 "Public office" means a position created by or under the
10 Constitution or laws of this State, the occupant of which is
11 charged with the exercise of some portion of the sovereign
12 power of this State. The term "public office" shall include
13 members of the public body, but it shall not include
14 organizational positions filled by members thereof, whether
15 established by law or by a public body itself, that exist to
16 assist the body in the conduct of its business.

17 "Quasi-adjudicative body" means an administrative body
18 charged by law or ordinance with the responsibility to conduct
19 hearings, receive evidence or testimony and make
20 determinations based thereon, but does not include local
21 electoral boards when such bodies are considering petition
22 challenges.

23 (e) Final action. No final action may be taken at a closed
24 meeting. Final action shall be preceded by a public recital of
25 the nature of the matter being considered and other
26 information that will inform the public of the business being

1 conducted.

2 (Source: P.A. 102-237, eff. 1-1-22; 102-520, eff. 8-20-21;
3 102-558, eff. 8-20-21; 102-813, eff. 5-13-22; 103-311, eff.
4 7-28-23; 103-626, eff. 1-1-25; 10400SB0243ham001.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law or on the date Senate Bill 243 of the 104th
7 General Assembly takes effect, whichever is later.