



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4162

by Rep. Maurice A. West, II

SYNOPSIS AS INTRODUCED:

5 ILCS 120/2.01

from Ch. 102, par. 42.01

5 ILCS 120/7 rep.

Amends the Open Meetings Act. Provides that, except as otherwise provided in the Act or any other Illinois statute (rather than except as otherwise provided in the Act), a quorum of members of a public body must be physically present at the location of an open meeting or present by video or audio conference at the open meeting (now, members must be physically present at the meeting). Provides that a member is present by video or audio conference at an open meeting if the member can hear and be heard by all other members of the body who are participating in the meeting. Specifies that, if a member wishes to attend a meeting by video or audio conference, the member must notify the recording secretary or clerk of the public body before the meeting, unless providing that advance notice is impractical for the member. Repeals existing provisions concerning the participation of public body members in open meetings by video conference or other means.

LRB103 33578 RJT 63390 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. 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 or any other
13 Illinois statute, a quorum of members of a public body must be
14 physically present at the location of an open meeting or
15 present by video or audio conference at the open meeting. For
16 the purposes of this Section, a member is present by audio or
17 video conference at an open meeting if the member can hear and
18 be heard by all other members of the body who are participating
19 in the meeting.

20 If a member wishes to attend an open meeting by video or
21 audio conference, the member must notify the recording
22 secretary or clerk of the public body before the meeting,
23 unless providing that advance notice is impractical for the

1 ~~member. If, however, an open meeting of a public body (i) with~~
2 ~~statewide jurisdiction, (ii) that is an Illinois library~~
3 ~~system with jurisdiction over a specific geographic area of~~
4 ~~more than 4,500 square miles, (iii) that is a municipal~~
5 ~~transit district with jurisdiction over a specific geographic~~
6 ~~area of more than 4,500 square miles, or (iv) that is a local~~
7 ~~workforce investment area with jurisdiction over a specific~~
8 ~~geographic area of more than 4,500 square miles is held~~
9 ~~simultaneously at one of its offices and one or more other~~
10 ~~locations in a public building, which may include other of its~~
11 ~~offices, through an interactive video conference and the~~
12 ~~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 (i) a public body with~~
24 ~~statewide jurisdiction, (ii) an Illinois library system with~~
25 ~~jurisdiction over a specific geographic area of more than~~
26 ~~4,500 square miles, (iii) a municipal transit district with~~

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

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

14 (5 ILCS 120/7 rep.)

15 Section 10. The Open Meetings Act is amended by repealing
16 Section 7.