

# HB0210



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB0210

Introduced 1/19/2007, by Rep. Jim Sacia

#### SYNOPSIS AS INTRODUCED:

5 ILCS 120/2.02

from Ch. 102, par. 42.02

Amends the Open Meetings Act. Prohibits a public body, during a meeting other than a special meeting for a bona fide emergency, from voting on an item that was not included in the agenda that was posted for that meeting.

LRB095 04375 JAM 24418 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 2.02 as follows:

6 (5 ILCS 120/2.02) (from Ch. 102, par. 42.02)

7 Sec. 2.02. Public notice of all meetings, whether open or  
8 closed to the public, shall be given as follows:

9 (a) Every public body shall give public notice of the  
10 schedule of regular meetings at the beginning of each calendar  
11 or fiscal year and shall state the regular dates, times, and  
12 places of such meetings. An agenda for each regular meeting  
13 shall be posted at the principal office of the public body and  
14 at the location where the meeting is to be held at least 48  
15 hours in advance of the holding of the meeting. A public body  
16 that has a website that the full-time staff of the public body  
17 maintains shall also post on its website the agenda of any  
18 regular meetings of the governing body of that public body. Any  
19 agenda of a regular meeting that is posted on a public body's  
20 website shall remain posted on the website until the regular  
21 meeting is concluded. The requirement of a regular meeting  
22 agenda shall not preclude the consideration of items not  
23 specifically set forth in the agenda, but an item that was not

1 specifically set forth in the agenda may not be voted upon.  
2 Public notice of any special meeting except a meeting held in  
3 the event of a bona fide emergency, or of any rescheduled  
4 regular meeting, or of any reconvened meeting, shall be given  
5 at least 48 hours before such meeting, which notice shall also  
6 include the agenda for the special, rescheduled, or reconvened  
7 meeting. The ~~, but the~~ validity of any action taken at the  
8 special, rescheduled, or reconvened meeting by the public body  
9 which is germane to a subject on the agenda shall not be  
10 affected by other errors or omissions in the agenda, but the  
11 public body may not vote upon any item not germane to a subject  
12 on the agenda. The requirement of public notice of reconvened  
13 meetings does not apply to any case where the meeting was open  
14 to the public and (1) it is to be reconvened within 24 hours,  
15 or (2) an announcement of the time and place of the reconvened  
16 meeting was made at the original meeting and there is no change  
17 in the agenda. Notice of an emergency meeting shall be given as  
18 soon as practicable, but in any event prior to the holding of  
19 such meeting, to any news medium which has filed an annual  
20 request for notice under subsection (b) of this Section.

21 (b) Public notice shall be given by posting a copy of the  
22 notice at the principal office of the body holding the meeting  
23 or, if no such office exists, at the building in which the  
24 meeting is to be held. In addition, a public body that has a  
25 website that the full-time staff of the public body maintains  
26 shall post notice on its website of all meetings of the

1 governing body of the public body. Any notice of an annual  
2 schedule of meetings shall remain on the website until a new  
3 public notice of the schedule of regular meetings is approved.  
4 Any notice of a regular meeting that is posted on a public  
5 body's website shall remain posted on the website until the  
6 regular meeting is concluded. The body shall supply copies of  
7 the notice of its regular meetings, and of the notice of any  
8 special, emergency, rescheduled or reconvened meeting, to any  
9 news medium that has filed an annual request for such notice.  
10 Any such news medium shall also be given the same notice of all  
11 special, emergency, rescheduled or reconvened meetings in the  
12 same manner as is given to members of the body provided such  
13 news medium has given the public body an address or telephone  
14 number within the territorial jurisdiction of the public body  
15 at which such notice may be given. The failure of a public body  
16 to post on its website notice of any meeting or the agenda of  
17 any meeting shall not invalidate any meeting or any actions  
18 taken at a meeting.

19 (Source: P.A. 94-28, eff. 1-1-06.)