

HB2317



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB2317

Introduced 2/18/2009, by Rep. Naomi D. Jakobsson

SYNOPSIS AS INTRODUCED:

5 ILCS 120/1.02

from Ch. 102, par. 41.02

Amends the Open Meetings Act. Defines a "contemporaneous" meeting to exclude replies to electronic communications. Requires inclusion of such a reply in the record of an open meeting under certain circumstances.

LRB096 09689 JAM 19850 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 1.02 as follows:

6 (5 ILCS 120/1.02) (from Ch. 102, par. 41.02)

7 Sec. 1.02. For the purposes of this Act:

8 "Meeting" means any gathering, whether in person or by
9 video or audio conference, telephone call, electronic means
10 (such as, without limitation, electronic mail, electronic
11 chat, and instant messaging), or other means of contemporaneous
12 interactive communication, of a majority of a quorum of the
13 members of a public body held for the purpose of discussing
14 public business or, for a 5-member public body, a quorum of the
15 members of a public body held for the purpose of discussing
16 public business.

17 Accordingly, for a 5-member public body, 3 members of the
18 body constitute a quorum and the affirmative vote of 3 members
19 is necessary to adopt any motion, resolution, or ordinance,
20 unless a greater number is otherwise required.

21 "Contemporaneous" communication means instantaneous
22 communication between members of a public body and does not
23 include a reply to an electronic communication, even if the

1 reply is to the majority of a quorum of the public body;
2 provided that any portion of such a reply that concerns public
3 business must be entered into the public record of an open
4 meeting of that public body by any member making the reply
5 before the public body takes final action on the subject of the
6 reply.

7 "Public body" includes all legislative, executive,
8 administrative or advisory bodies of the State, counties,
9 townships, cities, villages, incorporated towns, school
10 districts and all other municipal corporations, boards,
11 bureaus, committees or commissions of this State, and any
12 subsidiary bodies of any of the foregoing including but not
13 limited to committees and subcommittees which are supported in
14 whole or in part by tax revenue, or which expend tax revenue,
15 except the General Assembly and committees or commissions
16 thereof. "Public body" includes tourism boards and convention
17 or civic center boards located in counties that are contiguous
18 to the Mississippi River with populations of more than 250,000
19 but less than 300,000. "Public body" includes the Health
20 Facilities Planning Board. "Public body" does not include a
21 child death review team or the Illinois Child Death Review
22 Teams Executive Council established under the Child Death
23 Review Team Act or an ethics commission acting under the State
24 Officials and Employees Ethics Act.

25 (Source: P.A. 94-1058, eff. 1-1-07; 95-245, eff. 8-17-07.)