SB3181

LRB09920578AWJ45132b

99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB3181

Introduced 2/19/2016, by Sen. Dan Duffy

SYNOPSIS AS INTRODUCED:

20 ILCS 405/405-335
50 ILCS 205/25 new

Amends the Civil Administrative Code of Illinois. Provides that the Illinois Transparency and Accountability Portal webmaster must compile and update notices and digital public records from all school districts and units of local government without websites (currently, must only compile and update for specified units of local government). Amends the Local Records Act. Provides that a school district or unit of local government may publish any notice, agenda, record, or other information or material required by law electronically instead of in a newspaper. Further provides that any requirement to store or maintain any public record in microfilm or microfiche form shall be satisfied by the school district or unit of local government's maintenance of such public record in digital form.

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A BILL FOR

1   AN ACT concerning local government.

2   **Be it enacted by the People of the State of Illinois,**

3   **represented in the General Assembly:**

4   Section 5. The Department of Central Management Services

5   Law of the Civil Administrative Code of Illinois is amended by

6   changing Section 405-335 as follows:

7   (20 ILCS 405/405-335)

8   Sec. 405-335. Illinois Transparency and Accountability

9   Portal (ITAP).

10   (a) The Department, within 12 months after January 1, 2010

11 (the effective date of Public Act 96-225) ~~this amendatory Act~~

12 ~~of the 96th General Assembly~~, shall establish and maintain a

13 website, known as the Illinois Transparency and Accountability

14 Portal (ITAP), with a full-time webmaster tasked with compiling

15 and updating the ITAP database with information received from

16 all State agencies as defined in this Section. Within 6 months

17 of the effective date of this amendatory Act of the 99th

18 General Assembly, ITAP shall have the capability to compile and

19 update the ITAP database with information received from all

20 school districts and units of local government without websites

21 including, but not limited to, counties, townships, special

22 districts, and municipalities. Subject to appropriation, the

23 full-time webmaster must also compile and update the ITAP

1   database with information received from all <u>school districts</u>

2   <u>and units of local government including, but not limited to,</u>

3   counties,   townships,   <u>special</u>   ~~library~~   districts,   and

4   municipalities.

5   (b) For purposes of this Section:

6   "State agency" means the offices of the constitutional

7   officers identified in Article V of the Illinois Constitution,

8   executive agencies, and departments, boards, commissions, and

9   Authorities under the Governor.

10   "Contracts" means payment obligations with vendors on file

11 with the Office of the Comptroller to purchase goods and

12 services exceeding $10,000 in value (or, in the case of

13 professional or artistic services, exceeding $5,000 in value).

14   "Appropriation" means line-item detail of spending

15 approved by the General Assembly and Governor, categorized by

16 object of expenditure.

17   "Individual consultants" means temporary workers eligible

18 to receive State benefits paid on a State payroll.

19   "Recipients"   means   State   agencies   receiving

20 appropriations.

21   (c) The ITAP shall provide direct access to each of the

22 following:

23   (1) A database of all current State employees and

24   individual consultants, except sworn law enforcement

25   officers, sorted separately by:

26   (i) Name.

1   (ii) Employing State agency.

2   (iii) Employing State division.

3   (iv) Employment position title.

4   (v) Current pay rate and year-to-date pay.

5   (2) A database of all current State expenditures,

6   sorted separately by agency, category, recipient, and

7   Representative District.

8   (3) A database of all development assistance

9   reportable pursuant to the Corporate Accountability for

10   Tax Expenditures Act, sorted separately by tax credit

11   category, taxpayer, and Representative District.

12   (4) A database of all revocations and suspensions of

13   State occupation and use tax certificates of registration

14   and all revocations and suspensions of State professional

15   licenses, sorted separately by name, geographic location,

16   and certificate of registration number or license number,

17   as applicable. Professional license revocations and

18   suspensions shall be posted only if resulting from a

19   failure to pay taxes, license fees, or child support.

20   (5) A database of all current State contracts, sorted

21   separately by contractor name, awarding officer or agency,

22   contract value, and goods or services provided.

23   (6) A database of all employees hired after the

24   effective date of this amendatory Act of 2010, sorted

25   searchably by each of the following at the time of

26   employment:

1   (i) Name.

2   (ii) Employing State agency.

3   (iii) Employing State division.

4   (iv) Employment position title.

5   (v) Current pay rate and year-to-date pay.

6   (vi) County of employment location.

7   (vii) Rutan status.

8   (viii) Status of position as subject to collective

9   bargaining, subject to merit compensation, or exempt

10   under Section 4d of the Personnel Code.

11   (ix) Employment status as probationary, trainee,

12   intern, certified, or exempt from certification.

13   (x) Status as a military veteran.

14   (7) A searchable database of all current county,

15   township, library district, and municipal employees sorted

16   separately by:

17   (i) Employing unit of local government.

18   (ii) Employment position title.

19   (iii) Current pay rate and year-to-date pay.

20   (8) A searchable database of all county, township, and

21   municipal employees hired on or after the effective date of

22   this amendatory Act of the 97th General Assembly, sorted

23   separately by each of the following at the time of

24   employment:

25   (i) Employing unit of local government.

26   (ii) Employment position title.

1   (iii) Current pay rate and year-to-date pay.

2   (9) A searchable database of all library district

3   employees hired on or after August 9, 2013 (the effective

4   date of Public Act 98-246), sorted separately by each of

5   the following at the time of employment:

6   (i) Employing unit of local government.

7   (ii) Employment position title.

8   (iii) Current pay rate and year-to-date pay.

9   (10) A link to a website maintained by the Department

10   that contains a list of contact information for each State

11   agency, including a telephone number and a link to the

12   Agency's website. Each State agency shall be responsible

13   for providing and updating the Department with this

14   information.

15   (11) Notices and digital public records provided to

16   ITAP by school districts and units of local government

17   without websites.

18   (d) The ITAP shall include all information required to be

19 published by subsection (c) of this Section that is available

20 to the Department in a format the Department can compile and

21 publish on the ITAP. The Department shall update the ITAP as

22 additional information becomes available in a format that can

23 be compiled and published on the ITAP by the Department.

24   (e) Each State agency, county, township, library district,

25 and municipality shall cooperate with the Department in

26 furnishing the information necessary for the implementation of

1   this Section within a timeframe specified by the Department.

2   (f) Each county, township, library district, or

3   municipality submitting information to be displayed on the

4   Illinois Transparency and Accountability Portal (ITAP) is

5   responsible for the accuracy of the information provided.

6   (g) The Department, within 6 months after January 1, 2014

7   (the effective date of Public Act 98-283), shall distribute a

8   spreadsheet or otherwise make data entry available to each

9   State agency to facilitate the collection of data on the

10 State's annual workforce characteristics, workforce

11 compensation, and employee mobility. The Department shall

12 determine the data to be collected by each State agency. Each

13 State agency shall cooperate with the Department in furnishing

14 the data necessary for the implementation of this subsection

15 within the timeframe specified by the Department. The

16 Department shall publish the data received from each State

17 agency on the ITAP or another open data site annually.

18 (Source: P.A. 97-744, eff. 1-1-13; 98-246, eff. 8-9-13; 98-283,

19 eff. 1-1-14; 98-756, eff. 7-16-14; 98-1084, eff. 1-1-15.)

20   Section 10. The Local Records Act is amended by adding

21 Section 25 as follows:

22   (50 ILCS 205/25 new)

23   Sec. 25. Publication by internet posting; digital

24 maintenance of public records. Notwithstanding any other

1   provision of law:

2   (a) Any requirement for a school district or a unit of

3   local government to publish any notice, agenda, record, or

4   other information or material in a newspaper by law including,

5   but not limited to, the Open Meetings Act, the Illinois

6   Municipal Budget Law, the Intergovernmental Cooperation Act,

7   the Counties Code, the Township Code, the Illinois Municipal

8   Code, the Election Code, the School Code, the Airport

9   Authorities Act, or the Civic Center Code, may instead publish

10 such notice, agenda, record, or other information on its

11 website or on the Illinois Transparency and Accountability

12 Portal under Section 405-335 of the Department of Central

13 Management Services Law of the Civil Administrative Code of

14 Illinois.

15   (b) Any requirement that a school district or unit of local

16 government store or maintain any public record in microfilm or

17 microfiche form shall be satisfied by the school district's or

18 unit of local government's maintenance of such public record in

19 digital form.