

1 AN ACT concerning freedom of information.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Freedom of Information Act is amended by
5 changing Section 2 as follows:

6 (5 ILCS 140/2) (from Ch. 116, par. 202)

7 (Text of Section before amendment by P.A. 91-935)

8 Sec. 2. Definitions. As used in this Act:

9 (a) "Public body" means any legislative, executive,
10 administrative, or advisory bodies of the State, state
11 universities and colleges, counties, townships, cities,
12 villages, incorporated towns, school districts and all other
13 municipal corporations, boards, bureaus, committees, or
14 commissions of this State, and any subsidiary bodies of any
15 of the foregoing including but not limited to committees and
16 subcommittees which are supported in whole or in part by tax
17 revenue, or which expend tax revenue. "Public body" does not
18 include a child death review team established under the Child
19 Death Review Team Act.

20 (b) "Person" means any individual, corporation,
21 partnership, firm, organization or association, acting
22 individually or as a group.

23 (c) "Public records" means all records, reports, forms,
24 writings, letters, memoranda, books, papers, maps,
25 photographs, microfilms, cards, tapes, recordings, electronic
26 data processing records, recorded information and all other
27 documentary materials, regardless of physical form or
28 characteristics, having been prepared, or having been or
29 being used, received, possessed or under the control of any
30 public body. "Public records" includes, but is expressly not
31 limited to: (i) administrative manuals, procedural rules,

1 and instructions to staff, unless exempted by Section 7(p) of
2 this Act; (ii) final opinions and orders made in the
3 adjudication of cases, except an educational institution's
4 adjudication of student or employee grievance or disciplinary
5 cases; (iii) substantive rules; (iv) statements and
6 interpretations of policy which have been adopted by a public
7 body; (v) final planning policies, recommendations, and
8 decisions; (vi) factual reports, inspection reports, and
9 studies whether prepared by or for the public body; (vii) all
10 information in any account, voucher, or contract dealing with
11 the receipt or expenditure of public or other funds of public
12 bodies; (viii) the names, salaries, titles, and dates of
13 employment of all employees and officers of public bodies;
14 (ix) materials containing opinions concerning the rights of
15 the state, the public, a subdivision of state or a local
16 government, or of any private persons; (x) the name of every
17 official and the final records of voting in all proceedings
18 of public bodies; (xi) applications for any contract, permit,
19 grant, or agreement except as exempted from disclosure by
20 subsection (g) of Section 7 of this Act; (xii) each report,
21 document, study, or publication prepared by independent
22 consultants or other independent contractors for the public
23 body; (xiii) all other information required by law to be made
24 available for public inspection or copying; (xiv) information
25 relating to any grant or contract made by or between a public
26 body and another public body or private organization; (xv)
27 waiver documents filed with the State Superintendent of
28 Education or the president of the University of Illinois
29 under Section 30-12.5 of the School Code, concerning nominees
30 for General Assembly scholarships under Sections 30-9, 30-10,
31 and 30-11 of the School Code; and (xvi) complaints, results
32 of complaints, and Department of Children and Family Services
33 staff findings of licensing violations at day care
34 facilities, provided that personal and identifying

1 information is not released; and (xvii) agreements, to which
 2 a public body as defined in subsection (a) is a party,
 3 settling threatened or actual litigation but not including
 4 agreements settling actual or threatened litigation by
 5 persons committed to the Illinois Department of Corrections.

6 (d) "Copying" means the reproduction of any public
 7 record by means of any photographic, electronic, mechanical
 8 or other process, device or means.

9 (e) "Head of the public body" means the president,
 10 mayor, chairman, presiding officer, director, superintendent,
 11 manager, supervisor or individual otherwise holding primary
 12 executive and administrative authority for the public body,
 13 or such person's duly authorized designee.

14 (f) "News media" means a newspaper or other periodical
 15 issued at regular intervals, a news service, a radio station,
 16 a television station, a community antenna television service,
 17 or a person or corporation engaged in making news reels or
 18 other motion picture news for public showing.

19 (Source: P.A. 89-681, eff. 12-13-96; 90-144, eff. 7-23-97;
 20 90-670, eff. 7-31-98.)

21 (Text of Section after amendment by P.A. 91-935)

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 29 of the foregoing including but not limited to committees and
 30 subcommittees which are supported in whole or in part by tax
 31 revenue, or which expend tax revenue. "Public body" does not
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24 employment of all employees and officers of public bodies;
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30 grant, or agreement except as exempted from disclosure by
31 subsection (g) of Section 7 of this Act; (xii) each report,
32 document, study, or publication prepared by independent
33 consultants or other independent contractors for the public
34 body; (xiii) all other information required by law to be made

1 available for public inspection or copying; (xiv) information
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3 body and another public body or private organization; (xv)
4 waiver documents filed with the State Superintendent of
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7 for General Assembly scholarships under Sections 30-9, 30-10,
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9 complaints, and Department of Children and Family Services
10 staff findings of licensing violations at day care
11 facilities, provided that personal and identifying
12 information is not released; and (xvii) records, reports,
13 forms, writings, letters, memoranda, books, papers, and other
14 documentary information, regardless of physical form or
15 characteristics, having been prepared, or having been or
16 being used, received, possessed, or under the control of the
17 Illinois Sports Facilities Authority dealing with the receipt
18 or expenditure of public funds or other funds of the
19 Authority in connection with the reconstruction, renovation,
20 remodeling, extension, or improvement of all or substantially
21 all of an existing "facility" as that term is defined in the
22 Illinois Sports Facilities Authority Act; and (xviii)
23 agreements, to which a public body as defined in subsection
24 (a) is a party, settling threatened or actual litigation but
25 not including agreements settling actual or threatened
26 litigation by persons committed to the Illinois Department of
27 Corrections.

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34 executive and administrative authority for the public body,

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6 other motion picture news for public showing.

7 (Source: P.A. 90-144, eff. 7-23-97; 90-670, eff. 7-31-98;
8 91-935, eff. 6-1-01.)

9 Section 95. No acceleration or delay. Where this Act
10 makes changes in a statute that is represented in this Act by
11 text that is not yet or no longer in effect (for example, a
12 Section represented by multiple versions), the use of that
13 text does not accelerate or delay the taking effect of (i)
14 the changes made by this Act or (ii) provisions derived from
15 any other Public Act.

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.