

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 only as to the  
 4 amount of funds expended or collected by the public body in  
 5 settling threatened or actual litigation and not including  
 6 agreements settling actual or threatened litigation by  
 7 persons committed to the Illinois Department of Corrections.

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

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

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

21 (Source: P.A. 89-681, eff. 12-13-96; 90-144, eff. 7-23-97;  
 22 90-670, eff. 7-31-98.)

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

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 29 municipal corporations, boards, bureaus, committees, or  
 30 commissions of this State, and any subsidiary bodies of any  
 31 of the foregoing including but not limited to committees and  
 32 subcommittees which are supported in whole or in part by tax  
 33 revenue, or which expend tax revenue. "Public body" does not  
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1 Death Review Team Act.

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8 data processing records, recorded information and all other  
9 documentary materials, regardless of physical form or  
10 characteristics, having been prepared, or having been or  
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13 limited to: (i) administrative manuals, procedural rules,  
14 and instructions to staff, unless exempted by Section 7(p) of  
15 this Act; (ii) final opinions and orders made in the  
16 adjudication of cases, except an educational institution's  
17 adjudication of student or employee grievance or disciplinary  
18 cases; (iii) substantive rules; (iv) statements and  
19 interpretations of policy which have been adopted by a public  
20 body; (v) final planning policies, recommendations, and  
21 decisions; (vi) factual reports, inspection reports, and  
22 studies whether prepared by or for the public body; (vii) all  
23 information in any account, voucher, or contract dealing with  
24 the receipt or expenditure of public or other funds of public  
25 bodies; (viii) the names, salaries, titles, and dates of  
26 employment of all employees and officers of public bodies;  
27 (ix) materials containing opinions concerning the rights of  
28 the state, the public, a subdivision of state or a local  
29 government, or of any private persons; (x) the name of every  
30 official and the final records of voting in all proceedings  
31 of public bodies; (xi) applications for any contract, permit,  
32 grant, or agreement except as exempted from disclosure by  
33 subsection (g) of Section 7 of this Act; (xii) each report,  
34 document, study, or publication prepared by independent

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

32 (d) "Copying" means the reproduction of any public  
33 record by means of any photographic, electronic, mechanical  
34 or other process, device or means.

1           (e) "Head of the public body" means the president,  
 2           mayor, chairman, presiding officer, director, superintendent,  
 3           manager, supervisor or individual otherwise holding primary  
 4           executive and administrative authority for the public body,  
 5           or such person's duly authorized designee.

6           (f) "News media" means a newspaper or other periodical  
 7           issued at regular intervals, a news service, a radio station,  
 8           a television station, a community antenna television service,  
 9           or a person or corporation engaged in making news reels or  
 10          other motion picture news for public showing.

11          (Source: P.A. 90-144, eff. 7-23-97; 90-670, eff. 7-31-98;  
 12          91-935, eff. 6-1-01.)

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

20          Section 99. Effective date. This Act takes effect upon  
 21          becoming law.