



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3138

by Rep. Brad Halbbrook

SYNOPSIS AS INTRODUCED:

5 ILCS 140/2.16 new

Amends the Freedom of Information Act. Provides that an elected or appointed public official of a public body has a right to all records of the public body to which the official is elected or appointed, and to the records of each subsidiary of the public body to which the official is elected or appointed. Provides that a member of the General Assembly shall have access to all records of each State agency. Provides that records of a public body shall be provided under equal circumstances to all persons entitled to records under the new provisions. Provides that records shall be provided within 5 business days, unless a mutual agreement between the official and the public body provides otherwise. Provides that an official entitled to records under the new provisions is not required to submit a request for records under other provisions of the Act. Provides that the new provisions do not apply to records exempt under specified Sections of the Act.

LRB101 10089 HEP 55192 b

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 Freedom of Information Act is amended by
5 adding Section 2.16 as follows:

6 (5 ILCS 140/2.16 new)

7 Sec. 2.16. Public official's right to records.

8 (a) An elected or appointed public official of a public
9 body has a right to all records of the public body to which the
10 official is elected or appointed, and to the records of each
11 subsidiary of the public body to which the official is elected
12 or appointed.

13 (b) A member of the General Assembly shall have access to
14 all records of each State agency.

15 (c) Records of a public body shall be provided under equal
16 circumstances to all persons entitled to records under this
17 Section. Records shall be provided within 5 business days,
18 unless a mutual agreement between the official and the public
19 body provides otherwise.

20 (d) An official entitled to records under this Section is
21 not required to submit a request for records under other
22 provisions of this Act.

23 (e) This Section does not apply to records exempt under

1 Section 7 or 7.5 of this Act.