

1 AN ACT in relation to local government.

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

4 Section 5. The Counties Code is amended by adding Section  
5 5-1106.1 as follows:

6 (55 ILCS 5/5-1106.1 new)

7 Sec. 5-1106.1. Public records; Internet access.

8 (a) Any county may provide Internet access to public  
9 records maintained in electronic form. This access shall be  
10 provided at no charge to the public. Any county that provides  
11 public Internet access to records maintained in electronic  
12 form may also enter into a contractual arrangement for the  
13 dissemination of the same electronic data in bulk or compiled  
14 form.

15 (b) For the purposes of this Section, "electronic data  
16 in bulk form" is defined as all, or a significant subset, of  
17 any records to which the public has free Internet access, as  
18 is and without modification or compilation; and "electronic  
19 data in compiled form" is defined as any records to which the  
20 public has free Internet access but that has been  
21 specifically selected, aggregated, or manipulated and is not  
22 maintained or used in the county's regular course of  
23 business.

24 (c) If, but only if, a county provides free Internet  
25 access to public records maintained in electronic form, the  
26 county may charge a fee for the dissemination of the  
27 electronic data in bulk or compiled form, but the fee may not  
28 exceed 110% of the actual cost, if any, of providing the  
29 electronic data in bulk or compiled form.

30 The fee must be paid to the county treasurer and  
31 deposited into a fund designated as the County Automation

1 Fund; except that in counties with a population exceeding  
2 3,000,000, the fee shall be paid into a fund designated as  
3 the Recorder's Automation Fund.

4 (d) The county must make available for public inspection  
5 and copying an itemization of the actual cost, if any, of  
6 providing electronic data in bulk or compiled form, including  
7 any and all supporting documents. The county is prohibited  
8 from granting to any person or entity, whether by contract,  
9 license, or otherwise, the exclusive right to access and  
10 disseminate any public record.

11 Section 99. Effective date. This Act takes effect upon  
12 becoming law.