



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB0776

Introduced 2/7/2007, by Rep. David R. Leitch

SYNOPSIS AS INTRODUCED:

5 ILCS 120/2.01
5 ILCS 120/7

from Ch. 102, par. 42.01

Amends the Open Meetings Act. Permits any public body (now, only one with statewide jurisdiction) to satisfy the requirement for physical presence of a quorum at an open meeting by the physical presence of a quorum at more than one location where the meeting is held simultaneously. With respect to a public body with less than statewide jurisdiction, removes the requirement that a quorum of the public body's members be physically present at its closed meetings.

LRB095 06391 JAM 26488 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 Open Meetings Act is amended by changing
5 Sections 2.01 and 7 as follows:

6 (5 ILCS 120/2.01) (from Ch. 102, par. 42.01)

7 Sec. 2.01. All meetings required by this Act to be public
8 shall be held at specified times and places which are
9 convenient and open to the public. No meeting required by this
10 Act to be public shall be held on a legal holiday unless the
11 regular meeting day falls on that holiday.

12 A quorum of members of a public body must be physically
13 present at the location of an open meeting. If, however, an
14 open meeting of a public body ~~(except one with jurisdiction~~
15 ~~limited to a specific geographic area that is less than~~
16 ~~statewide)~~ is held simultaneously at one of its offices and one
17 or more other locations in a public building, which may include
18 other of its offices, through an interactive video conference
19 and the public body provides public notice and public access as
20 required under this Act for all locations, then members
21 physically present in those locations all count towards
22 determining a quorum. "Public building", as used in this
23 Section, means any building or portion thereof owned or leased

1 by any public body. The requirement that a quorum be physically
2 present at the location of an open meeting shall not apply,
3 however, to State advisory boards or bodies that do not have
4 authority to make binding recommendations or determinations or
5 to take any other substantive action.

6 Members ~~A quorum of members~~ of a public body that is not a
7 public body with statewide jurisdiction ~~must be physically~~
8 ~~present at the location of a closed meeting. Other members~~ who
9 are not physically present at a closed meeting of such a public
10 body may participate in the meeting by means of a video or
11 audio conference.

12 (Source: P.A. 94-1058, eff. 1-1-07.)

13 (5 ILCS 120/7)

14 Sec. 7. Attendance by a means other than physical presence.

15 (a) If a quorum of the members of the public body is
16 physically present as required by Section 2.01, or if a public
17 body with less than statewide jurisdiction holds a closed
18 meeting, a majority of the public body may allow a member of
19 that body to attend the meeting by other means than physical
20 presence if the member is prevented from physically attending
21 because of: (i) personal illness or disability; (ii) employment
22 purposes or the business of the public body; or (iii) a family
23 or other emergency. "Other means" is by video or audio
24 conference.

25 (b) If a member wishes to attend a meeting by other means,

1 the member must notify the recording secretary or clerk of the
2 public body before the meeting unless advance notice is
3 impractical.

4 (c) A majority of the public body may allow a member to
5 attend a meeting by other means only in accordance with and to
6 the extent allowed by rules adopted by the public body. The
7 rules must conform to the requirements and restrictions of this
8 Section, may further limit the extent to which attendance by
9 other means is allowed, and may provide for the giving of
10 additional notice to the public or further facilitate public
11 access to meetings.

12 (d) The limitations of this Section shall not apply to (i)
13 closed meetings of public bodies with statewide jurisdiction or
14 (ii) open or closed meetings of State advisory boards or bodies
15 that do not have authority to make binding recommendations or
16 determinations or to take any other substantive action. State
17 advisory boards or bodies and public bodies with statewide
18 jurisdiction, however, may permit members to attend meetings by
19 other means only in accordance with and to the extent allowed
20 by specific procedural rules adopted by the body.

21 (Source: P.A. 94-1058, eff. 1-1-07.)