



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

SB0420

Introduced 2/7/2007, by Sen. Randall "Randy" M. Hultgren

#### SYNOPSIS AS INTRODUCED:

5 ILCS 120/1.03 new  
5 ILCS 120/7

Amends the Open Meetings Act. Provides that the e-mail distribution of materials for the individual use of a public body's members is not a violation of the Act. With respect to public bodies with statewide jurisdiction, provides that no per diem payments shall be made to members who attend meetings by electronic means or by audio or video conference. Provides that at a meeting of a public body with less than statewide jurisdiction at which a majority of a quorum of members must be physically present, provides that a majority of the physically present members (now, a majority of the members) may allow the attendance of other members by audio or video conference for the reasons specified by the Act. Adds vacation outside the territorial limits of the jurisdiction of the public body to that list of reasons.

LRB095 07901 JAM 28063 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 Section 7 and by adding Section 1.03 as follows:

6 (5 ILCS 120/1.03 new)

7 Sec. 1.03. Electronic mail. The use of electronic mail to  
8 distribute materials, schedules, correspondence, agendas, or  
9 reports so that members of a public body may prepare  
10 individually for upcoming meetings shall not constitute a  
11 violation of this Act.

12 (5 ILCS 120/7)

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

14 (a) If a quorum of the members of the public body is  
15 physically present as required by Section 2.01, a majority of  
16 the physically present members of the public body may allow a  
17 member of that body to attend the meeting by other means if the  
18 member is prevented from physically attending because of: (i)  
19 personal illness or disability; (ii) employment purposes or the  
20 business of the public body; ~~or~~ (iii) a family or other  
21 emergency; or (iv) the member's vacationing outside the  
22 territorial limits of the jurisdiction of the public body.

1 "Other means" is by video or audio conference.

2 (b) If a member wishes to attend a meeting by other means,  
3 the member must notify the recording secretary or clerk of the  
4 public body before the meeting unless advance notice is  
5 impractical.

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

14 (d) The limitations of this Section shall not apply to (i)  
15 closed meetings of public bodies with statewide jurisdiction or  
16 (ii) open or closed meetings of State advisory boards or bodies  
17 that do not have authority to make binding recommendations or  
18 determinations or to take any other substantive action. State  
19 advisory boards or bodies and public bodies with statewide  
20 jurisdiction, however, may permit members to attend meetings by  
21 other means only in accordance with and to the extent allowed  
22 by specific procedural rules adopted by the body. No per diem  
23 payments shall be made to members of public bodies with  
24 statewide jurisdiction attending meetings by electronic or  
25 other means.

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