



Executive Committee

Filed: 3/31/2009

09600HB0793ham001

LRB096 04548 JAM 23802 a

1 AMENDMENT TO HOUSE BILL 793

2 AMENDMENT NO. _____. Amend House Bill 793 by replacing
3 everything after the enacting clause with the following:

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 (i) with statewide jurisdiction
15 or (ii) that is an Illinois library system with jurisdiction
16 over a specific geographic area of more than 4,500 square miles

1 ~~(except one with jurisdiction limited to a specific geographic~~
2 ~~area that is less than statewide)~~ is held simultaneously at one
3 of its offices and one or more other locations in a public
4 building, which may include other of its offices, through an
5 interactive video conference and the public body provides
6 public notice and public access as required under this Act for
7 all locations, then members physically present in those
8 locations all count towards determining a quorum. "Public
9 building", as used in this Section, means any building or
10 portion thereof owned or leased by any public body. The
11 requirement that a quorum be physically present at the location
12 of an open meeting shall not apply, however, to State advisory
13 boards or bodies that do not have authority to make binding
14 recommendations or determinations or to take any other
15 substantive action.

16 A quorum of members of a public body that is not (i) a
17 public body with statewide jurisdiction or (ii) a public body
18 that is an Illinois library system with jurisdiction over a
19 specific geographic area of more than 4,500 square miles must
20 be physically present at the location of a closed meeting.
21 Other members who are not physically present at a closed
22 meeting of such a public body may participate in the meeting by
23 means of a video or audio conference.

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

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

2 (a) If a quorum of the members of the public body is
3 physically present as required by Section 2.01, a majority of
4 the public body may allow a member of that body to attend the
5 meeting by other means if the member is prevented from
6 physically attending because of: (i) personal illness or
7 disability; (ii) employment purposes or the business of the
8 public body; or (iii) a family or other emergency. "Other
9 means" is by video or audio conference.

10 (b) If a member wishes to attend a meeting by other means,
11 the member must notify the recording secretary or clerk of the
12 public body before the meeting unless advance notice is
13 impractical.

14 (c) A majority of the public body may allow a member to
15 attend a meeting by other means only in accordance with and to
16 the extent allowed by rules adopted by the public body. The
17 rules must conform to the requirements and restrictions of this
18 Section, may further limit the extent to which attendance by
19 other means is allowed, and may provide for the giving of
20 additional notice to the public or further facilitate public
21 access to meetings.

22 (d) The limitations of this Section shall not apply to (i)
23 closed meetings of public bodies with statewide jurisdiction or
24 that are Illinois library systems with jurisdiction over a
25 specific geographic area of more than 4,500 square miles or
26 (ii) open or closed meetings of State advisory boards or bodies

1 that do not have authority to make binding recommendations or
2 determinations or to take any other substantive action. State
3 advisory boards or bodies and public bodies with statewide
4 jurisdiction or that are Illinois library systems with
5 jurisdiction over a specific geographic area of more than 4,500
6 square miles, however, may permit members to attend meetings by
7 other means only in accordance with and to the extent allowed
8 by specific procedural rules adopted by the body.

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

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