



Sen. Michael Noland

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LRB097 18988 JDS 67671 a

1 AMENDMENT TO SENATE BILL 3396

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3396 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Open Meetings Act is amended by changing  
5 Sections 1.05 and 4 as follows:

6 (5 ILCS 120/1.05)

7 Sec. 1.05. Training.

8 (a) Every public body shall designate employees, officers,  
9 or members to receive training on compliance with this Act.  
10 Each public body shall submit a list of designated employees,  
11 officers, or members to the Public Access Counselor. Within 6  
12 months after the effective date of this amendatory Act of the  
13 96th General Assembly, the designated employees, officers, and  
14 members must successfully complete an electronic training  
15 curriculum, developed and administered by the Public Access  
16 Counselor, and thereafter must successfully complete an annual

1 training program. Thereafter, whenever a public body  
2 designates an additional employee, officer, or member to  
3 receive this training, that person must successfully complete  
4 the electronic training curriculum within 30 days after that  
5 designation.

6 (b) Except as otherwise provided in this Section, each  
7 elected or appointed member of a public body subject to this  
8 Act who is such a member on the effective date of this  
9 amendatory Act of the 97th General Assembly must successfully  
10 complete the electronic training curriculum developed and  
11 administered by the Public Access Counselor. For these members,  
12 the training must be completed within one year after the  
13 effective date of this amendatory Act.

14 Except as otherwise provided in this Section, each elected  
15 or appointed member of a public body subject to this Act who  
16 becomes such a member after the effective date of this  
17 amendatory Act of the 97th General Assembly shall successfully  
18 complete the electronic training curriculum developed and  
19 administered by the Public Access Counselor. For these members,  
20 the training must be completed not later than the 90th day  
21 after the date the member:

22 (1) takes the oath of office, if the member is required  
23 to take an oath of office to assume the person's duties as  
24 a member of the public body; or

25 (2) otherwise assumes responsibilities as a member of  
26 the public body, if the member is not required to take an

1 oath of office to assume the person's duties as a member of  
2 the governmental body.

3 Each member successfully completing the electronic  
4 training curriculum shall file a copy of the certificate of  
5 completion with the public body.

6 Completing the required training as a member of the public  
7 body satisfies the requirements of this Section with regard to  
8 the member's service on a committee or subcommittee of the  
9 public body and the member's ex officio service on any other  
10 public body.

11 The failure of one or more members of a public body to  
12 complete the training required by this Section does not affect  
13 the validity of an action taken by the public body.

14 An elected or appointed member of a public body subject to  
15 this Act who has successfully completed the training required  
16 under this subsection (b) and filed a copy of the certificate  
17 of completion with the public body is not required to  
18 subsequently complete the training required under this  
19 subsection (b).

20 (c) An elected school board member may satisfy the training  
21 requirements of this Section by participating in a course of  
22 training sponsored or conducted by an organization created  
23 under Article 23 of the School Code. The course of training  
24 shall include, but not be limited to, instruction in:

25 (1) the general background of the legal requirements  
26 for open meetings;

1 (2) the applicability of this Act to public bodies;

2 (3) procedures and requirements regarding quorums,  
3 notice, and record-keeping under this Act;

4 (4) procedures and requirements for holding an open  
5 meeting and for holding a closed meeting under this Act;  
6 and

7 (5) penalties and other consequences for failing to  
8 comply with this Act.

9 If an organization created under Article 23 of the School  
10 Code provides a course of training under this subsection (c),  
11 it must provide a certificate of course completion to each  
12 school board member who successfully completes that course of  
13 training.

14 (d) An elected or appointed member of the board of trustees  
15 of a pension fund established under Article 3 or Article 4 of  
16 the Illinois Pension Code may satisfy the training requirements  
17 of this Section by participating in a course of training  
18 sponsored or conducted by a statewide organization  
19 representing police and firefighters. The course of training  
20 shall include, but need not be limited to, instruction in:

21 (1) the general background of the legal requirements  
22 for open meetings;

23 (2) the applicability of this Act to public bodies;

24 (3) procedures and requirements regarding quorums,  
25 notice, and record-keeping under this Act;

26 (4) procedures and requirements for holding an open

1 meeting and for holding a closed meeting under this Act;

2 and

3 (5) penalties and other consequences for failing to  
4 comply with this Act.

5 If a course of training is provided under this subsection  
6 (d), the statewide organization representing police and  
7 firefighters must provide a certificate of course completion to  
8 each board member who successfully completes that course of  
9 training.

10 (Source: P.A. 96-542, eff. 1-1-10; 97-504, eff. 1-1-12.)

11 (5 ILCS 120/4) (from Ch. 102, par. 44)

12 Sec. 4. Any person violating any of the provisions of this  
13 Act, except subsection (b), ~~or~~ (c), or (d) of Section 1.05,  
14 shall be guilty of a Class C misdemeanor.

15 (Source: P.A. 97-504, eff. 1-1-12.)

16 Section 99. Effective date. This Act takes effect January  
17 1, 2013."