



Rep. Janet Yang Rohr

Filed: 3/17/2025

10400HB3032ham001

LRB104 05558 BDA 23051 a

1 AMENDMENT TO HOUSE BILL 3032

2 AMENDMENT NO. _____. Amend House Bill 3032 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Open Meetings Act is amended by changing
5 Sections 1.02 and 7 as follows:

6 (5 ILCS 120/1.02) (from Ch. 102, par. 41.02)

7 Sec. 1.02. For the purposes of this Act:

8 "Advisory body" includes any public body that is a board,
9 commission, or other subsidiary body of a decision-making body
10 when its purpose is to make advisory recommendations to the
11 decision-making body.

12 "Decision-making body" includes any public body that makes
13 decisions to implement legislation or policy over all or any
14 part of this State or any political subdivision or special
15 district of this State.

16 "Meeting" means any gathering, whether in person or by

1 video or audio conference, telephone call, electronic means
2 (such as, without limitation, electronic mail, electronic
3 chat, and instant messaging), or other means of
4 contemporaneous interactive communication, of a majority of a
5 quorum of the members of a public body held for the purpose of
6 discussing public business or, for a 5-member public body, a
7 quorum of the members of a public body held for the purpose of
8 discussing public business.

9 Accordingly, for a 5-member public body, 3 members of the
10 body constitute a quorum and the affirmative vote of 3 members
11 is necessary to adopt any motion, resolution, or ordinance,
12 unless a greater number is otherwise required.

13 "Public body" includes all legislative, executive,
14 administrative or advisory bodies of the State, counties,
15 townships, cities, villages, incorporated towns, school
16 districts and all other municipal corporations, boards,
17 bureaus, committees or commissions of this State, and any
18 subsidiary bodies of any of the foregoing including but not
19 limited to committees and subcommittees which are supported in
20 whole or in part by tax revenue, or which expend tax revenue,
21 except the General Assembly and committees or commissions
22 thereof. "Public body" includes tourism boards and convention
23 or civic center boards located in counties that are contiguous
24 to the Mississippi River with populations of more than 250,000
25 but less than 300,000. "Public body" includes the Health
26 Facilities and Services Review Board. "Public body" does not

1 include a child death review team or the Illinois Child Death
2 Review Teams Executive Council established under the Child
3 Death Review Team Act, an ethics commission acting under the
4 State Officials and Employees Ethics Act, a regional youth
5 advisory board or the Statewide Youth Advisory Board
6 established under the Department of Children and Family
7 Services Statewide Youth Advisory Board Act, the Illinois
8 Independent Tax Tribunal, or the regional interagency fatality
9 review teams and the Illinois Fatality Review Team Advisory
10 Council established under the Adult Protective Services Act.

11 (Source: P.A. 103-626, eff. 1-1-25.)

12 (5 ILCS 120/7)

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

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

24 (b) If a member wishes to attend a meeting by other means,
25 the member must notify the recording secretary or clerk of the

1 public body before the meeting unless advance notice is
2 impractical.

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

11 (d) The limitations of this Section shall not apply to (i)
12 closed meetings of (A) public bodies with statewide
13 jurisdiction, (B) Illinois library systems with jurisdiction
14 over a specific geographic area of more than 4,500 square
15 miles, (C) municipal transit districts with jurisdiction over
16 a specific geographic area of more than 4,500 square miles, or
17 (D) local workforce innovation areas with jurisdiction over a
18 specific geographic area of more than 4,500 square miles or
19 (ii) open or closed meetings of State advisory boards or
20 bodies that do not have authority to make binding
21 recommendations or determinations or to take any other
22 substantive action. State advisory boards or bodies, public
23 bodies with statewide jurisdiction, Illinois library systems
24 with jurisdiction over a specific geographic area of more than
25 4,500 square miles, municipal transit districts with
26 jurisdiction over a specific geographic area of more than

1 4,500 square miles, and local workforce investment areas with
2 jurisdiction over a specific geographic area of more than
3 4,500 square miles, however, may permit members to attend
4 meetings by other means only in accordance with and to the
5 extent allowed by specific procedural rules adopted by the
6 body. For the purposes of this Section, "local workforce
7 innovation area" means any local workforce innovation area or
8 areas designated by the Governor pursuant to the federal
9 Workforce Innovation and Opportunity Act or its reauthorizing
10 legislation.

11 (e) Subject to the requirements of Section 2.06 but
12 notwithstanding any other provision of law, an open or closed
13 meeting subject to this Act may be conducted by audio or video
14 conference, without the physical presence of a quorum of the
15 members, so long as the following conditions are met:

16 (1) the Governor or the Director of the Illinois
17 Department of Public Health has issued a disaster
18 declaration related to public health concerns because of a
19 disaster as defined in Section 4 of the Illinois Emergency
20 Management Agency Act, and all or part of the jurisdiction
21 of the public body is covered by the disaster area;

22 (2) the head of the public body as defined in
23 subsection (e) of Section 2 of the Freedom of Information
24 Act determines that an in-person meeting or a meeting
25 conducted under this Act is not practical or prudent
26 because of a disaster;

1 (3) all members of the body participating in the
2 meeting, wherever their physical location, shall be
3 verified and can hear one another and can hear all
4 discussion and testimony;

5 (4) for open meetings, members of the public present
6 at the regular meeting location of the body can hear all
7 discussion and testimony and all votes of the members of
8 the body, unless attendance at the regular meeting
9 location is not feasible due to the disaster, including
10 the issued disaster declaration, in which ~~case~~ the public
11 body must make alternative arrangements and provide notice
12 pursuant to this Section of such alternative arrangements
13 in a manner to allow any interested member of the public
14 access to contemporaneously hear all discussion,
15 testimony, and roll call votes, such as by offering a
16 telephone number or a web-based link;

17 (5) at least one member of the body, chief legal
18 counsel, or chief administrative officer is physically
19 present at the regular meeting location, unless unfeasible
20 due to the disaster, including the issued disaster
21 declaration; ~~and~~

22 (6) all votes are conducted by roll call, and ~~so~~ each
23 member's vote on each issue can be identified and
24 recorded; ~~-~~

25 (7) except ~~Except~~ in the event of a bona fide
26 emergency, 48 hours' notice shall be given of a meeting to

1 be held pursuant to this Section; ~~notice~~ Notice shall be
2 given to all members of the public body, shall be posted on
3 the website of the public body, and shall also be provided
4 to any news media who has requested notice of meetings
5 pursuant to subsection (a) of Section 2.02 of this Act; ~~if~~
6 if ~~if~~ the public body declares a bona fide emergency:

7 (A) notice ~~Notice~~ shall be given pursuant to
8 subsection (a) of Section 2.02 of this Act, and the
9 presiding officer shall state the nature of the
10 emergency at the beginning of the meeting; and ~~and~~

11 (B) the ~~The~~ public body must comply with the
12 verbatim recording requirements set forth in Section
13 2.06 of this Act; ~~and~~

14 (8) each ~~Each~~ member of the body participating in a
15 meeting by audio or video conference for a meeting held
16 pursuant to this Section is considered present at the
17 meeting for purposes of determining a quorum and
18 participating in all proceedings; ~~and~~

19 (9) in ~~In~~ addition to the requirements for open
20 meetings under Section 2.06, public bodies holding open
21 meetings under this subsection (e) must also keep a
22 verbatim record of all their meetings in the form of an
23 audio or video recording; ~~verbatim~~ Verbatim records made
24 under this paragraph (9) shall be made available to the
25 public under, and are otherwise subject to, the provisions
26 of Section 2.06; and ~~and~~

1 (10) the ~~The~~ public body shall bear all costs
2 associated with compliance with this subsection (e).

3 (f) Subject to the requirements of Section 2.06 but
4 notwithstanding any other provision of law, an open or closed
5 meeting subject to this Act of an advisory body may be
6 conducted by audio or video conference, without the physical
7 presence of a quorum of the members, so long as the following
8 conditions are met:

9 (1) the members of the advisory body participating in
10 the meeting, wherever their physical location, decide by a
11 majority vote to conduct the meeting by audio or video
12 conference in accordance with and to the extent allowed by
13 rules adopted by the decision-making body;

14 (2) the advisory body provides for the giving of
15 additional notice to the public and further facilitates
16 public access to meetings;

17 (3) all members of the advisory body participating in
18 the meeting, wherever their physical location, shall be
19 verified and can hear one another and can hear all
20 discussion and testimony;

21 (4) for open meetings, interested members of the
22 public have access to the meeting by electronic means or
23 in person in accordance with the rules established by the
24 decision-making body. For electronic attendance, the
25 public body must provide not less than 48 hours notice and
26 make arrangements to allow interested members of the

1 public to access the meeting electronically, such as by
2 offering a telephone number or a web-based link, so they
3 are able to contemporaneously hear all discussion,
4 testimony, and roll call votes;

5 (5) all votes are conducted by roll call, and each
6 member's vote on each issue can be identified and
7 recorded;

8 (6) 48 hours' notice shall be given of a meeting to be
9 held pursuant to this Section; notice shall be given to
10 all members of the public body, shall be posted on the
11 website of the public body, and shall also be provided to
12 any news media who has requested notice of meetings
13 pursuant to subsection (a) of Section 2.02 of this Act;
14 the public body must comply with the verbatim recording
15 requirements set forth in Section 2.06 of this Act;

16 (7) each member of the advisory body participating in
17 a meeting by audio or video conference for a meeting held
18 pursuant to this Section is considered present at the
19 meeting for purposes of determining a quorum and
20 participating in all proceedings;

21 (8) in addition to the requirements for open meetings
22 under Section 2.06, advisory bodies holding open meetings
23 under this subsection (f) must also keep a verbatim record
24 of all of their meetings in the form of an audio or video
25 recording; verbatim records made under this paragraph
26 shall be made available to the public under, and are

1 otherwise subject to, the provisions of Section 2.06; and
2 (9) the advisory body shall bear all costs associated
3 with compliance with this subsection (f).
4 (Source: P.A. 103-311, eff. 7-28-23.)".