



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB1357

Introduced 1/28/2025, by Sen. Michael E. Hastings

#### SYNOPSIS AS INTRODUCED:

5 ILCS 140/10.5 new

Amends the Freedom of Information Act. Provides that an elected official of a unit of local government shall not use an alias, false identity, or any other deceptive means to submit a request for public records under the Act if the intent of the request is to cause the unit of local government to incur unreasonable or excessive costs. Sets forth penalties for a violation of this prohibition. Provides that, if an elected official of a unit of local government submits a request or series of requests resulting in unreasonable or excessive costs and if the use of an alias or false identity is discovered, then there is a rebuttable presumption that the request or requests were made to cause the unit of local government to incur unreasonable or excessive costs. Authorizes a unit of local government to seek reimbursement from elected officials who violate this requirement. Authorizes the Attorney General, in coordination with units of local government, to investigate alleged violations and to take appropriate legal action against persons it alleges to have committed violations.

LRB104 07866 BDA 17912 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 Freedom of Information Act is amended by  
5 adding Section 10.5 as follows:

6 (5 ILCS 140/10.5 new)

7 Sec. 10.5. Abusive requests by elected officials using  
8 aliases.

9 (a) As used in this Section, "unreasonable or excessive  
10 costs" means costs that are incurred by a unit of local  
11 government, that relate to the fulfillment of a request under  
12 this Act, and that collectively exceed \$100,000, including  
13 copying fees, labor costs, legal fees, or any other associated  
14 costs incurred by a unit of local government in processing a  
15 request under this Act.

16 (b) An elected official of a unit of local government  
17 shall not use an alias, false identity, or any other deceptive  
18 means to submit a request for public records under this Act if  
19 the intent of the request is to cause the unit of local  
20 government to incur unreasonable or excessive costs.

21 (c) An elected official of a unit of local government who  
22 violates subsection (b) of this Section is guilty of a Class A  
23 misdemeanor and subject to penalties as prescribed by Illinois

1 law, including a fine not exceeding \$10,000, imprisonment for  
2 a period not to exceed 1 year, or both.

3 (d) If an elected official of a unit of local government  
4 submits a request or series of requests resulting in  
5 unreasonable or excessive costs and if the use of an alias or  
6 false identity by the elected official is discovered, then  
7 there shall be a rebuttable presumption that the requests were  
8 made to cause the unit of local government to incur  
9 unreasonable or excessive costs in violation of subsection (b)  
10 of this Section.

11 (e) If an elected official is found guilty of violating  
12 subsection (b) of this Section, the unit of local government  
13 may seek reimbursement from the elected official for the full  
14 amount of the unreasonable or excessive costs incurred in  
15 responding to the request or series of requests. Reimbursement  
16 recovered under this subsection (e) may include both direct  
17 costs, such as copying or labor fees, and indirect costs, such  
18 as legal fees associated with processing the request.

19 (f) The Attorney General, in coordination with units of  
20 local government, may investigate alleged violations of  
21 subsection (b) of this Section and may take appropriate legal  
22 action against any person it alleges to have violated this  
23 subsection (b) of this Section.