

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 2 as follows:

6 (5 ILCS 120/2)

7 (Text of Section before amendment by P.A. 104-457 and
8 104-458)

9 Sec. 2. Open meetings.

10 (a) Openness required. All meetings of public bodies shall
11 be open to the public unless excepted in subsection (c) and
12 closed in accordance with Section 2a.

13 (b) Construction of exceptions. The exceptions contained
14 in subsection (c) are in derogation of the requirement that
15 public bodies meet in the open, and therefore, the exceptions
16 are to be strictly construed, extending only to subjects
17 clearly within their scope. The exceptions authorize but do
18 not require the holding of a closed meeting to discuss a
19 subject included within an enumerated exception.

20 (c) Exceptions. A public body may hold closed meetings to
21 consider the following subjects:

22 (1) The appointment, employment, compensation,
23 discipline, performance, or dismissal of specific

1 employees, specific individuals who serve as independent
2 contractors in a park, recreational, or educational
3 setting, or specific volunteers of the public body or
4 legal counsel for the public body, including hearing
5 testimony on a complaint lodged against an employee, a
6 specific individual who serves as an independent
7 contractor in a park, recreational, or educational
8 setting, or a volunteer of the public body or against
9 legal counsel for the public body to determine its
10 validity. However, a meeting to consider an increase in
11 compensation to a specific employee of a public body that
12 is subject to the Local Government Wage Increase
13 Transparency Act may not be closed and shall be open to the
14 public and posted and held in accordance with this Act.

15 (2) Collective negotiating matters between the public
16 body and its employees or their representatives, or
17 deliberations concerning salary schedules for one or more
18 classes of employees.

19 (3) The selection of a person to fill a public office,
20 as defined in this Act, including a vacancy in a public
21 office, when the public body is given power to appoint
22 under law or ordinance, or the discipline, performance or
23 removal of the occupant of a public office, when the
24 public body is given power to remove the occupant under
25 law or ordinance.

26 (4) Evidence or testimony presented in open hearing,

1 or in closed hearing where specifically authorized by law,
2 to a quasi-adjudicative body, as defined in this Act,
3 provided that the body prepares and makes available for
4 public inspection a written decision setting forth its
5 determinative reasoning.

6 (4.5) Evidence or testimony presented to a school
7 board regarding denial of admission to school events or
8 property pursuant to Section 24-24 of the School Code,
9 provided that the school board prepares and makes
10 available for public inspection a written decision setting
11 forth its determinative reasoning.

12 (5) The purchase or lease of real property for the use
13 of the public body, including meetings held for the
14 purpose of discussing whether a particular parcel should
15 be acquired.

16 (6) The setting of a price for sale or lease of
17 property owned by the public body.

18 (7) The sale or purchase of securities, investments,
19 or investment contracts. This exception shall not apply to
20 the investment of assets or income of funds deposited into
21 the Illinois Prepaid Tuition Trust Fund.

22 (8) Security procedures, school building safety and
23 security, and the use of personnel and equipment to
24 respond to an actual, a threatened, or a reasonably
25 potential danger to the safety of employees, students,
26 staff, the public, or public property.

1 (9) Student disciplinary cases.

2 (10) The placement of individual students in special
3 education programs and other matters relating to
4 individual students.

5 (11) Litigation, when an action against, affecting or
6 on behalf of the particular public body has been filed and
7 is pending before a court or administrative tribunal, or
8 when the public body finds that an action is probable or
9 imminent, in which case the basis for the finding shall be
10 recorded and entered into the minutes of the closed
11 meeting.

12 (12) The establishment of reserves or settlement of
13 claims as provided in the Local Governmental and
14 Governmental Employees Tort Immunity Act, if otherwise the
15 disposition of a claim or potential claim might be
16 prejudiced, or the review or discussion of claims, loss or
17 risk management information, records, data, advice or
18 communications from or with respect to any insurer of the
19 public body or any intergovernmental risk management
20 association or self-insurance ~~self-insurance~~ pool of which
21 the public body is a member.

22 (13) Conciliation of complaints of discrimination in
23 the sale or rental of housing, when closed meetings are
24 authorized by the law or ordinance prescribing fair
25 housing practices and creating a commission or
26 administrative agency for their enforcement.

1 (14) Informant sources, the hiring or assignment of
2 undercover personnel or equipment, or ongoing, prior or
3 future criminal investigations, when discussed by a public
4 body with criminal investigatory responsibilities.

5 (15) Professional ethics or performance when
6 considered by an advisory body appointed to advise a
7 licensing or regulatory agency on matters germane to the
8 advisory body's field of competence.

9 (16) Self-evaluation ~~Self-evaluation~~, practices and
10 procedures, or professional ethics, when meeting with a
11 representative of a statewide or regional association of
12 which the public body is a member. As used in this
13 paragraph, "regional association" applies only to a
14 regional association pertaining to municipalities.

15 (17) The recruitment, credentialing, discipline or
16 formal peer review of physicians or other health care
17 professionals, or for the discussion of matters protected
18 under the federal Patient Safety and Quality Improvement
19 Act of 2005, and the regulations promulgated thereunder,
20 including 42 CFR ~~C.F.R.~~ Part 3 (73 FR 70732), or the
21 federal Health Insurance Portability and Accountability
22 Act of 1996, and the regulations promulgated thereunder,
23 including 45 CFR ~~C.F.R.~~ Parts 160, 162, and 164, by a
24 hospital, or other institution providing medical care,
25 that is operated by the public body.

26 (18) Deliberations for decisions of the Prisoner

1 Review Board.

2 (19) Review or discussion of applications received
3 under the Experimental Organ Transplantation Procedures
4 Act.

5 (20) The classification and discussion of matters
6 classified as confidential or continued confidential by
7 the State Government Suggestion Award Board.

8 (21) Discussion of minutes of meetings lawfully closed
9 under this Act, whether for purposes of approval by the
10 body of the minutes or semi-annual review of the minutes
11 as mandated by Section 2.06.

12 (22) Deliberations for decisions of the State
13 Emergency Medical Services Disciplinary Review Board.

14 (23) The operation by a municipality of a municipal
15 utility or the operation of a municipal power agency or
16 municipal natural gas agency when the discussion involves
17 (i) contracts relating to the purchase, sale, or delivery
18 of electricity or natural gas or (ii) the results or
19 conclusions of load forecast studies.

20 (24) Meetings of a residential health care facility
21 resident sexual assault and death review team or the
22 Executive Council under the Abuse Prevention Review Team
23 Act.

24 (25) Meetings of an independent team of experts under
25 the Developmental Disability and Mental Health Safety Act
26 or Brian's Law.

1 (26) Meetings of a mortality review team appointed
2 under the Department of Juvenile Justice Mortality Review
3 Team Act.

4 (27) (Blank).

5 (28) Correspondence and records (i) that may not be
6 disclosed under Section 11-9 of the Illinois Public Aid
7 Code or (ii) that pertain to appeals under Section 11-8 of
8 the Illinois Public Aid Code.

9 (29) Meetings between internal or external auditors
10 and governmental audit committees, finance committees, and
11 their equivalents, when the discussion involves internal
12 control weaknesses, identification of potential fraud risk
13 areas, known or suspected frauds, and fraud interviews
14 conducted in accordance with generally accepted auditing
15 standards of the United States of America.

16 (30) (Blank).

17 (31) Meetings and deliberations for decisions of the
18 Concealed Carry Licensing Review Board under the Firearm
19 Concealed Carry Act.

20 (32) Meetings between the Regional Transportation
21 Authority Board and its Service Boards when the discussion
22 involves review by the Regional Transportation Authority
23 Board of employment contracts under Section 28d of the
24 Metropolitan Transit Authority Act and Sections 3A.18 and
25 3B.26 of the Regional Transportation Authority Act.

26 (33) Those meetings or portions of meetings of the

1 advisory committee and peer review subcommittee created
2 under Section 320 of the Illinois Controlled Substances
3 Act during which specific controlled substance prescriber,
4 dispenser, or patient information is discussed.

5 (34) Meetings of the Tax Increment Financing Reform
6 Task Force under Section 2505-800 of the Department of
7 Revenue Law of the Civil Administrative Code of Illinois.

8 (35) Meetings of the group established to discuss
9 Medicaid capitation rates under Section 5-30.8 of the
10 Illinois Public Aid Code.

11 (36) Those deliberations or portions of deliberations
12 for decisions of the Illinois Gaming Board in which there
13 is discussed any of the following: (i) personal,
14 commercial, financial, or other information obtained from
15 any source that is privileged, proprietary, confidential,
16 or a trade secret; or (ii) information specifically
17 exempted from the disclosure by federal or State law.

18 (37) Deliberations for decisions of the Illinois Law
19 Enforcement Training Standards Board, the Certification
20 Review Panel, and the Illinois State Police Merit Board
21 regarding certification and decertification.

22 (38) Meetings of the Ad Hoc Statewide Domestic
23 Violence Fatality Review Committee of the Illinois
24 Criminal Justice Information Authority Board that occur in
25 closed executive session under subsection (d) of Section
26 35 of the Domestic Violence Fatality Review Act.

1 (39) Meetings of the regional review teams under
2 subsection (a) of Section 75 of the Domestic Violence
3 Fatality Review Act.

4 (40) Meetings of the Firearm Owner's Identification
5 Card Review Board under Section 10 of the Firearm Owners
6 Identification Card Act.

7 (d) Definitions. For purposes of this Section:

8 "Employee" means a person employed by a public body whose
9 relationship with the public body constitutes an
10 employer-employee relationship under the usual common law
11 rules, and who is not an independent contractor.

12 "Public office" means a position created by or under the
13 Constitution or laws of this State, the occupant of which is
14 charged with the exercise of some portion of the sovereign
15 power of this State. The term "public office" shall include
16 members of the public body, but it shall not include
17 organizational positions filled by members thereof, whether
18 established by law or by a public body itself, that exist to
19 assist the body in the conduct of its business.

20 "Quasi-adjudicative body" means an administrative body
21 charged by law or ordinance with the responsibility to conduct
22 hearings, receive evidence or testimony and make
23 determinations based thereon, but does not include local
24 electoral boards when such bodies are considering petition
25 challenges.

26 (e) Final action. No final action may be taken at a closed

1 meeting. Final action shall be preceded by a public recital of
2 the nature of the matter being considered and other
3 information that will inform the public of the business being
4 conducted.

5 (Source: P.A. 103-311, eff. 7-28-23; 103-626, eff. 1-1-25;
6 104-438, eff. 1-1-26; revised 1-12-26.)

7 (Text of Section after amendment by P.A. 104-457 and
8 104-458)

9 Sec. 2. Open meetings.

10 (a) Openness required. All meetings of public bodies shall
11 be open to the public unless excepted in subsection (c) and
12 closed in accordance with Section 2a.

13 (b) Construction of exceptions. The exceptions contained
14 in subsection (c) are in derogation of the requirement that
15 public bodies meet in the open, and therefore, the exceptions
16 are to be strictly construed, extending only to subjects
17 clearly within their scope. The exceptions authorize but do
18 not require the holding of a closed meeting to discuss a
19 subject included within an enumerated exception.

20 (c) Exceptions. A public body may hold closed meetings to
21 consider the following subjects:

22 (1) The appointment, employment, compensation,
23 discipline, performance, or dismissal of specific
24 employees, specific individuals who serve as independent
25 contractors in a park, recreational, or educational

1 setting, or specific volunteers of the public body or
2 legal counsel for the public body, including hearing
3 testimony on a complaint lodged against an employee, a
4 specific individual who serves as an independent
5 contractor in a park, recreational, or educational
6 setting, or a volunteer of the public body or against
7 legal counsel for the public body to determine its
8 validity. However, a meeting to consider an increase in
9 compensation to a specific employee of a public body that
10 is subject to the Local Government Wage Increase
11 Transparency Act may not be closed and shall be open to the
12 public and posted and held in accordance with this Act.

13 (2) Collective negotiating matters between the public
14 body and its employees or their representatives, or
15 deliberations concerning salary schedules for one or more
16 classes of employees.

17 (3) The selection of a person to fill a public office,
18 as defined in this Act, including a vacancy in a public
19 office, when the public body is given power to appoint
20 under law or ordinance, or the discipline, performance or
21 removal of the occupant of a public office, when the
22 public body is given power to remove the occupant under
23 law or ordinance.

24 (4) Evidence or testimony presented in open hearing,
25 or in closed hearing where specifically authorized by law,
26 to a quasi-adjudicative body, as defined in this Act,

1 provided that the body prepares and makes available for
2 public inspection a written decision setting forth its
3 determinative reasoning.

4 (4.5) Evidence or testimony presented to a school
5 board regarding denial of admission to school events or
6 property pursuant to Section 24-24 of the School Code,
7 provided that the school board prepares and makes
8 available for public inspection a written decision setting
9 forth its determinative reasoning.

10 (5) The purchase or lease of real property for the use
11 of the public body, including meetings held for the
12 purpose of discussing whether a particular parcel should
13 be acquired.

14 (6) The setting of a price for sale or lease of
15 property owned by the public body.

16 (7) The sale or purchase of securities, investments,
17 or investment contracts. This exception shall not apply to
18 the investment of assets or income of funds deposited into
19 the Illinois Prepaid Tuition Trust Fund.

20 (8) Security procedures, school building safety and
21 security, and the use of personnel and equipment to
22 respond to an actual, a threatened, or a reasonably
23 potential danger to the safety of employees, students,
24 staff, the public, or public property.

25 (9) Student disciplinary cases.

26 (10) The placement of individual students in special

1 education programs and other matters relating to
2 individual students.

3 (11) Litigation, when an action against, affecting or
4 on behalf of the particular public body has been filed and
5 is pending before a court or administrative tribunal, or
6 when the public body finds that an action is probable or
7 imminent, in which case the basis for the finding shall be
8 recorded and entered into the minutes of the closed
9 meeting.

10 (12) The establishment of reserves or settlement of
11 claims as provided in the Local Governmental and
12 Governmental Employees Tort Immunity Act, if otherwise the
13 disposition of a claim or potential claim might be
14 prejudiced, or the review or discussion of claims, loss or
15 risk management information, records, data, advice or
16 communications from or with respect to any insurer of the
17 public body or any intergovernmental risk management
18 association or self-insurance pool of which the public
19 body is a member.

20 (13) Conciliation of complaints of discrimination in
21 the sale or rental of housing, when closed meetings are
22 authorized by the law or ordinance prescribing fair
23 housing practices and creating a commission or
24 administrative agency for their enforcement.

25 (14) Informant sources, the hiring or assignment of
26 undercover personnel or equipment, or ongoing, prior or

1 future criminal investigations, when discussed by a public
2 body with criminal investigatory responsibilities.

3 (15) Professional ethics or performance when
4 considered by an advisory body appointed to advise a
5 licensing or regulatory agency on matters germane to the
6 advisory body's field of competence.

7 (16) Self-evaluation ~~Self-evaluation~~, practices and
8 procedures, or professional ethics, when meeting with a
9 representative of a statewide or regional association of
10 which the public body is a member. As used in this
11 paragraph, "regional association" applies only to a
12 regional association pertaining to municipalities.

13 (17) The recruitment, credentialing, discipline or
14 formal peer review of physicians or other health care
15 professionals, or for the discussion of matters protected
16 under the federal Patient Safety and Quality Improvement
17 Act of 2005, and the regulations promulgated thereunder,
18 including 42 CFR ~~C.F.R.~~ Part 3 (73 FR 70732), or the
19 federal Health Insurance Portability and Accountability
20 Act of 1996, and the regulations promulgated thereunder,
21 including 45 CFR ~~C.F.R.~~ Parts 160, 162, and 164, by a
22 hospital, or other institution providing medical care,
23 that is operated by the public body.

24 (18) Deliberations for decisions of the Prisoner
25 Review Board.

26 (19) Review or discussion of applications received

1 under the Experimental Organ Transplantation Procedures
2 Act.

3 (20) The classification and discussion of matters
4 classified as confidential or continued confidential by
5 the State Government Suggestion Award Board.

6 (21) Discussion of minutes of meetings lawfully closed
7 under this Act, whether for purposes of approval by the
8 body of the minutes or semi-annual review of the minutes
9 as mandated by Section 2.06.

10 (22) Deliberations for decisions of the State
11 Emergency Medical Services Disciplinary Review Board.

12 (23) The operation by a municipality of a municipal
13 utility or the operation of a municipal power agency or
14 municipal natural gas agency when the discussion involves:
15 (i) trade secrets or commercial or financial information
16 obtained from a person or business where the trade secrets
17 or commercial or financial information are furnished under
18 a claim that they are proprietary, privileged, or
19 confidential, and that disclosure of the trade secrets or
20 commercial or financial information would cause
21 competitive harm to the person or business; or
22 commercially sensitive information contained in offers to
23 buy or sell made in the competitive markets of a regional
24 transmission organization; and only insofar as the
25 discussion relates directly to such trade secrets or
26 information; (ii) physical or cybersecurity of facilities

1 or materials designated as Critical Energy/Electric
2 Infrastructure Information under federal law or
3 regulation; or (iii) ongoing contract negotiations or
4 results of a request for proposals relating to the
5 purchase, sale, or delivery of electricity or natural gas
6 from nonaffiliate entities; provided however, the
7 municipality, municipal power agency, or municipal natural
8 gas agency shall hold at least one public meeting as to any
9 contract discussed in whole or in part in closed session
10 prior to final action on the contract.

11 (24) Meetings of a residential health care facility
12 resident sexual assault and death review team or the
13 Executive Council under the Abuse Prevention Review Team
14 Act.

15 (25) Meetings of an independent team of experts under
16 the Developmental Disability and Mental Health Safety Act
17 or Brian's Law.

18 (26) Meetings of a mortality review team appointed
19 under the Department of Juvenile Justice Mortality Review
20 Team Act.

21 (27) (Blank).

22 (28) Correspondence and records (i) that may not be
23 disclosed under Section 11-9 of the Illinois Public Aid
24 Code or (ii) that pertain to appeals under Section 11-8 of
25 the Illinois Public Aid Code.

26 (29) Meetings between internal or external auditors

1 and governmental audit committees, finance committees, and
2 their equivalents, when the discussion involves internal
3 control weaknesses, identification of potential fraud risk
4 areas, known or suspected frauds, and fraud interviews
5 conducted in accordance with generally accepted auditing
6 standards of the United States of America.

7 (30) (Blank).

8 (31) Meetings and deliberations for decisions of the
9 Concealed Carry Licensing Review Board under the Firearm
10 Concealed Carry Act.

11 (32) Meetings between the Northern Illinois Transit
12 Authority Board and its Service Boards when the discussion
13 involves review by the Northern Illinois Transit Authority
14 Board of employment contracts under Section 28d of the
15 Chicago Transit Authority Act and Sections 3A.18 and 3B.26
16 of the Northern Illinois Transit Authority Act.

17 (33) Those meetings or portions of meetings of the
18 advisory committee and peer review subcommittee created
19 under Section 320 of the Illinois Controlled Substances
20 Act during which specific controlled substance prescriber,
21 dispenser, or patient information is discussed.

22 (34) Meetings of the Tax Increment Financing Reform
23 Task Force under Section 2505-800 of the Department of
24 Revenue Law of the Civil Administrative Code of Illinois.

25 (35) Meetings of the group established to discuss
26 Medicaid capitation rates under Section 5-30.8 of the

1 Illinois Public Aid Code.

2 (36) Those deliberations or portions of deliberations
3 for decisions of the Illinois Gaming Board in which there
4 is discussed any of the following: (i) personal,
5 commercial, financial, or other information obtained from
6 any source that is privileged, proprietary, confidential,
7 or a trade secret; or (ii) information specifically
8 exempted from the disclosure by federal or State law.

9 (37) Deliberations for decisions of the Illinois Law
10 Enforcement Training Standards Board, the Certification
11 Review Panel, and the Illinois State Police Merit Board
12 regarding certification and decertification.

13 (38) Meetings of the Ad Hoc Statewide Domestic
14 Violence Fatality Review Committee of the Illinois
15 Criminal Justice Information Authority Board that occur in
16 closed executive session under subsection (d) of Section
17 35 of the Domestic Violence Fatality Review Act.

18 (39) Meetings of the regional review teams under
19 subsection (a) of Section 75 of the Domestic Violence
20 Fatality Review Act.

21 (40) Meetings of the Firearm Owner's Identification
22 Card Review Board under Section 10 of the Firearm Owners
23 Identification Card Act.

24 (d) Definitions. For purposes of this Section:

25 "Employee" means a person employed by a public body whose
26 relationship with the public body constitutes an

1 employer-employee relationship under the usual common law
2 rules, and who is not an independent contractor.

3 "Public office" means a position created by or under the
4 Constitution or laws of this State, the occupant of which is
5 charged with the exercise of some portion of the sovereign
6 power of this State. The term "public office" shall include
7 members of the public body, but it shall not include
8 organizational positions filled by members thereof, whether
9 established by law or by a public body itself, that exist to
10 assist the body in the conduct of its business.

11 "Quasi-adjudicative body" means an administrative body
12 charged by law or ordinance with the responsibility to conduct
13 hearings, receive evidence or testimony and make
14 determinations based thereon, but does not include local
15 electoral boards when such bodies are considering petition
16 challenges.

17 (e) Final action. No final action may be taken at a closed
18 meeting. Final action shall be preceded by a public recital of
19 the nature of the matter being considered and other
20 information that will inform the public of the business being
21 conducted.

22 (Source: P.A. 103-311, eff. 7-28-23; 103-626, eff. 1-1-25;
23 104-438, eff. 1-1-26; 104-457, Article 10, Section 10-5, eff.
24 6-1-26; 104-457, Article 15, Section 15-5, eff. 6-1-26;
25 104-458, eff. 6-1-26; revised 1-12-26.)

1 Section 95. No acceleration or delay. Where this Act makes
2 changes in a statute that is represented in this Act by text
3 that is not yet or no longer in effect (for example, a Section
4 represented by multiple versions), the use of that text does
5 not accelerate or delay the taking effect of (i) the changes
6 made by this Act or (ii) provisions derived from any other
7 Public Act.

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.