



Rep. Peter Breen

**Filed: 3/6/2017**

10000HB2385ham001

LRB100 08086 AWJ 22598 a

1 AMENDMENT TO HOUSE BILL 2385

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2385 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the Local  
5 Government Email Act.

6 Section 5. Public policy. It is the public policy of the  
7 State that all emails that are in connection with the  
8 transaction of public business sent or received by a unit of  
9 local government or school district or an employee, staff  
10 member, contractor, trustee, board member, elected official,  
11 or officer of a unit of local government or school district are  
12 public records regardless of whether the email is sent or  
13 received on a personal or unit-provided and controlled or  
14 district-provided and controlled email address.

15 Section 10. Emails.

1           (a) If a unit of local government or school district  
2 provides an email address under its control to one or more of  
3 its staff members, employees, contractors, trustees, board  
4 members, elected officials, or officers it shall provide an  
5 email address under its control for all staff members,  
6 employees, contractors, trustees, board members, elected  
7 officials, and officers of that unit of local government or  
8 school district.

9           (b) If a unit of local government or school district  
10 provides an email address under its control to staff members,  
11 employees, contractors, trustees, board members, elected  
12 officials, or officers, the staff members, employees,  
13 contractors, trustees, board members, elected officials, and  
14 officers shall use the unit-provided and controlled or  
15 district-provided and controlled email for all communications  
16 in connection with the transaction of public business.

17           (c) If a staff member, employee, contractor, trustee, board  
18 member, elected official, or officer of a unit of local  
19 government or school district has a unit-provided and  
20 controlled or district-provided and controlled email address,  
21 the staff member, employee, contractor, trustee, board member,  
22 elected official, or officer shall promptly forward any email  
23 sent or received on his or her personal email address to his or  
24 her unit-provided and controlled or district-provided and  
25 controlled email if the email is in connection with the  
26 transaction of public business. If the staff member, employee,

1 contractor, trustee, board member, elected official, or  
2 officer does not have a unit-provided and controlled or  
3 district-provided and controlled email address and receives an  
4 email on his or her personal email address that is in  
5 connection with the transaction of public business and that was  
6 not received from or carbon copied to another unit-provided and  
7 controlled or district-provided and controlled email address,  
8 the staff member, employee, contractor, trustee, board member,  
9 elected official, or officer shall promptly provide a copy of  
10 the email to his or her unit of local government or school  
11 district.

12 Section 97. Applicability. The requirements of this Act  
13 apply prospectively.".