



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

SB1947

Introduced 2/9/2023, by Sen. Robert Peters

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Honesty in Economic Development Act. Provides that an agreement or contract entered into by a governmental unit, or any party negotiating on behalf of the governmental unit, for projects for economic development that includes a tax incentive may not contain any language that provides that the agreement or contract or any of its terms are confidential or that the parties to the agreement or contract are prohibited from disclosing, discussing, describing, or commenting upon the terms of the agreement or contract. Provides that the Act does not supersede any exemption to a public body's obligation to disclose public records set forth in the Freedom of Information Act, except that the Freedom of Information Act exemption that prohibits the disclosure of trade secrets and commercial or financial information furnished under a claim that they are proprietary, privileged, or confidential is not applicable to the identity of any party to an agreement or contract negotiation for a tax incentive or any party with a beneficial interest in that tax incentive. Defines "tax incentive" to include payments in lieu of taxes, tax abatements, or bonds, notes, loans, grants, or rebates for the economic development. Defines "governmental unit".

LRB103 27561 AWJ 57153 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 1. Short title. This Act may be cited as the  
5 Honesty in Economic Development Act.

6 Section 5. Definitions. As used in this Act:

7 "Governmental unit" means the State, an agency of the  
8 State, a unit of local government, or any other political  
9 subdivision of the State.

10 "Tax incentive" includes payments in lieu of taxes, tax  
11 abatements, or bonds, notes, loans, grants, or rebates.

12 Section 10. Nondisclosure agreements prohibited.  
13 Notwithstanding any provision of law to the contrary, an  
14 agreement or contract entered into by a governmental unit, or  
15 any party negotiating on behalf of the governmental unit, for  
16 projects for economic development that includes a tax  
17 incentive may not contain any language that provides that the  
18 agreement or contract or any of its terms are confidential or  
19 that the parties to the agreement or contract are prohibited  
20 from disclosing, discussing, describing, or commenting upon  
21 the terms of the agreement or contract.

1           Section 15. Disclosure of records. This Act does not  
2           supersede any exemption to a public body's obligation to  
3           disclose public records set forth in the Freedom of  
4           Information Act. However, the disclosure exemption under  
5           paragraph (g) of item (1) of Section 7 of the Freedom of  
6           Information Act is not applicable to the identity of any party  
7           to an agreement or contract negotiation for a tax incentive or  
8           any party with a beneficial interest in that tax incentive.