

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 7 as follows:

6 (5 ILCS 120/7)

7 Sec. 7. Attendance by a means other than physical  
8 presence.

9 (a) If a quorum of the members of the public body is  
10 physically present as required by Section 2.01, a majority of  
11 the public body may allow a member of that body to attend the  
12 meeting by other means if the member is prevented from  
13 physically attending because of: (i) personal illness or  
14 disability; (ii) employment purposes or the business of the  
15 public body; (iii) a family or other emergency; ~~or~~ (iv)  
16 unexpected childcare obligations; or (v) performance of active  
17 military duty as a service member. "Other means" is by video or  
18 audio conference. As used in this subsection:

19 "Active military duty" has the meaning given to "active  
20 service" in Section 1-10 of the Service Member Employment and  
21 Reemployment Rights Act.

22 "Service member" means a resident of Illinois who is a  
23 member of any component of the U.S. Armed Forces or the

1 National Guard of any state, the District of Columbia, a  
2 commonwealth, or a territory of the United States.

3 (b) If a member wishes to attend a meeting by other means,  
4 the member must notify the recording secretary or clerk of the  
5 public body before the meeting unless advance notice is  
6 impractical.

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

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

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

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

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

26 (2) the head of the public body as defined in

1 subsection (e) of Section 2 of the Freedom of Information  
2 Act determines that an in-person meeting or a meeting  
3 conducted under this Act is not practical or prudent  
4 because of a disaster;

5 (3) all members of the body participating in the  
6 meeting, wherever their physical location, shall be  
7 verified and can hear one another and can hear all  
8 discussion and testimony;

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

21 (5) at least one member of the body, chief legal  
22 counsel, or chief administrative officer is physically  
23 present at the regular meeting location, unless unfeasible  
24 due to the disaster, including the issued disaster  
25 declaration; and

26 (6) all votes are conducted by roll call, so each

1 member's vote on each issue can be identified and  
2 recorded.

3 (7) Except in the event of a bona fide emergency, 48  
4 hours' notice shall be given of a meeting to be held  
5 pursuant to this Section. Notice shall be given to all  
6 members of the public body, shall be posted on the website  
7 of the public body, and shall also be provided to any news  
8 media who has requested notice of meetings pursuant to  
9 subsection (a) of Section 2.02 of this Act. If the public  
10 body declares a bona fide emergency:

11 (A) Notice shall be given pursuant to subsection  
12 (a) of Section 2.02 of this Act, and the presiding  
13 officer shall state the nature of the emergency at the  
14 beginning of the meeting.

15 (B) The public body must comply with the verbatim  
16 recording requirements set forth in Section 2.06 of  
17 this Act.

18 (8) Each member of the body participating in a meeting  
19 by audio or video conference for a meeting held pursuant  
20 to this Section is considered present at the meeting for  
21 purposes of determining a quorum and participating in all  
22 proceedings.

23 (9) In addition to the requirements for open meetings  
24 under Section 2.06, public bodies holding open meetings  
25 under this subsection (e) must also keep a verbatim record  
26 of all their meetings in the form of an audio or video

1 recording. Verbatim records made under this paragraph (9)  
2 shall be made available to the public under, and are  
3 otherwise subject to, the provisions of Section 2.06.

4 (10) The public body shall bear all costs associated  
5 with compliance with this subsection (e).

6 (Source: P.A. 103-311, eff. 7-28-23.)