

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The State Records Act is amended by changing  
5 Section 16 as follows:

6 (5 ILCS 160/16) (from Ch. 116, par. 43.19)

7 Sec. 16. There is created the State Records Commission. The  
8 Commission shall consist of the following State officials or  
9 their authorized representatives: the Secretary of State, who  
10 shall act as chairman; the State Historian, who shall serve as  
11 secretary; the State Treasurer; the Director of Central  
12 Management Services; the Attorney General; and the State  
13 Comptroller. The Commission shall meet whenever called by the  
14 chairman, who shall have no vote on matters considered by the  
15 Commission. It shall be the duty of the Commission to determine  
16 what records no longer have any administrative, fiscal, legal,  
17 research, or historical value and should be destroyed or  
18 disposed of otherwise. The Commission may make recommendations  
19 to the Secretary of State concerning policies, guidelines, and  
20 best practices for addressing electronic records management  
21 issues as authorized under Section 37 of the Government  
22 Electronic Records Act.

23 (Source: P.A. 92-866, eff. 1-3-03.)

1           Section 10. The Government Electronic Records Act is  
2 amended by changing Section 10 and adding Section 37 as  
3 follows:

4           (20 ILCS 35/10)

5           Sec. 10. Definitions.

6           "Commission" means the State Records Commission created  
7 under Section 16 of the State Records Act.

8           ~~"Board" means the Electronic Records Advisory Board.~~

9           "Electronic transfer" means transfer of documents or  
10 reports by electronic means. Appropriate electronic transfer  
11 includes, but is not limited to, transfer by electronic mail,  
12 facsimile transmission, or posting downloadable versions on an  
13 Internet website, with electronic notice of the posting.

14           "Government agency" means all parts, boards, and  
15 commissions of the executive branch of the State government  
16 including, but not limited to, State colleges and universities  
17 and their governing boards and all departments established by  
18 the Civil Administrative Code of Illinois.

19           "Record" has the meaning ascribed to it in the Illinois  
20 State Records Act (5 ILCS 160/).

21           (Source: P.A. 96-1363, eff. 7-28-10.)

22           (20 ILCS 35/37 new)

23           Sec. 37. Recommendations concerning electronic records

1 management issues. The State Records Commission may make  
2 recommendations to the Secretary of State concerning policies,  
3 guidelines, and best practices for addressing electronic  
4 records management issues. After receiving recommendations  
5 from the Commission, the Secretary of State shall, as soon as  
6 practical, post the Commission's recommendations on its  
7 official Internet website and distribute those recommendations  
8 to all government agencies.

9 (20 ILCS 35/30 rep.)

10 (20 ILCS 35/40 rep.)

11 Section 15. The Government Electronic Records Act is  
12 amended by repealing Sections 30 and 40.

13 Section 99. Effective date. This Act takes effect upon  
14 becoming law.