



Sen. Carole Pankau

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09700HB3131sam002

LRB097 10837 JDS 55430 a

1 AMENDMENT TO HOUSE BILL 3131

2 AMENDMENT NO. _____. Amend House Bill 3131 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Open Meetings Act is amended by changing
5 Section 2.02 as follows:

6 (5 ILCS 120/2.02) (from Ch. 102, par. 42.02)

7 Sec. 2.02. Public notice of all meetings, whether open or
8 closed to the public, shall be given as follows:

9 (a) Every public body shall give public notice of the
10 schedule of regular meetings at the beginning of each calendar
11 or fiscal year and shall state the regular dates, times, and
12 places of such meetings. An agenda for each regular meeting
13 shall be posted, at least 48 hours in advance of the holding of
14 the meeting, at the principal office of the public body and at
15 the location where the meeting is to be held ~~at least 48 hours~~
16 ~~in advance of the holding of the meeting.~~ A public body that

1 has a website that the full-time staff of the public body
2 maintains shall also post on its website, at least 48 hours in
3 advance of the holding of the meeting, the agenda of any
4 regular meetings of the governing body of that public body. If
5 a public body does not have a website that the full-time staff
6 of the public body maintains, then the public body must, during
7 the entire 48-hour period preceding the meeting, post a copy of
8 the agenda at one of the locations required under this Section
9 so that the agenda will be continuously available for public
10 review. Any agenda of a regular meeting that is posted on a
11 public body's website shall remain posted on the website until
12 the regular meeting is concluded. The requirement of a regular
13 meeting agenda shall not preclude the consideration of items
14 not specifically set forth in the agenda. Public notice of any
15 special meeting except a meeting held in the event of a bona
16 fide emergency, or of any rescheduled regular meeting, or of
17 any reconvened meeting, shall be given at least 48 hours before
18 such meeting, which notice shall also include the agenda for
19 the special, rescheduled, or reconvened meeting, but the
20 validity of any action taken by the public body which is
21 germane to a subject on the agenda shall not be affected by
22 other errors or omissions in the agenda. The requirement of
23 public notice of reconvened meetings does not apply to any case
24 where the meeting was open to the public and (1) it is to be
25 reconvened within 24 hours, or (2) an announcement of the time
26 and place of the reconvened meeting was made at the original

1 meeting and there is no change in the agenda. Notice of an
2 emergency meeting shall be given as soon as practicable, but in
3 any event prior to the holding of such meeting, to any news
4 medium which has filed an annual request for notice under
5 subsection (b) of this Section.

6 (b) Public notice shall be given by posting a copy of the
7 notice at the principal office of the body holding the meeting
8 or, if no such office exists, at the building in which the
9 meeting is to be held. In addition, a public body that has a
10 website that the full-time staff of the public body maintains
11 shall post notice on its website of all meetings of the
12 governing body of the public body. Any notice of an annual
13 schedule of meetings shall remain on the website until a new
14 public notice of the schedule of regular meetings is approved.
15 Any notice of a regular meeting that is posted on a public
16 body's website shall remain posted on the website until the
17 regular meeting is concluded. The body shall supply copies of
18 the notice of its regular meetings, and of the notice of any
19 special, emergency, rescheduled or reconvened meeting, to any
20 news medium that has filed an annual request for such notice.
21 Any such news medium shall also be given the same notice of all
22 special, emergency, rescheduled or reconvened meetings in the
23 same manner as is given to members of the body provided such
24 news medium has given the public body an address or telephone
25 number within the territorial jurisdiction of the public body
26 at which such notice may be given. ~~The failure of a public body~~

1 ~~to post on its website notice of any meeting or the agenda of~~
2 ~~any meeting shall not invalidate any meeting or any actions~~
3 ~~taken at a meeting.~~

4 (c) A required notice or agenda that is posted by a public
5 body in accordance with the provisions of this Section but that
6 is not continuously available during the entire 48-hour period
7 in advance of a public meeting due to actions outside the
8 control of the public body shall not invalidate any meeting or
9 any action taken at a meeting.

10 (Source: P.A. 94-28, eff. 1-1-06.)".