



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB0037

Introduced 1/27/2011, by Sen. Dan Duffy

SYNOPSIS AS INTRODUCED:

50 ILCS 205/20 new
30 ILCS 805/8.35 new

Amends the Local Records Act. Requires that a unit of local government or school district that has an Internet website that the full-time staff of the unit of local government or school district maintains must post on its website for the current calendar or fiscal year, as the case may be, and the 4 years immediately before that calendar or fiscal year the following information: (i) contact information for elected and appointed officials, (ii) notice of regular and special meetings, (iii) procedures for requesting information from the unit of local government or school district, (iv) annual budget, (v) ordinances under which the unit of local government or school district operates, (vi) procedures to apply for building permits and zoning variances, (vii) financial reports and audits, (viii) information concerning employee compensation, (ix) contracts with lobbying firms, (x) taxes and fees imposed by the unit of local government or school district, (xi) expenditures, (xii) rules governing the award of contracts, (xiii) bids and contracts worth \$25,000 or more, and (xiv) campaign contributions made by a vendor. Provides that any citizen who is a resident of the unit of local government or school district may bring a mandamus or injunction action to compel the unit of local government or school district to comply with the Internet posting requirements. Limits home rule powers. Amends the State Mandates Act to require implementation without reimbursement.

LRB097 02863 KMW 42885 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning local government.

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

4 Section 5. The Local Records Act is amended by adding
5 Section 20 as follows:

6 (50 ILCS 205/20 new)

7 Sec. 20. Internet posting requirements.

8 (a) A unit of local government or school district that has
9 an Internet website that the full-time staff of the unit of
10 local government or school district maintains must post on its
11 website for the current calendar or fiscal year, as the case
12 may be, and the 4 years immediately before that calendar or
13 fiscal year the following information:

14 (1) The contact information, including the phone
15 number and e-mail address, for all elected and appointed
16 officials, the Freedom of Information Officer, the chief
17 administrator, and the head administrator for each
18 department.

19 (2) In accordance with the Open Meetings Act, notice of
20 any regular or special meeting, the agenda of any regular
21 or special meeting, and the minutes from any regular or
22 special meeting.

23 (3) In accordance with the Freedom of Information Act,

1 the procedure for requesting information from the unit of
2 local government or school district.

3 (4) The annual budget and appropriation ordinances.

4 (5) The ordinances under which the unit of local
5 government or school district operates as of the effective
6 date of this amendatory Act of the 97th General Assembly
7 and all such ordinances thereafter adopted.

8 (6) The procedures required to apply for building
9 permits and zoning variances.

10 (7) Any financial audit, audit schedule, or special
11 project report, including without limitation the
12 comprehensive annual financial report, performance audits,
13 and reports required under the Tax Increment Allocation
14 Redevelopment Act in the Illinois Municipal Code.

15 (8) A detailed list of the total compensation paid to
16 each employee including wages, salary, overtime, and
17 benefits, including health, dental, life, and pension.

18 (9) Contracts with lobbying firms hired by the unit of
19 local government or school district. The name and amount of
20 money paid to lobbying associations by the unit of local
21 government or school district.

22 (10) A detailed list of the taxes and fees imposed by
23 the unit of local government or school district.

24 (11) A detailed list of all expenditures made by the
25 unit of local government or school district.

26 (12) The ordinances and rules governing the award of

1 contracts.

2 (13) All bids and contracts for purchase in the amount
3 of \$25,000 or more.

4 (14) All campaign contributions made by a vendor to an
5 official of the unit of local government or school
6 district.

7 (b) The information required to be posted under subsection
8 (a) must be easily accessible from the unit of local
9 government's or school district's home page and searchable.

10 (c) The postings required by this Section are in addition
11 to any other posting requirements required by law or ordinance.

12 (d) If a unit of local government or school district fails
13 to comply with this Section, then any citizen who is a resident
14 of the unit of local government or school district may file
15 suit in the circuit court for the county where the unit of
16 local government or school district is located. The citizen may
17 bring a mandamus or injunction action to compel the unit of
18 local government or school district to comply with the
19 requirements set forth in subsection (a). The court may impose
20 any penalty or other sanction as it deems appropriate. The
21 court, in its discretion, may also award to the citizen
22 bringing the action reasonable attorneys' fees and costs.

23 (e) No home rule unit may adopt posting requirements that
24 are less restrictive than this Section. This Section is a
25 limitation under subsection (i) of Section 6 of Article VII of
26 the Illinois Constitution on the concurrent exercise by home

1 rule units of powers and functions exercised by the State.

2 Section 90. The State Mandates Act is amended by adding
3 Section 8.35 as follows:

4 (30 ILCS 805/8.35 new)

5 Sec. 8.35. Exempt mandate. Notwithstanding Sections 6 and 8
6 of this Act, no reimbursement by the State is required for the
7 implementation of any mandate created by this amendatory Act of
8 the 97th General Assembly.