

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 changing
5 Section 4 as follows:

6 (50 ILCS 205/4) (from Ch. 116, par. 43.104)

7 Sec. 4. All public records made or received by, or under
8 the authority of, or coming into the custody, control or
9 possession of any officer or agency shall not be mutilated,
10 destroyed, transferred, removed or otherwise damaged or
11 disposed of, in whole or in part, except as provided by law.
12 Any person who knowingly, without lawful authority and with the
13 intent to defraud any party, public officer, or entity, alters,
14 destroys, defaces, removes, or conceals any public record
15 commits a Class 4 felony.

16 Court records filed with the clerks of the Circuit Court
17 shall be destroyed in accordance with the Supreme Court's
18 General Administrative Order on Recordkeeping in the Circuit
19 Courts. The clerks of the Circuit Courts shall notify the
20 Supreme Court, in writing, specifying case records or other
21 documents which they intend to destroy. The Supreme Court shall
22 review the schedule of items to be destroyed and notify the
23 appropriate Local Records Commission of the Court's intent to

1 destroy such records. The Local Records Commission, within 90
2 days after receipt of the Supreme Court's notice, may undertake
3 to photograph, microphotograph, or digitize electronically any
4 or all such records and documents, or, in the alternative, may
5 transport such original records to the State Archives or other
6 storage location under its supervision.

7 The Archivist may accept for deposit in the State Archives
8 or regional depositories official papers, drawings, maps,
9 writings and records of every description of counties,
10 municipal corporations, political subdivisions and courts of
11 this State, when such materials are deemed by the Archivist to
12 have sufficient historical or other value to warrant their
13 continued preservation by the State of Illinois.

14 The officer or clerk depositing such records may, upon
15 request, obtain from the Archivist, without charge, a certified
16 copy or reproduction of any specific record, paper or document
17 when such record, paper or document is required for public use.
18 (Source: P.A. 89-272, eff. 8-10-95.)