



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB3293

Introduced 2/14/2014, by Sen. Karen McConnaughay

SYNOPSIS AS INTRODUCED:

50 ILCS 205/20 new
30 ILCS 805/8.38 new

Amends the Local Records Act. Provides that a unit of local government or a school district located in a county with a population of 100,000 or more shall have a website containing the following information for the current calendar year: (1) procedures to apply for building permits and zoning variances; (2) contracts with lobbying firms; (3) rules governing the award of contracts; (4) bids and contracts worth \$25,000 or more; (5) campaign contributions made by a vendor; and (6) all vendor disclosures of relationships to any employee of that unit of local government or school district. 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. Provides a posting in perpetuity clause. Limits home rule powers. Amends the State Mandates Act to require implementation without reimbursement. Contains a severability clause. Effective immediately.

LRB098 16857 JLK 55134 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 located
9 in a county with a population of 100,000 or more shall, within
10 90 days of the effective date of this amendatory Act of the
11 98th General Assembly, maintain an Internet website and post to
12 its website for the current calendar year the following
13 information:

14 (1) The procedures required to apply for building
15 permits and zoning variances.

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

20 (3) The ordinances and rules governing the award of all
21 bids and contracts for purchase, including collective
22 bargaining agreements and employment contracts.

23 (4) All bids and contracts for purchase in the amount

1 of \$25,000 or more, including collective bargaining
2 agreements and employment contracts.

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

6 (6) All vendor disclosures of relationships to any
7 employee of that unit of local government or school
8 district.

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

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

23 (d) 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 (e) All local records required to be posted by this Section
3 shall remain posted on the entity's website, or subsequent
4 websites, in perpetuity.

5 Section 10. The State Mandates Act is amended by adding
6 Section 8.38 as follows:

7 (30 ILCS 805/8.38 new)

8 Sec. 8.38. Exempt mandate. Notwithstanding Sections 6 and 8
9 of this Act, no reimbursement by the State is required for the
10 implementation of any mandate created by this amendatory Act of
11 the 98th General Assembly.

12 Section 97. Severability. The provisions of this Act are
13 severable under Section 1.31 of the Statute on Statutes.

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