



Rep. Tom Demmer

Filed: 4/20/2016

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LRB099 20465 MJP 47877 a

1 AMENDMENT TO HOUSE BILL 6098

2 AMENDMENT NO. _____. Amend House Bill 6098, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 1. Short title. This Act may be cited as the Local
6 Government Transparency Act.

7 Section 5. Publication by internet posting; digital
8 maintenance of public records. Notwithstanding any other
9 provision of law:

10 (a) Any requirement for a school district or a unit of
11 local government to publish any notice, agenda, record, or
12 other information or material in a newspaper by law including,
13 but not limited to, the Open Meetings Act, the Illinois
14 Municipal Budget Law, the Intergovernmental Cooperation Act,
15 the Counties Code, the Township Code, the Illinois Municipal
16 Code, the Election Code, the School Code, the Airport

1 Authorities Act, or the Civic Center Code, may instead publish
2 such notice, agenda, record, or other information on its
3 website or data.illinois.gov.

4 (b) Any requirement that a school district or unit of local
5 government store or maintain any public record in microfilm or
6 microfiche form may be satisfied by the school district's or
7 unit of local government's maintenance of such public record in
8 digital form if meeting the standards and rules established
9 under the Local Records Act and done pursuant to a retention
10 schedule approved by the appropriate Local Records Commission.

11 Section 10. Duty to post information pertaining to benefits
12 offered through the Illinois Municipal Retirement Fund.

13 (a) Within 6 business days after an employer participating
14 in the Illinois Municipal Retirement Fund approves a budget,
15 that employer must post on its website the total compensation
16 package for each employee having a total compensation package
17 that exceeds \$75,000 per year. If the employer does not
18 maintain a website, the employer must post a physical copy of
19 this information at the principal office of the employer. If an
20 employer maintains a website, it may choose to post a physical
21 copy of this information at the principal office of the
22 employer in lieu of posting the information directly on the
23 website; however, the employer must post directions on the
24 website on how to access that information.

25 (b) At least 6 days before an employer participating in the

1 Illinois Municipal Retirement Fund approves an employee's
2 total compensation package that is equal to or in excess of
3 \$150,000 per year, the employer must post on its website the
4 total compensation package for that employee. If the employer
5 does not maintain a website, the employer shall post a physical
6 copy of this information at the principal office of the
7 employer. If an employer maintains a website, it may choose to
8 post a physical copy of this information at the principal
9 office of the employer in lieu of posting the information
10 directly on the website; however, the employer must post
11 directions on the website on how to access that information.

12 (c) For the purposes of this Section, "total compensation
13 package" means payment by the employer to the employee for
14 salary, health insurance, a housing allowance, a vehicle
15 allowance, a clothing allowance, bonuses, loans, vacation days
16 granted, and sick days granted.

17 (5 ILCS 120/7.3 rep.)

18 Section 15. The Open Meetings Act is amended by repealing
19 Section 7.3.

20 Section 20. The Department of Central Management Services
21 Law of the Civil Administrative Code of Illinois is amended by
22 changing Section 405-335 as follows:

23 (20 ILCS 405/405-335)

1 Sec. 405-335. Illinois Transparency and Accountability
2 Portal (ITAP).

3 (a) The Department, within 12 months after January 1, 2010
4 (the effective date of Public Act 96-225) ~~this amendatory Act~~
5 ~~of the 96th General Assembly~~, shall establish and maintain a
6 website, known as the Illinois Transparency and Accountability
7 Portal (ITAP), with a full-time webmaster tasked with compiling
8 and updating the ITAP database with information received from
9 all State agencies as defined in this Section. Within 6 months
10 of the effective date of this amendatory Act of the 99th
11 General Assembly, ITAP shall have the capability to compile and
12 update the ITAP database with information received from all
13 school districts and units of local government without websites
14 including, but not limited to, counties, townships, special
15 districts, and municipalities. Subject to appropriation, the
16 full-time webmaster must also compile and update the ITAP
17 database with information received from all school districts
18 and units of local government including, but not limited to,
19 counties, townships, special ~~library~~ districts, and
20 municipalities.

21 (b) For purposes of this Section:

22 "State agency" means the offices of the constitutional
23 officers identified in Article V of the Illinois Constitution,
24 executive agencies, and departments, boards, commissions, and
25 Authorities under the Governor.

26 "Contracts" means payment obligations with vendors on file

1 with the Office of the Comptroller to purchase goods and
2 services exceeding \$10,000 in value (or, in the case of
3 professional or artistic services, exceeding \$5,000 in value).

4 "Appropriation" means line-item detail of spending
5 approved by the General Assembly and Governor, categorized by
6 object of expenditure.

7 "Individual consultants" means temporary workers eligible
8 to receive State benefits paid on a State payroll.

9 "Recipients" means State agencies receiving
10 appropriations.

11 (c) The ITAP shall provide direct access to each of the
12 following:

13 (1) A database of all current State employees and
14 individual consultants, except sworn law enforcement
15 officers, sorted separately by:

16 (i) Name.

17 (ii) Employing State agency.

18 (iii) Employing State division.

19 (iv) Employment position title.

20 (v) Current pay rate and year-to-date pay.

21 (2) A database of all current State expenditures,
22 sorted separately by agency, category, recipient, and
23 Representative District.

24 (3) A database of all development assistance
25 reportable pursuant to the Corporate Accountability for
26 Tax Expenditures Act, sorted separately by tax credit

1 category, taxpayer, and Representative District.

2 (4) A database of all revocations and suspensions of
3 State occupation and use tax certificates of registration
4 and all revocations and suspensions of State professional
5 licenses, sorted separately by name, geographic location,
6 and certificate of registration number or license number,
7 as applicable. Professional license revocations and
8 suspensions shall be posted only if resulting from a
9 failure to pay taxes, license fees, or child support.

10 (5) A database of all current State contracts, sorted
11 separately by contractor name, awarding officer or agency,
12 contract value, and goods or services provided.

13 (6) A database of all employees hired after the
14 effective date of this amendatory Act of 2010, sorted
15 searchably by each of the following at the time of
16 employment:

17 (i) Name.

18 (ii) Employing State agency.

19 (iii) Employing State division.

20 (iv) Employment position title.

21 (v) Current pay rate and year-to-date pay.

22 (vi) County of employment location.

23 (vii) Rutan status.

24 (viii) Status of position as subject to collective
25 bargaining, subject to merit compensation, or exempt
26 under Section 4d of the Personnel Code.

1 (ix) Employment status as probationary, trainee,
2 intern, certified, or exempt from certification.

3 (x) Status as a military veteran.

4 (7) A searchable database of all current county,
5 township, library district, and municipal employees sorted
6 separately by:

7 (i) Employing unit of local government.

8 (ii) Employment position title.

9 (iii) Current pay rate and year-to-date pay.

10 (8) A searchable database of all county, township, and
11 municipal employees hired on or after the effective date of
12 this amendatory Act of the 97th General Assembly, sorted
13 separately by each of the following at the time of
14 employment:

15 (i) Employing unit of local government.

16 (ii) Employment position title.

17 (iii) Current pay rate and year-to-date pay.

18 (9) A searchable database of all library district
19 employees hired on or after August 9, 2013 (the effective
20 date of Public Act 98-246), sorted separately by each of
21 the following at the time of employment:

22 (i) Employing unit of local government.

23 (ii) Employment position title.

24 (iii) Current pay rate and year-to-date pay.

25 (10) A link to a website maintained by the Department
26 that contains a list of contact information for each State

1 agency, including a telephone number and a link to the
2 Agency's website. Each State agency shall be responsible
3 for providing and updating the Department with this
4 information.

5 (11) Notices and digital public records provided to
6 ITAP by school districts and units of local government
7 without websites.

8 (d) The ITAP shall include all information required to be
9 published by subsection (c) of this Section that is available
10 to the Department in a format the Department can compile and
11 publish on the ITAP. The Department shall update the ITAP as
12 additional information becomes available in a format that can
13 be compiled and published on the ITAP by the Department.

14 (e) Each State agency, county, township, library district,
15 and municipality shall cooperate with the Department in
16 furnishing the information necessary for the implementation of
17 this Section within a timeframe specified by the Department.

18 (f) Each county, township, library district, or
19 municipality submitting information to be displayed on the
20 Illinois Transparency and Accountability Portal (ITAP) is
21 responsible for the accuracy of the information provided.

22 (g) The Department, within 6 months after January 1, 2014
23 (the effective date of Public Act 98-283), shall distribute a
24 spreadsheet or otherwise make data entry available to each
25 State agency to facilitate the collection of data on the
26 State's annual workforce characteristics, workforce

1 compensation, and employee mobility. The Department shall
2 determine the data to be collected by each State agency. Each
3 State agency shall cooperate with the Department in furnishing
4 the data necessary for the implementation of this subsection
5 within the timeframe specified by the Department. The
6 Department shall publish the data received from each State
7 agency on the ITAP or another open data site annually.

8 (Source: P.A. 97-744, eff. 1-1-13; 98-246, eff. 8-9-13; 98-283,
9 eff. 1-1-14; 98-756, eff. 7-16-14; 98-1084, eff. 1-1-15.)".