



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB2582

Introduced 2/6/2025, by Rep. Ann M. Williams

#### SYNOPSIS AS INTRODUCED:

5 ILCS 120/1.02	from Ch. 102, par. 41.02
5 ILCS 120/2	from Ch. 102, par. 42
5 ILCS 120/2.02	from Ch. 102, par. 42.02
5 ILCS 120/2.07 new	

Amends the Open Meetings Act. Provides that for a 3-member body, 2 members of the body constitute a quorum, and the affirmative vote of 2 members is necessary to adopt any motion, resolution, or ordinance unless a greater number is otherwise provided. Provides that a Chicago Police District Council may hold a closed meeting involving public safety concerns to discuss (i) an ongoing, prior, or future law enforcement or official misconduct investigation or allegation thereof involving specific individuals or (ii) other topics that if discussed in an open meeting would pose an unreasonable risk to an ongoing criminal investigation or an unreasonable risk to the safety of specific individuals. Provides that an agenda for each regular meeting of a public body must be posted the principal office of the public body if such an office exists. Provides that if a public body has a website that is maintained by its full-time staff but does not have a principal office or single building where meetings are regularly held, that body is deemed to have complied with the requirement to post physical notice at the office or building of the meeting if the notice is timely posted on the public body's website. Excludes from the definition of "meeting" for a Chicago Police District Council a gathering of 2 members, except if gathered for a regularly scheduled meeting or otherwise gathered to adopt any motion, resolution, or ordinance. Provides a Chicago Police District Council may hold meetings by audio or video conference without the physical presence of the members under certain conditions except for required regularly scheduled meetings.

LRB104 10908 BDA 20990 b

1 AN ACT concerning government.

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

4 Section 5. The Open Meetings Act is amended by changing  
5 Sections 1.02, 2, and 2.02 and by adding Section 2.07 as  
6 follows:

7 (5 ILCS 120/1.02) (from Ch. 102, par. 41.02)

8 Sec. 1.02. For the purposes of this Act:

9 "Meeting" means any gathering, whether in person or by  
10 video or audio conference, telephone call, electronic means  
11 (such as, without limitation, electronic mail, electronic  
12 chat, and instant messaging), or other means of  
13 contemporaneous interactive communication, of a majority of a  
14 quorum of the members of a public body held for the purpose of  
15 discussing public business or, for a 5-member public body, a  
16 quorum of the members of a public body held for the purpose of  
17 discussing public business.

18 Accordingly, for a 5-member public body, 3 members of the  
19 body constitute a quorum and the affirmative vote of 3 members  
20 is necessary to adopt any motion, resolution, or ordinance,  
21 unless a greater number is otherwise required. For a 3-member  
22 body, 2 members of the body constitute a quorum and the  
23 affirmative vote of 2 members is necessary to adopt any

1 motion, resolution, or ordinance, unless a greater number is  
2 otherwise provided.

3 "Public body" includes all legislative, executive,  
4 administrative or advisory bodies of the State, counties,  
5 townships, cities, villages, incorporated towns, school  
6 districts and all other municipal corporations, boards,  
7 bureaus, committees or commissions of this State, and any  
8 subsidiary bodies of any of the foregoing including but not  
9 limited to committees and subcommittees which are supported in  
10 whole or in part by tax revenue, or which expend tax revenue,  
11 except the General Assembly and committees or commissions  
12 thereof. "Public body" includes tourism boards and convention  
13 or civic center boards located in counties that are contiguous  
14 to the Mississippi River with populations of more than 250,000  
15 but less than 300,000. "Public body" includes the Health  
16 Facilities and Services Review Board. "Public body" does not  
17 include a child death review team or the Illinois Child Death  
18 Review Teams Executive Council established under the Child  
19 Death Review Team Act, an ethics commission acting under the  
20 State Officials and Employees Ethics Act, a regional youth  
21 advisory board or the Statewide Youth Advisory Board  
22 established under the Department of Children and Family  
23 Services Statewide Youth Advisory Board Act, the Illinois  
24 Independent Tax Tribunal, or the regional interagency fatality  
25 review teams and the Illinois Fatality Review Team Advisory  
26 Council established under the Adult Protective Services Act.

1 (Source: P.A. 103-626, eff. 1-1-25.)

2 (5 ILCS 120/2) (from Ch. 102, par. 42)

3 Sec. 2. Open meetings.

4 (a) Openness required. All meetings of public bodies shall  
5 be open to the public unless excepted in subsection (c) and  
6 closed in accordance with Section 2a.

7 (b) Construction of exceptions. The exceptions contained  
8 in subsection (c) are in derogation of the requirement that  
9 public bodies meet in the open, and therefore, the exceptions  
10 are to be strictly construed, extending only to subjects  
11 clearly within their scope. The exceptions authorize but do  
12 not require the holding of a closed meeting to discuss a  
13 subject included within an enumerated exception.

14 (c) Exceptions. A public body may hold closed meetings to  
15 consider the following subjects:

16 (1) The appointment, employment, compensation,  
17 discipline, performance, or dismissal of specific  
18 employees, specific individuals who serve as independent  
19 contractors in a park, recreational, or educational  
20 setting, or specific volunteers of the public body or  
21 legal counsel for the public body, including hearing  
22 testimony on a complaint lodged against an employee, a  
23 specific individual who serves as an independent  
24 contractor in a park, recreational, or educational  
25 setting, or a volunteer of the public body or against

1 legal counsel for the public body to determine its  
2 validity. However, a meeting to consider an increase in  
3 compensation to a specific employee of a public body that  
4 is subject to the Local Government Wage Increase  
5 Transparency Act may not be closed and shall be open to the  
6 public and posted and held in accordance with this Act.

7 (2) Collective negotiating matters between the public  
8 body and its employees or their representatives, or  
9 deliberations concerning salary schedules for one or more  
10 classes of employees.

11 (3) The selection of a person to fill a public office,  
12 as defined in this Act, including a vacancy in a public  
13 office, when the public body is given power to appoint  
14 under law or ordinance, or the discipline, performance or  
15 removal of the occupant of a public office, when the  
16 public body is given power to remove the occupant under  
17 law or ordinance.

18 (4) Evidence or testimony presented in open hearing,  
19 or in closed hearing where specifically authorized by law,  
20 to a quasi-adjudicative body, as defined in this Act,  
21 provided that the body prepares and makes available for  
22 public inspection a written decision setting forth its  
23 determinative reasoning.

24 (4.5) Evidence or testimony presented to a school  
25 board regarding denial of admission to school events or  
26 property pursuant to Section 24-24 of the School Code,

1 provided that the school board prepares and makes  
2 available for public inspection a written decision setting  
3 forth its determinative reasoning.

4 (4.7) A meeting held by a Police District Council,  
5 created under Section 2-80-070 of the Municipal Code of  
6 Chicago, in which an issue of public safety concerns: (i)  
7 an ongoing, prior, or future law enforcement or official  
8 misconduct investigation, or allegation thereof, involving  
9 specific individuals; or (ii) other topics that if  
10 discussed in an open meeting would pose an unreasonable  
11 risk to an ongoing criminal investigation or an  
12 unreasonable risk to the safety of specific individuals.

13 (5) The purchase or lease of real property for the use  
14 of the public body, including meetings held for the  
15 purpose of discussing whether a particular parcel should  
16 be acquired.

17 (6) The setting of a price for sale or lease of  
18 property owned by the public body.

19 (7) The sale or purchase of securities, investments,  
20 or investment contracts. This exception shall not apply to  
21 the investment of assets or income of funds deposited into  
22 the Illinois Prepaid Tuition Trust Fund.

23 (8) Security procedures, school building safety and  
24 security, and the use of personnel and equipment to  
25 respond to an actual, a threatened, or a reasonably  
26 potential danger to the safety of employees, students,

1 staff, the public, or public property.

2 (9) Student disciplinary cases.

3 (10) The placement of individual students in special  
4 education programs and other matters relating to  
5 individual students.

6 (11) Litigation, when an action against, affecting or  
7 on behalf of the particular public body has been filed and  
8 is pending before a court or administrative tribunal, or  
9 when the public body finds that an action is probable or  
10 imminent, in which case the basis for the finding shall be  
11 recorded and entered into the minutes of the closed  
12 meeting.

13 (12) The establishment of reserves or settlement of  
14 claims as provided in the Local Governmental and  
15 Governmental Employees Tort Immunity Act, if otherwise the  
16 disposition of a claim or potential claim might be  
17 prejudiced, or the review or discussion of claims, loss or  
18 risk management information, records, data, advice or  
19 communications from or with respect to any insurer of the  
20 public body or any intergovernmental risk management  
21 association or self insurance pool of which the public  
22 body is a member.

23 (13) Conciliation of complaints of discrimination in  
24 the sale or rental of housing, when closed meetings are  
25 authorized by the law or ordinance prescribing fair  
26 housing practices and creating a commission or

1 administrative agency for their enforcement.

2 (14) Informant sources, the hiring or assignment of  
3 undercover personnel or equipment, or ongoing, prior or  
4 future criminal investigations, when discussed by a public  
5 body with criminal investigatory responsibilities.

6 (15) Professional ethics or performance when  
7 considered by an advisory body appointed to advise a  
8 licensing or regulatory agency on matters germane to the  
9 advisory body's field of competence.

10 (16) Self evaluation, practices and procedures or  
11 professional ethics, when meeting with a representative of  
12 a statewide association of which the public body is a  
13 member.

14 (17) The recruitment, credentialing, discipline or  
15 formal peer review of physicians or other health care  
16 professionals, or for the discussion of matters protected  
17 under the federal Patient Safety and Quality Improvement  
18 Act of 2005, and the regulations promulgated thereunder,  
19 including 42 C.F.R. Part 3 (73 FR 70732), or the federal  
20 Health Insurance Portability and Accountability Act of  
21 1996, and the regulations promulgated thereunder,  
22 including 45 C.F.R. Parts 160, 162, and 164, by a  
23 hospital, or other institution providing medical care,  
24 that is operated by the public body.

25 (18) Deliberations for decisions of the Prisoner  
26 Review Board.

1           (19) Review or discussion of applications received  
2 under the Experimental Organ Transplantation Procedures  
3 Act.

4           (20) The classification and discussion of matters  
5 classified as confidential or continued confidential by  
6 the State Government Suggestion Award Board.

7           (21) Discussion of minutes of meetings lawfully closed  
8 under this Act, whether for purposes of approval by the  
9 body of the minutes or semi-annual review of the minutes  
10 as mandated by Section 2.06.

11           (22) Deliberations for decisions of the State  
12 Emergency Medical Services Disciplinary Review Board.

13           (23) The operation by a municipality of a municipal  
14 utility or the operation of a municipal power agency or  
15 municipal natural gas agency when the discussion involves  
16 (i) contracts relating to the purchase, sale, or delivery  
17 of electricity or natural gas or (ii) the results or  
18 conclusions of load forecast studies.

19           (24) Meetings of a residential health care facility  
20 resident sexual assault and death review team or the  
21 Executive Council under the Abuse Prevention Review Team  
22 Act.

23           (25) Meetings of an independent team of experts under  
24 Brian's Law.

25           (26) Meetings of a mortality review team appointed  
26 under the Department of Juvenile Justice Mortality Review

1 Team Act.

2 (27) (Blank).

3 (28) Correspondence and records (i) that may not be  
4 disclosed under Section 11-9 of the Illinois Public Aid  
5 Code or (ii) that pertain to appeals under Section 11-8 of  
6 the Illinois Public Aid Code.

7 (29) Meetings between internal or external auditors  
8 and governmental audit committees, finance committees, and  
9 their equivalents, when the discussion involves internal  
10 control weaknesses, identification of potential fraud risk  
11 areas, known or suspected frauds, and fraud interviews  
12 conducted in accordance with generally accepted auditing  
13 standards of the United States of America.

14 (30) (Blank).

15 (31) Meetings and deliberations for decisions of the  
16 Concealed Carry Licensing Review Board under the Firearm  
17 Concealed Carry Act.

18 (32) Meetings between the Regional Transportation  
19 Authority Board and its Service Boards when the discussion  
20 involves review by the Regional Transportation Authority  
21 Board of employment contracts under Section 28d of the  
22 Metropolitan Transit Authority Act and Sections 3A.18 and  
23 3B.26 of the Regional Transportation Authority Act.

24 (33) Those meetings or portions of meetings of the  
25 advisory committee and peer review subcommittee created  
26 under Section 320 of the Illinois Controlled Substances

1 Act during which specific controlled substance prescriber,  
2 dispenser, or patient information is discussed.

3 (34) Meetings of the Tax Increment Financing Reform  
4 Task Force under Section 2505-800 of the Department of  
5 Revenue Law of the Civil Administrative Code of Illinois.

6 (35) Meetings of the group established to discuss  
7 Medicaid capitation rates under Section 5-30.8 of the  
8 Illinois Public Aid Code.

9 (36) Those deliberations or portions of deliberations  
10 for decisions of the Illinois Gaming Board in which there  
11 is discussed any of the following: (i) personal,  
12 commercial, financial, or other information obtained from  
13 any source that is privileged, proprietary, confidential,  
14 or a trade secret; or (ii) information specifically  
15 exempted from the disclosure by federal or State law.

16 (37) Deliberations for decisions of the Illinois Law  
17 Enforcement Training Standards Board, the Certification  
18 Review Panel, and the Illinois State Police Merit Board  
19 regarding certification and decertification.

20 (38) Meetings of the Ad Hoc Statewide Domestic  
21 Violence Fatality Review Committee of the Illinois  
22 Criminal Justice Information Authority Board that occur in  
23 closed executive session under subsection (d) of Section  
24 35 of the Domestic Violence Fatality Review Act.

25 (39) Meetings of the regional review teams under  
26 subsection (a) of Section 75 of the Domestic Violence

1           Fatality Review Act.

2                   (40) Meetings of the Firearm Owner's Identification  
3           Card Review Board under Section 10 of the Firearm Owners  
4           Identification Card Act.

5           (d) Definitions. For purposes of this Section:

6           "Employee" means a person employed by a public body whose  
7           relationship with the public body constitutes an  
8           employer-employee relationship under the usual common law  
9           rules, and who is not an independent contractor.

10           "Public office" means a position created by or under the  
11           Constitution or laws of this State, the occupant of which is  
12           charged with the exercise of some portion of the sovereign  
13           power of this State. The term "public office" shall include  
14           members of the public body, but it shall not include  
15           organizational positions filled by members thereof, whether  
16           established by law or by a public body itself, that exist to  
17           assist the body in the conduct of its business.

18           "Quasi-judicative body" means an administrative body  
19           charged by law or ordinance with the responsibility to conduct  
20           hearings, receive evidence or testimony and make  
21           determinations based thereon, but does not include local  
22           electoral boards when such bodies are considering petition  
23           challenges.

24           (e) Final action. No final action may be taken at a closed  
25           meeting. Final action shall be preceded by a public recital of  
26           the nature of the matter being considered and other

1 information that will inform the public of the business being  
2 conducted.

3 (Source: P.A. 102-237, eff. 1-1-22; 102-520, eff. 8-20-21;  
4 102-558, eff. 8-20-21; 102-813, eff. 5-13-22; 103-311, eff.  
5 7-28-23; 103-626, eff. 1-1-25.)

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 the principal office of the public body, if  
14 such an office exists, and at the location where the meeting is  
15 to be held at least 48 hours in advance of the holding of the  
16 meeting. A public body that has a website that the full-time  
17 staff of the public body maintains shall also post on its  
18 website the agenda of any regular meetings of the governing  
19 body of that public body. Any agenda of a regular meeting that  
20 is posted on a public body's website shall remain posted on the  
21 website until the regular meeting is concluded. The  
22 requirement of a regular meeting agenda shall not preclude the  
23 consideration of items not specifically set forth in the  
24 agenda. Public notice of any special meeting except a meeting  
25 held in the event of a bona fide emergency, or of any

1 rescheduled regular meeting, or of any reconvened meeting,  
2 shall be given at least 48 hours before such meeting, which  
3 notice shall also include the agenda for the special,  
4 rescheduled, or reconvened meeting, but the validity of any  
5 action taken by the public body which is germane to a subject  
6 on the agenda shall not be affected by other errors or  
7 omissions in the agenda. The requirement of public notice of  
8 reconvened meetings does not apply to any case where the  
9 meeting was open to the public and (1) it is to be reconvened  
10 within 24 hours, or (2) an announcement of the time and place  
11 of the reconvened meeting was made at the original meeting and  
12 there is no change in the agenda. Notice of an emergency  
13 meeting shall be given as soon as practicable, but in any event  
14 prior to the holding of such meeting, to any news medium which  
15 has filed an annual request for notice under subsection (b) of  
16 this Section.

17 (b) Public notice shall be given by posting a copy of the  
18 notice at the principal office of the body holding the meeting  
19 or, if no such office exists, at the building in which the  
20 meeting is to be held. In addition, a public body that has a  
21 website that the full-time staff of the public body maintains  
22 shall post notice on its website of all meetings of the  
23 governing body of the public body. If a public body has a  
24 website that is maintained by its full-time staff but does not  
25 have a principal office or single building where meetings are  
26 regularly held, that body shall be deemed to have complied

1 with the requirement to post physical notice at the office or  
2 building of the meeting if the notice is timely posted on that  
3 public body's website. The public body must comply with all  
4 other notice requirements set forth in this Act. Any notice of  
5 an annual schedule of meetings shall remain on the website  
6 until a new public notice of the schedule of regular meetings  
7 is approved. Any notice of a regular meeting that is posted on  
8 a public body's website shall remain posted on the website  
9 until the regular meeting is concluded. The body shall supply  
10 copies of the notice of its regular meetings, and of the notice  
11 of any special, emergency, rescheduled or reconvened meeting,  
12 to any news medium that has filed an annual request for such  
13 notice. Any such news medium shall also be given the same  
14 notice of all special, emergency, rescheduled or reconvened  
15 meetings in the same manner as is given to members of the body  
16 provided such news medium has given the public body an address  
17 or telephone number within the territorial jurisdiction of the  
18 public body at which such notice may be given. The failure of a  
19 public body to post on its website notice of any meeting or the  
20 agenda of any meeting shall not invalidate any meeting or any  
21 actions taken at a meeting.

22 (c) Any agenda required under this Section shall set forth  
23 the general subject matter of any resolution or ordinance that  
24 will be the subject of final action at the meeting. The public  
25 body conducting a public meeting shall ensure that at least  
26 one copy of any requested notice and agenda for the meeting is

1 continuously available for public review during the entire  
2 48-hour period preceding the meeting. Posting of the notice  
3 and agenda on a website that is maintained by the public body  
4 satisfies the requirement for continuous posting under this  
5 subsection (c). If a notice or agenda is not continuously  
6 available for the full 48-hour period due to actions outside  
7 of the control of the public body, then that lack of  
8 availability does not invalidate any meeting or action taken  
9 at a meeting.

10 (Source: P.A. 97-827, eff. 1-1-13.)

11 (5 ILCS 120/2.07 new)

12 Sec. 2.07. Police District Councils.

13 (a) For a Police District Council created under Section  
14 2-80-070 of the Municipal Code of Chicago, "meeting" does not  
15 include a gathering of 2 members of the public body, except  
16 when gathered for a regularly scheduled meeting or otherwise  
17 gathered to adopt any motion, resolution, or ordinance.

18 (b) With the exception of the required regularly scheduled  
19 monthly meetings, Police District Councils created under  
20 Section 2-80-070 of the Municipal Code of Chicago may hold  
21 meetings by audio or video conference, without the physical  
22 presence of the members, subject to the following conditions:

23 (1) All Police District Council members participating  
24 in the meeting, wherever their physical location, shall be  
25 verified and can hear one another and can hear all

1 discussion and testimony.

2 (2) Any members of the public attending the meeting  
3 can hear all Police District Council members and all  
4 discussion, testimony, and roll-call votes.

5 (3) Notice of the remote meeting, including how to  
6 contemporaneously hear all discussion, testimony, and  
7 roll-call votes, whether by telephone number or web-based  
8 link, is provided to the public at least 48 hours prior to  
9 the meeting, except in the case of a bona fide emergency.

10 (4) All votes are conducted by roll call, so each  
11 member's vote on each issue can be identified and  
12 recorded.

13 (5) A verbatim record is kept in the form of an audio  
14 or video recording and made available to the public not  
15 more than 48 hours before the conclusion of the meeting.