

1 limited to:

2 (i) files and personal information maintained
3 with respect to clients, patients, residents,
4 students or other individuals receiving social,
5 medical, educational, vocational, financial,
6 supervisory or custodial care or services directly
7 or indirectly from federal agencies or public
8 bodies;

9 (ii) personnel files and personal information
10 maintained with respect to employees, appointees or
11 elected officials of any public body or applicants
12 for those positions;

13 (iii) files and personal information
14 maintained with respect to any applicant, registrant
15 or licensee by any public body cooperating with or
16 engaged in professional or occupational
17 registration, licensure or discipline;

18 (iv) information required of any taxpayer in
19 connection with the assessment or collection of any
20 tax unless disclosure is otherwise required by State
21 statute; and

22 (v) information revealing the identity of
23 persons who file complaints with or provide
24 information to administrative, investigative, law
25 enforcement or penal agencies; provided, however,
26 that identification of witnesses to traffic
27 accidents, traffic accident reports, and rescue
28 reports may be provided by agencies of local
29 government, except in a case for which a criminal
30 investigation is ongoing, without constituting a
31 clearly unwarranted per se invasion of personal
32 privacy under this subsection.

33 (c) Records compiled by any public body for
34 administrative enforcement proceedings and any law

1 enforcement or correctional agency for law enforcement
2 purposes or for internal matters of a public body, but
3 only to the extent that disclosure would:

4 (i) interfere with pending or actually and
5 reasonably contemplated law enforcement proceedings
6 conducted by any law enforcement or correctional
7 agency;

8 (ii) interfere with pending administrative
9 enforcement proceedings conducted by any public
10 body;

11 (iii) deprive a person of a fair trial or an
12 impartial hearing;

13 (iv) unavoidably disclose the identity of a
14 confidential source or confidential information
15 furnished only by the confidential source;

16 (v) disclose unique or specialized
17 investigative techniques other than those generally
18 used and known or disclose internal documents of
19 correctional agencies related to detection,
20 observation or investigation of incidents of crime
21 or misconduct;

22 (vi) constitute an invasion of personal
23 privacy under subsection (b) of this Section;

24 (vii) endanger the life or physical safety of
25 law enforcement personnel or any other person; or

26 (viii) obstruct an ongoing criminal
27 investigation.

28 (d) Criminal history record information maintained
29 by State or local criminal justice agencies, except the
30 following which shall be open for public inspection and
31 copying:

32 (i) chronologically maintained arrest
33 information, such as traditional arrest logs or
34 blotters;

1 (ii) the name of a person in the custody of a
2 law enforcement agency and the charges for which
3 that person is being held;

4 (iii) court records that are public;

5 (iv) records that are otherwise available
6 under State or local law; or

7 (v) records in which the requesting party is
8 the individual identified, except as provided under
9 part (vii) of paragraph (c) of subsection (1) of
10 this Section.

11 "Criminal history record information" means data
12 identifiable to an individual and consisting of
13 descriptions or notations of arrests, detentions,
14 indictments, informations, pre-trial proceedings, trials,
15 or other formal events in the criminal justice system or
16 descriptions or notations of criminal charges (including
17 criminal violations of local municipal ordinances) and
18 the nature of any disposition arising therefrom,
19 including sentencing, court or correctional supervision,
20 rehabilitation and release. The term does not apply to
21 statistical records and reports in which individuals are
22 not identified and from which their identities are not
23 ascertainable, or to information that is for criminal
24 investigative or intelligence purposes.

25 (e) Records that relate to or affect the security
26 of correctional institutions and detention facilities.

27 (f) Preliminary drafts, notes, recommendations,
28 memoranda and other records in which opinions are
29 expressed, or policies or actions are formulated, except
30 that a specific record or relevant portion of a record
31 shall not be exempt when the record is publicly cited and
32 identified by the head of the public body. The exemption
33 provided in this paragraph (f) extends to all those
34 records of officers and agencies of the General Assembly

1 that pertain to the preparation of legislative documents.

2 (g) Trade secrets and commercial or financial
3 information obtained from a person or business where the
4 trade secrets or information are proprietary, privileged
5 or confidential, or where disclosure of the trade secrets
6 or information may cause competitive harm, including all
7 information determined to be confidential under Section
8 4002 of the Technology Advancement and Development Act.
9 Nothing contained in this paragraph (g) shall be
10 construed to prevent a person or business from consenting
11 to disclosure.

12 (h) Proposals and bids for any contract, grant, or
13 agreement, including information which if it were
14 disclosed would frustrate procurement or give an
15 advantage to any person proposing to enter into a
16 contractor agreement with the body, until an award or
17 final selection is made. Information prepared by or for
18 the body in preparation of a bid solicitation shall be
19 exempt until an award or final selection is made.

20 (i) Valuable formulae, computer graphic systems,
21 designs, drawings and research data obtained or produced
22 by any public body when disclosure could reasonably be
23 expected to produce private gain or public loss.

24 (j) Test questions, scoring keys and other
25 examination data used to administer an academic
26 examination or determined the qualifications of an
27 applicant for a license or employment.

28 (k) Architects' plans, and engineers' technical
29 submissions, utility plant schematics and atlases,
30 building plans, and any other construction-related plans
31 for projects not constructed or developed in whole or in
32 part with public funds and for projects constructed or
33 developed with public funds, to the extent that
34 disclosure would compromise security.

1 (1) Library circulation and order records
2 identifying library users with specific materials.

3 (m) Minutes of meetings of public bodies closed to
4 the public as provided in the Open Meetings Act until the
5 public body makes the minutes available to the public
6 under Section 2.06 of the Open Meetings Act.

7 (n) Communications between a public body and an
8 attorney or auditor representing the public body that
9 would not be subject to discovery in litigation, and
10 materials prepared or compiled by or for a public body in
11 anticipation of a criminal, civil or administrative
12 proceeding upon the request of an attorney advising the
13 public body, and materials prepared or compiled with
14 respect to internal audits of public bodies.

15 (o) Information received by a primary or secondary
16 school, college or university under its procedures for
17 the evaluation of faculty members by their academic
18 peers.

19 (p) Administrative or technical information
20 associated with automated data processing operations,
21 including but not limited to software, operating
22 protocols, computer program abstracts, file layouts,
23 source listings, object modules, load modules, user
24 guides, documentation pertaining to all logical and
25 physical design of computerized systems, employee
26 manuals, and any other information that, if disclosed,
27 would jeopardize the security of the system or its data
28 or the security of materials exempt under this Section.

29 (q) Documents or materials relating to collective
30 negotiating matters between public bodies and their
31 employees or representatives, except that any final
32 contract or agreement shall be subject to inspection and
33 copying.

34 (r) Drafts, notes, recommendations and memoranda

1 pertaining to the financing and marketing transactions of
2 the public body. The records of ownership, registration,
3 transfer, and exchange of municipal debt obligations, and
4 of persons to whom payment with respect to these
5 obligations is made.

6 (s) The records, documents and information relating
7 to real estate purchase negotiations until those
8 negotiations have been completed or otherwise terminated.
9 With regard to a parcel involved in a pending or actually
10 and reasonably contemplated eminent domain proceeding
11 under Article VII of the Code of Civil Procedure,
12 records, documents and information relating to that
13 parcel shall be exempt except as may be allowed under
14 discovery rules adopted by the Illinois Supreme Court.
15 The records, documents and information relating to a real
16 estate sale shall be exempt until a sale is consummated.

17 (t) Any and all proprietary information and records
18 related to the operation of an intergovernmental risk
19 management association or self-insurance pool or jointly
20 self-administered health and accident cooperative or
21 pool.

22 (u) Information concerning a university's
23 adjudication of student or employee grievance or
24 disciplinary cases, to the extent that disclosure would
25 reveal the identity of the student or employee and
26 information concerning any public body's adjudication of
27 student or employee grievances or disciplinary cases,
28 except for the final outcome of the cases.

29 (v) Course materials or research materials used by
30 faculty members.

31 (w) Information related solely to the internal
32 personnel rules and practices of a public body.

33 (x) Information contained in or related to
34 examination, operating, or condition reports prepared by,

1 on behalf of, or for the use of a public body responsible
2 for the regulation or supervision of financial
3 institutions or insurance companies, unless disclosure is
4 otherwise required by State law.

5 (y) Information the disclosure of which is
6 restricted under Section 5-108 of the Public Utilities
7 Act.

8 (z) Manuals or instruction to staff that relate to
9 establishment or collection of liability for any State
10 tax or that relate to investigations by a public body to
11 determine violation of any criminal law.

12 (aa) Applications, related documents, and medical
13 records received by the Experimental Organ
14 Transplantation Procedures Board and any and all
15 documents or other records prepared by the Experimental
16 Organ Transplantation Procedures Board or its staff
17 relating to applications it has received.

18 (bb) Insurance or self insurance (including any
19 intergovernmental risk management association or self
20 insurance pool) claims, loss or risk management
21 information, records, data, advice or communications.

22 (cc) Information and records held by the Department
23 of Public Health and its authorized representatives
24 relating to known or suspected cases of sexually
25 transmissible disease or any information the disclosure
26 of which is restricted under the Illinois Sexually
27 Transmissible Disease Control Act.

28 (dd) Information the disclosure of which is
29 exempted under Section 30 of the Radon Industry Licensing
30 Act.

31 (ee) Firm performance evaluations under Section 55
32 of the Architectural, Engineering, and Land Surveying
33 Qualifications Based Selection Act.

34 (ff) Security portions of system safety program

1 plans, investigation reports, surveys, schedules, lists,
2 data, or information compiled, collected, or prepared by
3 or for the Regional Transportation Authority under
4 Section 2.11 of the Regional Transportation Authority Act
5 or the St. Clair County Transit District under the
6 Bi-State Transit Safety Act.

7 (gg) Information the disclosure of which is
8 restricted and exempted under Section 50 of the Illinois
9 Prepaid Tuition Act.

10 (hh) Information the disclosure of which is
11 exempted under Section 80 of the State Gift Ban Act.

12 (ii) Beginning July 1, 1999, information that would
13 disclose or might lead to the disclosure of secret or
14 confidential information, codes, algorithms, programs, or
15 private keys intended to be used to create electronic or
16 digital signatures under the Electronic Commerce Security
17 Act.

18 (jj) Information contained in a local emergency
19 energy plan submitted to a municipality in accordance
20 with a local emergency energy plan ordinance that is
21 adopted under Section 11-21.5-5 of the Illinois Municipal
22 Code.

23 (kk) Information and data concerning the
24 distribution of surcharge moneys collected and remitted
25 by wireless carriers under the Wireless Emergency
26 Telephone Safety Act.

27 (2) This Section does not authorize withholding of
28 information or limit the availability of records to the
29 public, except as stated in this Section or otherwise
30 provided in this Act.

31 (Source: P.A. 91-137, eff. 7-16-99; 91-357, eff. 7-29-99;
32 91-660, eff. 12-22-99; 92-16, eff. 6-28-01; 92-241, eff.
33 8-3-01; 92-281, eff. 8-7-01; revised 10-2-01.)".