

1 AN ACT concerning freedom of information.

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

4 Section 5. The Freedom of Information Act is amended by
5 changing Section 2 as follows:

6 (5 ILCS 140/2) (from Ch. 116, par. 202)

7 Sec. 2. Definitions. As used in this Act:

8 (a) "Public body" means any legislative, executive,
9 administrative, or advisory bodies of the State, state
10 universities and colleges, counties, townships, cities,
11 villages, incorporated towns, school districts and all other
12 municipal corporations, boards, bureaus, committees, or
13 commissions of this State, and any subsidiary bodies of any
14 of the foregoing including but not limited to committees and
15 subcommittees which are supported in whole or in part by tax
16 revenue, or which expend tax revenue. "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.

20 (b) "Person" means any individual, corporation,
21 partnership, firm, organization or association, acting
22 individually or as a group.

23 (c) "Public records" means all records, reports, forms,
24 writings, letters, memoranda, books, papers, maps,
25 photographs, microfilms, cards, tapes, recordings, electronic
26 data processing records, recorded information and all other
27 documentary materials, regardless of physical form or
28 characteristics, having been prepared, or having been or
29 being used, received, possessed or under the control of any
30 public body. "Public records" includes, but is expressly not
31 limited to: (i) administrative manuals, procedural rules,

1 and instructions to staff, unless exempted by Section 7(p) of
2 this Act; (ii) final opinions and orders made in the
3 adjudication of cases, except an educational institution's
4 adjudication of student or employee grievance or disciplinary
5 cases; (iii) substantive rules; (iv) statements and
6 interpretations of policy which have been adopted by a public
7 body; (v) final planning policies, recommendations, and
8 decisions; (vi) factual reports, inspection reports, and
9 studies whether prepared by or for the public body; (vii) all
10 information in any account, voucher, or contract dealing with
11 the receipt or expenditure of public or other funds of public
12 bodies; (viii) the names, salaries, titles, and dates of
13 employment of all employees and officers of public bodies;
14 (ix) materials containing opinions concerning the rights of
15 the state, the public, a subdivision of state or a local
16 government, or of any private persons; (x) the name of every
17 official and the final records of voting in all proceedings
18 of public bodies; (xi) applications for any contract, permit,
19 grant, or agreement except as exempted from disclosure by
20 subsection (g) of Section 7 of this Act; (xii) each report,
21 document, study, or publication prepared by independent
22 consultants or other independent contractors for the public
23 body; (xiii) all other information required by law to be made
24 available for public inspection or copying; (xiv) information
25 relating to any grant or contract made by or between a public
26 body and another public body or private organization; (xv)
27 waiver documents filed with the State Superintendent of
28 Education or the president of the University of Illinois
29 under Section 30-12.5 of the School Code, concerning nominees
30 for General Assembly scholarships under Sections 30-9, 30-10,
31 and 30-11 of the School Code; (xvi) complaints, results of
32 complaints, and Department of Children and Family Services
33 staff findings of licensing violations at day care
34 facilities, provided that personal and identifying

1 information is not released; and (xvii) records, reports,
2 forms, writings, letters, memoranda, books, papers, and other
3 documentary information, regardless of physical form or
4 characteristics, having been prepared, or having been or
5 being used, received, possessed, or under the control of the
6 Illinois Sports Facilities Authority dealing with the receipt
7 or expenditure of public funds or other funds of the
8 Authority in connection with the reconstruction, renovation,
9 remodeling, extension, or improvement of all or substantially
10 all of an existing "facility" as that term is defined in the
11 Illinois Sports Facilities Authority Act; and (xviii)
12 agreements, to which a public body as defined in subsection
13 (a) is a party, settling threatened or actual litigation but
14 only as to the amount of funds expended or collected by the
15 public body in settling threatened or actual litigation and
16 not including agreements settling actual or threatened
17 litigation by persons committed to the Illinois Department of
18 Corrections.

19 (d) "Copying" means the reproduction of any public
20 record by means of any photographic, electronic, mechanical
21 or other process, device or means.

22 (e) "Head of the public body" means the president,
23 mayor, chairman, presiding officer, director, superintendent,
24 manager, supervisor or individual otherwise holding primary
25 executive and administrative authority for the public body,
26 or such person's duly authorized designee.

27 (f) "News media" means a newspaper or other periodical
28 issued at regular intervals whether in print or electronic
29 format, a news service whether in print or electronic format,
30 a radio station, a television station, a television network,
31 a community antenna television service, or a person or
32 corporation engaged in making news reels or other motion
33 picture news for public showing.

34 (Source: P.A. 91-935, eff. 6-1-01; 92-335, eff. 8-10-01;

1 92-468, eff. 8-22-01; revised 10-10-01.)

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.