

AN ACT concerning State government.

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

Section 5. The State Records Act is amended by changing Sections 16 and 22a as follows:

(5 ILCS 160/16) (from Ch. 116, par. 43.19)

Sec. 16. There is created the State Records Commission. The Commission shall consist of the following State officials or their authorized representatives: the Secretary of State, who shall act as chairman; the Executive Director of the Abraham Lincoln Presidential Library and Museum ~~the State Historian~~, who shall serve as secretary; the State Treasurer; the Director of Central Management Services; the Attorney General; and the State Comptroller. The Commission shall meet whenever called by the chairman, who shall have no vote on matters considered by the Commission. It shall be the duty of the Commission to determine what records no longer have any administrative, fiscal, legal, research, or historical value and should be destroyed or disposed of otherwise. The Commission may make recommendations to the Secretary of State concerning policies, guidelines, and best practices for addressing electronic records management issues as authorized under Section 37 of the Government Electronic Records Act.

(Source: P.A. 97-249, eff. 8-4-11.)

(5 ILCS 160/22a) (from Ch. 116, par. 43.25a)

Sec. 22a. There is hereby created the State Archives Advisory Board consisting of 12 voting members and 2 nonvoting members.

The voting members shall be appointed by the Secretary of State as follows: A member of the State Records Commission, a member of a Local Records Commission, a member of a local historical society or museum, a university archivist, a person in the field of education specializing in either history or political science, a genealogist, a research or reference librarian, a person who is employed or engaged as an archivist by a business establishment and 4 public members.

The nonvoting members shall be the Director of the State Library and the Executive Director of the Abraham Lincoln Presidential Library and Museum ~~State Historian~~ who shall serve ex-officio.

Four of the initial appointees shall serve a 1-year term; four shall serve 2-year terms; and the remaining 4 shall serve 3-year terms. The terms of the initial appointees shall be specified by the Secretary of State at the time of appointments. Subsequent to the initial appointments all members shall hold office for a period of 3 years. Vacancies shall be filled by appointment of the Secretary of State for the unexpired balance of the term. No person shall serve for

more than 2 consecutive 3-year terms.

The State Archives Advisory Board shall elect from its own members one chairman and one vice chairman.

The members appointed to the Board shall serve without compensation but shall be reimbursed for necessary expenses incurred in the performance of their duties.

(Source: P.A. 83-523.)

(20 ILCS 3425/Act rep.)

Section 10. The State Historical Library Act is repealed.

Section 15. The Abraham Lincoln Presidential Library and Museum Act is amended by changing Sections 15, 20, 30, 35, 40, and 45 and by adding Section 3 as follows:

(20 ILCS 3475/3 new)

Sec. 3. Executive Order superseded. Executive Order No. 2017-1 created the Abraham Lincoln Presidential Library and Museum as a State agency under the jurisdiction of the Governor. This Act is the implementation of that Executive Order. To the extent that there is a conflict between the provisions of the Executive Order and this Act, this Act supersedes the Executive Order, and shall be controlling.

(20 ILCS 3475/15)

Sec. 15. Board. There shall be a Board of Trustees of the

Abraham Lincoln Presidential Library and Museum to set policy and advise the Abraham Lincoln Presidential Library and Museum and the Executive Director on programs related to the Abraham Lincoln Presidential Library and Museum and to exercise the powers and duties given to it under Section 25 of this Act. ~~The Abraham Lincoln Presidential Library and Museum and the Abraham Lincoln Presidential Library Foundation shall mutually cooperate to maximize resources available to the Abraham Lincoln Presidential Library and Museum and to support, sustain, and provide educational programs and collections at the Abraham Lincoln Presidential Library and Museum. Any membership fees collected by the Abraham Lincoln Presidential Library Foundation may be used to support the Abraham Lincoln Presidential Library and Museum programs or collections at the Foundation's discretion.~~

~~The terms of the mutual cooperation shall be set forth in a memorandum of understanding or similar written document for an agreed upon term concluding on December 31st of a particular year and shall include, at a minimum, the following:~~

~~(a) an authorization by the Agency for the Foundation to operate, directly or through subcontractors, food service, catering service, and retail activities at the Abraham Lincoln Presidential Library and Museum with the net proceeds being made available by the Foundation to the Abraham Lincoln Presidential Library and Museum;~~

~~(b) a requirement that the Foundation annually provide~~

~~to the Office of the Governor and the General Assembly the following:~~

~~(1) any audit of the Foundation's financial statements performed by an independent auditor;~~

~~(2) the most recent Form 990 federal tax return filed by the Foundation with the Internal Revenue Service; and~~

~~(3) an annual report including income and expenditures of funds raised as a result of the Foundation's operation, directly or through subcontractors, for food service, catering service, and retail activities at the Abraham Lincoln Presidential Library and Museum; and~~

~~(c) the establishment of a working group with 7 members, composed of 3 members of the Board and 3 members of the Board of Directors of the Foundation, with such members appointed by the respective chair of each board, together with the State Historian. The working group shall collaborate to advance the interests of the Agency and, as an initial responsibility, shall develop an official mission statement for the Agency which shall be presented to the Board and the Board of Directors of the Foundation for adoption and which shall serve to align and guide the efforts of both the Agency and the Foundation. Except for the State Historian, ex officio members of either board are not eligible to be appointed as members of the working~~

~~group. The working group shall meet at least once each quarter and shall be chaired by the State Historian. The Foundation shall provide staff support to the working group to maintain attendance and other necessary records of the working group.~~

(Source: P.A. 100-120, eff. 8-18-17; 101-535, eff. 8-23-19.)

(20 ILCS 3475/20)

Sec. 20. Composition of the Board. The Board of Trustees shall consist of 11 members to be appointed by the Governor, with the advice and consent of the Senate. The Board shall consist of members with the following qualifications:

(1) One member shall have recognized knowledge and ability in matters related to business administration.

(2) One member shall have recognized knowledge and ability in matters related to the history of Abraham Lincoln.

(3) One member shall have recognized knowledge and ability in matters related to the history of Illinois.

(4) One member shall have recognized knowledge and ability in matters related to library and museum studies.

(5) One member shall have recognized knowledge and ability in matters related to historic preservation.

(6) One member shall have recognized knowledge and ability in matters related to cultural tourism.

(7) One member shall have recognized knowledge and

ability in matters related to conservation, digitization, and technological innovation.

The initial terms of office shall be designated by the Governor as follows: one member to serve for a term of one year, 2 members to serve for a term of 2 years, 2 members to serve for a term of 3 years, 2 members to serve for a term of 4 years, 2 members to serve for a term of 5 years, and 2 members to serve for a term of 6 years. Thereafter, all appointments shall be for a term of 6 years. The Governor shall appoint one of the members to serve as chairperson at the pleasure of the Governor.

The members of the Board shall serve without compensation but shall be entitled to reimbursement for all necessary expenses incurred in the performance of their official duties as members of the Board from funds appropriated for that purpose.

~~To facilitate communication and cooperation between the Agency and the Abraham Lincoln Presidential Library Foundation, the Foundation CEO shall serve as a non-voting, ex officio member of the Board.~~

(Source: P.A. 100-120, eff. 8-18-17; 100-863, eff. 8-14-18.)

(20 ILCS 3475/30)

Sec. 30. Administration of the Agency. The Agency shall be under the supervision and direction of an Executive Director. The person serving on the effective date of this Act as Library

Director, as defined in Section 33 of the Historic Preservation Act, shall become the inaugural Executive Director on the effective date of this Act and shall serve as Executive Director until the expiration of his then-current term as Library Director. Thereafter, the Board shall appoint the Executive Director with the advice and consent of the Senate. The Executive Director shall serve at the pleasure of the Board for a term of 4 years. The Executive Director shall, subject to applicable provisions of law, execute and discharge the powers and duties of the Agency. ~~The Executive Director shall have hiring power and shall appoint (a) a Library Facilities Operations Director; and (b) a Director of the Library. The Executive Director shall appoint those other employees of the Agency as he or she deems appropriate and shall fix the compensation of the Library Facilities Operations Director, the Director of the Library and other employees.~~ The Executive Director may make provision to establish and collect admission and registration fees, operate a gift shop, and publish and sell educational and informational materials.

(Source: P.A. 100-120, eff. 8-18-17; 100-695, eff. 8-3-18.)

(20 ILCS 3475/35)

Sec. 35. Exchange ~~State Historian; exchange~~ historical records. The Agency ~~State Historian~~ shall make all necessary rules, regulations, and bylaws not inconsistent with law to



carry into effect the purposes of this Act and to procure from time to time as may be possible and practicable, at reasonable costs, all books, pamphlets, manuscripts, monographs, writings, and other material of historical interest and useful to the Agency ~~historian~~ bearing upon the political, physical, religious, or social history of the State of Illinois from the earliest known period of time. The Agency ~~State Historian~~ may, with the consent of the Board, exchange any books, pamphlets, manuscripts, records, or other materials which such library may acquire that are of no historical interest or for any reason are of no value to it, with any other library, school or historical society. The Agency ~~State Historian~~ shall distribute volumes of the series known as the Illinois Historical Collections now in print, and to be printed, to all who may apply for same and who pay to the Library and Museum for such volumes an amount fixed by the Agency ~~State Historian~~ sufficient to cover the expenses of printing and distribution of each volume received by such applicants. However, the Agency ~~State Historian~~ shall have authority to furnish 25 of each of the volumes of the Illinois Historical Collections, free of charge, to each of the authors and editors of the Collections or parts thereof; to furnish, ~~as in his or her discretion he or she deems necessary or desirable,~~ a reasonable number of each of the volumes of the Collections without charge to archives, libraries, and similar institutions from which material has been drawn or assistance

has been given in the preparation of such Collections, and to the officials thereof; and to furnish, as in his or her discretion he or she deems necessary or desirable, a reasonable number of each of the volumes of the Collections without charge to the University of Illinois Library and to instructors and officials of that University, and to public libraries in the State of Illinois. The Agency ~~State Historian~~ may, with the consent of the Board, also make exchanges of the Historical Collections with any other library, school or historical society, and distribute volumes of the Collections for review purposes.

(Source: P.A. 100-120, eff. 8-18-17.)

(20 ILCS 3475/40)

Sec. 40. Illinois State Historian; appointment.

(a) The Governor, in consultation with ~~Executive Director,~~ with the advice and consent of the Board and the Illinois Historical Society, shall appoint the Illinois State Historian, ~~who shall provide historical expertise, support, and service on civic engagement to educators and not-for-profit educational groups, including historical societies. The State Historian is the State's leading authority on the history of Illinois.~~

(b) The Illinois State Historian shall be appointed based on the recommendation from the Abraham Lincoln Presidential Library and Museum Board of Trustees who shall consult the

Illinois State Historical Society. The Board in consultation with the Illinois State Historical Society shall develop qualifications for the Illinois State Historian to be approved by the Board no later than 120 days after the enactment of this amendatory Act of the 102nd General Assembly.

(c) Qualifications for the Illinois State Historian must include expertise in the history of at least one underrepresented minority group in this State, including, but not limited to: African-American history; Native American history; Latinx history; Asian-American history; and LGBTQIA history.

(d) An individual designated as the Illinois State Historian retains the designation for 2 years from the date of appointment and the term is renewable only by the Governor's appointment for one additional consecutive 2-year term.

(Source: P.A. 100-120, eff. 8-18-17.)

(20 ILCS 3475/45)

Sec. 45. Historical records ~~State Historian; historical records~~. The Library Services Director in consultation with historian staff at the Agency ~~State Historian~~ shall establish and supervise a program within the Agency designed to preserve as historical records selected past editions of newspapers of this State. Such editions and other materials shall be preserved in accordance with industry standards and shall be stored in a place provided by the Agency. The negatives of

microphotographs and other materials shall be stored in a place provided by the Agency.

The Library Services Director in consultation with historian staff at the Agency ~~State Historian~~ shall determine on the basis of historical value the various newspaper edition files which shall be preserved and shall arrange a schedule for such preservation. The Library Services Director ~~State Historian~~ shall supervise the making of arrangements for acquiring access to past edition files and copyright permissions with the editors or publishers of the various newspapers.

The method of microphotography to be employed in this program shall conform to the standards established pursuant to Section 17 of the State Records Act.

Upon payment to the Agency of the required fee, any person or organization shall be granted access to the preserved editions of ~~supplied with any prints requested to be made from~~ the newspapers and all records. The fee schedule shall be determined and approved by the Board annually ~~required shall be determined by the State Historian and shall be equal in amount to the costs incurred by the Agency in~~ granting such access supplying the requested prints.

(Source: P.A. 100-120, eff. 8-18-17.)

(20 ILCS 5030/Act rep.)

Section 20. The Illinois Sesquicentennial of the American

Civil War Commission Act is repealed.

Section 25. The Local Historian Act is amended by changing Section 2 as follows:

(50 ILCS 130/2) (from Ch. 85, par. 5702)

Sec. 2. Each local historian ~~in cooperation with the State Historian~~ shall collect and preserve material relating to the history of the political subdivision for which he was appointed and shall maintain such material in fireproof safes or vaults or other fireproof areas within the offices of the political subdivision. The local historian shall inquire into the maintenance, classification and safety from fire of public records and shall recommend to the governing body any actions necessary for their better preservation and any materials of historic value which the political subdivision should acquire.

The local historian may cooperate with any individual or any public or private civic, patriotic or historic group or association and participate in the organized efforts of such individuals, groups and associations for the preparation and publication of local histories, records and reports, the collection and preservation of local historic artifacts, the restoration and preservation of local historic edifices, the erection of local historic monuments and markers and the recording and documentation of current events of local historic interest or significance.

Each local historian shall annually report to the governing body upon his activities and recommendations.

An annual report shall also be sent to the Abraham Lincoln Presidential Library and Museum ~~State Historian~~.

(Source: P.A. 84-736.)

Section 30. The Local Records Act is amended by changing Section 6 as follows:

(50 ILCS 205/6) (from Ch. 116, par. 43.106)

Sec. 6. For those agencies comprising counties of 3,000,000 or more inhabitants or located in or coterminous with any such county or a majority of whose inhabitants reside in any such county, this Act shall be administered by a Local Records Commission consisting of the president of the county board of the county wherein the records are kept, the mayor of the most populous city in such county, the State's attorney of such county, the County comptroller, the State archivist, and the Executive Director of the Abraham Lincoln Presidential Library and Museum ~~State historian~~. The president of the county board shall be the chairman of the Commission.

For all other agencies, this Act shall be administered by a Local Records Commission consisting of a chairman of a county board, who shall be chairman of the Commission, a mayor or president of a city, village or incorporated town, a county auditor, and a State's attorney, all of whom shall be

Public Act 102-0985

SB0302 Enrolled

LRB102 10757 RJF 16086 b

appointed by the Governor, the State archivist, and the Executive Director of the Abraham Lincoln Presidential Library and Museum ~~State historian~~.

A member of either Commission may designate a substitute.

Either Commission may employ such technical, professional and clerical assistants as are necessary.

Either Commission shall meet upon call of its chairman.

(Source: P.A. 100-201, eff. 8-18-17.)