



## Illinois Heartland Library System

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**TO:** IHLS-Member Libraries  
**FROM:** Illinois Heartland Library System  
**DATE:** June 3, 2020  
**RE:** Senate Bill 2125 Regarding Virtual Meetings

Public Bodies of Illinois:

Senate Bill 2125 has passed in both houses of the Illinois Legislature and is expected to be signed by Governor Pritzker. This bill amends the Open Meetings Act and addresses remote participation in meetings of public bodies while under disaster proclamations. Although it is not yet law, it is expected to become effective immediately upon the governor's signature. Advice from the Attorney General's Office and the Public Access Counselor is that these procedures should be adopted immediately.

Attorney Phil Lenzini has outlined the following required steps for virtual meetings:

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Prepared by Phil Lenzini, June 2, 2020

### **REQUIRED STEPS FOR VIRTUAL MEETINGS**

Senate Bill 2135, which has passed both houses of the General Assembly, has not yet been signed by the Governor into law; however, it almost certainly will be. The legislation clarifies and provides a list of factors required to conduct virtual meetings under the Open Meetings Act, as set forth here.

- A disaster declaration by the Governor or Director of the Department of Public Health over the public body's jurisdictional area must be proclaimed. (This is currently done in the Executive Orders that have been issued.)
- The head of the public body must determine an in-person meeting is not practical or prudent because of the disaster (a plain statement to this effect before the meeting starts, copied into the meeting minutes, would suffice).
- All members should be verified and must be able to hear each other and all discussion, and for open meeting portions the public attendees also. If not, then alternate arrangements must be made.
- At least one member of the board, or the director or attorney, must be physically present at the meeting location, unless this is unfeasible due to the disaster.
- All votes must be by roll call and so recorded.
- Notices must be posted at the site and on the website and provided to registered news media, except for bona fide emergency meetings.
- A verbatim recording (audio or video) must be made and kept of all meeting open portions and closed portions. The open portion recordings must be made available to the public.
- All costs are to be paid by the public body.

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