



Illinois Association of County Officials
FALL CONFERENCE
November 19, 2012

Website Requirements under the Freedom of Information Act 5 ILCS 140/1 *et seq.*: A county that maintains a website shall post:

- A brief description of itself, which will include, but not be limited to:
 - a short summary of its purpose
 - a block diagram giving its functional subdivisions
 - the total amount of its operating budget
 - the number and location of all of its separate offices
 - the approximate number of full and part-time employees
 - the identification and membership of any board, commission, committee, or council which operates in an advisory capacity relative to the operation of the public body, or which exercises control over its policies or procedures, or to which the public body is required to report and be answerable for its operations
- A brief description of the methods whereby the public may request information and public records
- A directory designating the Freedom of Information Act officer or officers
- The address where requests for public records should be directed
- Any fees allowable under Section 6 of FOIA.

Website Requirements under the Open Meetings Act 5 ILCS 120/1 *et seq.*: A county that has a website that the full-time staff of the county maintains shall post:

- Agenda of any regular meeting of the governing body of the county
 - Shall be posted 48 hours in advance of the meeting
 - Any agenda of a regular meeting that is posted on the county's website shall remain on the website until the meeting is concluded.
- Notice of all meetings of the governing body of the county
 - Any notice of an annual schedule shall remain on the website until a new notice of a schedule of regular meetings is approved.
 - Any notice of a regular meeting shall to remain on the website until the regular meeting is concluded.
- Minutes of a regular meeting of its governing body open to the public shall be placed on the county's website within 10 days after the approval of the minutes by the county.
 - Minutes shall remain on the website for at least 60 days after their initial posting.
- Total Compensation package for an employee which exceeds \$75,000 per year

- Must be posted within 6 business days after the county approves a budget
- The county may choose to post a physical copy of this information at the principal office of the county in lieu of posting the information directly on the website; however, the county must post directions on the website on how to access that information.
- Total compensation package for an employee which is equal to or in excess of \$150,000 per year
 - Must be posted at least 6 days before the county approves the compensation package
 - The county may choose to post a physical copy of this information at the principal office of the county in lieu of posting the information directly on the website; however, the county must post directions on the website on how to access that information.

Website Requirements under the Counties Code 55 ILCS 5 *et seq.*:

- If the county maintains a website, the county must post
 - the name, office address, and telephone number of the Americans with Disabilities Act coordinator, if any, employed by the county; and
 - the grievance procedures, if any, adopted by the county to resolve complaints alleging a violation of Title II of the Americans with Disabilities Act. (55 ILCS 5/5-1131)
- All county recorders that publicly display records on an Internet website (and had a website before January 1, 2009) must:
 - submit a written policy
 - including a timeline
 - to their respective county boards
 - providing for the redaction of social security numbers from all records publicly displayed on the website.
- Any county recorder that launches a website on or after January 1, 2009 shall:
 - develop and implement a policy
 - providing for the removal of all social security numbers from all records prior to the public display of those records on the website, and
 - must file a copy of the policy with the county board of that county.
 - Policies pertaining to the removal of social security numbers from records to be posted on the internet shall be made available to all employees of a county recorder.
- No person or entity shall include an individual's social security number in a document that is prepared and presented for recording with a county recorder. (This Section shall not apply to (i) State or federal tax liens, certified copies of death certificates, or other documents required by law to contain personal identifying information or (ii) documents that were executed by an individual prior to January 1, 2009).
- Upon request by any person, the recorder shall redact or remove that person's social security number, employer taxpayer identification number, driver's license number, state identification number, passport

number, checking account number, savings account number, credit card number, debit card number, or personal identification (PIN) code from any internet website maintained by the recorder or used by the recorder to display public records. (55 ILCS 5/3-5047).

WHAT'S COMING SOON?

5 ILCS 120/2.02 (c) (Effective January 1, 2012) Any agenda required under this Section shall set forth the general subject matter of any resolution or ordinance that will be the subject of final action at the meeting. The public body conducting a public meeting shall ensure that at least one copy of any requested notice and agenda for the meeting is continuously available for public review during the entire 48-hour period preceding the meeting. Posting of the notice and agenda on a **website** that is maintained by the public body satisfies the requirement for continuous posting under this subsection (c). If a notice or agenda is not continuously available for the full 48-hour period due to actions outside of the control of the public body, then that lack of availability does not invalidate any meeting or action taken at a meeting.

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