



ILLINOIS OPEN MEETINGS ACT (“OMA”)

Disclaimer



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Purpose of OMA

THE ILLINOIS OPEN MEETINGS
ACT IS DESIGNED TO ENSURE
THAT THE PUBLIC HAS ACCESS
TO INFORMATION ABOUT
GOVERNMENT AND ITS
DECISION-MAKING PROCESS

General Requirements of OMA

- Meetings of public bodies must be open to the public;
- Notice and agenda requirements;
- Requirements to keep minutes;
- Training requirements;

MEETINGS OF PUBLIC BODIES MUST BE OPEN TO THE PUBLIC

What is
considered a
Public Body

What constitutes
a meeting
under OMA

What Public Bodies are Covered by OMA



“Public Body” under OMA

A “public body” under OMA includes all legislative, executive, and administrative bodies of the following:

- The State*
- Counties
- Townships
- Cities, Villages, and Incorporated Towns
- School Districts
- Special Districts
- All municipal corporations

(also includes all committees, subcommittees, and subsidiary bodies of public bodies)

What is **NOT**
considered
a
“Public
Body” under
OMA

A “public body” **DOES NOT** include
the ILLINOIS GENERAL ASSEMBLY
(and committees or commissions thereof)

What is considered a meeting?

The OMA defines a “**Meeting**” as:

- 1) **any gathering**, whether in person or by video or audio conference, telephone call, electronic means (such as, without limitation, electronic mail, electronic chat, and instant messaging), or other means of contemporaneous interactive communication;
- 2) **of a majority of a quorum** of the members of a public body; and,
- 3) held **for the purpose of discussing public business.**

What is a “Gathering”

Under the OMA a “meeting” is any gathering, whether:

- **In person**
- **By video or audio conference**
- **Telephone call**
- **Electronic communications**
- **or other means of contemporaneous interactive communication**

What constitutes a “Majority of A Quorum” ?



Board Number	Quorum	Majority of Quorum
13	7	4
11	6	4
9	5	3*
7	4	3
5	3	[n/a 3**]
3	2	2**

* a quorum cannot include half of a person

** OMA contains special rules for a 5-person public bodies (but not for 3-person public bodies)



Gathering of a majority of a quorum must be held for “**the purpose of discussing public business**”

EXCEPTIONS TO OPEN MEETING REQUIREMENTS

Closed Sessions: The OMA authorizes a public body to “close” a meeting to the public only when discussing one of the specific, limited, topics listed in section 2(c) of the Act.

Other state statutes include specific authority to go into a closed meeting

Common closed session topics authorized under OMA

- Personnel (appointment, employment, compensation, discipline, etc).
- Collective negotiating matters or deliberations
- Purchase or lease of real estate/Sale or lease of real estate
- Pending or probable litigation against, affecting, or on behalf of the public body;
- Discussion of minutes of a meeting that was lawfully closed under OMA

HOW TO “CLOSE” A PUBLIC MEETING

- Must first meet in a properly noticed Open Meeting
- Must vote to “close the meeting” by a majority vote
- Must cite the specific exemption

Miscellaneous Closed Session Issues

- A public body cannot take binding action in a “closed session”
- Recording Requirements

Agenda

An agenda is a list of activities in the course of one or more special meetings. The agenda may include the sequence of a meeting. An agenda is

NOTICE
REQUIREMENTS
UNDER OMA

Notice and Agenda Requirements

- ✓ Public Notice must be given for ALL meetings:
 - ✓ OPEN or CLOSED
- ✓ Types of Meetings
 - ✓ Regular
 - ✓ Reconvened
 - ✓ Special
 - ✓ Emergency

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- Purpose of Agenda
 - An Agenda can be changed
 - Action on Agenda Items
 - Discussion of items not on an agenda
 - Public Comment Considerations

Discussion:


**Meeting
agendas**

Meeting Recordkeeping requirements

- ▶ OPEN MEETINGS
- ▶ “CLOSED” MEETINGS




TRAINING REQUIREMENTS UNDER OMA

- 
- Each public body must also designate at least one OMA officer
 - The designated OMA officer must complete annual OMA training.

5 ILCS 120/1.05(a)

**Training
requirements:**

OMA OFFICER

- 
- Each member of a public must complete OMA training within 90 days of taking office.
 - Must file a copy of the certificate of completion with the public body

**Training
requirements:**

**MEMBERS OF
PUBLIC
BODIES**

This concludes the “Open Meetings Act” presentation. Thank you for your attention!



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