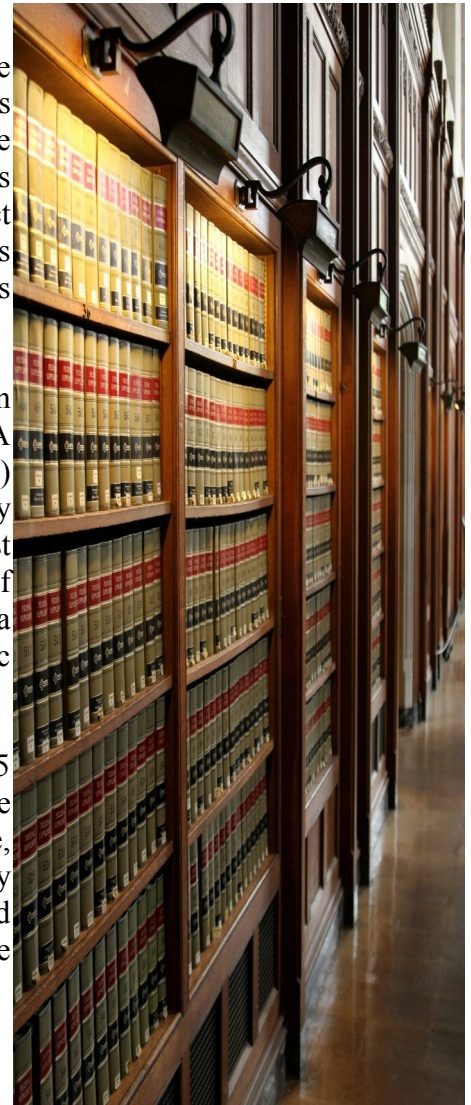


**Elected Or Appointed Public Officials Do Not Have To Repeat OMA Training,  
Unless They Are Their Public Entity's OMA Designee**

In our December 22, 2011 library law article, we advised of the adoption of Public Act 97-504, effective January 1, 2012, and its requirement that all elected or appointed members of public entities who are in office as of January 1, 2012 or appointed thereafter complete the Illinois Attorney General's Public Access Counselor's Open Meetings Act ("OMA") training curriculum during the 2012 calendar year. Questions have now arisen regarding whether elected or appointed public officials must repeat OMA training on an annual basis.

An elected or appointed public official does not have to repeat Open Meetings Act training on an annual basis, unless he or she is an OMA designee of the public entity. Section 1.05(a) of OMA (5 ILCS 120/1.05(a)) states: "the designated employees, officers, and members must successfully complete an electronic training curriculum ... and thereafter must successfully complete an annual training program." Section 1.05(b) of OMA (5 ILCS 120/1.05(b)) states: "each elected or appointed member of a public body subject to this Act ... must successfully complete the electronic training curriculum."

While Section 1.05(a) addresses only OMA designees, Section 1.05(b) addresses elected or appointed officials. Section 1.05(b) does not require repeat annual training for elected or appointed officials. Furthermore, Section 1.05(b) states "an elected or appointed member of a public body subject to this Act who has successfully completed the training required under this subsection (b) ... is not required to subsequently complete the training required under this subsection (b)."



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Additionally, the Illinois Attorney General has confirmed that elected or appointed officials do not have to repeat OMA training, unless they are their public entity's OMA designee. In a memorandum posted on its website, the Attorney General states "elected or appointed members need not complete the electronic training on an annual basis thereafter unless they are also designated to receive training on compliance with the OMA." The memo itself can be found at:

[http://foia.ilattorneygeneral.net/pdf/Open\\_Meetings\\_Act\\_Elected\\_Appointed\\_Members.pdf](http://foia.ilattorneygeneral.net/pdf/Open_Meetings_Act_Elected_Appointed_Members.pdf)

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