

## NEW LEGISLATION AFFECTING ILLINOIS LIBRARIES

The Illinois legislature passed numerous bills during the last session and the Governor has acted on all of those bills. This e-note highlights two of the new public acts that impact Illinois libraries. The first, Public Act 98-0930, requires libraries and library districts to provide for communication via email with library trustees. This Public Act amends the Local Records Act to require that units of local government and school districts that maintain an Internet website (social media or social networking websites or any other social media presence are excluded) are required to incorporate a mechanism, such as a uniform, single email address, to allow public electronic communication with the elected officials of the local government or school district. This Act further requires the website to create easy access to this mechanism through a hyperlink on the website homepage. The Act limits home rule powers and takes effect January 1, 2015.

The second Public Act, 98-0952, amends the Local Library Act and the Public Library District Act of 1991 to allow libraries to follow similar bid processes as those followed by park districts and school districts. We worked on this legislation with two library directors and received support for the legislation from the Illinois Library Association. Public Act 98-0952, which takes effect on January 1, 2015, allows for exceptions to competitive bidding for subjects such as:

- contracts for the services of individuals possessing a high degree of professional skill where the ability or fitness of the individual plays an important part;
- contracts for the printing of finance committee reports and departmental reports;
- contracts for the printing or engraving of bonds, tax warrants and other evidences of indebtedness;
- contracts for the maintenance or servicing of, or provision of repair parts for, equipment which are made with the manufacturer or authorized service agent of that equipment where the provision of parts, maintenance, or servicing can best be performed by the manufacturer or authorized service agent;



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- purchases and contracts for the use, purchase, delivery, movement, or installation of data processing equipment, software, or services and telecommunications and interconnect equipment, software, and services;
- contracts for duplicating machines and supplies;
- contracts for utility services such as water, light, heat, natural gas, electricity, telephone or telegraph;
- contracts for goods or services procured from another governmental agency; purchases of equipment previously owned by some entity other than the library itself; and
- contracts for goods or services which are economically procurable from only one source, such as for the purchase of magazines, books, periodicals, pamphlets and reports are not subject to competitive bidding.

It also provides that libraries and library districts are not required to accept bids that do not meet all terms of the bidding requirements, including terms of delivery, quality and serviceability requirements. In addition, contracts for emergency expenditures are also exempt from competitive bidding when the emergency expenditure is approved by 3/4 of the members of the board.

Please contact us if you have any questions as to how this new legislation will impact your library.

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