

UPDATED GUIDANCE ON RETURNING TO IN-PERSON MEETINGS

Published July 28, 2021

For the last several months, public bodies in Illinois have been permitted to hold remote meetings under the Illinois Open Meetings Act without a quorum being physical present and with limits on members of the public begin present at the meeting location based, in part, on Governor Pritzker's Disaster Proclamations and his findings that in-person attendance of more than 10 people at the regular meeting location was not feasible.

On July 24, 2021, Governor Pritzker issued another Gubernatorial Disaster Proclamation and Executive Order 2021-15. Although the Disaster Proclamation remains in place, neither it nor Executive Order 2021-15 made a finding that attendance at in-person meetings by more than 10 persons was not feasible.

While a finding by the head of the public body (*i.e.*, the board president or committee chair) that an in-person meeting is not practical or prudent because of a disaster is a condition for remote attendance under the Open Meetings Act, all that the Act requires of the Governor is the continued disaster declaration, something which he has again provided.

Accordingly, public bodies may continue to conduct meetings remotely, but only if the head of the public body determines that attendance at the regular meeting location is not practical or prudent due to the disaster. However, please keep in mind that in-person meetings are permissible. Further, under circumstances where the required determination is not made by the head of the public body, in-person meetings are required.

If you have any questions about Governor Pritzker's Disaster Proclamations, his Executive Order, or the Illinois Open Meetings Act, please do not hesitate to contact one of our attorneys.