FOR IMMEDIATE RELEASE
MONDAY, JUNE 30, 2014

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ADVOCATES TO IL GENERAL ASSEMBLY:
FOREGO OVERRIDE OF BAD FOIA BILL

HB 3796 HURTS PUBLIC’S RIGHT TO ACCESS
IMPORTANT GOVERNMENT DATA AND INFORMATION

WHAT: Press Conference
WHERE: Illinois State Building, 15th Floor
WHEN: Monday, June 30, 2014, 10:30AM

Chicago – Good government advocates are calling on the Illinois General Assembly to forego calling for an override of Governor Pat Quinn’s veto of HB 3796, a recently passed bill that damages the Illinois Freedom of Information Act (FOIA) by constructing legal impediments designed to greatly limit the public’s access to local government records—information the people are entitled to review and which is paid for with tax dollars.

Opponents of HB 3796 are especially troubled by the creation of a new category within the FOIA law that can designate a request as “voluminous” and therefore dramatically curtail the public’s right to know. HB 3796 makes the FOIA process unduly burdensome on everyday people and is a step backward in Illinois’ quest to improve upon its current FOIA law and efforts to engage the public.

“A 2010 study from the National Conference on Citizenship documented that only a very small percentage of Illinois residents are actually engaged in government and civic issues. Sadly, the population that will be most affected by this bill are those who actually care enough about governments to attempt to be informed, active, and engaged,” said Maryam Judar, executive director of the Citizen Advocacy Center based in Elmhurst, Illinois.
Opponents of HB 3796 also disagree with the proposed law’s premise that too many citizens are making abusive or frivolous FOIA requests of government bodies and instead contend that this bill actually penalizes civic-minded individuals who seek to know more about how their local government operates. No objective study or evidence was provided during the legislative session to back up any claims of such burdensome requests.

“Because this bill was both introduced and passed in the hectic final days of the legislative session, it was subject to little public debate or scrutiny. No evidence has been given to justify these new barriers to the public’s ability to use one of the most fundamental tools to hold government accountable,” said Abe Scarr, Director of the Illinois Public Interest Research Group.

“This bill will further shackle the public in their attempts to hold government accountable for their actions and the expenditure of their tax dollars. It proposes a solution for a problem of voluminous requests that have not been shown to exist. Such remedies should be developed publicly only after there is a proven problem. There is too little sunlight on the dark corners of government already,” said Dick Simpson, a former Chicago alderman now serving as a political science professor with University of Illinois at Chicago.

Moreover, HB 3796 also implements a new fee structure that allows public bodies to charge as much as $100 for electronic data and allows public bodies to not respond to FOIA requests if information is posted on the agency’s website.

The voluminous request provisions unnecessarily complicate FOIA, say HB 3796 opponents. In recent years, Illinois has taken strides to improve FOIA with the passage of changes that took effect in 2010 but signing HB 3796 into law would be a step back.

“This is the wrong direction,” said Andy Shaw, president and CEO of the Better Government Association in Chicago. “Instead, more must be done to advance, expand, strengthen and modernize FOIA and to make Illinois a national model of openness and fairness.”

For more information about HB 3796 visit www.CitizenAdvocacyCenter.org

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