



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB0398

Introduced 2/3/2009, by Rep. Michael J. Madigan

SYNOPSIS AS INTRODUCED:

5 ILCS 100/5-6 new

Amends the Illinois Administrative Procedure Act. Provides that all rulemaking authority exercised on or after the effective date of this amendatory Act is conditioned on the rules being adopted in accordance with all provisions of the Act and all rules and procedures of the Joint Committee on Administrative Rules (JCAR); any purported rule not so adopted, for whatever reason, including without limitation a decision of a court of competent jurisdiction holding any part of this Act or the rules or procedures of JCAR invalid, is unauthorized. Effective immediately.

LRB096 07998 RCE 18102 b

1 AN ACT concerning government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Administrative Procedure Act is
5 amended by adding Section 5-6 as follows:

6 (5 ILCS 100/5-6 new)

7 Sec. 5-6. Rulemaking conditions. All rulemaking authority
8 exercised on or after the effective date of this amendatory Act
9 of the 96th General Assembly is conditioned on the rules being
10 adopted in accordance with all provisions of this Act and all
11 rules and procedures of the Joint Committee on Administrative
12 Rules (JCAR); any purported rule not so adopted, for whatever
13 reason, including without limitation a decision of a court of
14 competent jurisdiction holding any part of this Act or the
15 rules or procedures of JCAR invalid, is unauthorized.

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.