



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB4431

by Rep. Ron Sandack

SYNOPSIS AS INTRODUCED:

New Act

25 ILCS 130/2-1

from Ch. 63, par. 1002-1

25 ILCS 130/4-2

from Ch. 63, par. 1004-2

25 ILCS 135/8 new

Creates the Board of Legislative Repealers Act. Establishes the Board of Legislative Repealers. Directs the Board, among other things, to determine instances in which State laws and rules are unreasonable, unduly burdensome, duplicative, onerous, in conflict, or unconstitutional, to create a system for receiving public comments, and to recommend changes in the law that it deems necessary to modify or eliminate antiquated and inequitable rules of law and to bring the law of the State into harmony with modern conditions. Authorizes the Board to set a schedule to make the investigations required by the Act and to adopt rules establishing the criteria to be used to determine whether a State law, rule, or other governing instrument is unreasonable, unduly burdensome, duplicative, or onerous, or conflicts with another law, rule, or governing instrument. Amends the Legislative Commission Reorganization Act of 1984 and the Legislative Reference Bureau Act. Requires the staff of the Legislative Reference Bureau and the Legislative Research Unit to cooperate to provide administrative support to the Board. Authorizes the Board to adopt any rules that are necessary to implement the requirements of the Act. Effective July 1, 2015.

LRB098 15938 OMW 50985 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 1. Short title. This Act may be cited as the Board
5 of Legislative Repealers Act.

6 Section 5. Board of Legislative Repealers.

7 (a) The Board of Legislative Repealers is hereby created.
8 The Board shall consist of the following ex officio members:
9 the Executive Director of the Legislative Reference Bureau, who
10 shall serve as the chair of the Board; the Deputy Director of
11 the Legislative Reference Bureau; the Executive Director of the
12 Legislative Research Unit; and the Associate Director of the
13 Legislative Research Unit.

14 (b) The Board of Legislative Repealers shall:

15 (1) Investigate, according to a schedule set by the
16 Board, the system of governance of the State of Illinois,
17 including its laws, rules, and other governing instruments
18 to determine instances in which those laws, rules, or other
19 governing instruments are unreasonable, unduly burdensome,
20 duplicative, onerous, in conflict, or held
21 unconstitutional by a State or federal court.

22 (2) Create, at the earliest possible date, a system for
23 receiving public comments suggesting various laws, rules,

1 and other governing instruments to be considered by the
2 Board of Legislative Repealers for possible repeal. That
3 system for receiving comments shall include a public online
4 portal that is accessible through the website maintained by
5 the Illinois General Assembly.

6 (3) Determine, based on criteria adopted by the Board,
7 that a State law, rule, or other governing instrument is
8 unreasonable, unduly burdensome, duplicative, or onerous,
9 or conflicts with another law, rule, or governing
10 instrument, and, upon making that determination,
11 recommending to the originating body either the repeal or
12 modification of the law, rule, or other governing
13 instrument. The recommendation shall set forth with
14 specificity the justification for the requested repeal or
15 modification.

16 (4) Implement a tracking system to follow the action
17 taken by any originating body on any recommendation made by
18 the Board of Legislative Repealers in order to prepare
19 regular reports to the President of the Senate, the Senate
20 Minority Leader, the Speaker of the House of
21 Representatives, the House Minority Leader, and the
22 Governor regarding the progress of repeal or modification.

23 (5) Receive and consider suggestions from judges,
24 justices, public officials, lawyers, and the public
25 generally regarding defects and anachronisms in the law.

26 (6) Report its proceedings annually to the President of

1 the Senate, the Senate Minority Leader, the Speaker of the
2 House of Representatives, the House Minority Leader, and
3 the Governor on or before February 1, 2015, and every
4 February 1 thereafter, and, if it deems doing so is
5 advisable, to accompany its report with proposed bills to
6 carry out any of its recommendations.

7 (7) Recommend, as a part of its annual report, changes
8 in the law that the Board of Legislative Repealers deems
9 necessary to modify or eliminate antiquated and
10 inequitable rules of law and to bring the law of this
11 State, civil and criminal, into harmony with modern
12 conditions.

13 (8) Work in conjunction with all legislative
14 commissions to formulate changes needed to current
15 statutes for the betterment of State statutes and the State
16 of Illinois.

17 (c) Official action by the Board shall require the
18 affirmative vote of all 4 members of the Board, and the
19 presence of all 4 members of the Board shall constitute a
20 quorum.

21 (d) Staff of the Legislative Reference Bureau and the
22 Legislative Research Unit shall cooperate to provide
23 administrative support to the Board. The Executive Directors of
24 the Legislative Reference Bureau and the Legislative Research
25 Unit may also employ additional staff for the purpose of
26 complying with the requirements of this Act.

1 (e) The Board may adopt any rules that are necessary to
2 implement the requirements of this Section.

3 Section 50. The Legislative Commission Reorganization Act
4 of 1984 is amended by changing Sections 2-1 and 4-2 as follows:

5 (25 ILCS 130/2-1) (from Ch. 63, par. 1002-1)

6 Sec. 2-1. The Joint Committee on Administrative Rules is
7 hereby established as a legislative support services agency.
8 The Joint Committee on Administrative Rules is subject to the
9 provisions of this Act and shall perform the powers and duties
10 delegated to it under "The Illinois Administrative Procedure
11 Act", as now or hereafter amended, and such other functions as
12 may be provided by law. The Joint Committee on Administrative
13 Rules shall cooperate with the Board of Legislative Repealers
14 to the extent necessary to complete the duties assigned to the
15 Board of Legislative Repealers under the Board of Legislative
16 Repealers Act.

17 (Source: P.A. 83-1257.)

18 (25 ILCS 130/4-2) (from Ch. 63, par. 1004-2)

19 Sec. 4-2. Intergovernmental functions. It shall be the
20 function of the Legislative Research Unit:

21 (1) To carry forward the participation of this State as
22 a member of the Council of State Governments.

23 (2) To encourage and assist the legislative,

1 executive, administrative and judicial officials and
2 employees of this State to develop and maintain friendly
3 contact by correspondence, by conference, and otherwise,
4 with officials and employees of the other States, of the
5 Federal Government, and of local units of government.

6 (3) To endeavor to advance cooperation between this
7 State and other units of government whenever it seems
8 advisable to do so by formulating proposals for, and by
9 facilitating:

10 (a) The adoption of compacts.

11 (b) The enactment of uniform or reciprocal
12 statutes.

13 (c) The adoption of uniform or reciprocal
14 administrative rules and regulations.

15 (d) The informal cooperation of governmental
16 offices with one another.

17 (e) The personal cooperation of governmental
18 officials and employees with one another individually.

19 (f) The interchange and clearance of research and
20 information.

21 (g) Any other suitable process, and

22 (h) To do all such acts as will enable this State
23 to do its part in forming a more perfect union among
24 the various governments in the United States and in
25 developing the Council of State Governments for that
26 purpose.

1 (4) To cooperate with the Board of Legislative
2 Repealers to the extent necessary to complete the duties
3 assigned to the Board of Legislative Repealers under the
4 Board of Legislative Repealers Act.

5 (Source: P.A. 93-632, eff. 2-1-04.)

6 Section 55. The Legislative Reference Bureau Act is amended
7 by adding Section 8 as follows:

8 (25 ILCS 135/8 new)

9 Sec. 8. Cooperation with Board of Legislative Repealers.

10 The Legislative Reference Bureau shall cooperate with the Board
11 of Legislative Repealers to the extent necessary to complete
12 the duties assigned to the Board of Legislative Repealers under
13 the Board of Legislative Repealers Act.

14 Section 99. Effective date. This Act takes effect July 1,
15 2015.