



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB1650

Introduced 1/28/2025, by Rep. Jed Davis

SYNOPSIS AS INTRODUCED:

5 ILCS 100/5-55

from Ch. 127, par. 1005-55

5 ILCS 100/5-132 new

Amends the Illinois Administrative Procedure Act. Provides that, unless a rule provides for its automatic repeal on an earlier date, a rule is automatically repealed on the date that is 10 years after it first becomes effective. Provides that notice of the repeal shall be published in the Illinois Register not less than 30 nor more than 60 days before the effective date of the automatic repeal. Provides that, for each rule that first became effective more than 5 years before the effective date of the amendatory Act, the date the rule first became effective shall be deemed to be the date that is 5 years before the effective date of the amendatory Act. Provides that the Joint Committee on Administrative Rules, in consultation with the Auditor General, within 12 months after the effective date of the amendatory Act, shall submit a report to the Governor and the General Assembly, with quarterly reports thereafter. Prohibits a State agency from adopting any rule that was automatically repealed after 10 years unless authorized by the subsequent passage of a bill and enactment of a law under the Constitution of the State of Illinois. Provides that the Joint Committee shall implement and supervise the automatic repeal of rules.

LRB104 07185 BDA 17222 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 changing Section 5-55 and by adding Section 5-132
6 as follows:

7 (5 ILCS 100/5-55) (from Ch. 127, par. 1005-55)

8 Sec. 5-55. Automatic repeal of rules.

9 (a) A rule may provide for its automatic repeal on a date
10 specified in the rule. The repeal shall be effective on the
11 date specified, provided that notice of the repeal is
12 published in the Illinois Register not less than 30 nor more
13 than 60 days before the effective date of the repeal. This
14 Section does not apply to any rules filed under Section 5-45.

15 (b) Notwithstanding any provision of law to the contrary,
16 unless a rule provides for its automatic repeal on an earlier
17 date as specified under subsection (a), a rule is
18 automatically repealed on the date that is 10 years after it
19 first becomes effective, except as provided under Section
20 5-132. Notice of the repeal shall be published in the Illinois
21 Register not less than 30 nor more than 60 days before the
22 effective date of the automatic repeal under this subsection.
23 For the purposes of this subsection, for each rule subject to

1 this subsection that first became effective more than 5 years
2 before the effective date of this amendatory Act of the 104th
3 General Assembly, the date the rule first became effective
4 shall be the date that is 5 years before the effective date of
5 this amendatory Act of the 104th General Assembly.

6 (Source: P.A. 87-823.)

7 (5 ILCS 100/5-132 new)

8 Sec. 5-132. Sunset supervision.

9 (a) The Joint Committee on Administrative Rules, in
10 consultation with the Auditor General, shall submit, within 12
11 months after the effective date of this amendatory Act of the
12 104th General Assembly, a report to the Governor and the
13 General Assembly that determines under subsection (b) of
14 Section 55 the effective date and automatic repeal date of
15 every rule contained within the Illinois Administrative Code.

16 (b) The General Assembly and the Governor may provide for
17 the readoption of any rule subject to automatic repeal under
18 subsection (b) of Section 5-55 by the passage of a bill and
19 enactment of a law under Sections 8 and 9 of Article IV of the
20 Constitution of the State of Illinois. No State agency may
21 adopt a rule that was repealed under subsection (b) of Section
22 5-55 unless authorized by the subsequent passage of a bill and
23 enactment of a law under Sections 8 and 9 of Article IV of the
24 Constitution of the State of Illinois.

25 (c) The Joint Committee shall implement and supervise the

1 automatic repeal of rules under Section 5-55 and this Section.
2 Beginning 12 months after the effective date of this
3 amendatory Act of the 104th General Assembly, the Joint
4 Committee shall report quarterly to the Governor and the
5 General Assembly regarding the implementation of this
6 amendatory Act of the 104th General Assembly.