

**SB3353**



**101ST GENERAL ASSEMBLY**

**State of Illinois**

**2019 and 2020**

**SB3353**

Introduced 2/14/2020, by Sen. Elgie R. Sims, Jr.

**SYNOPSIS AS INTRODUCED:**

15 ILCS 305/5

from Ch. 124, par. 5

Amends the Secretary of State Act. Provides that the Secretary of State has the duty to accept service of process only in those specifically mandated areas of the law and as determined by the General Assembly. Provides that the Secretary is not the default agent for service of process in the State of Illinois.

LRB101 16634 RJF 66019 b

**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 5. The Secretary of State Act is amended by  
5 changing Section 5 as follows:

6 (15 ILCS 305/5) (from Ch. 124, par. 5)

7 Sec. 5. It shall be the duty of the Secretary of State:

8 1. To countersign and affix the seal of state to all  
9 commissions required by law to be issued by the Governor.

10 2. To make a register of all appointments by the Governor,  
11 specifying the person appointed, the office conferred, the date  
12 of the appointment, the date when bond or oath is taken and the  
13 date filed. If Senate confirmation is required, the date of the  
14 confirmation shall be included in the register.

15 3. To make proper indexes to public acts, resolutions,  
16 papers and documents in his office.

17 3-a. To review all rules of all State agencies adopted in  
18 compliance with the codification system prescribed by the  
19 Secretary. The review shall be for the purposes and include all  
20 the powers and duties provided in the Illinois Administrative  
21 Procedure Act. The Secretary of State shall cooperate with the  
22 Legislative Information System to insure the accuracy of the  
23 text of the rules maintained under the Legislative Information

1 System Act.

2 4. To give any person requiring the same paying the lawful  
3 fees therefor, a copy of any law, act, resolution, record or  
4 paper in his office, and attach thereto his certificate, under  
5 the seal of the state.

6 5. To take charge of and preserve from waste, and keep in  
7 repair, the houses, lots, grounds and appurtenances, situated  
8 in the City of Springfield, and belonging to or occupied by the  
9 State, the care of which is not otherwise provided for by law,  
10 and to take charge of and preserve from waste, and keep in  
11 repair, the houses, lots, grounds and appurtenances, situated  
12 in the State outside the City of Springfield where such houses,  
13 lots, grounds and appurtenances are occupied by the Secretary  
14 of State and no other State officer or agency.

15 6. To supervise the distribution of the laws.

16 7. To perform such other duties as may be required by law.  
17 The Secretary of State may, within appropriations authorized by  
18 the General Assembly, maintain offices in the State Capital and  
19 in such other places in the State as he may deem necessary to  
20 properly carry out the powers and duties vested in him by law.

21 8. In addition to all other authority granted to the  
22 Secretary by law, subject to appropriation, to make grants or  
23 otherwise provide assistance to, among others without  
24 limitation, units of local government, school districts,  
25 educational institutions, private agencies, not-for-profit  
26 organizations, and for-profit entities for the health, safety,

1 and welfare of Illinois residents for purposes related to  
2 education, transportation, construction, capital improvements,  
3 social services, and any other lawful public purpose. Upon  
4 request of the Secretary, all State agencies are mandated to  
5 provide the Secretary with assistance in administering the  
6 grants.

7 9. To notify the Auditor General of any Public Act filed  
8 with the Office of the Secretary of State making an  
9 appropriation or transfer of funds from the State treasury.  
10 This paragraph (9) applies only through June 30, 2015.

11 10. To accept service of process only in those specifically  
12 mandated areas of the law and as determined by the General  
13 Assembly. The Secretary of State is not the default agent for  
14 service of process in the State of Illinois.

15 (Source: P.A. 96-37, eff. 7-13-09; 96-1496, eff. 1-13-11.)