

# HB2401



## 102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB2401

Introduced 2/17/2021, by Rep. Suzanne Ness

### 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. Makes other changes.

LRB102 16283 RJF 21665 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  
12 date of the appointment, the date when bond or oath is taken  
13 and the date filed. If Senate confirmation is required, the  
14 date of the confirmation shall be included in the register.

15 3. To make proper indexes to public acts, resolutions,  
16 papers and documents in the Secretary's ~~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  
20 all the powers and duties provided in the Illinois  
21 Administrative Procedure Act. The Secretary of State shall  
22 cooperate with the Legislative Information System to insure  
23 the accuracy of the text of the rules maintained under the

1 Legislative Information 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 the Secretary's ~~his~~ office, and attach thereto the  
5 Secretary's ~~his~~ certificate, under 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  
13 houses, lots, grounds and appurtenances are occupied by the  
14 Secretary 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  
18 by the General Assembly, maintain offices in the State Capital  
19 and in such other places in the State as the Secretary ~~he~~ may  
20 deem necessary to properly carry out the powers and duties  
21 vested in the Secretary ~~him~~ by law.

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

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

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

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

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