



**Filed: 2/27/2008**

09500HB4263ham002

LRB095 15090 LCT 46673 a

1 AMENDMENT TO HOUSE BILL 4263

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4263 on page 3, by  
3 inserting after line 23 the following:

4 "(h) Notwithstanding any other rulemaking authority that  
5 may exist, neither the Governor nor any agency or agency head  
6 under the jurisdiction of the Governor has any authority to  
7 make or promulgate rules to implement or enforce the provisions  
8 of this amendatory Act of the 95th General Assembly. If,  
9 however, the Governor believes that rules are necessary to  
10 implement or enforce the provisions of this amendatory Act of  
11 the 95th General Assembly, the Governor may suggest rules to  
12 the General Assembly by filing them with the Clerk of the House  
13 and Secretary of the Senate and by requesting that the General  
14 Assembly authorize such rulemaking by law, enact those  
15 suggested rules into law, or take any other appropriate action  
16 in the General Assembly's discretion. Nothing contained in this  
17 amendatory Act of the 95th General Assembly shall be  
18 interpreted to grant rulemaking authority under any other

1 Illinois statute where such authority is not otherwise  
2 explicitly given. For the purposes of this amendatory Act of  
3 the 95th General Assembly, "rules" is given the meaning  
4 contained in Section 1-70 of the Illinois Administrative  
5 Procedure Act, and "agency" and "agency head" are given the  
6 meanings contained in Sections 1-20 and 1-25 of the Illinois  
7 Administrative Procedure Act to the extent that such  
8 definitions apply to agencies or agency heads under the  
9 jurisdiction of the Governor."; and

10 on page 5, by inserting after line 18 the following:

11 "Notwithstanding any other rulemaking authority that may  
12 exist, neither the Governor nor any agency or agency head under  
13 the jurisdiction of the Governor has any authority to make or  
14 promulgate rules to implement or enforce the provisions of this  
15 amendatory Act of the 95th General Assembly. If, however, the  
16 Governor believes that rules are necessary to implement or  
17 enforce the provisions of this amendatory Act of the 95th  
18 General Assembly, the Governor may suggest rules to the General  
19 Assembly by filing them with the Clerk of the House and  
20 Secretary of the Senate and by requesting that the General  
21 Assembly authorize such rulemaking by law, enact those  
22 suggested rules into law, or take any other appropriate action  
23 in the General Assembly's discretion. Nothing contained in this  
24 amendatory Act of the 95th General Assembly shall be  
25 interpreted to grant rulemaking authority under any other

1 Illinois statute where such authority is not otherwise  
2 explicitly given. For the purposes of this amendatory Act of  
3 the 95th General Assembly, "rules" is given the meaning  
4 contained in Section 1-70 of the Illinois Administrative  
5 Procedure Act, and "agency" and "agency head" are given the  
6 meanings contained in Sections 1-20 and 1-25 of the Illinois  
7 Administrative Procedure Act to the extent that such  
8 definitions apply to agencies or agency heads under the  
9 jurisdiction of the Governor."