

1 AN ACT concerning administrative procedure.

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 adding Section 1-90 as follows:

6 (5 ILCS 100/90 new)

7 Section 90. Rulemaking.

8 (a) "Rulemaking" means the process and required
9 documentation for the adoption of Illinois Administrative
10 Code text.

11 (b) Required documentation.

12 (1) At the time of original proposal, rulemaking
13 documentation must consist of a notice page and new,
14 amendatory, or repealed text. New, repealed, and
15 amendatory text must be depicted in the manner required
16 by Secretary of State rule. Amendatory rulemakings must
17 indicate text deletion by striking through all text that
18 is to be omitted and must indicate text addition by
19 underlining all new text.

20 (2) At the time of adoption, documentation must
21 also include pages indicating the text of the new rule,
22 without striking and underlining, for inclusion in the
23 official Secretary of State records, the certification
24 required under Section 5-65(a), and any additional
25 documentation required by Secretary of State rule.

26 (3) For a required rulemaking adopted under Section
27 5-15, an emergency rulemaking under Section 5-45, or a
28 peremptory rulemaking under Section 5-50, the
29 documentation requirements of paragraphs (b)(1) and (2)
30 of this Section apply at the time of adoption.

31 (c) "Background text" means existing text of the

1 Illinois Administrative Code that is part of a rulemaking but
2 is not being amended by the rulemaking. Background text in
3 rulemaking documentation shall match the current text of the
4 Illinois Administrative Code.

5 (d) No material that was originally proposed in one
6 rulemaking may be combined with another proposed rulemaking
7 that was initially published without that material. However,
8 this does not preclude separate rulemakings from being
9 combined for publication at the time of adoption as
10 authorized by Secretary of State rule.

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.