



Sen. Kwame Raoul

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10000SB3005sam001

LRB100 18180 HEP 36746 a

1 AMENDMENT TO SENATE BILL 3005

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3005 on page 4, by  
3 replacing lines 5 through 12 with the following:

4 "(735 ILCS 5/3-101.5 new)

5 Sec. 3-101.5. Right to judicial review. Unless the action  
6 is governed by the procedures or provisions of another statute,  
7 a person suffering legal wrong because of a final  
8 administrative decision, or adversely affected or aggrieved by  
9 a final administrative decision, is entitled to judicial review  
10 of the final administrative decision to the same extent, with  
11 the same rights and the same responsibilities under this law,  
12 as a person who is a party under this law, except that a person  
13 seeking judicial review under this Section is not entitled to  
14 relief if there was a previous public hearing at which the  
15 person failed to present his or her position. To the extent  
16 necessary, such a person may provide new or additional evidence  
17 to the court for the limited purpose of demonstrating the legal

1 wrong or adverse effect or impairment that he or she has  
2 experienced or may experience as a result of the final  
3 administrative decision. The right to judicial review under  
4 this Section is limited to final administrative permitting  
5 decisions made by the Department of Agriculture, Environmental  
6 Protection Agency, Department of Natural Resources, Department  
7 of Public Health, or Department of Transportation that impact  
8 the public trust in the waters and lands of this State, State  
9 parks or natural areas, threatened or endangered species,  
10 surface or ground water quality, air quality, or other matters  
11 affecting the right to a healthful environment under Article XI  
12 of the Illinois Constitution."; and

13 on page 11, by replacing lines 14 through 17 with the  
14 following:

15 "the administrative agency shall be heard by the court, except  
16 as provided in Section 3-101.5 of this Code. The findings and  
17 conclusions of the administrative agency on questions of fact  
18 shall be held to be prima facie true and correct."