



Elementary Secondary Education Committee

Filed: 3/5/2008

09500HB4437ham002

LRB095 14163 NHT 47240 a

1 AMENDMENT TO HOUSE BILL 4437

2 AMENDMENT NO. _____. Amend House Bill 4437, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Department of Public Health Powers and
6 Duties Law of the Civil Administrative Code of Illinois is
7 amended by adding Section 2310-635 as follows:

8 (20 ILCS 2310/2310-635 new)

9 Sec. 2310-635. Student athletes; EKG test required. The
10 Department shall require an electrocardiogram (EKG) test as
11 part of the health examination that student athletes are
12 required to undergo. Notwithstanding any other rulemaking
13 authority that may exist, neither the Governor nor any agency
14 or agency head under the jurisdiction of the Governor has any
15 authority to make or promulgate rules to implement or enforce
16 the provisions of this amendatory Act of the 95th General

1 Assembly. If, however, the Governor believes that rules are
2 necessary to implement or enforce the provisions of this
3 amendatory Act of the 95th General Assembly, the Governor may
4 suggest rules to the General Assembly by filing them with the
5 Clerk of the House and the Secretary of the Senate and by
6 requesting that the General Assembly authorize such rulemaking
7 by law, enact those suggested rules into law, or take any other
8 appropriate action in the General Assembly's discretion.
9 Nothing contained in this amendatory Act of the 95th General
10 Assembly shall be interpreted to grant rulemaking authority
11 under any other Illinois statute where such authority is not
12 otherwise explicitly given. For the purposes of this amendatory
13 Act of the 95th General Assembly, "rules" is given the meaning
14 contained in Section 1-70 of the Illinois Administrative
15 Procedure Act, and "agency" and "agency head" are given the
16 meanings contained in Sections 1-20 and 1-25 of the Illinois
17 Administrative Procedure Act to the extent that such
18 definitions apply to agencies or agency heads under the
19 jurisdiction of the Governor."