



Insurance Committee

Filed: 3/11/2008

09500HB4941ham002

LRB095 18852 AMC 47617 a

1 AMENDMENT TO HOUSE BILL 4941

2 AMENDMENT NO. _____. Amend House Bill 4941, AS AMENDED,
3 with reference to page and line numbers of House Amendment No.
4 1, on page 75, immediately below line 20, by inserting the
5 following:

6 "Section 80. No authority to make or promulgate rules.
7 Notwithstanding any other rulemaking authority that may exist,
8 neither the Governor nor any agency or agency head under the
9 jurisdiction of the Governor has any authority to make or
10 promulgate rules to implement or enforce the provisions of this
11 Act. If, however, the Governor believes that rules are
12 necessary to implement or enforce the provisions of this Act,
13 the Governor may suggest rules to the General Assembly by
14 filing them with the Clerk of the House and Secretary of the
15 Senate and by requesting that the General Assembly authorize
16 such rulemaking by law, enact those suggested rules into law,
17 or take any other appropriate action in the General Assembly's

1 discretion. Nothing contained in this Act shall be interpreted
2 to grant rulemaking authority under any other Illinois statute
3 where such authority is not otherwise explicitly given. For the
4 purposes of this Act, "rules" is given the meaning contained in
5 Section 1-70 of the Illinois Administrative Procedure Act, and
6 "agency" and "agency head" are given the meanings contained in
7 Sections 1-20 and 1-25 of the Illinois Administrative Procedure
8 Act to the extent that such definitions apply to agencies or
9 agency heads under the jurisdiction of the Governor."; and

10 on page 95, immediately below line 10, by inserting the
11 following:

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

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