



Human Services Committee

Filed: 3/5/2008

09500HB5259ham001

LRB095 16397 DRJ 47176 a

1 AMENDMENT TO HOUSE BILL 5259

2 AMENDMENT NO. _____. Amend House Bill 5259 on page 1,
3 after line 17, by inserting the following:

4 "Notwithstanding any other rulemaking authority that may
5 exist, neither the Governor nor any agency or agency head under
6 the jurisdiction of the Governor has any authority to make or
7 promulgate rules to implement or enforce the provisions of this
8 amendatory Act of the 95th General Assembly. If, however, the
9 Governor believes that rules are necessary to implement or
10 enforce the provisions of this amendatory Act of the 95th
11 General Assembly, the Governor may suggest rules to the General
12 Assembly by filing them with the Clerk of the House and
13 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 2, after line 7, by inserting 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."