

1 AN ACT concerning fairs and exhibitions.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Department of Agriculture Law of the Civil  
5 Administrative Code of Illinois is amended by adding Section  
6 205-26 as follows:

7 (20 ILCS 205/205-26 new)

8 Sec. 205-26. Fairs; premises ID numbers. The Department  
9 shall not require a premises identification number or  
10 electronic identification under the National Animal  
11 Identification System to exhibit or enter livestock, poultry,  
12 rabbits, horses, or any other animal at any fair or exhibition  
13 in Illinois, unless required by federal law or regulation. The  
14 Department shall develop a process for persons to withdraw from  
15 the National Animal Identification System registration, and  
16 that process shall provide for the removal of a person's  
17 information from the Department's database. The Department  
18 shall also cooperate with the United States Department of  
19 Agriculture to provide for people to withdraw from the federal  
20 database. Notwithstanding any other rulemaking authority that  
21 may exist, neither the Governor nor any agency or agency head  
22 under the jurisdiction of the Governor has any authority to  
23 make or promulgate rules to implement or enforce the provisions

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

20 Section 99. Effective date. This Act takes effect January  
21 1, 2009.