



## 98TH GENERAL ASSEMBLY

### State of Illinois

### 2013 and 2014

### HB1240

by Rep. Ron Sandack

#### SYNOPSIS AS INTRODUCED:

New Act

25 ILCS 130/2-1

from Ch. 63, par. 1002-1

25 ILCS 130/4-2

from Ch. 63, par. 1004-2

25 ILCS 135/8 new

Creates the Board of Legislative Repealers Act. Establishes the Board of Legislative Repealers. Directs the Board, among other things, to determine instances in which State laws and regulations are unreasonable, unduly burdensome, duplicative, onerous, in conflict, or unconstitutional, to create a system for receiving public comments, and to recommend changes in the law that it deems necessary to modify or eliminate antiquated and inequitable rules of law and to bring the law of the State into harmony with modern conditions. Authorizes the Board to set a schedule to make the investigations required by the Act and to adopt rules establishing the criteria to be used to determine whether a State law, regulation, or other governing instrument is unreasonable, unduly burdensome, duplicative, or onerous, or conflicts with another law, regulation, or governing instrument. Amends the Legislative Commission Reorganization Act of 1984 and the Legislative Reference Bureau Act. Requires the staff of the Legislative Reference Bureau and the Legislative Research Unit to cooperate to provide administrative support to the Board. Authorizes the Board to adopt any rules that are necessary to implement the requirements of the Act. Effective July 1, 2014.

LRB098 07199 JDS 37260 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 1. Short title. This Act may be cited as the Board  
5 of Legislative Repealers Act.

6 Section 5. Board of Legislative Repealers.

7 (a) The Board of Legislative Repealers is hereby created.  
8 The Board shall consist of the following ex officio members:  
9 the Executive Director of the Legislative Reference Bureau, who  
10 shall serve as the chair of the Board; the Deputy Director of  
11 the Legislative Reference Bureau; the Executive Director of the  
12 Legislative Research Unit; and the Associate Director of the  
13 Legislative Research Unit.

14 (b) The Board of Legislative Repealers shall:

15 (1) Investigate, according to a schedule set by the  
16 Board, the system of governance of the State of Illinois,  
17 including its laws, regulations, and other governing  
18 instruments to determine instances in which those laws,  
19 regulations, or other governing instruments are  
20 unreasonable, unduly burdensome, duplicative, onerous, in  
21 conflict, or held unconstitutional by a State or federal  
22 court.

23 (2) Create, at the earliest possible date, a system for

1 receiving public comments suggesting various laws,  
2 regulations, and other governing instruments to be  
3 considered by the Board of Repealer for possible repeal.  
4 That system for receiving comments shall include a public  
5 online portal that is accessible through the website  
6 maintained by the Illinois General Assembly.

7 (3) Determine, based on criteria adopted by the Board,  
8 that a State law, regulation, or other governing instrument  
9 is unreasonable, unduly burdensome, duplicative, or  
10 onerous, or conflicts with another law, regulation, or  
11 governing instrument, and, upon making that determination,  
12 recommending to the originating body either the repeal or  
13 modification of the law, regulation, or other governing  
14 instrument. The recommendation shall set forth with  
15 specificity the justification for the requested repeal or  
16 modification.

17 (4) Implement a tracking system to follow the action  
18 taken by any originating body on any recommendation made by  
19 the Board of Legislative Repealers in order to prepare  
20 regular reports to the President of the Senate, the Senate  
21 Minority Leader, the Speaker of the House of  
22 Representatives, the House Minority Leader, and the  
23 Governor regarding the progress of repeal or modification.

24 (5) Receive and consider suggestions from judges,  
25 justices, public officials, lawyers, and the public  
26 generally regarding defects and anachronisms in the law.

1           (6) Report its proceedings annually to the President of  
2           the Senate, the Senate Minority Leader, the Speaker of the  
3           House of Representatives, the House Minority Leader, and  
4           the Governor on or before February 1, 2014, and every  
5           February 1 thereafter, and, if it deems doing so is  
6           advisable, to accompany its report with proposed bills to  
7           carry out any of its recommendations.

8           (7) Recommend, as a part of its annual report, changes  
9           in the law that the Board of Legislative Repealers deems  
10          necessary to modify or eliminate antiquated and  
11          inequitable rules of law and to bring the law of this  
12          State, civil and criminal, into harmony with modern  
13          conditions.

14          (8) Work in conjunction with all legislative  
15          commissions to formulate changes needed to current  
16          statutes for the betterment of State statutes and the State  
17          of Illinois.

18          (c) Official action by the Board shall require the  
19          affirmative vote of all 4 members of the Board, and the  
20          presence of all 4 members of the Board shall constitute a  
21          quorum.

22          (d) Staff of the Legislative Reference Bureau and the  
23          Legislative Research Unit shall cooperate to provide  
24          administrative support to the Board. The Executive Directors of  
25          Legislative Reference Bureau and the Legislative Research Unit  
26          may also employ additional staff for the purpose of complying

1 with the requirements of this Act.

2 (e) The Board may adopt any rules that are necessary to  
3 implement the requirements of this Section.

4 Section 10. The Legislative Commission Reorganization Act  
5 of 1984 is amended by changing Sections 2-1 and 4-2 as follows:

6 (25 ILCS 130/2-1) (from Ch. 63, par. 1002-1)

7 Sec. 2-1. The Joint Committee on Administrative Rules is  
8 hereby established as a legislative support services agency.  
9 The Joint Committee on Administrative Rules is subject to the  
10 provisions of this Act and shall perform the powers and duties  
11 delegated to it under "The Illinois Administrative Procedure  
12 Act", as now or hereafter amended, and such other functions as  
13 may be provided by law. Joint Committee on Administrative Rules  
14 shall cooperate with the Board of Legislative Repealers to the  
15 extent necessary to complete the duties assigned to the Board  
16 of Legislative Repealers under the Board of Legislative  
17 Repealers Act.

18 (Source: P.A. 83-1257.)

19 (25 ILCS 130/4-2) (from Ch. 63, par. 1004-2)

20 Sec. 4-2. Intergovernmental functions. It shall be the  
21 function of the Legislative Research Unit:

22 (1) To carry forward the participation of this State as  
23 a member of the Council of State Governments.

1           (2) To encourage and assist the legislative,  
2 executive, administrative and judicial officials and  
3 employees of this State to develop and maintain friendly  
4 contact by correspondence, by conference, and otherwise,  
5 with officials and employees of the other States, of the  
6 Federal Government, and of local units of government.

7           (3) To endeavor to advance cooperation between this  
8 State and other units of government whenever it seems  
9 advisable to do so by formulating proposals for, and by  
10 facilitating:

11                 (a) The adoption of compacts.

12                 (b) The enactment of uniform or reciprocal  
13 statutes.

14                 (c) The adoption of uniform or reciprocal  
15 administrative rules and regulations.

16                 (d) The informal cooperation of governmental  
17 offices with one another.

18                 (e) The personal cooperation of governmental  
19 officials and employees with one another individually.

20                 (f) The interchange and clearance of research and  
21 information.

22                 (g) Any other suitable process, and

23                 (h) To do all such acts as will enable this State  
24 to do its part in forming a more perfect union among  
25 the various governments in the United States and in  
26 developing the Council of State Governments for that

1           purpose.

2           (4) To cooperate with the Board of Legislative  
3           Repealers to the extent necessary to complete the duties  
4           assigned to the Board of Legislative Repealers under the  
5           Board of Legislative Repealers Act.

6           (Source: P.A. 93-632, eff. 2-1-04.)

7           Section 15. The Legislative Reference Bureau Act is amended  
8           by adding Section 8 as follows:

9           (25 ILCS 135/8 new)

10          Sec. 8. Cooperation with Board of Legislative Repealers.  
11          The Legislative Reference Bureau shall cooperate with the Board  
12          of Legislative Repealers to the extent necessary to complete  
13          the duties assigned to the Board of Legislative Repealers under  
14          the Board of Legislative Repealers Act.

15          Section 99. Effective date. This Act takes effect January  
16          1, 2014.