



Rep. Ron Sandack

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1 AMENDMENT TO HOUSE BILL 5507

2 AMENDMENT NO. _____. Amend House Bill 5507 by replacing
3 everything after the enacting clause with the following:

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 General Assembly authorizes the Joint Committee on
8 Legislative Support Services to create the Board of Legislative
9 Repealers. Under this authority, the Joint Committee on
10 Legislative Support Services shall create the Board of
11 Legislative Repealers as a not-for-profit foundation. The
12 Joint Committee shall file articles of incorporation as
13 required under the General Not For Profit Corporation Act of
14 1986 to create a not for profit corporation with the legal name
15 "Board of Legislative Repealers". The members of the board of
16 directors of the Board of Legislative Repealers shall be

1 appointed as follows:

2 One member of the public appointed by the President of
3 the Senate;

4 One member of the public appointed by the Minority
5 Leader of the Senate;

6 One member of the public appointed by the Speaker of
7 the House of Representatives; and

8 One member of the public appointed by the Minority
9 Leader of the House of Representatives.

10 The members of the board of directors of the Board shall
11 elect from their number a chairperson and such other officers
12 as they may choose.

13 (b) The members of the board of directors of the Board
14 shall serve at the pleasure of their respective appointing
15 authorities.

16 (c) The members of the board of directors of the Board
17 shall serve without compensation, but may be reimbursed for
18 expenses from funds held in the Board of Legislative Repealers
19 Fund.

20 (d) As directed by the Joint Committee on Legislative
21 Support Services, the Joint Committee on Administrative Rules,
22 the Legislative Information System, the Legislative Reference
23 Bureau, and the Legislative Research Unit shall provide
24 technical support and information to the Board in fulfilling
25 its mission.

1 Section 10. Purpose and duties.

2 (a) The Board of Legislative Repealers shall:

3 (1) Identify, according to a schedule set by the Board,
4 specific State laws or regulations that are duplicative, in
5 conflict, contradictory, anachronistic, or obsolete or
6 have been held unconstitutional by the United States
7 Supreme Court or the Illinois Supreme Court.

8 (2) Create, at the earliest possible date, a system for
9 soliciting and receiving public comments on various laws or
10 regulations to be considered by the Board of Legislative
11 Repealers for possible repeal, modification, or revision
12 due to being duplicative, in conflict, contradictory,
13 anachronistic, or obsolete or having been held
14 unconstitutional by the United States Supreme Court or the
15 Illinois Supreme Court. That system for receiving comments
16 shall include a public online portal that is accessible
17 through the website maintained by the Illinois General
18 Assembly.

19 (3) Determine, based on criteria adopted by the Board,
20 that a State law or regulation is duplicative, in conflict,
21 contradictory, anachronistic, or obsolete or has been held
22 unconstitutional by the United States Supreme Court or the
23 Illinois Supreme Court, and, upon making that
24 determination, recommending to the originating body either
25 the repeal, modification, or revision of the law or
26 regulation. The recommendation shall set forth with

1 specificity the justification for the requested repeal,
2 modification, or revision.

3 (4) Implement a tracking system to follow the action
4 taken by any originating body on any recommendation made by
5 the Board of Legislative Repealers in order to prepare
6 annual reports to the Joint Committee on Legislative
7 Support Services regarding the progress of repeal,
8 modification, or revision.

9 (5) Receive and consider suggestions from judges,
10 justices, public officials, lawyers, and the public
11 generally regarding State laws or regulations that are
12 duplicative, in conflict, contradictory, anachronistic, or
13 obsolete or have been held unconstitutional by the United
14 States Supreme Court or the Illinois Supreme Court, and
15 make that information available to members of the General
16 Assembly upon request.

17 (6) Report its proceedings to the Joint Committee on
18 Legislative Support Services on or before February 1, 2015,
19 and every February 1 thereafter, and, if it deems doing so
20 is advisable, to accompany its report with proposed
21 legislation to carry out any of its recommendations.

22 (7) Recommend, as a part of its annual report,
23 revisions in the law that the Board of Legislative
24 Repealers deems necessary to repeal, modify, or revise
25 State laws or regulations that are duplicative, in
26 conflict, contradictory, anachronistic, or obsolete or

1 have been held unconstitutional by the United States
2 Supreme Court or the Illinois Supreme Court.

3 (b) Official action by the Board shall require the
4 affirmative vote of 3 members of the board of directors of the
5 Board, and the presence of 3 members of the board of directors
6 of the Board shall constitute a quorum.

7 (c) The Board shall operate within the provisions of the
8 General Not For Profit Corporation Act of 1986.

9 (d) As soon as practical after the Board is created, the
10 members of the board of directors of the Board shall meet,
11 organize, and designate, by majority vote, a chairperson and
12 any additional officers that may be needed to carry out the
13 activities of the Board as provided for in this Section, and
14 shall adopt bylaws of the Board. The Board may adopt any bylaws
15 that are necessary to implement the requirements of this Act.

16 (e) The Board shall conduct its activities in accordance
17 with the requirements of the Internal Revenue Code to ensure
18 the tax deductibility of gifts and contributions from private
19 parties.

20 (f) The Joint Committee on Legislative Support Services may
21 adopt other rules deemed necessary to govern Board procedures.

22 Section 15. Funding.

23 (a) The Board may accept gifts or grants from the federal
24 government, its agencies or officers, or from any person, firm,
25 or corporation, and may expend receipts on activities that it

1 considers suitable to the performance of its duties under this
2 Act and consistent with any requirement of the grant, gift, or
3 bequest. Funds collected by the Board shall be considered
4 private funds, except those received from public entities, and
5 shall be deposited and held by the State Treasurer, as
6 ex-officio custodian thereof, in a special trust fund outside
7 of the State treasury. The trust fund shall be known as the
8 "Board of Legislative Repealers Fund" and shall be administered
9 by a majority vote of the board of directors of the Board.
10 Private funds collected by the Board are not subject to the
11 Public Funds Investment Act.

12 (b) Board procurement is exempt from the Illinois
13 Procurement Code when private funds are used for procurement
14 expenditures. The Board's accounts and books shall be set up
15 and maintained according to generally accepted accounting
16 principles, and the Board and its officers shall be responsible
17 for the approval of recording of receipts, approval of
18 payments, and the proper filing of required reports.

19 (c) The Board must provide a written notice to any entity
20 providing a gift, grant, or bequest to the Board that the Board
21 is not subject to the provisions of the Public Funds Investment
22 Act, which Act places limitations on the types of securities in
23 which a public agency may invest public funds.

24 Section 20. The Legislative Commission Reorganization Act
25 of 1984 is amended by changing Sections 2-1 and 4-2 as follows:

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

2 Sec. 2-1. The Joint Committee on Administrative Rules is
3 hereby established as a legislative support services agency.
4 The Joint Committee on Administrative Rules is subject to the
5 provisions of this Act and shall perform the powers and duties
6 delegated to it under "The Illinois Administrative Procedure
7 Act", as now or hereafter amended, and such other functions as
8 may be provided by law. As directed by the Joint Committee on
9 Legislative Support Services, the Joint Committee on
10 Administrative Rules shall provide technical support and
11 information to the Board of Legislative Repealers.

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

13 (25 ILCS 130/4-2) (from Ch. 63, par. 1004-2)

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

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

18 (2) To encourage and assist the legislative,
19 executive, administrative and judicial officials and
20 employees of this State to develop and maintain friendly
21 contact by correspondence, by conference, and otherwise,
22 with officials and employees of the other States, of the
23 Federal Government, and of local units of government.

24 (3) To endeavor to advance cooperation between this

1 State and other units of government whenever it seems
2 advisable to do so by formulating proposals for, and by
3 facilitating:

4 (a) The adoption of compacts.

5 (b) The enactment of uniform or reciprocal
6 statutes.

7 (c) The adoption of uniform or reciprocal
8 administrative rules and regulations.

9 (d) The informal cooperation of governmental
10 offices with one another.

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

13 (f) The interchange and clearance of research and
14 information.

15 (g) Any other suitable process, and

16 (h) To do all such acts as will enable this State
17 to do its part in forming a more perfect union among
18 the various governments in the United States and in
19 developing the Council of State Governments for that
20 purpose.

21 (4) As directed by the Joint Committee on Legislative
22 Support Services, to provide technical support and
23 information to the Board of Legislative Repealers.

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

25 Section 25. The Legislative Reference Bureau Act is amended

1 by changing Section 5 and adding Section 5.08 as follows:

2 (25 ILCS 135/5) (from Ch. 63, par. 29)

3 Sec. 5. The reference bureau has the duties enumerated in
4 Sections 5.01 through 5.08 ~~5.07~~.

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

6 (25 ILCS 135/5.08 new)

7 Sec. 5.08. Cooperation with Board of Legislative
8 Repealers. As directed by the Joint Committee on Legislative
9 Support Services, the Legislative Reference Bureau shall
10 provide technical support and information to the Board of
11 Legislative Repealers.

12 Section 30. The Legislative Information System Act is
13 amended by adding Section 5.10 as follows:

14 (25 ILCS 145/5.10 new)

15 Sec. 5.10. Cooperation with Board of Legislative
16 Repealers. As directed by the Joint Committee on Legislative
17 Support Services, the Legislative Information System shall
18 provide technical support and information to the Board of
19 Legislative Repealers.

20 Section 99. Effective date. This Act takes effect July 1,
21 2014."