



Sen. Martin A. Sandoval

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1 AMENDMENT TO SENATE BILL 691

2 AMENDMENT NO. _____. Amend Senate Bill 691, AS AMENDED,
3 with reference to page and line numbers of Senate Amendment No.
4 1 as follows:

5 on page 1, immediately below line 3, by inserting the
6 following:

7 "Section 3. The Illinois Administrative Procedure Act is
8 amended by changing Section 5-45 as follows:

9 (5 ILCS 100/5-45) (from Ch. 127, par. 1005-45)

10 (Text of Section before amendment by P.A. 99-906)

11 Sec. 5-45. Emergency rulemaking.

12 (a) "Emergency" means the existence of any situation that
13 any agency finds reasonably constitutes a threat to the public
14 interest, safety, or welfare.

15 (b) If any agency finds that an emergency exists that

1 requires adoption of a rule upon fewer days than is required by
2 Section 5-40 and states in writing its reasons for that
3 finding, the agency may adopt an emergency rule without prior
4 notice or hearing upon filing a notice of emergency rulemaking
5 with the Secretary of State under Section 5-70. The notice
6 shall include the text of the emergency rule and shall be
7 published in the Illinois Register. Consent orders or other
8 court orders adopting settlements negotiated by an agency may
9 be adopted under this Section. Subject to applicable
10 constitutional or statutory provisions, an emergency rule
11 becomes effective immediately upon filing under Section 5-65 or
12 at a stated date less than 10 days thereafter. The agency's
13 finding and a statement of the specific reasons for the finding
14 shall be filed with the rule. The agency shall take reasonable
15 and appropriate measures to make emergency rules known to the
16 persons who may be affected by them.

17 (c) An emergency rule may be effective for a period of not
18 longer than 150 days, but the agency's authority to adopt an
19 identical rule under Section 5-40 is not precluded. No
20 emergency rule may be adopted more than once in any 24-month ~~24~~
21 ~~month~~ period, except that this limitation on the number of
22 emergency rules that may be adopted in a 24-month ~~24-month~~
23 period does not apply to (i) emergency rules that make
24 additions to and deletions from the Drug Manual under Section
25 5-5.16 of the Illinois Public Aid Code or the generic drug
26 formulary under Section 3.14 of the Illinois Food, Drug and

1 Cosmetic Act, (ii) emergency rules adopted by the Pollution
2 Control Board before July 1, 1997 to implement portions of the
3 Livestock Management Facilities Act, (iii) emergency rules
4 adopted by the Illinois Department of Public Health under
5 subsections (a) through (i) of Section 2 of the Department of
6 Public Health Act when necessary to protect the public's
7 health, (iv) emergency rules adopted pursuant to subsection (n)
8 of this Section, (v) emergency rules adopted pursuant to
9 subsection (o) of this Section, or (vi) emergency rules adopted
10 pursuant to subsection (c-5) of this Section. Two or more
11 emergency rules having substantially the same purpose and
12 effect shall be deemed to be a single rule for purposes of this
13 Section.

14 (c-5) To facilitate the maintenance of the program of group
15 health benefits provided to annuitants, survivors, and retired
16 employees under the State Employees Group Insurance Act of
17 1971, rules to alter the contributions to be paid by the State,
18 annuitants, survivors, retired employees, or any combination
19 of those entities, for that program of group health benefits,
20 shall be adopted as emergency rules. The adoption of those
21 rules shall be considered an emergency and necessary for the
22 public interest, safety, and welfare.

23 (d) In order to provide for the expeditious and timely
24 implementation of the State's fiscal year 1999 budget,
25 emergency rules to implement any provision of Public Act 90-587
26 or 90-588 or any other budget initiative for fiscal year 1999

1 may be adopted in accordance with this Section by the agency
2 charged with administering that provision or initiative,
3 except that the 24-month limitation on the adoption of
4 emergency rules and the provisions of Sections 5-115 and 5-125
5 do not apply to rules adopted under this subsection (d). The
6 adoption of emergency rules authorized by this subsection (d)
7 shall be deemed to be necessary for the public interest,
8 safety, and welfare.

9 (e) In order to provide for the expeditious and timely
10 implementation of the State's fiscal year 2000 budget,
11 emergency rules to implement any provision of Public Act 91-24
12 or any other budget initiative for fiscal year 2000 may be
13 adopted in accordance with this Section by the agency charged
14 with administering that provision or initiative, except that
15 the 24-month limitation on the adoption of emergency rules and
16 the provisions of Sections 5-115 and 5-125 do not apply to
17 rules adopted under this subsection (e). The adoption of
18 emergency rules authorized by this subsection (e) shall be
19 deemed to be necessary for the public interest, safety, and
20 welfare.

21 (f) In order to provide for the expeditious and timely
22 implementation of the State's fiscal year 2001 budget,
23 emergency rules to implement any provision of Public Act 91-712
24 or any other budget initiative for fiscal year 2001 may be
25 adopted in accordance with this Section by the agency charged
26 with administering that provision or initiative, except that

1 the 24-month limitation on the adoption of emergency rules and
2 the provisions of Sections 5-115 and 5-125 do not apply to
3 rules adopted under this subsection (f). The adoption of
4 emergency rules authorized by this subsection (f) shall be
5 deemed to be necessary for the public interest, safety, and
6 welfare.

7 (g) In order to provide for the expeditious and timely
8 implementation of the State's fiscal year 2002 budget,
9 emergency rules to implement any provision of Public Act 92-10
10 or any other budget initiative for fiscal year 2002 may be
11 adopted in accordance with this Section by the agency charged
12 with administering that provision or initiative, except that
13 the 24-month limitation on the adoption of emergency rules and
14 the provisions of Sections 5-115 and 5-125 do not apply to
15 rules adopted under this subsection (g). The adoption of
16 emergency rules authorized by this subsection (g) shall be
17 deemed to be necessary for the public interest, safety, and
18 welfare.

19 (h) In order to provide for the expeditious and timely
20 implementation of the State's fiscal year 2003 budget,
21 emergency rules to implement any provision of Public Act 92-597
22 or any other budget initiative for fiscal year 2003 may be
23 adopted in accordance with this Section by the agency charged
24 with administering that provision or initiative, except that
25 the 24-month limitation on the adoption of emergency rules and
26 the provisions of Sections 5-115 and 5-125 do not apply to

1 rules adopted under this subsection (h). The adoption of
2 emergency rules authorized by this subsection (h) shall be
3 deemed to be necessary for the public interest, safety, and
4 welfare.

5 (i) In order to provide for the expeditious and timely
6 implementation of the State's fiscal year 2004 budget,
7 emergency rules to implement any provision of Public Act 93-20
8 or any other budget initiative for fiscal year 2004 may be
9 adopted in accordance with this Section by the agency charged
10 with administering that provision or initiative, except that
11 the 24-month limitation on the adoption of emergency rules and
12 the provisions of Sections 5-115 and 5-125 do not apply to
13 rules adopted under this subsection (i). The adoption of
14 emergency rules authorized by this subsection (i) shall be
15 deemed to be necessary for the public interest, safety, and
16 welfare.

17 (j) In order to provide for the expeditious and timely
18 implementation of the provisions of the State's fiscal year
19 2005 budget as provided under the Fiscal Year 2005 Budget
20 Implementation (Human Services) Act, emergency rules to
21 implement any provision of the Fiscal Year 2005 Budget
22 Implementation (Human Services) Act may be adopted in
23 accordance with this Section by the agency charged with
24 administering that provision, except that the 24-month
25 limitation on the adoption of emergency rules and the
26 provisions of Sections 5-115 and 5-125 do not apply to rules

1 adopted under this subsection (j). The Department of Public Aid
2 may also adopt rules under this subsection (j) necessary to
3 administer the Illinois Public Aid Code and the Children's
4 Health Insurance Program Act. The adoption of emergency rules
5 authorized by this subsection (j) shall be deemed to be
6 necessary for the public interest, safety, and welfare.

7 (k) In order to provide for the expeditious and timely
8 implementation of the provisions of the State's fiscal year
9 2006 budget, emergency rules to implement any provision of
10 Public Act 94-48 or any other budget initiative for fiscal year
11 2006 may be adopted in accordance with this Section by the
12 agency charged with administering that provision or
13 initiative, except that the 24-month limitation on the adoption
14 of emergency rules and the provisions of Sections 5-115 and
15 5-125 do not apply to rules adopted under this subsection (k).
16 The Department of Healthcare and Family Services may also adopt
17 rules under this subsection (k) necessary to administer the
18 Illinois Public Aid Code, the Senior Citizens and Persons with
19 Disabilities Property Tax Relief Act, the Senior Citizens and
20 Disabled Persons Prescription Drug Discount Program Act (now
21 the Illinois Prescription Drug Discount Program Act), and the
22 Children's Health Insurance Program Act. The adoption of
23 emergency rules authorized by this subsection (k) shall be
24 deemed to be necessary for the public interest, safety, and
25 welfare.

26 (l) In order to provide for the expeditious and timely

1 implementation of the provisions of the State's fiscal year
2 2007 budget, the Department of Healthcare and Family Services
3 may adopt emergency rules during fiscal year 2007, including
4 rules effective July 1, 2007, in accordance with this
5 subsection to the extent necessary to administer the
6 Department's responsibilities with respect to amendments to
7 the State plans and Illinois waivers approved by the federal
8 Centers for Medicare and Medicaid Services necessitated by the
9 requirements of Title XIX and Title XXI of the federal Social
10 Security Act. The adoption of emergency rules authorized by
11 this subsection (l) shall be deemed to be necessary for the
12 public interest, safety, and welfare.

13 (m) In order to provide for the expeditious and timely
14 implementation of the provisions of the State's fiscal year
15 2008 budget, the Department of Healthcare and Family Services
16 may adopt emergency rules during fiscal year 2008, including
17 rules effective July 1, 2008, in accordance with this
18 subsection to the extent necessary to administer the
19 Department's responsibilities with respect to amendments to
20 the State plans and Illinois waivers approved by the federal
21 Centers for Medicare and Medicaid Services necessitated by the
22 requirements of Title XIX and Title XXI of the federal Social
23 Security Act. The adoption of emergency rules authorized by
24 this subsection (m) shall be deemed to be necessary for the
25 public interest, safety, and welfare.

26 (n) In order to provide for the expeditious and timely

1 implementation of the provisions of the State's fiscal year
2 2010 budget, emergency rules to implement any provision of
3 Public Act 96-45 or any other budget initiative authorized by
4 the 96th General Assembly for fiscal year 2010 may be adopted
5 in accordance with this Section by the agency charged with
6 administering that provision or initiative. The adoption of
7 emergency rules authorized by this subsection (n) shall be
8 deemed to be necessary for the public interest, safety, and
9 welfare. The rulemaking authority granted in this subsection
10 (n) shall apply only to rules promulgated during Fiscal Year
11 2010.

12 (o) In order to provide for the expeditious and timely
13 implementation of the provisions of the State's fiscal year
14 2011 budget, emergency rules to implement any provision of
15 Public Act 96-958 or any other budget initiative authorized by
16 the 96th General Assembly for fiscal year 2011 may be adopted
17 in accordance with this Section by the agency charged with
18 administering that provision or initiative. The adoption of
19 emergency rules authorized by this subsection (o) is deemed to
20 be necessary for the public interest, safety, and welfare. The
21 rulemaking authority granted in this subsection (o) applies
22 only to rules promulgated on or after July 1, 2010 (the
23 effective date of Public Act 96-958) through June 30, 2011.

24 (p) In order to provide for the expeditious and timely
25 implementation of the provisions of Public Act 97-689,
26 emergency rules to implement any provision of Public Act 97-689

1 may be adopted in accordance with this subsection (p) by the
2 agency charged with administering that provision or
3 initiative. The 150-day limitation of the effective period of
4 emergency rules does not apply to rules adopted under this
5 subsection (p), and the effective period may continue through
6 June 30, 2013. The 24-month limitation on the adoption of
7 emergency rules does not apply to rules adopted under this
8 subsection (p). The adoption of emergency rules authorized by
9 this subsection (p) is deemed to be necessary for the public
10 interest, safety, and welfare.

11 (q) In order to provide for the expeditious and timely
12 implementation of the provisions of Articles 7, 8, 9, 11, and
13 12 of Public Act 98-104, emergency rules to implement any
14 provision of Articles 7, 8, 9, 11, and 12 of Public Act 98-104
15 may be adopted in accordance with this subsection (q) by the
16 agency charged with administering that provision or
17 initiative. The 24-month limitation on the adoption of
18 emergency rules does not apply to rules adopted under this
19 subsection (q). The adoption of emergency rules authorized by
20 this subsection (q) is deemed to be necessary for the public
21 interest, safety, and welfare.

22 (r) In order to provide for the expeditious and timely
23 implementation of the provisions of Public Act 98-651,
24 emergency rules to implement Public Act 98-651 may be adopted
25 in accordance with this subsection (r) by the Department of
26 Healthcare and Family Services. The 24-month limitation on the

1 adoption of emergency rules does not apply to rules adopted
2 under this subsection (r). The adoption of emergency rules
3 authorized by this subsection (r) is deemed to be necessary for
4 the public interest, safety, and welfare.

5 (s) In order to provide for the expeditious and timely
6 implementation of the provisions of Sections 5-5b.1 and 5A-2 of
7 the Illinois Public Aid Code, emergency rules to implement any
8 provision of Section 5-5b.1 or Section 5A-2 of the Illinois
9 Public Aid Code may be adopted in accordance with this
10 subsection (s) by the Department of Healthcare and Family
11 Services. The rulemaking authority granted in this subsection
12 (s) shall apply only to those rules adopted prior to July 1,
13 2015. Notwithstanding any other provision of this Section, any
14 emergency rule adopted under this subsection (s) shall only
15 apply to payments made for State fiscal year 2015. The adoption
16 of emergency rules authorized by this subsection (s) is deemed
17 to be necessary for the public interest, safety, and welfare.

18 (t) In order to provide for the expeditious and timely
19 implementation of the provisions of Article II of Public Act
20 99-6, emergency rules to implement the changes made by Article
21 II of Public Act 99-6 to the Emergency Telephone System Act may
22 be adopted in accordance with this subsection (t) by the
23 Department of State Police. The rulemaking authority granted in
24 this subsection (t) shall apply only to those rules adopted
25 prior to July 1, 2016. The 24-month limitation on the adoption
26 of emergency rules does not apply to rules adopted under this

1 subsection (t). The adoption of emergency rules authorized by
2 this subsection (t) is deemed to be necessary for the public
3 interest, safety, and welfare.

4 (u) In order to provide for the expeditious and timely
5 implementation of the provisions of the Burn Victims Relief
6 Act, emergency rules to implement any provision of the Act may
7 be adopted in accordance with this subsection (u) by the
8 Department of Insurance. The rulemaking authority granted in
9 this subsection (u) shall apply only to those rules adopted
10 prior to December 31, 2015. The adoption of emergency rules
11 authorized by this subsection (u) is deemed to be necessary for
12 the public interest, safety, and welfare.

13 (v) In order to provide for the expeditious and timely
14 implementation of the provisions of Public Act 99-516 ~~this~~
15 ~~amendatory Act of the 99th General Assembly~~, emergency rules to
16 implement Public Act 99-516 ~~this amendatory Act of the 99th~~
17 ~~General Assembly~~ may be adopted in accordance with this
18 subsection (v) by the Department of Healthcare and Family
19 Services. The 24-month limitation on the adoption of emergency
20 rules does not apply to rules adopted under this subsection
21 (v). The adoption of emergency rules authorized by this
22 subsection (v) is deemed to be necessary for the public
23 interest, safety, and welfare.

24 (w) ~~(v)~~ In order to provide for the expeditious and timely
25 implementation of the provisions of Public Act 99-796 ~~this~~
26 ~~amendatory Act of the 99th General Assembly~~, emergency rules to

1 implement the changes made by Public Act 99-796 ~~this amendatory~~
2 ~~Act of the 99th General Assembly~~ may be adopted in accordance
3 with this subsection (w) ~~(v)~~ by the Adjutant General. The
4 adoption of emergency rules authorized by this subsection (w)
5 ~~(v)~~ is deemed to be necessary for the public interest, safety,
6 and welfare.

7 (x) In order to provide for the expeditious and timely
8 implementation of the provisions of this amendatory Act of the
9 100th General Assembly, emergency rules to implement any
10 provision of this amendatory Act of the 100th General Assembly
11 may be adopted in accordance with this subsection (x) by the
12 Department of State Police, the Department of Transportation,
13 the Illinois State Toll Highway Authority, and the Secretary of
14 State. The rulemaking authority granted in this subsection (x)
15 shall apply only to those rules adopted within 180 days after
16 the effective date of this amendatory Act of the 100th General
17 Assembly. The adoption of emergency rules authorized by this
18 subsection (x) is deemed to be necessary for the public
19 interest, safety, and welfare.

20 (Source: P.A. 98-104, eff. 7-22-13; 98-463, eff. 8-16-13;
21 98-651, eff. 6-16-14; 99-2, eff. 3-26-15; 99-6, eff. 1-1-16;
22 99-143, eff. 7-27-15; 99-455, eff. 1-1-16; 99-516, eff.
23 6-30-16; 99-642, eff. 7-28-16; 99-796, eff. 1-1-17; revised
24 9-21-16.)

25 (Text of Section after amendment by P.A. 99-906)

1 Sec. 5-45. Emergency rulemaking.

2 (a) "Emergency" means the existence of any situation that
3 any agency finds reasonably constitutes a threat to the public
4 interest, safety, or welfare.

5 (b) If any agency finds that an emergency exists that
6 requires adoption of a rule upon fewer days than is required by
7 Section 5-40 and states in writing its reasons for that
8 finding, the agency may adopt an emergency rule without prior
9 notice or hearing upon filing a notice of emergency rulemaking
10 with the Secretary of State under Section 5-70. The notice
11 shall include the text of the emergency rule and shall be
12 published in the Illinois Register. Consent orders or other
13 court orders adopting settlements negotiated by an agency may
14 be adopted under this Section. Subject to applicable
15 constitutional or statutory provisions, an emergency rule
16 becomes effective immediately upon filing under Section 5-65 or
17 at a stated date less than 10 days thereafter. The agency's
18 finding and a statement of the specific reasons for the finding
19 shall be filed with the rule. The agency shall take reasonable
20 and appropriate measures to make emergency rules known to the
21 persons who may be affected by them.

22 (c) An emergency rule may be effective for a period of not
23 longer than 150 days, but the agency's authority to adopt an
24 identical rule under Section 5-40 is not precluded. No
25 emergency rule may be adopted more than once in any 24-month
26 period, except that this limitation on the number of emergency

1 rules that may be adopted in a 24-month period does not apply
2 to (i) emergency rules that make additions to and deletions
3 from the Drug Manual under Section 5-5.16 of the Illinois
4 Public Aid Code or the generic drug formulary under Section
5 3.14 of the Illinois Food, Drug and Cosmetic Act, (ii)
6 emergency rules adopted by the Pollution Control Board before
7 July 1, 1997 to implement portions of the Livestock Management
8 Facilities Act, (iii) emergency rules adopted by the Illinois
9 Department of Public Health under subsections (a) through (i)
10 of Section 2 of the Department of Public Health Act when
11 necessary to protect the public's health, (iv) emergency rules
12 adopted pursuant to subsection (n) of this Section, (v)
13 emergency rules adopted pursuant to subsection (o) of this
14 Section, or (vi) emergency rules adopted pursuant to subsection
15 (c-5) of this Section. Two or more emergency rules having
16 substantially the same purpose and effect shall be deemed to be
17 a single rule for purposes of this Section.

18 (c-5) To facilitate the maintenance of the program of group
19 health benefits provided to annuitants, survivors, and retired
20 employees under the State Employees Group Insurance Act of
21 1971, rules to alter the contributions to be paid by the State,
22 annuitants, survivors, retired employees, or any combination
23 of those entities, for that program of group health benefits,
24 shall be adopted as emergency rules. The adoption of those
25 rules shall be considered an emergency and necessary for the
26 public interest, safety, and welfare.

1 (d) In order to provide for the expeditious and timely
2 implementation of the State's fiscal year 1999 budget,
3 emergency rules to implement any provision of Public Act 90-587
4 or 90-588 or any other budget initiative for fiscal year 1999
5 may be adopted in accordance with this Section by the agency
6 charged with administering that provision or initiative,
7 except that the 24-month limitation on the adoption of
8 emergency rules and the provisions of Sections 5-115 and 5-125
9 do not apply to rules adopted under this subsection (d). The
10 adoption of emergency rules authorized by this subsection (d)
11 shall be deemed to be necessary for the public interest,
12 safety, and welfare.

13 (e) In order to provide for the expeditious and timely
14 implementation of the State's fiscal year 2000 budget,
15 emergency rules to implement any provision of Public Act 91-24
16 or any other budget initiative for fiscal year 2000 may be
17 adopted in accordance with this Section by the agency charged
18 with administering that provision or initiative, except that
19 the 24-month limitation on the adoption of emergency rules and
20 the provisions of Sections 5-115 and 5-125 do not apply to
21 rules adopted under this subsection (e). The adoption of
22 emergency rules authorized by this subsection (e) shall be
23 deemed to be necessary for the public interest, safety, and
24 welfare.

25 (f) In order to provide for the expeditious and timely
26 implementation of the State's fiscal year 2001 budget,

1 emergency rules to implement any provision of Public Act 91-712
2 or any other budget initiative for fiscal year 2001 may be
3 adopted in accordance with this Section by the agency charged
4 with administering that provision or initiative, except that
5 the 24-month limitation on the adoption of emergency rules and
6 the provisions of Sections 5-115 and 5-125 do not apply to
7 rules adopted under this subsection (f). The adoption of
8 emergency rules authorized by this subsection (f) shall be
9 deemed to be necessary for the public interest, safety, and
10 welfare.

11 (g) In order to provide for the expeditious and timely
12 implementation of the State's fiscal year 2002 budget,
13 emergency rules to implement any provision of Public Act 92-10
14 or any other budget initiative for fiscal year 2002 may be
15 adopted in accordance with this Section by the agency charged
16 with administering that provision or initiative, except that
17 the 24-month limitation on the adoption of emergency rules and
18 the provisions of Sections 5-115 and 5-125 do not apply to
19 rules adopted under this subsection (g). The adoption of
20 emergency rules authorized by this subsection (g) shall be
21 deemed to be necessary for the public interest, safety, and
22 welfare.

23 (h) In order to provide for the expeditious and timely
24 implementation of the State's fiscal year 2003 budget,
25 emergency rules to implement any provision of Public Act 92-597
26 or any other budget initiative for fiscal year 2003 may be

1 adopted in accordance with this Section by the agency charged
2 with administering that provision or initiative, except that
3 the 24-month limitation on the adoption of emergency rules and
4 the provisions of Sections 5-115 and 5-125 do not apply to
5 rules adopted under this subsection (h). The adoption of
6 emergency rules authorized by this subsection (h) shall be
7 deemed to be necessary for the public interest, safety, and
8 welfare.

9 (i) In order to provide for the expeditious and timely
10 implementation of the State's fiscal year 2004 budget,
11 emergency rules to implement any provision of Public Act 93-20
12 or any other budget initiative for fiscal year 2004 may be
13 adopted in accordance with this Section by the agency charged
14 with administering that provision or initiative, except that
15 the 24-month limitation on the adoption of emergency rules and
16 the provisions of Sections 5-115 and 5-125 do not apply to
17 rules adopted under this subsection (i). The adoption of
18 emergency rules authorized by this subsection (i) shall be
19 deemed to be necessary for the public interest, safety, and
20 welfare.

21 (j) In order to provide for the expeditious and timely
22 implementation of the provisions of the State's fiscal year
23 2005 budget as provided under the Fiscal Year 2005 Budget
24 Implementation (Human Services) Act, emergency rules to
25 implement any provision of the Fiscal Year 2005 Budget
26 Implementation (Human Services) Act may be adopted in

1 accordance with this Section by the agency charged with
2 administering that provision, except that the 24-month
3 limitation on the adoption of emergency rules and the
4 provisions of Sections 5-115 and 5-125 do not apply to rules
5 adopted under this subsection (j). The Department of Public Aid
6 may also adopt rules under this subsection (j) necessary to
7 administer the Illinois Public Aid Code and the Children's
8 Health Insurance Program Act. The adoption of emergency rules
9 authorized by this subsection (j) shall be deemed to be
10 necessary for the public interest, safety, and welfare.

11 (k) In order to provide for the expeditious and timely
12 implementation of the provisions of the State's fiscal year
13 2006 budget, emergency rules to implement any provision of
14 Public Act 94-48 or any other budget initiative for fiscal year
15 2006 may be adopted in accordance with this Section by the
16 agency charged with administering that provision or
17 initiative, except that the 24-month limitation on the adoption
18 of emergency rules and the provisions of Sections 5-115 and
19 5-125 do not apply to rules adopted under this subsection (k).
20 The Department of Healthcare and Family Services may also adopt
21 rules under this subsection (k) necessary to administer the
22 Illinois Public Aid Code, the Senior Citizens and Persons with
23 Disabilities Property Tax Relief Act, the Senior Citizens and
24 Disabled Persons Prescription Drug Discount Program Act (now
25 the Illinois Prescription Drug Discount Program Act), and the
26 Children's Health Insurance Program Act. The adoption of

1 emergency rules authorized by this subsection (k) shall be
2 deemed to be necessary for the public interest, safety, and
3 welfare.

4 (l) In order to provide for the expeditious and timely
5 implementation of the provisions of the State's fiscal year
6 2007 budget, the Department of Healthcare and Family Services
7 may adopt emergency rules during fiscal year 2007, including
8 rules effective July 1, 2007, in accordance with this
9 subsection to the extent necessary to administer the
10 Department's responsibilities with respect to amendments to
11 the State plans and Illinois waivers approved by the federal
12 Centers for Medicare and Medicaid Services necessitated by the
13 requirements of Title XIX and Title XXI of the federal Social
14 Security Act. The adoption of emergency rules authorized by
15 this subsection (l) shall be deemed to be necessary for the
16 public interest, safety, and welfare.

17 (m) In order to provide for the expeditious and timely
18 implementation of the provisions of the State's fiscal year
19 2008 budget, the Department of Healthcare and Family Services
20 may adopt emergency rules during fiscal year 2008, including
21 rules effective July 1, 2008, in accordance with this
22 subsection to the extent necessary to administer the
23 Department's responsibilities with respect to amendments to
24 the State plans and Illinois waivers approved by the federal
25 Centers for Medicare and Medicaid Services necessitated by the
26 requirements of Title XIX and Title XXI of the federal Social

1 Security Act. The adoption of emergency rules authorized by
2 this subsection (m) shall be deemed to be necessary for the
3 public interest, safety, and welfare.

4 (n) In order to provide for the expeditious and timely
5 implementation of the provisions of the State's fiscal year
6 2010 budget, emergency rules to implement any provision of
7 Public Act 96-45 or any other budget initiative authorized by
8 the 96th General Assembly for fiscal year 2010 may be adopted
9 in accordance with this Section by the agency charged with
10 administering that provision or initiative. The adoption of
11 emergency rules authorized by this subsection (n) shall be
12 deemed to be necessary for the public interest, safety, and
13 welfare. The rulemaking authority granted in this subsection
14 (n) shall apply only to rules promulgated during Fiscal Year
15 2010.

16 (o) In order to provide for the expeditious and timely
17 implementation of the provisions of the State's fiscal year
18 2011 budget, emergency rules to implement any provision of
19 Public Act 96-958 or any other budget initiative authorized by
20 the 96th General Assembly for fiscal year 2011 may be adopted
21 in accordance with this Section by the agency charged with
22 administering that provision or initiative. The adoption of
23 emergency rules authorized by this subsection (o) is deemed to
24 be necessary for the public interest, safety, and welfare. The
25 rulemaking authority granted in this subsection (o) applies
26 only to rules promulgated on or after July 1, 2010 (the

1 effective date of Public Act 96-958) through June 30, 2011.

2 (p) In order to provide for the expeditious and timely
3 implementation of the provisions of Public Act 97-689,
4 emergency rules to implement any provision of Public Act 97-689
5 may be adopted in accordance with this subsection (p) by the
6 agency charged with administering that provision or
7 initiative. The 150-day limitation of the effective period of
8 emergency rules does not apply to rules adopted under this
9 subsection (p), and the effective period may continue through
10 June 30, 2013. The 24-month limitation on the adoption of
11 emergency rules does not apply to rules adopted under this
12 subsection (p). The adoption of emergency rules authorized by
13 this subsection (p) is deemed to be necessary for the public
14 interest, safety, and welfare.

15 (q) In order to provide for the expeditious and timely
16 implementation of the provisions of Articles 7, 8, 9, 11, and
17 12 of Public Act 98-104, emergency rules to implement any
18 provision of Articles 7, 8, 9, 11, and 12 of Public Act 98-104
19 may be adopted in accordance with this subsection (q) by the
20 agency charged with administering that provision or
21 initiative. The 24-month limitation on the adoption of
22 emergency rules does not apply to rules adopted under this
23 subsection (q). The adoption of emergency rules authorized by
24 this subsection (q) is deemed to be necessary for the public
25 interest, safety, and welfare.

26 (r) In order to provide for the expeditious and timely

1 implementation of the provisions of Public Act 98-651,
2 emergency rules to implement Public Act 98-651 may be adopted
3 in accordance with this subsection (r) by the Department of
4 Healthcare and Family Services. The 24-month limitation on the
5 adoption of emergency rules does not apply to rules adopted
6 under this subsection (r). The adoption of emergency rules
7 authorized by this subsection (r) is deemed to be necessary for
8 the public interest, safety, and welfare.

9 (s) In order to provide for the expeditious and timely
10 implementation of the provisions of Sections 5-5b.1 and 5A-2 of
11 the Illinois Public Aid Code, emergency rules to implement any
12 provision of Section 5-5b.1 or Section 5A-2 of the Illinois
13 Public Aid Code may be adopted in accordance with this
14 subsection (s) by the Department of Healthcare and Family
15 Services. The rulemaking authority granted in this subsection
16 (s) shall apply only to those rules adopted prior to July 1,
17 2015. Notwithstanding any other provision of this Section, any
18 emergency rule adopted under this subsection (s) shall only
19 apply to payments made for State fiscal year 2015. The adoption
20 of emergency rules authorized by this subsection (s) is deemed
21 to be necessary for the public interest, safety, and welfare.

22 (t) In order to provide for the expeditious and timely
23 implementation of the provisions of Article II of Public Act
24 99-6, emergency rules to implement the changes made by Article
25 II of Public Act 99-6 to the Emergency Telephone System Act may
26 be adopted in accordance with this subsection (t) by the

1 Department of State Police. The rulemaking authority granted in
2 this subsection (t) shall apply only to those rules adopted
3 prior to July 1, 2016. The 24-month limitation on the adoption
4 of emergency rules does not apply to rules adopted under this
5 subsection (t). The adoption of emergency rules authorized by
6 this subsection (t) is deemed to be necessary for the public
7 interest, safety, and welfare.

8 (u) In order to provide for the expeditious and timely
9 implementation of the provisions of the Burn Victims Relief
10 Act, emergency rules to implement any provision of the Act may
11 be adopted in accordance with this subsection (u) by the
12 Department of Insurance. The rulemaking authority granted in
13 this subsection (u) shall apply only to those rules adopted
14 prior to December 31, 2015. The adoption of emergency rules
15 authorized by this subsection (u) is deemed to be necessary for
16 the public interest, safety, and welfare.

17 (v) In order to provide for the expeditious and timely
18 implementation of the provisions of Public Act 99-516,
19 emergency rules to implement Public Act 99-516 may be adopted
20 in accordance with this subsection (v) by the Department of
21 Healthcare and Family Services. The 24-month limitation on the
22 adoption of emergency rules does not apply to rules adopted
23 under this subsection (v). The adoption of emergency rules
24 authorized by this subsection (v) is deemed to be necessary for
25 the public interest, safety, and welfare.

26 (w) In order to provide for the expeditious and timely

1 implementation of the provisions of Public Act 99-796,
2 emergency rules to implement the changes made by Public Act
3 99-796 may be adopted in accordance with this subsection (w) by
4 the Adjutant General. The adoption of emergency rules
5 authorized by this subsection (w) is deemed to be necessary for
6 the public interest, safety, and welfare.

7 (x) In order to provide for the expeditious and timely
8 implementation of the provisions of Public Act 99-906 ~~this~~
9 ~~amendatory Act of the 99th General Assembly~~, emergency rules to
10 implement subsection (i) of Section 16-115D, subsection (g) of
11 Section 16-128A, and subsection (a) of Section 16-128B of the
12 Public Utilities Act may be adopted in accordance with this
13 subsection (x) by the Illinois Commerce Commission. The
14 rulemaking authority granted in this subsection (x) shall apply
15 only to those rules adopted within 180 days after June 1, 2017
16 (the effective date of Public Act 99-906) ~~this amendatory Act~~
17 ~~of the 99th General Assembly~~. The adoption of emergency rules
18 authorized by this subsection (x) is deemed to be necessary for
19 the public interest, safety, and welfare.

20 (y) In order to provide for the expeditious and timely
21 implementation of the provisions of this amendatory Act of the
22 100th General Assembly, emergency rules to implement any
23 provision of this amendatory Act of the 100th General Assembly
24 may be adopted in accordance with this subsection (y) by the
25 Department of State Police, the Department of Transportation,
26 the Illinois State Toll Highway Authority, and the Secretary of

1 State. The rulemaking authority granted in this subsection (y)
2 shall apply only to those rules adopted within 180 days after
3 the effective date of this amendatory Act of the 100th General
4 Assembly. The adoption of emergency rules authorized by this
5 subsection (y) is deemed to be necessary for the public
6 interest, safety, and welfare.

7 (Source: P.A. 98-104, eff. 7-22-13; 98-463, eff. 8-16-13;
8 98-651, eff. 6-16-14; 99-2, eff. 3-26-15; 99-6, eff. 1-1-16;
9 99-143, eff. 7-27-15; 99-455, eff. 1-1-16; 99-516, eff.
10 6-30-16; 99-642, eff. 7-28-16; 99-796, eff. 1-1-17; 99-906,
11 eff. 6-1-17; revised 1-1-17.)"; and

12 on page 1, line 5, by replacing "Section" with "Sections 7.2
13 and"; and

14 on page 1, immediately below line 5, by inserting the
15 following:

16 "(20 ILCS 2610/7.2)

17 Sec. 7.2. State Police Merit Board Public Safety Fund.

18 (a) A special fund in the State treasury is hereby created
19 which shall be known as the State Police Merit Board Public
20 Safety Fund. The Fund shall be used by the State Police Merit
21 Board to provide a cadet program for State Police personnel and
22 to meet all costs associated with the functions of the State
23 Police Merit Board. Notwithstanding any other law to the

1 contrary, the State Police Merit Board Public Safety Fund is
2 not subject to sweeps, administrative charge-backs, or any
3 other fiscal or budgetary maneuver that would in any way
4 transfer any amounts from the State Police Merit Board Public
5 Safety Fund into any other fund of the State.

6 (b) The Fund may receive State appropriations, gifts,
7 grants, and federal funds and shall include earnings from the
8 investment of moneys in the Fund.

9 (c) The administration of this Fund shall be the
10 responsibility of the State Police Merit Board. The Board shall
11 establish terms and conditions for the operation of the Fund.
12 The Board shall establish and implement fiscal controls and
13 accounting periods for programs operated using the Fund. All
14 fees or moneys received by the State Treasurer under subsection
15 (n) of Section 27.6 of the Clerks of Courts Act shall be
16 deposited into the Fund. The moneys deposited in the State
17 Police Merit Board Public Safety Fund shall be appropriated to
18 the State Police Merit Board for expenses of the Board for the
19 administration and conduct of all its programs for State Police
20 personnel. Three percent of the moneys deposited into the Fund
21 under subsection (d-5) of Section 20 of the Automated Traffic
22 Control Systems in Highway Construction or Maintenance Zones
23 Act shall be used for advertising or other methods to attract
24 diverse State Police cadet candidates so that the headcount
25 goal of State Police officers under Section 7.5 of this Act
26 continues to adequately represent the population of women,

1 minorities, and military veterans in this State.

2 (Source: P.A. 97-1051, eff. 1-1-13.)"; and

3 on page 25, immediately below line 24, by inserting the
4 following:

5 "Section 95. No acceleration or delay. Where this Act makes
6 changes in a statute that is represented in this Act by text
7 that is not yet or no longer in effect (for example, a Section
8 represented by multiple versions), the use of that text does
9 not accelerate or delay the taking effect of (i) the changes
10 made by this Act or (ii) provisions derived from any other
11 Public Act."