



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB1415

Introduced 2/6/2013, by Sen. Kirk W. Dillard

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 09191 JDS 39330 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 Legislative Repealers for
4 possible repeal. That system for receiving comments shall
5 include a public online portal that is accessible through
6 the website 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 the Legislative Reference Bureau and the Legislative Research
26 Unit may also employ additional staff for the purpose of

1 complying 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. The Joint Committee on Administrative
14 Rules shall cooperate with the Board of Legislative Repealers
15 to the extent necessary to complete the duties assigned to the
16 Board 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.