

AN ACT concerning government.

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

Section 5. The Illinois Administrative Procedure Act is amended by changing Section 5-15 as follows:

(5 ILCS 100/5-15) (from Ch. 127, par. 1005-15)

Sec. 5-15. Required rules.

(a) Each agency shall maintain as rules the following:

(1) (Blank). ~~A current description of the agency's organization with necessary charts depicting that organization.~~

(2) The current procedures by which the public can obtain information or make submissions or requests on subjects, programs, and activities of the agency. Requests for copies of agency rules shall not be deemed Freedom of Information Act requests unless so labeled by the requestor.

(3) Tables of contents, indices, reference tables, and other materials to aid users in finding and using the agency's collection of rules currently in force.

(4) A current description of the agency's rulemaking procedures with necessary flow charts depicting those procedures.

(5) Any rules adopted under this Section in accordance with Sections 5-75 and 10-20 of this Act.

(b) The rules required to be filed by this Section that contain statements concerning only the internal management of an agency and not affecting private rights or procedures available to persons or entities outside the agency may be adopted, amended, or repealed and filed as provided in this Section instead of any other provisions or requirements of this Act.

The rules required by this Section may be adopted, amended, or repealed by filing a certified copy with the Secretary of State under subsections (a) and (b) of Section 5-65 and may become effective immediately.

(c) Before filing a certified copy with the Secretary of State as described in subsection (b) of this Section, an agency shall give at least 14 days' notice of its intended action to the general public. The notice period shall commence on the first day the notice appears in the Illinois Register. The notice shall include the information in paragraphs (1), (2), (3), and (5) of subsection (b) of Section 5-40, a statement of how the proposed rule made under this Section satisfies the criteria established by subsections (a) and (b), how to submit comments, and any other information that the Secretary of State may, by rule, require in the interest of informing the public.

During the notice period, the agency shall accept comments

from any interested persons. The agency shall accept submissions in writing, including submissions by email or by other publicly accessible electronic means through its website. At the discretion of the agency, submissions may be submitted orally. The agency shall consider all submissions received.

After the notice period, the agency may make modifications to the proposed rule in response to any comment received and file a certified copy with the Secretary of State under subsections (a) and (b) of Section 5-65. The notice of adoption of required rules shall also include a description of any modifications from the initially published proposal and may include an immediate effective date.

The Secretary of State shall refuse the filing of a certified copy that does not comply with this subsection.

(Source: P.A. 90-155, eff. 7-23-97.)