

AN ACT concerning civil law.

**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 Sections 10-25 and 10-50 as follows:

(5 ILCS 100/10-25) (from Ch. 127, par. 1010-25)

Sec. 10-25. Contested cases; notice; hearing.

(a) In a contested case, all parties shall be afforded an opportunity for a hearing after reasonable notice. The notice shall be served personally, by certified or registered mail, by email as provided by Section 10-75, or as otherwise provided by law upon the parties, their attorneys, or their other agents appointed to receive service of process as reflected in the administrative record and shall include the following:

(1) A statement of the time, place, and nature of the hearing.

(2) A statement of the legal authority and jurisdiction under which the hearing is to be held.

(3) A reference to the particular Sections of the substantive and procedural statutes and rules involved.

(4) Except where a more detailed statement is otherwise provided for by law, a short and plain statement

of the matters asserted, the consequences of a failure to respond, and the official file or other reference number.

(5) To the extent such information is available, the names, phone numbers, email addresses, and mailing addresses of the administrative law judge or designated agency contact, the parties, and all other persons to whom the agency gives notice of the hearing unless otherwise confidential by law.

(6) An enclosure written in, at a minimum, English, Arabic, Cantonese, Gujarati, Korean, Mandarin, Polish, Russian, Spanish, Tagalog, Urdu, Ukrainian, and Vietnamese, which notifies the recipient of the ability for a party or the recipient's agent to request interpretive assistance to participate in or understand the hearing and to receive language access services for translating the contents of the notice. A request to receive a written or sight translation of the notice must be made within 7 days of service of the notice.

(b) An opportunity shall be afforded all parties to be represented by legal counsel and to respond and present evidence and argument.

(c) Unless precluded by law, disposition may be made of any contested case by stipulation, agreed settlement, consent order, or default.

(d) Language access services and interpretive assistance provided in contested hearings shall be, at a minimum, in

accordance with this Act, and as otherwise provided for in any law or rule governing an agency's contested hearings.

(Source: P.A. 103-1056, eff. 7-1-25.)

(5 ILCS 100/10-50) (from Ch. 127, par. 1010-50)

Sec. 10-50. Decisions and orders.

(a) A final decision or order adverse to a party (other than the agency) in a contested case shall be in writing or stated in the record. A final decision shall include findings of fact and conclusions of law, separately stated. Findings of fact, if set forth in statutory language, shall be accompanied by a concise and explicit statement of the underlying facts supporting the findings. If, in accordance with agency rules, a party submitted proposed findings of fact, the decision shall include a ruling upon each proposed finding. Parties, their attorneys, or their other agents appointed to receive service of process as reflected in the administrative record shall be notified and provided a copy of the decision or order either personally, by registered or certified mail, by email as provided by Section 10-75, or as otherwise provided by law. In addition, ~~Upon request~~ a copy of the decision or order shall be ~~delivered or~~ mailed by first-class regular United States mail forthwith to each party and to the party's ~~his~~ attorney of record. This mailing requirement does not apply to a party's attorney or a party's other agent, or a self-represented litigant who has elected to use an agency's electronic filing

system or has accepted service by email, when the decision or order is made available for electronic retrieval through an electronic filing system or has been served by email as otherwise provided by law.

(b) All agency orders shall specify whether they are final and subject to the Administrative Review Law. Every final order shall contain a list of all parties of record to the case including the name and address of the agency or officer entering the order and the addresses of each party as known to the agency where the parties may be served with pleadings, notices, or service of process for any review or further proceedings. Every final order shall also state whether the rules of the agency require any motion or request for reconsideration and cite the rule for the requirement. The changes made by this amendatory Act of the 100th General Assembly apply to all actions filed under the Administrative Review Law on or after the effective date of this amendatory Act of the 100th General Assembly.

(c) A decision by any agency in a contested case under this Act shall be void unless the proceedings are conducted in compliance with the provisions of this Act relating to contested cases, except to the extent those provisions are waived under Section 10-70 and except to the extent the agency has adopted its own rules for contested cases as authorized in Section 1-5.

(Source: P.A. 100-212, eff. 8-18-17; 100-880, eff. 1-1-19;

101-81, eff. 7-12-19.)

Section 10. The Code of Civil Procedure is amended by changing Section 3-103 as follows:

(735 ILCS 5/3-103) (from Ch. 110, par. 3-103)

Sec. 3-103. Commencement of action. Every action to review a final administrative decision shall be commenced by the filing of a complaint and the issuance of summons within 35 days after ~~from~~ the date that a copy of the decision sought to be reviewed was served upon the party affected by the decision, except that in municipalities with a population of 500,000 or less a complaint filed within the time limit established by this Section may be subsequently amended to add a police chief or a fire chief in cases brought under the Illinois Municipal Code's provisions providing for the discipline of fire fighters and police officers.

The method of service of the decision shall be as provided in the Act governing the procedure before the administrative agency, but if no method is provided, a decision shall be deemed to have been served upon the party ~~either~~ when a copy of the decision is served as provided by Section 10-50 of the Illinois Administrative Procedure Act ~~personally delivered or when a copy of the decision is deposited in the United States mail, in a sealed envelope or package, with postage prepaid, addressed to the party affected by the decision at his or her~~

~~last known residence or place of business.~~ The decision must also be sent to the party's attorney as provided in Section 10-50 of the Illinois Administrative Procedure Act.

The form of the summons and the issuance of alias summons shall be according to rules of the Supreme Court.

This amendatory Act of 1993 applies to all cases involving discipline of fire fighters and police officers pending on its effective date and to all cases filed on or after its effective date.

The changes to this Section made by this amendatory Act of the 95th General Assembly apply to all actions filed on or after the effective date of this amendatory Act of the 95th General Assembly.

(Source: P.A. 95-831, eff. 8-14-08.)

Section 99. Effective date. This Act takes effect upon becoming law.