

SB2870



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2870

Introduced 1/16/2026, by Sen. Michael W. Halpin

SYNOPSIS AS INTRODUCED:

5 ILCS 100/10-25	from Ch. 127, par. 1010-25
5 ILCS 100/10-50	from Ch. 127, par. 1010-50
735 ILCS 5/3-103	from Ch. 110, par. 3-103

Amends the Illinois Administrative Procedure Act. Provides that parties, their attorneys, or their other agents appointed to receive service of process must receive notice of a contested hearing and final decision or order. Deletes a requirement that a party and attorney of record must request a copy of the final decision and order. Amends the Code of Civil Procedure. Provides that service to a party of a decision in a final administrative review must be served as provided in the Illinois Administrative Procedure Act instead of by the United States Postal Service. Provides that the decision must also be sent to the party's attorney or agent. Effective immediately.

LRB104 16699 JRC 30103 b

A BILL FOR

1 AN ACT concerning civil law.

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

4 Section 5. The Illinois Administrative Procedure Act is
5 amended by changing Sections 10-25 and 10-50 as follows:

6 (5 ILCS 100/10-25) (from Ch. 127, par. 1010-25)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4 (5 ILCS 100/10-50) (from Ch. 127, par. 1010-50)

5 Sec. 10-50. Decisions and orders.

6 (a) A final decision or order adverse to a party (other
7 than the agency) in a contested case shall be in writing or
8 stated in the record. A final decision shall include findings
9 of fact and conclusions of law, separately stated. Findings of
10 fact, if set forth in statutory language, shall be accompanied
11 by a concise and explicit statement of the underlying facts
12 supporting the findings. If, in accordance with agency rules,
13 a party submitted proposed findings of fact, the decision
14 shall include a ruling upon each proposed finding. Parties,
15 their attorneys, or their other agents appointed to receive
16 service of process as reflected in the administrative record
17 shall be notified and provided a copy of the decision or order
18 either personally, by registered or certified mail, by email
19 as provided by Section 10-75, or as otherwise provided by law.
20 In addition, Upon request a copy of the decision or order shall
21 be delivered or mailed by first-class regular United States
22 mail forthwith to each party and to the party's his attorney of
23 record.

24 (b) All agency orders shall specify whether they are final
25 and subject to the Administrative Review Law. Every final

1 order shall contain a list of all parties of record to the case
2 including the name and address of the agency or officer
3 entering the order and the addresses of each party as known to
4 the agency where the parties may be served with pleadings,
5 notices, or service of process for any review or further
6 proceedings. Every final order shall also state whether the
7 rules of the agency require any motion or request for
8 reconsideration and cite the rule for the requirement. The
9 changes made by this amendatory Act of the 100th General
10 Assembly apply to all actions filed under the Administrative
11 Review Law on or after the effective date of this amendatory
12 Act of the 100th General Assembly.

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

20 (Source: P.A. 100-212, eff. 8-18-17; 100-880, eff. 1-1-19;
21 101-81, eff. 7-12-19.)

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

24 (735 ILCS 5/3-103) (from Ch. 110, par. 3-103)

1 Sec. 3-103. Commencement of action. Every action to review
2 a final administrative decision shall be commenced by the
3 filing of a complaint and the issuance of summons within 35
4 days after from the date that a copy of the decision sought to
5 be reviewed was served upon the party affected by the
6 decision, except that in municipalities with a population of
7 500,000 or less a complaint filed within the time limit
8 established by this Section may be subsequently amended to add
9 a police chief or a fire chief in cases brought under the
10 Illinois Municipal Code's provisions providing for the
11 discipline of fire fighters and police officers.

12 The method of service of the decision shall be as provided
13 in the Act governing the procedure before the administrative
14 agency, but if no method is provided, a decision shall be
15 deemed to have been served upon the party either when a copy of
16 the decision is served as provided by Section 10-50 of the
17 Illinois Administrative Procedure Act personally delivered or
18 when a copy of the decision is deposited in the United States
19 mail, in a sealed envelope or package, with postage prepaid,
20 addressed to the party affected by the decision at his or her
21 last known residence or place of business. The decision must
22 also be sent to the party's attorney or agent as provided in
23 Section 10-50 of the Illinois Administrative Procedure Act.

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

26 This amendatory Act of 1993 applies to all cases involving

1 discipline of fire fighters and police officers pending on its
2 effective date and to all cases filed on or after its effective
3 date.

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

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

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