



## 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

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.