

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. This mailing requirement does not apply to a party's
24 attorney or a party's other agent, or a self-represented
25 litigant who has elected to use an agency's electronic filing

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

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

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

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

1 101-81, eff. 7-12-19.)

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

4 (735 ILCS 5/3-103) (from Ch. 110, par. 3-103)

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

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

1 ~~last known residence or place of business.~~ The decision must
2 also be sent to the party's attorney as provided in Section
3 10-50 of the Illinois Administrative Procedure Act.

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

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

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

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

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