



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4291

Introduced 1/28/2020, by Rep. Steven Reick

SYNOPSIS AS INTRODUCED:

5 ILCS 100/5-170 new

Amends the Illinois Administrative Procedure Act. Provides that for each rule proposed to be adopted by the State Board of Education impacting the operations of any school district, any interested person may request the Joint Committee on Administrative Rules to determine whether the proposed rule is a State mandate. Provides that if the Joint Committee determines that the proposed rule is a State mandate, then the running of all periods under the Illinois Administrative Procedure Act shall be tolled, and no Certificate of No Objection may be issued for the rule, until the rule has been approved by a joint resolution of the General Assembly. Effective immediately.

LRB101 16859 RJF 66258 b

1 AN ACT concerning government.

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 adding Section 5-170 as follows:

6 (5 ILCS 100/5-170 new)

7 Sec. 5-170. State Board of Education; State mandates.
8 Notwithstanding any exemption from the State Mandates Act
9 previously enacted, for each rule proposed to be adopted under
10 Section 5-40 by the State Board of Education impacting the
11 operations of any school district, during the first notice
12 period under subsection (b) of Section 5-40, any interested
13 person may request the Joint Committee on Administrative Rules
14 to determine whether the proposed rule is a State mandate, as
15 defined by Section 3 of the State Mandates Act. If the Joint
16 Committee determines that the proposed rule is a State mandate,
17 then the running of all periods under this Act shall be tolled,
18 and no Certificate of No Objection may be issued for the rule,
19 until the rule has been approved by a joint resolution of the
20 General Assembly.

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