

1 AN ACT concerning administrative review.

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

4 Section 5. The Administrative Review Law of the Code of
5 Civil Procedure is amended by changing Section 3-112 as
6 follows:

7 (735 ILCS 5/3-112) (from Ch. 110, par. 3-112)
8 Sec. 3-112. Appeals.

9 (a) A final decision, order, or judgment of the Circuit
10 Court, entered in an action to review a decision of an
11 administrative agency, is reviewable by appeal as in other
12 civil cases.

13 (b) If (i) a plaintiff substantially prevails in the
14 Circuit Court, (ii) a defendant appeals the final decision,
15 order, or judgment of the Circuit Court as it relates to that
16 plaintiff, and (iii) that plaintiff substantially prevails on
17 appeal, then the Appellate Court must remand the case to the
18 Circuit Court for a determination of the costs, expenses, and
19 fees (including without limitation reasonable attorney's
20 fees) incurred by that plaintiff in defending the appeal. The
21 Circuit Court must then order that defendant to pay to that
22 plaintiff those costs, expenses, and fees.

23 (Source: P.A. 88-1.)