



Rep. Constance A. Howard

Filed: 2/21/2008

09500HB1831ham002

LRB095 09795 RLC 46646 a

1 AMENDMENT TO HOUSE BILL 1831

2 AMENDMENT NO. _____. Amend House Bill 1831, AS AMENDED, by
3 replacing all of subsection (f) of Sec. 6 of Section 5 with the
4 following:

5 "(f) Subject to available funding, the Illinois Department
6 of Corrections shall conduct a study of the impact of sealing,
7 especially on employment and recidivism rates, utilizing a
8 random sample of those who apply for the sealing of their
9 criminal records under Public Act 93-211. At the request of the
10 Illinois Department of Corrections, records of the Illinois
11 Department of Employment Security shall be utilized as
12 appropriate to assist in the study. The study shall not
13 disclose any data in a manner that would allow the
14 identification of any particular individual or employing unit.
15 The study shall be made available to the General Assembly no
16 later than September 1, 2008.

17 (g) Notwithstanding any other rulemaking authority that
18 may exist, neither the Governor nor any agency or agency head

1 under the jurisdiction of the Governor has any authority to
2 make or promulgate rules to implement or enforce the provisions
3 of this amendatory Act of the 95th General Assembly. If,
4 however, the Governor believes that rules are necessary to
5 implement or enforce the provisions of this amendatory Act of
6 the 95th General Assembly, the Governor may suggest rules to
7 the General Assembly by filing them with the Clerk of the House
8 and the Secretary of the Senate and by requesting that the
9 General Assembly authorize such rulemaking by law, enact those
10 suggested rules into law, or take any other appropriate action
11 in the General Assembly's discretion. Nothing contained in this
12 amendatory Act of the 95th General Assembly shall be
13 interpreted to grant rulemaking authority under any other
14 Illinois statute where such authority is not otherwise
15 explicitly given. For the purposes of this subsection (g),
16 "rules" is given the meaning contained in Section 1-70 of the
17 Illinois Administrative Procedure Act, and "agency" and
18 "agency head" are given the meanings contained in Sections 1-20
19 and 1-25 of the Illinois Administrative Procedure Act to the
20 extent that such definitions apply to agencies or agency heads
21 under the jurisdiction of the Governor."