



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB5655

by Rep. David R. Leitch

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. Provides that for each rule proposed to be adopted by the State Board of Education, any interested person may request the Joint Committee on Administrative Rules to determine whether the proposed rule concerns (i) changes to teacher licensure or endorsements that would make it more difficult for teachers to become fully qualified, (ii) changes to State learning standards or assessments, (iii) contracts over \$500,000 or their renewal, or (iv) application for federal grants that require additional State support. Provides that if the Joint Committee determines that the proposed rule concerns any of those items, then the running of all periods under the 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 or through legislative change, as determined by the Joint Committee.

LRB099 19701 MLM 44098 b

1 AN ACT concerning education.

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 rulemaking.

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

21 (b) For each rule proposed to be adopted under Section 5-40
22 of this Act by the State Board of Education, during the first
23 notice period under subsection (b) of Section 5-40 of this Act,

1 any interested person may request the Joint Committee on
2 Administrative Rules to determine whether the proposed rule
3 concerns:

4 (1) changes to teacher licensure or endorsements that
5 would make it more difficult for teachers to become fully
6 qualified;

7 (2) changes to State learning standards or
8 assessments;

9 (3) contracts over \$500,000 or their renewal; or

10 (4) application for federal grants that require
11 additional State support.

12 If the Joint Committee determines that the proposed rule
13 concerns any of items (1) through (4) of this subsection (b),
14 then the running of all periods under this Act shall be tolled,
15 and no Certificate of No Objection may be issued for the rule
16 until the rule has been approved by a joint resolution of the
17 General Assembly or through legislative change, as determined
18 by the Joint Committee.