



Rep. Natalie A. Manley

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1 AMENDMENT TO HOUSE BILL 3322

2 AMENDMENT NO. _____. Amend House Bill 3322 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Professional Land Surveyor Act of
5 1989 is amended by changing Sections 1, 4, 5, 8, 11, 12, 13,
6 14, 16, 16.5, 17, 18, 23, 40, and 48 as follows:

7 (225 ILCS 330/1) (from Ch. 111, par. 3251)

8 (Section scheduled to be repealed on January 1, 2020)

9 Sec. 1. Declaration of public policy. The practice of land
10 surveying in the State of Illinois is hereby declared to affect
11 the public health, safety, and welfare and to be subject to
12 regulation and control in the public interest. It is further
13 declared that the determination and physical protraction of
14 land boundaries using the appropriate application of boundary
15 law principles, together with the attendant preparation of
16 legal descriptions and plats, which bear witness for posterity

1 to chronicle the acts and wishes of landowners throughout this
2 State is a matter of public interest and concern. Therefore, it
3 is in the public interest that the practice of land surveying,
4 as defined in this Act, merit and receive the confidence of the
5 public, and that only qualified persons be authorized to
6 practice land surveying in the State of Illinois. This Act
7 shall be liberally construed to best carry out this purpose.

8 (Source: P.A. 93-467, eff. 1-1-04.)

9 (225 ILCS 330/4) (from Ch. 111, par. 3254)

10 (Section scheduled to be repealed on January 1, 2020)

11 Sec. 4. Definitions. As used in this Act:

12 (a) "Department" means the Department of Financial and
13 Professional Regulation.

14 (b) "Secretary" means the Secretary of the Department of
15 Financial and Professional Regulation.

16 (c) "Board" means the Land Surveyors Licensing Board.

17 (d) "Direct supervision and control" means the personal
18 review by a Licensed Professional Land Surveyor of each survey,
19 including, but not limited to, procurement, research, field
20 work, calculations, preparation of legal descriptions and
21 plats. The personal review shall be of such a nature as to
22 assure the client that the Professional Land Surveyor or the
23 firm for which the Professional Land Surveyor is employed is
24 the provider of the surveying services.

25 (e) "Responsible charge" means an individual responsible

1 for the various components of the land survey operations
2 subject to the overall supervision and control of the
3 Professional Land Surveyor.

4 (f) "Design professional" means a land surveyor,
5 architect, structural engineer, or professional engineer
6 licensed in conformance with this Act, the Illinois
7 Architecture Practice Act of 1989, the Structural Engineering
8 Practice Act of 1989, or the Professional Engineering Practice
9 Act of 1989.

10 (g) "Professional Land Surveyor" means any person licensed
11 under the laws of the State of Illinois to practice land
12 surveying, as defined by this Act or its rules.

13 (h) "Surveyor Intern" ~~"Land Surveyor in Training"~~ means
14 any person licensed under the laws of the State of Illinois who
15 has qualified for, taken, and passed an examination in the
16 fundamental land surveying ~~surveyor in training~~ subjects as
17 provided by this Act or its rules.

18 (i) "Land surveying experience" means those activities
19 enumerated in Section 5 of this Act, which, when exercised in
20 combination, to the satisfaction of the Board, is proof of an
21 applicant's broad range of training in and exposure to the
22 prevailing practice of land surveying.

23 (j) "Address of record" means the designated address
24 recorded by the Department in the applicant's or licensee's
25 application file or license file maintained by the Department's
26 licensure maintenance unit. It is the duty of the applicant or

1 licensee to inform the Department of any change of address, and
2 such changes must be made either through the Department's
3 website or by contacting the Department's licensure
4 maintenance unit.

5 (k) "Standard of care" means the use of the same degree of
6 knowledge, skill, and ability as an ordinarily careful and
7 reasonable professional land surveyor would exercise under
8 similar circumstances.

9 (l) "Establishing" means performing an original survey. An
10 original survey establishes boundary lines within an original
11 division of a tract of land which has theretofore existed as
12 one unit or parcel and describing and monumenting a line or
13 lines of a parcel or tract of land on the ground for the first
14 time. An original surveyor is the creator of one or more new
15 boundary lines.

16 (m) "Reestablishing" or "locating" means performing a
17 retracement survey. A retracement survey tracks the footsteps
18 of the original surveyor, locating boundary lines and corners
19 which have been established by the original survey. A
20 retracement survey cannot establish new corners or lines or
21 correct errors of the original survey.

22 (n) "Boundary law principles" means applying the
23 decisions, results, and findings of land boundary cases that
24 concern the establishment of boundary lines and corners.

25 (Source: P.A. 96-626, eff. 8-24-09.)

1 (225 ILCS 330/5) (from Ch. 111, par. 3255)

2 (Section scheduled to be repealed on January 1, 2020)

3 Sec. 5. Practice of land surveying defined. Any person who
4 practices in Illinois as a professional land surveyor who
5 renders, offers to render, or holds himself or herself out as
6 able to render, or perform any service, the adequate
7 performance of which involves the special knowledge of the art
8 and application of the principles of the accurate and precise
9 measurement of length, angle, elevation or volume,
10 mathematics, the related physical and applied sciences, and the
11 relevant requirements of applicable boundary law principles
12 and performed with the appropriate standard of care, all of
13 which are acquired by education, training, experience, and
14 examination. Any one or combination of the following practices
15 constitutes the practice of land surveying:

16 (a) Establishing or reestablishing, locating,
17 defining, and making or monumenting land boundaries or
18 title or real property lines and the platting of lands and
19 subdivisions;

20 (b) ~~Determining~~ ~~Establishing~~ the area or volume of any
21 portion of the earth's surface, subsurface, or airspace
22 with respect to boundary lines, determining the
23 configuration or contours of any portion of the earth's
24 surface, subsurface, or airspace or the location of fixed
25 objects thereon, except as performed by photogrammetric
26 methods by persons holding certification from the American

1 Society of Photogrammetry and Remote Sensing or
2 substantially similar certification as approved by the
3 Department, or except when the level of accuracy required
4 is less than the level of accuracy required by the National
5 Society of Professional Surveyors Model Standards and
6 Practice;

7 (c) Preparing descriptions for the determination of
8 title or real property rights to any portion or volume of
9 the earth's surface, subsurface, or airspace involving the
10 lengths and direction of boundary lines, areas, parts of
11 platted parcels or the contours of the earth's surface,
12 subsurface, or airspace;

13 (d) Labeling, designating, naming, preparing, or
14 otherwise identifying legal lines or land title lines of
15 the United States Rectangular System or any subdivision
16 thereof on any plat, map, exhibit, photograph,
17 photographic composite, or mosaic or photogrammetric map
18 of any portion of the earth's surface for the purpose of
19 recording and amending the same by the issuance of a
20 certificate of correction in the Office of Recorder in any
21 county;

22 (e) Any act or combination of acts that would be viewed
23 as offering professional land surveying services
24 including:

25 (1) setting monuments which have the appearance of
26 or for the express purpose of marking land boundaries,

1 either directly or as an accessory;

2 (2) providing any sketch, map, plat, report,
3 monument record, or other document which indicates
4 land boundaries and monuments, or accessory monuments
5 thereto, except that if the sketch, map, plat, report,
6 monument record, or other document is a copy of an
7 original prepared by a Professional Land Surveyor, and
8 if proper reference to that fact be made on that
9 document;

10 (3) performing topographic surveys, with the
11 exception of a licensed professional engineer
12 knowledgeable in topographical surveys that performs a
13 topographical survey specific to his or her design
14 project. A licensed professional engineer may not,
15 however, offer topographic surveying services that are
16 independent of his or her specific design project; or

17 (4) locating, relocating, establishing,
18 reestablishing ~~re-establishing~~, retracing, laying out,
19 or staking of the location, alignment, or elevation of
20 any existing or proposed improvements whose location
21 is dependent upon property, easement, and right-of-way
22 boundaries lines;

23 (5) providing consultation, investigation,
24 planning, mapping, assembling, and authoritative
25 interpretation of gathered measurements, documents,
26 and evidence in relation to the location of property,

1 easement, and right-of-way boundaries; or

2 (6) measuring, evaluating, mapping, or reporting
3 the location of existing or proposed buildings,
4 structures, or other improvements or their surrounding
5 topography with respect to current flood insurance
6 rate mapping or federal emergency management agency
7 mapping along with locating of inland wetland
8 boundaries delineated by a qualified specialist in
9 relation to the location of property, easement, and
10 right-of-way boundaries.

11 (f) Determining the horizontal or vertical position or
12 state plane coordinates for any monument or reference point
13 that marks a title or real property line, boundary, or
14 corner, or to set, reset, or replace any monument or
15 reference point on any title or real property;

16 (g) Creating, preparing, or modifying electronic or
17 computerized data or maps, including land information
18 systems and geographic information systems, relative to
19 the performance of activities in items (a), (b), (d), (e),
20 (f), and (h) of this Section, except where electronic means
21 or computerized data is otherwise utilized to integrate,
22 display, represent, or assess the created, prepared, or
23 modified data;

24 (h) ~~Determining~~ ~~Establishing~~ or adjusting any control
25 network or any geodetic control network or cadastral data
26 as it pertains to items (a) through (g) of this Section

1 together with the assignment of measured values to any
2 United States Rectangular System corners, title or real
3 property corner monuments or geodetic monuments;

4 (i) Preparing and attesting to the accuracy of a map or
5 plat showing the land boundaries or lines and marks and
6 monuments of the boundaries or of a map or plat showing the
7 boundaries of surface, subsurface, or air rights;

8 (j) Executing and issuing certificates, endorsements,
9 reports, or plats that portray the horizontal or vertical
10 relationship between existing physical objects or
11 structures and one or more corners, datums, or boundaries
12 of any portion of the earth's surface, subsurface, or
13 airspace;

14 (k) Acting in direct supervision and control of land
15 surveying activities or acting as a manager in any place of
16 business that solicits, performs, or practices land
17 surveying;

18 (l) Boundary analysis and determination of property,
19 easement, or right-of-way lines on any plat submitted for
20 regulatory review by governmental or municipal agencies;

21 (m) ~~(l)~~ Offering or soliciting to perform any of the
22 services set forth in this Section.

23 In the performance of any of the foregoing functions, a
24 licensee shall adhere to the standards of professional conduct
25 enumerated in 68 Ill. Adm. Code 1270.57. Nothing contained in
26 this Section imposes upon a person licensed under this Act the

1 responsibility for the performance of any of the foregoing
2 functions unless such person specifically contracts to perform
3 such functions.

4 (Source: P.A. 96-626, eff. 8-24-09; 96-1000, eff. 7-2-10;
5 97-333, eff. 8-12-11; 97-813, eff. 7-13-12.)

6 (225 ILCS 330/8) (from Ch. 111, par. 3258)

7 (Section scheduled to be repealed on January 1, 2020)

8 Sec. 8. Powers and duties of the Board; quorum. Subject to
9 the provisions of this Act, the Board shall exercise the
10 following functions, powers, and duties:

11 (a) Review applicant qualifications to sit for the
12 examination or for licensure and shall make
13 recommendations to the Department except for those
14 applicant qualifications that the Board designates as
15 routinely acceptable;

16 (b) Conduct hearings regarding disciplinary actions
17 and submit a written report to the Secretary as required by
18 this Act and provide a Board member at informal
19 conferences;

20 (c) Visit universities or colleges to evaluate
21 surveying curricula and submit to the Secretary a written
22 recommendation of acceptability of the curriculum;

23 (d) Submit a written recommendation to the Secretary
24 concerning promulgation or amendment of rules for the
25 administration of this Act;

1 (e) The Department may at any time seek the expert
2 advice and knowledge of the Board on any matter relating to
3 the enforcement of this Act;

4 (f) The Board may appoint a subcommittee to serve as a
5 Complaint Committee to recommend the disposition of case
6 files according to procedures established by rule;

7 (g) Hold at least 3 regular meetings each year; and

8 (h) The Board shall annually elect a Chairperson and a
9 Vice Chairperson who shall be licensed Illinois
10 Professional Land Surveyors.

11 A quorum of the Board shall consist of 4 members. A quorum
12 is required for all Board decisions.

13 Subject to the provisions of this Act, the Board may
14 exercise the following duties as deemed necessary by the
15 Department: (i) review education and experience qualifications
16 of applicants, including conducting oral interviews; (ii)
17 determine eligibility as a Professional Land Surveyor or
18 Surveyor Intern ~~Land Surveyor in Training~~; and (iii) submit to
19 the Secretary recommendations on applicant qualifications for
20 enrollment and licensure.

21 (Source: P.A. 96-626, eff. 8-24-09.)

22 (225 ILCS 330/11) (from Ch. 111, par. 3261)

23 (Section scheduled to be repealed on January 1, 2020)

24 Sec. 11. Examination; failure ~~Failure~~ or refusal to take.

25 The Department shall authorize examinations, as recommended

1 and approved by the Board, for licensure as Surveyor Interns
2 ~~Land Surveyors in Training~~ and Professional Land Surveyors at
3 such times and places as it may determine.

4 The examination of an applicant for licensure as a Surveyor
5 Intern ~~Land Surveyor in Training~~ or a Professional Land
6 Surveyor may include examinations as defined by rule. The
7 substance and form of the examination shall be as recommended
8 and approved by the Board. Each applicant shall be examined as
9 to his knowledge of the statutes of the United States of
10 America and the State of Illinois relating to the practice of
11 land surveying and mathematics as applied to land surveying.

12 All applicants for licensing as a Professional Land
13 Surveyor shall be required to pass, as a portion of the
14 examination, a jurisdictional examination to determine the
15 applicant's knowledge of the surveying tasks unique to the
16 State of Illinois, and the laws relating thereto.

17 Applicants for any examination shall be required to pay,
18 either to the Department or the designated testing service, a
19 fee covering the cost of providing the examination. Failure to
20 appear for the examination on the scheduled date, at the time
21 and place specified, after the applicant's application for
22 examination has been received and acknowledged by the
23 Department or the designated testing service, shall result in
24 the forfeiture of the examination fee. If an applicant
25 neglects, fails, or refuses to take an examination for
26 registration under this Act within 3 years after filing his

1 application, the application fee shall be forfeited to the
2 Department and the application denied. However, the applicant
3 may thereafter make a new application for examination,
4 accompanied by the required fee.

5 (Source: P.A. 98-713, eff. 7-16-14.)

6 (225 ILCS 330/12) (from Ch. 111, par. 3262)

7 (Section scheduled to be repealed on January 1, 2020)

8 Sec. 12. Qualifications for licensing.

9 (a) A person is qualified to receive a license as a
10 Professional Land Surveyor and the Department shall issue a
11 license to a person:

12 (1) who has applied in writing in the required form to
13 the Department;

14 (2) (blank);

15 (2.5) who has not violated any provision of this Act or
16 its rules;

17 (3) who is of good ethical character, including
18 compliance with the Code of Ethics and Standards of
19 Practice promulgated by rule pursuant to this Act, and has
20 not committed an act or offense in any jurisdiction that
21 would constitute grounds for discipline of a land surveyor
22 licensed under this Act;

23 (4) who has been issued a license as a Surveyor Intern
24 ~~Land Surveyor in Training~~;

25 (5) who, subsequent to passing the examination

1 authorized by the Department for licensure as a Surveyor
2 Intern ~~Surveyor-In-Training~~, has at least 4 years of
3 responsible charge experience verified by a professional
4 land surveyor in direct supervision and control of his or
5 her activities;

6 (6) who has passed an examination authorized by the
7 Department to determine his or her fitness to receive a
8 license as a Professional Land Surveyor; and

9 (7) who satisfies one of the following educational
10 requirements:

11 (A) is a graduate of an approved land surveying
12 curriculum of at least 4 years who has passed an
13 examination in the fundamentals of surveying, as
14 defined by rule; or

15 (B) is a graduate of a baccalaureate curriculum of
16 at least 4 years, including at least 24 semester hours
17 of land surveying courses from an approved land
18 surveying curriculum and the related science courses,
19 who has passed an examination in the fundamentals of
20 surveying, as defined by rule. ~~who has a baccalaureate~~
21 ~~degree in a related science if he or she does not have~~
22 ~~a baccalaureate degree in land surveying from an~~
23 ~~accredited college or university.~~

24 (b) A person is qualified to receive a license as a
25 Surveyor Intern ~~Land Surveyor in Training~~ and the Department
26 shall issue a license to a person:

1 (1) who has applied in writing in the required form
2 provided by the Department;

3 (2) (blank);

4 (3) who is of good moral character;

5 (4) who has the required education as set forth in this
6 Act; and

7 (5) who has passed an examination authorized by the
8 Department to determine his or her fitness to receive a
9 license as a Surveyor Intern ~~Land Surveyor in Training~~ in
10 accordance with this Act.

11 In determining moral character under this Section, the
12 Department may take into consideration whether the applicant
13 has engaged in conduct or actions that would constitute grounds
14 for discipline under this Act.

15 (Source: P.A. 96-626, eff. 8-24-09.)

16 (225 ILCS 330/13) (from Ch. 111, par. 3263)

17 (Section scheduled to be repealed on January 1, 2020)

18 Sec. 13. Minimum standards for enrollment as a Surveyor
19 Intern. Qualifications for examination for Licensed Land
20 Surveyor in Training. To enroll as a Surveyor Intern, an
21 applicant must be:

22 (1) a graduate of an approved land surveying curriculum
23 of at least 4 years who has passed an examination in the
24 fundamentals of surveying, as defined by rule;

25 (2) an applicant in the last year of an approved land

1 surveying or related science curriculum who passes an
2 examination in the fundamentals of surveying, as defined by
3 rule, and furnishes proof that the applicant graduated
4 within a 12-month period following the examination; or

5 (3) a graduate of a baccalaureate curriculum of at
6 least 4 years, including at least 24 semester hours of land
7 surveying courses from an approved land surveying
8 curriculum and the related science courses, as defined by
9 rule, who passes an examination in the fundamentals of
10 surveying, as defined by rule.

11 ~~Applicants for the examination for Land Surveyor in Training~~
12 ~~shall have:~~

13 ~~(1) a baccalaureate degree in Land Surveying from an~~
14 ~~accredited college or university program; or~~

15 ~~(2) a baccalaureate degree in a related science~~
16 ~~including at least 24 semester hours of land surveying~~
17 ~~courses from a Department approved curriculum of an~~
18 ~~accredited institution.~~

19 (Source: P.A. 96-626, eff. 8-24-09; 97-543, eff. 1-1-12.)

20 (225 ILCS 330/14) (from Ch. 111, par. 3264)

21 (Section scheduled to be repealed on January 1, 2020)

22 Sec. 14. License to be displayed. Every holder of a license
23 as a Professional Land Surveyor or Surveyor Intern ~~Land~~
24 ~~Surveyor in Training~~ shall display it in a conspicuous
25 location in his or her office, place of business, or place of

1 employment.

2 (Source: P.A. 91-132, eff. 1-1-00.)

3 (225 ILCS 330/16) (from Ch. 111, par. 3266)

4 (Section scheduled to be repealed on January 1, 2020)

5 Sec. 16. Unlawful to practice without license or
6 registration. It is unlawful for any person, sole
7 proprietorship, professional service corporation, corporation,
8 partnership, limited liability company, or other entity to
9 practice land surveying, or advertise or display any sign, card
10 or other device which might indicate to the public that the
11 person or entity is entitled to practice as a land surveyor, or
12 use the initials "P.L.S.", "L.S.", or "S.I." "~~S.I.T.~~", use the
13 title "Professional Land Surveyor" or "Surveyor Intern" "~~Land~~
14 ~~Surveyor in Training~~" or any of their derivations, unless such
15 person holds a valid active license as a Professional Land
16 Surveyor or Surveyor Intern ~~Land Surveyor in Training~~ in the
17 State of Illinois, or such professional service corporation,
18 corporation, partnership, sole proprietorship, limited
19 liability company, or other entity is in compliance with this
20 Act.

21 (Source: P.A. 88-428.)

22 (225 ILCS 330/16.5)

23 (Section scheduled to be repealed on January 1, 2020)

24 Sec. 16.5. Unlicensed practice; violation; civil penalty.

1 (a) Any person who practices, offers to practice, attempts
2 to practice, or holds oneself out to practice as a professional
3 land surveyor or as a Surveyor Intern ~~land surveyor in training~~
4 without being licensed under this Act shall, in addition to any
5 other penalty provided by law, pay a civil penalty to the
6 Department in an amount not to exceed \$10,000 for each offense
7 as determined by the Department. The civil penalty shall be
8 assessed by the Department after a hearing is held in
9 accordance with the provisions set forth in this Act regarding
10 the provision of a hearing for the discipline of a licensee.

11 (b) The Department has the authority and power to
12 investigate any and all unlicensed activity.

13 (c) The civil penalty shall be paid within 60 days after
14 the effective date of the order imposing the civil penalty. The
15 order shall constitute a judgment and may be filed and
16 execution had thereon in the same manner as any judgment from
17 any court of record.

18 (Source: P.A. 96-626, eff. 8-24-09.)

19 (225 ILCS 330/17) (from Ch. 111, par. 3267)

20 (Section scheduled to be repealed on January 1, 2020)

21 Sec. 17. Surveyor Intern; supervision ~~Land~~
22 ~~Surveyor in Training; Supervision~~. It is unlawful for any
23 Surveyor Intern ~~Land Surveyor in Training~~ licensed under this
24 Act to practice or attempt to practice land surveying except
25 when in responsible charge under the overall supervision of a

1 Professional Land Surveyor.

2 (Source: P.A. 86-987.)

3 (225 ILCS 330/18) (from Ch. 111, par. 3268)

4 (Section scheduled to be repealed on January 1, 2020)

5 Sec. 18. Renewal, reinstatement or restoration of license;
6 Persons in military service.

7 (a) The expiration date and renewal period for each license
8 as a Professional Land Surveyor issued under this Act shall be
9 set by rule. The holder of a license may renew such license
10 during the month preceding the expiration date by paying the
11 required fee.

12 (b) Any Professional Land Surveyor whose license has been
13 inactive for less than 5 years is required to pay the current
14 renewal fee and shall have his or her license restored.

15 (c) A Professional Land Surveyor whose license has been
16 expired for more than 5 years may have the license restored by
17 making application to the Department and filing proof
18 acceptable to the Department of fitness to have the license
19 restored, including, but not limited to, sworn evidence
20 certifying to active practice in another jurisdiction and
21 payment of the required renewal, reinstatement or restoration
22 fee.

23 However, any Professional Land Surveyor whose license
24 expired while engaged (a) in federal service on active duty
25 with the armed forces of the United States, or the State

1 Militia called into active service or training, or (b) in
2 training or education under the supervision of the United
3 States preliminary to induction into the military service, may
4 have a license renewed without paying any lapsed reinstatement
5 or restoration fees upon passing an oral examination by the
6 Board, or without taking any examination, if approved by the
7 Board, if, within 2 years after the termination other than by
8 dishonorable discharge of such service, training, or
9 education, the licensee furnishes the Department with an
10 affidavit to the effect the licensee was so engaged and that
11 the service, training, or education has so terminated.

12 (d) A license for a Surveyor Intern does not expire ~~and~~
13 ~~Surveyor-in-Training is valid for 10 years and may not be~~
14 ~~renewed.~~

15 (Source: P.A. 96-626, eff. 8-24-09.)

16 (225 ILCS 330/23) (from Ch. 111, par. 3273)

17 (Section scheduled to be repealed on January 1, 2020)

18 Sec. 23. Address of Record; Names of licensed surveyors to
19 be published. It is the responsibility of a Professional Land
20 Surveyor or Surveyor Intern ~~and Surveyor-in-Training~~ to
21 inform the Department of any change of address or name. The
22 Department shall maintain a roster of names, ~~and~~ addresses, and
23 email addresses of all professional land surveyors and
24 professional design firms, partnerships, and corporations
25 licensed or registered under this Act. This roster shall be

1 available upon request and payment of the required fee.

2 (Source: P.A. 96-626, eff. 8-24-09.)

3 (225 ILCS 330/40) (from Ch. 111, par. 3290)

4 (Section scheduled to be repealed on January 1, 2020)

5 Sec. 40. Temporary suspension of a license. The Secretary
6 may temporarily suspend the license of a Professional Land
7 Surveyor or Surveyor Intern ~~Land Surveyor in Training~~ without
8 a hearing, simultaneously with the institution of proceedings
9 for a hearing under Section 29 of this Act, if the Secretary
10 finds that evidence in his possession indicates that a
11 Professional Land Surveyor's or Surveyor Intern's ~~Land~~
12 ~~Surveyor in Training's~~ continuation in practice would
13 constitute an imminent danger to the public. In the event that
14 the Secretary temporarily suspends the license of a
15 Professional Land Surveyor or Surveyor Intern ~~Land~~
16 ~~Surveyor in Training~~ without a hearing, a hearing by the Board
17 must be commenced within 30 days after such suspension has
18 occurred.

19 (Source: P.A. 96-626, eff. 8-24-09.)

20 (225 ILCS 330/48) (from Ch. 111, par. 3298)

21 (Section scheduled to be repealed on January 1, 2020)

22 Sec. 48. Fund, appropriations, investments and audits. The
23 moneys deposited in the Design Professionals Administration
24 and Investigation Fund from fines and fees under this Act shall

1 be appropriated to the Department exclusively for expenses of
2 the Department and the Board in the administration of this Act,
3 the Illinois Architecture Practice Act, the Professional
4 Engineering Practice Act of 1989, and the Structural
5 Engineering Practice Act of 1989. The expenses of the
6 Department under this Act shall be limited to the ordinary and
7 contingent expenses of the Design Professionals Dedicated
8 Employees within the Department as established under Section
9 2105-75 of the Department of Professional Regulation Law (20
10 ILCS 2105/2105-75) and other expenses related to the
11 administration and enforcement of this Act.

12 Moneys from the Fund may also be used for direct and
13 allocable indirect costs related to the public purposes of the
14 Department of Financial and Professional Regulation. Moneys in
15 the Fund may be transferred to the Professions Indirect Cost
16 Fund as authorized by Section 2105-300 of the Department of
17 Professional Regulation Law (20 ILCS 2105/2105-300).

18 Moneys in the Design Professionals Administration and
19 Investigation Fund may be invested and reinvested with all
20 earnings received from the investments to be deposited in the
21 Design Professionals Administration and Investigation Fund and
22 used for the same purposes as fees deposited in that Fund.

23 Upon the completion of any audit of the Department as
24 prescribed by the Illinois State Auditing Act that includes an
25 audit of the Design Professionals Administration and
26 Investigation Fund, the Department shall make the audit open to

1 inspection by any interested person. The copy of the audit
2 report required to be submitted to the Department by this
3 Section is in addition to copies of audit reports required to
4 be submitted to other State officers and agencies by Section
5 3-14 of the Illinois State Auditing Act.

6 (Source: P.A. 91-91, eff. 1-1-00; 91-239, eff. 1-1-00; 92-16,
7 eff. 6-28-01.)".