

**100TH GENERAL ASSEMBLY****State of Illinois****2017 and 2018****SB3396**

Introduced 2/16/2018, by Sen. Pamela J. Althoff

SYNOPSIS AS INTRODUCED:

20 ILCS 2105/2105-16 new

20 ILCS 2105/2105-115

was 20 ILCS 2105/60f

Amends the Department of Professional Regulation Law of the Civil Administrative Code of Illinois. Provides that individuals licensed pursuant to the following Acts who have been actively licensed for 10 or more consecutive years with no prior disciplinary action or pending disciplinary proceedings shall be deemed compliant with continuing education requirements upon completion of half the number of hours required by the individual licensing Act or administrative rule: the Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985; the Electrologist Licensing Act; the Environmental Health Practitioner Licensing Act; the Funeral Directors and Embalmers Licensing Code; the Illinois Landscape Architecture Act of 1989; the Illinois Professional Land Surveyor Act of 1989; and the Illinois Certified Shorthand Reporters Act of 1984. Provides that the Department of Financial and Professional Regulation shall provide either a certified shorthand reporter or electronic recording means (rather than only a certified shorthand reporter) to take down the testimony and preserve a record of all proceedings at the hearing of any case in which a license may be revoked or subjected to other disciplinary action. Specifies that if an electronic recording is used by the Department, the electronic recording shall serve as the official record of the proceeding and may not be transcribed unless requested and paid for by the party requesting transcription, except as otherwise provided by law. Makes other changes. Effective immediately.

LRB100 17100 SMS 32252 b

FISCAL NOTE ACT
MAY APPLY**A BILL FOR**

1 AN ACT concerning State government.

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

4 Section 5. The Department of Professional Regulation Law of
5 the Civil Administrative Code of Illinois is amended by
6 changing Section 2105-115 and by adding Section 2105-16 as
7 follows:

8 (20 ILCS 2105/2105-16 new)

9 Sec. 2105-16. Continuing education. Notwithstanding any
10 provision of an individual licensing Act or administrative
11 rule, individuals licensed pursuant to the following Acts who
12 have been actively licensed for 10 or more consecutive years
13 with no prior disciplinary action or pending disciplinary
14 proceedings shall be deemed compliant with continuing
15 education requirements upon completion of half the number of
16 hours required by the individual licensing Act or
17 administrative rule: the Barber, Cosmetology, Esthetics, Hair
18 Braiding, and Nail Technology Act of 1985; the Electrologist
19 Licensing Act; the Environmental Health Practitioner Licensing
20 Act; the Funeral Directors and Embalmers Licensing Code; the
21 Illinois Landscape Architecture Act of 1989; the Illinois
22 Professional Land Surveyor Act of 1989; and the Illinois
23 Certified Shorthand Reporters Act of 1984. Nothing in this

1 Section relieves a licensee of the obligation to fully complete
2 coursework in any specifically mandated topic area.

3 (20 ILCS 2105/2105-115) (was 20 ILCS 2105/60f)

4 Sec. 2105-115. Certified shorthand reporter; transcript.
5 The Department, at its expense, shall provide either a
6 certified shorthand reporter or electronic recording means to
7 take down the testimony and preserve a record of all
8 proceedings at the hearing of any case in which a license may
9 be revoked, suspended, placed on probationary status,
10 reprimanded, fined, or subjected to other disciplinary action
11 with reference to the license when a disciplinary action is
12 authorized in any licensing Act administered by the Department.
13 If an electronic recording is used by the Department, the
14 electronic recording shall serve as the official record of the
15 proceeding and may not be transcribed unless requested and paid
16 for by the party requesting transcription, except as otherwise
17 provided by law. The notice, complaint, and all other documents
18 in the nature of pleadings and written motions filed in the
19 proceedings, the transcript or electronic recording of
20 testimony, the exhibits, the report of the board, and the
21 orders of the Department shall be the record of the
22 proceedings. Notwithstanding any provision of an individual
23 licensing Act or administrative rule, the ~~The~~ Department shall
24 furnish the record for a judicial review proceeding ~~to any~~
25 ~~person interested in the hearing~~ upon payment therefor of \$1

1 per page. The Department shall also furnish the record,
2 excluding the transcript if transcribed by a court reporting
3 service under contract with the Department, to any person
4 interested in the hearing upon payment therefor of \$1 per page.
5 These charges are in addition to any fee charged by the
6 Department for certifying the record. The Department may
7 contract for court reporting services, and, in the event it
8 does so, the Department shall provide the name and contact
9 information for the certified shorthand reporter who
10 transcribed the testimony at a hearing to any person
11 interested, who may obtain a copy of the transcript of any
12 proceedings at a hearing upon payment of the fee specified by
13 the certified shorthand reporter. ~~This charge is in addition to~~
14 ~~any fee charged by the Department for certifying the record.~~

15 (Source: P.A. 99-227, eff. 8-3-15; 100-262, eff. 8-22-17.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.