



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB3322

by Rep. Natalie A. Manley

#### SYNOPSIS AS INTRODUCED:

225 ILCS 330/1	from Ch. 111, par. 3251
225 ILCS 330/4	from Ch. 111, par. 3254
225 ILCS 330/5	from Ch. 111, par. 3255
225 ILCS 330/8	from Ch. 111, par. 3258
225 ILCS 330/11	from Ch. 111, par. 3261
225 ILCS 330/12	from Ch. 111, par. 3262
225 ILCS 330/13	from Ch. 111, par. 3263
225 ILCS 330/14	from Ch. 111, par. 3264
225 ILCS 330/16	from Ch. 111, par. 3266
225 ILCS 330/16.5	
225 ILCS 330/17	from Ch. 111, par. 3267
225 ILCS 330/18	from Ch. 111, par. 3268
225 ILCS 330/23	from Ch. 111, par. 3273
225 ILCS 330/40	from Ch. 111, par. 3290
225 ILCS 330/44	from Ch. 111, par. 3294
225 ILCS 330/48	from Ch. 111, par. 3298

Amends the Illinois Professional Land Surveyor Act of 1989. Changes references to "Land Surveyor-in-Training" to references to "Surveyor Intern" and makes conforming changes throughout the Act. Makes changes in provisions concerning definitions, including the definition of the practice of land surveying. Sets forth minimum standards to qualify for enrollment as a Surveyor Intern (rather than to apply for examination as a Land Surveyor-in-Training). Provides that the license for a Surveyor Intern does not expire. Requires the Department of Financial and Professional Regulation to include email addresses in its roster of licenses. Allows a Professional Land Surveyor to administer and certify oaths for certain testimony. Makes other changes.

LRB100 11366 SMS 21752 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

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

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, 44, 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8 (Section scheduled to be repealed on January 1, 2020)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  
17 to chronicle the acts and wishes of landowners throughout this  
18 State is a matter of public interest and concern. Therefore, it  
19 is in the public interest that the practice of land surveying,  
20 as defined in this Act, merit and receive the confidence of the  
21 public, and that only qualified persons be authorized to  
22 practice land surveying in the State of Illinois. This Act  
23 shall be liberally construed to best carry out this purpose.

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

2 (225 ILCS 330/4) (from Ch. 111, par. 3254)

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

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

5 (a) "Department" means the Department of Financial and  
6 Professional Regulation.

7 (b) "Secretary" means the Secretary of the Department of  
8 Financial and Professional Regulation.

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

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

18 (e) "Responsible charge" means an individual responsible  
19 for the various components of the land survey operations  
20 subject to the overall supervision and control of the  
21 Professional Land Surveyor.

22 (f) "Design professional" means a land surveyor,  
23 architect, structural engineer, or professional engineer  
24 licensed in conformance with this Act, the Illinois  
25 Architecture Practice Act of 1989, the Structural Engineering

1 Practice Act of 1989, or the Professional Engineering Practice  
2 Act of 1989.

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

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

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

16 (j) "Address of record" means the designated address  
17 recorded by the Department in the applicant's or licensee's  
18 application file or license file maintained by the Department's  
19 licensure maintenance unit. It is the duty of the applicant or  
20 licensee to inform the Department of any change of address, and  
21 such changes must be made either through the Department's  
22 website or by contacting the Department's licensure  
23 maintenance unit.

24 (k) "Standard of care" means the use of the same degree of  
25 knowledge, skill, and ability as an ordinarily careful and  
26 reasonable professional land surveyor would exercise under

1 similar circumstances.

2 (l) "Establishing" means performing an original survey. An  
3 original survey establishes boundary lines within an original  
4 division of a tract of land which has theretofore existed as  
5 one unit or parcel and describing and monumenting a line or  
6 lines of a parcel or tract of land on the ground for the first  
7 time. An original surveyor is the creator of one or more new  
8 boundary lines.

9 (m) "Reestablishing" or "locating" means performing a  
10 retracement survey. A retracement survey tracks the footsteps  
11 of the original surveyor, locating boundary lines and corners  
12 which have been established by the original survey. A  
13 retracement survey cannot establish new corners or lines or  
14 correct errors of the original survey.

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

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

19 (225 ILCS 330/5) (from Ch. 111, par. 3255)

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

21 Sec. 5. Practice of land surveying defined. Any person who  
22 practices in Illinois as a professional land surveyor who  
23 renders, offers to render, or holds himself or herself out as  
24 able to render, or perform any service, the adequate  
25 performance of which involves the special knowledge of the art

1 and application of the principles of the accurate and precise  
2 measurement of length, angle, elevation or volume,  
3 mathematics, the related physical and applied sciences, and the  
4 relevant requirements of applicable boundary law principles  
5 and performed with the appropriate standard of care, all of  
6 which are acquired by education, training, experience, and  
7 examination. Any one or combination of the following practices  
8 constitutes the practice of land surveying:

9 (a) Establishing or reestablishing, locating,  
10 defining, and making or monumenting land boundaries or  
11 title or real property lines and the platting of lands and  
12 subdivisions;

13 (b) ~~Determining~~ ~~Establishing~~ the area or volume of any  
14 portion of the earth's surface, subsurface, or airspace  
15 with respect to boundary lines, determining the  
16 configuration or contours of any portion of the earth's  
17 surface, subsurface, or airspace or the location of fixed  
18 objects thereon, except as performed by photogrammetric  
19 methods by professionals holding certification from the  
20 American Society of Photogrammetry and Remote Sensing, or  
21 except when the level of accuracy required is less than the  
22 level of accuracy required by the National Society of  
23 Professional Surveyors Model Standards and Practice;

24 (c) Preparing descriptions for the determination of  
25 title or real property rights to any portion or volume of  
26 the earth's surface, subsurface, or airspace involving the

1 lengths and direction of boundary lines, areas, parts of  
2 platted parcels or the contours of the earth's surface,  
3 subsurface, or airspace;

4 (d) Labeling, designating, naming, preparing, or  
5 otherwise identifying legal lines or land title lines of  
6 the United States Rectangular System or any subdivision  
7 thereof on any plat, map, exhibit, photograph,  
8 photographic composite, or mosaic or photogrammetric map  
9 of any portion of the earth's surface for the purpose of  
10 recording and amending the same by the issuance of a  
11 certificate of correction in the Office of Recorder in any  
12 county;

13 (e) Any act or combination of acts that would be viewed  
14 as offering professional land surveying services  
15 including:

16 (1) setting monuments which have the appearance of  
17 or for the express purpose of marking land boundaries,  
18 either directly or as an accessory;

19 (2) providing any sketch, map, plat, report,  
20 monument record, or other document which indicates  
21 land boundaries and monuments, or accessory monuments  
22 thereto, except that if the sketch, map, plat, report,  
23 monument record, or other document is a copy of an  
24 original prepared by a Professional Land Surveyor, and  
25 if proper reference to that fact be made on that  
26 document;

1 (3) performing topographic surveys, with the  
2 exception of a licensed professional engineer  
3 knowledgeable in topographical surveys that performs a  
4 topographical survey specific to his or her design  
5 project. A licensed professional engineer may not,  
6 however, offer topographic surveying services that are  
7 independent of his or her specific design project; or

8 (4) locating, relocating, establishing,  
9 reestablishing ~~re-establishing~~, retracing, laying out,  
10 or staking of the location, alignment, or elevation of  
11 any existing or proposed improvements whose location  
12 is dependent upon property, easement, and right-of-way  
13 boundaries ~~lines~~;

14 (5) providing consultation, investigation,  
15 testimony evaluation, expert technical testimony,  
16 planning, mapping, assembling, and interpreting  
17 gathered measurements and evidence related to the  
18 location of property, easement, and right-of-way  
19 boundaries; or

20 (6) measuring, evaluating, mapping, or reporting  
21 the location of existing or proposed buildings,  
22 structures, or other improvements or their surrounding  
23 topography with respect to current flood insurance  
24 rate mapping or federal emergency management agency  
25 mapping along with locating of inland wetland  
26 boundaries delineated by a qualified specialist in



1           relation to the location of property, easement, and  
2           right-of-way boundaries.

3           (f) Determining the horizontal or vertical position or  
4           state plane coordinates for any monument or reference point  
5           that marks a title or real property line, boundary, or  
6           corner, or to set, reset, or replace any monument or  
7           reference point on any title or real property;

8           (g) Creating, preparing, or modifying electronic or  
9           computerized data or maps, including land information  
10          systems and geographic information systems, relative to  
11          the performance of activities in items (a), (b), (d), (e),  
12          (f), and (h) of this Section, except where electronic means  
13          or computerized data is otherwise utilized to integrate,  
14          display, represent, or assess the created, prepared, or  
15          modified data;

16          (h) ~~Determining~~ ~~Establishing~~ or adjusting any control  
17          network or any geodetic control network or cadastral data  
18          as it pertains to items (a) through (g) of this Section  
19          together with the assignment of measured values to any  
20          United States Rectangular System corners, title or real  
21          property corner monuments or geodetic monuments;

22          (i) Preparing and attesting to the accuracy of a map or  
23          plat showing the land boundaries or lines and marks and  
24          monuments of the boundaries or of a map or plat showing the  
25          boundaries of surface, subsurface, or air rights;

26          (j) Executing and issuing certificates, endorsements,

1 reports, or plats that portray the horizontal or vertical  
2 relationship between existing physical objects or  
3 structures and one or more corners, datums, or boundaries  
4 of any portion of the earth's surface, subsurface, or  
5 airspace;

6 (k) Acting in direct supervision and control of land  
7 surveying activities or acting as a manager in any place of  
8 business that solicits, performs, or practices land  
9 surveying;

10 (l) Formal review of any plat for governmental or  
11 municipal approval with respect to property, easement, or  
12 right-of-way boundaries;

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

15 In the performance of any of the foregoing functions, a  
16 licensee shall adhere to the standards of professional conduct  
17 enumerated in 68 Ill. Adm. Code 1270.57. Nothing contained in  
18 this Section imposes upon a person licensed under this Act the  
19 responsibility for the performance of any of the foregoing  
20 functions unless such person specifically contracts to perform  
21 such functions.

22 (Source: P.A. 96-626, eff. 8-24-09; 96-1000, eff. 7-2-10;  
23 97-333, eff. 8-12-11; 97-813, eff. 7-13-12.)

24 (225 ILCS 330/8) (from Ch. 111, par. 3258)

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

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

4           (a) Review applicant qualifications to sit for the  
5 examination or for licensure and shall make  
6 recommendations to the Department except for those  
7 applicant qualifications that the Board designates as  
8 routinely acceptable;

9           (b) Conduct hearings regarding disciplinary actions  
10 and submit a written report to the Secretary as required by  
11 this Act and provide a Board member at informal  
12 conferences;

13           (c) Visit universities or colleges to evaluate  
14 surveying curricula and submit to the Secretary a written  
15 recommendation of acceptability of the curriculum;

16           (d) Submit a written recommendation to the Secretary  
17 concerning promulgation or amendment of rules for the  
18 administration of this Act;

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

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

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

26           (h) The Board shall annually elect a Chairperson and a

1 Vice Chairperson who shall be licensed Illinois  
2 Professional Land Surveyors.

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

5 Subject to the provisions of this Act, the Board may  
6 exercise the following duties as deemed necessary by the  
7 Department: (i) review education and experience qualifications  
8 of applicants, including conducting oral interviews; (ii)  
9 determine eligibility as a Professional Land Surveyor or  
10 Surveyor Intern ~~Land Surveyor in Training~~; and (iii) submit to  
11 the Secretary recommendations on applicant qualifications for  
12 enrollment and licensure.

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

14 (225 ILCS 330/11) (from Ch. 111, par. 3261)

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

16 Sec. 11. Examination; failure ~~Failure~~ or refusal to take.  
17 The Department shall authorize examinations, as recommended  
18 and approved by the Board, for licensure as Surveyor Interns  
19 ~~Land Surveyors in Training~~ and Professional Land Surveyors at  
20 such times and places as it may determine.

21 The examination of an applicant for licensure as a Surveyor  
22 Intern ~~Land Surveyor in Training~~ or a Professional Land  
23 Surveyor may include examinations as defined by rule. The  
24 substance and form of the examination shall be as recommended  
25 and approved by the Board. Each applicant shall be examined as

1 to his knowledge of the statutes of the United States of  
2 America and the State of Illinois relating to the practice of  
3 land surveying and mathematics as applied to land surveying.

4 All applicants for licensing as a Professional Land  
5 Surveyor shall be required to pass, as a portion of the  
6 examination, a jurisdictional examination to determine the  
7 applicant's knowledge of the surveying tasks unique to the  
8 State of Illinois, and the laws relating thereto.

9 Applicants for any examination shall be required to pay,  
10 either to the Department or the designated testing service, a  
11 fee covering the cost of providing the examination. Failure to  
12 appear for the examination on the scheduled date, at the time  
13 and place specified, after the applicant's application for  
14 examination has been received and acknowledged by the  
15 Department or the designated testing service, shall result in  
16 the forfeiture of the examination fee. If an applicant  
17 neglects, fails, or refuses to take an examination for  
18 registration under this Act within 3 years after filing his  
19 application, the application fee shall be forfeited to the  
20 Department and the application denied. However, the applicant  
21 may thereafter make a new application for examination,  
22 accompanied by the required fee.

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

24 (225 ILCS 330/12) (from Ch. 111, par. 3262)

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

1           Sec. 12. Qualifications for licensing.

2           (a) A person is qualified to receive a license as a  
3 Professional Land Surveyor and the Department shall issue a  
4 license to a person:

5           (1) who has applied in writing in the required form to  
6 the Department;

7           (2) (blank);

8           (2.5) who has not violated any provision of this Act or  
9 its rules;

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

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

18          (5) who, subsequent to passing the examination  
19 authorized by the Department for licensure as a Surveyor  
20 Intern ~~Surveyor In Training~~, has at least 4 years of  
21 responsible charge experience verified by a professional  
22 land surveyor in direct supervision and control of his or  
23 her activities;

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

1           (7) who has a baccalaureate degree in a related science  
2           if he or she does not have a baccalaureate degree in land  
3           surveying from an accredited college or university.

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

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

9           (2) (blank);

10          (3) who is of good moral character;

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

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

17          In determining moral character under this Section, the  
18          Department may take into consideration whether the applicant  
19          has engaged in conduct or actions that would constitute grounds  
20          for discipline under this Act.

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

22                 (225 ILCS 330/13) (from Ch. 111, par. 3263)

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

24                 Sec. 13. Minimum standards for enrollment as a Surveyor  
25                 Intern. ~~Qualifications for examination for Licensed Land~~

1 ~~Surveyor-in-Training.~~ To enroll as a Surveyor Intern, an  
2 applicant must be:

3 (1) a graduate of an approved land surveying curriculum  
4 of at least 4 years who has passed an examination in the  
5 fundamentals of surveying, as defined by rule, if the  
6 applicant is otherwise qualified;

7 (2) a graduate of a related science curriculum of at  
8 least 4 years, including at least 24 semester hours of land  
9 surveying courses from an approved land surveying  
10 curriculum, who has passed an examination in the  
11 fundamentals of surveying, as defined by rule, if the  
12 applicant is otherwise qualified;

13 (3) an applicant in the last year of an approved land  
14 surveying or related science curriculum who passes an  
15 examination in the fundamentals of surveying, as defined by  
16 rule, and furnishes proof that the applicant graduated  
17 within a 12-month period following the examination shall be  
18 enrolled as a Surveyor Intern, if the applicant is  
19 otherwise qualified; or

20 (4) a graduate of an unrelated curriculum of at least 4  
21 years, including at least 24 semester hours of land  
22 surveying courses, from an approved land surveying  
23 curriculum and the related science courses, as defined by  
24 rule, who passes an examination in the fundamentals of  
25 surveying, as defined by rule, shall be enrolled as a  
26 Surveyor Intern, if the applicant is otherwise qualified.



1 ~~Applicants for the examination for Land Surveyor in Training~~  
2 ~~shall have:~~

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

5 ~~(2) a baccalaureate degree in a related science~~  
6 ~~including at least 24 semester hours of land surveying~~  
7 ~~courses from a Department approved curriculum of an~~  
8 ~~accredited institution.~~

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

10 (225 ILCS 330/14) (from Ch. 111, par. 3264)

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

12 Sec. 14. License to be displayed. Every holder of a license  
13 as a Professional Land Surveyor or Surveyor Intern ~~Land~~  
14 ~~Surveyor in Training~~ shall display it in a conspicuous  
15 location in his or her office, place of business, or place of  
16 employment.

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

18 (225 ILCS 330/16) (from Ch. 111, par. 3266)

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

20 Sec. 16. Unlawful to practice without license or  
21 registration. It is unlawful for any person, sole  
22 proprietorship, professional service corporation, corporation,  
23 partnership, limited liability company, or other entity to  
24 practice land surveying, or advertise or display any sign, card

1 or other device which might indicate to the public that the  
2 person or entity is entitled to practice as a land surveyor, or  
3 use the initials "P.L.S.", "L.S.", or "S.I." "~~S.I.T.~~", use the  
4 title "Professional Land Surveyor" or "Surveyor Intern" "~~Land~~  
5 ~~Surveyor in Training~~" or any of their derivations, unless such  
6 person holds a valid active license as a Professional Land  
7 Surveyor or Surveyor Intern ~~Land Surveyor in Training~~ in the  
8 State of Illinois, or such professional service corporation,  
9 corporation, partnership, sole proprietorship, limited  
10 liability company, or other entity is in compliance with this  
11 Act.

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

13 (225 ILCS 330/16.5)

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

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

16 (a) Any person who practices, offers to practice, attempts  
17 to practice, or holds oneself out to practice as a professional  
18 land surveyor or as a Surveyor Intern ~~land surveyor in training~~  
19 without being licensed under this Act shall, in addition to any  
20 other penalty provided by law, pay a civil penalty to the  
21 Department in an amount not to exceed \$10,000 for each offense  
22 as determined by the Department. The civil penalty shall be  
23 assessed by the Department after a hearing is held in  
24 accordance with the provisions set forth in this Act regarding  
25 the provision of a hearing for the discipline of a licensee.

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

3 (c) The civil penalty shall be paid within 60 days after  
4 the effective date of the order imposing the civil penalty. The  
5 order shall constitute a judgment and may be filed and  
6 execution had thereon in the same manner as any judgment from  
7 any court of record.

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

9 (225 ILCS 330/17) (from Ch. 111, par. 3267)

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

11 Sec. 17. Surveyor Intern; supervision ~~Land~~  
12 ~~Surveyor in Training; Supervision~~. It is unlawful for any  
13 Surveyor Intern ~~Land Surveyor in Training~~ licensed under this  
14 Act to practice or attempt to practice land surveying except  
15 when in responsible charge under the overall supervision of a  
16 Professional Land Surveyor.

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

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

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

20 Sec. 18. Renewal, reinstatement or restoration of license;  
21 Persons in military service.

22 (a) The expiration date and renewal period for each license  
23 as a Professional Land Surveyor issued under this Act shall be  
24 set by rule. The holder of a license may renew such license

1 during the month preceding the expiration date by paying the  
2 required fee.

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

6 (c) A Professional Land Surveyor whose license has been  
7 expired for more than 5 years may have the license restored by  
8 making application to the Department and filing proof  
9 acceptable to the Department of fitness to have the license  
10 restored, including, but not limited to, sworn evidence  
11 certifying to active practice in another jurisdiction and  
12 payment of the required renewal, reinstatement or restoration  
13 fee.

14 However, any Professional Land Surveyor whose license  
15 expired while engaged (a) in federal service on active duty  
16 with the armed forces of the United States, or the State  
17 Militia called into active service or training, or (b) in  
18 training or education under the supervision of the United  
19 States preliminary to induction into the military service, may  
20 have a license renewed without paying any lapsed reinstatement  
21 or restoration fees upon passing an oral examination by the  
22 Board, or without taking any examination, if approved by the  
23 Board, if, within 2 years after the termination other than by  
24 dishonorable discharge of such service, training, or  
25 education, the licensee furnishes the Department with an  
26 affidavit to the effect the licensee was so engaged and that

1 the service, training, or education has so terminated.

2 (d) A license for a Surveyor Intern does not expire ~~and~~  
3 ~~Surveyor in Training is valid for 10 years and may not be~~  
4 ~~renewed.~~

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

6 (225 ILCS 330/23) (from Ch. 111, par. 3273)

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

8 Sec. 23. Address of Record; Names of licensed surveyors to  
9 be published. It is the responsibility of a Professional Land  
10 Surveyor or Surveyor Intern ~~and Surveyor in Training~~ to  
11 inform the Department of any change of address or name. The  
12 Department shall maintain a roster of names, ~~and~~ addresses, and  
13 email addresses of all professional land surveyors and  
14 professional design firms, partnerships, and corporations  
15 licensed or registered under this Act. This roster shall be  
16 available upon request and payment of the required fee.

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

18 (225 ILCS 330/40) (from Ch. 111, par. 3290)

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

20 Sec. 40. Temporary suspension of a license. The Secretary  
21 may temporarily suspend the license of a Professional Land  
22 Surveyor or Surveyor Intern ~~and Surveyor in Training~~ without  
23 a hearing, simultaneously with the institution of proceedings  
24 for a hearing under Section 29 of this Act, if the Secretary

1 finds that evidence in his possession indicates that a  
2 Professional Land Surveyor's or Surveyor Intern's ~~Land~~  
3 ~~Surveyor-in-Training's~~ continuation in practice would  
4 constitute an imminent danger to the public. In the event that  
5 the Secretary temporarily suspends the license of a  
6 Professional Land Surveyor or Surveyor Intern ~~Land~~  
7 ~~Surveyor-in-Training~~ without a hearing, a hearing by the Board  
8 must be commenced within 30 days after such suspension has  
9 occurred.

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

11 (225 ILCS 330/44) (from Ch. 111, par. 3294)

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

13 Sec. 44. Plats and licenses as prima facie evidence; record  
14 ~~Record~~ of plats. All plats and licenses issued by a  
15 Professional Land Surveyor under his hand and seal shall be  
16 received as prima facie evidence in all courts in this State. A  
17 Professional Land Surveyor is entitled to have his plats  
18 recorded in the county where the land affected lies; provided,  
19 however, plats of subdivision or dedication are subject to any  
20 statutory provisions relating to the approval, recording and  
21 filing of plats of subdivision or dedication. A Professional  
22 Land Surveyor may administer and certify oaths to be included  
23 as prima facie evidence for the following:

24 (1) testimony for the identification or establishment  
25 of old, lost, or obliterated corners;

1           (2) testimony and evidence concerning perpetuation of  
2           a corner or monument; or

3           (3) testimony for the performance or preparation of the  
4           survey.

5           (Source: P.A. 86-987.)

6           (225 ILCS 330/48) (from Ch. 111, par. 3298)

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

8           Sec. 48. Fund, appropriations, investments and audits. The  
9           moneys deposited in the Design Professionals Administration  
10          and Investigation Fund from fines and fees under this Act shall  
11          be appropriated to the Department exclusively for expenses of  
12          the Department and the Board in the administration of this Act,  
13          the Illinois Architecture Practice Act, the Professional  
14          Engineering Practice Act of 1989, and the Structural  
15          Engineering Practice Act of 1989. The expenses of the  
16          Department under this Act shall be limited to the ordinary and  
17          contingent expenses of the Design Professionals Dedicated  
18          Employees within the Department as established under Section  
19          2105-75 of the Department of Professional Regulation Law (20  
20          ILCS 2105/2105-75) and other expenses related to the  
21          administration and enforcement of this Act.

22          Moneys from the Fund may also be used for direct and  
23          allocable indirect costs related to the public purposes of the  
24          Department of Financial and Professional Regulation. Moneys in  
25          the Fund may be transferred to the Professions Indirect Cost

1 Fund as authorized by Section 2105-300 of the Department of  
2 Professional Regulation Law (20 ILCS 2105/2105-300).

3 Moneys in the Design Professionals Administration and  
4 Investigation Fund may be invested and reinvested with all  
5 earnings received from the investments to be deposited in the  
6 Design Professionals Administration and Investigation Fund and  
7 used for the same purposes as fees deposited in that Fund.

8 Upon the completion of any audit of the Department as  
9 prescribed by the Illinois State Auditing Act that includes an  
10 audit of the Design Professionals Administration and  
11 Investigation Fund, the Department shall make the audit open to  
12 inspection by any interested person. The copy of the audit  
13 report required to be submitted to the Department by this  
14 Section is in addition to copies of audit reports required to  
15 be submitted to other State officers and agencies by Section  
16 3-14 of the Illinois State Auditing Act.

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