



Sen. Chuck Weaver

Filed: 6/29/2017

10000HB3342sam001

LRB100 08528 SMS 27818 a

1 AMENDMENT TO HOUSE BILL 3342

2 AMENDMENT NO. _____. Amend House Bill 3342 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. If and only if Senate Bill 1688 of the 100th
5 General Assembly becomes law, the Collateral Recovery Act is
6 amended by changing Sections 40, 45, 80, and 85 as follows:

7 (225 ILCS 422/40)

8 (Section scheduled to be repealed on January 1, 2022)

9 Sec. 40. Qualifications for recovery manager;
10 identification card.

11 (a) An applicant is qualified for licensure as a recovery
12 manager if that person meets all of the following requirements:

13 (1) Is 21 years of age or older.

14 (2) If convicted of any felony and less than 5 7 years
15 have passed from the time of discharge from the sentence
16 imposed, then a finding by the Commission in accordance

1 with Section 85 that the conviction will not impair the
2 applicant's ability to engage in the position requiring a
3 license.

4 (3) Has completed no less than 2,500 hours of actual
5 compensated collateral recovery work as an employee of a
6 repossession agency, a financial institution, or a vehicle
7 dealer within the 5 years immediately preceding the filing
8 of an application, acceptable proof of which must be
9 submitted to the Commission.

10 (4) Has submitted to the Commission 2 sets of
11 fingerprints, which shall be checked against the
12 fingerprint records on file with the Illinois State Police
13 and the Federal Bureau of Investigation in the manner set
14 forth in Section 60 of this Act.

15 (5) Has successfully completed a certification program
16 approved by the Commission.

17 (6) Has paid the required application fees.

18 (b) Upon the issuance of a recovery manager license, the
19 Commission shall issue the license holder a suitable pocket
20 identification card that shall include a photograph of the
21 license holder. The identification card must contain the name
22 of the license holder and any other information required by the
23 Commission. An applicant who is 21 years of age or older
24 seeking a religious exemption to the photograph requirement of
25 this subsection shall furnish with his or her application an
26 approved copy of United States Department of the Treasury

1 Internal Revenue Service Form 4029.

2 (c) A recovery manager license is not transferable.

3 (Source: P.A. 97-576, eff. 7-1-12; 98-848, eff. 1-1-15;
4 100SB1688enr.)

5 (225 ILCS 422/45)

6 (Section scheduled to be repealed on January 1, 2022)

7 Sec. 45. Repossession agency employee requirements.

8 (a) All employees of a licensed repossession agency whose
9 duties include the actual repossession of collateral must apply
10 for a recovery permit. The holder of a repossession agency
11 license issued under this Act, known in this Section as the
12 "employer", may employ in the conduct of the business under the
13 following provisions:

14 (1) No person may be issued a recovery permit who meets
15 any of the following criteria:

16 (A) Is younger than 21 years of age.

17 (B) Has been convicted of a crime identified in
18 paragraph (3) of subsection (a) of Section 80 of this
19 Act and the Commission determines the ability of the
20 person to engage in the position for which a permit is
21 sought is impaired as a result of the conviction. ~~Has~~
22 ~~been determined by the Commission to be unfit by reason~~
23 ~~of conviction of an offense in this or another state,~~
24 ~~other than a minor traffic offense, that the Commission~~
25 ~~determines in accordance with Section 85 will impair~~

1 ~~the ability of the person to engage in the position for~~
2 ~~which a permit is sought.~~ The Commission shall adopt
3 rules for making those determinations.

4 (C) Has had a license or recovery permit denied,
5 suspended, or revoked under this Act.

6 (D) Has not successfully completed a certification
7 program approved by the Commission.

8 (2) No person may be employed by a repossession agency
9 under this Section until he or she has executed and
10 furnished to the Commission, on forms furnished by the
11 Commission, a verified statement to be known as an
12 "Employee's Statement" setting forth all of the following:

13 (A) The person's full name, age, and residence
14 address.

15 (B) The business or occupation engaged in for the 5
16 years immediately before the date of the execution of
17 the statement, the place where the business or
18 occupation was engaged in, and the names of the
19 employers, if any.

20 (C) That the person has not had a license or
21 recovery permit denied, revoked, or suspended under
22 this Act.

23 (D) Any conviction of a felony, except as provided
24 for in Section 85.

25 (E) Any other information as may be required by any
26 rule of the Commission to show the good character,

1 competency, and integrity of the person executing the
2 statement.

3 (b) Each applicant for a recovery permit shall have his or
4 her fingerprints submitted to the Commission by a Live Scan
5 fingerprint vendor certified by the Illinois State Police under
6 the Private Detective, Private Alarm, Private Security,
7 Fingerprint Vendor, and Locksmith Act of 2004 in an electronic
8 format that complies with the form and manner for requesting
9 and furnishing criminal history record information as
10 prescribed by the Illinois State Police. These fingerprints
11 shall be checked against the Illinois State Police and Federal
12 Bureau of Investigation criminal history record databases now
13 and hereafter filed. The Commission shall charge applicants a
14 fee for conducting the criminal history records check, which
15 shall not exceed the actual cost of the records check. The
16 Illinois Commerce Commission Police shall furnish, pursuant to
17 positive identification, records of Illinois convictions to
18 the Commission. The Commission, in its discretion, may allow an
19 applicant who does not have reasonable access to a designated
20 vendor to provide his or her fingerprints in an alternative
21 manner. The Commission, in its discretion, may also use other
22 procedures in performing or obtaining criminal history records
23 checks of applicants. Instead of submitting his or her
24 fingerprints, an individual may submit proof that is
25 satisfactory to the Commission that an equivalent security
26 clearance has been conducted.

1 (c) Qualified applicants shall purchase a recovery permit
2 from the Commission and in a form that the Commission
3 prescribes. The Commission shall notify the submitting person
4 within 10 days after receipt of the application of its intent
5 to issue or deny the recovery permit. The holder of a recovery
6 permit shall carry the recovery permit at all times while
7 actually engaged in the performance of the duties of his or her
8 employment. No recovery permit shall be effective unless
9 accompanied by a license issued by the Commission. Expiration
10 and requirements for renewal of recovery permits shall be
11 established by rule of the Commission. Possession of a recovery
12 permit does not in any way imply that the holder of the
13 recovery permit is employed by any agency unless the recovery
14 permit is accompanied by the employee identification card
15 required by subsection (e) of this Section.

16 (d) Each employer shall maintain a record of each employee
17 that is accessible to the duly authorized representatives of
18 the Commission. The record shall contain all of the following
19 information:

20 (1) A photograph taken within 10 days after the date
21 that the employee begins employment with the employer. The
22 photograph shall be replaced with a current photograph
23 every 3 calendar years.

24 (2) The Employee's Statement specified in paragraph
25 (2) of subsection (a) of this Section.

26 (3) All correspondence or documents relating to the

1 character and integrity of the employee received by the
2 employer from any official source or law enforcement
3 agency.

4 (4) In the case of former employees, the employee
5 identification card of that person issued under subsection
6 (e) of this Section.

7 (e) Every employer shall furnish an employee
8 identification card to each of his or her employees. This
9 subsection (e) shall not apply to office or clerical personnel.
10 This employee identification card shall contain a recent
11 photograph of the employee, the employee's name, the name and
12 agency license number of the employer, the employee's personal
13 description, the signature of the employer, the signature of
14 that employee, the date of issuance, and an employee
15 identification card number.

16 (f) No employer may issue an employee identification card
17 to any person who is not employed by the employer in accordance
18 with this Section or falsely state or represent that a person
19 is or has been in his or her employ. It is unlawful for an
20 applicant for registration to file with the Commission the
21 fingerprints of a person other than himself or herself or to
22 fail to exercise due diligence in resubmitting replacement
23 fingerprints for those employees who have had original
24 fingerprint submissions returned as unclassifiable. An agency
25 shall inform the Commission within 15 days after contracting or
26 employing a licensed repossession agency employee. The

1 Commission shall develop a registration process by rule.

2 (g) Every employer shall obtain the identification card of
3 every employee who terminates employment with the employer. An
4 employer shall immediately report an identification card that
5 is lost or stolen to the local police department having
6 jurisdiction over the repossession agency location.

7 (h) No agency may employ any person to perform any activity
8 under this Act unless the person possesses a valid license or
9 recovery permit under this Act.

10 (i) If information is discovered affecting the
11 registration of a person whose fingerprints were submitted
12 under this Section, then the Commission shall so notify the
13 agency that submitted the fingerprints on behalf of that
14 person.

15 (j) A person employed under this Section shall have 15
16 business days within which to notify the Commission of any
17 change in employer, but may continue working under any other
18 recovery permits granted as an employee or independent
19 contractor.

20 (k) This Section applies only to those employees of
21 licensed repossession agencies whose duties include actual
22 repossession of collateral.

23 (l) An applicant who is 21 years of age or older seeking a
24 religious exemption to the photograph requirement of this
25 Section shall furnish with his or her application an approved
26 copy of United States Department of the Treasury Internal

1 Revenue Service Form 4029. Regardless of age, an applicant
2 seeking a religious exemption to this photograph requirement
3 shall submit fingerprints in a form and manner prescribed by
4 the Commission with his or her application in lieu of a
5 photograph.

6 (Source: P.A. 97-576, eff. 7-1-12; 98-848, eff. 1-1-15;
7 100SB1688enr.)

8 (225 ILCS 422/80)

9 (Section scheduled to be repealed on January 1, 2022)

10 Sec. 80. Refusal, revocation, or suspension.

11 (a) The Commission may refuse to issue or renew or may
12 revoke any license or recovery permit or may suspend, place on
13 probation, fine, or take any disciplinary action that the
14 Commission may deem proper, including fines not to exceed
15 \$2,500 for each violation, with regard to any license ~~holder~~ or
16 recovery permit holder and applicant for one or any combination
17 of the following causes:

18 (1) Knowingly making any misrepresentation for the
19 purpose of obtaining a license or recovery permit.

20 (2) Violations of this Act or its rules.

21 (3) For license ~~licensees~~ or permit holders and
22 applicants, conviction of any crime under the laws of the
23 United States or any state or territory thereof that is (i)
24 a felony, (ii) a misdemeanor, an essential element of which
25 is dishonesty, or (iii) a crime that is related to the

1 practice of the profession. For license or permit holders
2 and applicants, the provisions of Section 85 of this Act
3 apply. ~~the Commission may refuse to issue a license or~~
4 ~~permit based on restrictions set forth in paragraph (2) of~~
5 ~~subsection (a) of Section 40 and subparagraph (B) of~~
6 ~~paragraph (1) of subsection (a) of Section 45,~~
7 ~~respectively, if the Commission determines in accordance~~
8 ~~with Section 85 that such conviction will impair the~~
9 ~~ability of the applicant to engage in the position for~~
10 ~~which a license or permit is sought.~~

11 (4) Aiding or abetting another in violating any
12 provision of this Act or its rules.

13 (5) Engaging in dishonorable, unethical, or
14 unprofessional conduct of a character likely to deceive,
15 defraud, or harm the public as defined by rule.

16 (6) Violation of any court order from any State or
17 public agency engaged in the enforcement of payment of
18 child support arrearages or for noncompliance with certain
19 processes relating to paternity or support proceeding.

20 (7) Solicitation of professional services by using
21 false or misleading advertising.

22 (8) A finding that the license or recovery permit was
23 obtained by fraudulent means.

24 (9) Practicing or attempting to practice under a name
25 other than the full name shown on the license or recovery
26 permit or any other legally authorized name.

1 (b) The Commission may refuse to issue or may suspend the
2 license or recovery permit of any person or entity who fails to
3 file a return, pay the tax, penalty, or interest shown in a
4 filed return, or pay any final assessment of tax, penalty, or
5 interest, as required by any tax Act administered by the
6 Department of Revenue, until the time the requirements of the
7 tax Act are satisfied. The Commission may take into
8 consideration any pending tax disputes properly filed with the
9 Department of Revenue.

10 (Source: P.A. 97-576, eff. 7-1-12; 100SB1688enr.)

11 (225 ILCS 422/85)

12 (Section scheduled to be repealed on January 1, 2022)

13 Sec. 85. Consideration of past crimes.

14 (a) The Commission shall not require the license or permit
15 holders and applicants ~~applicant~~ to report the following
16 information and shall not consider the following criminal
17 history records in connection with an application for a license
18 or permit under this Act:

19 (1) Juvenile adjudications of delinquent minors as
20 defined in Section 5-105 of the Juvenile Court Act of 1987,
21 subject to the restrictions set forth in Section 5-130 of
22 the Juvenile Court Act of 1987.

23 (2) Law enforcement records, court records, and
24 conviction records of an individual who was 17 years old at
25 the time of the conviction for the offense and before

1 January 1, 2014, unless the nature of the offense required
2 the individual to be tried as an adult.

3 (3) Records of arrest not followed by a conviction.

4 (4) Convictions overturned by a higher court.

5 (5) Convictions or arrests that have been sealed or
6 expunged.

7 (b) When considering the denial of a license or recovery
8 permit on the grounds of conviction of a crime, ~~including those~~
9 ~~set forth in paragraph (2) of subsection (a) of Section 40 and~~
10 ~~subparagraph (B) of paragraph (1) of subsection (a) of Section~~
11 ~~45, respectively,~~ the Commission, in evaluating whether the
12 conviction will impair the license or permit holder's or
13 applicant's ability to engage in the position for which a
14 license or permit is sought and the license or permit holder's
15 or applicant's present eligibility for a license or recovery
16 permit, shall consider each of the following criteria:

17 (1) The lack of direct relation of the offense for
18 which the license or permit holder or applicant was
19 previously convicted to the duties, functions, and
20 responsibilities of the position for which a license or
21 permit is sought.

22 (2) Circumstances relative to the offense, including
23 the license or permit holder's or applicant's age at the
24 time that the offense was committed.

25 (3) Evidence of any act committed subsequent to the act
26 or crime under consideration as grounds for denial, which

1 also could be considered as grounds for disciplinary action
2 under this Act.

3 (4) Whether 5 years since a conviction or 3 years since
4 successful completion of the imposed sentence ~~release from~~
5 ~~confinement~~ for the conviction, whichever is later, have
6 passed without a subsequent conviction.

7 (5) Successful completion of sentence or for license or
8 permit holders or applicants serving a term of parole or
9 probation, a progress report provided by the license or
10 permit holder's or applicant's probation or parole officer
11 that documents the license or permit holder's or
12 applicant's compliance with conditions of supervision.

13 (6) If the license or permit holder or applicant was
14 previously licensed or employed in this State or other
15 states or jurisdictions, then the lack of prior misconduct
16 arising from or related to the licensed position or
17 position of employment.

18 (7) Evidence of rehabilitation or rehabilitative
19 effort during or after incarceration, or during or after a
20 term of supervision, including, but not limited to, a
21 certificate of good conduct under Section 5-5.5-25 of the
22 Unified Code of Corrections or a certificate of relief from
23 disabilities under Section 5-5.5-10 of the Unified Code of
24 Corrections.

25 (8) Any other mitigating factors that contribute to the
26 license or permit holder's or applicant's ~~person's~~

1 potential and current ability to perform the duties and
2 responsibilities of practices licensed or registered under
3 this Act.

4 (c) When considering the suspension or revocation of a
5 license or recovery permit on the grounds of conviction of a
6 crime, the Commission, in evaluating the rehabilitation of the
7 license or permit holder applicant, whether the conviction will
8 impair the license or permit holder's applicant's ability to
9 engage in the position for which a license or permit is sought,
10 and the license or permit holder's applicant's present
11 eligibility for a license or recovery permit, shall consider
12 each of the following criteria:

13 (1) The nature and severity of the act or offense.

14 (2) The license holder's or recovery permit holder's
15 criminal record in its entirety.

16 (3) The amount of time that has lapsed since the
17 commission of the act or offense.

18 (4) Whether the license holder or recovery permit
19 holder has complied with any terms of parole, probation,
20 restitution, or any other sanctions lawfully imposed
21 against him or her.

22 (5) If applicable, evidence of expungement
23 proceedings.

24 (6) Evidence, if any, of rehabilitation submitted by
25 the license holder or recovery permit holder.

26 (d) If the Commission refuses to issue or renew, or

1 suspends or revokes or places on probation or takes any
2 disciplinary action that the Commission may deem proper against
3 a license or permit ~~grant a license or permit to an applicant,~~
4 then the Commission shall notify the license or permit holder
5 or applicant of the decision denial in writing with the
6 following included in the notice of decision denial:

7 (1) a statement about the decision ~~to refuse to grant a~~
8 ~~license or permit;~~

9 (2) a list of the convictions that the Commission
10 determined will impair the license or permit holder's or
11 applicant's ability to engage in the position for which a
12 license or permit is sought;

13 (3) a list of convictions that formed the sole or
14 partial basis for the decision refusal to grant a license
15 or permit; and

16 (4) a summary of the appeal process or the earliest a
17 reapplication for a license or permit is permissible ~~the~~
18 ~~applicant may reapply for a license or permit,~~ whichever is
19 applicable.

20 (e) No later than May 1 of each year, the Commission must
21 prepare, publicly announce, and publish a report of summary
22 statistical information relating to new and renewal license or
23 permit applications during the preceding calendar year. Each
24 report shall show, at a minimum:

25 (1) the number of applicants for a new or renewal
26 license or permit under this Act within the previous

1 calendar year;

2 (2) the number of applicants for a new or renewal
3 license or permit under this Act within the previous
4 calendar year who had a ~~any~~ criminal conviction identified
5 in paragraph (3) of subsection (a) of Section 80;

6 (3) the number of applicants for a new or renewal
7 license or permit under this Act in the previous calendar
8 year who were granted a license or permit;

9 (4) the number of applicants for a new or renewal
10 license or permit with a criminal conviction identified in
11 paragraph (3) of subsection (a) of Section 80 who were
12 granted a license or permit under this Act within the
13 previous calendar year;

14 (5) the number of applicants for a new or renewal
15 license or permit under this Act within the previous
16 calendar year who were denied a license or permit;

17 (6) the number of applicants for a new or renewal
18 license or permit with a criminal conviction identified in
19 paragraph (3) of subsection (a) of Section 80 who were
20 denied a license or permit under this Act in the previous
21 calendar year in whole or in part because of the ~~a~~ prior
22 conviction;

23 (7) the number of licenses or permits issued with a
24 condition of ~~on~~ probation without monitoring imposed by the
25 Commission under this Act in the previous calendar year to
26 applicants with a criminal conviction identified in

1 paragraph (3) of subsection (a) of Section 80; and

2 (8) the number of licenses or permits issued with a
3 condition of ~~on~~ probation with monitoring imposed by the
4 Commission under this Act in the previous calendar year to
5 applicants with a criminal conviction identified in
6 paragraph (3) of subsection (a) of Section 80.

7 (Source: P.A. 97-576, eff. 7-1-12; 100SB1688enr.)

8 Section 10. The Real Estate Appraiser Licensing Act of 2002
9 is amended by changing Section 25-10 as follows:

10 (225 ILCS 458/25-10)

11 (Section scheduled to be repealed on January 1, 2022)

12 Sec. 25-10. Real Estate Appraisal Administration and
13 Disciplinary Board; appointment.

14 (a) There is hereby created the Real Estate Appraisal
15 Administration and Disciplinary Board. The Board shall be
16 composed of 10 persons appointed by the Governor, plus the
17 Coordinator of the Real Estate Appraisal Division. Members
18 shall be appointed to the Board subject to the following
19 conditions:

20 (1) All appointed members shall have been residents and
21 citizens of this State for at least 5 years prior to the
22 date of appointment.

23 (2) The appointed membership of the Board should
24 reasonably reflect the geographic distribution of the

1 population of the State.

2 (3) Four appointed members shall have been actively
3 engaged and currently licensed as State certified general
4 real estate appraisers for a period of not less than 5
5 years.

6 (4) Four ~~Two~~ appointed members shall have been actively
7 engaged and currently licensed as State certified
8 residential real estate appraisers for a period of not less
9 than 5 years, 2 of whom. ~~(5) Two appointed members shall~~
10 ~~hold a valid licenses license as a real estate brokers or~~
11 ~~managing brokers broker for at least 5 ~~10~~ years prior to~~
12 ~~the date of the appointment, one of whom shall hold a valid~~
13 ~~State certified general real estate appraiser license~~
14 ~~issued under this Act or a predecessor Act for a period of~~
15 ~~at least 5 years prior to the appointment and one of whom~~
16 ~~shall hold a valid State certified residential real estate~~
17 ~~appraiser license issued under this Act or a predecessor~~
18 ~~Act for a period of at least 5 years prior to the~~
19 ~~appointment.~~

20 (5) ~~(6)~~ One appointed member shall be a representative
21 of a financial institution, as evidenced by his or her
22 employment with a financial institution.

23 (6) ~~(7)~~ One appointed member shall represent the
24 interests of the general public. This member or his or her
25 spouse shall not be licensed under this Act nor be employed
26 by or have any interest in an appraisal business, appraisal

1 management company, real estate brokerage business, or a
2 financial institution.

3 In making appointments as provided in paragraphs (3) and
4 (4) of this subsection, the Governor shall give due
5 consideration to recommendations by members and organizations
6 representing the profession.

7 ~~In making the appointments as provided in paragraph (5) of~~
8 ~~this subsection, the Governor shall give due consideration to~~
9 ~~the recommendations by members and organizations representing~~
10 ~~the real estate industry.~~

11 In making the appointment as provided in paragraph (5) ~~(6)~~
12 of this subsection, the Governor shall give due consideration
13 to the recommendations by members and organizations
14 representing financial institutions.

15 (b) The term for members of the Board shall be 4 years, and
16 each member shall serve until his or her successor is appointed
17 and qualified. No member shall be reappointed to the Board for
18 a term that would cause his or her cumulative service to the
19 Board to exceed 10 years.

20 (c) The Governor may terminate the appointment of a member
21 for cause that, in the opinion of the Governor, reasonably
22 justifies the termination. Cause for termination may include,
23 without limitation, misconduct, incapacity, neglect of duty,
24 or missing 4 Board meetings during any one calendar year.

25 (d) A majority of the Board members shall constitute a
26 quorum. A vacancy in the membership of the Board shall not

1 impair the right of a quorum to exercise all of the rights and
2 perform all of the duties of the Board.

3 (e) The Board shall meet at least quarterly and may be
4 convened by the Chairperson, Vice-Chairperson, or 3 members of
5 the Board upon 10 days written notice.

6 (f) The Board shall, annually at the first meeting of the
7 fiscal year, elect a Chairperson and Vice-Chairperson from its
8 members. The Chairperson shall preside over the meetings and
9 shall coordinate with the Coordinator in developing and
10 distributing an agenda for each meeting. In the absence of the
11 Chairperson, the Vice-Chairperson shall preside over the
12 meeting.

13 (g) The Coordinator of the Real Estate Appraisal Division
14 shall serve as a member of the Board without vote.

15 (h) The Board shall advise and make recommendations to the
16 Department on the education and experience qualifications of
17 any applicant for initial licensure as a State certified
18 general real estate appraiser or a State certified residential
19 real estate appraiser. The Department shall not make any
20 decisions concerning education or experience qualifications of
21 an applicant for initial licensure as a State certified general
22 real estate appraiser or a State certified residential real
23 estate appraiser without having first received the advice and
24 recommendation of the Board and shall give due consideration to
25 all such advice and recommendations; however, if the Board does
26 not render advice or make a recommendation within a reasonable

1 amount of time, then the Department may render a decision.

2 (i) Except as provided in Section 15-17 of this Act, the
3 Board shall hear and make recommendations to the Secretary on
4 disciplinary matters that require a formal evidentiary
5 hearing. The Secretary shall give due consideration to the
6 recommendations of the Board involving discipline and
7 questions involving standards of professional conduct of
8 licensees.

9 (j) The Department shall seek and the Board shall provide
10 recommendations to the Department consistent with the
11 provisions of this Act and for the administration and
12 enforcement of all rules adopted pursuant to this Act. The
13 Department shall give due consideration to such
14 recommendations prior to adopting rules.

15 (k) The Department shall seek and the Board shall provide
16 recommendations to the Department on the approval of all
17 courses submitted to the Department pursuant to this Act and
18 the rules adopted pursuant to this Act. The Department shall
19 not approve any courses without having first received the
20 recommendation of the Board and shall give due consideration to
21 such recommendations prior to approving and licensing courses;
22 however, if the Board does not make a recommendation within a
23 reasonable amount of time, then the Department may approve
24 courses.

25 (l) Each voting member of the Board shall receive a per
26 diem stipend in an amount to be determined by the Secretary.

1 Each member shall be paid his or her necessary expenses while
2 engaged in the performance of his or her duties.

3 (m) Members of the Board shall be immune from suit in an
4 action based upon any disciplinary proceedings or other acts
5 performed in good faith as members of the Board.

6 (n) If the Department disagrees with any advice or
7 recommendation provided by the Board under this Section to the
8 Secretary or the Department, then notice of such disagreement
9 must be provided to the Board by the Department.

10 (o) Upon resolution adopted at any Board meeting, the
11 exercise of any Board function, power, or duty enumerated in
12 this Section or in subsection (d) of Section 15-10 of this Act
13 may be suspended. The exercise of any suspended function,
14 power, or duty of the Board may be reinstated by a resolution
15 adopted at a subsequent Board meeting. Any resolution adopted
16 pursuant to this Section shall take effect immediately.

17 (Source: P.A. 98-1109, eff. 1-1-15.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law."