



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB2965

Introduced 2/14/2018, by Sen. Wm. Sam McCann

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Certified Shorthand Reporters Act of 1984. Changes the title of the Act to the Illinois Certified Shorthand Reporters and Certified Verbatim Reporters Act and makes conforming changes in other Acts. Provides for certification of certified verbatim reporters and adds certified verbatim reporters to provisions concerning findings, definitions, use of titles, the Certified Shorthand Reporters Board (now the Certified Shorthand and Verbatim Reporters Board), examinations, qualifications, expiration and renewal of certifications, military service, inactive status, licensure without examination, disciplinary actions, injunctive actions, suspension of a certificate, and continuing education. Makes other changes. Effective immediately.

LRB100 19095 XWW 34352 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 Regulatory Sunset Act is amended by changing
5 Section 4.34 as follows:

6 (5 ILCS 80/4.34)

7 Sec. 4.34. Acts and Section repealed on January 1, 2024.
8 The following Acts and Section of an Act are repealed on
9 January 1, 2024:

10 The Electrologist Licensing Act.

11 The Illinois Certified Shorthand Reporters and
12 Certified Verbatim Reporters Act of 1984.

13 The Illinois Occupational Therapy Practice Act.

14 The Illinois Public Accounting Act.

15 The Private Detective, Private Alarm, Private
16 Security, Fingerprint Vendor, and Locksmith Act of 2004.

17 The Registered Surgical Assistant and Registered
18 Surgical Technologist Title Protection Act.

19 Section 2.5 of the Illinois Plumbing License Law.

20 The Veterinary Medicine and Surgery Practice Act of
21 2004.

22 (Source: P.A. 98-140, eff. 12-31-13; 98-253, eff. 8-9-13;
23 98-254, eff. 8-9-13; 98-264, eff. 12-31-13; 98-339, eff.

1 12-31-13; 98-363, eff. 8-16-13; 98-364, eff. 12-31-13; 98-445,
2 eff. 12-31-13; 98-756, eff. 7-16-14.)

3 Section 10. The Oaths and Affirmations Act is amended by
4 changing Sections 1 and 2 as follows:

5 (5 ILCS 255/1) (from Ch. 101, par. 1)

6 Sec. 1. Oaths and affirmations. All courts, and all judges
7 and the clerk thereof, the county clerk, deputy county clerk,
8 notaries public, and persons certified under the Illinois
9 Certified Shorthand Reporters and Certified Verbatim Reporters
10 Act ~~of 1984~~ have the power to administer oaths and affirmations
11 to witnesses and others, concerning anything commenced or to be
12 commenced, or pending before them respectively.

13 (Source: P.A. 90-294, eff. 8-1-97.)

14 (5 ILCS 255/2) (from Ch. 101, par. 2)

15 Sec. 2. Affidavits and depositions. All courts, and judges,
16 and the clerks thereof, the county clerk, deputy county clerk,
17 the Secretary of State, notaries public, and persons certified
18 under the Illinois Certified Shorthand Reporters and Certified
19 Verbatim Reporters Act ~~of 1984~~ may administer all oaths of
20 office and all other oaths authorized or required of any
21 officer or other person, and take affidavits and depositions
22 concerning any matter or thing, process or proceeding commenced
23 or to be commenced, or pending in any court or before them, or

1 on any occasion wherein any affidavit or deposition is
2 authorized or required by law to be taken.

3 The same functions may be performed by any commissioned
4 officer in active service of the armed forces of the United
5 States, within or without the United States. Oaths, affidavits
6 or depositions taken by or affirmations made before such
7 officers need not be authenticated nor attested by any seal nor
8 shall any instruments executed or proceedings had before such
9 officers be invalid because the place of the proceedings or of
10 the execution is not stated.

11 (Source: P.A. 97-36, eff. 1-1-12.)

12 Section 15. The Illinois Certified Shorthand Reporters Act
13 of 1984 is amended by changing Sections 1, 2, 4, 5, 6, 8, 9, 10,
14 11, 13, 14, 15, 16, 21, 23, 23.1, 23.4, 23.13, and 27 as
15 follows:

16 (225 ILCS 415/1) (from Ch. 111, par. 6201)

17 (Section scheduled to be repealed on January 1, 2024)

18 Sec. 1. The practice of shorthand reporting and certified
19 verbatim reporting in the State of Illinois is hereby declared
20 to affect the public health, safety and welfare and to be
21 subject to regulation and control in the public interest. This
22 Act is designed to encourage proficiency in the practice of
23 shorthand reporting and certified verbatim reporting as
24 professions ~~a profession~~; to promote efficiency in court and

1 general reporting; and to extend to the public the protection
2 afforded by a standardized profession by establishing a
3 standard of competency for certified shorthand reporters and
4 certified verbatim reporters. It is further declared that, in
5 order for the practice of shorthand reporting as defined in
6 this Act to merit and receive the confidence of the public,
7 only qualified persons shall be authorized to practice
8 shorthand reporting and certified verbatim reporting in the
9 State of Illinois. This Act shall be liberally construed to
10 best carry out these subjects and purposes.

11 (Source: P.A. 83-73.)

12 (225 ILCS 415/2) (from Ch. 111, par. 6202)

13 (Section scheduled to be repealed on January 1, 2024)

14 Sec. 2. This Act may be cited as the Illinois Certified
15 Shorthand Reporters and Certified Verbatim Reporters Act ~~of~~
16 ~~1984~~.

17 (Source: P.A. 87-481.)

18 (225 ILCS 415/4) (from Ch. 111, par. 6204)

19 (Section scheduled to be repealed on January 1, 2024)

20 Sec. 4. In this Act:

21 (1) "Department" means the Department of Financial and
22 Professional Regulation.

23 (2) "Secretary" means the Secretary of Financial and
24 Professional Regulation.

1 (3) "Board" means the Certified Shorthand Reporters and
2 Certified Verbatim Reporters Board appointed by the Secretary.

3 (4) "The practice of shorthand reporting" means reporting,
4 by the use of any system of manual or mechanical shorthand,
5 voice writing, or shorthand writing, of Grand Jury proceedings,
6 court proceedings, court related proceedings, pretrial
7 examinations, depositions, motions and related proceedings of
8 like character, or proceedings of an administrative agency when
9 the final decision of the agency with reference thereto is
10 likely to be subject to judicial review under the provisions of
11 the Administrative Review Law.

12 (5) "Shorthand reporter" means a person who is technically
13 qualified and certified under this Act to practice shorthand
14 reporting.

15 (6) "Stenographic notes" means the original notes by manual
16 or mechanical shorthand, voice writing, or shorthand writing
17 taken by a shorthand reporter of a proceeding while in
18 attendance at such proceeding for the purpose of reporting the
19 same.

20 (7) "Address of record" means the designated address
21 recorded by the Department in the applicant's or licensee's
22 application file or license file as maintained by the
23 Department's licensure maintenance unit. It is the duty of the
24 applicant or licensee to inform the Department of any change of
25 address and those changes must be made either through the
26 Department's Internet website or by contacting the Department.

1 (8) "Verbatim reporter" means a person who is technically
2 qualified and certified under this Act to practice verbatim
3 reporting.

4 (Source: P.A. 98-445, eff. 12-31-13.)

5 (225 ILCS 415/5) (from Ch. 111, par. 6205)

6 (Section scheduled to be repealed on January 1, 2024)

7 Sec. 5. Title. Every person to whom a valid existing
8 certificate as a certified shorthand reporter or certified
9 verbatim reporter has been issued under this Act shall be
10 designated as a Certified Shorthand Reporter or Certified
11 Verbatim Reporter and not otherwise, and any such certified
12 shorthand reporter or certified verbatim reporter may, in
13 connection with his or her practice of shorthand reporting or
14 certified verbatim reporting, use the abbreviation "C.S.R." or
15 "C.V.R" or the title "Court Reporter". No person other than the
16 holder of a valid existing certificate under this Act shall use
17 the title or designation of "Certified Shorthand Reporter",
18 "Certified Verbatim Reporter", "Court Reporter", ~~or~~ "C.S.R.",
19 or "C.V.R" either directly or indirectly in connection with his
20 or her profession or business.

21 (Source: P.A. 90-49, eff. 7-3-97.)

22 (225 ILCS 415/6) (from Ch. 111, par. 6206)

23 (Section scheduled to be repealed on January 1, 2024)

24 Sec. 6. Restricted certificate. Upon receipt of a written

1 request from the Chief Judge of the reporter's circuit, the
2 Department shall, upon payment of the required fee, issue to
3 any reporter who has been appointed in counties of less than
4 1,000,000 in population, has been examined under the Court
5 Reporters Act, and has achieved an "A" proficiency rating, a
6 restricted certificate by which such official court reporter
7 may then lawfully engage in reporting only court proceedings to
8 which he or she may be assigned by the Chief Judge of his or her
9 circuit.

10 (Source: P.A. 98-445, eff. 12-31-13.)

11 (225 ILCS 415/8) (from Ch. 111, par. 6208)

12 (Section scheduled to be repealed on January 1, 2024)

13 Sec. 8. Certified Shorthand Reporters and Certified
14 Verbatim Reporters Board. The Secretary shall appoint a
15 Certified Shorthand Reporters and Certified Verbatim Reporters
16 Board as follows: 7 persons who shall be appointed by and shall
17 serve in an advisory capacity to the Secretary. Six members
18 must be certified shorthand reporters or certified verbatim
19 reporters, in good standing, and actively engaged in the
20 practice of shorthand reporting in this State for ten years,
21 and one member must be a member of the public who is not
22 certified under this Act, or a similar Act of another
23 jurisdiction.

24 Members shall serve 4 year terms and until their successors
25 are appointed and qualified. No member shall be reappointed to

1 the Board for a term that would cause his or her continuous
2 service on the Board to be longer than 2 full consecutive
3 terms. Appointments to fill vacancies shall be made in the same
4 manner as original appointments, for the unexpired portion of
5 the vacated term.

6 In making appointments to the Board, the Secretary shall
7 give consideration to recommendations by national and State
8 organizations of the shorthand reporter profession.

9 Four members of the Board shall constitute a quorum. A
10 quorum is required for all Board decisions.

11 The Secretary may remove or suspend any member of the Board
12 for cause at any time before the expiration of his or her term.
13 The Secretary shall be the sole arbiter of cause.

14 The Secretary shall consider the recommendations of the
15 Board on questions involving standards of professional
16 conduct, discipline and qualifications of candidates and
17 certificate holders under this Act.

18 Members of the Board shall be reimbursed for all
19 legitimate, necessary, and authorized expenses incurred in
20 attending the meetings of the Board.

21 Members of the Board have no liability in any action based
22 upon any disciplinary proceedings or other activity performed
23 in good faith as members of the Board.

24 (Source: P.A. 98-445, eff. 12-31-13.)

25 (225 ILCS 415/9) (from Ch. 111, par. 6209)

1 (Section scheduled to be repealed on January 1, 2024)

2 Sec. 9. Qualifications. Applications for original
3 certificates shall be made to the Department in writing on
4 forms prescribed by the Department and shall be accompanied by
5 the required fee, which shall not be returnable. Any such
6 application shall require such information as in the judgment
7 of the Department will enable the Department to pass on the
8 qualifications of the applicant for certification.

9 In determining competency, the Department shall require
10 proof that the applicant has a good understanding of the
11 English language, including reading, spelling and vocabulary,
12 and that the applicant has sufficient ability to accurately
13 report any of the matters comprising the practice of shorthand
14 reporting as herein defined, by the use of any system of manual
15 or mechanical shorthand, voice writing, or shorthand writing,
16 and a clear understanding of obligations between a shorthand
17 reporter and the parties to any proceedings reported, as well
18 as the provisions of this Act.

19 (Source: P.A. 98-445, eff. 12-31-13.)

20 (225 ILCS 415/10) (from Ch. 111, par. 6210)

21 (Section scheduled to be repealed on January 1, 2024)

22 Sec. 10. The Department shall authorize examinations at
23 such time and place as it may designate. The examination shall
24 be of a character to give a fair test of the qualifications of
25 the applicant to practice shorthand reporting or verbatim

1 reporting.

2 Applicants for examination as certified shorthand
3 reporters and certified verbatim reporters shall be required to
4 pay, either to the Department or the designated testing
5 service, a fee covering the cost of providing the examination.
6 Failure to appear for the examination on the scheduled date, at
7 the time and place specified, after the applicant's application
8 for examination has been received and acknowledged by the
9 Department or the designated testing service, shall result in
10 the forfeiture of the examination fee.

11 If an applicant neglects, fails or refuses to take the next
12 available examination offered or fails to pass an examination
13 for certification under this Act, the application shall be
14 denied. If an applicant for examination for certification under
15 this Act fails to pass the examination within 3 years after
16 filing his or her application, the application shall be denied.
17 However, such applicant may thereafter make a new application
18 accompanied by the required fee.

19 The Department may employ consultants for the purpose of
20 preparing and conducting examinations.

21 An applicant has one year from the date of notification of
22 successful completion of the examination to apply to the
23 Department for a license. If an applicant fails to apply within
24 one year, the applicant shall be required to take and pass the
25 examination again unless licensed in another jurisdiction of
26 the United States within one year of passing the examination.

1 (Source: P.A. 98-445, eff. 12-31-13.)

2 (225 ILCS 415/11) (from Ch. 111, par. 6211)

3 (Section scheduled to be repealed on January 1, 2024)

4 Sec. 11. Qualifications; application. A person shall be
5 qualified for certification as a certified shorthand reporter
6 or certified verbatim reporter if:

7 A. That person has applied in writing in form and substance
8 to the Department; and

9 (1) (Blank);

10 (2) Is of good moral character, the determination of
11 which shall take into account but not be totally based upon
12 any felony conviction of the applicant; and

13 (3) Has graduated from a high school or secondary
14 school or its equivalent; and

15 B. That person has successfully completed the examination
16 authorized by the Department.

17 (Source: P.A. 98-445, eff. 12-31-13.)

18 (225 ILCS 415/13) (from Ch. 111, par. 6213)

19 (Section scheduled to be repealed on January 1, 2024)

20 Sec. 13. No action or suit shall be instituted, nor
21 recovery therein be had, in any court of this State by any
22 person for compensation for any act done or service rendered,
23 the doing or rendering of which is prohibited under the
24 provisions of this Act to other than certified shorthand

1 reporters or certified verbatim reporters.

2 (Source: P.A. 83-73.)

3 (225 ILCS 415/14) (from Ch. 111, par. 6214)

4 (Section scheduled to be repealed on January 1, 2024)

5 Sec. 14. Expiration, renewal, and military service. The
6 expiration date and renewal period for each certificate issued
7 under this Act shall be set by rule.

8 Any certified shorthand reporter or certified verbatim
9 reporter who has permitted his or her certificate to expire or
10 who has had his or her certificate on inactive status may have
11 his or her certificate restored by making application to the
12 Department, filing proof acceptable to the Department of his or
13 her fitness to have his or her certificate restored and paying
14 the required restoration fee. The Department may consider a
15 certificate expired less than 5 years as prima facie evidence
16 that the applicant is fit. If a certificate has expired or has
17 been placed on inactive status and the applicant has practiced
18 in another jurisdiction during such period, satisfactory proof
19 of fitness may include sworn evidence certifying to active
20 practice in another jurisdiction.

21 If the certified shorthand reporter or certified verbatim
22 reporter has not maintained an active practice in another
23 jurisdiction satisfactory to the Department, the Department
24 shall determine, by an evaluation program established by rule,
25 his or her fitness to resume active status and shall, by rule,

1 establish procedures and requirements for restoration.

2 However, any certified shorthand reporter or certified
3 verbatim reporter whose certificate expired while he or she was
4 (1) in Federal Service on active duty with the Armed Forces of
5 the United States, or the State Militia called into service or
6 training, or (2) in training or education under the supervision
7 of the United States preliminary to induction into the military
8 service, may have his or her certificate renewed or restored
9 without paying any lapsed renewal fees if within 2 years after
10 termination of such service, training or education except under
11 conditions other than honorable, he or she furnished the
12 Department with satisfactory evidence to the effect that he or
13 she has been so engaged and that his or her service, training,
14 or education has been so terminated.

15 (Source: P.A. 98-445, eff. 12-31-13.)

16 (225 ILCS 415/15) (from Ch. 111, par. 6215)

17 (Section scheduled to be repealed on January 1, 2024)

18 Sec. 15. Inactive status. Any certified shorthand reporter
19 or certified verbatim reporter who notifies the Department in
20 writing on forms prescribed by the Department, may elect to
21 place his or her certificate on an inactive status and shall,
22 subject to rules of the Department, be excused from payment of
23 renewal fees until he or she notifies the Department in writing
24 of his or her desire to resume active status.

25 Any certified shorthand reporter or certified verbatim

1 reporter requesting restoration from inactive status shall be
2 required to pay the current renewal fee and shall be required
3 to restore his or her certificate, as provided in Section 14.

4 Any certified shorthand reporter or certified verbatim
5 reporter whose certificate is in an inactive status shall not
6 practice shorthand reporting in the State of Illinois.

7 (Source: P.A. 98-445, eff. 12-31-13.)

8 (225 ILCS 415/16) (from Ch. 111, par. 6216)

9 (Section scheduled to be repealed on January 1, 2024)

10 Sec. 16. Endorsement; licensure without examination. The
11 Department may certify as a certified shorthand reporter or
12 certified verbatim reporter, without examination, on payment
13 of the required fee, an applicant who is a certified shorthand
14 reporter or certified verbatim reporter registered under the
15 laws of another jurisdiction, if the requirements for
16 certification of certified shorthand reporters or certified
17 verbatim reporters in that jurisdiction were, at the date of
18 his or her certification, substantially equivalent to the
19 requirements in force in this State on that date.

20 Applicants have 3 years from the date of application to
21 complete the application process. If the process has not been
22 completed in 3 years, the application shall be denied, the fee
23 forfeited and the applicant must reapply and meet the
24 requirements in effect at the time of reapplication.

25 (Source: P.A. 98-445, eff. 12-31-13.)

1 (225 ILCS 415/21) (from Ch. 111, par. 6221)

2 (Section scheduled to be repealed on January 1, 2024)

3 Sec. 21. Any person who is the holder of an individual
4 certificate as a certified shorthand reporter or certified
5 verbatim reporter heretofore issued under any prior Act,
6 registering certified shorthand reporters or certified
7 verbatim reporters in this State and valid on the effective
8 date of this Act, shall be deemed to be certified under this
9 Act and shall be subject to the same rights and obligations as
10 persons originally certified under this Act.

11 (Source: P.A. 83-73.)

12 (225 ILCS 415/23) (from Ch. 111, par. 6223)

13 (Section scheduled to be repealed on January 1, 2024)

14 Sec. 23. Grounds for disciplinary action.

15 (a) The Department may refuse to issue or renew, or may
16 revoke, suspend, place on probation, reprimand or take other
17 disciplinary or non-disciplinary action as the Department may
18 deem appropriate, including imposing fines not to exceed
19 \$10,000 for each violation and the assessment of costs as
20 provided for in Section 23.3 of this Act, with regard to any
21 license for any one or combination of the following:

22 (1) Material misstatement in furnishing information to
23 the Department;

24 (2) Violations of this Act, or of the rules promulgated

1 thereunder;

2 (3) Conviction by plea of guilty or nolo contendere,
3 finding of guilt, jury verdict, or entry of judgment or by
4 sentencing of any crime, including, but not limited to,
5 convictions, preceding sentences of supervision,
6 conditional discharge, or first offender probation under
7 the laws of any jurisdiction of the United States: (i) that
8 is a felony or (ii) that is a misdemeanor, an essential
9 element of which is dishonesty, or that is directly related
10 to the practice of the profession;

11 (4) Fraud or any misrepresentation in applying for or
12 procuring a license under this Act or in connection with
13 applying for renewal of a license under this Act;

14 (5) Professional incompetence;

15 (6) Aiding or assisting another person, firm,
16 partnership or corporation in violating any provision of
17 this Act or rules;

18 (7) Failing, within 60 days, to provide information in
19 response to a written request made by the Department;

20 (8) Engaging in dishonorable, unethical or
21 unprofessional conduct of a character likely to deceive,
22 defraud or harm the public;

23 (9) Habitual or excessive use or abuse of drugs defined
24 in law as controlled substances, alcohol, or any other
25 substances that results in the inability to practice with
26 reasonable judgment, skill, or safety;

1 (10) Discipline by another state, unit of government,
2 government agency, the District of Columbia, a territory,
3 or foreign nation, if at least one of the grounds for the
4 discipline is the same or substantially equivalent to those
5 set forth herein;

6 (11) Charging for professional services not rendered,
7 including filing false statements for the collection of
8 fees for which services were not rendered, or giving,
9 directly or indirectly, any gift or anything of value to
10 attorneys or their staff or any other persons or entities
11 associated with any litigation, that exceeds \$100 total per
12 year; for the purposes of this Section, pro bono services,
13 as defined by State law, are permissible in any amount;

14 (12) A finding by the Board that the certificate
15 holder, after having his or her certificate placed on
16 probationary status, has violated the terms of probation;

17 (13) Willfully making or filing false records or
18 reports in the practice of shorthand reporting, including
19 but not limited to false records filed with State agencies
20 or departments;

21 (14) Physical illness, including but not limited to,
22 deterioration through the aging process, or loss of motor
23 skill which results in the inability to practice under this
24 Act with reasonable judgment, skill or safety;

25 (15) Solicitation of professional services other than
26 by permitted advertising;

1 (16) Willful failure to take full and accurate
2 stenographic notes of any proceeding;

3 (17) Willful alteration of any stenographic notes
4 taken at any proceeding;

5 (18) Willful failure to accurately transcribe verbatim
6 any stenographic notes taken at any proceeding;

7 (19) Willful alteration of a transcript of
8 stenographic notes taken at any proceeding;

9 (20) Affixing one's signature to any transcript of his
10 or her stenographic notes or certifying to its correctness
11 unless the transcript has been prepared by him or her or
12 under his or her immediate supervision;

13 (21) Willful failure to systematically retain
14 stenographic notes or transcripts on paper or any
15 electronic media for 10 years from the date that the notes
16 or transcripts were taken;

17 (22) Failure to deliver transcripts in a timely manner
18 or in accordance with contractual agreements;

19 (23) Establishing contingent fees as a basis of
20 compensation;

21 (24) Mental illness or disability that results in the
22 inability to practice under this Act with reasonable
23 judgment, skill, or safety;

24 (25) Practicing under a false or assumed name, except
25 as provided by law;

26 (26) Cheating on or attempting to subvert the licensing

1 examination administered under this Act;

2 (27) Allowing one's license under this Act to be used
3 by an unlicensed person in violation of this Act.

4 All fines imposed under this Section shall be paid within
5 60 days after the effective date of the order imposing the fine
6 or in accordance with the terms set forth in the order imposing
7 the fine.

8 (b) The determination by a circuit court that a certificate
9 holder is subject to involuntary admission or judicial
10 admission as provided in the Mental Health and Developmental
11 Disabilities Code, operates as an automatic suspension. Such
12 suspension will end only upon a finding by a court that the
13 patient is no longer subject to involuntary admission or
14 judicial admission, an order by the court so finding and
15 discharging the patient. In any case where a license is
16 suspended under this Section, the licensee may file a petition
17 for restoration and shall include evidence acceptable to the
18 Department that the licensee can resume practice in compliance
19 with acceptable and prevailing standards of the profession.

20 (c) In cases where the Department of Healthcare and Family
21 Services has previously determined a licensee or a potential
22 licensee is more than 30 days delinquent in the payment of
23 child support and has subsequently certified the delinquency to
24 the Department, the Department may refuse to issue or renew or
25 may revoke or suspend that person's license or may take other
26 disciplinary action against that person based solely upon the

1 certification of delinquency made by the Department of
2 Healthcare and Family Services in accordance with item (5) of
3 subsection (a) of Section 2105-15 of the Civil Administrative
4 Code of Illinois.

5 (d) In enforcing this Section, the Department, upon a
6 showing of a possible violation, may compel any individual who
7 is certified under this Act or any individual who has applied
8 for certification under this Act to submit to a mental or
9 physical examination and evaluation, or both, which may include
10 a substance abuse or sexual offender evaluation, at the expense
11 of the Department. The Department shall specifically designate
12 the examining physician licensed to practice medicine in all of
13 its branches or, if applicable, the multidisciplinary team
14 involved in providing the mental or physical examination and
15 evaluation, or both. The multidisciplinary team shall be led by
16 a physician licensed to practice medicine in all of its
17 branches and may consist of one or more or a combination of
18 physicians licensed to practice medicine in all of its
19 branches, licensed chiropractic physicians, licensed clinical
20 psychologists, licensed clinical social workers, licensed
21 clinical professional counselors, and other professional and
22 administrative staff. Any examining physician or member of the
23 multidisciplinary team may require any person ordered to submit
24 to an examination and evaluation pursuant to this Section to
25 submit to any additional supplemental testing deemed necessary
26 to complete any examination or evaluation process, including,

1 but not limited to, blood testing, urinalysis, psychological
2 testing, or neuropsychological testing.

3 The Department may order the examining physician or any
4 member of the multidisciplinary team to provide to the
5 Department any and all records, including business records,
6 that relate to the examination and evaluation, including any
7 supplemental testing performed. The Department may order the
8 examining physician or any member of the multidisciplinary team
9 to present testimony concerning this examination and
10 evaluation of the certified shorthand reporter, certified
11 verbatim reporter, or applicant, including testimony
12 concerning any supplemental testing or documents relating to
13 the examination and evaluation. No information, report,
14 record, or other documents in any way related to the
15 examination and evaluation shall be excluded by reason of any
16 common law or statutory privilege relating to communication
17 between the licensee or applicant and the examining physician
18 or any member of the multidisciplinary team. No authorization
19 is necessary from the certified shorthand reporter, certified
20 verbatim reporter, or applicant ordered to undergo an
21 evaluation and examination for the examining physician or any
22 member of the multidisciplinary team to provide information,
23 reports, records, or other documents or to provide any
24 testimony regarding the examination and evaluation. The
25 individual to be examined may have, at his or her own expense,
26 another physician of his or her choice present during all

1 aspects of the examination.

2 Failure of any individual to submit to mental or physical
3 examination and evaluation, or both, when directed, shall
4 result in an automatic suspension, without hearing, until such
5 time as the individual submits to the examination. If the
6 Department finds a certified shorthand reporter or certified
7 verbatim reporter unable to practice because of the reasons set
8 forth in this Section, the Department shall require the
9 certified shorthand reporter or certified verbatim reporter to
10 submit to care, counseling, or treatment by physicians approved
11 or designated by the Department, as a condition for continued,
12 reinstated, or renewed certification.

13 When the Secretary immediately suspends a certificate
14 under this Section, a hearing upon the person's certificate
15 must be convened by the Department within 15 days after the
16 suspension and completed without appreciable delay. The
17 Department shall have the authority to review the certified
18 shorthand reporter's record of treatment and counseling
19 regarding the impairment, to the extent permitted by applicable
20 federal statutes and regulations safeguarding the
21 confidentiality of medical records.

22 Individuals certified under this Act, affected under this
23 Section, shall be afforded an opportunity to demonstrate to the
24 Department that they can resume practice in compliance with
25 acceptable and prevailing standards under the provisions of
26 their certification.

1 (e) The Department shall deny a license or renewal
2 authorized by this Act to a person who has defaulted on an
3 educational loan or scholarship provided or guaranteed by the
4 Illinois Student Assistance Commission or any governmental
5 agency of this State in accordance with item (5) of subsection
6 (a) of Section 2105-15 of the Civil Administrative Code of
7 Illinois.

8 (f) The Department may refuse to issue or may suspend
9 without hearing, as provided for in the Code of Civil
10 Procedure, the license of any person who fails to file a
11 return, to pay the tax, penalty, or interest shown in a filed
12 return, or to pay any final assessment of tax, penalty, or
13 interest as required by any tax Act administered by the
14 Illinois Department of Revenue, until such time as the
15 requirements of any such tax Act are satisfied in accordance
16 with subsection (g) of Section 2105-15 of the Civil
17 Administrative Code of Illinois.

18 (Source: P.A. 98-445, eff. 12-31-13; 98-756, eff. 7-16-14.)

19 (225 ILCS 415/23.1) (from Ch. 111, par. 6224)

20 (Section scheduled to be repealed on January 1, 2024)

21 Sec. 23.1. Injunctive actions; order to cease and desist.

22 (a) If any person violates the provisions of this Act, the
23 Secretary may, in the name of the People of the State of
24 Illinois, through the Attorney General of the State of Illinois
25 or the State's Attorney of the county in which the violation is

1 alleged to have occurred, petition for an order enjoining such
2 violation or for an order enforcing compliance with this Act.
3 Upon the filing of a verified petition in such court, the court
4 may issue a temporary restraining order, without notice or
5 bond, and may preliminarily and permanently enjoin such
6 violation. If it is established that such person has violated
7 or is violating the injunction, the court may punish the
8 offender for contempt of court. Proceedings under this Section
9 shall be in addition to, and not in lieu of, all other remedies
10 and penalties provided by this Act.

11 (b) If any person practices as a certified shorthand
12 reporter or certified verbatim reporter or holds himself or
13 herself out as a certified shorthand reporter or certified
14 verbatim reporter without being licensed under the provisions
15 of this Act then any certified shorthand reporter or certified
16 verbatim reporter, any interested party or any person injured
17 thereby may, in addition to the Secretary, petition for relief
18 as provided in subsection (a).

19 (c) Whenever in the opinion of the Department any person
20 violates any provision of this Act, the Department may issue a
21 rule to show cause why an order to cease and desist should not
22 be entered against that individual. The rule shall clearly set
23 forth the grounds relied upon by the Department and shall
24 provide a period of 7 days from the date of the rule to file an
25 answer to the satisfaction of the Department. Failure to answer
26 to the satisfaction of the Department shall cause an order to

1 cease and desist to be issued forthwith.

2 (Source: P.A. 98-445, eff. 12-31-13.)

3 (225 ILCS 415/23.4) (from Ch. 111, par. 6227)

4 (Section scheduled to be repealed on January 1, 2024)

5 Sec. 23.4. Subpoenas; oaths. The Department may subpoena
6 and bring before it any person and to take the oral or written
7 testimony or compel the production of any books, papers,
8 records, or any other documents that the Secretary or his or
9 her designee deems relevant or material to an investigation or
10 hearing conducted by the Department with the same fees and
11 mileage and in the same manner as prescribed by law in judicial
12 procedure in civil cases in courts of this State.

13 The Secretary, the designated hearing officer, any member
14 of the Board, or a certified shorthand court reporter or
15 certified verbatim reporter may have power to administer oaths
16 at any hearing which the Department conducts. Notwithstanding
17 any other statute or Department rule to the contrary, all
18 requests for testimony and production of documents or records
19 shall be in accordance with this Act.

20 (Source: P.A. 98-445, eff. 12-31-13.)

21 (225 ILCS 415/23.13) (from Ch. 111, par. 6236)

22 (Section scheduled to be repealed on January 1, 2024)

23 Sec. 23.13. Summary suspension. The Secretary may
24 summarily suspend the certificate of a certified shorthand

1 reporter without a hearing, simultaneously with the
2 institution of proceedings for a hearing provided for in
3 Section 23.2 of this Act, if the Secretary finds that the
4 evidence indicates that a certified shorthand reporter's or
5 certified verbatim reporter's continuation in practice would
6 constitute an imminent danger to the public. In the event that
7 the Secretary summarily suspends the certificate of a certified
8 shorthand reporter or certified verbatim reporter without a
9 hearing, a hearing shall be commenced within 30 days after such
10 suspension has occurred and shall be concluded as expeditiously
11 as possible.

12 (Source: P.A. 98-445, eff. 12-31-13.)

13 (225 ILCS 415/27) (from Ch. 111, par. 6243)

14 (Section scheduled to be repealed on January 1, 2024)

15 Sec. 27. As a condition for renewal of a license, licensees
16 shall be required to complete continuing education in
17 accordance with rules established by the Department.

18 Persons employed as full-time ~~full-time~~ court reporters
19 under the Court Reporters Act may apply for a waiver from the
20 continuing education requirements. The waiver shall be granted
21 upon the submission of evidence satisfactory to the Department
22 that the certified shorthand reporter or certified verbatim
23 reporter is employed as a full-time ~~full-time~~ court reporter
24 under the Court Reporters Act.

25 (Source: P.A. 98-445, eff. 12-31-13.)

1 Section 20. The Unified Code of Corrections is amended by
2 changing Section 5-5-5 as follows:

3 (730 ILCS 5/5-5-5) (from Ch. 38, par. 1005-5-5)

4 Sec. 5-5-5. Loss and Restoration of Rights.

5 (a) Conviction and disposition shall not entail the loss by
6 the defendant of any civil rights, except under this Section
7 and Sections 29-6 and 29-10 of The Election Code, as now or
8 hereafter amended.

9 (b) A person convicted of a felony shall be ineligible to
10 hold an office created by the Constitution of this State until
11 the completion of his sentence.

12 (c) A person sentenced to imprisonment shall lose his right
13 to vote until released from imprisonment.

14 (d) On completion of sentence of imprisonment or upon
15 discharge from probation, conditional discharge or periodic
16 imprisonment, or at any time thereafter, all license rights and
17 privileges granted under the authority of this State which have
18 been revoked or suspended because of conviction of an offense
19 shall be restored unless the authority having jurisdiction of
20 such license rights finds after investigation and hearing that
21 restoration is not in the public interest. This paragraph (d)
22 shall not apply to the suspension or revocation of a license to
23 operate a motor vehicle under the Illinois Vehicle Code.

24 (e) Upon a person's discharge from incarceration or parole,

1 or upon a person's discharge from probation or at any time
2 thereafter, the committing court may enter an order certifying
3 that the sentence has been satisfactorily completed when the
4 court believes it would assist in the rehabilitation of the
5 person and be consistent with the public welfare. Such order
6 may be entered upon the motion of the defendant or the State or
7 upon the court's own motion.

8 (f) Upon entry of the order, the court shall issue to the
9 person in whose favor the order has been entered a certificate
10 stating that his behavior after conviction has warranted the
11 issuance of the order.

12 (g) This Section shall not affect the right of a defendant
13 to collaterally attack his conviction or to rely on it in bar
14 of subsequent proceedings for the same offense.

15 (h) No application for any license specified in subsection
16 (i) of this Section granted under the authority of this State
17 shall be denied by reason of an eligible offender who has
18 obtained a certificate of relief from disabilities, as defined
19 in Article 5.5 of this Chapter, having been previously
20 convicted of one or more criminal offenses, or by reason of a
21 finding of lack of "good moral character" when the finding is
22 based upon the fact that the applicant has previously been
23 convicted of one or more criminal offenses, unless:

24 (1) there is a direct relationship between one or more
25 of the previous criminal offenses and the specific license
26 sought; or

1 (2) the issuance of the license would involve an
2 unreasonable risk to property or to the safety or welfare
3 of specific individuals or the general public.

4 In making such a determination, the licensing agency shall
5 consider the following factors:

6 (1) the public policy of this State, as expressed in
7 Article 5.5 of this Chapter, to encourage the licensure and
8 employment of persons previously convicted of one or more
9 criminal offenses;

10 (2) the specific duties and responsibilities
11 necessarily related to the license being sought;

12 (3) the bearing, if any, the criminal offenses or
13 offenses for which the person was previously convicted will
14 have on his or her fitness or ability to perform one or
15 more such duties and responsibilities;

16 (4) the time which has elapsed since the occurrence of
17 the criminal offense or offenses;

18 (5) the age of the person at the time of occurrence of
19 the criminal offense or offenses;

20 (6) the seriousness of the offense or offenses;

21 (7) any information produced by the person or produced
22 on his or her behalf in regard to his or her rehabilitation
23 and good conduct, including a certificate of relief from
24 disabilities issued to the applicant, which certificate
25 shall create a presumption of rehabilitation in regard to
26 the offense or offenses specified in the certificate; and

1 (8) the legitimate interest of the licensing agency in
2 protecting property, and the safety and welfare of specific
3 individuals or the general public.

4 (i) A certificate of relief from disabilities shall be
5 issued only for a license or certification issued under the
6 following Acts:

7 (1) the Animal Welfare Act; except that a certificate
8 of relief from disabilities may not be granted to provide
9 for the issuance or restoration of a license under the
10 Animal Welfare Act for any person convicted of violating
11 Section 3, 3.01, 3.02, 3.03, 3.03-1, or 4.01 of the Humane
12 Care for Animals Act or Section 26-5 or 48-1 of the
13 Criminal Code of 1961 or the Criminal Code of 2012;

14 (2) the Illinois Athletic Trainers Practice Act;

15 (3) the Barber, Cosmetology, Esthetics, Hair Braiding,
16 and Nail Technology Act of 1985;

17 (4) the Boiler and Pressure Vessel Repairer Regulation
18 Act;

19 (5) the Boxing and Full-contact Martial Arts Act;

20 (6) the Illinois Certified Shorthand Reporters and
21 Certified Verbatim Reporters Act of 1984;

22 (7) the Illinois Farm Labor Contractor Certification
23 Act;

24 (8) the Interior Design Title Act;

25 (9) the Illinois Professional Land Surveyor Act of
26 1989;

- 1 (10) the Illinois Landscape Architecture Act of 1989;
2 (11) the Marriage and Family Therapy Licensing Act;
3 (12) the Private Employment Agency Act;
4 (13) the Professional Counselor and Clinical
5 Professional Counselor Licensing and Practice Act;
6 (14) the Real Estate License Act of 2000;
7 (15) the Illinois Roofing Industry Licensing Act;
8 (16) the Professional Engineering Practice Act of
9 1989;
10 (17) the Water Well and Pump Installation Contractor's
11 License Act;
12 (18) the Electrologist Licensing Act;
13 (19) the Auction License Act;
14 (20) the Illinois Architecture Practice Act of 1989;
15 (21) the Dietitian Nutritionist Practice Act;
16 (22) the Environmental Health Practitioner Licensing
17 Act;
18 (23) the Funeral Directors and Embalmers Licensing
19 Code;
20 (24) (blank);
21 (25) the Professional Geologist Licensing Act;
22 (26) the Illinois Public Accounting Act; and
23 (27) the Structural Engineering Practice Act of 1989.

24 (Source: P.A. 100-534, eff. 9-22-17.)

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.

1 INDEX
2 Statutes amended in order of appearance

3	5 ILCS 80/4.34	
4	5 ILCS 255/1	from Ch. 101, par. 1
5	5 ILCS 255/2	from Ch. 101, par. 2
6	225 ILCS 415/1	from Ch. 111, par. 6201
7	225 ILCS 415/2	from Ch. 111, par. 6202
8	225 ILCS 415/4	from Ch. 111, par. 6204
9	225 ILCS 415/5	from Ch. 111, par. 6205
10	225 ILCS 415/6	from Ch. 111, par. 6206
11	225 ILCS 415/8	from Ch. 111, par. 6208
12	225 ILCS 415/9	from Ch. 111, par. 6209
13	225 ILCS 415/10	from Ch. 111, par. 6210
14	225 ILCS 415/11	from Ch. 111, par. 6211
15	225 ILCS 415/13	from Ch. 111, par. 6213
16	225 ILCS 415/14	from Ch. 111, par. 6214
17	225 ILCS 415/15	from Ch. 111, par. 6215
18	225 ILCS 415/16	from Ch. 111, par. 6216
19	225 ILCS 415/21	from Ch. 111, par. 6221
20	225 ILCS 415/23	from Ch. 111, par. 6223
21	225 ILCS 415/23.1	from Ch. 111, par. 6224
22	225 ILCS 415/23.4	from Ch. 111, par. 6227
23	225 ILCS 415/23.13	from Ch. 111, par. 6236
24	225 ILCS 415/27	from Ch. 111, par. 6243
25	730 ILCS 5/5-5-5	from Ch. 38, par. 1005-5-5