

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 4.30 and by adding Section 4.40 as follows:

6 (5 ILCS 80/4.30)

7 Sec. 4.30. Acts repealed on January 1, 2020. The following  
8 Acts are repealed on January 1, 2020:

9 ~~The Auction License Act.~~

10 The Community Association Manager Licensing and  
11 Disciplinary Act.

12 The Illinois Architecture Practice Act of 1989.

13 The Illinois Landscape Architecture Act of 1989.

14 The Illinois Professional Land Surveyor Act of 1989.

15 The Orthotics, Prosthetics, and Pedorthics Practice Act.

16 The Perfusionist Practice Act.

17 The Pharmacy Practice Act.

18 The Professional Engineering Practice Act of 1989.

19 The Real Estate License Act of 2000.

20 The Structural Engineering Practice Act of 1989.

21 (Source: P.A. 100-497, eff. 9-8-17; 100-534, eff. 9-22-17;  
22 100-863, eff. 8-14-18.)

1 (5 ILCS 80/4.40 new)

2 Sec. 4.40. Act repealed on January 1, 2030. The following  
3 Act is repealed on January 1, 2030:

4 The Auction License Act.

5 Section 10. The Auction License Act is amended by changing  
6 Sections 5-10, 10-5, 10-40, 10-45, 15-5, 15-15, 20-15, 20-43,  
7 and 20-56 and by adding Section 10-22 as follows:

8 (225 ILCS 407/5-10)

9 (Section scheduled to be repealed on January 1, 2020)

10 Sec. 5-10. Definitions. As used in this Act:

11 "Advertisement" means any written, oral, or electronic  
12 communication that contains a promotion, inducement, or offer  
13 to conduct an auction or offer to provide an auction service,  
14 including but not limited to brochures, pamphlets, radio and  
15 television scripts, telephone and direct mail solicitations,  
16 electronic media, and other means of promotion.

17 "Advisory Board" or "Board" means the Auctioneer Advisory  
18 Board.

19 ~~"Associate auctioneer" means a person who conducts an~~  
20 ~~auction, but who is under the direct supervision of, and is~~  
21 ~~sponsored by, a licensed auctioneer or auction firm.~~

22 "Auction" means the sale or lease of property, real or  
23 personal, by means of exchanges between an auctioneer and  
24 prospective purchasers or lessees, which consists of a series

1 of invitations for offers made by the auctioneer and offers by  
2 prospective purchasers or lessees for the purpose of obtaining  
3 an acceptable offer for the sale or lease of the property,  
4 including the sale or lease of property via mail,  
5 telecommunications, or the Internet.

6 "Auction contract" means a written agreement between an  
7 auctioneer or auction firm and a seller or sellers.

8 "Auction firm" means any corporation, partnership, or  
9 limited liability company that acts as an auctioneer and  
10 provides an auction service.

11 "Auction school" means any educational institution, public  
12 or private, that ~~which~~ offers a curriculum of auctioneer  
13 education and training approved by the Department.

14 "Auction service" means the service of arranging,  
15 managing, advertising, or conducting auctions.

16 "Auctioneer" means a person or entity who, for another, for  
17 a fee, compensation, commission, or any other valuable  
18 consideration at auction or with the intention or expectation  
19 of receiving valuable consideration by the means of or process  
20 of an auction or sale at auction or providing an auction  
21 service, offers, negotiates, or attempts to negotiate an  
22 auction contract, sale, purchase, or exchange of goods,  
23 chattels, merchandise, personal property, real property, or  
24 any commodity that may be lawfully kept or offered for sale by  
25 or at auction.

26 "Address of record ~~Record~~" means the designated address

1 recorded by the Department in the applicant's or licensee's  
2 application file or license file maintained by the Department.  
3 ~~It is the duty of the applicant or licensee to inform the~~  
4 ~~Department of any change of address, and such changes must be~~  
5 ~~made either through the Department's website or by directly~~  
6 ~~contacting the Department.~~

7 "Buyer premium" means any fee or compensation paid by the  
8 successful purchaser of property sold or leased at or by  
9 auction, to the auctioneer, auction firms, seller, lessor, or  
10 other party to the transaction, other than the purchase price.

11 "Department" means the Department of Financial and  
12 Professional Regulation.

13 "Division" means the Division of Real Estate within the  
14 Department.

15 "Email address of record" means the designated email  
16 address recorded by the Department in the applicant's  
17 application file or the licensee's license file maintained by  
18 the Department's licensure maintenance unit.

19 "Goods" means chattels, movable goods, merchandise, or  
20 personal property or commodities of any form or type that may  
21 be lawfully kept or offered for sale.

22 "Interactive computer service" means any information  
23 service, system, or access software provider that provides or  
24 enables computer access by multiple users to a computer server,  
25 including specifically a service or system that provides access  
26 to the Internet.

1 "Internet auction listing service" means a website on the  
2 Internet, or other interactive computer service, that is  
3 designed to allow or advertise as a means of allowing users to  
4 offer personal property or services for sale or lease to a  
5 prospective buyer or lessee through an online ~~on-line~~ bid  
6 submission process using that website or interactive computer  
7 service and that does not examine, set the price, prepare the  
8 description of the personal property or service to be offered,  
9 or in any way utilize the services of a natural person as an  
10 auctioneer.

11 "Licensee" means any person licensed under this Act.

12 "Managing auctioneer" means any person licensed as an  
13 auctioneer who manages and supervises licensees ~~sponsored by an~~  
14 ~~auction firm or auctioneer.~~

15 "Person" means an individual, association, partnership,  
16 corporation, or limited liability company or the officers,  
17 directors, or employees of the same.

18 "Pre-renewal period" means the 24 months prior to the  
19 expiration date of a license issued under this Act.

20 "Real estate" means real estate as defined in Section 1-10  
21 of the Real Estate License Act of 2000 or its successor Acts.

22 "Secretary" means the Secretary of ~~the Department of~~  
23 Financial and Professional Regulation or his or her designee.

24 ~~"Sponsoring auctioneer" means the auctioneer or auction~~  
25 ~~firm who has issued a sponsor card to a licensed auctioneer.~~

26 ~~"Sponsor card" means the temporary permit issued by the~~

~~sponsoring auctioneer certifying that the licensee named  
thereon is employed by or associated with the sponsoring  
auctioneer and the sponsoring auctioneer shall be responsible  
for the actions of the sponsored licensee.~~

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

(225 ILCS 407/10-5)

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

Sec. 10-5. Requirements for auctioneer license;  
application. Every person who desires to obtain an auctioneer  
license under this Act shall:

(1) apply to the Department on forms provided by the  
Department accompanied by the required fee;

(2) be at least 18 years of age;

(3) have attained a high school diploma or successfully  
completed an equivalent course of study determined by an  
examination conducted by the Illinois State Board of  
Education; and

(4) pass a written examination authorized by the  
Department to prove competence, including but not limited  
to general knowledge of Illinois and federal laws  
pertaining to personal property contracts, auctions, real  
property, ethics, and other topics relating to the auction  
business. ~~and~~

~~(5) submit to the Department a properly completed  
45 Day Permit Sponsor Card on forms provided by the~~

1 ~~Department.~~

2 (Source: P.A. 95-572, eff. 6-1-08.)

3 (225 ILCS 407/10-22 new)

4 Sec. 10-22. Address of record; email address of record. All  
5 applicants and licensees shall:

6 (1) provide a valid address and email address to the  
7 Department, which shall serve as the address of record and  
8 email address of record, respectively, at the time of  
9 application for licensure or renewal of a license; and

10 (2) inform the Department of any change of address of  
11 record or email address of record within 14 days after such  
12 change either through the Department's website or by  
13 contacting the Department's licensure maintenance unit.

14 (225 ILCS 407/10-40)

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

16 Sec. 10-40. Restoration.

17 (a) A licensee whose license has lapsed or expired shall  
18 have 2 years from the expiration date to restore his or her  
19 license without examination. The expired licensee shall make  
20 application to the Department on forms provided by the  
21 Department, ~~including a properly completed 45-day permit~~  
22 ~~sponsor card,~~ provide evidence of successful completion of 12  
23 hours of approved continuing education during the period of  
24 time the license had lapsed, and pay all fees and penalties as

1 established by rule.

2 (b) Notwithstanding any other provisions of this Act to the  
3 contrary, any licensee whose license under this Act has expired  
4 is eligible to restore such license without paying any lapsed  
5 fees and penalties if ~~provided that~~ the license expired while  
6 the licensee was:

7 (1) on active duty with the United States Army, United  
8 States Marine Corps, United States Navy, United States Air  
9 Force, United States Coast Guard, the State Militia called  
10 into service or training;

11 (2) engaged in training or education under the  
12 supervision of the United States prior to induction into  
13 military service; or

14 (3) serving as an employee of the Department, while the  
15 employee was required to surrender his or her license due  
16 to a possible conflict of interest.

17 A licensee shall be eligible to restore a license under ~~the~~  
18 ~~provisions of~~ this subsection for a period of 2 years following  
19 the termination of the service or, education if, ~~or training by~~  
20 ~~providing a properly completed application and 45-day permit~~  
21 ~~sponsor card, provided that~~ the termination was by other than  
22 dishonorable discharge and ~~provided that~~ the licensee  
23 furnishes the Department with an affidavit specifying that the  
24 licensee has been so engaged.

25 (c) At any time after the suspension, revocation, placement  
26 on probationary status, or other disciplinary action taken



1 under this Act with reference to any license, the Department  
2 may restore the license to the licensee without examination  
3 upon the order of the Secretary, if the licensee submits a  
4 properly completed application ~~and 45-day permit sponsor card,~~  
5 pays the appropriate fees, and otherwise complies with the  
6 conditions of the order.

7 (Source: P.A. 95-331, eff. 8-21-07; 95-572, eff. 6-1-08;  
8 96-730, eff. 8-25-09.)

9 (225 ILCS 407/10-45)

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

11 Sec. 10-45. Nonresident auctioneer reciprocity.

12 (a) A person holding a license to engage in auctions issued  
13 to him or her by the proper authority of a state, territory, or  
14 possession of the United States of America or the District of  
15 Columbia that has licensing requirements equal to or  
16 substantially equivalent to the requirements of this State and  
17 that otherwise meets the requirements of this Act may obtain a  
18 license under this Act without examination if, ~~provided:~~

19 (1) ~~that~~ the Department has entered into a valid  
20 reciprocal agreement with the proper authority of the  
21 state, territory, or possession of the United States of  
22 America or the District of Columbia from which the  
23 nonresident applicant has a valid license;

24 (2) ~~that~~ the applicant provides the Department with a  
25 certificate of good standing from the applicant's state of

1 licensure;

2 (3) ~~that~~ the applicant completes and submits an  
3 application as provided by the Department; and

4 (4) ~~that~~ the applicant pays all applicable fees  
5 required under this Act.

6 (b) A nonresident applicant shall file an irrevocable  
7 consent with the Department that actions may be commenced  
8 against the applicant or nonresident licensee in a court of  
9 competent jurisdiction in this State by the service of summons,  
10 process, or other pleading authorized by the law upon the  
11 Secretary. The consent shall stipulate and agree that service  
12 of the process, summons, or pleading upon the Secretary shall  
13 be taken and held in all courts to be valid and binding as if  
14 actual service had been made upon the applicant in Illinois. If  
15 a summons, process, or other pleading is served upon the  
16 Secretary, it shall be by duplicate copies, one of which shall  
17 be retained by the Department and the other immediately  
18 forwarded by certified or registered mail or email to the last  
19 known business address or email address of record of the  
20 applicant or nonresident licensee against whom the summons,  
21 process, or other pleading may be directed.

22 (Source: P.A. 95-572, eff. 6-1-08; 96-730, eff. 8-25-09.)

23 (225 ILCS 407/15-5)

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

25 Sec. 15-5. Representations. An auctioneer or auction firm,

1 or the ~~sponsored~~ licensees, agents, or employees of an  
2 auctioneer or auction firm, conducting an auction or providing  
3 an auction service shall not:

4 (1) misrepresent a fact material to a purchaser's  
5 decision to buy at or by auction;

6 (2) predict specific or immediate increases in the  
7 value of any item offered for sale at auction; or

8 (3) materially misrepresent the qualities or  
9 characteristics of any item offered for sale at auction.

10 (Source: P.A. 96-730, eff. 8-25-09.)

11 (225 ILCS 407/15-15)

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

13 Sec. 15-15. Supervisory duties. The ~~sponsoring auctioneer,~~  
14 auction firm~~,~~ and managing auctioneer shall have the duty and  
15 responsibility to supervise, manage, and control any sponsored  
16 licensee, agent, or employee while conducting an auction or  
17 providing an auction service. Any violation of this Act by a  
18 ~~sponsored~~ licensee, agent, or employee of an ~~a sponsoring~~  
19 ~~auctioneer,~~ auction firm~~,~~ or managing auctioneer shall be  
20 deemed to be a violation by the ~~sponsoring auctioneer,~~ auction  
21 firm~~,~~ or managing auctioneer as well as by the ~~sponsored~~  
22 licensee, agent, or employee.

23 (Source: P.A. 91-603, eff. 1-1-00.)

24 (225 ILCS 407/20-15)

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

2 Sec. 20-15. Disciplinary actions; grounds. The Department  
3 may refuse to issue or renew a license, may place on probation  
4 or administrative supervision, suspend, or revoke any license  
5 or may reprimand or take other disciplinary or non-disciplinary  
6 action as the Department may deem proper, including the  
7 imposition of fines not to exceed \$10,000 for each violation  
8 upon anyone licensed under this Act for any of the following  
9 reasons:

10 (1) False or fraudulent representation or material  
11 misstatement in furnishing information to the Department  
12 in obtaining or seeking to obtain a license.

13 (2) Violation of any provision of this Act or the rules  
14 adopted under ~~promulgated pursuant to~~ this Act.

15 (3) Conviction of or entry of a plea of guilty or nolo  
16 contendere to any crime that is a felony under the laws of  
17 the United States or any state or territory thereof, or  
18 that is a misdemeanor, an essential element of which is  
19 dishonesty, or any crime that is directly related to the  
20 practice of the profession.

21 (3.5) Failing to notify the Department of any criminal  
22 conviction that occurs during the licensee's term of  
23 licensure within 30 days after the conviction.

24 (4) Being adjudged to be a person under legal  
25 disability or subject to involuntary admission or to meet  
26 the standard for judicial admission as provided in the

1 Mental Health and Developmental Disabilities Code.

2 (5) Discipline of a licensee by another state, the  
3 District of Columbia, a territory of the United States, a  
4 foreign nation, a governmental agency, or any other entity  
5 authorized to impose discipline if at least one of the  
6 grounds for that discipline is the same as or the  
7 equivalent to one of the grounds for discipline set forth  
8 in this Act or for failing to report to the Department,  
9 within 30 days, any adverse final action taken against the  
10 licensee by any other licensing jurisdiction, government  
11 agency, law enforcement agency, or court, or liability for  
12 conduct that would constitute grounds for action as set  
13 forth in this Act.

14 (6) Engaging in the practice of auctioneering,  
15 conducting an auction, or providing an auction service  
16 without a license or after the license was expired,  
17 revoked, suspended, or terminated or while the license was  
18 inoperative.

19 (7) Attempting to subvert or cheat on the auctioneer  
20 exam or any continuing education exam, or aiding or  
21 abetting another to do the same.

22 (8) Directly or indirectly giving to or receiving from  
23 a person, firm, corporation, partnership, or association a  
24 fee, commission, rebate, or other form of compensation for  
25 professional service not actually or personally rendered,  
26 except that an auctioneer licensed under this Act may

1 receive a fee from another licensed auctioneer from this  
2 State or jurisdiction for the referring of a client or  
3 prospect for auction services to the licensed auctioneer.

4 (9) Making any substantial misrepresentation or  
5 untruthful advertising.

6 (10) Making any false promises of a character likely to  
7 influence, persuade, or induce.

8 (11) Pursuing a continued and flagrant course of  
9 misrepresentation or the making of false promises through a  
10 licensee, agent, employee, advertising, or otherwise.

11 (12) Any misleading or untruthful advertising, or  
12 using any trade name or insignia of membership in any  
13 auctioneer association or organization of which the  
14 licensee is not a member.

15 (13) Commingling funds of others with his or her own  
16 funds or failing to keep the funds of others in an escrow  
17 or trustee account.

18 (14) Failure to account for, remit, or return any  
19 moneys, property, or documents coming into his or her  
20 possession that belong to others, acquired through the  
21 practice of auctioneering, conducting an auction, or  
22 providing an auction service within 30 days of the written  
23 request from the owner of said moneys, property, or  
24 documents.

25 (15) Failure to maintain and deposit into a special  
26 account, separate and apart from any personal or other

1 business accounts, all moneys belonging to others  
2 entrusted to a licensee while acting as an auctioneer,  
3 ~~associate auctioneer~~, auction firm, or as a temporary  
4 custodian of the funds of others.

5 (16) Failure to make available to Department personnel  
6 during normal business hours all escrow and trustee records  
7 and related documents maintained in connection with the  
8 practice of auctioneering, conducting an auction, or  
9 providing an auction service within 24 hours after a  
10 request from Department personnel.

11 (17) Making or filing false records or reports in his  
12 or her practice, including but not limited to false records  
13 or reports filed with State agencies.

14 (18) Failing to voluntarily furnish copies of all  
15 written instruments prepared by the auctioneer and signed  
16 by all parties to all parties at the time of execution.

17 (19) Failing to provide information within 30 days in  
18 response to a written request made by the Department.

19 (20) Engaging in any act that constitutes a violation  
20 of Section 2-102, 3-103, or 3-105 of the Illinois Human  
21 Rights Act.

22 (21) (Blank).

23 (22) Engaging in dishonorable, unethical, or  
24 unprofessional conduct of a character likely to deceive,  
25 defraud, or harm the public.

26 (23) Offering or advertising real estate for sale or

1 lease at auction without a valid broker or managing  
2 broker's license under the Real Estate License Act of 1983,  
3 or any successor Act, unless exempt from licensure under  
4 the terms of the Real Estate License Act of 2000, or any  
5 successor Act, except as provided ~~for~~ in Section 5-32 of  
6 the Real Estate License Act of 2000.

7 (24) Inability to practice the profession with  
8 reasonable judgment, skill, or safety as a result of a  
9 physical illness, including, but not limited to,  
10 deterioration through the aging process or loss of motor  
11 skill, or a mental illness or disability.

12 (25) A pattern of practice or other behavior that  
13 demonstrates incapacity or incompetence to practice under  
14 this Act.

15 (26) Being named as a perpetrator in an indicated  
16 report by the Department of Children and Family Services  
17 under the Abused and Neglected Child Reporting Act and upon  
18 proof by clear and convincing evidence that the licensee  
19 has caused a child to be an abused child or a neglected  
20 child as defined in the Abused and Neglected Child  
21 Reporting Act.

22 (27) Inability to practice with reasonable judgment,  
23 skill, or safety as a result of habitual or excessive use  
24 or addiction to alcohol, narcotics, stimulants, or any  
25 other chemical agent or drug.

26 (28) Willfully ~~Wilfully~~ failing to report an instance



1 of suspected child abuse or neglect as required by the  
2 Abused and Neglected Child Reporting Act.

3 The entry of an order by a circuit court establishing that  
4 any person holding a license under this Act is subject to  
5 involuntary admission or judicial admission, as provided ~~for~~ in  
6 the Mental Health and Developmental Disabilities Code,  
7 operates as an automatic suspension of that license. That  
8 person may have his or her license restored only upon the  
9 determination by a circuit court that the patient is no longer  
10 subject to involuntary admission or judicial admission and the  
11 issuance of an order so finding and discharging the patient and  
12 upon the Board's recommendation to the Department that the  
13 license be restored. Where circumstances so indicate, the Board  
14 may recommend to the Department that it require an examination  
15 prior to restoring a suspended license.

16 If the Department or Board finds an individual unable to  
17 practice because of the reasons set forth in this Section, the  
18 Department or Board may require that individual to submit to  
19 care, counseling, or treatment by physicians approved or  
20 designated by the Department or Board, as a condition, term, or  
21 restriction for continued, reinstated, or renewed licensure to  
22 practice; or, in lieu of care, counseling, or treatment, the  
23 Department may file, or the Board may recommend to the  
24 Department to file, a complaint to immediately suspend, revoke,  
25 or otherwise discipline the license of the individual. An  
26 individual whose license was granted, continued, reinstated,

1 renewed, disciplined or supervised subject to such terms,  
2 conditions, or restrictions, and who fails to comply with such  
3 terms, conditions, or restrictions, shall be referred to the  
4 Secretary for a determination as to whether the individual  
5 shall have his or her license suspended immediately, pending a  
6 hearing by the Department. If ~~In instances in which~~ the  
7 Secretary immediately suspends a person's license under this  
8 Section, a hearing on that person's license must be convened by  
9 the Department within 21 days after the suspension and  
10 completed without appreciable delay. The Department and Board  
11 shall have the authority to review the subject individual's  
12 record of treatment and counseling regarding the impairment to  
13 the extent permitted by applicable federal statutes and  
14 regulations safeguarding the confidentiality of medical  
15 records.

16 An individual licensed under this Act and affected under  
17 this Section shall be afforded an opportunity to demonstrate to  
18 the Department or Board that he or she can resume practice in  
19 compliance with acceptable and prevailing standards under ~~the~~  
20 ~~provisions of~~ his or her license.

21 In enforcing this Section, the Department or Board, upon a  
22 showing of a possible violation, may compel an individual  
23 licensed to practice under this Act, or who has applied for  
24 licensure under this Act, to submit to a mental or physical  
25 examination, or both, as required by and at the expense of the  
26 Department. The Department or Board may order the examining

1 physician to present testimony concerning the mental or  
2 physical examination of the licensee or applicant. No  
3 information shall be excluded by reason of any common law or  
4 statutory privilege relating to communications between the  
5 licensee or applicant and the examining physician. The  
6 examining physicians shall be specifically designated by the  
7 Board or Department. The individual to be examined may have, at  
8 his or her own expense, another physician of his or her choice  
9 present during all aspects of this examination. Failure of an  
10 individual to submit to a mental or physical examination when  
11 directed shall be grounds for suspension of his or her license  
12 until the individual submits to the examination, if the  
13 Department finds that, after notice and hearing, the refusal to  
14 submit to the examination was without reasonable cause.

15 (Source: P.A. 98-553, eff. 1-1-14.)

16 (225 ILCS 407/20-43)

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

18 Sec. 20-43. Investigations; notice and hearing. The  
19 Department may investigate the actions or qualifications of any  
20 applicant, unlicensed person, or person rendering or offering  
21 to render auction services, or holding or claiming to hold a  
22 license as a licensed auctioneer. At least 30 days before any  
23 disciplinary hearing under this Act, the Department shall: (i)  
24 notify the accused in writing of the charges made and the time  
25 and place of the hearing; (ii) direct the accused to file with

1 the Board a written answer under oath to the charges within 20  
2 days of receiving service of the notice; and (iii) inform the  
3 accused that if he or she fails to file an answer to the  
4 charges within 20 days of receiving service of the notice, a  
5 default ~~judgment~~ judgment may be entered against him or her,  
6 or his or her license may be suspended, revoked, placed on  
7 probationary status, or other disciplinary action taken with  
8 regard to the license as the Department may consider proper,  
9 including, but not limited to, limiting the scope, nature, or  
10 extent of the licensee's practice, or imposing a fine.

11 At the time and place of the hearing fixed in the notice,  
12 the Board shall proceed to hear the charges and the accused or  
13 his or her counsel shall be accorded ample opportunity to  
14 present any pertinent statements, testimony, evidence, and  
15 arguments in his or her defense. The Board may continue the  
16 hearing when it deems it appropriate.

17 Notice ~~Written notice~~ of the hearing may be served by  
18 personal delivery, ~~or~~ by certified mail, or, at the discretion  
19 of the Department, by an electronic means to the licensee's  
20 last known address or email address of record. ~~to the last~~  
21 ~~known address of record, unless specified as otherwise by the~~  
22 ~~accused in his or her last communication with the Department.~~

23 (Source: P.A. 96-730, eff. 8-25-09.)

24 (225 ILCS 407/20-56)

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

1           Sec. 20-56. Board; rehearing. At the conclusion of the  
2 hearing, a copy of the Board's report shall be served upon the  
3 applicant, ~~or~~ licensee, or unlicensed person by the Department,  
4 either personally or as provided in this Act for the service of  
5 a notice of hearing. Within 20 days after service, the  
6 applicant or licensee may present to the Department a motion in  
7 writing for a rehearing, which shall specify the particular  
8 grounds for rehearing. ~~The Department may respond to the motion~~  
9 ~~for rehearing within 20 days after its service on the~~  
10 ~~Department.~~ If no motion for rehearing is filed, then upon the  
11 expiration of the time specified for filing such a motion, or  
12 if a motion for rehearing is denied, then upon denial, the  
13 Secretary may enter an order in accordance with recommendations  
14 of the Board ~~except as provided in Section 120 of this Act.~~ If  
15 the applicant or licensee orders from the reporting service and  
16 pays for a transcript of the record within the time for filing  
17 a motion for rehearing, the 20-day period within which a motion  
18 may be filed shall commence upon the delivery of the transcript  
19 to the applicant or licensee.

20           (Source: P.A. 96-730, eff. 8-25-09.)

21           (225 ILCS 407/10-15a rep.)

22           (225 ILCS 407/10-35 rep.)

23           (225 ILCS 407/20-25 rep.)

24           (225 ILCS 407/20-70 rep.)

25           Section 15. The Auction License Act is amended by repealing

1 Sections 10-15a, 10-35, 20-25, and 20-70.

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law.