



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3206

Introduced 1/14/2022, by Sen. Antonio Muñoz

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Certified Shorthand Reporters Act of 1984. Renames the Act to the Illinois Certified Shorthand Reporters and Voice Writer Reporters Act. Provides that the practice of shorthand reporting includes the making of a verbatim record by the use of closed microphone voice dictation silencer and pen shorthand writing. Provides that the Department of Financial and Professional Regulation may certify an applicant who is a certified verbatim reporter or registered professional reporter of another jurisdiction as a certified shorthand reporter. Makes changes concerning definitions; use of titles; the Certified Shorthand Reporters and Voice Writer Reporters Board; qualifications for the practice of shorthand reporting; and grounds for disciplinary action. Makes provisions of the Act gender neutral. Amends other Acts to make conforming changes. Effective July 1, 2023.

LRB102 22962 SPS 32116 b

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
5 changing 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 Acts and Section repealed on January 1, 2024.

8 The following Acts and Section of an Act are repealed on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 Crematory Regulation Act.

11 The Electrologist Licensing Act.

12 The Illinois Certified Shorthand Reporters and Voice
13 Writer Reporters Act ~~of 1984~~.

14 The Illinois Occupational Therapy Practice Act.

15 The Illinois Public Accounting Act.

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

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

20 Section 2.5 of the Illinois Plumbing License Law.

21 The Veterinary Medicine and Surgery Practice Act of
22 2004.

23 (Source: P.A. 102-291, eff. 8-6-21.)

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

3 (5 ILCS 255/1) (from Ch. 101, par. 1)

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

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

12 (5 ILCS 255/2) (from Ch. 101, par. 2)

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

1 taken.

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

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

11 Section 15. The Department of Professional Regulation Law
12 of the Civil Administrative Code of Illinois is amended by
13 changing Section 2105-115 as follows:

14 (20 ILCS 2105/2105-115) (was 20 ILCS 2105/60f)

15 Sec. 2105-115. Certified shorthand reporter or certified
16 voice writer reporter; transcript. The Department, at its
17 expense, shall provide a certified shorthand reporter or
18 certified voice writer reporter to take down the testimony and
19 preserve a record of all proceedings at the hearing of any case
20 in which a license may be revoked, suspended, placed on
21 probationary status, reprimanded, fined, or subjected to other
22 disciplinary action with reference to the license when a
23 disciplinary action is authorized in any licensing Act
24 administered by the Department. The notice, complaint, and all

1 other documents in the nature of pleadings and written motions
2 filed in the proceedings, the transcript of testimony, the
3 report of the board, and the orders of the Department shall be
4 the record of the proceedings. The Department shall furnish
5 the record to any person interested in the hearing upon
6 payment therefor of \$1 per page. The Department may contract
7 for court reporting services, and, in the event it does so, the
8 Department shall provide the name and contact information for
9 the certified shorthand reporter or certified voice writer
10 reporter who transcribed the testimony at a hearing to any
11 person interested, who may obtain a copy of the transcript of
12 any proceedings at a hearing upon payment of the fee specified
13 by the certified shorthand reporter or certified voice writer
14 reporter. This charge is in addition to any fee charged by the
15 Department for certifying the record.

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

17 Section 20. The Emergency Medical Services (EMS) Act is
18 amended by changing Section 3.40 as follows:

19 (210 ILCS 50/3.40)

20 Sec. 3.40. EMS System Participation Suspensions and Due
21 Process.

22 (a) An EMS Medical Director may suspend from participation
23 within the System any EMS personnel, EMS Lead Instructor (LI),
24 individual, individual provider or other participant

1 considered not to be meeting the requirements of the Program
2 Plan of that approved EMS System.

3 (b) Prior to suspending any individual or entity, an EMS
4 Medical Director shall provide an opportunity for a hearing
5 before the local System review board in accordance with
6 subsection (f) and the rules promulgated by the Department.

7 (1) If the local System review board affirms or
8 modifies the EMS Medical Director's suspension order, the
9 individual or entity shall have the opportunity for a
10 review of the local board's decision by the State EMS
11 Disciplinary Review Board, pursuant to Section 3.45 of
12 this Act.

13 (2) If the local System review board reverses or
14 modifies the EMS Medical Director's order, the EMS Medical
15 Director shall have the opportunity for a review of the
16 local board's decision by the State EMS Disciplinary
17 Review Board, pursuant to Section 3.45 of this Act.

18 (3) The suspension shall commence only upon the
19 occurrence of one of the following:

20 (A) the individual or entity has waived the
21 opportunity for a hearing before the local System
22 review board; or

23 (B) the order has been affirmed or modified by the
24 local system review board and the individual or entity
25 has waived the opportunity for review by the State
26 Board; or

1 (C) the order has been affirmed or modified by the
2 local system review board, and the local board's
3 decision has been affirmed or modified by the State
4 Board.

5 (c) An EMS Medical Director may immediately suspend an
6 EMR, EMD, EMT, EMT-I, A-EMT, Paramedic, ECRN, PHRN, LI, PHPA,
7 PHAPRN, or other individual or entity if he or she finds that
8 the continuation in practice by the individual or entity would
9 constitute an imminent danger to the public. The suspended
10 individual or entity shall be issued an immediate verbal
11 notification followed by a written suspension order by the EMS
12 Medical Director which states the length, terms and basis for
13 the suspension.

14 (1) Within 24 hours following the commencement of the
15 suspension, the EMS Medical Director shall deliver to the
16 Department, by messenger, telefax, or other
17 Department-approved electronic communication, a copy of
18 the suspension order and copies of any written materials
19 which relate to the EMS Medical Director's decision to
20 suspend the individual or entity. All medical and
21 patient-specific information, including Department
22 findings with respect to the quality of care rendered,
23 shall be strictly confidential pursuant to the Medical
24 Studies Act (Part 21 of Article VIII of the Code of Civil
25 Procedure).

26 (2) Within 24 hours following the commencement of the

1 suspension, the suspended individual or entity may deliver
2 to the Department, by messenger, telefax, or other
3 Department-approved electronic communication, a written
4 response to the suspension order and copies of any written
5 materials which the individual or entity feels are
6 appropriate. All medical and patient-specific information,
7 including Department findings with respect to the quality
8 of care rendered, shall be strictly confidential pursuant
9 to the Medical Studies Act.

10 (3) Within 24 hours following receipt of the EMS
11 Medical Director's suspension order or the individual or
12 entity's written response, whichever is later, the
13 Director or the Director's designee shall determine
14 whether the suspension should be stayed pending an
15 opportunity for a hearing or review in accordance with
16 this Act, or whether the suspension should continue during
17 the course of that hearing or review. The Director or the
18 Director's designee shall issue this determination to the
19 EMS Medical Director, who shall immediately notify the
20 suspended individual or entity. The suspension shall
21 remain in effect during this period of review by the
22 Director or the Director's designee.

23 (d) Upon issuance of a suspension order for reasons
24 directly related to medical care, the EMS Medical Director
25 shall also provide the individual or entity with the
26 opportunity for a hearing before the local System review

1 board, in accordance with subsection (f) and the rules
2 promulgated by the Department.

3 (1) If the local System review board affirms or
4 modifies the EMS Medical Director's suspension order, the
5 individual or entity shall have the opportunity for a
6 review of the local board's decision by the State EMS
7 Disciplinary Review Board, pursuant to Section 3.45 of
8 this Act.

9 (2) If the local System review board reverses or
10 modifies the EMS Medical Director's suspension order, the
11 EMS Medical Director shall have the opportunity for a
12 review of the local board's decision by the State EMS
13 Disciplinary Review Board, pursuant to Section 3.45 of
14 this Act.

15 (3) The suspended individual or entity may elect to
16 bypass the local System review board and seek direct
17 review of the EMS Medical Director's suspension order by
18 the State EMS Disciplinary Review Board.

19 (e) The Resource Hospital shall designate a local System
20 review board in accordance with the rules of the Department,
21 for the purpose of providing a hearing to any individual or
22 entity participating within the System who is suspended from
23 participation by the EMS Medical Director. The EMS Medical
24 Director shall arrange for a certified shorthand reporter or
25 certified voice writer reporter to make a stenographic record
26 of that hearing and thereafter prepare a transcript of the

1 proceedings. The transcript, all documents or materials
2 received as evidence during the hearing and the local System
3 review board's written decision shall be retained in the
4 custody of the EMS system. The System shall implement a
5 decision of the local System review board unless that decision
6 has been appealed to the State Emergency Medical Services
7 Disciplinary Review Board in accordance with this Act and the
8 rules of the Department.

9 (f) The Resource Hospital shall implement a decision of
10 the State Emergency Medical Services Disciplinary Review Board
11 which has been rendered in accordance with this Act and the
12 rules of the Department.

13 (Source: P.A. 100-201, eff. 8-18-17; 100-1082, eff. 8-24-19.)

14 Section 25. The Illinois Funeral or Burial Funds Act is
15 amended by changing Sections 3b and 3d as follows:

16 (225 ILCS 45/3b) (from Ch. 111 1/2, par. 73.103b)

17 Sec. 3b. The Comptroller, at his expense, shall provide a
18 certified shorthand reporter or certified voice writer
19 reporter to take down the testimony and preserve a record of
20 all proceedings at the hearing of any case involving the
21 refusal to issue or renew a license, the suspension or
22 revocation of a license, the imposition of a monetary penalty,
23 or the referral of a case for criminal prosecution. The record
24 of any such proceeding shall consist of the notice of hearing,

1 complaint, all other documents in the nature of pleadings and
2 written motions filed in the proceedings, the transcript of
3 testimony and the report and orders of the Comptroller. Copies
4 of the transcript of such record may be purchased from the
5 certified shorthand reporter or certified voice writer
6 reporter who prepared the record.

7 (Source: P.A. 84-839.)

8 (225 ILCS 45/3d) (from Ch. 111 1/2, par. 73.103d)

9 Sec. 3d. Any person affected by a final administrative
10 decision of the Comptroller may have such decision reviewed
11 judicially by the circuit court of the county where such
12 person resides, or in the case of a corporation, where the
13 registered office is located. If the plaintiff in the review
14 proceeding is not a resident of this State, venue shall be in
15 Sangamon County. The provisions of the Administrative Review
16 Law, as now or hereafter amended, and any rules adopted
17 thereunder shall govern all proceedings for the judicial
18 review of final administrative decisions of the Comptroller.
19 The term "administrative decision" is defined as in the
20 Administrative Review Law.

21 The Comptroller is not required to certify the record of
22 the proceeding unless the plaintiff in the review proceedings
23 has purchased a copy of the transcript from the certified
24 shorthand reporter or certified voice writer reporter who
25 prepared the record. Exhibits shall be certified without cost.

1 (Source: P.A. 84-839.)

2 Section 30. The Medical Practice Act of 1987 is amended by
3 changing Section 39 as follows:

4 (225 ILCS 60/39) (from Ch. 111, par. 4400-39)

5 (Section scheduled to be repealed on January 1, 2027)

6 Sec. 39. Certified shorthand reporter or certified voice
7 writer reporter; record. The Department, at its expense, shall
8 provide a certified shorthand reporter or certified voice
9 writer reporter to take down the testimony and preserve a
10 record of all proceedings at the hearing of any case wherein a
11 license may be revoked, suspended, placed on probationary
12 status, or other disciplinary action taken with regard thereto
13 in accordance with Section 2105-115 of the Department of
14 Professional Regulation Law of the Civil Administrative Code
15 of Illinois. The notice of hearing, complaint and all other
16 documents in the nature of pleadings and written motions filed
17 in the proceedings, the transcript of testimony, the report of
18 the hearing officer, exhibits, the report of the Medical
19 Board, and the orders of the Department constitute the record
20 of the proceedings.

21 (Source: P.A. 101-316, eff. 8-9-19; 102-20, eff. 1-1-22.)

22 Section 35. The Illinois Explosives Act is amended by
23 changing Section 5004 as follows

1 (225 ILCS 210/5004) (from Ch. 96 1/2, par. 1-5004)
2 Sec. 5004. Record of proceedings; transcript. The
3 Department or aggrieved party may provide at its or his or her
4 expense a certified shorthand reporter or certified voice
5 writer reporter to take down the testimony and preserve a
6 record of all proceedings at the hearing of any case involving
7 denial or refusal to issue or renew a license or certificate,
8 or the suspension or revocation or other discipline of a
9 license or certificate. Copies of the transcript of such
10 record may be purchased from the certified shorthand reporter
11 or certified voice writer reporter who prepared the record.
12 (Source: P.A. 96-1194, eff. 1-1-11.)

13 Section 40. The Illinois Certified Shorthand Reporters Act
14 of 1984 is amended by changing Sections 1, 2, 3, 3.5, 4, 5, 6,
15 8, 9, 10, 11, 13, 14, 15, 16, 23, 23.1, 23.3, 23.4, 23.10,
16 23.13, 25, 26, and 28 as follows:

17 (225 ILCS 415/1) (from Ch. 111, par. 6201)
18 (Section scheduled to be repealed on January 1, 2024)
19 Sec. 1. The practice of shorthand reporting and voice
20 writer reporting in the State of Illinois is hereby declared
21 to affect the public health, safety and welfare and to be
22 subject to regulation and control in the public interest. This
23 Act is designed to encourage proficiency in the methods

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

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

15 (225 ILCS 415/2) (from Ch. 111, par. 6202)

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

17 Sec. 2. This Act may be cited as the Illinois Certified
18 Shorthand Reporters and Voice Writer Reporters Act ~~of 1984~~.

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

20 (225 ILCS 415/3) (from Ch. 111, par. 6203)

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

22 Sec. 3. License required. No person may practice shorthand
23 reporting or voice writer reporting on a temporary or
24 permanent basis in this State without being certified under

1 this Act. This Act does not prohibit any non-resident
2 practicing shorthand reporter or non-resident practicing voice
3 writer reporter from practicing shorthand reporting or voice
4 writer reporting in this State as to one single proceeding.

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

6 (225 ILCS 415/3.5)

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

8 Sec. 3.5. Uncertified practice; violation; civil penalty.

9 (a) Any person who practices, offers to practice, attempts
10 to practice, or holds oneself out to practice as a shorthand
11 reporter or a voice writer reporter without being certified
12 under this Act shall, in addition to any other penalty
13 provided by law, pay a civil penalty to the Department in an
14 amount not to exceed \$10,000 for each offense as determined by
15 the Department and the assessment of costs as provided under
16 Section 23.3 of this Act. The civil penalty shall be assessed
17 by the Department after a hearing is held in accordance with
18 the provisions set forth in this Act regarding the provision
19 of a hearing for the discipline of a licensee.

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

22 (c) The civil penalty shall be paid within 60 days after
23 the effective date of the order imposing the civil penalty.
24 The order shall constitute a judgment and may be filed and
25 execution had thereon in the same manner as any judgment from

1 any court of record.

2 (d) All moneys collected under this Section shall be
3 deposited into the General Professions Dedicated Fund.

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

5 (225 ILCS 415/4) (from Ch. 111, par. 6204)

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

7 Sec. 4. In this Act:

8 (1) "Department" means the Department of Financial and
9 Professional Regulation.

10 (2) "Secretary" means the Secretary of Financial and
11 Professional Regulation.

12 (3) "Board" means the Certified Shorthand Reporters and
13 Voice Writer Reporters Board appointed by the Secretary.

14 (4) "The practice of shorthand reporting" means reporting,
15 by the use of any system of manual or mechanical shorthand
16 writing, of Grand Jury proceedings, court proceedings, court
17 related proceedings, pretrial examinations, depositions,
18 motions and related proceedings of like character, or
19 proceedings of an administrative agency when the final
20 decision of the agency with reference thereto is likely to be
21 subject to judicial review under the provisions of the
22 Administrative Review Law.

23 (5) "Shorthand reporter" means a person who is technically
24 qualified and certified under this Act to practice shorthand
25 reporting.

1 (6) "Stenographic notes" means the original notes by
2 manual or mechanical shorthand or shorthand writing taken by a
3 shorthand reporter of a proceeding while in attendance at such
4 proceeding for the purpose of reporting the same.

5 (7) "Address of record" means the designated address
6 recorded by the Department in the applicant's or licensee's
7 application file or license file as maintained by the
8 Department's licensure maintenance unit. It is the duty of the
9 applicant or licensee to inform the Department of any change
10 of address and those changes must be made either through the
11 Department's Internet website or by contacting the Department.

12 (8) "Practice of voice writer reporting" means reporting,
13 by the use of a system of repeating words of the speaker into a
14 closed microphone voice dictation silencer that is capable of
15 digital translation into text, of grand jury proceedings,
16 court proceedings, court-related proceedings, pretrial
17 examinations, depositions, motions, and related proceedings of
18 like character, or proceedings of an administrative agency
19 when the final decision of the agency with reference thereto
20 is likely to be subject to judicial review under the
21 provisions of the Administrative Review Law.

22 (9) "Voice writer notes" means the original record by
23 voice dictation taken by a voice writer reporter of a
24 proceeding while in attendance at such proceeding for the
25 purpose of reporting the same.

26 (10) "Voice writer reporter" means a person who is

1 technically qualified and certified under this Act to practice
2 voice writer reporting.

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

4 (225 ILCS 415/5) (from Ch. 111, par. 6205)

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

6 Sec. 5. Use of titles.~~Title.~~

7 (a) Every person to whom a valid existing certificate as a
8 certified shorthand reporter has been issued under this Act
9 shall be designated as a Certified Shorthand Reporter and not
10 otherwise, and any such certified shorthand reporter may, in
11 connection with his or her practice of shorthand reporting,
12 use the abbreviation "C.S.R." or the title "Court Reporter".

13 (b) Every person to whom a valid existing certificate as a
14 certified voice writer reporter has been issued under this Act
15 shall be designated as a certified voice writer reporter and
16 not otherwise, and any such certified voice writer reporter
17 may, in connection with his or her practice of voice writer
18 reporting use the abbreviation "C.V.W.R" or "Voice Writer
19 Reporter".

20 (c) No person other than the holder of a valid existing
21 certificate under this Act shall use the applicable titles or
22 designations authorized under this Section. A person may hold
23 valid certificates both as a certified shorthand reporter and
24 as a certified voice writer reporter under this Act and may use
25 the titles authorized by this Section in connection with his

1 ~~or her profession or business. No person other than the holder~~
2 ~~of a valid existing certificate under this Act shall use the~~
3 ~~title or designation of "Certified Shorthand Reporter", "Court~~
4 ~~Reporter", or "C.S.R.", either directly or indirectly in~~
5 ~~connection with his or her profession or business.~~

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

7 (225 ILCS 415/6) (from Ch. 111, par. 6206)

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

9 Sec. 6. Restricted certificate. Upon receipt of a written
10 request from the Chief Judge of the reporter's circuit, the
11 Department shall, upon payment of the required fee, issue to
12 any reporter who has been appointed in counties of less than
13 1,000,000 in population, has been examined under the Court
14 Reporters Act, and has achieved an "A" proficiency rating, a
15 restricted certificate by which such official court reporter
16 may then lawfully engage in reporting only court proceedings
17 to which he or she may be assigned by the Chief Judge of his or
18 her circuit.

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

20 (225 ILCS 415/8) (from Ch. 111, par. 6208)

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

22 Sec. 8. Certified Shorthand Reporters and Voice Writer
23 Reporters Board. The Secretary shall appoint a Certified
24 Shorthand Reporters and Voice Writer Reporters Board as

1 follows: 7 persons who shall be appointed by and shall serve in
2 an advisory capacity to the Secretary. At least 5 ~~Six~~ members
3 must be certified shorthand reporters, in good standing, and
4 actively engaged in the practice of shorthand reporting in
5 this State for at least 10 ~~ten~~ years who have not been subject
6 to disciplinary action during the 10 years immediately prior
7 to the date of appointment to the Board. One member may be a
8 certified voice writer reporter who is actively engaged in the
9 practice of voice writer reporting and is in good standing in
10 this State, except for the initial appointment the appointee
11 must be actively engaged in the practice of voice writer
12 reporting and meet the qualifications for certification under
13 this Act. One, ~~and one~~ member must be a member of the public
14 who is not certified under this Act, or a similar Act of
15 another jurisdiction. Members of the Board shall have no
16 liability in any action based upon any disciplinary proceeding
17 or other activity performed in good faith as members of the
18 Board.

19 Members shall serve 4 year terms and until their
20 successors are appointed and qualified. No member shall be
21 reappointed to the Board for a term that would cause his or her
22 continuous service on the Board to be longer than 2 full
23 consecutive terms. Appointments to fill vacancies shall be
24 made in the same manner as original appointments, for the
25 unexpired portion of the vacated term.

26 In making appointments to the Board, the Secretary shall

1 give consideration to recommendations by national and State
2 organizations of the shorthand reporter and voice writer
3 reporter professions profession.

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

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

9 The Secretary shall consider the recommendations of the
10 Board on questions involving standards of professional
11 conduct, discipline and qualifications of candidates and
12 certificate holders under this Act.

13 Members of the Board shall be reimbursed for all
14 legitimate, necessary, and authorized expenses incurred in
15 attending the meetings of the Board.

16 Members of the Board have no liability in any action based
17 upon any disciplinary proceedings or other activity performed
18 in good faith as members of the Board.

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

20 (225 ILCS 415/9) (from Ch. 111, par. 6209)

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

22 Sec. 9. Qualifications. Applications for original
23 certificates shall be made to the Department in writing on
24 forms prescribed by the Department and shall be accompanied by
25 the required fee, which shall not be returnable. Any such

1 application shall require such information as in the judgment
2 of the Department will enable the Department to pass on the
3 qualifications of the applicant for certification.

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

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

17 (225 ILCS 415/10) (from Ch. 111, par. 6210)

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

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

24 Applicants for examination as certified shorthand
25 reporters and for examination as certified voice writer

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

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

17 The Department may employ consultants for the purpose of
18 preparing and conducting examinations.

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

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

1 (225 ILCS 415/11) (from Ch. 111, par. 6211)

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

3 Sec. 11. Qualifications; application.

4 (a) A person shall be qualified for certification as a
5 certified shorthand reporter if:

6 (1) ~~A.~~ That person has applied in writing in form and
7 substance to the Department~~+~~ and:

8 (A) ~~(1)~~ (Blank);

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

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

15 (2) ~~B.~~ That person has successfully completed the
16 examination authorized by the Department.

17 Additional qualifications for the practice of
18 shorthand reporting may be set by the Department by rule.

19 (b) A person shall be qualified for certification as a
20 certified voice writer reporter if:

21 (1) that person has applied in writing in form and
22 substance to the Department;

23 (2) is of good moral character, the determination of
24 which shall take into account but not totally be based
25 upon any felony conviction of the applicant;

1 (3) has graduated from a high school or secondary
2 school or its equivalent;

3 (4) is trained in a voice writing method of reporting
4 as evidenced by a certificate of completion issued by the
5 school;

6 (5) has successfully completed the examination
7 authorized by the Department or submits a certification of
8 successful completion of an examination from another
9 jurisdiction that is the equivalent of the examination
10 authorized by the Department; and

11 (6) submits an official copy of a Certified Verbatim
12 Reporter Certificate or Certificate of Merit issued by the
13 National Verbatim Reporters Association.

14 Additional qualifications for the practice of voice writer
15 reporting may be set by the Department by rule.

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

17 (225 ILCS 415/13) (from Ch. 111, par. 6213)

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

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

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

1 (225 ILCS 415/14) (from Ch. 111, par. 6214)

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

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

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

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

1 requirements for restoration.

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

25 Any certified shorthand reporter or certified voice writer

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 voice writer
5 reporter whose certificate is in an inactive status shall not
6 practice shorthand reporting or voice writer reporting in the
7 State of Illinois.

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

9 (225 ILCS 415/16) (from Ch. 111, par. 6216)

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

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

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

1 requirements in effect at the time of reapplication.

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

3 (225 ILCS 415/23) (from Ch. 111, par. 6223)

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

5 Sec. 23. Grounds for disciplinary action.

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

13 (1) Material misstatement in furnishing information to
14 the Department;

15 (2) Violations of this Act, or of the rules
16 promulgated thereunder;

17 (3) Conviction by plea of guilty or nolo contendere,
18 finding of guilt, jury verdict, or entry of judgment or by
19 sentencing of any crime, including, but not limited to,
20 convictions, preceding sentences of supervision,
21 conditional discharge, or first offender probation under
22 the laws of any jurisdiction of the United States: (i)
23 that is a felony or (ii) that is a misdemeanor, an
24 essential element of which is dishonesty, or that is
25 directly related to the practice of the profession;

1 (4) Fraud or any misrepresentation in applying for or
2 procuring a license under this Act or in connection with
3 applying for renewal of a license under this Act;

4 (5) Professional incompetence;

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

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

10 (8) Engaging in dishonorable, unethical or
11 unprofessional conduct of a character likely to deceive,
12 defraud or harm the public;

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

17 (10) Discipline by another state, unit of government,
18 government agency, the District of Columbia, a territory,
19 or foreign nation, if at least one of the grounds for the
20 discipline is the same or substantially equivalent to
21 those set forth herein;

22 (11) Charging for professional services not rendered,
23 including filing false statements for the collection of
24 fees for which services were not rendered, or giving,
25 directly or indirectly, any gift or anything of value to
26 attorneys or their staff or any other persons or entities

1 associated with any litigation, that exceeds \$100 total
2 per year; for the purposes of this Section, pro bono
3 services, as defined by State law, are permissible in any
4 amount;

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

8 (13) Willfully making or filing false records or
9 reports in the practice of shorthand reporting or in the
10 practice of voice writer reporting, including but not
11 limited to false records filed with State agencies or
12 departments;

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

17 (15) Solicitation of professional services other than
18 by permitted advertising;

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

21 (17) Willful alteration of any stenographic notes
22 taken at any proceeding;

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

25 (19) Willful alteration of a transcript of
26 stenographic notes taken at any proceeding;

1 (20) Affixing one's signature to any transcript of his
2 stenographic notes or certifying to its correctness unless
3 the transcript has been prepared by him or under his
4 immediate supervision;

5 (21) Willful failure to systematically retain
6 stenographic notes or transcripts on paper or any
7 electronic media for 10 years from the date that the notes
8 or transcripts were taken;

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

11 (23) Establishing contingent fees as a basis of
12 compensation;

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

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

18 (26) Cheating on or attempting to subvert the
19 licensing examination administered under this Act;

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

22 All fines imposed under this Section shall be paid within
23 60 days after the effective date of the order imposing the fine
24 or in accordance with the terms set forth in the order imposing
25 the fine.

26 (b) The determination by a circuit court that a

1 certificate holder is subject to involuntary admission or
2 judicial admission as provided in the Mental Health and
3 Developmental Disabilities Code, operates as an automatic
4 suspension. Such suspension will end only upon a finding by a
5 court that the patient is no longer subject to involuntary
6 admission or judicial admission, an order by the court so
7 finding and discharging the patient. In any case where a
8 license is suspended under this Section, the licensee may file
9 a petition for restoration and shall include evidence
10 acceptable to the Department that the licensee can resume
11 practice in compliance with acceptable and prevailing
12 standards of the profession.

13 (c) In cases where the Department of Healthcare and Family
14 Services has previously determined a licensee or a potential
15 licensee is more than 30 days delinquent in the payment of
16 child support and has subsequently certified the delinquency
17 to the Department, the Department may refuse to issue or renew
18 or may revoke or suspend that person's license or may take
19 other disciplinary action against that person based solely
20 upon the certification of delinquency made by the Department
21 of Healthcare and Family Services in accordance with item (5)
22 of subsection (a) of Section 2105-15 of the Civil
23 Administrative Code of Illinois.

24 (d) In enforcing this Section, the Department, upon a
25 showing of a possible violation, may compel any individual who
26 is certified under this Act or any individual who has applied

1 for certification under this Act to submit to a mental or
2 physical examination and evaluation, or both, which may
3 include a substance abuse or sexual offender evaluation, at
4 the expense of the Department. The Department shall
5 specifically designate the examining physician licensed to
6 practice medicine in all of its branches or, if applicable,
7 the multidisciplinary team involved in providing the mental or
8 physical examination and evaluation, or both. The
9 multidisciplinary team shall be led by a physician licensed to
10 practice medicine in all of its branches and may consist of one
11 or more or a combination of physicians licensed to practice
12 medicine in all of its branches, licensed chiropractic
13 physicians, licensed clinical psychologists, licensed clinical
14 social workers, licensed clinical professional counselors, and
15 other professional and administrative staff. Any examining
16 physician or member of the multidisciplinary team may require
17 any person ordered to submit to an examination and evaluation
18 pursuant to this Section to submit to any additional
19 supplemental testing deemed necessary to complete any
20 examination or evaluation process, including, but not limited
21 to, blood testing, urinalysis, psychological testing, or
22 neuropsychological testing.

23 The Department may order the examining physician or any
24 member of the multidisciplinary team to provide to the
25 Department any and all records, including business records,
26 that relate to the examination and evaluation, including any

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

22 Failure of any individual to submit to mental or physical
23 examination and evaluation, or both, when directed, shall
24 result in an automatic suspension, without hearing, until such
25 time as the individual submits to the examination. If the
26 Department finds a certified shorthand reporter or certified

1 voice writer reporter unable to practice because of the
2 reasons set forth in this Section, the Department shall
3 require the certified shorthand reporter or certified voice
4 writer reporter to submit to care, counseling, or treatment by
5 physicians approved or designated by the Department, as a
6 condition for continued, reinstated, or renewed certification.

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

17 Individuals certified under this Act, affected under this
18 Section, shall be afforded an opportunity to demonstrate to
19 the Department that they can resume practice in compliance
20 with acceptable and prevailing standards under the provisions
21 of their certification.

22 (e) (Blank).

23 (f) The Department may refuse to issue or may suspend
24 without hearing, as provided for in the Code of Civil
25 Procedure, the license of any person who fails to file a
26 return, to pay the tax, penalty, or interest shown in a filed

1 return, or to pay any final assessment of tax, penalty, or
2 interest as required by any tax Act administered by the
3 Illinois Department of Revenue, until such time as the
4 requirements of any such tax Act are satisfied in accordance
5 with subsection (g) of Section 2105-15 of the Civil
6 Administrative Code of Illinois.

7 (Source: P.A. 100-872, eff. 8-14-18.)

8 (225 ILCS 415/23.1) (from Ch. 111, par. 6224)

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

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

11 (a) If any person violates the provisions of this Act, the
12 Secretary may, in the name of the People of the State of
13 Illinois, through the Attorney General of the State of
14 Illinois or the State's Attorney of the county in which the
15 violation is alleged to have occurred, petition for an order
16 enjoining such violation or for an order enforcing compliance
17 with this Act. Upon the filing of a verified petition in such
18 court, the court may issue a temporary restraining order,
19 without notice or bond, and may preliminarily and permanently
20 enjoin such violation. If it is established that such person
21 has violated or is violating the injunction, the court may
22 punish the offender for contempt of court. Proceedings under
23 this Section shall be in addition to, and not in lieu of, all
24 other remedies and penalties provided by this Act.

25 (b) If any person practices as a certified shorthand

1 reporter or certified voice writer reporter or holds himself
2 or herself out as a certified shorthand reporter or certified
3 voice writer reporter without being licensed under the
4 provisions of this Act then any certified shorthand reporter,
5 any certified voice writer reporter, any interested party or
6 any person injured thereby may, in addition to the Secretary,
7 petition for relief as provided in subsection (a).

8 (c) Whenever in the opinion of the Department any person
9 violates any provision of this Act, the Department may issue a
10 rule to show cause why an order to cease and desist should not
11 be entered against that individual. The rule shall clearly set
12 forth the grounds relied upon by the Department and shall
13 provide a period of 7 days from the date of the rule to file an
14 answer to the satisfaction of the Department. Failure to
15 answer to the satisfaction of the Department shall cause an
16 order to cease and desist to be issued forthwith.

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

18 (225 ILCS 415/23.3) (from Ch. 111, par. 6226)

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

20 Sec. 23.3. Records of proceedings. The Department, at its
21 expense, shall preserve a record of all proceedings at the
22 formal hearing of any case. The notice of hearing, complaint
23 and all other documents in the nature of pleadings and written
24 motions filed in the proceedings, the transcript of testimony,
25 the report of the Board and orders of the Department, shall be

1 the record of such proceeding. Any certified shorthand
2 reporter or certified voice writer reporter who is found to
3 have violated this Act or who fails to appear for a hearing to
4 refuse to issue, restore, or renew a license or to discipline a
5 licensee may be required by the Department to pay for the costs
6 of the proceeding. These costs are limited to costs for court
7 reporters, transcripts, and witness attendance and mileage
8 fees. All costs imposed under this Section shall be paid
9 within 60 days after the effective date of the order imposing
10 the fine.

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

12 (225 ILCS 415/23.4) (from Ch. 111, par. 6227)

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

14 Sec. 23.4. Subpoenas; oaths. The Department may subpoena
15 and bring before it any person and to take the oral or written
16 testimony or compel the production of any books, papers,
17 records, or any other documents that the Secretary or his or
18 her designee deems relevant or material to an investigation or
19 hearing conducted by the Department with the same fees and
20 mileage and in the same manner as prescribed by law in judicial
21 procedure in civil cases in courts of this State.

22 The Secretary, the designated hearing officer, any member
23 of the Board, or a certified shorthand court reporter or a
24 certified voice writer reporter may have power to administer
25 oaths at any hearing which the Department conducts.

1 Notwithstanding any other statute or Department rule to the
2 contrary, all requests for testimony and production of
3 documents or records shall be in accordance with this Act.

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

5 (225 ILCS 415/23.13) (from Ch. 111, par. 6236)

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

7 Sec. 23.13. Summary suspension. The Secretary may
8 summarily suspend the certificate of a certified shorthand
9 reporter or a certified voice writer reporter without a
10 hearing, simultaneously with the institution of proceedings
11 for a hearing provided for in Section 23.2 of this Act, if the
12 Secretary finds that the evidence indicates that a certified
13 shorthand reporter's or a certified voice writer reporter's
14 continuation in practice would constitute an imminent danger
15 to the public. In the event that the Secretary summarily
16 suspends the certificate of a certified shorthand reporter or
17 a certified voice writer reporter without a hearing, a hearing
18 shall be commenced within 30 days after such suspension has
19 occurred and shall be concluded as expeditiously as possible.

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

21 (225 ILCS 415/25) (from Ch. 111, par. 6241)

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

23 Sec. 25. Home rule. The regulation and licensing of a
24 shorthand reporter or a voice writer reporter are exclusive

1 powers and functions of the State. A home rule unit may not
2 regulate or license a shorthand reporter or the practice of
3 shorthand reporting or regulate or license a voice writer
4 reporter or the practice of voice writer reporting. This
5 Section is a denial and limitation of home rule powers and
6 functions under subsection (h) of Section 6 of Article VII of
7 the Illinois Constitution.

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

9 (225 ILCS 415/26) (from Ch. 111, par. 6242)

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

11 Sec. 26. Every shorthand reporter and voice writer
12 reporter shall print his or her name and license or restricted
13 license number on each transcript reported.

14 (Source: P.A. 87-481; 87-576.)

15 (225 ILCS 415/28)

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

17 Sec. 28. Payment for services. A person certified under
18 this Act may hold an attorney, firm, or any other entity
19 personally responsible for payment of shorthand reporting
20 services or voice writer reporting services rendered at the
21 request of that attorney, firm, or entity.

22 (Source: P.A. 90-295, eff. 8-1-97.)

23 Section 45. The Illinois Public Accounting Act is amended

1 by changing Section 20.2 as follows:

2 (225 ILCS 450/20.2) (from Ch. 111, par. 5523)

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

4 Sec. 20.2. Subpoenas; depositions; oaths.

5 (a) The Department may subpoena and bring before it any
6 person to take the oral or written testimony or compel the
7 production of any books, papers, records, or any other
8 documents that the Secretary or his or her designee deems
9 relevant or material to any investigation or hearing conducted
10 by the Department with the same fees and mileage as prescribed
11 in civil cases in circuit courts of this State and in the same
12 manner as prescribed by this Act and its rules.

13 (b) The Secretary, any member of the Committee designated
14 by the Secretary, a certified shorthand reporter or certified
15 voice writer reporter, or any hearing officer appointed may
16 administer oaths at any hearing which the Department conducts.
17 Notwithstanding any statute or Department rule to the
18 contrary, all requests for testimony, production of documents,
19 or records shall be in accordance with this Act.

20 (Source: P.A. 98-254, eff. 8-9-13.)

21 Section 50. The Real Estate Appraiser Licensing Act of
22 2002 is amended by changing Section 15-15 as follows:

23 (225 ILCS 458/15-15)

1 (Text of Section before amendment by P.A. 102-20)

2 (Section scheduled to be repealed on January 1, 2027)

3 Sec. 15-15. Investigation; notice; hearing.

4 (a) Upon the motion of the Department or the Board or upon
5 a complaint in writing of a person setting forth facts that, if
6 proven, would constitute grounds for suspension, revocation,
7 or other disciplinary action against a licensee or applicant
8 for licensure, the Department shall investigate the actions of
9 the licensee or applicant. If, upon investigation, the
10 Department believes that there may be cause for suspension,
11 revocation, or other disciplinary action, the Department shall
12 use the services of a State certified general real estate
13 appraiser, a State certified residential real estate
14 appraiser, or the Real Estate Coordinator to assist in
15 determining whether grounds for disciplinary action exist
16 prior to commencing formal disciplinary proceedings.

17 (b) Formal disciplinary proceedings shall commence upon
18 the issuance of a written complaint describing the charges
19 that are the basis of the disciplinary action and delivery of
20 the detailed complaint to the address of record of the
21 licensee or applicant. The Department shall notify the
22 licensee or applicant to file a verified written answer within
23 20 days after the service of the notice and complaint. The
24 notification shall inform the licensee or applicant of his or
25 her right to be heard in person or by legal counsel; that the
26 hearing will be afforded not sooner than 30 days after service

1 of the complaint; that failure to file an answer will result in
2 a default being entered against the licensee or applicant;
3 that the license may be suspended, revoked, or placed on
4 probationary status; and that other disciplinary action may be
5 taken pursuant to this Act, including limiting the scope,
6 nature, or extent of the licensee's practice. If the licensee
7 or applicant fails to file an answer after service of notice,
8 his or her license may, at the discretion of the Department, be
9 suspended, revoked, or placed on probationary status and the
10 Department may take whatever disciplinary action it deems
11 proper, including limiting the scope, nature, or extent of the
12 person's practice, without a hearing.

13 (c) At the time and place fixed in the notice, the Board
14 shall conduct hearing of the charges, providing both the
15 accused person and the complainant ample opportunity to
16 present in person or by counsel such statements, testimony,
17 evidence, and argument as may be pertinent to the charges or to
18 a defense thereto.

19 (d) The Board shall present to the Secretary a written
20 report of its findings and recommendations. A copy of the
21 report shall be served upon the licensee or applicant, either
22 personally or by certified mail. Within 20 days after the
23 service, the licensee or applicant may present the Secretary
24 with a motion in writing for either a rehearing, a proposed
25 finding of fact, a conclusion of law, or an alternative
26 sanction, and shall specify the particular grounds for the

1 request. If the accused orders a transcript of the record as
2 provided in this Act, the time elapsing thereafter and before
3 the transcript is ready for delivery to the accused shall not
4 be counted as part of the 20 days. If the Secretary is not
5 satisfied that substantial justice has been done, the
6 Secretary may order a rehearing by the Board or other special
7 committee appointed by the Secretary, may remand the matter to
8 the Board for its reconsideration of the matter based on the
9 pleadings and evidence presented to the Board, or may enter a
10 final order in contravention of the Board's recommendation.
11 Notwithstanding a licensee's or applicant's failure to file a
12 motion for rehearing, the Secretary shall have the right to
13 take any of the actions specified in this subsection (d). Upon
14 the suspension or revocation of a license, the licensee shall
15 be required to surrender his or her license to the Department,
16 and upon failure or refusal to do so, the Department shall have
17 the right to seize the license.

18 (e) The Department has the power to issue subpoenas and
19 subpoenas duces tecum to bring before it any person in this
20 State, to take testimony, or to require production of any
21 records relevant to an inquiry or hearing by the Board in the
22 same manner as prescribed by law in judicial proceedings in
23 the courts of this State. In a case of refusal of a witness to
24 attend, testify, or to produce books or papers concerning a
25 matter upon which he or she might be lawfully examined, the
26 circuit court of the county where the hearing is held, upon

1 application of the Department or any party to the proceeding,
2 may compel obedience by proceedings as for contempt.

3 (f) Any license that is suspended indefinitely or revoked
4 may not be restored for a minimum period of 2 years, or as
5 otherwise ordered by the Secretary.

6 (g) In addition to the provisions of this Section
7 concerning the conduct of hearings and the recommendations for
8 discipline, the Department has the authority to negotiate
9 disciplinary and non-disciplinary settlement agreements
10 concerning any license issued under this Act. All such
11 agreements shall be recorded as Consent Orders or Consent to
12 Administrative Supervision Orders.

13 (h) The Secretary shall have the authority to appoint an
14 attorney duly licensed to practice law in the State of
15 Illinois to serve as the hearing officer in any action to
16 suspend, revoke, or otherwise discipline any license issued by
17 the Department. The Hearing Officer shall have full authority
18 to conduct the hearing.

19 (i) The Department, at its expense, shall preserve a
20 record of all formal hearings of any contested case involving
21 the discipline of a license. At all hearings or pre-hearing
22 conferences, the Department and the licensee shall be entitled
23 to have the proceedings transcribed by a certified shorthand
24 reporter or certified voice writer reporter. A copy of the
25 transcribed proceedings shall be made available to the
26 licensee by the certified shorthand reporter or certified

1 voice writer reporter upon payment of the prevailing contract
2 copy rate.

3 (Source: P.A. 100-831, eff. 1-1-19.)

4 (Text of Section after amendment by P.A. 102-20)

5 (Section scheduled to be repealed on January 1, 2027)

6 Sec. 15-15. Investigation; notice; hearing.

7 (a) Upon the motion of the Department or the Board or upon
8 a complaint in writing of a person setting forth facts that, if
9 proven, would constitute grounds for suspension, revocation,
10 or other disciplinary action against a licensee or applicant
11 for licensure, the Department shall investigate the actions of
12 the licensee or applicant. If, upon investigation, the
13 Department believes that there may be cause for suspension,
14 revocation, or other disciplinary action, the Department shall
15 use the services of a State certified general real estate
16 appraiser, a State certified residential real estate
17 appraiser, or the Real Estate Coordinator to assist in
18 determining whether grounds for disciplinary action exist
19 prior to commencing formal disciplinary proceedings.

20 (b) Formal disciplinary proceedings shall commence upon
21 the issuance of a written complaint describing the charges
22 that are the basis of the disciplinary action and delivery of
23 the detailed complaint to the address of record of the
24 licensee or applicant. For an associate real estate trainee
25 appraiser, a copy shall also be sent to the licensee's

1 supervising appraiser of record. The Department shall notify
2 the licensee or applicant to file a verified written answer
3 within 20 days after the service of the notice and complaint.
4 The notification shall inform the licensee or applicant of the
5 right to be heard in person or by legal counsel; that the
6 hearing will be afforded not sooner than 20 days after service
7 of the complaint; that failure to file an answer will result in
8 a default being entered against the licensee or applicant;
9 that the license may be suspended, revoked, or placed on
10 probationary status; and that other disciplinary action may be
11 taken pursuant to this Act, including limiting the scope,
12 nature, or extent of the licensee's practice. If the licensee
13 or applicant fails to file an answer after service of notice,
14 the respective license may, at the discretion of the
15 Department, be suspended, revoked, or placed on probationary
16 status and the Department may take whatever disciplinary
17 action it deems proper, including limiting the scope, nature,
18 or extent of the person's practice, without a hearing.

19 (c) At the time and place fixed in the notice, the Board
20 shall conduct hearing of the charges, providing both the
21 accused person and the complainant ample opportunity to
22 present in person or by counsel such statements, testimony,
23 evidence, and argument as may be pertinent to the charges or to
24 a defense thereto.

25 (d) The Board shall present to the Secretary a written
26 report of its findings of fact and recommendations. A copy of

1 the report shall be served upon the licensee or applicant,
2 either personally, by mail, or, at the discretion of the
3 Department, by electronic means. For associate real estate
4 trainee appraisers, a copy shall also be sent to the
5 licensee's supervising appraiser of record. Within 20 days
6 after the service, the licensee or applicant may present the
7 Secretary with a motion in writing for a rehearing and shall
8 specify the particular grounds for the request. If the accused
9 orders a transcript of the record as provided in this Act, the
10 time elapsing thereafter and before the transcript is ready
11 for delivery to the accused shall not be counted as part of the
12 20 days. If the Secretary is not satisfied that substantial
13 justice has been done, the Secretary may order a rehearing by
14 the Board or other special committee appointed by the
15 Secretary, may remand the matter to the Board for its
16 reconsideration of the matter based on the pleadings and
17 evidence presented to the Board, or may enter a final order in
18 contravention of the Board's recommendation. Notwithstanding a
19 licensee's or applicant's failure to file a motion for
20 rehearing, the Secretary shall have the right to take any of
21 the actions specified in this subsection (d). Upon the
22 suspension or revocation of a license, the licensee shall be
23 required to surrender the respective license to the
24 Department, and upon failure or refusal to do so, the
25 Department shall have the right to seize the license.

26 (e) The Department has the power to issue subpoenas and

1 subpoenas duces tecum to bring before it any person in this
2 State, to take testimony, or to require production of any
3 records relevant to an inquiry or hearing by the Board in the
4 same manner as prescribed by law in judicial proceedings in
5 the courts of this State. In a case of refusal of a witness to
6 attend, testify, or to produce books or papers concerning a
7 matter upon which the witness might be lawfully examined, the
8 circuit court of the county where the hearing is held, upon
9 application of the Department or any party to the proceeding,
10 may compel obedience by proceedings as for contempt.

11 (f) Any license that is revoked may not be restored for a
12 minimum period of 3 years.

13 (g) In addition to the provisions of this Section
14 concerning the conduct of hearings and the recommendations for
15 discipline, the Department has the authority to negotiate
16 disciplinary and non-disciplinary settlement agreements
17 concerning any license issued under this Act. All such
18 agreements shall be recorded as Consent Orders or Consent to
19 Administrative Supervision Orders.

20 (h) The Secretary shall have the authority to appoint an
21 attorney duly licensed to practice law in the State of
22 Illinois to serve as the hearing officer in any action to
23 suspend, revoke, or otherwise discipline any license issued by
24 the Department. The Hearing Officer shall have full authority
25 to conduct the hearing.

26 (i) The Department, at its expense, shall preserve a

1 record of all formal hearings of any contested case involving
2 the discipline of a license. At all hearings or pre-hearing
3 conferences, the Department and the licensee shall be entitled
4 to have the proceedings transcribed by a certified shorthand
5 reporter or certified voice writer reporter. A copy of the
6 transcribed proceedings shall be made available to the
7 licensee by the certified shorthand reporter or certified
8 voice writer reporter upon payment of the prevailing contract
9 copy rate.

10 (Source: P.A. 102-20, eff. 1-1-22.)

11 Section 55. The Animal Welfare Act is amended by changing
12 Section 15 as follows:

13 (225 ILCS 605/15) (from Ch. 8, par. 315)

14 Sec. 15. Any person affected by a final administrative
15 decision of the Department may have such decision reviewed
16 judicially by the circuit court of the county wherein such
17 person resides, or in the case of a corporation, wherein the
18 registered office is located. If the plaintiff in the review
19 proceeding is not a resident of this state, the venue shall be
20 in Sangamon County. The provisions of the Administrative
21 Review Law, and all amendments and modifications thereof, and
22 the rules adopted pursuant thereto, shall apply to and govern
23 all proceedings for the judicial review of final
24 administrative decisions of the Department hereunder. The term

1 "administrative decision" is defined as in Section 3-101 of
2 the Code of Civil Procedure.

3 The Department shall not be required to certify the record
4 of the proceeding unless the plaintiff in the review
5 proceedings has purchased a copy from the certified shorthand
6 reporter or certified voice writer reporter who prepared the
7 record. Exhibits shall be certified without cost.

8 (Source: P.A. 82-783.)

9 Section 60. The Liquor Control Act of 1934 is amended by
10 changing Section 7-9 as follows:

11 (235 ILCS 5/7-9) (from Ch. 43, par. 153)

12 Sec. 7-9. Except as provided in this Section, any order or
13 action of a local liquor control commissioner levying a fine
14 or refusing to levy a fine on a licensee, granting or refusing
15 to grant a license, revoking or suspending or refusing to
16 revoke or suspend a license or refusing for more than 30 days
17 to grant a hearing upon a complaint to revoke or suspend a
18 license may, within 20 days after notice of such order or
19 action, be appealed by any resident of the political
20 subdivision under the jurisdiction of the local liquor control
21 commissioner or any person interested, to the State
22 Commission.

23 In any case where a licensee appeals to the State
24 Commission from an order or action of the local liquor control

1 commission having the effect of suspending or revoking a
2 license, denying a renewal application, or refusing to grant a
3 license, the licensee shall resume the operation of the
4 licensed business pending the decision of the State Commission
5 and the expiration of the time allowed for an application for
6 rehearing. If an application for rehearing is filed, the
7 licensee shall continue the operation of the licensed business
8 until the denial of the application or, if the rehearing is
9 granted, until the decision on rehearing.

10 In any case in which a licensee appeals to the State
11 Commission a suspension or revocation by a local liquor
12 control commissioner that is the second or subsequent such
13 suspension or revocation placed on that licensee within the
14 preceding 12 month period, the licensee shall consider the
15 suspension or revocation to be in effect until a reversal of
16 the local liquor control commissioner's action has been issued
17 by the State Commission and shall cease all activity otherwise
18 authorized by the license. The State Commission shall
19 expedite, to the greatest extent possible, its consideration
20 of any appeal that is an appeal of a second or subsequent
21 suspension or revocation within the past 12 month period.

22 The appeal shall be limited to a review of the official
23 record of the proceedings of such local liquor control
24 commissioner if the county board, city council or board of
25 trustees, as the case may be, has adopted a resolution
26 requiring that such review be on the record. If such

1 resolution is adopted, a certified official record of the
2 proceedings taken and prepared by a certified court reporter,
3 ~~or~~ certified shorthand reporter, or certified voice writer
4 reporter shall be filed by the local liquor control
5 commissioner within 5 days after notice of the filing of such
6 appeal, if the appellant licensee pays for the cost of the
7 transcript. The State Commission shall review the propriety of
8 the order or action of the local liquor control commissioner
9 and shall consider the following questions:

10 (a) whether the local liquor control commissioner has
11 proceeded in the manner provided by law;

12 (b) whether the order is supported by the findings;

13 (c) whether the findings are supported by substantial
14 evidence in the light of the whole record.

15 The only evidence which may be considered in the review,
16 shall be the evidence found in the certified official record
17 of the proceedings of the local liquor control commissioner.
18 No new or additional evidence shall be admitted or considered.
19 The State Commission shall render a decision affirming,
20 reversing or modifying the order or action reviewed within 30
21 days after the appeal was heard.

22 In the event such appeal is from an order of a local liquor
23 control commissioner of a city, village or incorporated town
24 of 500,000 or more inhabitants, granting or refusing to grant
25 a license or refusing for more than 30 days to grant a hearing
26 upon a complaint to revoke or suspend a license, the matter of

1 the propriety of such order or action shall be tried de novo by
2 the license appeal commission as expeditiously as
3 circumstances permit.

4 In the event such appeal is from an order or action of a
5 local liquor control commissioner of a city, village or
6 incorporated town of 500,000 or more inhabitants, imposing a
7 fine or refusing to impose a fine on a licensee, revoking or
8 suspending or refusing to revoke or suspend a license, the
9 license appeal commission shall determine the appeal by a
10 review of the official record of the proceedings of such local
11 liquor control commissioner. A certified record of the
12 proceedings shall be promptly filed with the license appeal
13 commission by such local liquor control commissioner after
14 notice of the filing of such appeal if the appellant licensee
15 pays for the cost of the transcript and promptly delivers the
16 transcript to the local liquor control commission or its
17 attorney. The review by the license appeal commission shall be
18 limited to the questions:

19 (a) whether the local liquor control commissioner has
20 proceeded in the manner provided by law;

21 (b) whether the order is supported by the findings;

22 (c) whether the findings are supported by substantial
23 evidence in the light of the whole record.

24 No new or additional evidence in support of or in opposition to
25 such order or action under appeal shall be received other than
26 that contained in such record of the proceedings. Within 30

1 days after such appeal was heard, the license appeal
2 commission shall render its decision in accordance with the
3 provisions of Section 7-5.

4 In cities, villages and incorporated towns having a
5 population of 500,000 or more inhabitants, appeals from any
6 order or action shall lie to the license appeal commission of
7 such city, village or incorporated town. All of the provisions
8 of this Section and Section 7-10 relative to proceedings upon
9 appeals before the State Commission and relative to appeals
10 from the decisions of the State Commission shall apply also to
11 proceedings upon appeals before any license appeal commission
12 and appeals from the decisions of license appeal commission.

13 In any trial de novo hearing before the State Commission
14 or license appeal commission, the local liquor control
15 commissioner shall be entitled to 10 days notice and to be
16 heard. All such trial de novo hearings shall be open to the
17 public and the Illinois Liquor Control Commission and the
18 license appeal commission shall reduce all evidence offered
19 thereto to writing.

20 If after trial de novo hearing or review as provided
21 herein, the State Commission or the license appeal commission
22 (as the case may be) shall decide that the license has been
23 improperly issued, denied, revoked, suspended or refused to be
24 revoked or suspended or a hearing to revoke or suspend has been
25 improperly refused or that the licensee has been improperly
26 fined or not fined, it shall enter an order in conformity with

1 such findings, which order shall be in writing.

2 A certified copy of the order shall be transmitted to the
3 particular local liquor control commissioner and it shall be
4 the duty of the local liquor control commissioner to take such
5 action as may be necessary to conform with the order.

6 In any trial de novo hearing before the State Commission
7 or the license appeal commission, the licensee shall submit to
8 examination and produce books and records material to the
9 business conducted under the license in like manner as before
10 the local liquor control commissioner, and the failure of the
11 licensee to submit to such an examination or to produce such
12 books and records, or to appear at the hearing on such appeal,
13 shall constitute an admission that he has violated the
14 provisions of this Act. In the event the appeal is from an
15 order of the local liquor control commissioner denying a
16 renewal application, the licensee shall have on deposit with
17 the local liquor control commissioner an amount sufficient to
18 cover the license fee for the renewal period and any bond that
19 may be required.

20 (Source: P.A. 88-613, eff. 1-1-95.)

21 Section 65. The Salvage Warehouse and Salvage Warehouse
22 Store Act is amended by changing Section 10 as follows:

23 (240 ILCS 30/10) (from Ch. 114, par. 410)

24 Sec. 10. The Department, at its expense, shall provide a

1 stenographer to take down the testimony and preserve a record
2 of all proceedings at the hearing of any case involving the
3 refusal to issue or renew, or the suspension or revocation of a
4 license. The notice of hearing, complaint and all other
5 documents in the nature of pleadings and written motions filed
6 in the proceedings, the transcript of testimony, and orders of
7 the Department shall be the record of such proceedings. Any
8 interested person may purchase a copy of the transcript of the
9 record from the certified shorthand reporter or certified
10 voice writer reporter who prepared the record.

11 In any case involving the refusal to issue or renew or the
12 suspension or revocation of a license, a copy of the
13 Department's report shall be served upon the respondent by the
14 Department, either personally or by registered or certified
15 mail as provided in this Act for the service of the notice of
16 hearing. Within 20 days after such service, the respondent may
17 present to the Department a motion in writing for a rehearing,
18 which written motion shall specify the particular grounds
19 therefor. If no motion for rehearing is filed, then upon the
20 expiration of the time specified for filing such a motion, or
21 if a motion for rehearing is denied, then upon such denial, the
22 Director may enter an order. If the respondent shall order and
23 pay for a transcript of the record within the time for filing a
24 motion for rehearing, the 20 day period within which such a
25 motion may be filed shall commence upon the delivery of the
26 transcript to the respondent.

1 (Source: P.A. 81-750.)

2 Section 70. The Court Reporters Act is amended by changing
3 Section 5 as follows:

4 (705 ILCS 70/5) (from Ch. 37, par. 655)

5 Sec. 5. Means of reporting; transcripts. The court
6 reporter shall make a full reporting by means of stenographic
7 notes or voice writer reporting of the evidence and such other
8 proceedings in trials and judicial proceedings to which he or
9 she is assigned by the chief judge, and the court reporter may
10 use an electronic instrument as a supplementary device. In the
11 event that the court utilizes an audio or video recording
12 system approved by the Supreme Court to record the
13 proceedings, a court reporting services employee shall be in
14 charge of such system. To the extent that it does not
15 substantially interfere with the court reporter's other
16 official duties, a reporter may be assigned to secretarial or
17 clerical duties arising out of official court operations.

18 A court reporting services employee may charge a page rate
19 for the preparation of transcripts of court proceedings not to
20 exceed the rate set by the employer representative in the
21 Uniform Schedule of Charges for Transcripts.

22 (Source: P.A. 101-581, eff. 1-1-20.)

23 Section 75. The Unified Code of Corrections is amended by

1 changing Section 5-5-5 as follows:

2 (730 ILCS 5/5-5-5) (from Ch. 38, par. 1005-5-5)

3 Sec. 5-5-5. Loss and restoration of rights.

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

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

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

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

24 (e) Upon a person's discharge from incarceration or
25 parole, or upon a person's discharge from probation or at any

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

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

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

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

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

26 (2) the issuance of the license would involve an

1 unreasonable risk to property or to the safety or welfare
2 of specific individuals or the general public.

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

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

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

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

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

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

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

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

26 (8) the legitimate interest of the licensing agency in

1 protecting property, and the safety and welfare of
2 specific individuals or the general public.

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

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

13 (2) the Illinois Athletic Trainers Practice Act;

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

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

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

19 (6) the Illinois Certified Shorthand Reporters and
20 Voice Writer Reporters Act of 1984;

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

23 (8) the Registered Interior Designers Act;

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

26 (10) the Landscape Architecture Registration Act;

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

23 (Source: P.A. 102-284, eff. 8-6-21.)

24 Section 80. The Illinois Pre-Need Cemetery Sales Act is
25 amended by changing Sections 9 and 11 as follows:

1 (815 ILCS 390/9) (from Ch. 21, par. 209)

2 Sec. 9. The Comptroller may upon his own motion
3 investigate the actions of any person providing, selling, or
4 offering pre-need sales contracts or of any applicant or any
5 person or persons holding or claiming to hold a license under
6 this Act. The Comptroller shall make such an investigation on
7 receipt of the verified written complaint of any person
8 setting forth facts which, if proved, would constitute grounds
9 for refusal, suspension, or revocation of a license. Before
10 refusing to issue, and before suspension or revocation of a
11 license, the Comptroller shall hold a hearing to determine
12 whether the applicant or licensee, hereafter called the
13 respondent, is entitled to hold such a license. At least 10
14 days prior to the date set for such hearing, the Comptroller
15 shall notify the respondent in writing that on the date
16 designated a hearing will be held to determine his eligibility
17 for a license and that he may appear in person or by counsel.
18 Such written notice may be served on the respondent
19 personally, or by registered or certified mail sent to the
20 respondent's business address as shown in his latest
21 notification to the Comptroller and shall include sufficient
22 information to inform the respondent of the general nature of
23 the charge. At the hearing, both the respondent and the
24 complainant shall be accorded ample opportunity to present in
25 person or by counsel such statements, testimony, evidence and

1 argument as may be pertinent to the charges or to any defense
2 thereto. The Comptroller may reasonably continue such hearing
3 from time to time.

4 The Comptroller may subpoena any person or persons in this
5 State and take testimony orally, by deposition or by exhibit,
6 in the same manner and with the same fees and mileage as
7 prescribed in judicial proceedings in civil cases.

8 Any authorized agent of the Comptroller may administer
9 oaths to witnesses at any hearing which the Comptroller is
10 authorized to conduct.

11 The Comptroller, at his expense, shall provide a certified
12 shorthand reporter or certified voice writer reporter to take
13 down the testimony and preserve a record of all proceedings at
14 the hearing of any case involving the refusal to issue a
15 license, the suspension or revocation of a license, the
16 imposition of a monetary penalty, or the referral of a case for
17 criminal prosecution. The record of any such proceeding shall
18 consist of the notice of hearing, complaint, all other
19 documents in the nature of pleadings and written motions filed
20 in the proceedings, the transcript of testimony and the report
21 and orders of the Comptroller. Copies of the transcript of
22 such record may be purchased from the certified shorthand
23 reporter or certified voice writer reporter who prepared the
24 record or from the Comptroller.

25 (Source: P.A. 92-419, eff. 1-1-02.)

1 (815 ILCS 390/11) (from Ch. 21, par. 211)

2 Sec. 11. Any person affected by a final administrative
3 decision of the Comptroller may have such decision reviewed
4 judicially by the circuit court of the county where such
5 person resides, or in the case of a corporation, where the
6 registered office is located. If the plaintiff in the review
7 proceeding is not a resident of this State, venue shall be in
8 Sangamon County. The provisions of the "Administrative Review
9 Law", approved August 19, 1981, all amendments and
10 modifications thereto, and any rules adopted under it govern
11 all proceedings for the judicial review of final
12 administrative decisions of the Comptroller. The term
13 "administrative decision" is defined as in the "Administrative
14 Review Law".

15 The Comptroller is not required to certify the record of
16 the proceeding unless the plaintiff in the review proceedings
17 has purchased a copy of the transcript from the certified
18 shorthand reporter or certified voice writer reporter who
19 prepared the record or from the Comptroller. Exhibits shall be
20 certified without cost.

21 (Source: P.A. 84-239.)

22 Section 95. No acceleration or delay. Where this Act makes
23 changes in a statute that is represented in this Act by text
24 that is not yet or no longer in effect (for example, a Section
25 represented by multiple versions), the use of that text does

1 not accelerate or delay the taking effect of (i) the changes
2 made by this Act or (ii) provisions derived from any other
3 Public Act.

4 Section 99. Effective date. This Act takes effect July 1,
5 2023.

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20 ILCS 2105/2105-115

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