



Rep. Marcus C. Evans, Jr.

**Filed: 3/6/2023**

10300HB2145ham001

LRB103 28765 SPS 58583 a

1 AMENDMENT TO HOUSE BILL 2145

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2145 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Department of Professional Regulation Law  
5 of the Civil Administrative Code of Illinois is amended by  
6 changing Sections 2105-15 and 2105-207 as follows:

7 (20 ILCS 2105/2105-15)

8 Sec. 2105-15. General powers and duties.

9 (a) The Department has, subject to the provisions of the  
10 Civil Administrative Code of Illinois, the following powers  
11 and duties:

12 (1) To authorize examinations in English to ascertain  
13 the qualifications and fitness of applicants to exercise  
14 the profession, trade, or occupation for which the  
15 examination is held.

16 (2) To prescribe rules and regulations for a fair and

1 wholly impartial method of examination of candidates to  
2 exercise the respective professions, trades, or  
3 occupations.

4 (3) To pass upon the qualifications of applicants for  
5 licenses, certificates, and authorities, whether by  
6 examination, by reciprocity, or by endorsement.

7 (4) To prescribe rules and regulations defining, for  
8 the respective professions, trades, and occupations, what  
9 shall constitute a school, college, or university, or  
10 department of a university, or other institution,  
11 reputable and in good standing, and to determine the  
12 reputability and good standing of a school, college, or  
13 university, or department of a university, or other  
14 institution, reputable and in good standing, by reference  
15 to a compliance with those rules and regulations;  
16 provided, that no school, college, or university, or  
17 department of a university, or other institution that  
18 refuses admittance to applicants solely on account of  
19 race, color, creed, sex, sexual orientation, or national  
20 origin shall be considered reputable and in good standing.

21 (5) To conduct hearings on proceedings to revoke,  
22 suspend, refuse to renew, place on probationary status, or  
23 take other disciplinary action as authorized in any  
24 licensing Act administered by the Department with regard  
25 to licenses, certificates, or authorities of persons  
26 exercising the respective professions, trades, or

1 occupations and to revoke, suspend, refuse to renew, place  
2 on probationary status, or take other disciplinary action  
3 as authorized in any licensing Act administered by the  
4 Department with regard to those licenses, certificates, or  
5 authorities.

6 The Department shall issue a monthly disciplinary  
7 report.

8 The Department shall refuse to issue or renew a  
9 license to, or shall suspend or revoke a license of, any  
10 person who, after receiving notice, fails to comply with a  
11 subpoena or warrant relating to a paternity or child  
12 support proceeding. However, the Department may issue a  
13 license or renewal upon compliance with the subpoena or  
14 warrant.

15 The Department, without further process or hearings,  
16 shall revoke, suspend, or deny any license or renewal  
17 authorized by the Civil Administrative Code of Illinois to  
18 a person who is certified by the Department of Healthcare  
19 and Family Services (formerly Illinois Department of  
20 Public Aid) as being more than 30 days delinquent in  
21 complying with a child support order or who is certified  
22 by a court as being in violation of the Non-Support  
23 Punishment Act for more than 60 days. The Department may,  
24 however, issue a license or renewal if the person has  
25 established a satisfactory repayment record as determined  
26 by the Department of Healthcare and Family Services

1 (formerly Illinois Department of Public Aid) or if the  
2 person is determined by the court to be in compliance with  
3 the Non-Support Punishment Act. The Department may  
4 implement this paragraph as added by Public Act 89-6  
5 through the use of emergency rules in accordance with  
6 Section 5-45 of the Illinois Administrative Procedure Act.  
7 For purposes of the Illinois Administrative Procedure Act,  
8 the adoption of rules to implement this paragraph shall be  
9 considered an emergency and necessary for the public  
10 interest, safety, and welfare.

11 (6) To transfer jurisdiction of any realty under the  
12 control of the Department to any other department of the  
13 State Government or to acquire or accept federal lands  
14 when the transfer, acquisition, or acceptance is  
15 advantageous to the State and is approved in writing by  
16 the Governor.

17 (7) To formulate rules and regulations necessary for  
18 the enforcement of any Act administered by the Department.

19 (8) To exchange with the Department of Healthcare and  
20 Family Services information that may be necessary for the  
21 enforcement of child support orders entered pursuant to  
22 the Illinois Public Aid Code, the Illinois Marriage and  
23 Dissolution of Marriage Act, the Non-Support of Spouse and  
24 Children Act, the Non-Support Punishment Act, the Revised  
25 Uniform Reciprocal Enforcement of Support Act, the Uniform  
26 Interstate Family Support Act, the Illinois Parentage Act

1 of 1984, or the Illinois Parentage Act of 2015.  
2 Notwithstanding any provisions in this Code to the  
3 contrary, the Department of Professional Regulation shall  
4 not be liable under any federal or State law to any person  
5 for any disclosure of information to the Department of  
6 Healthcare and Family Services (formerly Illinois  
7 Department of Public Aid) under this paragraph (8) or for  
8 any other action taken in good faith to comply with the  
9 requirements of this paragraph (8).

10 (8.3) To exchange information with the Department of  
11 Human Rights regarding recommendations received under  
12 paragraph (B) of Section 8-109 of the Illinois Human  
13 Rights Act regarding a licensee or candidate for licensure  
14 who has committed a civil rights violation that may lead  
15 to the refusal, suspension, or revocation of a license  
16 from the Department.

17 (8.5) To accept continuing education credit for  
18 mandated reporter training on how to recognize and report  
19 child abuse offered by the Department of Children and  
20 Family Services and completed by any person who holds a  
21 professional license issued by the Department and who is a  
22 mandated reporter under the Abused and Neglected Child  
23 Reporting Act. The Department shall adopt any rules  
24 necessary to implement this paragraph.

25 (9) To perform other duties prescribed by law.

26 (a-5) Except in cases involving delinquency in complying

1 with a child support order or violation of the Non-Support  
2 Punishment Act and notwithstanding anything that may appear in  
3 any individual licensing Act or administrative rule, no person  
4 or entity whose license, certificate, or authority has been  
5 revoked as authorized in any licensing Act administered by the  
6 Department may apply for restoration of that license,  
7 certification, or authority until 3 years after the effective  
8 date of the revocation.

9 (b) (Blank).

10 (c) For the purpose of securing and preparing evidence,  
11 and for the purchase of controlled substances, professional  
12 services, and equipment necessary for enforcement activities,  
13 recoupment of investigative costs, and other activities  
14 directed at suppressing the misuse and abuse of controlled  
15 substances, including those activities set forth in Sections  
16 504 and 508 of the Illinois Controlled Substances Act, the  
17 Director and agents appointed and authorized by the Director  
18 may expend sums from the Professional Regulation Evidence Fund  
19 that the Director deems necessary from the amounts  
20 appropriated for that purpose. Those sums may be advanced to  
21 the agent when the Director deems that procedure to be in the  
22 public interest. Sums for the purchase of controlled  
23 substances, professional services, and equipment necessary for  
24 enforcement activities and other activities as set forth in  
25 this Section shall be advanced to the agent who is to make the  
26 purchase from the Professional Regulation Evidence Fund on

1 vouchers signed by the Director. The Director and those agents  
2 are authorized to maintain one or more commercial checking  
3 accounts with any State banking corporation or corporations  
4 organized under or subject to the Illinois Banking Act for the  
5 deposit and withdrawal of moneys to be used for the purposes  
6 set forth in this Section; provided, that no check may be  
7 written nor any withdrawal made from any such account except  
8 upon the written signatures of 2 persons designated by the  
9 Director to write those checks and make those withdrawals.  
10 Vouchers for those expenditures must be signed by the  
11 Director. All such expenditures shall be audited by the  
12 Director, and the audit shall be submitted to the Department  
13 of Central Management Services for approval.

14 (d) Whenever the Department is authorized or required by  
15 law to consider some aspect of criminal history record  
16 information for the purpose of carrying out its statutory  
17 powers and responsibilities, then, upon request and payment of  
18 fees in conformance with the requirements of Section 2605-400  
19 of the Illinois State Police Law, the Illinois State Police is  
20 authorized to furnish, pursuant to positive identification,  
21 the information contained in State files that is necessary to  
22 fulfill the request.

23 (e) The provisions of this Section do not apply to private  
24 business and vocational schools as defined by Section 15 of  
25 the Private Business and Vocational Schools Act of 2012.

26 (f) (Blank).

1           (f-5) Notwithstanding anything that may appear in any  
2 individual licensing statute or administrative rule, the  
3 Department shall allow an applicant to provide his or her  
4 individual taxpayer identification number as an alternative to  
5 providing a social security number when applying for a  
6 license.

7           (g) Notwithstanding anything that may appear in any  
8 individual licensing statute or administrative rule, the  
9 Department shall deny any license application or renewal  
10 authorized under any licensing Act administered by the  
11 Department to any person who has failed to file a return, or to  
12 pay the tax, penalty, or interest shown in a filed return, or  
13 to pay any final assessment of tax, penalty, or interest, as  
14 required by any tax Act administered by the Illinois  
15 Department of Revenue, until such time as the requirement of  
16 any such tax Act are satisfied; however, the Department may  
17 issue a license or renewal if the person has established a  
18 satisfactory repayment record as determined by the Illinois  
19 Department of Revenue. For the purpose of this Section,  
20 "satisfactory repayment record" shall be defined by rule.

21           In addition, a complaint filed with the Department by the  
22 Illinois Department of Revenue that includes a certification,  
23 signed by its Director or designee, attesting to the amount of  
24 the unpaid tax liability or the years for which a return was  
25 not filed, or both, is prima facie evidence of the licensee's  
26 failure to comply with the tax laws administered by the

1 Illinois Department of Revenue. Upon receipt of that  
2 certification, the Department shall, without a hearing,  
3 immediately suspend all licenses held by the licensee.  
4 Enforcement of the Department's order shall be stayed for 60  
5 days. The Department shall provide notice of the suspension to  
6 the licensee by mailing a copy of the Department's order to the  
7 licensee's address of record or emailing a copy of the order to  
8 the licensee's email address of record. The notice shall  
9 advise the licensee that the suspension shall be effective 60  
10 days after the issuance of the Department's order unless the  
11 Department receives, from the licensee, a request for a  
12 hearing before the Department to dispute the matters contained  
13 in the order.

14 Any suspension imposed under this subsection (g) shall be  
15 terminated by the Department upon notification from the  
16 Illinois Department of Revenue that the licensee is in  
17 compliance with all tax laws administered by the Illinois  
18 Department of Revenue.

19 The Department may promulgate rules for the administration  
20 of this subsection (g).

21 (g-5) Notwithstanding anything that may appear in any  
22 individual licensing statute or administrative rule, the  
23 Department shall refuse the issuance or renewal of a license  
24 to, or suspend or revoke the license of, any individual,  
25 corporation, partnership, or other business entity that has  
26 been found by the Illinois Workers' Compensation Commission or

1 the Department of Insurance to have failed to (i) secure  
2 workers' compensation obligations in the manner required by  
3 subsections (a) and (b) of Section 4 of the Workers'  
4 Compensation Act, (ii) pay in full a fine or penalty imposed  
5 due to a failure to secure workers' compensation obligations  
6 in the manner required by subsections (a) and (b) of Section 4  
7 of the Workers' Compensation Act, or (iii) fulfill all  
8 obligations assumed pursuant to a settlement reached with the  
9 Illinois Workers' Compensation Commission or the Department of  
10 Insurance relating to a failure to secure workers'  
11 compensation obligations in the manner required by subsections  
12 (a) and (b) of Section 4 of the Workers' Compensation Act. No  
13 initial or renewal license shall be issued, and no suspended  
14 license shall be reinstated, until such time that the  
15 Department is notified by the Illinois Workers' Compensation  
16 Commission or the Department of Insurance that the licensee's  
17 or applicant's failure to comply with subsections (a) and (b)  
18 of Section 4 of the Workers' Compensation Act has been  
19 corrected or otherwise resolved to satisfaction of the  
20 Illinois Workers' Compensation Commission or the Department of  
21 Insurance.

22 In addition, a complaint filed with the Department by the  
23 Illinois Workers' Compensation Commission or the Department of  
24 Insurance that includes a certification, signed by its  
25 Director or Chairman, or the Director or Chairman's designee,  
26 attesting to a finding of the failure to secure workers'

1 compensation obligations in the manner required by subsections  
2 (a) and (b) of Section 4 of the Workers' Compensation Act or  
3 the failure to pay any fines or penalties or to discharge any  
4 obligation under a settlement relating to the failure to  
5 secure workers' compensation obligations in the manner  
6 required by subsections (a) and (b) of Section 4 of the  
7 Workers' Compensation Act is prima facie evidence of the  
8 licensee's or applicant's failure to comply with subsections  
9 (a) and (b) of Section 4 of the Workers' Compensation Act. Upon  
10 receipt of that certification, the Department shall, without a  
11 hearing, immediately suspend all licenses held by the licensee  
12 or the processing of any application from the applicant.  
13 Enforcement of the Department's order shall be stayed for 60  
14 days. The Department shall provide notice of the suspension to  
15 the licensee by mailing a copy of the Department's order to the  
16 licensee's address of record or emailing a copy of the order to  
17 the licensee's email address of record. The notice shall  
18 advise the licensee that the suspension shall be effective 60  
19 days after the issuance of the Department's order unless the  
20 Department receives from the licensee or applicant a request  
21 for a hearing before the Department to dispute the matters  
22 contained in the order.

23 Any suspension imposed under this subsection shall be  
24 terminated by the Department upon notification from the  
25 Illinois Workers' Compensation Commission or the Department of  
26 Insurance that the licensee's or applicant's failure to comply

1 with subsections (a) and (b) of Section 4 of the Workers'  
2 Compensation Act has been corrected or otherwise resolved to  
3 the satisfaction of the Illinois Workers' Compensation  
4 Commissions or the Department of Insurance.

5 No license shall be suspended or revoked until after the  
6 licensee is afforded any due process protection guaranteed by  
7 statute or rule adopted by the Workers' Compensation  
8 Commission or the Department of Insurance.

9 The Department may adopt rules for the administration of  
10 this subsection.

11 (h) The Department may grant the title "Retired", to be  
12 used immediately adjacent to the title of a profession  
13 regulated by the Department, to eligible retirees. For  
14 individuals licensed under the Medical Practice Act of 1987,  
15 the title "Retired" may be used in the profile required by the  
16 Patients' Right to Know Act. The use of the title "Retired"  
17 shall not constitute representation of current licensure,  
18 registration, or certification. Any person without an active  
19 license, registration, or certificate in a profession that  
20 requires licensure, registration, or certification shall not  
21 be permitted to practice that profession.

22 (i) The Department shall make available on its website  
23 general information explaining how the Department utilizes  
24 criminal history information in making licensure application  
25 decisions, including a list of enumerated offenses that serve  
26 as a statutory bar to licensure.

1 (Source: P.A. 101-81, eff. 7-12-19; 101-221, eff. 1-1-20;  
2 102-538, eff. 8-20-21.)

3 (20 ILCS 2105/2105-207)

4 Sec. 2105-207. Records of Department actions.

5 (a) Any licensee subject to a licensing Act administered  
6 by the Department ~~Division of Professional Regulation~~ and who  
7 has been subject to disciplinary action by the Department may  
8 file an application with the Department on forms provided by  
9 the Department, along with the required fee of \$175, to have  
10 the records classified as confidential, not for public  
11 release, and considered expunged for reporting purposes if:

12 (1) the application is submitted more than 3 years  
13 after the disciplinary offense or offenses occurred or  
14 after restoration of the license, whichever is later;

15 (2) the licensee has had no incidents of discipline  
16 under the licensing Act since the disciplinary offense or  
17 offenses identified in the application occurred;

18 (3) the Department has no pending investigations  
19 against the licensee; and

20 (4) the licensee is not currently in a disciplinary  
21 status.

22 (b) An application to make disciplinary records  
23 confidential shall only be considered by the Department for an  
24 offense or action relating to:

25 (1) failure to pay taxes;

- 1 (2) continuing education;
- 2 (3) failure to renew a license on time;
- 3 (4) failure to obtain or renew a certificate of  
4 registration or ancillary license;
- 5 (5) advertising;
- 6 (5.1) discipline based on criminal charges or  
7 convictions:
- 8 (A) that did not arise from the licensed activity  
9 and was unrelated to the licensed activity; or
- 10 (B) that were dismissed or for which records have  
11 been sealed or expunged;
- 12 (5.2) past probationary status of a license issued to  
13 new applicants on the sole or partial basis of prior  
14 convictions; ~~or~~
- 15 (6) any grounds for discipline removed from the  
16 licensing Act; ~~or~~
- 17 (7) failure to comply with workers' compensation  
18 requirements; or
- 19 (8) reprimand of a licensee.
- 20 (c) An application shall be submitted to and considered by  
21 the Director ~~of the Division of Professional Regulation~~ upon  
22 submission of an application and the required non-refundable  
23 fee. The Department may establish additional requirements by  
24 rule. The Department is not required to report the removal of  
25 any disciplinary record to any national database. Nothing in  
26 this Section shall prohibit the Department from using a

1 previous discipline for any regulatory purpose or from  
2 releasing records of a previous discipline upon request from  
3 law enforcement, or other governmental body as permitted by  
4 law. Classification of records as confidential shall result in  
5 removal of records of discipline from records kept pursuant to  
6 Sections 2105-200 and 2105-205 of this Act.

7 (d) Any applicant for licensure or a licensee whose  
8 petition for review is granted by the Department pursuant to  
9 subsection (a-1) of Section 2105-165 of this Law may file an  
10 application with the Department on forms provided by the  
11 Department to have records relating to his or her permanent  
12 denial or permanent revocation classified as confidential and  
13 not for public release and considered expunged for reporting  
14 purposes in the same manner and under the same terms as is  
15 provided in this Section for the offenses listed in subsection  
16 (b) of this Section, except that the requirements of a 3-year  
17 ~~7-year~~ waiting period and the \$175 ~~\$200~~ application fee do not  
18 apply.

19 (Source: P.A. 100-262, eff. 8-22-17; 100-286, eff. 1-1-18;  
20 100-863, eff. 8-14-18; 100-872, eff. 8-14-18.)

21 Section 10. The Asbestos Abatement Act is amended by  
22 changing Section 10a as follows:

23 (105 ILCS 105/10a) (from Ch. 122, par. 1410a)

24 Sec. 10a. Licensing. No inspector, management planner,

1 project designer, project manager, air sampling professional,  
2 asbestos abatement contractor, worker or project supervisor  
3 may be employed as a response action contractor unless that  
4 individual or entity is licensed by the Department. Those  
5 individuals and entities wishing to be licensed shall make  
6 application on forms prescribed and furnished by the  
7 Department. A license shall expire annually according to a  
8 schedule determined by the Department. Applications for  
9 renewal of licenses shall be filed with the Department at  
10 least 30 days before the expiration date. When a licensure  
11 examination is required, the application for licensure shall  
12 be submitted to the Department at least 30 days prior to the  
13 date of the scheduled examination. The Department shall  
14 evaluate each application based on its minimum standards for  
15 licensure, promulgated as rules, and render a decision. Such  
16 standards may include a requirement for the successful  
17 completion of a course of training approved by the Department.  
18 If the Department denies the application, the applicant may  
19 appeal such decision pursuant to the provisions of the  
20 "Administrative Review Law".

21 The Department, upon notification by the Illinois Workers'  
22 Compensation Commission or the Department of Insurance, shall  
23 refuse the issuance or renewal of a license to, or suspend or  
24 revoke the license of, any individual, corporation,  
25 partnership, or other business entity that has been found by  
26 the Illinois Workers' Compensation Commission or the

1 Department of Insurance to have failed:

2 (a) to secure workers' compensation obligations in the  
3 manner required by subsections (a) and (b) of Section 4 of  
4 the Workers' Compensation Act;

5 (b) to pay in full a fine or penalty imposed by the  
6 Illinois Workers' Compensation Commission or the  
7 Department of Insurance due to a failure to secure  
8 workers' compensation obligations in the manner required  
9 by subsections (a) and (b) of Section 4 of the Workers'  
10 Compensation Act; or

11 (c) to fulfill all obligations assumed pursuant to any  
12 settlement reached with the Illinois Workers' Compensation  
13 Commission or the Department of Insurance due to a failure  
14 to secure workers' compensation obligations in the manner  
15 required by subsections (a) and (b) of Section 4 of the  
16 Workers' Compensation Act.

17 A complaint filed with the Department by the Illinois  
18 Workers' Compensation Commission or the Department of  
19 Insurance that includes a certification, signed by its  
20 Director or Chairman, or the Director or Chairman's designee,  
21 attesting to a finding of the failure to secure workers'  
22 compensation obligations in the manner required by subsections  
23 (a) and (b) of Section 4 of the Workers' Compensation Act or  
24 the failure to pay any fines or penalties or to discharge any  
25 obligation under a settlement relating to the failure to  
26 secure workers' compensation obligations in the manner

1 required by subsections (a) and (b) of Section 4 of the  
2 Workers' Compensation Act is prima facie evidence of the  
3 licensee's or applicant's failure to comply with subsections  
4 (a) and (b) of Section 4 of the Workers' Compensation Act. Upon  
5 receipt of that certification, the Department shall, without a  
6 hearing, immediately suspend all licenses held by the licensee  
7 or the processing of any application from the applicant.  
8 Enforcement of the Department's order shall be stayed for 60  
9 days. The Department shall provide notice of the suspension to  
10 the licensee by mailing a copy of the Department's order to the  
11 licensee's or applicant's address of record or emailing a copy  
12 of the order to the licensee's or applicant's email address of  
13 record. The notice shall advise the licensee or applicant that  
14 the suspension shall be effective 60 days after the issuance  
15 of the order unless the Department receives, from the licensee  
16 or applicant, a request for a hearing before the Department to  
17 dispute the matters contained in the order.

18 Upon receiving notice from the Illinois Workers'  
19 Compensation Commission or the Department of Insurance that  
20 the violation has been corrected or otherwise resolved, the  
21 Department shall vacate the order suspending a licensee's  
22 license or the processing of an applicant's application.

23 No license shall be suspended or revoked until after the  
24 licensee is afforded any due process protection guaranteed by  
25 statute or rule adopted by the Workers' Compensation  
26 Commission or the Department of Insurance.

1 (Source: P.A. 86-416.)

2 Section 15. The Lead Poisoning Prevention Act is amended  
3 by changing Section 8.1 as follows:

4 (410 ILCS 45/8.1) (from Ch. 111 1/2, par. 1308.1)

5 Sec. 8.1. Licensing of lead inspectors and lead risk  
6 assessors.

7 (a) The Department shall establish standards and licensing  
8 procedures for lead inspectors and lead risk assessors. An  
9 integral element of these procedures shall be an education and  
10 training program prescribed by the Department which shall  
11 include but not be limited to scientific sampling, chemistry,  
12 and construction techniques. No person shall make inspections  
13 or risk assessments without first being licensed by the  
14 Department. The penalty for inspection or risk assessment  
15 without a license shall be a Class A misdemeanor and an  
16 administrative fine.

17 (b) The Department shall charge licensed lead inspectors  
18 and lead risk assessors reasonable license fees and the fees  
19 shall be placed in the Lead Poisoning Screening, Prevention,  
20 and Abatement Fund and used to fund the Department's licensing  
21 of lead inspectors and lead risk assessors and any other  
22 activities prescribed by this Act. A licensed lead inspector  
23 or lead risk assessor employed by the Department or its  
24 delegate agency shall not be charged a license fee.

1       (c) The Department, upon notification by the Illinois  
2 Workers' Compensation Commission or the Department of  
3 Insurance, shall refuse the issuance or renewal of a license  
4 to, or suspend or revoke the license of, of any individual,  
5 corporation, partnership, or other business entity that has  
6 been found by the Illinois Workers' Compensation Commission or  
7 the Department of Insurance to have failed:

8           (1) to secure workers' compensation obligations in the  
9 manner required by subsections (a) and (b) of Section 4 of  
10 the Workers' Compensation Act;

11           (2) to pay in full a fine or penalty imposed by the  
12 Illinois Workers' Compensation Commission or the  
13 Department of Insurance due to a failure to secure  
14 workers' compensation obligations in the manner required  
15 by subsections (a) and (b) of Section 4 of the Workers'  
16 Compensation Act; or

17           (3) to fulfill all obligations assumed pursuant to any  
18 settlement reached with the Illinois Workers' Compensation  
19 Commission or the Department of Insurance due to a failure  
20 to secure workers' compensation obligations in the manner  
21 required by subsections (a) and (b) of Section 4 of the  
22 Workers' Compensation Act.

23       A complaint filed with the Department by the Illinois  
24 Workers' Compensation Commission or the Department of  
25 Insurance that includes a certification, signed by its  
26 Director or Chairman or designee, attesting to a finding of

1 the failure to secure workers' compensation obligations in the  
2 manner required by subsections (a) and (b) of Section 4 of the  
3 Workers' Compensation Act or the failure to pay any fines or  
4 penalties or to discharge any obligation under a settlement  
5 relating to the failure to secure workers' compensation  
6 obligations in the manner required by subsections (a) and (b)  
7 of Section 4 of the Workers' Compensation Act is prima facie  
8 evidence of the licensee's or applicant's failure to comply  
9 with subsections (a) and (b) of Section 4 of the Workers'  
10 Compensation Act. Upon receipt of that certification, the  
11 Department shall, without a hearing, immediately suspend all  
12 licenses held by the licensee or the processing of any  
13 application from the applicant. Enforcement of the  
14 Department's order shall be stayed for 60 days. The Department  
15 shall provide notice of the suspension to the licensee by  
16 mailing a copy of the Department's order to the licensee's or  
17 applicant's address of record or emailing a copy of the order  
18 to the licensee's or applicant's email address of record. The  
19 notice shall advise the licensee or applicant that the  
20 suspension shall be effective 60 days after the issuance of  
21 the order unless the Department receives, from the licensee or  
22 applicant, a request for a hearing before the Department to  
23 dispute the matters contained in the order.

24 Upon receiving notice from the Illinois Workers'  
25 Compensation Commission or the Department of Insurance that  
26 the violation has been corrected or otherwise resolved, the

1 Department shall vacate the order suspending a licensee's  
2 license or the processing of an applicant's application.

3 No license shall be suspended or revoked until after the  
4 licensee is afforded any due process protection guaranteed by  
5 statute or rule adopted by the Workers' Compensation  
6 Commission or the Department of Insurance.

7 (Source: P.A. 98-690, eff. 1-1-15.)

8 Section 20. The Illinois Plumbing License Law is amended  
9 by changing Section 13.1 as follows:

10 (225 ILCS 320/13.1)

11 Sec. 13.1. Plumbing contractors; registration;  
12 applications.

13 (1) On and after May 1, 2002, all persons or corporations  
14 desiring to engage in the business of plumbing contractor,  
15 other than any entity that maintains an audited net worth of  
16 shareholders' equity equal to or exceeding \$100,000,000, shall  
17 register in accordance with the provisions of this Act.

18 (2) Application for registration shall be filed with the  
19 Department each year, on or before the last day of September,  
20 in writing and on forms prepared and furnished by the  
21 Department. All plumbing contractor registrations expire on  
22 the last day of September of each year.

23 (3) Applications shall contain the name, address, and  
24 telephone number of the person and the plumbing license of (i)

1 the individual, if a sole proprietorship; (ii) the partner, if  
2 a partnership; or (iii) an officer, if a corporation. The  
3 application shall contain the business name, address, and  
4 telephone number, a current copy of the plumbing license, and  
5 any other information the Department may require by rule.

6 (4) Applicants shall submit an original certificate of  
7 insurance documenting that the contractor carries general  
8 liability insurance with a minimum of \$100,000 per occurrence,  
9 a minimum of \$300,000 aggregate for bodily injury, property  
10 damage insurance with a minimum of \$50,000 or a minimum of  
11 \$300,000 combined single limit, and workers compensation  
12 insurance with a minimum \$500,000 employer's liability. No  
13 registration may be issued in the absence of this certificate.  
14 Certificates must be in force at all times for registration to  
15 remain valid.

16 (5) Applicants shall submit, on a form provided by the  
17 Department, an indemnification bond in the amount of \$20,000  
18 or a letter of credit in the same amount for work performed in  
19 accordance with this Act and the rules promulgated under this  
20 Act.

21 (5.5) The Department, upon notification by the Illinois  
22 Workers' Compensation Commission or the Department of  
23 Insurance, shall refuse the issuance or renewal of a license  
24 to, or suspend or revoke the license of, any individual,  
25 corporation, partnership, or other business entity that has  
26 been found by the Illinois Workers' Compensation Commission or

1 the Department of Insurance to have failed:

2 (a) to secure workers' compensation obligations in the  
3 manner required by subsections (a) and (b) of Section 4 of  
4 the Workers' Compensation Act;

5 (b) to pay in full a fine or penalty imposed by the  
6 Illinois Workers' Compensation Commission or the  
7 Department of Insurance due to a failure to secure  
8 workers' compensation obligations in the manner required  
9 by subsections (a) and (b) of Section 4 of the Workers'  
10 Compensation Act; or

11 (c) to fulfill all obligations assumed pursuant to any  
12 settlement reached with the Illinois Workers' Compensation  
13 Commission or the Department of Insurance due to a failure  
14 to secure workers' compensation obligations in the manner  
15 required by subsections (a) and (b) of Section 4 of the  
16 Workers' Compensation Act.

17 A complaint filed with the Department by the Illinois  
18 Workers' Compensation Commission or the Department of  
19 Insurance that includes a certification, signed by its  
20 Director or Chairman or designee, attesting to a finding of  
21 the failure to secure workers' compensation obligations in the  
22 manner required by subsections (a) and (b) of Section 4 of the  
23 Workers' Compensation Act or the failure to pay any fines or  
24 penalties or to discharge any obligation under a settlement  
25 relating to the failure to secure workers' compensation  
26 obligations in the manner required by subsections (a) and (b)

1 of Section 4 of the Workers' Compensation Act is prima facie  
2 evidence of the licensee's or applicant's failure to comply  
3 with subsections (a) and (b) of Section 4 of the Workers'  
4 Compensation Act. Upon receipt of that certification, the  
5 Department shall, without a hearing, immediately suspend all  
6 licenses held by the licensee or the processing of any  
7 application from the applicant. Enforcement of the  
8 Department's order shall be stayed for 60 days. The Department  
9 shall provide notice of the suspension to the licensee by  
10 mailing a copy of the Department's order to the licensee's or  
11 applicant's address of record or emailing a copy of the order  
12 to the licensee's or applicant's email address of record. The  
13 notice shall advise the licensee or applicant that the  
14 suspension shall be effective 60 days after the issuance of  
15 the order unless the Department receives, from the licensee or  
16 applicant, a request for a hearing before the Department to  
17 dispute the matters contained in the order.

18 Upon receiving notice from the Illinois Workers'  
19 Compensation Commission or the Department of Insurance that  
20 the violation has been corrected or otherwise resolved, the  
21 Department shall vacate the order suspending a licensee's  
22 license or the processing of an applicant's application.

23 No license shall be suspended or revoked until after the  
24 licensee is afforded any due process protection guaranteed by  
25 statute or rule adopted by the Workers' Compensation  
26 Commission or the Department of Insurance.

1           (6) All employees of a registered plumbing contractor who  
2 engage in plumbing work shall be licensed plumbers or  
3 apprentice plumbers in accordance with this Act.

4           (7) Plumbing contractors shall submit an annual  
5 registration fee in an amount to be established by rule.

6           (8) The Department shall be notified in advance of any  
7 changes in the business structure, name, or location or of the  
8 addition or deletion of the owner or officer who is the  
9 licensed plumber listed on the application. Failure to notify  
10 the Department of this information is grounds for suspension  
11 or revocation of the plumbing contractor's registration.

12           (9) In the event that the plumber's license on the  
13 application for registration of a plumbing contractor is a  
14 license issued by the City of Chicago, it shall be the  
15 responsibility of the applicant to forward a copy of the  
16 plumber's license to the Department, noting the name of the  
17 registered plumbing contractor, when it is renewed. In the  
18 event that the plumbing contractor's registration is suspended  
19 or revoked, the Department shall notify the City of Chicago  
20 and any corresponding plumbing contractor's license issued by  
21 the City of Chicago shall be suspended or revoked.

22           (Source: P.A. 97-365, eff. 1-1-12.)

23           Section 99. Effective date. This Act takes effect January  
24 1, 2024."