



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 2/4/2004, by William R. Haine

SYNOPSIS AS INTRODUCED:

225 ILCS 80/4.5

Amends the Illinois Optometric Practice Act of 1987. Provides a civil penalty for any individual or entity that causes or attempts to cause a licensed optometrist or any other person under that individual's or entity's control to violate this Act or any other State or federal law or rule related to the practice of optometry. Effective immediately.

LRB093 19750 AMC 46397 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning professional regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Optometric Practice Act of 1987 is
5 amended by changing Section 4.5 as follows:

6 (225 ILCS 80/4.5)

7 (Section scheduled to be repealed on January 1, 2007)

8 Sec. 4.5. Unlicensed practice; violation; civil penalty.

9 (a) Any person who practices, offers to practice, attempts
10 to practice, or holds oneself out to practice optometry without
11 being licensed under this Act or any individual or entity that
12 causes or attempts to cause a licensed optometrist or any other
13 person under that individual's or entity's control to violate
14 this Act or any other State or federal law or rule related to
15 the practice of optometry shall, in addition to any other
16 penalty provided by law, pay a civil penalty to the Department
17 in an amount not to exceed \$5,000 for each offense as
18 determined by the Department. The civil penalty shall be
19 assessed by the Department after a hearing is held in
20 accordance with the provisions set forth in this Act regarding
21 the provision of a hearing for the discipline of a licensee.

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

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

29 (Source: P.A. 89-474, eff. 6-18-96.)

30 Section 99. Effective date. This Act takes effect upon
31 becoming law.