



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB4934

Introduced 1/15/2010, by Rep. Elaine Nekritz

SYNOPSIS AS INTRODUCED:

225 ILCS 427/40

Amends the Community Association Manager Licensing and Disciplinary Act. Provides that in determining the moral character of an applicant for licensure, the Department of Financial and Professional Regulation may take into consideration whether the applicant has engaged in conduct or activities that would constitute grounds for discipline under this Act. Provides that conviction of crimes (now, "other than felonies") may be used in determining moral character, but shall not constitute an absolute bar to licensure. Contains a non-acceleration clause. Effective July 1, 2010.

LRB096 17965 ASK 33334 b

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 Community Association Manager Licensing and
5 Disciplinary Act is amended by changing Section 40 as follows:

6 (225 ILCS 427/40)

7 (This Section may contain text from a Public Act with a
8 delayed effective date)

9 (Section scheduled to be repealed on January 1, 2020)

10 Sec. 40. Qualifications for licensure as a community
11 association manager.

12 (a) No person shall be qualified for licensure under this
13 Act, unless he or she has applied in writing on the prescribed
14 forms and has paid the required, nonrefundable fees and meets
15 all of the following qualifications:

16 (1) He or she is at least 21 years of age.

17 (2) He or she provides satisfactory evidence of having
18 completed at least 20 classroom hours in community
19 association management courses approved by the Board.

20 (3) He or she has passed an examination authorized by
21 the Department.

22 (4) He or she has not committed an act or acts, in this
23 or any other jurisdiction, that would be a violation of

1 this Act.

2 (5) He or she is of good moral character. In
3 determining ~~Good~~ moral character under this Section, the
4 Department may take into consideration whether the
5 applicant has engaged in conduct or activities that would
6 constitute grounds for discipline under this Act. Good
7 moral character is a continuing requirement of licensure.
8 Conviction of crimes ~~other than felonies~~ may be used in
9 determining moral character, but shall not constitute an
10 absolute bar to licensure.

11 (6) He or she has not been declared by any court of
12 competent jurisdiction to be incompetent by reason of
13 mental or physical defect or disease, unless a court has
14 subsequently declared him or her to be competent.

15 (7) He or she complies with any additional
16 qualifications for licensure as determined by rule of the
17 Department.

18 (b) The education requirement set forth in item (2) of
19 subsection (a) of this Section shall not apply to persons
20 holding a real estate broker or real estate salesperson license
21 in good standing issued under the Real Estate License Act of
22 2000.

23 (c) The examination and initial education requirement of
24 items (2) and (3) of subsection (a) of this Section shall not
25 apply to any person who within 6 months from the effective date
26 of the requirement for licensure, as set forth in Section 170

1 of this Act, applies for a license by providing satisfactory
2 evidence to the Department of qualifying experience or
3 education, as may be set forth by rule, including without
4 limitation evidence that he or she has (i) practiced community
5 association management for a period of 5 years or (ii) achieved
6 a designation awarded by recognized community association
7 management organizations in the State.

8 (d) Applicants have 3 years from the date of application to
9 complete the application process. If the process has not been
10 completed within the 3 years, the application shall be denied,
11 the fee shall be forfeited, and the applicant must reapply and
12 meet the requirements in effect at the time of re-application.

13 (Source: P.A. 96-726, eff. 7-1-10.)

14 Section 95. No acceleration or delay. Where this Act makes
15 changes in a statute that is represented in this Act by text
16 that is not yet or no longer in effect (for example, a Section
17 represented by multiple versions), the use of that text does
18 not accelerate or delay the taking effect of (i) the changes
19 made by this Act or (ii) provisions derived from any other
20 Public Act.

21 Section 99. Effective date. This Act takes effect July 1,
22 2010.