

1 AN ACT concerning regulation.

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

4 Section 5. The Regulatory Sunset Act is amended by changing
5 Section 4.22 and by adding Section 4.32 as follows:

6 (5 ILCS 80/4.22)

7 Sec. 4.22. Acts repealed on January 1, 2012. The following
8 Acts are repealed on January 1, 2012:

9 The Detection of Deception Examiners Act.

10 The Home Inspector License Act.

11 The Interior Design Title Act.

12 The Massage Licensing Act.

13 The Petroleum Equipment Contractors Licensing Act.

14 ~~The Professional Boxing Act.~~

15 The Real Estate Appraiser Licensing Act of 2002.

16 The Water Well and Pump Installation Contractor's License
17 Act.

18 (Source: P.A. 95-331, eff. 8-21-07.)

19 (5 ILCS 80/4.32 new)

20 Sec. 4.32. Acts repealed on January 1, 2022. The following
21 Act is repealed on January 1, 2022:

22 The Boxing and Full-contact Martial Arts Act.

1 Section 7. The State Finance Act is amended by adding
2 Section 5.786 as follows:

3 (30 ILCS 105/5.786 new)

4 Sec. 5.786. The Athletics Supervision and Regulation Fund.

5 Section 10. The Professional Boxing Act is amended by
6 changing the title of the Act and Sections 0.05, 1, 2, 6, 7, 8,
7 10, 10.5, 11, 12, 13, 15, 16, 17.7, 17.9, 17.10, 18, 19, 19.1,
8 19.2, 19.5, 20, and 25.1 and by adding Sections 10.1, 11.5, and
9 24.5 as follows:

10 (225 ILCS 105/Act title)

11 An Act in relation to ~~professional~~ boxing and full-contact
12 martial arts.

13 (225 ILCS 105/0.05)

14 (Section scheduled to be repealed on January 1, 2012)

15 Sec. 0.05. Declaration of public policy. Professional
16 boxing and full-contact martial arts contests in the State of
17 Illinois, and amateur boxing and full-contact martial arts
18 contests ~~events~~, are hereby declared to affect the public
19 health, safety, and welfare and to be subject to regulation and
20 control in the public interest. It is further declared to be a
21 matter of public interest and concern that these contests ~~and~~

1 ~~events~~, as defined in this Act, merit and receive the
2 confidence of the public and that only qualified persons be
3 authorized to participate in these contests and events in the
4 State of Illinois. This Act shall be liberally construed to
5 best carry out these objects and purposes.

6 (Source: P.A. 95-593, eff. 6-1-08; 96-663, eff. 8-25-09.)

7 (225 ILCS 105/1) (from Ch. 111, par. 5001)

8 (Section scheduled to be repealed on January 1, 2012)

9 Sec. 1. Short title and definitions.

10 (a) This Act may be cited as the Boxing and Full-contact
11 Martial Arts Act ~~Professional Boxing Act~~.

12 (b) As used in this Act:

13 ~~1.~~ "Department" means the Department of Financial and
14 Professional Regulation.

15 ~~2.~~ "Secretary" means the Secretary of Financial and
16 Professional Regulation.

17 ~~3.~~ "Board" means the State of Illinois Athletic
18 Professional Boxing Board established pursuant to this Act
19 ~~appointed by the Secretary~~.

20 ~~4.~~ "License" means the license issued for promoters,
21 professionals ~~contestants~~, or officials in accordance with
22 this Act.

23 ~~5. (Blank).~~

24 "Professional contest" ~~6. "Contest"~~ means a
25 ~~professional~~ boxing or ~~professional~~ full-contact martial

1 arts competition in which all of the participants competing
2 against one another are professionals and where the public
3 is able to attend or a fee is charged ~~match or exhibition.~~

4 ~~7. (Blank).~~

5 ~~8. (Blank).~~

6 ~~9.~~ "Permit" means the authorization from the
7 Department to a promoter to conduct professional or amateur
8 contests, or a combination of both ~~contests.~~

9 ~~10.~~ "Promoter" means a person who is licensed and who
10 holds a permit to conduct professional or amateur contests,
11 or a combination of both.

12 ~~11.~~ Unless the context indicates otherwise, "person"
13 includes, but is not limited to, an individual,
14 association, organization, business entity, gymnasium, or
15 club.

16 ~~12. (Blank).~~

17 ~~13. (Blank).~~

18 ~~14. (Blank).~~

19 ~~15.~~ "Judge" means a person licensed by the Department
20 who is located at ringside or adjacent to the fighting area
21 during a professional contest and who has the
22 responsibility of scoring the performance of the
23 participants in that professional ~~the~~ contest.

24 ~~16.~~ "Referee" means a person licensed by the Department
25 who has the general supervision of ~~a contest~~ and is present
26 inside of the ring or fighting area during a professional

1 ~~the~~ contest.

2 ~~17.~~ "Amateur" means a person registered by the
3 Department who is not competing for, and has never received
4 or competed for, any purse or other article of value,
5 directly or indirectly, either for participating in any
6 contest or for the expenses of training therefor, other
7 than a non-monetary prize that does not exceed \$50 in
8 value.

9 "Professional" ~~18. "Contestant"~~ means a person
10 licensed by the Department who competes for a money prize,
11 purse, or other type of compensation in a professional
12 contest held in Illinois.

13 ~~19.~~ "Second" means a person licensed by the Department
14 who is present at any professional contest to provide
15 assistance or advice to a professional ~~contestant~~ during
16 the contest.

17 ~~20.~~ "Matchmaker" means a person licensed by the
18 Department who brings together professionals to compete in
19 ~~contestants or procures contests for contestants.~~

20 ~~21.~~ "Manager" means a person licensed by the Department
21 who is not a promoter and who, under contract, agreement,
22 or other arrangement ~~with any contestant~~, undertakes to,
23 directly or indirectly, control or administer the affairs
24 of professionals ~~contestants~~.

25 ~~22.~~ "Timekeeper" means a person licensed by the
26 Department who is the official timer of the length of

1 rounds and the intervals between the rounds.

2 ~~23.~~ "Purse" means the financial guarantee or any other
3 remuneration for which contestants are participating in a
4 professional contest.

5 ~~24.~~ "Physician" means a person licensed to practice
6 medicine in all its branches under the Medical Practice Act
7 of 1987.

8 ~~25.~~ "Martial arts" means a discipline or combination of
9 different disciplines that utilizes sparring techniques
10 without the intent to injure, disable, or incapacitate
11 one's opponent, such as, but not limited to, Karate, Kung
12 Fu, Judo, and Tae Kwon Do.

13 ~~26.~~ "Full-contact martial arts" means the use of a
14 singular discipline or a combination of techniques from
15 different disciplines of the martial arts, including,
16 without limitation, full-force grappling, kicking, and
17 striking with the intent to injure, disable, or
18 incapacitate one's opponent.

19 ~~27.~~ "Amateur contest ~~full contact martial arts event~~"
20 means a boxing or full-contact martial arts competition in
21 ~~match or exhibition~~ which all of the participants competing
22 against one another are amateurs and where the public is
23 able to attend or a fee is charged.

24 "Contestant" means a person who competes in either a
25 boxing or full-contact martial arts contest.

26 "Address of record" means the designated address

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

8 "Bout" means one match between 2 contestants.

9 "Sanctioning body" means an organization approved by
10 the Department under the requirements and standards stated
11 in this Act and the rules adopted under this Act to act as
12 a governing body that sanctions professional or amateur
13 contests.

14 (Source: P.A. 95-593, eff. 6-1-08; 96-663, eff. 8-25-09.)

15 (225 ILCS 105/2) (from Ch. 111, par. 5002)

16 (Section scheduled to be repealed on January 1, 2012)

17 Sec. 2. State of Illinois Athletic Professional Boxing
18 Board. There is created the State of Illinois Athletic
19 ~~Professional Boxing~~ Board consisting of 6 persons who shall be
20 appointed by and shall serve in an advisory capacity to the
21 Secretary, and the State Professional Boxing Board shall be
22 disbanded ~~Director~~. One member of the Board shall be a
23 physician licensed to practice medicine in all of its branches.
24 One member of the Board shall be a member of the martial arts
25 community and one member of the Board shall be a member of

1 either the martial arts community or the boxing community. The
2 Secretary ~~Director~~ shall appoint each member to serve for a
3 term of 3 years and until his or her successor is appointed and
4 qualified. One member of the board shall be designated as the
5 Chairperson and one member shall be designated as the
6 Vice-chairperson. No member shall be appointed to the Board for
7 a term which would cause continuous service to be more than 9
8 years. ~~Service prior to January 1, 2000 shall not be considered~~
9 ~~in calculating length of service on the Board.~~ Each member of
10 the board shall receive compensation for each day he or she is
11 engaged in transacting the business of the board and, in
12 addition, shall be reimbursed for his or her authorized and
13 approved expenses necessarily incurred in relation to such
14 service in accordance with the travel regulations applicable to
15 the Department at the time the expenses are incurred.

16 Four members ~~A majority of the current members appointed~~
17 shall constitute a quorum.

18 The members of the Board shall be immune from suit in any
19 action based upon any disciplinary proceedings or other acts
20 performed in good faith as members of the Board.

21 The Secretary ~~Director~~ may remove any member of the Board
22 for misconduct, incapacity, or neglect of duty. The Secretary
23 ~~Director~~ shall reduce to writing any causes for removal.

24 (Source: P.A. 91-408, eff. 1-1-00; 92-499, eff. 1-1-02.)

1 (Section scheduled to be repealed on January 1, 2012)

2 Sec. 6. Restricted contests and events.

3 (a) All professional and amateur contests, or a combination
4 of both, in which physical contact is made are prohibited in
5 Illinois unless authorized by the Department pursuant to the
6 requirements and standards stated in this Act and the rules
7 adopted pursuant to this Act. This subsection (a) does not
8 apply to any of the following:

9 (1) Amateur boxing or full-contact martial arts
10 contests conducted by accredited secondary schools,
11 colleges, or universities, although a fee may be charged.

12 (2) Amateur boxing contests that are sanctioned by USA
13 Boxing or any other sanctioning organization approved by
14 the Association of Boxing Commissions.

15 (3) Amateur boxing or full-contact martial arts
16 contests conducted by a State, county, or municipal entity.

17 (4) Amateur martial arts contests that are not defined
18 as full-contact martial arts contests under this Act.

19 (5) Full-contact martial arts contests, as defined by
20 this Act, that are recognized by the International Olympic
21 Committee or are contested in the Olympic Games and are not
22 conducted in an enclosed fighting area or ring.

23 No other amateur boxing or full-contact martial arts
24 contests shall be permitted unless authorized by the
25 Department.

26 (b) The Department shall have the authority to determine

1 whether a professional or amateur contest is exempt for
2 purposes of this Section. ~~Department authorization is not~~
3 ~~required for amateur full-contact martial arts events~~
4 ~~conducted in a manner that provides substantially similar~~
5 ~~protections for the health, safety, and welfare of the~~
6 ~~participants and the public as are required for professional~~
7 ~~events by this Act and the rules adopted by the Department~~
8 ~~under this Act. Those protections shall include, at a minimum,~~
9 ~~onsite medical staff and equipment, trained officials,~~
10 ~~adequate insurance coverage, weight classes, use of~~
11 ~~appropriate safety equipment by participants, adequate and~~
12 ~~safe competition surfaces, and standards regarding striking~~
13 ~~techniques and fouls. Anyone conducting an amateur~~
14 ~~full-contact martial arts event shall notify the Department in~~
15 ~~writing of the date, time, and location of that event at least~~
16 ~~20 days prior to the event. Failure to comply with the~~
17 ~~requirements of this Section shall render the event prohibited~~
18 ~~and unauthorized by the Department, and persons involved in the~~
19 ~~event are subject to the procedures and penalties set forth in~~
20 ~~Section 10.5.~~

21 (Source: P.A. 95-593, eff. 6-1-08; 96-663, eff. 8-25-09.)

22 (225 ILCS 105/7) (from Ch. 111, par. 5007)

23 (Section scheduled to be repealed on January 1, 2012)

24 Sec. 7. In order to conduct a professional contest or,
25 beginning 6 months after the adoption of rules pertaining to an

1 amateur contest, an amateur contest, or a combination of both,
2 in this State, a promoter shall obtain a permit issued by the
3 Department in accordance with this Act and the rules and
4 regulations adopted pursuant thereto. This permit shall
5 authorize one or more professional or amateur contests, or a
6 combination of both. Amateur full-contact martial arts
7 contests must be registered and sanctioned by a sanctioning
8 body approved by the Department for that purpose under the
9 requirements and standards stated in this Act and the rules
10 adopted under this Act. A permit issued under this Act is not
11 transferable.

12 (Source: P.A. 95-593, eff. 6-1-08; 96-663, eff. 8-25-09.)

13 (225 ILCS 105/8) (from Ch. 111, par. 5008)

14 (Section scheduled to be repealed on January 1, 2012)

15 Sec. 8. Permits.

16 (a) A promoter who desires to obtain a permit to conduct a
17 professional or amateur contest, or a combination of both,
18 shall apply to the Department at least 20 days prior to the
19 event, in writing, on forms furnished by the Department. The
20 application shall be accompanied by the required fee and shall
21 contain, but not be limited to, ~~at least~~ the following
22 information to be submitted at times specified by rule:

23 (1) the legal names and addresses of the promoter;

24 (2) the name of the matchmaker;

25 (3) the time and exact location of the professional or

1 amateur contest, or a combination of both. It is the
2 responsibility of the promoter to ensure that the building
3 to be used for the event complies with all laws,
4 ordinances, and regulations in the city, town, village, or
5 county where the contest is to be held;

6 ~~(4) the seating capacity of the building where the~~
7 ~~event is to be held;~~

8 ~~(5) a copy of the lease or proof of ownership of the~~
9 ~~building where the event is to be held;~~

10 ~~(6) the admission charge or charges to be made; and~~

11 (4) ~~(7)~~ proof of adequate security measures and
12 adequate medical supervision, as determined by Department
13 rule, to ensure the protection of the ~~health and~~ safety of
14 contestants and the general public while attending
15 professional or amateur contests, or a combination of both;
16 ~~and the contestants' safety while participating in the~~
17 ~~events and any other information that the Department may~~
18 ~~determine by rule in order to issue a permit.~~

19 ~~(b) After the initial application and within 10 days prior~~
20 ~~to a scheduled event, a promoter shall submit to the Department~~
21 ~~all of the following information:~~

22 ~~(1) The amount of compensation to be paid to each~~
23 ~~participant.~~

24 (5) proof of adequate medical supervision, as
25 determined by Department rule, to ensure the protection of
26 the health and safety of professionals' or amateurs' while

1 participating in the contest;

2 (6) the ~~(2)~~ The names of the professionals or amateurs
3 competing subject to Department approval; ~~contestants.~~

4 (7) proof ~~(3)~~ Proof of insurance for not less than
5 \$50,000 as further defined by rule for each professional or
6 amateur ~~contestant~~ participating in a professional or
7 amateur contest, ~~or a combination of both; insurance.~~
8 Insurance required under this paragraph ~~(6)~~ subsection
9 shall cover (i) hospital, medication, physician, and other
10 such expenses as would accrue in the treatment of an injury
11 as a result of the professional or amateur contest; ~~and~~
12 (ii) payment to the estate of the professional or amateur
13 ~~contestant~~ in the event of his or her death as a result of
14 his or her participation in the professional or amateur
15 contest; ~~and (iii) accidental death and dismemberment; the~~
16 terms of the insurance coverage must not require the
17 contestant to pay a deductible. The promoter may not carry
18 an insurance policy with a deductible in an amount greater
19 than \$500 for the medical, surgical, or hospital care for
20 injuries a contestant sustains while engaged in a contest,
21 and if a licensed or registered contestant pays for the
22 medical, surgical, or hospital care, the insurance
23 proceeds must be paid to the contestant or his or her
24 beneficiaries as reimbursement for such payment; ~~;~~

25 ~~(c) All promoters shall provide to the Department, at least~~
26 ~~24 hours prior to commencement of the event, the~~

1 (8) the amount of the purses ~~purse~~ to be paid to the
2 professionals for the event; ~~the.~~ The Department shall
3 ~~adopt~~ promulgate rules for payment of the purses; purse.

4 (9) organizational or internationally accepted rules,
5 per discipline, for professional or amateur full-contact
6 martial arts contests where the Department does not provide
7 the rules;

8 (10) proof of contract indicating the requisite
9 registration and sanctioning by a Department approved
10 sanctioning body for any full-contact martial arts contest
11 with scheduled amateur bouts; and

12 (11) any other information that the Department may
13 require to determine whether a permit shall be issued.

14 ~~(d) The contest shall be held in an area where adequate~~
15 ~~neurosurgical facilities are immediately available for skilled~~
16 ~~emergency treatment of an injured contestant. It is the~~
17 ~~responsibility of the promoter to ensure that the building to~~
18 ~~be used for the event complies with all laws, ordinances, and~~
19 ~~regulations in the city, town, or village where the contest is~~
20 ~~to be held.~~

21 (b) The Department may issue a permit to any promoter who
22 meets the requirements of this Act and the rules. The permit
23 shall only be issued for a specific date and location of a
24 professional or amateur contest, or a combination of both, and
25 shall not be transferable. The ~~In an emergency, the~~ Department
26 may allow a promoter to amend a permit application to hold a

1 professional or amateur contest, or a combination of both, in a
2 different location other than the application specifies and may
3 allow the promoter to substitute professionals or amateurs,
4 respectively ~~contestants~~.

5 (c) ~~(e)~~ The Department shall be responsible for assigning
6 the judges, timekeepers, referees, and physicians, ~~and medical~~
7 ~~personnel~~ for a professional contest. Compensation shall be
8 determined by the Department, and it ~~it~~ shall be the
9 responsibility of the promoter to pay ~~cover the cost of~~ the
10 individuals utilized ~~at a contest~~.

11 (Source: P.A. 95-593, eff. 6-1-08; 96-663, eff. 8-25-09.)

12 (225 ILCS 105/10) (from Ch. 111, par. 5010)

13 (Section scheduled to be repealed on January 1, 2012)

14 Sec. 10. Who must be licensed. In order to participate in
15 professional contests the following persons must each be
16 licensed and in good standing with the Department: (a)
17 professionals, ~~promoters~~, (b) ~~contestants~~, ~~(c)~~ seconds, (c)
18 ~~(d)~~ referees, (d) ~~(e)~~ judges, (e) ~~(f)~~ managers, (f) ~~(g)~~
19 matchmakers, and (g) ~~(h)~~ timekeepers.

20 In order to participate in professional or amateur contests
21 or a combination of both, promoters must be licensed and in
22 good standing with the Department.

23 Announcers may participate in professional or amateur
24 contests, or a combination of both, without being licensed
25 under this Act. It shall be the responsibility of the promoter

1 to ensure that announcers comply with the Act, and all rules
2 and regulations promulgated pursuant to this Act.

3 A licensed promoter may not act as, and cannot be licensed
4 as, a second, professional ~~contestant~~, referee, timekeeper,
5 judge, or manager. If he or she is so licensed, he or she must
6 relinquish any of these licenses to the Department for
7 cancellation. A person possessing a valid promoter's license
8 may act as a matchmaker.

9 (Source: P.A. 95-593, eff. 6-1-08.)

10 (225 ILCS 105/10.1 new)

11 Sec. 10.1. Registration of amateurs. Beginning 6 months
12 after the adoption of rules providing for the registration of
13 amateurs under this Act, it shall be unlawful for any person to
14 compete as an amateur unless he or she is registered and in
15 good standing with the Department or is otherwise exempt from
16 registration under this Act. A person who is required to
17 register shall apply to the Department, in writing, on forms
18 provided by the Department.

19 (225 ILCS 105/10.5)

20 (Section scheduled to be repealed on January 1, 2012)

21 Sec. 10.5. Unlicensed practice; violation; civil penalty.

22 (a) Any person who practices, offers to practice, attempts
23 to practice, or holds oneself out to practice as a promoter,
24 professional ~~contestant~~, second, referee, judge, manager,

1 matchmaker, or timekeeper without being licensed under this Act
2 shall, in addition to any other penalty provided by law, pay a
3 civil penalty to the Department in an amount not to exceed
4 \$10,000 ~~\$5,000~~ for each offense as determined by the
5 Department. The civil penalty shall be assessed by the
6 Department after a hearing is held in accordance with the
7 provisions set forth in this Act regarding the provision of a
8 hearing for the discipline of a licensee.

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

11 (c) The civil penalty shall be paid within 60 days after
12 the effective date of the order imposing the civil penalty. The
13 order shall constitute a judgment and may be filed and
14 execution had thereon in the same manner as any judgment from
15 any court of record.

16 (Source: P.A. 95-593, eff. 6-1-08.)

17 (225 ILCS 105/11) (from Ch. 111, par. 5011)

18 (Section scheduled to be repealed on January 1, 2012)

19 Sec. 11. Qualifications for license. The Department shall
20 grant licenses to the following persons if the following
21 qualifications are met:

22 (1) ~~(A)~~ An applicant for licensure as a professional
23 ~~contestant in a contest~~ must: (1) be 18 years old, (2) be
24 of good moral character, (3) file an application stating
25 the applicant's legal ~~correct~~ name (and no assumed or ring

1 name may be used unless such name is registered with the
2 Department along with the applicant's legal ~~correct~~ name),
3 date and place of birth, place of current residence, and a
4 sworn statement that he is not currently in violation of
5 any federal, State or local laws or rules governing boxing
6 or full-contact martial arts, (4) file a certificate from
7 ~~of~~ a physician licensed to practice medicine in all of its
8 branches which attests that the applicant is physically fit
9 and qualified to participate in professional contests, and
10 (5) pay the required fee and meet any other requirements.
11 Applicants over age 35 who have not competed in a
12 professional or amateur contest within the last 36 months
13 may be required to appear before the Department ~~Board~~ to
14 determine their fitness to participate in a professional
15 contest. A picture identification card shall be issued to
16 all professionals ~~contestants~~ licensed by the Department
17 who are residents of Illinois or who are residents of any
18 jurisdiction, state, or country that does not regulate
19 professional boxing or full-contact martial arts. The
20 identification card shall be presented to the Department or
21 its representative upon request at weigh-ins.

22 (2) ~~(B)~~ An applicant for licensure as a referee, judge,
23 manager, second, matchmaker, or timekeeper must: (1) be of
24 good moral character, (2) file an application stating the
25 applicant's name, date and place of birth, and place of
26 current residence along with a certifying statement that he

1 is not currently in violation of any federal, State, or
2 local laws or rules governing boxing, or full-contact
3 martial arts, (3) have had satisfactory experience in his
4 field, (4) pay the required fee, and (5) meet any other
5 requirements as determined by rule.

6 (3) ~~(C)~~ An applicant for licensure as a promoter must:
7 (1) be of good moral character, (2) file an application
8 with the Department stating the applicant's name, date and
9 place of birth, place of current residence along with a
10 certifying statement that he is not currently in violation
11 of any federal, State, or local laws or rules governing
12 boxing or full-contact martial arts, (3) pay the required
13 fee and meet any other requirements as established by rule
14 provide proof of a surety bond of no less than \$5,000 to
15 cover financial obligations pursuant to this Act, payable
16 to the Department and conditioned for the payment of the
17 tax imposed by this Act and compliance with this Act and
18 the rules promulgated pursuant to this Act, and (4) in
19 addition to the foregoing, an applicant for licensure as a
20 promoter of professional contests or a combination of both
21 professional and amateur bouts in one contest shall also
22 provide (i) proof of a surety bond of no less than \$5,000
23 to cover financial obligations under this Act, payable to
24 the Department and conditioned for the payment of the tax
25 imposed by this Act and compliance with this Act, and the
26 rules adopted under this Act, and (ii) ~~provide~~ a financial

1 statement, prepared by a certified public accountant,
2 showing liquid working capital of \$10,000 or more, or a
3 \$10,000 performance bond guaranteeing payment of all
4 obligations relating to the promotional activities, ~~and~~
5 ~~(5) pay the required fee and meet any other requirements.~~

6 (4) All applicants shall submit an application to the
7 Department, in writing, on forms provided by the
8 Department, containing such information as determined by
9 rule.

10 In determining good moral character, the Department may
11 take into consideration any violation of any of the provisions
12 of Section 16 of this Act as to referees, judges, managers,
13 matchmakers, timekeepers, or promoters and any felony
14 conviction of the applicant, but such a conviction shall not
15 operate as a bar to licensure. No license issued under this Act
16 is transferable.

17 The Department may issue temporary licenses as provided by
18 rule.

19 (Source: P.A. 95-593, eff. 6-1-08; 96-663, eff. 8-25-09.)

20 (225 ILCS 105/11.5 new)

21 Sec. 11.5. Qualifications for registration. An applicant
22 for registration as an amateur competing in an amateur full
23 contact martial arts contest must (1) be 18 years old; (2) be
24 of good moral character; (3) file an application stating the
25 applicant's legal name, date and place of birth, and place of

1 current residence and a sworn statement that he or she is not
2 currently in violation of any federal, State, or local laws or
3 rules governing full-contact martial arts; (4) file a
4 certificate from a physician which attests that the applicant
5 is physically fit and qualified to participate in contests; and
6 (5) meet any other requirements as established by rule.

7 In determining good moral character, the Department may
8 take into consideration any violation of any of the provisions
9 of Section 16 of this Act. No registration issued under this
10 Act is transferable.

11 This Section does not apply to amateur participants under
12 the age of 18 and younger. Participants under the age of 18 and
13 younger shall meet all other requirements for amateurs in this
14 Act and as established by rule.

15 (225 ILCS 105/12) (from Ch. 111, par. 5012)

16 (Section scheduled to be repealed on January 1, 2012)

17 Sec. 12. Professional or amateur contests ~~Contests~~.

18 (a) The professional or amateur contest, or a combination
19 of both, shall be held in an area where adequate neurosurgical
20 facilities are immediately available for skilled emergency
21 treatment of an injured professional or amateur.

22 (b) Each professional or amateur ~~contestant~~ shall be
23 examined before ~~entering~~ the contest ~~ring~~ and promptly
24 ~~immediately~~ after each bout ~~contest~~ by a physician ~~licensed to~~
25 ~~practice medicine in all of its branches~~. The physician shall

1 determine, prior to the contest, if each professional or
2 amateur ~~contestant~~ is physically fit to compete ~~engage~~ in the
3 contest. After the bout ~~contest~~ the physician shall examine the
4 professional or amateur ~~contestant~~ to determine possible
5 injury. If the professional's or amateur's ~~contestant's~~
6 physical condition so indicates, the physician shall recommend
7 to the Department immediate medical suspension. The physician
8 or a licensed emergency medical technician-paramedic (EMT-P)
9 must check the vital signs of all contestants as established by
10 rule.

11 (c) The physician may, at any time during the professional
12 or amateur bout ~~contest~~, stop the professional or amateur bout
13 ~~contest~~ to examine a professional or amateur contestant, and
14 may direct the referee to terminate the bout ~~contest~~ when, in
15 the physician's opinion, continuing the bout ~~contest~~ could
16 result in serious injury to the professional or amateur
17 ~~contestant~~. If the professional's or amateur's physical
18 condition so indicates, the physician shall recommend to the
19 Department immediate medical suspension. The physician shall
20 certify to the condition of the professional or amateur
21 ~~contestant~~ in writing, over his signature on forms provided by
22 the Department. Such reports shall be submitted to the
23 Department in a timely manner. ~~The physician shall be paid by~~
24 ~~the promoter a fee fixed by the Department. No contest shall be~~
25 ~~held unless a physician licensed to practice medicine in all of~~
26 ~~its branches is in attendance.~~

1 (d) No professional or amateur contest, or a combination of
2 both, shall be allowed to begin or be held unless at least one
3 physician, ~~and 2~~ at least one EMT and one EMT-P, trained
4 ~~paramedics or 2 nurses who are trained to administer emergency~~
5 ~~medical care~~ and ~~at least~~ one ambulance have been contracted
6 with dedicated solely for the care of professionals or amateurs
7 who are competing as defined by rule ~~contestants are present.~~

8 (e) No professional boxing bout ~~contest~~ shall be more than
9 12 rounds in length. The rounds shall not be more than 3
10 minutes each with a one minute interval between them, and no
11 professional boxer shall be allowed to participate in more than
12 one contest within a 7-day period ~~12 rounds within 72~~
13 ~~consecutive hours.~~

14 The number and length of rounds for all other professional
15 or amateur boxing or full-contact martial arts contests, or a
16 combination of both, shall be determined ~~established~~ by rule.

17 (f) The number and types of officials required for each
18 professional or amateur contest, or a combination of both,
19 shall be determined by rule. ~~At each contest there shall be a~~
20 ~~referee in attendance who shall direct and control the contest.~~
21 ~~The referee, before each contest, shall learn the name of the~~
22 ~~contestant's chief second and shall hold the chief second~~
23 ~~responsible for the conduct of his assistant during the~~
24 ~~progress of the contest.~~

25 ~~There shall be 2 judges in attendance at all boxing~~
26 ~~contests who shall render a decision at the end of each~~

1 ~~contest. The decision of the judges, taken together with the~~
2 ~~decision of the referee, is final; or, 3 judges shall score the~~
3 ~~contest with the referee not scoring. The method of scoring~~
4 ~~shall be set forth in rules. The number of judges required and~~
5 ~~the manner of scoring for all other contests shall be set by~~
6 ~~rule.~~

7 ~~Judges, referees, or timekeepers for contests shall be~~
8 ~~assigned by the Department.~~

9 (g) The Department or its representative shall have
10 discretion to declare a price, remuneration, or purse or any
11 part of it belonging to the professional contestant withheld if
12 in the judgment of the Department or its representative the
13 professional contestant is not honestly competing.

14 (h) The Department shall have the authority to prevent a
15 professional or amateur contest, or a combination of both, from
16 being held and shall have the authority to stop a professional
17 or amateur contest, or a combination of both, for noncompliance
18 with any part of this Act or rules or when, in the judgment of
19 the Department, or its representative, continuation of the
20 event would endanger the health, safety, and welfare of the
21 professionals or amateurs contestants or spectators. The
22 Department's authority to stop a contest on the basis that the
23 professional or amateur contest, or a combination of both,
24 would endanger the health, safety, and welfare of the
25 professionals or amateurs contestants or spectators shall
26 extend to any professional or amateur contest, or a combination

1 of both, regardless of whether that amateur contest is exempted
2 from the prohibition in Section 6 of this Act. Department
3 staff, or its representative, may be present at any
4 full-contact martial arts contest with scheduled amateur
5 bouts.

6 (Source: P.A. 95-593, eff. 6-1-08.)

7 (225 ILCS 105/13) (from Ch. 111, par. 5013)

8 (Section scheduled to be repealed on January 1, 2012)

9 Sec. 13. Tickets; tax. Tickets to professional or amateur
10 contests, or a combination of both, shall be printed in such
11 form as the Department shall prescribe. A certified inventory
12 of all tickets printed for any professional or amateur contest,
13 or a combination of both, shall be mailed to the Department by
14 the promoter not less than 7 days before the contest. The total
15 number of tickets printed shall not exceed the total seating
16 capacity of the premises in which the professional or amateur
17 contest, or a combination of both, is to be held. No tickets of
18 admission to any professional or amateur contest, or a
19 combination of both, shall be sold except those declared on an
20 official ticket inventory as described in this Section.

21 (a) A promoter who conducts a professional or a combination
22 of a professional and amateur contest under this Act shall,
23 within 24 hours after such a contest:

24 (1) furnish to the Department a written report verified
25 by the promoter or his authorized designee showing the

1 number of tickets sold for such a ~~the~~ contest or the actual
2 ticket stubs of tickets sold and the amount of the gross
3 proceeds thereof; and

4 (2) pay to the Department a tax of 5% ~~3% of the first~~
5 ~~\$500,000~~ of gross receipts from the sale of admission
6 tickets, not to exceed \$52,500, to be collected by the
7 Department and placed in the Athletics Supervision and
8 Regulation General Revenue Fund, a special fund created in
9 the State Treasury to be administered by the Department.

10 Moneys in the Athletics Supervision and Regulation Fund
11 shall be used by the Department, subject to appropriation, for
12 expenses incurred in administering this Act. Moneys in the Fund
13 may be transferred to the Professions Indirect Cost Fund, as
14 authorized under Section 2105-300 of the Department of
15 Professional Regulation Law.

16 In addition to the payment of any other taxes and money due
17 under subsection (a), every promoter of a professional or a
18 combination of a professional and amateur contest shall pay to
19 the Department 3% of the first \$500,000 and 4% thereafter,
20 which shall not exceed \$35,000 in total from the total gross
21 receipts from the sale, lease, or other exploitation of
22 broadcasting, including, but not limited to, Internet, cable,
23 television, and motion picture rights for that professional or
24 professional and amateur combination contest or exhibition
25 without any deductions for commissions, brokerage fees,
26 distribution fees, advertising, professional contestants'

1 purses, or any other expenses or charges. These fees shall be
2 paid to the Department within 72 hours after the broadcast of
3 the contest and placed in the Athletics Supervision and
4 Regulation Fund.

5 (Source: P.A. 95-593, eff. 6-1-08.)

6 (225 ILCS 105/15) (from Ch. 111, par. 5015)

7 (Section scheduled to be repealed on January 1, 2012)

8 Sec. 15. Inspectors. The Secretary ~~Director~~ may appoint
9 inspectors to assist the Department staff in the administration
10 of the Act. Each inspector appointed by the Secretary ~~Director~~
11 shall receive compensation for each day he or she is engaged in
12 the transacting of business of the Department. Each inspector
13 shall carry a card issued by the Department to authorize him or
14 her to act in such capacity. The inspector or inspectors shall
15 supervise each professional contest and, at the Department's
16 discretion, may supervise any contest to ensure that the
17 provisions of the Act are strictly enforced. ~~The inspectors~~
18 ~~shall also be present at the counting of the gross receipts and~~
19 ~~shall immediately deliver to the Department the official box~~
20 ~~office statement as required by Section 13.~~

21 (Source: P.A. 95-593, eff. 6-1-08.)

22 (225 ILCS 105/16) (from Ch. 111, par. 5016)

23 (Section scheduled to be repealed on January 1, 2012)

24 Sec. 16. Discipline and sanctions.

1 (a) The Department may refuse to issue a permit, ~~or~~
2 license, or registration, refuse to renew, suspend, revoke,
3 reprimand, place on probation, or take such other disciplinary
4 or non-disciplinary action as the Department may deem proper,
5 including the imposition of fines not to exceed \$10,000 ~~\$5,000~~
6 for each violation, with regard to any permit, license, or
7 registration for one or any combination of the following
8 reasons:

9 (1) gambling, betting, or wagering on the result of or
10 a contingency connected with a professional or amateur
11 contest, or a combination of both, or permitting such
12 activity to take place;

13 (2) participating in or permitting a sham or fake
14 professional or amateur contest, or a combination of both;

15 (3) holding the professional or amateur contest, or a
16 combination of both, at any other time or place than is
17 stated on the permit application;

18 (4) permitting any professional or amateur ~~contestant~~
19 other than those stated on the permit application to
20 participate in a professional or amateur contest, or a
21 combination of both, except as provided in Section 9;

22 (5) violation or aiding in the violation of any of the
23 provisions of this Act or any rules or regulations
24 promulgated thereto;

25 (6) violation of any federal, State or local laws of
26 the United States or other jurisdiction governing

1 professional or amateur contests or any regulation
2 promulgated pursuant thereto;

3 (7) charging a greater rate or rates of admission than
4 is specified on the permit application;

5 (8) failure to obtain all the necessary permits,
6 registrations, or licenses as required under this Act;

7 (9) failure to file the necessary bond or to pay the
8 gross receipts tax as required by this Act;

9 (10) engaging in dishonorable, unethical or
10 unprofessional conduct of a character likely to deceive,
11 defraud or harm the public, or which is detrimental to
12 honestly conducted contests;

13 (11) employment of fraud, deception or any unlawful
14 means in applying for or securing a permit or license under
15 this Act;

16 (12) permitting a physician making the physical
17 examination to knowingly certify falsely to the physical
18 condition of a professional or amateur ~~contestant~~;

19 (13) permitting professionals or amateurs ~~contestants~~
20 of widely disparate weights or abilities to engage in
21 professional or amateur contests, respectively;

22 (14) participating in a professional contest as a
23 professional ~~contestant~~ while under medical suspension in
24 this State or in any other state, territory or country;

25 (15) physical illness, including, but not limited to,
26 deterioration through the aging process, or loss of motor

1 skills which results in the inability to participate in
2 contests with reasonable judgment, skill, or safety;

3 (16) allowing one's license or permit issued under this
4 Act to be used by another person;

5 (17) failing, within a reasonable time, to provide any
6 information requested by the Department as a result of a
7 formal or informal complaint;

8 (18) professional incompetence;

9 (19) failure to file a return, or to pay the tax,
10 penalty or interest shown in a filed return, or to pay any
11 final assessment of tax, penalty or interest, as required
12 by any tax Act administered by the Illinois Department of
13 Revenue, until such time as the requirements of any such
14 tax Act are satisfied;

15 (20) (blank);

16 (21) habitual or excessive use or addiction to alcohol,
17 narcotics, stimulants, or any other chemical agent or drug
18 that results in an inability to participate in an event; ~~or~~

19 (22) failure to stop a professional or amateur contest,
20 or a combination of both, when requested to do so by the
21 Department; ~~or~~

22 (23) failure of a promoter to adequately supervise and
23 enforce this Act and its rules as applicable to amateur
24 contests, as set forth in rule; or

25 (24) a finding by the Department that the licensee,
26 after having his or her license placed on probationary

1 status, has violated the terms of probation.

2 (b) The determination by a circuit court that a licensee is
3 subject to involuntary admission or judicial admission as
4 provided in the Mental Health and Developmental Disabilities
5 Code operates as an automatic suspension. The suspension will
6 end only upon a finding by a court that the licensee is no
7 longer subject to involuntary admission or judicial admission,
8 issuance of an order so finding and discharging the licensee,
9 ~~and upon the recommendation of the Board to the Director that~~
10 ~~the licensee be allowed to resume his or her practice.~~

11 (c) In enforcing this Section, the Department Board, upon a
12 showing of a possible violation, may compel any individual
13 licensed to practice under this Act, or who has applied for
14 licensure pursuant to this Act, to submit to a mental or
15 physical examination, or both, as required by and at the
16 expense of the Department. The examining physicians or clinical
17 psychologists shall be those specifically designated by the
18 Department Board. ~~The Board or the~~ Department may order the
19 examining physician or clinical psychologist to present
20 testimony concerning this mental or physical examination of the
21 licensee or applicant. No information shall be excluded by
22 reason of any common law or statutory privilege relating to
23 communications between the licensee or applicant and the
24 examining physician or clinical psychologist. Eye examinations
25 may be provided by a licensed and certified therapeutic
26 optometrist. The individual to be examined may have, at his or

1 her own expense, another physician of his or her choice present
2 during all aspects of the examination. Failure of any
3 individual to submit to a mental or physical examination, when
4 directed, shall be grounds for suspension of a license ~~until~~
5 ~~such time as the individual submits to the examination if the~~
6 ~~Board finds, after notice and hearing, that the refusal to~~
7 ~~submit to the examination was without reasonable cause.~~

8 ~~(d) If the Board finds an individual unable to practice~~
9 ~~because of the reasons set forth in this Section, the Board~~
10 ~~shall require the individual to submit to care, counseling, or~~
11 ~~treatment by physicians or clinical psychologists approved or~~
12 ~~designated by the Board, as a condition, term, or restriction~~
13 ~~for continued, reinstated, or renewed licensure, or in lieu of~~
14 ~~care, counseling, or treatment, the Board may recommend to the~~
15 ~~Department to file a complaint to immediately suspend, revoke,~~
16 ~~or otherwise discipline the license of the individual. Any~~
17 ~~individual whose license was granted pursuant to this Act, or~~
18 ~~continued, reinstated, renewed, disciplined, or supervised,~~
19 ~~subject to such conditions, terms, or restrictions, who shall~~
20 ~~fail to comply with such conditions, terms, or restrictions,~~
21 ~~shall be referred to the Director for a determination as to~~
22 ~~whether the individual shall have his or her license suspended~~
23 ~~immediately, pending a hearing by the Board.~~

24 (Source: P.A. 95-593, eff. 6-1-08; 96-663, eff. 8-25-09.)

25 (225 ILCS 105/17.7)

1 (Section scheduled to be repealed on January 1, 2012)

2 Sec. 17.7. Restoration of license from discipline
3 ~~suspended or revoked license. At any time after the successful~~
4 ~~completion of a term of indefinite probation, suspension, or~~
5 ~~revocation of a license, the Department may restore the license~~
6 ~~to the licensee, unless after an investigation and hearing the~~
7 ~~Secretary determines that restoration is not in the public~~
8 ~~interest. No person or entity whose license, certificate, or~~
9 ~~authority has been revoked as authorized in this Act may apply~~
10 ~~for restoration of that license, certification, or authority~~
11 ~~until such time as provided for in the Civil Administrative~~
12 ~~Code of Illinois. At any time after the suspension or~~
13 ~~revocation of a license, the Department may restore it to the~~
14 ~~licensee upon the written recommendation of the Board, unless~~
15 ~~after an investigation and a hearing the Board determines that~~
16 ~~restoration is not in the public interest.~~

17 (Source: P.A. 91-408, eff. 1-1-00; 92-499, eff. 1-1-02.)

18 (225 ILCS 105/17.9)

19 (Section scheduled to be repealed on January 1, 2012)

20 Sec. 17.9. Summary suspension of a license or registration.
21 The Secretary ~~Director~~ may summarily suspend a license or
22 registration without a hearing if the Secretary ~~Director~~ finds
23 that evidence in the Secretary's ~~Director's~~ possession
24 indicates that the continuation of practice would constitute an
25 imminent danger to the public, participants, including any

1 professional contest officials, or the individual involved or
2 cause harm to the profession. If the Secretary ~~Director~~
3 summarily suspends the license without a hearing, a hearing
4 must be commenced within 30 days after the suspension has
5 occurred and concluded as expeditiously as practical.

6 (Source: P.A. 95-593, eff. 6-1-08.)

7 (225 ILCS 105/17.10)

8 (Section scheduled to be repealed on January 1, 2012)

9 Sec. 17.10. Administrative review; venue.

10 (a) All final administrative decisions of the Department
11 are subject to judicial review under the Administrative Review
12 Law and its rules. The term "administrative decision" is
13 defined as in Section 3-101 of the Code of Civil Procedure.

14 (b) Proceedings for judicial review shall be commenced in
15 the circuit court of the county in which the party applying for
16 relief ~~review~~ resides, but if the party is not a resident of
17 Illinois, the venue shall be in Sangamon County.

18 (c) The Department shall not be required to certify any
19 record to the court or file any answer in court or otherwise
20 appear in any court in a judicial review proceeding, unless and
21 until the Department has received from the plaintiff payment of
22 the costs of furnishing and certifying the record, which costs
23 shall be determined by the Department. Failure on the part of
24 the plaintiff to file a receipt in court shall be grounds for
25 dismissal of the action.

1 (Source: P.A. 91-408, eff. 1-1-00.)

2 (225 ILCS 105/18) (from Ch. 111, par. 5018)

3 (Section scheduled to be repealed on January 1, 2012)

4 Sec. 18. Investigations; notice and hearing. The
5 Department may investigate the actions of any applicant or of
6 any person or persons promoting or participating in a
7 professional or amateur contest or any person holding or
8 claiming to hold a license. The Department shall, before
9 revoking, suspending, placing on probation, reprimanding, or
10 taking any other disciplinary action under this Act, at least
11 30 days before the date set for the hearing, (i) notify the
12 accused in writing of the charges made and the time and place
13 for the hearing on the charges, (ii) direct him or her to file
14 a written answer to the charges with the Department Board under
15 oath within 20 days after the service on him or her of the
16 notice, and (iii) inform the accused that, if he or she fails
17 to answer, default will be taken against him or her or that his
18 or her license may be suspended, revoked, or placed on
19 probationary status or that other disciplinary action may be
20 taken with regard to the license, including limiting the scope,
21 nature, or extent of his or her practice, as the Department may
22 consider proper. At the time and place fixed in the notice, the
23 hearing officer Board shall proceed to hear the charges, and
24 the parties or their counsel shall be accorded ample
25 opportunity to present any pertinent statements, testimony,

1 evidence, and arguments. The hearing officer ~~Board~~ may continue
2 the hearing from time to time. In case the person, after
3 receiving the notice, fails to file an answer, his or her
4 license may, in the discretion of the Department, be suspended,
5 revoked, or placed on probationary status or the Department may
6 take whatever disciplinary action considered proper, including
7 limiting the scope, nature, or extent of the person's practice
8 or the imposition of a fine, without a hearing, if the act or
9 acts charged constitute sufficient grounds for that action
10 under this Act. The written notice may be served by personal
11 delivery or by certified mail to the person's address of record
12 ~~specified by the accused in his or her last notification with~~
13 ~~the Department.~~

14 (Source: P.A. 91-408, eff. 1-1-00; 92-499, eff. 1-1-02.)

15 (225 ILCS 105/19) (from Ch. 111, par. 5019)

16 (Section scheduled to be repealed on January 1, 2012)

17 Sec. 19. Findings and recommendations. At the conclusion of
18 the hearing, the hearing officer ~~Board~~ shall present to the
19 Secretary ~~Director~~ a written report of its findings,
20 conclusions of law, and recommendations. The report shall
21 contain a finding of whether the accused person violated this
22 Act or its rules or failed to comply with the conditions
23 required in this Act or its rules. The hearing officer ~~Board~~
24 shall specify the nature of any violations or failure to comply
25 and shall make its recommendations to the Secretary ~~Director~~.

1 In making recommendations for any disciplinary actions, the
2 hearing officer ~~Board~~ may take into consideration all facts and
3 circumstances bearing upon the reasonableness of the conduct of
4 the accused and the potential for future harm to the public
5 including, but not limited to, previous discipline of the
6 accused by the Department, intent, degree of harm to the public
7 and likelihood of harm in the future, any restitution made by
8 the accused, and whether the incident or incidents contained in
9 the complaint appear to be isolated or represent a continuing
10 pattern of conduct. In making its recommendations for
11 discipline, the hearing officer ~~Board~~ shall endeavor to ensure
12 that the severity of the discipline recommended is reasonably
13 related to the severity of the violation.

14 The report of findings of fact, conclusions of law, and
15 recommendation of the hearing officer ~~Board~~ shall be the basis
16 for the Department's order refusing to issue, restore, or renew
17 a license, or otherwise disciplining a licensee. If the
18 Secretary ~~Director~~ disagrees with the recommendations of the
19 hearing officer ~~Board~~, the Secretary ~~Director~~ may issue an
20 order in contravention of the hearing officer's ~~Board~~
21 recommendations. ~~The Director shall provide a written report to~~
22 ~~the Board on any disagreement and shall specify the reasons for~~
23 ~~the action in the final order.~~ The finding is not admissible in
24 evidence against the person in a criminal prosecution brought
25 for a violation of this Act, but the hearing and finding are
26 not a bar to a criminal prosecution brought for a violation of

1 this Act.

2 (Source: P.A. 91-408, eff. 1-1-00; 92-499, eff. 1-1-02.)

3 (225 ILCS 105/19.1) (from Ch. 111, par. 5019.1)

4 (Section scheduled to be repealed on January 1, 2012)

5 Sec. 19.1. Appointment of a hearing officer. The Secretary
6 ~~Director~~ has the authority to appoint any attorney duly
7 licensed to practice law in the State of Illinois to serve as
8 the hearing officer in any action for refusal to issue,
9 restore, or renew a license or discipline of a licensee. The
10 hearing officer has full authority to conduct the hearing. The
11 hearing officer shall report his or her findings of fact,
12 conclusions of law, and recommendations to ~~the Board and~~ the
13 Secretary Director. ~~The Board shall have 60 days from receipt~~
14 ~~of the report to review the report of the hearing officer and~~
15 ~~present its findings of fact, conclusions of law and~~
16 ~~recommendations to the Director. If the Board fails to present~~
17 ~~its report within the 60 day period, the Director may issue an~~
18 ~~order based on the report of the hearing officer. If the~~
19 Secretary Director determines that the hearing officer's
20 ~~Board's~~ report is contrary to the manifest weight of the
21 evidence, he may issue an order in contravention of the
22 recommendation. ~~The Director shall promptly provide a written~~
23 ~~report of the Board on any deviation and shall specify the~~
24 ~~reasons for the action in the final order.~~

25 (Source: P.A. 91-408, eff. 1-1-00; 92-499, eff. 1-1-02.)

1 (225 ILCS 105/19.2)

2 (Section scheduled to be repealed on January 1, 2012)

3 Sec. 19.2. Subpoenas; depositions; oaths. The Department
4 has the power to subpoena documents, books, records, or other
5 materials and to bring before it any person and to take
6 testimony either orally or by deposition, or both, with the
7 same fees and mileage and in the same manner as prescribed in
8 civil cases in the courts of this State.

9 The Secretary ~~Director~~, the designated hearing officer,
10 and ~~every member of the Department have~~ ~~Board has~~ the power to
11 administer oaths to witnesses at any hearing that the
12 Department is authorized to conduct and any other oaths
13 authorized in any Act administered by the Department.

14 (Source: P.A. 91-408, eff. 1-1-00.)

15 (225 ILCS 105/19.5)

16 (Section scheduled to be repealed on January 1, 2012)

17 Sec. 19.5. Order or certified copy; prima facie proof. An
18 order or certified copy thereof, over the seal of the
19 Department and purporting to be signed by the Secretary
20 ~~Director~~, is prima facie proof that:

21 (1) the signature is the genuine signature of the
22 Secretary ~~Director~~; and

23 (2) the Secretary ~~Director~~ is duly appointed and
24 qualified, ~~and~~

1 ~~(3) the Board and its members are qualified to act.~~

2 (Source: P.A. 91-408, eff. 1-1-00.)

3 (225 ILCS 105/20) (from Ch. 111, par. 5020)

4 (Section scheduled to be repealed on January 1, 2012)

5 Sec. 20. Stenographer; transcript. The Department, at its
6 expense, shall provide a stenographer to take down the
7 testimony and preserve a record of all proceedings at the
8 hearing of any case wherein a license or permit is subjected to
9 disciplinary action. The notice of hearing, complaint and all
10 other documents in the nature of pleadings and written motions
11 filed in the proceedings, the transcript of testimony, the
12 report of the hearing officer ~~board~~ and the orders of the
13 Department shall be the record of the proceedings. The
14 Department shall furnish a transcript of the record to any
15 person interested in the hearing upon payment of the fee
16 required under Section 2105-115 of the Department of
17 Professional Regulation Law (20 ILCS 2105/2105-115).

18 (Source: P.A. 91-239, eff. 1-1-00.)

19 (225 ILCS 105/24.5 new)

20 Sec. 24.5. Confidentiality. All information collected by
21 the Department in the course of an examination or investigation
22 of a licensee, registrant, or applicant, including, but not
23 limited to, any complaint against a licensee or registrant
24 filed with the Department and information collected to

1 investigate any such complaint, shall be maintained for the
2 confidential use of the Department and shall not be disclosed.
3 The Department may not disclose such information to anyone
4 other than law enforcement officials, other regulatory
5 agencies that have an appropriate regulatory interest as
6 determined by the Secretary, or a party presenting a lawful
7 subpoena to the Department. Information and documents
8 disclosed to a federal, State, county, or local law enforcement
9 agency shall not be disclosed by the agency for any purpose to
10 any other agency or person. A formal complaint filed against a
11 licensee or registrant by the Department or any order issued by
12 the Department against a licensee, registrant, or applicant
13 shall be a public record, except as otherwise prohibited by
14 law.

15 (225 ILCS 105/25.1)

16 (Section scheduled to be repealed on January 1, 2012)

17 Sec. 25.1. Medical Suspension. A licensee or registrant who
18 is determined by the examining physician to be unfit to compete
19 or officiate shall be immediately suspended until it is shown
20 that he or she is fit for further competition or officiating.
21 If the licensee or registrant disagrees with a medical
22 suspension set at the discretion of the ringside physician, he
23 or she may request a hearing to show proof of fitness. The
24 hearing shall be provided at the earliest opportunity after the
25 Department receives a written request from the licensee.

1 If the referee has rendered a decision of technical
2 knockout against a professional or amateur ~~contestant~~ or if the
3 professional or amateur ~~contestant~~ is knocked out other than by
4 a blow to the head, the professional or amateur ~~contestant~~
5 shall be immediately suspended for a period of not less than 30
6 days. In a full-contact martial arts contest, if the
7 professional or amateur ~~contestant~~ has tapped out or has
8 submitted, the referee shall stop the professional or amateur
9 contest and the ringside physician shall determine the length
10 of suspension.

11 If the professional or amateur ~~contestant~~ has been knocked
12 out by a blow to the head, he or she shall be suspended
13 immediately for a period of not less than 45 days.

14 Prior to reinstatement, any professional or amateur
15 ~~contestant~~ suspended for his or her medical protection shall
16 satisfactorily pass a medical examination upon the direction of
17 the Department. The examining physician may require any
18 necessary medical procedures during the examination.

19 (Source: P.A. 95-593, eff. 6-1-08; 96-663, eff. 8-25-09.)

20 Section 15. The Unified Code of Corrections is amended by
21 changing Section 5-5-5 as follows:

22 (730 ILCS 5/5-5-5) (from Ch. 38, par. 1005-5-5)

23 Sec. 5-5-5. Loss and Restoration of Rights.

24 (a) Conviction and disposition shall not entail the loss by

1 the defendant of any civil rights, except under this Section
2 and Sections 29-6 and 29-10 of The Election Code, as now or
3 hereafter amended.

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

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

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

19 (e) Upon a person's discharge from incarceration or parole,
20 or upon a person's discharge from probation or at any time
21 thereafter, the committing court may enter an order certifying
22 that the sentence has been satisfactorily completed when the
23 court believes it would assist in the rehabilitation of the
24 person and be consistent with the public welfare. Such order
25 may be entered upon the motion of the defendant or the State or
26 upon the court's own motion.

1 (f) Upon entry of the order, the court shall issue to the
2 person in whose favor the order has been entered a certificate
3 stating that his behavior after conviction has warranted the
4 issuance of the order.

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

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

17 (1) there is a direct relationship between one or more
18 of the previous criminal offenses and the specific license
19 sought; or

20 (2) the issuance of the license would involve an
21 unreasonable risk to property or to the safety or welfare
22 of specific individuals or the general public.

23 In making such a determination, the licensing agency shall
24 consider the following factors:

25 (1) the public policy of this State, as expressed in
26 Article 5.5 of this Chapter, to encourage the licensure and

1 employment of persons previously convicted of one or more
2 criminal offenses;

3 (2) the specific duties and responsibilities
4 necessarily related to the license being sought;

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

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

11 (5) the age of the person at the time of occurrence of
12 the criminal offense or offenses;

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

14 (7) any information produced by the person or produced
15 on his or her behalf in regard to his or her rehabilitation
16 and good conduct, including a certificate of relief from
17 disabilities issued to the applicant, which certificate
18 shall create a presumption of rehabilitation in regard to
19 the offense or offenses specified in the certificate; and

20 (8) the legitimate interest of the licensing agency in
21 protecting property, and the safety and welfare of specific
22 individuals or the general public.

23 (i) A certificate of relief from disabilities shall be
24 issued only for a license or certification issued under the
25 following Acts:

26 (1) the Animal Welfare Act; except that a certificate

1 of relief from disabilities may not be granted to provide
2 for the issuance or restoration of a license under the
3 Animal Welfare Act for any person convicted of violating
4 Section 3, 3.01, 3.02, 3.03, 3.03-1, or 4.01 of the Humane
5 Care for Animals Act or Section 26-5 of the Criminal Code
6 of 1961;

7 (2) the Illinois Athletic Trainers Practice Act;

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

10 (4) the Boiler and Pressure Vessel Repairer Regulation
11 Act;

12 (5) the ~~Professional~~ Boxing and Full-contact Martial
13 Arts Act;

14 (6) the Illinois Certified Shorthand Reporters Act of
15 1984;

16 (7) the Illinois Farm Labor Contractor Certification
17 Act;

18 (8) the Interior Design Title Act;

19 (9) the Illinois Professional Land Surveyor Act of
20 1989;

21 (10) the Illinois Landscape Architecture Act of 1989;

22 (11) the Marriage and Family Therapy Licensing Act;

23 (12) the Private Employment Agency Act;

24 (13) the Professional Counselor and Clinical
25 Professional Counselor Licensing Act;

26 (14) the Real Estate License Act of 2000;

- 1 (15) the Illinois Roofing Industry Licensing Act;
- 2 (16) the Professional Engineering Practice Act of
- 3 1989;
- 4 (17) the Water Well and Pump Installation Contractor's
- 5 License Act;
- 6 (18) the Electrologist Licensing Act;
- 7 (19) the Auction License Act;
- 8 (20) Illinois Architecture Practice Act of 1989;
- 9 (21) the Dietetic and Nutrition Services Practice Act;
- 10 (22) the Environmental Health Practitioner Licensing
- 11 Act;
- 12 (23) the Funeral Directors and Embalmers Licensing
- 13 Code;
- 14 (24) the Land Sales Registration Act of 1999;
- 15 (25) the Professional Geologist Licensing Act;
- 16 (26) the Illinois Public Accounting Act; and
- 17 (27) the Structural Engineering Practice Act of 1989.
- 18 (Source: P.A. 96-1246, eff. 1-1-11.)

19 (225 ILCS 105/25 rep.)

20 Section 20. The Professional Boxing Act is amended by

21 repealing Section 25.

22 Section 99. Effective date. This Act takes effect upon

23 becoming law.