



Rep. Angelo Saviano

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LRB097 09990 CEL 54464 a

1 AMENDMENT TO HOUSE BILL 1490

2 AMENDMENT NO. _____. Amend House Bill 1490, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

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

7 (5 ILCS 80/4.22)

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 Acts repealed on January 1, 2012.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9 Acts are repealed on January 1, 2012:

10 The Detection of Deception Examiners Act.

11 The Home Inspector License Act.

12 The Interior Design Title Act.

13 The Massage Licensing Act.

14 The Petroleum Equipment Contractors Licensing Act.

15 ~~The Professional Boxing Act.~~

16 The Real Estate Appraiser Licensing Act of 2002.

1 The Water Well and Pump Installation Contractor's License
2 Act.

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

4 (5 ILCS 80/4.32 new)

5 Sec. 4.32. Acts repealed on January 1, 2022. The following
6 Act is repealed on January 1, 2022:

7 The Boxing and Full-contact Martial Arts Act.

8 Section 7. The State Finance Act is amended by adding
9 Section 5.786 as follows:

10 (30 ILCS 105/5.786 new)

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

12 Section 10. The Professional Boxing Act is amended by
13 changing the title of the Act and Sections 0.05, 1, 2, 6, 7, 8,
14 10, 10.5, 11, 12, 13, 15, 16, 17.7, 17.9, 17.10, 18, 19, 19.1,
15 19.2, 19.5, 20, and 25.1 and by adding Sections 10.1, 11.5, and
16 24.5 as follows:

17 (225 ILCS 105/Act title)

18 An Act in relation to ~~professional~~ boxing and full-contact
19 martial arts.

20 (225 ILCS 105/0.05)

1 (Section scheduled to be repealed on January 1, 2012)

2 Sec. 0.05. Declaration of public policy. Professional
3 boxing and full-contact martial arts contests in the State of
4 Illinois, and amateur boxing and full-contact martial arts
5 contests ~~events~~, are hereby declared to affect the public
6 health, safety, and welfare and to be subject to regulation and
7 control in the public interest. It is further declared to be a
8 matter of public interest and concern that these contests ~~and~~
9 ~~events~~, as defined in this Act, merit and receive the
10 confidence of the public and that only qualified persons be
11 authorized to participate in these contests and events in the
12 State of Illinois. This Act shall be liberally construed to
13 best carry out these objects and purposes.

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

15 (225 ILCS 105/1) (from Ch. 111, par. 5001)

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

17 Sec. 1. Short title and definitions.

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

20 (b) As used in this Act:

21 ~~1.~~ "Department" means the Department of Financial and
22 Professional Regulation.

23 ~~2.~~ "Secretary" means the Secretary of Financial and
24 Professional Regulation.

25 ~~3.~~ "Board" means the State of Illinois Athletic

1 ~~Professional Boxing~~ Board established pursuant to this Act
2 appointed by the Secretary.

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

6 ~~5. (Blank).~~

7 "Professional contest" ~~6. "Contest"~~ means a
8 ~~professional~~ boxing or ~~professional~~ full-contact martial
9 arts competition in which all of the participants competing
10 against one another are professionals and where the public
11 is able to attend or a fee is charged ~~match or exhibition.~~

12 ~~7. (Blank).~~

13 ~~8. (Blank).~~

14 ~~9.~~ "Permit" means the authorization from the
15 Department to a promoter to conduct professional or amateur
16 contests, or a combination of both ~~contests.~~

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

20 ~~11.~~ Unless the context indicates otherwise, "person"
21 includes, but is not limited to, an individual,
22 association, organization, business entity, gymnasium, or
23 club.

24 ~~12. (Blank).~~

25 ~~13. (Blank).~~

26 ~~14. (Blank).~~

1 ~~15.~~ "Judge" means a person licensed by the Department
2 who is located at ringside or adjacent to the fighting area
3 during a professional contest and who has the
4 responsibility of scoring the performance of the
5 participants in that professional ~~the~~ contest.

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

10 ~~17.~~ "Amateur" means a person registered by the
11 Department who is not competing for, and has never received
12 or competed for, any purse or other article of value,
13 directly or indirectly, either for participating in any
14 contest or for the expenses of training therefor, other
15 than a non-monetary prize that does not exceed \$50 in
16 value.

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

21 ~~19.~~ "Second" means a person licensed by the Department
22 who is present at any professional contest to provide
23 assistance or advice to a professional ~~contestant~~ during
24 the contest.

25 ~~20.~~ "Matchmaker" means a person licensed by the
26 Department who brings together professionals to compete in

1 ~~contestants or procures contests for contestants.~~

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

7 ~~22.~~ "Timekeeper" means a person licensed by the
8 Department who is the official timer of the length of
9 rounds and the intervals between the rounds.

10 ~~23.~~ "Purse" means the financial guarantee or any other
11 remuneration for which contestants are participating in a
12 professional contest.

13 ~~24.~~ "Physician" means a person licensed to practice
14 medicine in all its branches under the Medical Practice Act
15 of 1987.

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

21 ~~26.~~ "Full-contact martial arts" means the use of a
22 singular discipline or a combination of techniques from
23 different disciplines of the martial arts, including,
24 without limitation, full-force grappling, kicking, and
25 striking with the intent to injure, disable, or
26 incapacitate one's opponent.

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

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

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

16 "Bout" means one match between 2 contestants.

17 "Sanctioning body" means an organization approved by
18 the Department under the requirements and standards stated
19 in this Act and the rules adopted under this Act to act as
20 a governing body that sanctions professional or amateur
21 contests.

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

23 (225 ILCS 105/2) (from Ch. 111, par. 5002)

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

25 Sec. 2. State of Illinois Athletic ~~Professional Boxing~~

1 Board. There is created the State of Illinois Athletic
2 ~~Professional Boxing~~ Board consisting of 6 persons who shall be
3 appointed by and shall serve in an advisory capacity to the
4 Secretary, and the State Professional Boxing Board shall be
5 disbanded ~~Director~~. One member of the Board shall be a
6 physician licensed to practice medicine in all of its branches.
7 The Secretary ~~Director~~ shall appoint each member to serve for a
8 term of 3 years and until his or her successor is appointed and
9 qualified. One member of the board shall be designated as the
10 Chairperson and one member shall be designated as the
11 Vice-chairperson. No member shall be appointed to the Board for
12 a term which would cause continuous service to be more than 9
13 years. ~~Service prior to January 1, 2000 shall not be considered~~
14 ~~in calculating length of service on the Board.~~ Each member of
15 the board shall receive compensation for each day he or she is
16 engaged in transacting the business of the board and, in
17 addition, shall be reimbursed for his or her authorized and
18 approved expenses necessarily incurred in relation to such
19 service in accordance with the travel regulations applicable to
20 the Department at the time the expenses are incurred.

21 Four members ~~A majority of the current members appointed~~
22 shall constitute a quorum.

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

26 The Secretary ~~Director~~ may remove any member of the Board

1 for misconduct, incapacity, or neglect of duty. The Secretary
2 ~~Director~~ shall reduce to writing any causes for removal.

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

4 (225 ILCS 105/6) (from Ch. 111, par. 5006)

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

6 Sec. 6. Restricted contests and events.

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

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

16 (2) Amateur boxing contests that are sanctioned by USA
17 Boxing or any other sanctioning organization approved by
18 the Association of Boxing Commissions.

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

21 (4) Amateur martial arts or full-contact martial arts
22 contests, as defined by this Act, that are recognized by
23 the International Olympic Committee and are contested in
24 the Olympic Games and are not conducted in an enclosed
25 fighting area or ring.

1 No other amateur boxing or full-contact martial arts
2 contests shall be permitted unless authorized by the
3 Department.

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

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

1 (225 ILCS 105/7) (from Ch. 111, par. 5007)

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

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

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

17 (225 ILCS 105/8) (from Ch. 111, par. 5008)

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

19 Sec. 8. Permits.

20 (a) A promoter who desires to obtain a permit to conduct a
21 professional or amateur contest, or a combination of both,
22 shall apply to the Department at least 20 days prior to the
23 event, in writing, on forms furnished by the Department. The
24 application shall be accompanied by the required fee and shall
25 contain, but not be limited to, ~~at least~~ the following

1 information to be submitted at times specified by rule:

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

3 (2) the name of the matchmaker;

4 (3) the time and exact location of the professional or
5 amateur contest, or a combination of both. It is the
6 responsibility of the promoter to ensure that the building
7 to be used for the event complies with all laws,
8 ordinances, and regulations in the city, town, village, or
9 county where the contest is to be held;

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

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

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

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

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

26 ~~(1) The amount of compensation to be paid to each~~

1 ~~participant.~~

2 (5) proof of adequate medical supervision, as
3 determined by Department rule, to ensure the protection of
4 the health and safety of professionals' or amateurs' while
5 participating in the contest;

6 (6) the ~~(2) The~~ names of the professionals or amateurs
7 competing; contestants.

8 (7) proof ~~(3) Proof~~ of insurance for not less than
9 \$50,000 as further defined by rule for each professional or
10 amateur contestant participating in a professional or
11 amateur contest, or a combination of both; insurance.

12 ~~Insurance~~ required under this paragraph (6) subsection

13 shall cover (i) hospital, medication, physician, and other
14 such expenses as would accrue in the treatment of an injury
15 as a result of the professional or amateur contest; ~~and~~

16 (ii) payment to the estate of the professional or amateur
17 ~~contestant~~ in the event of his or her death as a result of

18 his or her participation in the professional or amateur
19 contest; and (iii) accidental death and dismemberment; the

20 terms of the insurance coverage must not require the
21 contestant to pay a deductible for the medical, surgical,

22 or hospital care for injuries he or she sustains while
23 engaged in a contest, and if a licensed or registered

24 contestant pays for the medical, surgical, or hospital
25 care, the insurance proceeds must be paid to the contestant

26 or his or her beneficiaries as reimbursement for such

1 payment; -

2 ~~(c) All promoters shall provide to the Department, at least~~
3 ~~24 hours prior to commencement of the event, the~~

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

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

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

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

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

24 (b) The Department may issue a permit to any promoter who
25 meets the requirements of this Act and the rules. The permit
26 shall only be issued for a specific date and location of a

1 professional or amateur contest, or a combination of both, and
2 shall not be transferable. ~~The~~ ~~In an emergency, the~~ Department
3 may allow a promoter to amend a permit application to hold a
4 professional or amateur contest, or a combination of both, in a
5 different location other than the application specifies and may
6 allow the promoter to substitute professionals or amateurs,
7 respectively ~~contestants~~.

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

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

15 (225 ILCS 105/10) (from Ch. 111, par. 5010)

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

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

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

1 Announcers may participate in professional or amateur
2 contests, or a combination of both, without being licensed
3 under this Act. It shall be the responsibility of the promoter
4 to ensure that announcers comply with the Act, and all rules
5 and regulations promulgated pursuant to this Act.

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

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

13 (225 ILCS 105/10.1 new)

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

22 (225 ILCS 105/10.5)

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

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

1 (a) Any person who practices, offers to practice, attempts
2 to practice, or holds oneself out to practice as a promoter,
3 professional ~~contestant~~, second, referee, judge, manager,
4 matchmaker, or timekeeper without being licensed under this Act
5 shall, in addition to any other penalty provided by law, pay a
6 civil penalty to the Department in an amount not to exceed
7 \$10,000 ~~\$5,000~~ for each offense as determined by the
8 Department. The civil penalty shall be assessed by the
9 Department after a hearing is held in accordance with the
10 provisions set forth in this Act regarding the provision of a
11 hearing for the discipline of a licensee.

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

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

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

20 (225 ILCS 105/11) (from Ch. 111, par. 5011)

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

22 Sec. 11. Qualifications for license. The Department shall
23 grant licenses to the following persons if the following
24 qualifications are met:

25 (1) ~~(A)~~ An applicant for licensure as a professional

1 ~~contestant in a contest~~ must: (1) be 18 years old, (2) be
2 of good moral character, (3) file an application stating
3 the applicant's legal ~~correct~~ name (and no assumed or ring
4 name may be used unless such name is registered with the
5 Department along with the applicant's legal ~~correct~~ name),
6 date and place of birth, place of current residence, and a
7 sworn statement that he is not currently in violation of
8 any federal, State or local laws or rules governing boxing
9 or full-contact martial arts, (4) file a certificate from
10 ~~of~~ a physician licensed to practice medicine in all of its
11 branches which attests that the applicant is physically fit
12 and qualified to participate in professional contests, and
13 (5) pay the required fee and meet any other requirements.
14 Applicants over age 35 who have not competed in a
15 professional or amateur contest within the last 36 months
16 may be required to appear before the Department ~~Board~~ to
17 determine their fitness to participate in a professional
18 contest. A picture identification card shall be issued to
19 all professionals ~~contestants~~ licensed by the Department
20 who are residents of Illinois or who are residents of any
21 jurisdiction, state, or country that does not regulate
22 professional boxing or full-contact martial arts. The
23 identification card shall be presented to the Department or
24 its representative upon request at weigh-ins.

25 (2) ~~(B)~~ An applicant for licensure as a referee, judge,
26 manager, second, matchmaker, or timekeeper must: (1) be of

1 good moral character, (2) file an application stating the
2 applicant's name, date and place of birth, and place of
3 current residence along with a certifying statement that he
4 is not currently in violation of any federal, State, or
5 local laws or rules governing boxing, or full-contact
6 martial arts, (3) have had satisfactory experience in his
7 field, (4) pay the required fee, and (5) meet any other
8 requirements as determined by rule.

9 (3) ~~(C)~~ An applicant for licensure as a promoter must:
10 (1) be of good moral character, (2) file an application
11 with the Department stating the applicant's name, date and
12 place of birth, place of current residence along with a
13 certifying statement that he is not currently in violation
14 of any federal, State, or local laws or rules governing
15 boxing or full-contact martial arts, (3) provide proof of a
16 surety bond of no less than \$5,000 to cover financial
17 obligations pursuant to this Act, payable to the Department
18 and conditioned for the payment of the tax imposed by this
19 Act and compliance with this Act and the rules promulgated
20 pursuant to this Act, (4) provide a financial statement,
21 prepared by a certified public accountant, showing liquid
22 working capital of \$10,000 or more, or a \$10,000
23 performance bond guaranteeing payment of all obligations
24 relating to the promotional activities, and (5) pay the
25 required fee and meet any other requirements as determined
26 by rule.

1 (4) All applicants shall submit an application to the
2 Department, in writing, on forms provided by the
3 Department, containing such information as determined by
4 rule.

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

12 The Department may issue temporary licenses as provided by
13 rule.

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

15 (225 ILCS 105/11.5 new)

16 Sec. 11.5. Qualifications for registration. An applicant
17 for registration as an amateur competing in an amateur full
18 contact martial arts contest must (1) be 18 years old; (2) be
19 of good moral character; (3) file an application stating the
20 applicant's legal name, date and place of birth, and place of
21 current residence and a sworn statement that he or she is not
22 currently in violation of any federal, State, or local laws or
23 rules governing full-contact martial arts; (4) file a
24 certificate from a physician which attests that the applicant
25 is physically fit and qualified to participate in contests; and

1 (5) meet any other requirements as established by rule.

2 In determining good moral character, the Department may
3 take into consideration any violation of any of the provisions
4 of Section 16 of this Act. No registration issued under this
5 Act is transferable.

6 This Section does not apply to amateur participants under
7 the age of 18 and younger. Participants under the age of 18 and
8 younger shall meet all other requirements for amateurs in this
9 Act and as established by rule.

10 (225 ILCS 105/12) (from Ch. 111, par. 5012)

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

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

13 (a) The professional or amateur contest, or a combination
14 of both, shall be held in an area where adequate neurosurgical
15 facilities are immediately available for skilled emergency
16 treatment of an injured professional or amateur.

17 (b) Each professional or amateur ~~contestant~~ shall be
18 examined before ~~entering~~ the contest ~~ring~~ and promptly
19 ~~immediately~~ after each bout ~~contest~~ by a physician ~~licensed to~~
20 ~~practice medicine in all of its branches~~. The physician shall
21 determine, prior to the contest, if each professional or
22 amateur ~~contestant~~ is physically fit to compete ~~engage~~ in the
23 contest. After the bout ~~contest~~ the physician shall examine the
24 professional or amateur ~~contestant~~ to determine possible
25 injury. If the professional's or amateur's ~~contestant's~~

1 physical condition so indicates, the physician shall recommend
2 to the Department immediate medical suspension. The physician
3 or a licensed emergency medical technician-paramedic (EMT-P)
4 must check the vital signs of all contestants as established by
5 rule.

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

22 (d) No professional or amateur contest, or a combination of
23 both, shall be allowed to begin or be held unless at least one
24 physician, and 2 EMT-Ps, ~~trained paramedics or 2 nurses who are~~
25 ~~trained to administer emergency medical care and at least one~~
26 ambulance have been contracted with ~~dedicated~~ solely for the

1 care of professionals or amateurs who are competing as defined
2 by rule ~~contestants are present.~~

3 (e) No professional boxing bout contest shall be more than
4 12 rounds in length. The rounds shall not be more than 3
5 minutes each with a one minute interval between them, and no
6 professional boxer shall be allowed to participate in more than
7 one contest within a 7-day period ~~12 rounds within 72~~
8 ~~consecutive hours.~~

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

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

20 ~~There shall be 2 judges in attendance at all boxing~~
21 ~~contests who shall render a decision at the end of each~~
22 ~~contest. The decision of the judges, taken together with the~~
23 ~~decision of the referee, is final; or, 3 judges shall score the~~
24 ~~contest with the referee not scoring. The method of scoring~~
25 ~~shall be set forth in rules. The number of judges required and~~
26 ~~the manner of scoring for all other contests shall be set by~~

1 ~~rule.~~

2 ~~Judges, referees, or timekeepers for contests shall be~~
3 ~~assigned by the Department.~~

4 (g) The Department or its representative shall have
5 discretion to declare a prize, remuneration, or purse or any
6 part of it belonging to the professional ~~contestant~~ withheld if
7 in the judgment of the Department or its representative the
8 professional ~~contestant~~ is not honestly competing.

9 (h) The Department shall have the authority to prevent a
10 professional or amateur contest, or a combination of both, from
11 being held and shall have the authority to stop a professional
12 or amateur contest, or a combination of both, for noncompliance
13 with any part of this Act or rules or when, in the judgment of
14 the Department, or its representative, continuation of the
15 event would endanger the health, safety, and welfare of the
16 professionals or amateurs ~~contestants~~ or spectators. The
17 Department's authority to stop a contest on the basis that the
18 professional or amateur contest, or a combination of both,
19 would endanger the health, safety, and welfare of the
20 professionals or amateurs ~~contestants~~ or spectators shall
21 extend to any professional or amateur contest, or a combination
22 of both, regardless of whether that amateur contest is exempted
23 from the prohibition in Section 6 of this Act. Department
24 staff, or its representative, may be present at any
25 full-contact martial arts contest with scheduled amateur
26 bouts.

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

2 (225 ILCS 105/13) (from Ch. 111, par. 5013)

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

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

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

19 (1) furnish to the Department a written report verified
20 by the promoter or his authorized designee showing the
21 number of tickets sold for such a ~~the~~ contest or the actual
22 ticket stubs of tickets sold and the amount of the gross
23 proceeds thereof; and

24 (2) pay to the Department a tax of 5% ~~3% of the first~~
25 ~~\$500,000~~ of gross receipts from the sale of admission

1 tickets, not to exceed \$52,500, to be collected by the
2 Department and placed in the Athletics Supervision and
3 Regulation General Revenue Fund, a special fund created in
4 the State Treasury to be administered by the Department.

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

11 In addition to the payment of any other taxes and money due
12 under subsection (a), every promoter of a professional or a
13 combination of a professional and amateur contest shall pay to
14 the Department 3% of the first \$500,000 and 4% thereafter,
15 which shall not exceed \$35,000 in total from the total gross
16 receipts from the sale, lease, or other exploitation of
17 broadcasting, including, but not limited to, Internet, cable,
18 television, and motion picture rights for that professional or
19 professional and amateur combination contest or exhibition
20 without any deductions for commissions, brokerage fees,
21 distribution fees, advertising, professional contestants'
22 purses, or any other expenses or charges. These fees shall be
23 paid to the Department within 72 hours after the broadcast of
24 the contest and placed in the Athletics Supervision and
25 Regulation Fund.

26 (b) A promoter who conducts an amateur contest under this

1 Act shall, within 24 hours after such a contest:

2 (1) furnish to the Department a written report verified
3 by the promoter or his or her authorized designee showing
4 the number of tickets sold for the amateur contest or the
5 actual ticket stubs of tickets sold and the amount of the
6 gross proceeds thereof; and

7 (2) pay to the Department a tax of 3% of gross receipts
8 from the sale of admission tickets, not to exceed \$52,500,
9 to be collected by the Department and placed in the
10 Athletics Supervision and Regulation Fund.

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

12 (225 ILCS 105/15) (from Ch. 111, par. 5015)

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

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

1 ~~office statement as required by Section 13.~~

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

3 (225 ILCS 105/16) (from Ch. 111, par. 5016)

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

5 Sec. 16. Discipline and sanctions.

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

14 (1) gambling, betting, or wagering on the result of or
15 a contingency connected with a professional or amateur
16 contest, or a combination of both, or permitting such
17 activity to take place;

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

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

23 (4) permitting any professional or amateur ~~contestant~~
24 other than those stated on the permit application to
25 participate in a professional or amateur contest, or a

1 combination of both, except as provided in Section 9;

2 (5) violation or aiding in the violation of any of the
3 provisions of this Act or any rules or regulations
4 promulgated thereto;

5 (6) violation of any federal, State or local laws of
6 the United States or other jurisdiction governing
7 professional or amateur contests or any regulation
8 promulgated pursuant thereto;

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

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

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

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

19 (11) employment of fraud, deception or any unlawful
20 means in applying for or securing a permit or license under
21 this Act;

22 (12) permitting a physician making the physical
23 examination to knowingly certify falsely to the physical
24 condition of a professional or amateur ~~contestant~~;

25 (13) permitting professional or amateur ~~contestants~~ of
26 widely disparate weights or abilities to engage in

1 professional or amateur contests, respectively;

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

5 (15) physical illness, including, but not limited to,
6 deterioration through the aging process, or loss of motor
7 skills which results in the inability to participate in
8 contests with reasonable judgment, skill, or safety;

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

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

14 (18) professional incompetence;

15 (19) failure to file a return, or to pay the tax,
16 penalty or interest shown in a filed return, or to pay any
17 final assessment of tax, penalty or interest, as required
18 by any tax Act administered by the Illinois Department of
19 Revenue, until such time as the requirements of any such
20 tax Act are satisfied;

21 (20) (blank);

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

25 (22) failure to stop a professional or amateur contest,
26 or a combination of both, when requested to do so by the

1 Department; ~~-~~

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

5 (24) a finding by the Department that the licensee,
6 after having his or her license placed on probationary
7 status, has violated the terms of probation.

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

17 (c) In enforcing this Section, the Department Board, upon a
18 showing of a possible violation, may compel any individual
19 licensed to practice under this Act, or who has applied for
20 licensure pursuant to this Act, to submit to a mental or
21 physical examination, or both, as required by and at the
22 expense of the Department. The examining physicians or clinical
23 psychologists shall be those specifically designated by the
24 Department Board. The ~~Board or the~~ Department may order the
25 examining physician or clinical psychologist to present
26 testimony concerning this mental or physical examination of the

1 licensee or applicant. No information shall be excluded by
2 reason of any common law or statutory privilege relating to
3 communications between the licensee or applicant and the
4 examining physician or clinical psychologist. Eye examinations
5 may be provided by a licensed and certified therapeutic
6 optometrist. The individual to be examined may have, at his or
7 her own expense, another physician of his or her choice present
8 during all aspects of the examination. Failure of any
9 individual to submit to a mental or physical examination, when
10 directed, shall be grounds for suspension of a license ~~until~~
11 ~~such time as the individual submits to the examination if the~~
12 ~~Board finds, after notice and hearing, that the refusal to~~
13 ~~submit to the examination was without reasonable cause.~~

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

1 ~~shall be referred to the Director for a determination as to~~
2 ~~whether the individual shall have his or her license suspended~~
3 ~~immediately, pending a hearing by the Board.~~

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

5 (225 ILCS 105/17.7)

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

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

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

23 (225 ILCS 105/17.9)

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

1 Sec. 17.9. Summary suspension of a license or registration.
2 The Secretary ~~Director~~ may summarily suspend a license or
3 registration without a hearing if the Secretary ~~Director~~ finds
4 that evidence in the Secretary's ~~Director's~~ possession
5 indicates that the continuation of practice would constitute an
6 imminent danger to the public, participants, including any
7 professional contest officials, or the individual involved or
8 cause harm to the profession. If the Secretary ~~Director~~
9 summarily suspends the license without a hearing, a hearing
10 must be commenced within 30 days after the suspension has
11 occurred and concluded as expeditiously as practical.

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

13 (225 ILCS 105/17.10)

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

15 Sec. 17.10. Administrative review; venue.

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

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

24 (c) The Department shall not be required to certify any
25 record to the court or file any answer in court or otherwise

1 appear in any court in a judicial review proceeding, unless and
2 until the Department has received from the plaintiff payment of
3 the costs of furnishing and certifying the record, which costs
4 shall be determined by the Department. Failure on the part of
5 the plaintiff to file a receipt in court shall be grounds for
6 dismissal of the action.

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

8 (225 ILCS 105/18) (from Ch. 111, par. 5018)

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

10 Sec. 18. Investigations; notice and hearing. The
11 Department may investigate the actions of any applicant or of
12 any person or persons promoting or participating in a
13 professional or amateur contest or any person holding or
14 claiming to hold a license. The Department shall, before
15 revoking, suspending, placing on probation, reprimanding, or
16 taking any other disciplinary action under this Act, at least
17 30 days before the date set for the hearing, (i) notify the
18 accused in writing of the charges made and the time and place
19 for the hearing on the charges, (ii) direct him or her to file
20 a written answer to the charges with the Department Board under
21 oath within 20 days after the service on him or her of the
22 notice, and (iii) inform the accused that, if he or she fails
23 to answer, default will be taken against him or her or that his
24 or her license may be suspended, revoked, or placed on
25 probationary status or that other disciplinary action may be

1 taken with regard to the license, including limiting the scope,
2 nature, or extent of his or her practice, as the Department may
3 consider proper. At the time and place fixed in the notice, the
4 hearing officer ~~Board~~ shall proceed to hear the charges, and
5 the parties or their counsel shall be accorded ample
6 opportunity to present any pertinent statements, testimony,
7 evidence, and arguments. The hearing officer ~~Board~~ may continue
8 the hearing from time to time. In case the person, after
9 receiving the notice, fails to file an answer, his or her
10 license may, in the discretion of the Department, be suspended,
11 revoked, or placed on probationary status or the Department may
12 take whatever disciplinary action considered proper, including
13 limiting the scope, nature, or extent of the person's practice
14 or the imposition of a fine, without a hearing, if the act or
15 acts charged constitute sufficient grounds for that action
16 under this Act. The written notice may be served by personal
17 delivery or by certified mail to the person's address of record
18 ~~specified by the accused in his or her last notification with~~
19 ~~the Department.~~

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

21 (225 ILCS 105/19) (from Ch. 111, par. 5019)

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

23 Sec. 19. Findings and recommendations. At the conclusion of
24 the hearing, the hearing officer ~~Board~~ shall present to the
25 Secretary ~~Director~~ a written report of its findings,

1 conclusions of law, and recommendations. The report shall
2 contain a finding of whether the accused person violated this
3 Act or its rules or failed to comply with the conditions
4 required in this Act or its rules. The hearing officer ~~Board~~
5 shall specify the nature of any violations or failure to comply
6 and shall make its recommendations to the Secretary ~~Director~~.
7 In making recommendations for any disciplinary actions, the
8 hearing officer ~~Board~~ may take into consideration all facts and
9 circumstances bearing upon the reasonableness of the conduct of
10 the accused and the potential for future harm to the public
11 including, but not limited to, previous discipline of the
12 accused by the Department, intent, degree of harm to the public
13 and likelihood of harm in the future, any restitution made by
14 the accused, and whether the incident or incidents contained in
15 the complaint appear to be isolated or represent a continuing
16 pattern of conduct. In making its recommendations for
17 discipline, the hearing officer ~~Board~~ shall endeavor to ensure
18 that the severity of the discipline recommended is reasonably
19 related to the severity of the violation.

20 The report of findings of fact, conclusions of law, and
21 recommendation of the hearing officer ~~Board~~ shall be the basis
22 for the Department's order refusing to issue, restore, or renew
23 a license, or otherwise disciplining a licensee. If the
24 Secretary ~~Director~~ disagrees with the recommendations of the
25 hearing officer ~~Board~~, the Secretary ~~Director~~ may issue an
26 order in contravention of the hearing officer's ~~Board~~

1 recommendations. ~~The Director shall provide a written report to~~
2 ~~the Board on any disagreement and shall specify the reasons for~~
3 ~~the action in the final order.~~ The finding is not admissible in
4 evidence against the person in a criminal prosecution brought
5 for a violation of this Act, but the hearing and finding are
6 not a bar to a criminal prosecution brought for a violation of
7 this Act.

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

9 (225 ILCS 105/19.1) (from Ch. 111, par. 5019.1)

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

11 Sec. 19.1. Appointment of a hearing officer. The Secretary
12 ~~Director~~ has the authority to appoint any attorney duly
13 licensed to practice law in the State of Illinois to serve as
14 the hearing officer in any action for refusal to issue,
15 restore, or renew a license or discipline of a licensee. The
16 hearing officer has full authority to conduct the hearing. The
17 hearing officer shall report his or her findings of fact,
18 conclusions of law, and recommendations to ~~the Board and the~~
19 Secretary Director. ~~The Board shall have 60 days from receipt~~
20 ~~of the report to review the report of the hearing officer and~~
21 ~~present its findings of fact, conclusions of law and~~
22 ~~recommendations to the Director. If the Board fails to present~~
23 ~~its report within the 60 day period, the Director may issue an~~
24 ~~order based on the report of the hearing officer.~~ If the
25 Secretary Director determines that the hearing officer's

1 ~~Board's~~ report is contrary to the manifest weight of the
2 evidence, he may issue an order in contravention of the
3 recommendation. ~~The Director shall promptly provide a written~~
4 ~~report of the Board on any deviation and shall specify the~~
5 ~~reasons for the action in the final order.~~

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

7 (225 ILCS 105/19.2)

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

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

15 The Secretary Director, the designated hearing officer,
16 and ~~every member of the Department Board~~ has the power to
17 administer oaths to witnesses at any hearing that the
18 Department is authorized to conduct and any other oaths
19 authorized in any Act administered by the Department.

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

21 (225 ILCS 105/19.5)

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

23 Sec. 19.5. Order or certified copy; prima facie proof. An
24 order or certified copy thereof, over the seal of the

1 Department and purporting to be signed by the Secretary
2 ~~Director~~, is prima facie proof that:

3 (1) the signature is the genuine signature of the
4 Secretary Director; and

5 (2) the Secretary Director is duly appointed and
6 qualified. ~~and~~

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

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

9 (225 ILCS 105/20) (from Ch. 111, par. 5020)

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

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

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

1 (225 ILCS 105/24.5 new)

2 Sec. 24.5. Confidentiality. All information collected by
3 the Department in the course of an examination or investigation
4 of a licensee, registrant, or applicant, including, but not
5 limited to, any complaint against a licensee or registrant
6 filed with the Department and information collected to
7 investigate any such complaint, shall be maintained for the
8 confidential use of the Department and shall not be disclosed.
9 The Department may not disclose such information to anyone
10 other than law enforcement officials, other regulatory
11 agencies that have an appropriate regulatory interest as
12 determined by the Secretary, or a party presenting a lawful
13 subpoena to the Department. Information and documents
14 disclosed to a federal, State, county, or local law enforcement
15 agency shall not be disclosed by the agency for any purpose to
16 any other agency or person. A formal complaint filed against a
17 licensee or registrant by the Department or any order issued by
18 the Department against a licensee, registrant, or applicant
19 shall be a public record, except as otherwise prohibited by
20 law.

21 (225 ILCS 105/25.1)

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

23 Sec. 25.1. Medical Suspension. A licensee or registrant who
24 is determined by the examining physician to be unfit to compete
25 or officiate shall be immediately suspended until it is shown

1 that he or she is fit for further competition or officiating.
2 If the licensee or registrant disagrees with a medical
3 suspension set at the discretion of the ringside physician, he
4 or she may request a hearing to show proof of fitness. The
5 hearing shall be provided at the earliest opportunity after the
6 Department receives a written request from the licensee.

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

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

20 Prior to reinstatement, any professional or amateur
21 ~~contestant~~ suspended for his or her medical protection shall
22 satisfactorily pass a medical examination upon the direction of
23 the Department. The examining physician may require any
24 necessary medical procedures during the examination.

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

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

3 (730 ILCS 5/5-5-5) (from Ch. 38, par. 1005-5-5)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 (2) the Illinois Athletic Trainers Practice Act;

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

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

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

20 (6) the Illinois Certified Shorthand Reporters Act of
21 1984;

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

24 (8) the Interior Design Title Act;

25 (9) the Illinois Professional Land Surveyor Act of
26 1989;

- 1 (10) the Illinois Landscape Architecture Act of 1989;
- 2 (11) the Marriage and Family Therapy Licensing Act;
- 3 (12) the Private Employment Agency Act;
- 4 (13) the Professional Counselor and Clinical
- 5 Professional Counselor Licensing Act;
- 6 (14) the Real Estate License Act of 2000;
- 7 (15) the Illinois Roofing Industry Licensing Act;
- 8 (16) the Professional Engineering Practice Act of
- 9 1989;
- 10 (17) the Water Well and Pump Installation Contractor's
- 11 License Act;
- 12 (18) the Electrologist Licensing Act;
- 13 (19) the Auction License Act;
- 14 (20) Illinois Architecture Practice Act of 1989;
- 15 (21) the Dietetic and Nutrition Services Practice Act;
- 16 (22) the Environmental Health Practitioner Licensing
- 17 Act;
- 18 (23) the Funeral Directors and Embalmers Licensing
- 19 Code;
- 20 (24) the Land Sales Registration Act of 1999;
- 21 (25) the Professional Geologist Licensing Act;
- 22 (26) the Illinois Public Accounting Act; and
- 23 (27) the Structural Engineering Practice Act of 1989.

24 (Source: P.A. 96-1246, eff. 1-1-11.)

25 (225 ILCS 105/25 rep.)

1 Section 20. The Professional Boxing Act is amended by
2 repealing Section 25.

3 Section 99. Effective date. This Act takes effect upon
4 becoming law."