



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB2721

Introduced 2/21/2013, by Rep. Robert Rita

SYNOPSIS AS INTRODUCED:

See Index

Amends the Regulatory Sunset Act to extend the repeal of the Illinois Certified Shorthand Reporters Act of 1984 from January 1, 2014 to January 1, 2024. Amends the Illinois Certified Shorthand Reporters Act of 1984. Adds Section headings and changes references of "Director" to "Secretary". Makes changes to the provisions concerning uncertified practice, violations, and civil penalties; definitions; restricted certificates; the administration of Act; the Certified Shorthand Reporters Board; the Department's authorization of examinations; expiration, renewal, and military service; endorsement and licensure without examination; fees and returned checks; advertising; grounds for disciplinary action; injunctive actions and orders to cease and desist; investigations and notice and hearing; records of proceedings; subpoenas and oaths; compelling testimony and contempt; the Board's report; hearing officers, reports, and review; order or certified copy and prima facie proof; restoration of license from discipline; suspension; certification of court records and the filing of receipt; penalties; continuing education; home rule; a licensee's responsibility to preserve his or her shorthand notes; and the Administrative Procedure Act. Adds provisions concerning social security numbers on license applications and confidentiality. Repeals a provision concerning practicing in this State or holding oneself out as being able to practice shorthand reporting. Makes other changes. Effective December 31, 2013.

LRB098 10439 MGM 40652 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

A BILL FOR

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 Sections 4.24 and by adding 4.34 as follows:

6 (5 ILCS 80/4.24)

7 Sec. 4.24. Acts and Section repealed on January 1, 2014.

8 The following Acts and Section of an Act are repealed on
9 January 1, 2014:

10 The Electrologist Licensing Act.

11 ~~The Illinois Certified Shorthand Reporters Act of 1984.~~

12 The Illinois Occupational Therapy Practice Act.

13 The Illinois Public Accounting Act.

14 The Private Detective, Private Alarm, Private Security,
15 Fingerprint Vendor, and Locksmith Act of 2004.

16 The Registered Surgical Assistant and Registered Surgical
17 Technologist Title Protection Act.

18 Section 2.5 of the Illinois Plumbing License Law.

19 The Veterinary Medicine and Surgery Practice Act of 2004.

20 (Source: P.A. 97-1139, eff. 12-28-12.)

21 (5 ILCS 80/4.34 new)

22 Sec. 4.34. Act repealed on January 1, 2024. The following

1 Act is repealed on January 1, 2024:

2 The Illinois Certified Shorthand Reporters Act of 1984.

3 Section 10. The Illinois Certified Shorthand Reporters Act
4 of 1984 is amended by changing Sections 3, 3.5, 4, 6, 7, 8, 9,
5 10, 11, 14, 15, 16, 17, 18, 19, 20, 23, 23.1, 23.2, 23.3, 23.4,
6 23.5, 23.6, 23.7, 23.8, 23.9, 23.10, 23.11, 23.12, 23.13,
7 23.14, 23.15, 23.16, 24, 25, 26.1, and 27 and by adding
8 Sections 12.1 and 23.2a as follows:

9 (225 ILCS 415/3) (from Ch. 111, par. 6203)

10 (Section scheduled to be repealed on January 1, 2014)

11 Sec. 3. License required. No person may practice shorthand
12 reporting on a temporary or permanent basis in this State
13 without being certified under this Act. This Act does not
14 prohibit any non-resident practicing shorthand reporter from
15 practicing shorthand reporting in this State as ~~on a purely~~
16 ~~temporary basis with reference~~ to one single proceeding.

17 (Source: P.A. 87-481; 87-576.)

18 (225 ILCS 415/3.5)

19 (Section scheduled to be repealed on January 1, 2014)

20 Sec. 3.5. Uncertified practice; violation; civil penalty.

21 (a) Any person who practices, offers to practice, attempts
22 to practice, or holds oneself out to practice as a shorthand
23 reporter without being certified under this Act shall, in

1 addition to any other penalty provided by law, pay a civil
2 penalty to the Department in an amount not to exceed \$10,000
3 ~~\$5,000~~ for each offense as determined by the Department and the
4 assessment of costs as provided under Section 23.3 of this Act.

5 The civil penalty shall be assessed by the Department after a
6 hearing is held in accordance with the provisions set forth in
7 this Act regarding the provision of a hearing for the
8 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 (d) All moneys collected under this Section shall be
17 deposited into the General Professions Dedicated Fund.

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

19 (225 ILCS 415/4) (from Ch. 111, par. 6204)

20 (Section scheduled to be repealed on January 1, 2014)

21 Sec. 4. In this Act:

22 (1) "Department" means the Department of Financial and
23 Professional Regulation.

24 (2) "Secretary" ~~"Director"~~ means the Secretary ~~Director~~ of
25 Financial and Professional Regulation.

1 (3) "Board" means the Certified Shorthand Reporters Board
2 appointed by the Secretary ~~Director~~.

3 (4) "The practice of shorthand reporting" means reporting,
4 by the use of any system of manual or mechanical shorthand
5 writing, of Grand Jury proceedings, court proceedings, court
6 related proceedings, pretrial examinations, depositions,
7 motions and related proceedings of like character, or
8 proceedings of an administrative agency when the final decision
9 of the agency with reference thereto is likely to be subject to
10 judicial review under the provisions of the Administrative
11 Review Law.

12 (5) "Shorthand reporter" means a person who is technically
13 qualified and certified under this Act to practice shorthand
14 reporting.

15 (6) "Stenographic notes" means the original notes by manual
16 or mechanical shorthand or shorthand writing taken by a
17 shorthand reporter of a proceeding while in attendance at such
18 proceeding for the purpose of reporting the same.

19 (7) "Address of record" means the designated address
20 recorded by the Department in the applicant's or licensee's
21 application file or license file as maintained by the
22 Department's licensure maintenance unit. It is the duty of the
23 applicant or licensee to inform the Department of any change of
24 address and those changes must be made either through the
25 Department's Internet website or by contacting the Department.

26 (Source: P.A. 87-481; 87-576.)

1 (225 ILCS 415/6) (from Ch. 111, par. 6206)

2 (Section scheduled to be repealed on January 1, 2014)

3 Sec. 6. Restricted certificate. Upon receipt of a written
4 request from the Chief Judge of the reporter's circuit, the
5 Department shall, upon payment of the required fee, issue to
6 any reporter who has been appointed in counties of less than
7 1,000,000 in population, and examined under the Court Reporters
8 Act, except those who have achieved an "A" proficiency rating,
9 a restricted certificate by which such official court reporter
10 may then lawfully engage in reporting only court proceedings to
11 which he may be assigned by the Chief Judge of his circuit.

12 ~~The Department may refuse to issue or may suspend the~~
13 ~~certificate of any person who fails to file a return, or to pay~~
14 ~~the tax, penalty or interest shown in a filed return, or to pay~~
15 ~~any final assessment of tax, penalty or interest, as required~~
16 ~~by any tax Act administered by the Illinois Department of~~
17 ~~Revenue, until such time as the requirements of any such tax~~
18 ~~Act are satisfied.~~

19 (Source: P.A. 95-146, eff. 1-1-08.)

20 (225 ILCS 415/7) (from Ch. 111, par. 6207)

21 (Section scheduled to be repealed on January 1, 2014)

22 Sec. 7. Administration of Act.

23 (a) The Department shall exercise the powers and duties
24 prescribed by The Civil Administrative Code of Illinois for the

1 administration of licensing Acts and shall exercise such other
2 powers and duties necessary for effectuating the purposes of
3 this Act.

4 (b) The Secretary ~~Director~~ may promulgate rules consistent
5 with the provisions of this Act for the administration and
6 enforcement thereof, and for the payment of fees connected
7 therewith, and may prescribe forms which shall be issued in
8 connection therewith. The rules may ~~shall~~ include standards and
9 criteria for licensure and professional conduct and
10 discipline. The Department may ~~shall~~ consult with the Board in
11 promulgating rules. ~~Notice of proposed rulemaking shall be~~
12 ~~transmitted to the Board and the Department shall review the~~
13 ~~Board's response and any recommendations made therein. The~~
14 ~~Department shall notify the Board in writing with proper~~
15 ~~explanation of deviations from the Board's recommendations and~~
16 ~~responses.~~

17 (c) The Department may at any time seek the advice and the
18 expert knowledge of the Board on any matter relating to the
19 administration of this Act.

20 (d) (Blank). ~~The Department shall issue quarterly a report~~
21 ~~to the Board of the status of all complaints related to the~~
22 ~~profession filed with the Department.~~

23 (Source: P.A. 83-73.)

24 (225 ILCS 415/8) (from Ch. 111, par. 6208)

25 (Section scheduled to be repealed on January 1, 2014)

1 Sec. 8. Certified Shorthand Reporters Board. The Secretary
2 ~~Director~~ shall appoint a certified Shorthand Reporters Board as
3 follows: 7 persons who shall be appointed by and shall serve in
4 an advisory capacity to the Secretary ~~Director~~. Six members
5 must be certified shorthand reporters, in good standing, and
6 actively engaged in the practice of shorthand reporting in this
7 State for ten years, and one member must be a member of the
8 public who is not certified under this Act, or a similar Act of
9 another jurisdiction.

10 Members shall serve 4 year terms and until their successors
11 are appointed and qualified, ~~except that of the initial~~
12 ~~appointments, one member shall be appointed to serve for one~~
13 ~~year, 2 shall be appointed to serve for 2 years, 2 shall be~~
14 ~~appointed to serve for 3 years, and the remaining one, who~~
15 ~~shall be the public member, shall be appointed to serve for 4~~
16 ~~years, until their successors are appointed and qualified.~~ No
17 member shall be reappointed to the Board for a term that would
18 cause his continuous service on the Board to be longer than 2
19 full consecutive terms. ~~8 successive years. Service prior to~~
20 ~~the effective date of this amendatory Act of 1991 shall be~~
21 ~~considered.~~ Appointments to fill vacancies shall be made in the
22 same manner as original appointments, for the unexpired portion
23 of the vacated term. ~~Initial terms shall begin upon the~~
24 ~~effective date of this Act.~~

25 ~~The membership of the Board should reasonably reflect~~
26 ~~representation from the geographic areas in this State. In~~

1 making appointments to the Board, the Secretary ~~Director~~ shall
2 give consideration to recommendations by national and State
3 organizations of the shorthand reporter profession ~~and shall~~
4 ~~promptly give notice to such organizations of any vacancy in~~
5 ~~the membership of the Board.~~

6 Four members of the Board shall constitute a quorum. A
7 quorum is required for all Board decisions.

8 The Secretary may remove or suspend any member of the Board
9 for cause at any time before the expiration of his or her term.
10 The Secretary shall be the sole arbiter of cause. ~~Director may~~
11 ~~terminate the appointment of any member for cause which in the~~
12 ~~opinion of the Director reasonably justifies such termination.~~

13 The Secretary ~~Director~~ shall consider the recommendations
14 of the Board on questions involving standards of professional
15 conduct, discipline and qualifications of candidates and
16 certificate holders under this Act.

17 Members of the Board shall be reimbursed for all
18 legitimate, necessary, and authorized expenses incurred in
19 attending the meetings of the Board.

20 Members of the Board have no liability in any action based
21 upon any disciplinary proceedings or other activity performed
22 in good faith as members of the Board.

23 ~~The Director may remove any member who fails to attend 3~~
24 ~~consecutive meetings unless the member has a medical excuse.~~

25 (Source: P.A. 91-827, eff. 6-13-00.)

1 (225 ILCS 415/9) (from Ch. 111, par. 6209)

2 (Section scheduled to be repealed on January 1, 2014)

3 Sec. 9. Qualifications. Applications for original
4 certificates shall be made to the Department in writing on
5 forms prescribed by the Department and shall be accompanied by
6 the required fee, which shall not be returnable. Any such
7 application shall require such information as in the judgment
8 of the Department will enable the Department to pass on the
9 qualifications of the applicant for certification.

10 In determining competency, the Department shall require
11 proof that the applicant has a good understanding of the
12 English language, including reading, spelling and vocabulary,
13 and that the applicant has sufficient ability to accurately
14 report any of the matters comprising the practice of shorthand
15 reporting as herein defined, by the use of any system of manual
16 or mechanical shorthand or shorthand writing, and a clear
17 understanding of obligations between a shorthand reporter and
18 the parties to any proceedings reported, as well as the
19 provisions of this Act.

20 (Source: P.A. 83-73.)

21 (225 ILCS 415/10) (from Ch. 111, par. 6210)

22 (Section scheduled to be repealed on January 1, 2014)

23 Sec. 10. The Department shall authorize examinations ~~at~~
24 ~~least annually and~~ at such time and place as it may designate.
25 The examination shall be of a character to give a fair test of

1 the qualifications of the applicant to practice shorthand
2 reporting.

3 Applicants for examination as certified shorthand
4 reporters shall be required to pay, either to the Department or
5 the designated testing service, a fee covering the cost of
6 providing the examination. Failure to appear for the
7 examination on the scheduled date, at the time and place
8 specified, after the applicant's application for examination
9 has been received and acknowledged by the Department or the
10 designated testing service, shall result in the forfeiture of
11 the examination fee.

12 If an applicant neglects, fails or refuses to take the next
13 available examination offered or fails to pass an examination
14 for certification under this Act, the application shall be
15 denied. If an applicant for examination for certification under
16 this Act fails to pass the examination within 3 years after
17 filing his application, the application shall be denied.
18 However, such applicant may thereafter make a new application
19 accompanied by the required fee.

20 The Department may employ consultants for the purpose of
21 preparing and conducting examinations.

22 An applicant has one year from the date of notification of
23 successful completion of the examination to apply to the
24 Department for a license. If an applicant fails to apply within
25 one year, the applicant shall be required to take and pass the
26 examination again unless licensed in another jurisdiction of

1 the United States within one year of passing the examination.

2 (Source: P.A. 86-615.)

3 (225 ILCS 415/11) (from Ch. 111, par. 6211)

4 (Section scheduled to be repealed on January 1, 2014)

5 Sec. 11. Qualifications; application. A person shall be
6 qualified for certification as a certified shorthand reporter
7 if:

8 A. That person has applied in writing in form and substance
9 to the Department; and

10 (1) (Blank);

11 (2) Is of good moral character, the determination of
12 which shall take into account but not be totally based upon
13 any felony conviction of the applicant; and

14 (3) Has graduated from a high school or secondary
15 school or its equivalent; and

16 B. That person has successfully completed the examination
17 authorized by the Department.

18 (Source: P.A. 89-387, eff. 8-20-95.)

19 (225 ILCS 415/12.1 new)

20 Sec. 12.1. Social Security Number on license application.
21 In addition to any other information required to be contained
22 in the application, every application for an original license
23 under this Act shall include the applicant's Social Security
24 Number, which shall be retained in the Department's records

1 pertaining to the license. As soon as practicable, the
2 Department shall assign a customer's identification number to
3 each applicant for a license. Every application for a renewal
4 or restored license shall require the applicant's customer
5 identification number.

6 (225 ILCS 415/14) (from Ch. 111, par. 6214)

7 (Section scheduled to be repealed on January 1, 2014)

8 Sec. 14. Expiration, renewal, and military service. The
9 expiration date and renewal period for each certificate issued
10 under this Act shall be set by rule.

11 Any certified shorthand reporter who has permitted his
12 certificate to expire or who has had his certificate on
13 inactive status may have his certificate restored by making
14 application to the Department, filing proof acceptable to the
15 Department of his fitness to have his certificate restored and
16 paying the required restoration fee. The Department may
17 consider a certificate expired less than 5 years as prima facie
18 evidence that the applicant is fit. If a certificate has
19 expired or has been placed on inactive status and the applicant
20 has practiced in another jurisdiction during such period,
21 satisfactory proof of fitness may include sworn evidence
22 certifying to active practice in another jurisdiction.

23 If the certified shorthand reporter has not maintained an
24 active practice in another jurisdiction satisfactory to the
25 Department, the Department shall determine, by an evaluation

1 program established by rule, his fitness to resume active
2 status and shall, by rule, establish procedures and
3 requirements for restoration ~~may require the certified~~
4 ~~shorthand reporter to successfully complete a practical~~
5 ~~examination.~~

6 However, any certified shorthand reporter whose
7 certificate expired while he was (1) in Federal Service on
8 active duty with the Armed Forces of the United States, or the
9 State Militia called into service or training, or (2) in
10 training or education under the supervision of the United
11 States preliminary to induction into the military service, may
12 have his certificate renewed or restored without paying any
13 lapsed renewal fees if within 2 years after termination of such
14 service, training or education except under conditions other
15 than honorable, he furnished the Department with satisfactory
16 evidence to the effect that he has been so engaged and that his
17 service, training or education has been so terminated.

18 (Source: P.A. 84-427.)

19 (225 ILCS 415/15) (from Ch. 111, par. 6215)

20 (Section scheduled to be repealed on January 1, 2014)

21 Sec. 15. Inactive status. Any certified shorthand reporter
22 who notifies the Department in writing on forms prescribed by
23 the Department, may elect to place his certificate on an
24 inactive status and shall, subject to rules of the Department,
25 be excused from payment of renewal fees until he notifies the

1 Department in writing of his desire to resume active status.

2 Any certified shorthand reporter requesting restoration
3 from inactive status shall be required to pay the current
4 renewal fee and shall be required to restore his certificate,
5 as provided in Section 14.

6 Any certified shorthand reporter whose certificate is in an
7 inactive status shall not practice shorthand reporting in the
8 State of Illinois.

9 (Source: P.A. 83-73.)

10 (225 ILCS 415/16) (from Ch. 111, par. 6216)

11 (Section scheduled to be repealed on January 1, 2014)

12 Sec. 16. Endorsement; licensure without examination. The
13 Department may certify ~~shall register~~ as a certified shorthand
14 reporter, without examination, on payment of the required fee,
15 an applicant who is a certified shorthand reporter registered
16 under the laws of another jurisdiction, if the requirements for
17 certification of certified shorthand reporters in that
18 jurisdiction were, at the date of his certification,
19 substantially equivalent to the requirements in force in this
20 State on that date.

21 Applicants have 3 years from the date of application to
22 complete the application process. If the process has not been
23 completed in 3 years, the application shall be denied, the fee
24 forfeited and the applicant must reapply and meet the
25 requirements in effect at the time of reapplication.

1 (Source: P.A. 86-615; 87-481; 87-576.)

2 (225 ILCS 415/17) (from Ch. 111, par. 6217)

3 (Section scheduled to be repealed on January 1, 2014)

4 Sec. 17. Fees; returned checks; ~~expiration while in~~
5 ~~military.~~

6 (a) The fees for the administration and enforcement of this
7 Act, including but not limited to, original certification,
8 renewal and restoration of a license issued under this Act,
9 shall be set by rule. The fees shall be nonrefundable.

10 (b) All fees, fines, and penalties ~~Beginning July 1, 2003,~~
11 ~~all of the fees and fines~~ collected under this Act shall be
12 deposited into the General Professions Dedicated Fund and shall
13 be appropriated to the Department for the ordinary and
14 contingent expenses of the Department in the administration of
15 this Act.

16 (c) Any person who delivers a check or other payment to the
17 Department that is returned to the Department unpaid by the
18 financial institution upon which it is drawn shall pay to the
19 Department, in addition to the amount already owed to the
20 Department, a fine of \$50. The fines imposed by this Section
21 are in addition to any other discipline provided under this Act
22 prohibiting unlicensed practice or practice on a nonrenewed
23 license. The Department shall notify the person that payment of
24 fees and fines shall be paid to the Department by certified
25 check or money order within 30 calendar days of the

1 notification. If, after the expiration of 30 days from the date
2 of the notification, the person has failed to submit the
3 necessary remittance, the Department shall automatically
4 terminate the license or certificate or deny the application,
5 without hearing. If, after termination or denial, the person
6 seeks a license or certificate, he or she shall apply to the
7 Department for restoration or issuance of the license or
8 certificate and pay all fees and fines due to the Department.
9 The Department may establish a fee for the processing of an
10 application for restoration of a license or certificate to pay
11 all expenses of processing this application. The Secretary
12 ~~Director~~ may waive the fines due under this Section in
13 individual cases where the Secretary ~~Director~~ finds that the
14 fines would be unreasonable or unnecessarily burdensome.

15 ~~However, any person whose license has expired while he has~~
16 ~~been engaged (1) in federal or state service active duty, or~~
17 ~~(2) in training or education under the supervision of the~~
18 ~~United States preliminary to induction into the military~~
19 ~~service, may have his license renewed, reinstated or restored~~
20 ~~without paying any lapsed renewal and restoration fees, if~~
21 ~~within 2 years after termination of such service, training or~~
22 ~~education other than by dishonorable discharge, he furnishes~~
23 ~~the Department with satisfactory proof that he has been so~~
24 ~~engaged and that his service, training or education has been so~~
25 ~~terminated.~~

26 (Source: P.A. 92-146, eff. 1-1-02; 93-32, eff. 7-1-03; 93-460,

1 eff. 8-8-03.)

2 (225 ILCS 415/18) (from Ch. 111, par. 6218)

3 (Section scheduled to be repealed on January 1, 2014)

4 Sec. 18. Roster. The Department shall maintain a roster of
5 the names and addresses of all certificate holders and of all
6 persons whose certificates have been suspended, revoked or
7 placed on inactive or nonrenewed status within the previous
8 year. This roster shall be available upon written request and
9 payment of the required fee.

10 (Source: P.A. 83-73.)

11 (225 ILCS 415/19) (from Ch. 111, par. 6219)

12 (Section scheduled to be repealed on January 1, 2014)

13 Sec. 19. Advertising. Any person certified under this Act
14 may advertise the availability of professional services in the
15 public media or on the premises where such professional
16 services are rendered as permitted by law, on the condition
17 that such advertising is truthful and not misleading and is in
18 conformity with rules promulgated by the Department.
19 Advertisements shall not include false, fraudulent, deceptive,
20 or misleading material or guarantees of success.
21 Advertisements shall also not include any offers of any gift or
22 item of value to attorneys or their staff or any other persons
23 or entities associated with any litigation.

24 (Source: P.A. 83-73.)

1 (225 ILCS 415/20) (from Ch. 111, par. 6220)

2 (Section scheduled to be repealed on January 1, 2014)

3 Sec. 20. Professional service corporations. Nothing in
4 this Act shall restrict certificate holders from forming
5 professional service corporations under the provisions of the
6 Professional Service Corporation Act.

7 (Source: P.A. 83-73.)

8 (225 ILCS 415/23) (from Ch. 111, par. 6223)

9 (Section scheduled to be repealed on January 1, 2014)

10 Sec. 23. Grounds for disciplinary action.

11 (a) The Department may refuse to issue or renew, or may
12 revoke, suspend, place on probation, reprimand or take other
13 disciplinary or non-disciplinary action as the Department may
14 deem appropriate, including imposing fines not to exceed
15 \$10,000 ~~\$5,000~~ for each violation and the assessment of costs
16 as provided for in Section 23.3 of this Act, with regard to any
17 license for any one or combination of the following:

18 (1) Material misstatement in furnishing information to
19 the Department;

20 (2) Violations of this Act, or of the rules promulgated
21 thereunder;

22 (3) Conviction by plea of guilty or nolo contendere,
23 finding of guilt, jury verdict, or entry of judgment or by
24 sentencing of any crime, including, but not limited to,

1 convictions, preceding sentences of supervision,
2 conditional discharge, or first offender probation under
3 the laws of any jurisdiction of the United States: (i) that
4 is a felony or (ii) that is a misdemeanor, an essential
5 element of which is dishonesty, or that is directly related
6 to the practice of the profession; ~~of any crime under the~~
7 ~~laws of the United States or any state or territory thereof~~
8 ~~which is a felony or which is a misdemeanor, an essential~~
9 ~~element of which is dishonesty, or of any crime which is~~
10 ~~directly related to the practice of shorthand reporting;~~

11 (4) Fraud or Making any misrepresentation in applying
12 for or procuring a license under this Act or in connection
13 with applying for renewal of a license under this Act; ~~for~~
14 ~~the purpose of obtaining certification, or violating any~~
15 ~~provision of this Act or the rules promulgated thereunder~~
16 ~~pertaining to advertising;~~

17 (5) Professional incompetence; ~~Having demonstrated~~
18 ~~unworthiness, or incompetency to act as a certified~~
19 ~~shorthand reporter in such manner as to safeguard the~~
20 ~~interest of the public;~~

21 (6) Aiding or assisting another person, firm,
22 partnership or corporation in violating any provision of
23 this Act or rules;

24 (7) Failing, within 60 days, to provide information in
25 response to a written request made by the Department;

26 (8) Engaging in dishonorable, unethical or

1 unprofessional conduct of a character likely to deceive,
2 defraud or harm the public;

3 (9) Habitual or excessive use or abuse of drugs defined
4 in law as controlled substances, alcohol, or any other
5 substances that results in the inability to practice with
6 reasonable judgment, skill, or safety; ~~intoxication or~~
7 ~~addiction to the use of drugs;~~

8 (10) Discipline by another state, unit of government,
9 government agency, the District of Columbia, a territory,
10 or foreign nation, if at least one of the grounds for the
11 discipline is the same or substantially equivalent to those
12 set forth herein;

13 (11) Charging for professional services not rendered,
14 including filing false statements for the collection of
15 fees for which services were not rendered, or giving,
16 directly or indirectly, any gift or anything of value to
17 attorneys or their staff or any other persons or entities
18 associated with any litigation, that exceeds \$100 total per
19 year; for the purposes of this Section, pro bono services,
20 as defined by State law, are permissible in any amount;
21 ~~Directly or indirectly giving to or receiving from any~~
22 ~~person, firm, corporation, partnership or association any~~
23 ~~fee, commission, rebate or other form of compensation for~~
24 ~~professional services not actually or personally rendered;~~

25 (12) A finding by the Board that the certificate
26 holder, after having his certificate placed on

1 probationary status, has violated the terms of probation;

2 (13) Willfully making or filing false records or
3 reports in the practice of shorthand reporting, including
4 but not limited to false records filed with State agencies
5 or departments;

6 (14) Physical illness, including but not limited to,
7 deterioration through the aging process, or loss of motor
8 skill which results in the inability to practice under this
9 Act ~~the profession~~ with reasonable judgment, skill or
10 safety;

11 (15) Solicitation of professional services other than
12 by permitted advertising;

13 (16) Willful failure to take full and accurate
14 stenographic notes of any proceeding;

15 (17) Willful alteration of any stenographic notes
16 taken at any proceeding;

17 (18) Willful failure to accurately transcribe verbatim
18 any stenographic notes taken at any proceeding;

19 (19) Willful alteration of a transcript of
20 stenographic notes taken at any proceeding;

21 (20) Affixing one's signature to any transcript of his
22 stenographic notes or certifying to its correctness unless
23 the transcript has been prepared by him or under his
24 immediate supervision;

25 (21) Willful failure to systematically retain
26 stenographic notes or transcripts on paper or any

1 electronic media for 10 ~~5~~ years from the date that the
2 notes or transcripts were taken ~~or for 5 years from the end~~
3 ~~of litigation;~~

4 (22) Failure to deliver transcripts in a timely manner
5 or in accordance with contractual agreements;

6 (23) Establishing contingent fees as a basis of
7 compensation; ~~-~~

8 (24) Mental illness or disability that results in the
9 inability to practice under this Act with reasonable
10 judgment, skill, or safety;

11 (25) Practicing under a false or assumed name, except
12 as provided by law;

13 (26) Cheating on or attempting to subvert the licensing
14 examination administered under this Act;

15 (27) Allowing one's license under this Act to be used
16 by an unlicensed person in violation of this Act.

17 All fines imposed under this Section shall be paid within
18 60 days after the effective date of the order imposing the fine
19 or in accordance with the terms set forth in the order imposing
20 the fine.

21 (b) The determination by a circuit court that a certificate
22 holder is subject to involuntary admission or judicial
23 admission as provided in the Mental Health and Developmental
24 Disabilities Code, operates as an automatic suspension. Such
25 suspension will end only upon a finding by a court that the
26 patient is no longer subject to involuntary admission or

1 judicial admission, an order by the court so finding and
2 discharging the patient. In any case where a license is
3 suspended under this Section, the licensee may file a petition
4 for restoration and shall include evidence acceptable to the
5 Department that the licensee can resume practice in compliance
6 with acceptable and prevailing standards of the profession. 7
7 ~~and the recommendation of the Board to the Director that the~~
8 ~~certificate holder be allowed to resume his practice.~~

9 (c) In cases where the Department of Healthcare and Family
10 Services has previously determined a licensee or a potential
11 licensee is more than 30 days delinquent in the payment of
12 child support and has subsequently certified the delinquency to
13 the Department, the Department may refuse to issue or renew or
14 may revoke or suspend that person's license or may take other
15 disciplinary action against that person based solely upon the
16 certification of delinquency made by the Department of
17 Healthcare and Family Services in accordance with item (5) of
18 subsection (g) of Section 1205-15 of the Civil Administrative
19 Code of Illinois.

20 (d) In enforcing this Section, the Department, upon a
21 showing of a possible violation, may compel any individual who
22 is certified under this Act or any individual who has applied
23 for certification under this Act to submit to a mental or
24 physical examination and evaluation, or both, which may include
25 a substance abuse or sexual offender evaluation, at the expense
26 of the Department. The Department shall specifically designate

1 the examining physician licensed to practice medicine in all of
2 its branches or, if applicable, the multidisciplinary team
3 involved in providing the mental or physical examination and
4 evaluation, or both. The multidisciplinary team shall be led by
5 a physician licensed to practice medicine in all of its
6 branches and may consist of one or more or a combination of
7 physicians licensed to practice medicine in all of its
8 branches, licensed chiropractic physicians, licensed clinical
9 psychologists, licensed clinical social workers, licensed
10 clinical professional counselors, and other professional and
11 administrative staff. Any examining physician or member of the
12 multidisciplinary team may require any person ordered to submit
13 to an examination and evaluation pursuant to this Section to
14 submit to any additional supplemental testing deemed necessary
15 to complete any examination or evaluation process, including,
16 but not limited to, blood testing, urinalysis, psychological
17 testing, or neuropsychological testing.

18 The Department may order the examining physician or any
19 member of the multidisciplinary team to provide to the
20 Department any and all records, including business records,
21 that relate to the examination and evaluation, including any
22 supplemental testing performed. The Department may order the
23 examining physician or any member of the multidisciplinary team
24 to present testimony concerning this examination and
25 evaluation of the certified shorthand reporter or applicant,
26 including testimony concerning any supplemental testing or

1 documents relating to the examination and evaluation. No
2 information, report, record, or other documents in any way
3 related to the examination and evaluation shall be excluded by
4 reason of any common law or statutory privilege relating to
5 communication between the licensee or applicant and the
6 examining physician or any member of the multidisciplinary
7 team. No authorization is necessary from the certified
8 shorthand reporter or applicant ordered to undergo an
9 evaluation and examination for the examining physician or any
10 member of the multidisciplinary team to provide information,
11 reports, records, or other documents or to provide any
12 testimony regarding the examination and evaluation. The
13 individual to be examined may have, at his or her own expense,
14 another physician of his or her choice present during all
15 aspects of the examination.

16 Failure of any individual to submit to mental or physical
17 examination and evaluation, or both, when directed, shall
18 result in an automatic suspension, without hearing, until such
19 time as the individual submits to the examination. If the
20 Department finds a certified shorthand reporter unable to
21 practice because of the reasons set forth in this Section, the
22 Department shall require the certified shorthand reporter to
23 submit to care, counseling, or treatment by physicians approved
24 or designated by the Department, as a condition for continued,
25 reinstated, or renewed certification.

26 When the Secretary immediately suspends a certificate

1 under this Section, a hearing upon the person's certificate
2 must be convened by the Department within 15 days after the
3 suspension and completed without appreciable delay. The
4 Department shall have the authority to review the certified
5 shorthand reporter's record of treatment and counseling
6 regarding the impairment, to the extent permitted by applicable
7 federal statutes and regulations safeguarding the
8 confidentiality of medical records.

9 Individuals certified under this Act, affected under this
10 Section, shall be afforded an opportunity to demonstrate to the
11 Department that they can resume practice in compliance with
12 acceptable and prevailing standards under the provisions of
13 their certification.

14 (e) The Department shall deny a license or renewal
15 authorized by this Act to a person who has defaulted on an
16 educational loan or scholarship provided or guaranteed by the
17 Illinois Student Assistance Commission or any governmental
18 agency of this State in accordance with item (5) of subsection
19 (g) of Section 2105-15 of the Civil Administrative Code of
20 Illinois.

21 (f) The Department may refuse to issue or may suspend
22 without hearing, as provided for in the Code of Civil
23 Procedure, the license of any person who fails to file a
24 return, to pay the tax, penalty, or interest shown in a filed
25 return, or to pay any final assessment of tax, penalty, or
26 interest as required by any tax Act administered by the

1 Illinois Department of Revenue, until such time as the
2 requirements of any such tax Act are satisfied in accordance
3 with subsection (g) of Section 2105-15 of the Civil
4 Administrative Code of Illinois.

5 (Source: P.A. 91-558, eff. 8-14-99.)

6 (225 ILCS 415/23.1) (from Ch. 111, par. 6224)

7 (Section scheduled to be repealed on January 1, 2014)

8 Sec. 23.1. Injunctive actions; order to cease and desist.

9 (a) If any person violates the provisions of this Act, the
10 Secretary ~~Director~~ may, in the name of the People of the State
11 of Illinois, through the Attorney General of the State of
12 Illinois or the State's Attorney of the county in which the
13 violation is alleged to have occurred, petition for an order
14 enjoining such violation or for an order enforcing compliance
15 with this Act. Upon the filing of a verified petition in such
16 court, the court may issue a temporary restraining order,
17 without notice or bond, and may preliminarily and permanently
18 enjoin such violation. If it is established that such person
19 has violated or is violating the injunction, the court may
20 punish the offender for contempt of court. Proceedings under
21 this Section shall be in addition to, and not in lieu of, all
22 other remedies and penalties provided by this Act.

23 (b) If any person practices ~~shall practice~~ as a certified
24 shorthand reporter or holds ~~hold~~ himself or herself out as a
25 certified shorthand reporter without being licensed under the

1 provisions of this Act then any certified shorthand reporter,
2 any interested party or any person injured thereby may, in
3 addition to the Secretary ~~Director~~, petition for relief as
4 provided in subsection (a).

5 (c) Whenever in the opinion of the Department any person
6 violates any provision of this Act, the Department may issue a
7 rule to show cause why an order to cease and desist should not
8 be entered against that individual ~~him~~. The rule shall clearly
9 set forth the grounds relied upon by the Department and shall
10 provide a period of 7 days from the date of the rule to file an
11 answer to the satisfaction of the Department. Failure to answer
12 to the satisfaction of the Department shall cause an order to
13 cease and desist to be issued forthwith.

14 (Source: P.A. 83-73.)

15 (225 ILCS 415/23.2) (from Ch. 111, par. 6225)

16 (Section scheduled to be repealed on January 1, 2014)

17 Sec. 23.2. Investigations; notice and hearing. The
18 Department may investigate the actions of any applicant or of
19 any person or persons holding or claiming to hold a
20 certificate. The Department shall, before refusing to issue or
21 renew, or taking disciplinary action against, a certificate, at
22 least 30 days prior to the date set for the hearing, notify in
23 writing the applicant for, or holder of, a certificate of the
24 nature of the charges and the time and place for ~~that~~ a hearing
25 ~~will be held~~ on the charges ~~date~~ designated. The Department

1 shall direct the applicant or licensee to file a written answer
2 to the charges with the Board under oath within 20 days after
3 the service of the notice and inform the applicant or licensee
4 that failure to file an answer will result in default being
5 taken against the applicant or licensee. At the time and place
6 fixed in the notice, the Department shall proceed to hear the
7 charges and the parties or their counsel shall be accorded
8 ample opportunity to present any pertinent statements,
9 testimony, evidence, and arguments. The Department may
10 continue the hearing from time to time. In case the person,
11 after receiving the notice, fails to file an answer, his or her
12 license may, in the discretion of the Department, be revoked,
13 suspended, or placed on probationary status or the Department
14 may take whatever disciplinary action considered proper,
15 including limiting the scope, nature, or extent of the person's
16 practice or the imposition of a fine, without a hearing, if the
17 act or acts charged constitute sufficient grounds for that
18 action under this Act. The written notice and any notice in the
19 subsequent proceeding may be served by registered or certified
20 mail to the licensee's address of record. and that the license
21 ~~or certificate may be suspended, revoked, placed on~~
22 ~~probationary status, or other disciplinary action may be taken,~~
23 ~~including limiting the scope, nature or extent of practice, as~~
24 ~~the Director may deem proper. Written notice may be served by~~
25 ~~personal delivery or certified or registered mail to the~~
26 ~~respondent at the address of his last notification to the~~

1 ~~Department. In case the person fails to file an answer after~~
2 ~~receiving notice, his or her license or certificate may, in the~~
3 ~~discretion of the Department, be suspended, revoked, or placed~~
4 ~~on probationary status, or the Department may take whatever~~
5 ~~disciplinary action deemed proper, including limiting the~~
6 ~~scope, nature, or extent of the person's practice or the~~
7 ~~imposition of a fine, without a hearing, if the act or acts~~
8 ~~charged constitute sufficient grounds for such action under~~
9 ~~this Act. At the time and place fixed in the notice, the Board~~
10 ~~shall proceed to hear the charges and the parties or their~~
11 ~~counsel shall be accorded ample opportunity to present any~~
12 ~~statements, testimony, evidence and argument as may be~~
13 ~~pertinent to the charges or to their defense. The Board may~~
14 ~~continue a hearing from time to time.~~

15 (Source: P.A. 87-1031.)

16 (225 ILCS 415/23.2a new)

17 Sec. 23.2a. Confidentiality. All information collected by
18 the Department in the course of an examination or investigation
19 of a licensee or applicant, including, but not limited to, any
20 complaint against a licensee filed with the Department and
21 information collected to investigate any such complaint, shall
22 be maintained for the confidential use of the Department and
23 shall not be disclosed. The Department may not disclose the
24 information to anyone other than law enforcement officials,
25 other regulatory agencies that have an appropriate regulatory

1 interest as determined by the Secretary, or to a party
2 presenting a lawful subpoena to the Department. Information and
3 documents disclosed to a federal, State, county, or local law
4 enforcement agency shall not be disclosed by the agency for any
5 purpose to any other agency or person. A formal complaint filed
6 against a licensee by the Department or any order issued by the
7 Department against a licensee or applicant shall be a public
8 record, except as otherwise prohibited by law.

9 (225 ILCS 415/23.3) (from Ch. 111, par. 6226)

10 (Section scheduled to be repealed on January 1, 2014)

11 Sec. 23.3. Records of proceedings. The Department, at its
12 expense, shall preserve a record of all proceedings at the
13 formal hearing of any case ~~involving the refusal to issue or~~
14 ~~renew, or the taking of disciplinary action against, a~~
15 ~~certificate.~~ The notice of hearing, complaint and all other
16 documents in the nature of pleadings and written motions filed
17 in the proceedings, the transcript of testimony, the report of
18 the Board and orders of the Department, shall be the record of
19 such proceeding. Any certified shorthand reporter who is found
20 to have violated this Act or who fails to appear for a hearing
21 to refuse to issue, restore, or renew a license or to
22 discipline a licensee may be required by the Department to pay
23 for the costs of the proceeding. These costs are limited to
24 costs for court reporters, transcripts, and witness attendance
25 and mileage fees. All costs imposed under this Section shall be

1 paid within 60 days after the effective date of the order
2 imposing the fine.

3 (Source: P.A. 83-73.)

4 (225 ILCS 415/23.4) (from Ch. 111, par. 6227)

5 (Section scheduled to be repealed on January 1, 2014)

6 Sec. 23.4. Subpoenas; oaths. The Department may ~~shall have~~
7 ~~the power to~~ subpoena and bring before it any person ~~in this~~
8 ~~State~~ and to take the oral or written testimony or compel the
9 production of any books, papers, records, or any other
10 documents that the Secretary or his or her designee deems
11 relevant or material to an investigation or hearing conducted
12 by the Department ~~either orally or by deposition, or both,~~ with
13 the same fees and mileage and in the same manner as prescribed
14 by law in judicial procedure in civil cases in courts of this
15 State.

16 The Secretary ~~Director,~~ the designated hearing officer,
17 any and every member of the Board, or a certified shorthand
18 court reporter may ~~shall~~ have power to administer oaths ~~to~~
19 ~~witnesses~~ at any hearing which the Department conducts.
20 Notwithstanding any other statute or Department rule to the
21 contrary, all requests for testimony and production of
22 documents or records shall be in accordance with this Act. ~~is~~
23 ~~authorized by law to conduct, and any other oaths required or~~
24 ~~authorized in any Act administered by the Department.~~

25 (Source: P.A. 83-73.)

1 (225 ILCS 415/23.5) (from Ch. 111, par. 6228)

2 (Section scheduled to be repealed on January 1, 2014)

3 Sec. 23.5. Compelling testimony; contempt. Any circuit
4 court ~~may~~, upon application of the Department ~~or its designee,~~
5 ~~or the applicant~~ or certificate holder, may order ~~against whom~~
6 ~~proceedings under Section 23 are pending, enter an order~~
7 ~~requiring~~ the attendance and testimony of witnesses ~~and their~~
8 ~~testimony,~~ and the production of relevant documents, papers,
9 files, books and records in connection with any hearing or
10 investigation. The court may compel obedience to its order by
11 proceedings for contempt.

12 (Source: P.A. 83-73.)

13 (225 ILCS 415/23.6) (from Ch. 111, par. 6229)

14 (Section scheduled to be repealed on January 1, 2014)

15 Sec. 23.6. Board report. At the conclusion of the hearing
16 the Board shall present to the Secretary ~~Director~~ a written
17 report of its findings of fact, conclusions of law and
18 recommendations. The report shall contain a finding whether or
19 not the accused person violated this Act or failed to comply
20 with the conditions required in this Act. The Board shall
21 specify the nature of the violation or failure to comply, and
22 shall make its recommendations to the Secretary ~~Director~~. The
23 report of findings of fact, conclusions of law and
24 recommendations of the Board shall be the basis for the

1 Department's action regarding a certificate. If the Secretary
2 ~~Director~~ disagrees in any regard with the report of the Board
3 he may issue an order in contravention thereof. ~~The Director~~
4 ~~shall provide to the Board a written explanation for any~~
5 ~~deviation and shall specify with particularity the reasons for~~
6 ~~such action in the final order.~~ The finding is not admissible
7 in evidence against the person in a criminal prosecution
8 brought for the violation of this Act, but the hearing and
9 findings are not a bar to a criminal prosecution brought for
10 the violation of this Act.

11 (Source: P.A. 83-73.)

12 (225 ILCS 415/23.7) (from Ch. 111, par. 6230)

13 (Section scheduled to be repealed on January 1, 2014)

14 Sec. 23.7. Motion for rehearing. In any hearing case
15 involving the refusal to issue or renew, or the taking of
16 disciplinary action against, a certificate, a copy of the
17 Board's report shall be served upon the respondent by the
18 Department as provided in this Act for the service of the
19 notice of hearing. Within 20 days after such service, the
20 respondent may present to the Department a motion in writing
21 for a rehearing, which motion shall specify the particular
22 grounds therefor. If no motion for rehearing is filed, then
23 upon the expiration of the time specified for filing such a
24 motion, or if a motion for rehearing is denied, then upon such
25 denial the Secretary ~~Director~~ may enter an order in accordance

1 with recommendations of the Board except as provided in Section
2 23.6. If the respondent shall order from the reporting service,
3 and pay for a transcript of the record within the time for
4 filing a motion for rehearing, the 20 day period within which
5 such a motion may be filed shall commence upon the delivery of
6 the transcript to the respondent.

7 (Source: P.A. 83-73.)

8 (225 ILCS 415/23.8) (from Ch. 111, par. 6231)

9 (Section scheduled to be repealed on January 1, 2014)

10 Sec. 23.8. Rehearing ordered by Secretary. Whenever the
11 Secretary ~~Director~~ is satisfied that substantial justice has
12 not been done in the revocation, ~~or~~ suspension of, or the
13 refusal to issue or renew, a certificate, the Secretary
14 ~~Director~~ may order a rehearing by the Board or a designated
15 hearing officer.

16 (Source: P.A. 83-73.)

17 (225 ILCS 415/23.9) (from Ch. 111, par. 6232)

18 (Section scheduled to be repealed on January 1, 2014)

19 Sec. 23.9. Hearing officers, reports, and review. The
20 Secretary ~~Notwithstanding the provisions of Section 23.2, the~~
21 ~~Director~~ shall have the authority to appoint any attorney duly
22 licensed to practice law in the State of Illinois to serve as
23 the hearing officer in any action involving a refusal to issue
24 or renew, or the taking of disciplinary action against a

1 certificate. ~~The Director shall notify the Board of such~~
2 ~~appointment.~~ The hearing officer shall have full authority to
3 conduct the hearing. The hearing officer shall report his or
4 her findings of fact, conclusions of law and recommendations to
5 the Board and the Secretary ~~Director~~. The Board shall have 60
6 days from receipt of the report to review the report of the
7 hearing officer and present their findings of fact, conclusions
8 of law and recommendations to the Secretary ~~Director~~. If the
9 Board fails to present its report within the 60 day period, the
10 Secretary may ~~Director shall~~ issue an order based on the report
11 of the hearing officer. If the Secretary ~~Director~~ disagrees ~~in~~
12 ~~any regard~~ with the report of the Board or hearing officer, he
13 may issue an order in contravention thereof. ~~The Director shall~~
14 ~~provide to the Board a written explanation for any deviation,~~
15 ~~and shall specify with particularity the reasons for such~~
16 ~~action in the final order.~~

17 (Source: P.A. 83-73.)

18 (225 ILCS 415/23.10) (from Ch. 111, par. 6233)

19 (Section scheduled to be repealed on January 1, 2014)

20 Sec. 23.10. Order or certified copy; prima facie proof. An
21 order or a certified copy thereof, over the seal of the
22 Department and purporting to be signed by the Secretary
23 ~~Director~~, shall be prima facie proof that:

24 (1) the signature is the genuine signature of the

25 Secretary; and ~~Director;~~

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

3 ~~(3) the Board and the members thereof are qualified to~~
4 ~~act.~~

5 (Source: P.A. 91-357, eff. 7-29-99.)

6 (225 ILCS 415/23.11) (from Ch. 111, par. 6234)

7 (Section scheduled to be repealed on January 1, 2014)

8 Sec. 23.11. Restoration of license from discipline. At any
9 time after successful completion of a term of indefinite
10 probation, suspension, or revocation of a license, the
11 Department may restore the license to the licensee, unless,
12 after an investigation and hearing, the Secretary determines
13 that restoration is not in the public interest or that the
14 licensee has not been sufficiently rehabilitated to warrant the
15 public trust. No person or entity whose license, certificate,
16 or authority has been revoked as authorized in this Act may
17 apply for restoration of that license, certification, or
18 authority until such time as provided for in the Civil
19 Administrative Code of Illinois. ~~the suspension or revocation~~
20 ~~of any certificate, the Department may restore it to the~~
21 ~~accused person, upon the written recommendation of the Board,~~
22 ~~unless after an investigation and a hearing, the Department~~
23 ~~determines that restoration is not in the public interest.~~

24 (Source: P.A. 83-73.)

1 (225 ILCS 415/23.12) (from Ch. 111, par. 6235)

2 (Section scheduled to be repealed on January 1, 2014)

3 Sec. 23.12. Surrender of license or certificate. Upon the
4 revocation or suspension of any certificate, the certificate
5 holder shall forthwith surrender the certificate or
6 certificates to the Department. If the certificate holder fails
7 to do so, the Department shall have the right to seize the
8 certificate.

9 (Source: P.A. 83-73.)

10 (225 ILCS 415/23.13) (from Ch. 111, par. 6236)

11 (Section scheduled to be repealed on January 1, 2014)

12 Sec. 23.13. Summary suspension. The Secretary ~~Director~~ may
13 summarily ~~temporarily~~ suspend the certificate of a certified
14 shorthand reporter without a hearing, simultaneously with the
15 institution of proceedings for a hearing provided for in
16 Section 23.2 of this Act, if the Secretary ~~Director~~ finds that
17 the evidence ~~in his possession~~ indicates that a certified
18 shorthand reporter's continuation in practice would constitute
19 an imminent danger to the public. In the event that the
20 Secretary summarily ~~Director~~ ~~temporarily~~ suspends the
21 certificate of a certified shorthand reporter without a
22 hearing, a hearing shall be commenced ~~by the Board must be held~~
23 within 30 days after such suspension has occurred and shall be
24 concluded as expeditiously as possible.

25 (Source: P.A. 83-73.)

1 (225 ILCS 415/23.14) (from Ch. 111, par. 6237)

2 (Section scheduled to be repealed on January 1, 2014)

3 Sec. 23.14. Administrative Review Law. All final
4 administrative decisions of the Department are subject to
5 judicial review pursuant to the provisions of the
6 Administrative Review Law and all rules adopted pursuant
7 thereto. The term "administrative decision" is defined in
8 Section 3-101 of the Code of Civil Procedure.

9 Proceedings for judicial review shall be commenced in the
10 circuit court of the county in which the party applying for
11 review resides, except that if the party is not a resident of
12 this State, the venue shall be Sangamon County.

13 (Source: P.A. 83-73.)

14 (225 ILCS 415/23.15) (from Ch. 111, par. 6238)

15 (Section scheduled to be repealed on January 1, 2014)

16 Sec. 23.15. Certification of record; receipt. The
17 Department shall not be required to certify any record to the
18 court or file any answer in court or otherwise appear in any
19 court in a judicial review proceeding, unless and until the
20 Department has received from the plaintiff ~~there is filed in~~
21 ~~the court, with the complaint, a receipt from the Department~~
22 ~~acknowledging~~ payment of the costs of furnishing and certifying
23 the record, which costs shall be determined by the Department.
24 Exhibits shall be certified without cost. Failure on the part

1 of the plaintiff to file a receipt in court shall be grounds
2 for dismissal of the action.

3 (Source: P.A. 87-1031.)

4 (225 ILCS 415/23.16) (from Ch. 111, par. 6239)

5 (Section scheduled to be repealed on January 1, 2014)

6 Sec. 23.16. Penalties. Any person who is found to have
7 violated any provision of this Act is guilty of a Class A
8 misdemeanor for the first offense. On conviction of a second or
9 subsequent offense the violator shall be guilty of a Class 4
10 felony. All criminal fines, moneys, or other property collected
11 or received by the Department under this Section, or any other
12 State or federal statute, shall be deposited into the General
13 Professions Dedicated Fund.

14 (Source: P.A. 83-73.)

15 (225 ILCS 415/24) (from Ch. 111, par. 6240)

16 (Section scheduled to be repealed on January 1, 2014)

17 Sec. 24. Administrative Procedure Act. The Illinois
18 Administrative Procedure Act is hereby expressly adopted and
19 incorporated herein as if all of the provisions of that Act
20 were included in this Act, except that the provision of
21 subsection (d) of Section 10-65 of the Illinois Administrative
22 Procedure Act that provides that at hearings the certificate
23 holder has the right to show compliance with all lawful
24 requirements for retention, continuation or renewal of

1 certification is specifically excluded. For the purpose of this
2 Act the notice required under Section 10-25 of the Illinois
3 Administrative Procedure Act is deemed sufficient when mailed
4 to the last known address of record ~~a party~~.

5 (Source: P.A. 88-45.)

6 (225 ILCS 415/25) (from Ch. 111, par. 6241)

7 (Section scheduled to be repealed on January 1, 2014)

8 Sec. 25. Home rule. The regulation and licensing of a
9 shorthand reporter are exclusive powers and functions of the
10 State. A home rule unit may not regulate or license a shorthand
11 reporter or the practice of shorthand reporting. This Section
12 is a denial and limitation of home rule powers and functions
13 under subsection (h) of Section 6 of Article VII of the
14 Illinois Constitution. It is declared to be the public policy
15 of this State, pursuant to paragraphs (h) and (i) of Section 6
16 of Article VII of the Illinois Constitution of 1970, that any
17 power or function set forth in this Act to be exercised by the
18 State is an exclusive State power or function. Such power or
19 function shall not be exercised concurrently, either directly
20 or indirectly, by any unit of local government, including home
21 rule units, except as otherwise provided in this Act.

22 (Source: P.A. 83-73.)

23 (225 ILCS 415/26.1)

24 (Section scheduled to be repealed on January 1, 2014)

1 Sec. 26.1. Responsibility for notes. It is the licensee's
2 responsibility to preserve his or her shorthand notes for a
3 period of no less than 10 years from the date that the notes or
4 transcripts were taken ~~5 years from the end of litigation,~~
5 except as otherwise prescribed by law, through storage of the
6 original paper notes or an electronic copy of either the
7 shorthand notes or the English transcript of the notes on
8 computer disks, cassettes, backup tape systems, ~~or~~ optical or
9 laser disk systems, or other retrieval systems available at the
10 time that the notes or transcripts were taken.

11 (Source: P.A. 91-558, eff. 8-14-99.)

12 (225 ILCS 415/27) (from Ch. 111, par. 6243)

13 (Section scheduled to be repealed on January 1, 2014)

14 Sec. 27. As a condition for renewal of a license, licensees
15 shall be required to complete continuing education in
16 accordance with rules established ~~On a specified date~~
17 ~~determined by the Department and established in its rules and~~
18 ~~regulations, every person certified under this Act shall be~~
19 ~~required to complete 10 hours of continuing education over a 2~~
20 ~~year period in a manner as determined by the rules and~~
21 ~~regulations of the Department promulgated in consultation with~~
22 ~~the Board.~~

23 Persons employed as full time court reporters under the
24 Court Reporters Act may apply for a waiver from the continuing
25 education requirements. The waiver shall be granted upon the

1 submission of evidence satisfactory to the Department that the
2 certified shorthand reporter is employed as a full time court
3 reporter under the Court Reporters Act.

4 (Source: P.A. 87-481; 87-576; 88-475.)

5 (225 ILCS 415/12 rep.)

6 Section 15. The Illinois Certified Shorthand Reporters Act
7 of 1984 is amended by repealing Section 12.

8 Section 99. Effective date. This Act takes effect December
9 31, 2013.

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23	225 ILCS 415/23.1	from Ch. 111, par. 6224
24	225 ILCS 415/23.2	from Ch. 111, par. 6225
25	225 ILCS 415/23.2a new	

1	225 ILCS 415/23.3	from Ch. 111, par. 6226
2	225 ILCS 415/23.4	from Ch. 111, par. 6227
3	225 ILCS 415/23.5	from Ch. 111, par. 6228
4	225 ILCS 415/23.6	from Ch. 111, par. 6229
5	225 ILCS 415/23.7	from Ch. 111, par. 6230
6	225 ILCS 415/23.8	from Ch. 111, par. 6231
7	225 ILCS 415/23.9	from Ch. 111, par. 6232
8	225 ILCS 415/23.10	from Ch. 111, par. 6233
9	225 ILCS 415/23.11	from Ch. 111, par. 6234
10	225 ILCS 415/23.12	from Ch. 111, par. 6235
11	225 ILCS 415/23.13	from Ch. 111, par. 6236
12	225 ILCS 415/23.14	from Ch. 111, par. 6237
13	225 ILCS 415/23.15	from Ch. 111, par. 6238
14	225 ILCS 415/23.16	from Ch. 111, par. 6239
15	225 ILCS 415/24	from Ch. 111, par. 6240
16	225 ILCS 415/25	from Ch. 111, par. 6241
17	225 ILCS 415/26.1	
18	225 ILCS 415/27	from Ch. 111, par. 6243
19	225 ILCS 415/12 rep.	