



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB2724

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; home rule; and a licensee's responsibility to preserve his or her shorthand notes. 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 02601 RPM 32606 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 Acts repealed on January 1, 2014. The following  
8 Acts are repealed on January 1, 2014:

9 The Electrologist Licensing Act.

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

11 The Illinois Occupational Therapy Practice Act.

12 The Illinois Public Accounting Act.

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

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

17 The Veterinary Medicine and Surgery Practice Act of 2004.

18 (Source: P.A. 95-331, eff. 8-21-07; 95-613, eff. 9-11-07.)

19 (5 ILCS 80/4.34 new)

20 Sec. 4.34. Act repealed on January 1, 2024. The following  
21 Act is repealed on January 1, 2024:

22 The Illinois Certified Shorthand Reporters Act of 1984.

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

7 (225 ILCS 415/3) (from Ch. 111, par. 6203)

8 (Section scheduled to be repealed on January 1, 2014)

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

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

16 (225 ILCS 415/3.5)

17 (Section scheduled to be repealed on January 1, 2014)

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

19 (a) In addition to any other penalty provided by law, any  
20 ~~Any~~ person who practices, offers to practice, attempts to  
21 practice, or holds oneself out to practice as a shorthand  
22 reporter without being certified under this Act shall, in  
23 addition to any other penalty provided by law, pay a civil

1 penalty to the Department in an amount not to exceed \$10,000  
2 ~~\$5,000~~ for each offense as determined by the Department. The  
3 civil penalty shall be assessed by the Department after a  
4 hearing is held in accordance with the provisions set forth in  
5 this Act regarding the provision of a hearing for the  
6 discipline of a licensee.

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

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

14 (d) All moneys collected under this Section shall be  
15 deposited into the General Professions Dedicated Fund.

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

17 (225 ILCS 415/4) (from Ch. 111, par. 6204)

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

19 Sec. 4. In this Act:

20 (1) "Department" means the Department of Financial and  
21 Professional Regulation.

22 (2) "Secretary" ~~"Director"~~ means the Secretary ~~Director~~ of  
23 Financial and Professional Regulation.

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

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

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

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

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

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

25 (225 ILCS 415/6) (from Ch. 111, par. 6206)

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

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

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

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

19 (225 ILCS 415/7) (from Ch. 111, par. 6207)

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

21 Sec. 7. Administration of Act.

22 (a) The Department shall exercise the powers and duties  
23 prescribed by The Civil Administrative Code of Illinois for the  
24 administration of licensing Acts and shall exercise such other  
25 powers and duties necessary for effectuating the purposes of

1 this Act.

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

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

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

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

22 (225 ILCS 415/8) (from Ch. 111, par. 6208)

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

24 Sec. 8. Certified Shorthand Reporters Board. The Secretary  
25 ~~Director~~ shall appoint a certified Shorthand Reporters Board as

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

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

23 The membership of the Board should reasonably reflect  
24 representation from the geographic areas in this State. In  
25 making appointments to the Board, the Secretary ~~Director~~ shall  
26 give consideration to recommendations by national and State



1 organizations of the shorthand reporter profession ~~and shall~~  
2 ~~promptly give notice to such organizations of any vacancy in~~  
3 ~~the membership of the Board.~~

4 A vacancy in the membership of the Board shall not impair  
5 the right of a quorum to exercise all the rights and perform  
6 all the duties of the Board. A majority of the Board members  
7 currently appointed shall constitute a quorum.

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 establish procedures and requirements for  
3 restoration ~~may require the certified shorthand reporter to~~  
4 ~~successfully complete a practical examination.~~

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

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

18 (225 ILCS 415/15) (from Ch. 111, par. 6215)

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

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

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

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

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

9 (225 ILCS 415/16) (from Ch. 111, par. 6216)

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

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

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

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

1 (225 ILCS 415/17) (from Ch. 111, par. 6217)

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

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

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

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

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



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

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

25 (Source: P.A. 92-146, eff. 1-1-02; 93-32, eff. 7-1-03; 93-460,  
26 eff. 8-8-03.)

1 (225 ILCS 415/18) (from Ch. 111, par. 6218)

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

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

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

10 (225 ILCS 415/19) (from Ch. 111, par. 6219)

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

12 Sec. 19. Advertising. Any person certified under this Act  
13 may advertise the availability of professional services in the  
14 public media or on the premises where such professional  
15 services are rendered as permitted by law, on the condition  
16 that such advertising is truthful and not misleading and is in  
17 conformity with rules promulgated by the Department.  
18 Advertisements shall not include false, fraudulent, deceptive,  
19 or misleading material or guarantees of success.

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

21 (225 ILCS 415/20) (from Ch. 111, par. 6220)

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

23 Sec. 20. Professional service corporations. Nothing in

1 this Act shall restrict certificate holders from forming  
2 professional service corporations under the provisions of the  
3 Professional Service Corporation Act.

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

5 (225 ILCS 415/23) (from Ch. 111, par. 6223)

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

7 Sec. 23. Grounds for disciplinary action.

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

14 (1) Material misstatement in furnishing information to  
15 the Department;

16 (2) Violations of this Act, or of the rules promulgated  
17 thereunder;

18 (3) Conviction by plea of guilty or nolo contendere,  
19 finding of guilt, jury verdict, or entry of judgment or by  
20 sentencing of any crime, including, but not limited to,  
21 convictions, preceding sentences of supervision,  
22 conditional discharge, or first offender probation under  
23 the laws of any jurisdiction of the United States: (i) that  
24 is a felony or (ii) that is a misdemeanor, an essential  
25 element of which is dishonesty, or that is directly related

1 ~~to the practice of the profession; of any crime under the~~  
2 ~~laws of the United States or any state or territory thereof~~  
3 ~~which is a felony or which is a misdemeanor, an essential~~  
4 ~~element of which is dishonesty, or of any crime which is~~  
5 ~~directly related to the practice of shorthand reporting;~~

6 (4) Fraud or Making any misrepresentation in applying  
7 for or procuring a license under this Act or in connection  
8 with applying for renewal of a license under this Act; ~~for~~  
9 ~~the purpose of obtaining certification, or violating any~~  
10 ~~provision of this Act or the rules promulgated thereunder~~  
11 ~~pertaining to advertising;~~

12 (5) Professional incompetence; ~~Having demonstrated~~  
13 ~~unworthiness, or incompetency to act as a certified~~  
14 ~~shorthand reporter in such manner as to safeguard the~~  
15 ~~interest of the public;~~

16 (6) Aiding or assisting another person, firm,  
17 partnership or corporation in violating any provision of  
18 this Act or rules;

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

21 (8) Engaging in dishonorable, unethical or  
22 unprofessional conduct of a character likely to deceive,  
23 defraud or harm the public;

24 (9) Habitual or excessive use or abuse of drugs defined  
25 in law as controlled substances, alcohol, or any other  
26 substances that results in the inability to practice with

1 reasonable judgment, skill, or safety; intoxication or  
2 addiction to the use of drugs;

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

8 (11) Charging for professional services not rendered,  
9 including filing false statements for the collection of  
10 fees for which services were not rendered; Directly or  
11 indirectly giving to or receiving from any person, firm,  
12 corporation, partnership or association any fee,  
13 commission, rebate or other form of compensation for  
14 professional services not actually or personally rendered;

15 (12) A finding by the Board that the certificate  
16 holder, after having his certificate placed on  
17 probationary status, has violated the terms of probation;

18 (13) Willfully making or filing false records or  
19 reports in the practice of shorthand reporting, including  
20 but not limited to false records filed with State agencies  
21 or departments;

22 (14) Physical illness, including but not limited to,  
23 deterioration through the aging process, or loss of motor  
24 skill which results in the inability to practice under this  
25 Act ~~the profession~~ with reasonable judgment, skill or  
26 safety;

1 (15) Solicitation of professional services other than  
2 by permitted advertising;

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

5 (17) Willful alteration of any stenographic notes  
6 taken at any proceeding;

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

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

11 (20) Affixing one's signature to any transcript of his  
12 stenographic notes or certifying to its correctness unless  
13 the transcript has been prepared by him or under his  
14 immediate supervision;

15 (21) Willful failure to systematically retain  
16 stenographic notes or transcripts on paper or any  
17 electronic media for 10 ~~5~~ years from the date that the  
18 notes or transcripts were taken ~~or for 5 years from the end~~  
19 ~~of litigation;~~

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

22 (23) Establishing contingent fees as a basis of  
23 compensation; ~~;~~

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

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

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

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

7           All fines imposed under this Section shall be paid within  
8           60 days after the effective date of the order imposing the fine  
9           or in accordance with the terms set forth in the order imposing  
10          the fine.

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

21          (c) In cases where the Department of Healthcare and Family  
22 Services has previously determined a licensee or a potential  
23 licensee is more than 30 days delinquent in the payment of  
24 child support and has subsequently certified the delinquency to  
25 the Department, the Department may refuse to issue or renew or  
26 may revoke or suspend that person's license or may take other

1 disciplinary action against that person based solely upon the  
2 certification of delinquency made by the Department of  
3 Healthcare and Family Services in accordance with item (5) of  
4 subsection (g) of Section 1205-15 of the Civil Administrative  
5 Code of Illinois.

6 (d) In enforcing this Section, the Department, upon a  
7 showing of a possible violation, may compel a licensee or  
8 applicant to submit to a mental or physical examination, or  
9 both, as required by and at the expense of the Department. The  
10 examining physicians shall be those specifically designated by  
11 the Board. The Department may order the examining physician to  
12 present testimony concerning the mental or physical  
13 examination of a licensee or applicant. No information shall be  
14 excluded by reason of any common law or statutory privilege  
15 relating to communications between a licensee or applicant and  
16 the examining physician. The examining physicians shall be  
17 specifically designated by the Department. An individual to be  
18 examined may have, at his or her own expense, another physician  
19 of his or her choice present during all aspects of the  
20 examination. The examination shall be performed by a physician  
21 licensed to practice medicine in all its branches. Failure of  
22 an individual to submit to a mental or physical examination  
23 when directed shall result in an automatic suspension without  
24 hearing. The license must remain suspended until the person  
25 submits to the examination or the Board finds, after notice and  
26 hearing, that the refusal to submit to the examination was with



1 reasonable cause.

2 A person holding a license under this Act or who has  
3 applied for a license under this Act who, because of a physical  
4 or mental illness or disability, including, but not limited to,  
5 deterioration through the aging process or loss of motor skill,  
6 is unable to practice the profession with reasonable judgment,  
7 skill, or safety, may be required by the Department to submit  
8 to care, counseling, or treatment by physicians approved or  
9 designated by the Department as a condition, term, or  
10 restriction for continued, reinstated, or renewed licensure to  
11 practice. Submission to care, counseling, or treatment as  
12 required by the Department shall not be considered discipline  
13 of a licensee. If the licensee refuses to enter into a care,  
14 counseling, or treatment agreement or fails to abide by the  
15 terms of the agreement, the Department may file a complaint to  
16 revoke or suspend the license of or otherwise discipline the  
17 individual. The Secretary may order the license suspended  
18 immediately, pending a hearing by the Department. Fines shall  
19 not be assessed in disciplinary actions involving physical or  
20 mental illness or impairment.

21 In instances in which the Secretary immediately suspends a  
22 person's license under this Section, a hearing on that person's  
23 license must be convened by the Department within 15 days after  
24 the suspension and completed without appreciable delay. The  
25 Department shall have the authority to review the subject  
26 individual's record of treatment and counseling regarding the

1 impairment to the extent permitted by applicable federal  
2 statutes and regulations safeguarding the confidentiality of  
3 medical records.

4 An individual licensed under this Act and affected under  
5 this Section shall be afforded an opportunity to demonstrate to  
6 the Department that he or she can resume practice in compliance  
7 with acceptable and prevailing standards under the provisions  
8 of his or her license.

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

16 (f) The Department may refuse to issue or may suspend  
17 without hearing, as provided for in the Code of Civil  
18 Procedure, the license of any person who fails to file a  
19 return, to pay the tax, penalty, or interest shown in a filed  
20 return, or to pay any final assessment of tax, penalty, or  
21 interest as required by any tax Act administered by the  
22 Illinois Department of Revenue, until such time as the  
23 requirements of any such tax Act are satisfied in accordance  
24 with subsection (g) of Section 2105-15 of the Civil  
25 Administrative Code of Illinois.

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

1 (225 ILCS 415/23.1) (from Ch. 111, par. 6224)

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

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

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

18 (b) If any person practices ~~shall practice~~ as a certified  
19 shorthand reporter or holds ~~hold~~ himself or herself out as a  
20 certified shorthand reporter without being licensed under the  
21 provisions of this Act then any certified shorthand reporter,  
22 any interested party or any person injured thereby may, in  
23 addition to the Secretary ~~Director~~, petition for relief as  
24 provided in subsection (a).

25 (c) Whenever in the opinion of the Department any person

1 violates any provision of this Act, the Department may issue a  
2 rule to show cause why an order to cease and desist should not  
3 be entered against that individual ~~him~~. The rule shall clearly  
4 set forth the grounds relied upon by the Department and shall  
5 provide a period of 7 days from the date of the rule to file an  
6 answer to the satisfaction of the Department. Failure to answer  
7 to the satisfaction of the Department shall cause an order to  
8 cease and desist to be issued forthwith.

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

10 (225 ILCS 415/23.2) (from Ch. 111, par. 6225)

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

12 Sec. 23.2. Investigations; notice and hearing. The  
13 Department may investigate the actions of any applicant or of  
14 any person or persons holding or claiming to hold a  
15 certificate. The Department shall, before refusing to issue or  
16 renew, or taking disciplinary action against, a certificate, at  
17 least 30 days prior to the date set for the hearing, notify in  
18 writing the accused ~~the applicant for, or holder of, a~~  
19 ~~certificate~~ of the nature of the charges and the time and place  
20 for that a hearing ~~will be held~~ on the charges ~~date designated~~.  
21 The Department shall direct the accused ~~applicant or licensee~~  
22 to file a written answer to the charges with the Board under  
23 oath within 20 days after the service of the notice and inform  
24 the accused ~~applicant or licensee~~ that failure to file an  
25 answer will result in default being taken against the applicant

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

1 ~~proper, including limiting the scope, nature, or extent of the~~  
2 ~~person's practice or the imposition of a fine, without a~~  
3 ~~hearing, if the act or acts charged constitute sufficient~~  
4 ~~grounds for such action under this Act. At the time and place~~  
5 ~~fixed in the notice, the Board shall proceed to hear the~~  
6 ~~charges and the parties or their counsel shall be accorded~~  
7 ~~ample opportunity to present any statements, testimony,~~  
8 ~~evidence and argument as may be pertinent to the charges or to~~  
9 ~~their defense. The Board may continue a hearing from time to~~  
10 ~~time.~~

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

12 (225 ILCS 415/23.2a new)

13 Sec. 23.2a. Confidentiality. All information collected by  
14 the Department in the course of an examination or investigation  
15 of a licensee or applicant, including, but not limited to, any  
16 complaint against a licensee filed with the Department and  
17 information collected to investigate any such complaint, shall  
18 be maintained for the confidential use of the Department and  
19 shall not be disclosed. The Department may not disclose the  
20 information to anyone other than law enforcement officials,  
21 other regulatory agencies that have an appropriate regulatory  
22 interest as determined by the Secretary, or to a party  
23 presenting a lawful subpoena to the Department. Information and  
24 documents disclosed to a federal, State, county, or local law  
25 enforcement agency shall not be disclosed by the agency for any

1 purpose to any other agency or person. A formal complaint filed  
2 against a licensee by the Department or any order issued by the  
3 Department against a licensee or applicant shall be a public  
4 record, except as otherwise prohibited by law.

5 (225 ILCS 415/23.3) (from Ch. 111, par. 6226)

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

7 Sec. 23.3. Records of proceedings. The Department, at its  
8 expense, shall preserve a record of all proceedings at the  
9 formal hearing of any case ~~involving the refusal to issue or~~  
10 ~~renew, or the taking of disciplinary action against, a~~  
11 ~~certificate.~~ The notice of hearing, complaint and all other  
12 documents in the nature of pleadings and written motions filed  
13 in the proceedings, the transcript of testimony, the report of  
14 the Board and orders of the Department, shall be the record of  
15 such proceeding. Any registrant who is found to have violated  
16 this Act or who fails to appear for a hearing to refuse to  
17 issue, restore, or renew a license or to discipline a licensee  
18 may be required by the Department to pay for the costs of the  
19 proceeding. These costs are limited to costs for court  
20 reporters, transcripts, and witness attendance and mileage  
21 fees. All costs imposed under this Section shall be paid within  
22 60 days after the effective date of the order imposing the  
23 fine.

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

1 (225 ILCS 415/23.4) (from Ch. 111, par. 6227)

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

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

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

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

23 (225 ILCS 415/23.5) (from Ch. 111, par. 6228)

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

25 Sec. 23.5. Compelling testimony; contempt. Any circuit



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

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

10 (225 ILCS 415/23.6) (from Ch. 111, par. 6229)

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

12 Sec. 23.6. Board report. At the conclusion of the hearing  
13 the Board shall present to the Secretary ~~Director~~ a written  
14 report of its findings of fact, conclusions of law and  
15 recommendations. The report shall contain a finding whether or  
16 not the accused person violated this Act or failed to comply  
17 with the conditions required in this Act. The Board shall  
18 specify the nature of the violation or failure to comply, and  
19 shall make its recommendations to the Secretary ~~Director~~. The  
20 report of findings of fact, conclusions of law and  
21 recommendations of the Board shall be the basis for the  
22 Department's action regarding a certificate. If the Secretary  
23 ~~Director~~ disagrees in any regard with the report of the Board  
24 he may issue an order in contravention thereof. ~~The Director~~  
25 ~~shall provide to the Board a written explanation for any~~

1 ~~deviation and shall specify with particularity the reasons for~~  
2 ~~such action in the final order.~~ The finding is not admissible  
3 in evidence against the person in a criminal prosecution  
4 brought for the violation of this Act, but the hearing and  
5 findings are not a bar to a criminal prosecution brought for  
6 the violation of this Act.

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

8 (225 ILCS 415/23.7) (from Ch. 111, par. 6230)

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

10 Sec. 23.7. Motion for rehearing. In any case involving the  
11 refusal to issue or renew, or the taking of disciplinary action  
12 against, a certificate, a copy of the Board's report shall be  
13 served upon the respondent by the Department as provided in  
14 this Act for the service of the notice of hearing. Within 20  
15 days after such service, the respondent may present to the  
16 Department a motion in writing for a rehearing, which motion  
17 shall specify the particular grounds therefor. If no motion for  
18 rehearing is filed, then upon the expiration of the time  
19 specified for filing such a motion, or if a motion for  
20 rehearing is denied, then upon such denial the Secretary  
21 ~~Director~~ may enter an order in accordance with recommendations  
22 of the Board except as provided in Section 23.6. If the  
23 respondent shall order from the reporting service, and pay for  
24 a transcript of the record within the time for filing a motion  
25 for rehearing, the 20 day period within which such a motion may

1 be filed shall commence upon the delivery of the transcript to  
2 the respondent.

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

4 (225 ILCS 415/23.8) (from Ch. 111, par. 6231)

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

6 Sec. 23.8. Rehearing ordered by Secretary. Whenever the  
7 Secretary ~~Director~~ is satisfied that substantial justice has  
8 not been done in the revocation, ~~or~~ suspension of, or the  
9 refusal to issue or renew~~7~~ a certificate, the Secretary  
10 ~~Director~~ may order a rehearing by the Board or a designated  
11 hearing officer.

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

13 (225 ILCS 415/23.9) (from Ch. 111, par. 6232)

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

15 Sec. 23.9. Hearing officers, reports, and review. The  
16 Secretary ~~Notwithstanding the provisions of Section 23.2, the~~  
17 ~~Director~~ shall have the authority to appoint any attorney duly  
18 licensed to practice law in the State of Illinois to serve as  
19 the hearing officer in any action involving a refusal to issue  
20 or renew, or the taking of disciplinary action against a  
21 certificate. ~~The Director shall notify the Board of such~~  
22 ~~appointment.~~ The hearing officer shall have full authority to  
23 conduct the hearing. The hearing officer shall report his or  
24 her findings of fact, conclusions of law and recommendations to

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

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

14 (225 ILCS 415/23.10) (from Ch. 111, par. 6233)

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

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

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

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

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

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

2 (225 ILCS 415/23.11) (from Ch. 111, par. 6234)

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

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

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

21 (225 ILCS 415/23.12) (from Ch. 111, par. 6235)

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

23 Sec. 23.12. Surrender of license or certificate. Upon the  
24 revocation or suspension of any certificate, the certificate

1 holder shall forthwith surrender the certificate or  
2 certificates to the Department. If the certificate holder fails  
3 to do so, the Department shall have the right to seize the  
4 certificate.

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

6 (225 ILCS 415/23.13) (from Ch. 111, par. 6236)

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

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

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

22 (225 ILCS 415/23.14) (from Ch. 111, par. 6237)

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

24 Sec. 23.14. Administrative Review Law. All final

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

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

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

11 (225 ILCS 415/23.15) (from Ch. 111, par. 6238)

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

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

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

1 (225 ILCS 415/23.16) (from Ch. 111, par. 6239)

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

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

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

12 (225 ILCS 415/25) (from Ch. 111, par. 6241)

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

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



1 ~~or indirectly, by any unit of local government, including home~~  
2 ~~rule units, except as otherwise provided in this Act.~~

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

4 (225 ILCS 415/26.1)

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

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

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

16 (225 ILCS 415/12 rep.)

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

19 Section 99. Effective date. This Act takes effect December  
20 31, 2013.

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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 415/25	from Ch. 111, par. 6241
16	225 ILCS 415/26.1	
17	225 ILCS 415/12 rep.	