



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB5669

by Rep. Elizabeth Hernandez

#### SYNOPSIS AS INTRODUCED:

225 ILCS 305/19 from Ch. 111, par. 1319  
225 ILCS 305/19.5 new  
30 ILCS 105/5.855 new

Amends the Illinois Architecture Practice Act of 1989. Creates the Design Professionals Dedicated Fund. Provides that the Department of Financial and Professional Regulation shall deposit moneys derived from the fees and fines collected under the Act into the Design Professionals Dedicated Fund, which shall be used to provide qualified applicants for licensure with financial assistance in connection with the required examination fees under the Act. Establishes the criteria for eligibility that an applicant must meet in order to receive such financial assistance.

LRB098 19679 ZMM 54885 b

FISCAL 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 Illinois Architecture Practice Act of 1989  
5 is amended by changing Section 19 and by adding Section 19.5 as  
6 follows:

7 (225 ILCS 305/19) (from Ch. 111, par. 1319)

8 (Section scheduled to be repealed on January 1, 2020)

9 Sec. 19. Fees.

10 (a) The Department shall provide by rule for a schedule of  
11 fees to be paid for licenses by all applicants. All fees are  
12 not refundable.

13 (b) The fees for the administration and enforcement of this  
14 Act, including but not limited to original licensure, renewal,  
15 and restoration, shall be set by rule by the Department.

16 All of the fees and fines collected pursuant to this  
17 Section shall be deposited equally into ~~in~~ the Design  
18 Professionals Administration and Investigation Fund and the  
19 Design Professionals Dedicated Fund. Of the moneys deposited  
20 into the Design Professionals Administration and Investigation  
21 Fund, the Department may use such funds as necessary and  
22 available to produce and distribute newsletters to persons  
23 licensed under this Act. The Department shall use all moneys

1 deposited into the Design Professionals Dedicated Fund to  
2 provide financial assistance for qualified applicants pursuant  
3 to Section 19.5 of this Act.

4 Any person who delivers a check or other payment to the  
5 Department that is returned to the Department unpaid by the  
6 financial institution upon which it is drawn shall pay to the  
7 Department, in addition to the amount already owed to the  
8 Department, a fine of \$50. The fines imposed by this Section  
9 are in addition to any other discipline provided under this Act  
10 for unlicensed practice or practice on a nonrenewed license.  
11 The Department shall notify the person that payment of fees and  
12 fines shall be paid to the Department by certified check or  
13 money order within 30 calendar days of the notification. If,  
14 after the expiration of 30 days from the date of the  
15 notification, the person has failed to submit the necessary  
16 remittance, the Department shall automatically terminate the  
17 license or certificate or deny the application, without  
18 hearing. If, after termination or denial, the person seeks a  
19 license or certificate, he or she shall apply to the Department  
20 for restoration or issuance of the license or certificate and  
21 pay all fees and fines due to the Department. The Department  
22 may establish a fee for the processing of an application for  
23 restoration of a license or certificate to pay all expenses of  
24 processing this application. The Director may waive the fines  
25 due under this Section in individual cases where the Director  
26 finds that the fines would be unreasonable or unnecessarily

1 burdensome.

2 (Source: P.A. 91-133, eff. 1-1-00; 92-146, eff. 1-1-02.)

3 (225 ILCS 305/19.5 new)

4 Sec. 19.5. Design Professionals Dedicated Fund; financial  
5 assistance for applicants. The Design Professionals Dedicated  
6 Fund is created as a special fund in the State treasury. The  
7 moneys in this fund shall be used by the Department, subject to  
8 appropriation, to provide qualified applicants for licensure  
9 with financial assistance in connection with the required  
10 examination fees under this Act. The fund shall be financed by  
11 the amounts collected from the fees and fines imposed under  
12 Section 19 of this Act. At no time shall the Department permit  
13 the fund to have a negative balance. An applicant for licensure  
14 is eligible to receive and may apply for financial assistance  
15 under this Section if he or she: (i) has been a resident of  
16 Illinois for at least one year prior to application and is a  
17 citizen or lawful permanent resident alien of the United  
18 States; (ii) is qualified to take the examinations for  
19 licensure required by this Act; (iii) is employed by a public  
20 sector or non-profit entity, including as a teacher; and (iv)  
21 is able to demonstrate the need for financial assistance based  
22 on his or her federal Student Aid Report.

23 Section 10. The State Finance Act is amended by adding  
24 Section 5.855 as follows:

1 (30 ILCS 105/5.855 new)

2 Sec. 5.855. The Design Professionals Dedicated Fund.