

AN ACT concerning regulation.

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

Section 5. The Civil Administrative Code of Illinois is amended by changing Sections 5-10 and 5-715 and by adding Section 5-717 as follows:

(20 ILCS 5/5-10) (was 20 ILCS 5/2.1)

Sec. 5-10. "Director". As used in the Civil Administrative Code of Illinois, unless the context clearly indicates otherwise, the word "director" means the ~~several~~ directors of the departments of State government as designated in Section 5-20 of this Law and includes the Secretary of Financial and Professional Regulation, the Secretary of Innovation and Technology, the Secretary of Human Services, and the Secretary of Transportation.

(Source: P.A. 100-611, eff. 7-20-18.)

(20 ILCS 5/5-715)

Sec. 5-715. Expedited licensure for service members and spouses.

(a) In this Section: 7

"Service ~~service~~ member" means any person who, at the time of application under this Section, is an active duty member of

the United States Armed Forces or any reserve component of the United States Armed Forces, the Coast Guard, or the National Guard of any state, commonwealth, or territory of the United States or the District of Columbia or whose active duty service concluded within the preceding 2 years before application.

"Spouse" means a party to a marriage, civil union, or registered domestic partnership.

(a-5) The Department of Financial and Professional Regulation shall within 180 days after January 1, 2020 (the effective date of Public Act 101-240) designate one staff member as the military liaison within the Department of Financial and Professional Regulation to ensure proper enactment of the requirements of this Section. The military liaison's responsibilities shall also include, but are not limited to: (1) the management of all expedited applications to ensure processing within 30 days after receipt of a completed application; (2) the management and oversight of all military portability licenses issued under Section 5-717; ~~(3)~~ ~~including~~ notification of federal assistance programs available to reimburse costs associated with applicable licensing fees and professional credentials for service members and their families pursuant to Section 556 of Public Law 115-91, or any related federal program; (4) ~~(2)~~ coordination with all military installation military and family support center directors within this State, including

virtual, phone, or in-person periodic meetings with each military installation military and family support center; and (5) ~~(3)~~ training by the military liaison to all directors of each division that issues an occupational or professional license to ensure proper application of this Section. At the end of each calendar year, the military liaison shall provide an annual report documenting the expedited licensure program for service members and spouses, and shall deliver that report to the Secretary of Financial and Professional Regulation and the Lieutenant Governor.

(b) Each director of a department that issues an occupational or professional license is authorized to and shall issue an expedited license to a service member who meets the requirements under this Section and Section 2105-135 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois or a spouse of a service member who meets those requirements. Review and determination of an application for a license issued by the department shall be expedited by the department within 30 days after the date on which the department receives all necessary documentation required for licensure, including any required information from State and federal agencies. An expedited license shall be issued by the department to a service member who meets ~~any service members meeting~~ the application requirements of this Section or a spouse of a service member who meets those requirements, regardless of whether the service member or the

service member's spouse currently resides in this State. The service member or the service member's spouse shall apply to the department on forms provided by the department. An application must include proof that:

(1) the applicant is a service member or the spouse of a service member;

(2) the applicant holds a valid license in good standing for the occupation or profession issued by another state, commonwealth, possession, or territory of the United States, the District of Columbia, or any foreign jurisdiction;

(2.5) the applicant meets the requirements and standards for licensure through endorsement, ~~or~~ reciprocity, or portability for the occupation or profession for which the applicant is applying;

(3) the applicant or the applicant's spouse is assigned to a duty station in this State, has established legal residence in this State, or will reside in this State within 6 months after the date of application for licensure;

(4) a complete set of the applicant's fingerprints has been submitted to the Illinois State Police for statewide and national criminal history checks, if applicable to the requirements of the department issuing the license; the applicant shall pay the fee to the Illinois State Police or to the fingerprint vendor for electronic fingerprint

processing; no temporary occupational or professional license shall be issued to an applicant if the statewide or national criminal history check discloses information that would cause the denial of an application for licensure under any applicable occupational or professional licensing Act;

(5) the applicant is not ineligible for licensure pursuant to Section 2105-165 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois;

(6) the applicant has submitted an application for ~~full~~ licensure; and

(7) the applicant has paid the required fee; fees shall not be refundable.

(c) (Blank). ~~Each director of a department that issues an occupational or professional license is authorized to and shall issue an expedited license to the spouse of a service member who meets the requirements under this Section. Review and determination of an application for a license shall be expedited by the department within 30 days after the date on which the department receives all necessary documentation required for licensure, including information from State and federal agencies. An expedited license shall be issued by the department to any spouse of a service member meeting the application requirements of this Section, regardless of whether the spouse or the service member currently resides in~~

~~this State. The spouse of a service member shall apply to the department on forms provided by the department. An application must include proof that:~~

~~(1) the applicant is the spouse of a service member;~~

~~(2) the applicant holds a valid license in good standing for the occupation or profession issued by another state, commonwealth, possession, or territory of the United States, the District of Columbia, or any foreign jurisdiction;~~

~~(2.5) the applicant meets the requirements and standards for licensure through endorsement or reciprocity for the occupation or profession for which the applicant is applying;~~

~~(3) the applicant's spouse is assigned to a duty station in this State, has established legal residence in this State, or will reside in this State within 6 months after the date of application for licensure;~~

~~(4) a complete set of the applicant's fingerprints has been submitted to the Illinois State Police for statewide and national criminal history checks, if applicable to the requirements of the department issuing the license; the applicant shall pay the fee to the Illinois State Police or to the fingerprint vendor for electronic fingerprint processing; no temporary occupational or professional license shall be issued to an applicant if the statewide or national criminal history check discloses information~~

~~that would cause the denial of an application for licensure under any applicable occupational or professional licensing Act;~~

~~(5) the applicant is not ineligible for licensure pursuant to Section 2105-165 of the Civil Administrative Code of Illinois;~~

~~(6) the applicant has submitted an application for full licensure; and~~

~~(7) the applicant has paid the required fee; fees shall not be refundable.~~

(c-5) If a service member or a service member's ~~his or her~~ spouse relocates from this State, then the service member or the service member's spouse ~~he or she~~ shall be provided an opportunity to place the service member's or the service member's spouse's ~~his or her~~ license in inactive status through coordination with the military liaison. If the service member or the service member's ~~his or her~~ spouse returns to this State, then the service member or the service member's spouse ~~he or she~~ may reactivate the license in accordance with the statutory provisions regulating the profession and any applicable administrative rules. The license reactivation shall be expedited and completed within 30 days after receipt of a completed application to reactivate the license. A license reactivation is only applicable when the valid license for which the first issuance of a license was predicated is still valid and in good standing. An application to reactivate

a license must include proof that the applicant still holds a valid license in good standing for the occupation or profession issued in another State, commonwealth, possession, or territory of the United States, the District of Columbia, or any foreign jurisdiction. The ability to reactivate a license does not apply to a military portability license issued under Section 5-717.

(d) All relevant experience of a service member or a service member's ~~his or her~~ spouse in the discharge of official duties, including full-time and part-time experience, shall be credited in the calculation of any years of practice in an occupation or profession as may be required under any applicable occupational or professional licensing Act. All relevant training provided by the military and completed by a service member shall be credited to that service member as meeting any training or education requirement under any applicable occupational or professional licensing Act, provided that the training or education is determined by the department to meet the requirements under any applicable Act and is not otherwise contrary to any other licensure requirement.

(e) A department may adopt any rules necessary for the implementation and administration of this Section and shall by rule provide for fees for the administration of this Section.

(Source: P.A. 102-384, eff. 1-1-22; 102-538, eff. 8-20-21; 102-813, eff. 5-13-22; 103-408, eff. 7-28-23.)

(20 ILCS 5/5-717 new)

Sec. 5-717. Military portability licensure for service members and service members' spouses.

(a) In this Section:

"Division" the Division of Professional Regulation of the Department of Financial and Professional Regulation or the Division of Real Estate of the Department of Financial and Professional Regulation.

"Service member" means any person who, at the time of application under this Section, is an active duty member of the United States Armed Forces or any reserve component of the United States Armed Forces, the Coast Guard, or the National Guard of any state, commonwealth, or territory of the United States or the District of Columbia.

"Spouse" means a party to a marriage, civil union, or registered domestic partnership.

(b) The Department of Financial and Professional Regulation is authorized to issue a professional portability license to (1) a service member who is an out-of-state licensee and is under official United States military orders to relocate to the State of Illinois or (2) an out-of-state licensee whose spouse is a service member under official United States military orders to relocate to the State of Illinois. The service member or the service member's spouse need not reside in this State at the time of application.

Notwithstanding any other law to the contrary, the portability license shall be issued by the Division only if the applicant fulfills all the requirements of this Section and Section 2105-135 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(c) The portability license shall be issued after a complete application is submitted to the Division that includes proof of the following:

(1) The applicant is a service member or the spouse of a service member.

(2) The applicant or applicant's spouse is assigned to a duty station in this State, has established legal residence or will reside in this State pursuant to military relocation orders after the date of application, and can provide an official copy of those orders.

(3) The applicant's license is in good standing and is not subject to a disciplinary order encumbering the license in any other state, commonwealth, district, or territory of the United States or any foreign jurisdiction where the applicant holds a license and practices in the same profession with the same or similar scope of practice for which the applicant is applying, and the applicant can submit official verification of good standing and disciplinary history from each of those licensing authorities. For health care professional applicants, the Division's review of good standing is governed by this

subsection, subsection (h), and all other applicable State laws and rules.

(4) The applicant was actively licensed in the same profession with the same or similar scope of practice for which the applicant is applying for at least 2 years immediately preceding the relocation.

(5) A complete set of the applicant's fingerprints has been submitted to the Illinois State Police for statewide and national criminal history checks, if applicable to the requirements of the professional regulatory Act. The applicant shall pay the fee to the Illinois State Police or to the vendor for electronic fingerprint processing. No license shall be issued to an applicant if any review of criminal history or disclosure would cause the denial of an application for licensure under the applicable licensing Act.

(6) The applicant has submitted the application for portability licensure and paid the required, nonrefundable initial application fee for that profession under its respective Act and rules.

(d) Service members or the spouses of service members granted portability licenses under this Section shall submit to the jurisdiction of the Division for purposes of the laws and rules administered, related standards of practice, and disciplinary authority. A license granted under this Section is subject to all statutes, rules, and regulations governing

the license. This includes compliance with renewal and continuing education requirements of the licensing act and rules adopted during the period of licensure.

(e) Notwithstanding any other law, if the Division finds that the applicant failed to meet the requirements of subsection (c) or provided inaccurate or misleading information on the application, the Division may suspend the license pending further investigation or notice to discipline the portability license.

(f) (1) The duration of the portability license is from issuance through the next renewal period for that regulated profession. At the time of the license's renewal, the service member or the service member's spouse may apply for another portability license if the military orders continue or are extended past the renewal date or if new orders are given for duty in this State. While the portability license is held, the service member or the service member's spouse may apply for full licensure by examination, endorsement, or reciprocity pursuant to the service member's or the service member's spouse's respective professional licensing Act or rules.

(2) Once a portability license has expired or is not renewed, the service member or the service member's spouse cannot continue practicing in this State until the service member or the service member's spouse obtains licensure by examination, endorsement, or reciprocity, which includes completion and passage of all pre-license education and

examination requirements under the applicable professional licensing Act and rules.

(g) An individual is ineligible to apply under this Section if:

(1) the individual is disqualified under Section 2105-165;

(2) the license the individual is seeking is subject to an interstate compact; or

(3) the individual seeks a real estate appraiser license.

(h) All service members and the spouses of service members who apply under this Section and Section 5-715 who are licensed in another jurisdiction as health care professionals, and who are seeking a health care professional license regulated by the Division and subject to the applicable licensing Acts shall not be denied an initial or renewal license:

(1) if the applicant has a prior, current, or pending disciplinary action in another jurisdiction solely based on providing, authorizing, recommending, aiding, assisting, referring for, or otherwise participating in health care services that are not unlawful in this State and consistent with the standards of conduct in Illinois;

(2) if the applicant has a prior, current, or pending disciplinary action in another jurisdiction solely based on violating another jurisdiction or state's laws

prohibiting the provision of, authorization of, recommendation of, aiding or assisting in, referring for, or participation in any health care service if that service as provided is not unlawful under the laws of this State and is consistent with the standards of conduct in Illinois; or

(3) based solely upon the applicant providing, authorizing, recommending, aiding, assisting, referring for, or otherwise participating in health care services that are not unlawful in this State and consistent with the standards of conduct in Illinois.

Nothing in this subsection shall be construed as prohibiting the Division from evaluating the applicant's conduct and disciplinary history and making a determination regarding the licensure or authorization to practice.

(i) The Department of Financial and Professional Regulation may adopt rules necessary for the implementation and administration of this Section.

Section 10. The Clinical Social Work and Social Work Practice Act is amended by changing Section 8 as follows:

(225 ILCS 20/8) (from Ch. 111, par. 6358)

(Section scheduled to be repealed on January 1, 2028)

Sec. 8. Examination.

(1) The Department shall authorize examinations of

applicants at such times and places as it may determine. Each examination shall be of a character to fairly test the competence and qualifications of the applicants to practice as a licensed clinical social worker.

(2) Applicants for examination shall pay, either to the Department or to the designated testing service, a fee covering the cost of determining the applicant's eligibility and of providing the examination. Failure to appear for the examination on the scheduled date at the time and place specified after the applicant's application for examination has been received and acknowledged by the Department or the designated testing service shall result in forfeiture of the examination fee.

(3) (Blank).

(4) The Department may employ consultants for the purpose of preparing and conducting examinations.

(5) (Blank). ~~An applicant has one year from the date of notification of successful completion of the examination to apply to the Department for a license. If an applicant fails to apply within one year, the examination scores shall be void and the applicant shall be required to take and pass the examination again unless licensed in another jurisdiction of the United States within one year of passing the examination.~~

(6) (Blank).

(7) The Department shall, upon good faith application and the submission of any required documentation and fees, approve

all examination applications and notify the relevant testing authorities of the applicant's authorization to take the exam. Approval to take the examination is not approval of the application.

(Source: P.A. 101-568, eff. 1-1-20; 102-326, eff. 1-1-22.)

Section 15. The Marriage and Family Therapy Licensing Act is amended by changing Section 35 as follows:

(225 ILCS 55/35) (from Ch. 111, par. 8351-35)

(Section scheduled to be repealed on January 1, 2027)

Sec. 35. Examinations.

(a) The Department shall authorize examinations of applicants as licensed marriage and family therapists at such times and places as it may determine. The examination of applicants shall be of a character to give a fair test of the qualifications of the applicant to practice marriage and family therapy.

(b) Applicants for examination as marriage and family therapists shall be required to pay, either to the Department or the designated testing service, a fee covering the cost of providing the examination.

(c) The Department may employ consultants for the purpose of preparing and conducting examinations.

(d) The Department shall, upon good faith application and the submission of any required documentation and fees, approve

all examination applications and notify the relevant testing authorities of the applicant's authorization to take the exam. Approval to take the examination is not approval of the application.

(Source: P.A. 87-783; 87-1237.)

Section 20. The Professional Counselor and Clinical Professional Counselor Licensing and Practice Act is amended by changing Section 40 as follows:

(225 ILCS 107/40)

(Section scheduled to be repealed on January 1, 2028)

Sec. 40. Examination; failure or refusal to take examination.

(a) The Department shall authorize examinations of applicants at such times and places as it may determine. The examinations shall be of a character to fairly test the competence and qualifications of the applicants to practice professional counseling or clinical professional counseling.

(b) Applicants for examination shall pay, either to the Department or to the designated testing service, a fee covering the cost of providing the examination. Failure to appear for the examination on the scheduled date at the time and place specified after the applicant's application for examination has been received and acknowledged by the Department or the designated testing service shall result in

forfeiture of the examination fee.

(c) If an applicant neglects, fails, or refuses to take an examination or fails to pass an examination for a license under this Act within 3 years after filing an application, the application will be denied. However, the applicant may thereafter submit a new application accompanied by the required fee. The applicant shall meet the requirements in force at the time of making the new application.

(d) The Department may employ consultants for the purpose of preparing and conducting examinations.

(e) The Department shall, upon good faith application and the submission of any required documentation and fees, approve all examination applications and notify the relevant testing authorities of the applicant's authorization to take the examination. Approval to take the examination is not approval of the application.

(Source: P.A. 87-1011; 87-1269.)