



Sen. Mark L. Walker

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10400SB2457sam002

LRB104 11097 BAB 24444 a

1 AMENDMENT TO SENATE BILL 2457

2 AMENDMENT NO. _____. Amend Senate Bill 2457 on page 2,
3 line 2, after "11,", by inserting "13.1,"; and

4 on page 2, line 3, after "23,", by inserting "24,"; and

5 on page 2, by replacing lines 18 and 19 with the following:

6 "Collection agency" means any person who, in the ordinary
7 course of business, regularly ~~7:~~ (1) engages in the"; and

8 on page 11, by replacing lines 14 and 15 with "penalty shall be
9 assessed by the Department after a hearing is held in
10 accordance with"; and

11 on page 20, immediately above line 25, by inserting the
12 following:

13 "(205 ILCS 740/13.1) (was 225 ILCS 425/13.1)

1 (Section scheduled to be repealed on January 1, 2026)

2 Sec. 13.1. Annual meeting between debt collection industry
3 and the Department Collection Agency Licensing and
4 Disciplinary Board; members; qualifications; duties. The
5 Department shall, if requested to do so by at least 20
6 interested persons or an association representing at least 20
7 interested persons, meet at least once per calendar year with
8 representatives of the debt collection industry to discuss
9 developments in the lawful collection of debt and issues
10 confronting the Department in its regulation and discipline of
11 collection agencies.

12 ~~(a) There is created in the Department the Collection~~
13 ~~Agency Licensing and Disciplinary Board composed of 7 members~~
14 ~~appointed by the Secretary. Five members of the Board shall be~~
15 ~~employed in a collection agency licensed under this Act and 2~~
16 ~~members of the Board shall represent the general public, shall~~
17 ~~not be employed by or possess an ownership interest in any~~
18 ~~collection agency licensed under this Act, and shall have no~~
19 ~~family or business connection with the practice of collection~~
20 ~~agencies.~~

21 ~~(b) Each of the members appointed to the Board, except for~~
22 ~~the public members, shall have at least 5 years of active~~
23 ~~collection agency experience.~~

24 ~~(c) The Board shall annually elect a chairperson from~~
25 ~~among its members. The members of the Board shall receive no~~
26 ~~compensation for their services, but shall be reimbursed for~~

1 ~~their necessary expenses as authorized by the Department while~~
2 ~~engaged in their duties.~~

3 ~~(d) Members shall serve for a term of 4 years and until~~
4 ~~their successors are appointed and qualified. No Board member~~
5 ~~shall be appointed to more than 2 full consecutive terms. A~~
6 ~~partial term of more than 2 years shall be considered a full~~
7 ~~term. Appointments to fill vacancies for the unexpired portion~~
8 ~~of a vacated term shall be made in the same manner as original~~
9 ~~appointments. All members shall serve until their successors~~
10 ~~are appointed and qualified.~~

11 ~~(e) The Secretary may remove any member of the Board for~~
12 ~~cause at any time before the expiration of his or her term. The~~
13 ~~Secretary shall be the sole arbiter of cause.~~

14 ~~(f) The majority of the Board shall constitute a quorum. A~~
15 ~~vacancy in the membership of the Board shall not impair the~~
16 ~~right of a quorum to exercise all the duties of the Board.~~

17 ~~(g) Members of the Board shall have no liability in any~~
18 ~~action based upon any disciplinary proceeding or other~~
19 ~~activity performed in good faith as a member of the Board.~~

20 (Source: P.A. 99-227, eff. 8-3-15; 100-132, eff. 8-18-17.);
21 and

22 on page 27, by replacing lines 14 through 21 with: "have full
23 authority to conduct the hearing. ~~A Board member or members~~
24 ~~may, but are not required to, attend hearings.~~ The hearing
25 officer shall report ~~his or her~~ findings of fact, conclusions

1 of law, and recommendations to the Secretary and to all the
2 parties to the proceeding Board. ~~The Board shall review the~~
3 ~~report of the hearing officer and present its findings of~~
4 ~~fact, conclusions of law, and recommendations to the Secretary~~
5 ~~and to all parties to the proceeding~~. If the Secretary
6 disagrees with the recommendation"; and

7 on page 28, immediately below line 12, by inserting the
8 following:

9 "(205 ILCS 740/24) (was 225 ILCS 425/24)

10 (Section scheduled to be repealed on January 1, 2026)

11 Sec. 24. Restoration of license from discipline. At any
12 time after the successful completion of a term of indefinite
13 probation, suspension, or revocation of any license, the
14 Department may restore the license to the licensee, ~~upon the~~
15 ~~written recommendation of the Board~~, unless after an
16 investigation and a hearing the Secretary determines that
17 restoration is not in the public interest. No person whose
18 license or authority has been revoked as authorized in this
19 Act may apply for restoration of that license or authority
20 until such time as provided for in the Department of
21 Professional Regulation Law of the Civil Administrative Code
22 of Illinois.

23 (Source: P.A. 99-227, eff. 8-3-15.)"; and

1 on page 29, by deleting line 16; and

2 on page 29, line 18, by replacing "Sections 3 and 13.1" with

3 "Section 3".