**Section 1270.45 Professional Design Firm**

a) Persons who desire to practice land surveying in the State of Illinois in the form of a corporation, professional service corporation, partnership, professional limited liability company, limited liability company or limited liability partnership or sole proprietorship (if the sole proprietorship is conducting or transacting business under an assumed name in accordance with the Assumed Business Name Act [805 ILCS 405]) pursuant to Section 25 of the Act, shall file an application with the Division on forms provided by the Division, together with the following:

1) For Corporations or Professional Service Corporations. Registration as a professional design firm shall meet the registration requirements of Section 12 of the Professional Service Corporation Act [805 ILCS 10/12].

A) The name of the corporation and its registered address, the names of all members of the board of directors and officers, and the name of the state and license number for each director who is a licensed design professional.

B) A copy of the Articles of Incorporation bearing the seal of the office, in the jurisdiction in which the corporation is organized, whose duty it is to register corporations under the laws of that jurisdiction. If it is a foreign corporation, a copy of the certificate of authority to transact business in the State of Illinois issued by the Secretary of State is also required. The purpose clause of the Articles of Incorporation or the certificate of authority shall designate that the corporation is authorized to provide land surveying services. Each corporation shall remain active and in good standing with the Secretary of State in order to maintain a professional design firm registration.

C) A signed and dated resolution of the board of directors of the corporation designating a regular full-time employee of the corporation who is an Illinois licensed land surveyor as the managing agent in charge of the land surveying activities in Illinois. The Illinois license number of the land surveyor designated as the managing agent shall also be included in the resolution.

D) A copy of the authority to transact business under the Assumed Business Name Act issued by the Secretary of State for any assumed names of the corporation, if applicable.

E) A certificate of good standing from the Secretary of State and a copy of the latest annual report, if applicable.

2) For Partnerships

A) General

i) A copy of the signed and dated partnership agreement authorizing the partnership to provide land surveying services. The partnership agreement shall contain the name of the partnership, its business address and the names of all partners. The name of the state in which each partner is licensed as a design professional and the license number shall be listed on the application.

ii) A signed and dated resolution adopted by the general partners designating a regular full-time employee of the partnership who is an Illinois licensed land surveyor as the managing agent in charge of the land surveying activities in this State. The Illinois license number of the land surveyor designated as the managing agent shall also be included in the resolution.

iii) A copy of the partnership documentation bearing the stamp of the county clerk where the partnership has been filed.

iv) A letter or certificate from the county clerk where an assumed name has been filed, if applicable.

B) Limited Partnership

i) A copy of the signed and dated partnership agreement indicating that it has been filed with the Secretary of State authorizing the partnership to provide land surveying services. The partnership agreement shall contain the name of the partnership, its business address and the names of all partners. The name of the state in which each partner is licensed as a design professional and the license number shall be listed on the application.

ii) A signed and dated resolution adopted by the partners designating a full-time employee of the partnership who is an Illinois licensed land surveyor in this State as the managing agent in charge of land surveying activities. The Illinois license number of the land surveyor designated as the managing agent shall also be included in the resolution.

iii) A certificate of good standing from the Secretary of State and a copy of the latest annual report, if applicable.

iv) A copy of the authority to transact business under the Assumed Business Name Act issued by the Secretary of State for any assumed names of the partnership, if applicable.

3) For Professional Limited Liability Companies, Limited Liability Companies or Limited Liability Partnerships

A) An application containing the name of the Professional Limited Liability Companies, limited liability company or partnership, the business address and the members/partners of the company/partnership, the name of the state and the license number of each member/partner licensed as a design professional.

B) A signed and dated resolution of the members or partners designating a full-time employee who is an Illinois licensed land surveyor as the managing agent in charge of the land surveying activities in this State. The Illinois license number of the managing agent shall also be included in the resolution.

C) A copy of the operating agreement or partnership agreement filed with the Secretary of State stating the company or partnership is authorized to offer land surveying services.

D) A certificate of good standing from the Secretary of State and a copy of the latest annual report, if applicable.

E) A copy of the authority to transact business under the Assumed Business Name Act issued by the Secretary of State for any assumed names of the limited liability company or partnership, if applicable.

4) For Sole Proprietorships with an Assumed Name

A) An application containing the name of the sole proprietorship and its business address and the name and Illinois license number of the land surveyor who owns and operates the business.

B) A letter or certificate received from the county clerk where an assumed name has been filed.

5) A list of all Illinois office locations at which the corporation, professional service corporation, Professional Limited Liability Companies, limited liability company/partnership, partnership or sole proprietorship provides land surveying services. *Any professional services corporation, sole proprietorship, or professional* *design* *firm offering land surveying services must have a resident land surveyor overseeing the land surveying practices in each Illinois location in which land surveying services are provided.* (Section 25(h) of the Act) A resident professional land surveyor shall be assigned to supervise land surveying operations in only one Illinois office. Each resident professional land surveyor shall conduct his or her daily business in his or her assigned office or field locations.

6) The fee required in Section 1270.52.

b) A professional design firm may designate more than one managing agent in charge of land surveying activities. However, a licensee designated as the managing agent may not serve as a managing agent for more than one corporation, professional service corporation, Professional Limited Liability Companies, limited liability company/partnership, or partnership doing business in Illinois.

c) Upon receipt of the above documents and review of the application, the Division shall issue a registration authorizing the corporation, professional service corporation, Professional Limited Liability Companies, limited liability company/partnership, partnership or sole proprietorship to engage in the practice of land surveying or notify the applicant in writing of the reason for the denial of the application.

d) Each corporation, professional service corporation, Professional Limited Liability Companies, limited liability company/partnership, partnership or sole proprietorship with an assumed name shall be responsible for notifying the Division in writing within 30 days after any changes in:

1) The membership of the board of directors, members/partners of the limited liability company/partnership or the general partners;

2) The licensure status of any of the general partners, members/partners of the limited liability company/partnership or any of the licensed design professional members of the board of directors; and

3) An assumed name.

e) Each corporation, professional service corporation, Professional Limited Liability Companies, limited liability company/partnership or partnership shall be responsible for notifying the Division in writing, by certified mail, within 10 business days after the termination or change in status of the managing agent. Thereafter, the corporation, professional service corporation, Professional Limited Liability Companies, limited liability company/partnership or partnership, if it has so informed the Division, has 30 days to notify the Division of the name and license number of the land surveyor licensed in Illinois who is the newly designated managing agent.

f) Any failure to notify the Division as required in subsections (d) and (e) or any failure of the corporation, professional service corporation, limited liability company/partnership or partnership to continue to comply with the requirements of Section 25 of the Act will subject the corporation, limited liability company/partnership or partnership to the loss of its registration to practice land surveying in Illinois.

g) Sole Proprietorships. Any sole proprietorship owned and operated by a land surveyor who has an active Illinois license is exempt from the registration requirement of a professional design firm. However, if the sole proprietorship operates under an assumed name, the sole proprietorship shall file an application in accordance with subsection (a)(4). Any sole proprietorship not owned and operated by an Illinois licensed land surveyor shall be prohibited from offering land surveying services to the public.

h) In addition to the seal requirements in Section 15 of the Act, all documents or technical submissions prepared by the professional design firm shall contain the professional design firm registration number issued by the Division.

(Source: Amended at 47 Ill. Reg. 798, effective January 5, 2023)