

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 Section 4.34 as follows:

6 (5 ILCS 80/4.34)

7 Sec. 4.34. Acts and Section repealed on January 1, 2024.
8 The following Acts and Section of an Act are repealed on
9 January 1, 2024:

10 The Electrologist Licensing Act.

11 The Illinois Certified Shorthand Reporters and Voice
12 Writer Reporters Act ~~of 1984~~.

13 The Illinois Occupational Therapy Practice Act.

14 The Illinois Public Accounting Act.

15 The Private Detective, Private Alarm, Private
16 Security, Fingerprint Vendor, and Locksmith Act of 2004.

17 The Registered Surgical Assistant and Registered
18 Surgical Technologist Title Protection Act.

19 Section 2.5 of the Illinois Plumbing License Law.

20 The Veterinary Medicine and Surgery Practice Act of
21 2004.

22 (Source: P.A. 98-140, eff. 12-31-13; 98-253, eff. 8-9-13;
23 98-254, eff. 8-9-13; 98-264, eff. 12-31-13; 98-339, eff.

1 12-31-13; 98-363, eff. 8-16-13; 98-364, eff. 12-31-13; 98-445,
2 eff. 12-31-13; 98-756, eff. 7-16-14.)

3 Section 10. The Oaths and Affirmations Act is amended by
4 changing Sections 1 and 2 as follows:

5 (5 ILCS 255/1) (from Ch. 101, par. 1)

6 Sec. 1. Oaths and affirmations. All courts, and all judges
7 and the clerk thereof, the county clerk, deputy county clerk,
8 notaries public, and persons certified under the Illinois
9 Certified Shorthand Reporters and Voice Writer Reporters Act ~~of~~
10 ~~1984~~ have the power to administer oaths and affirmations to
11 witnesses and others, concerning anything commenced or to be
12 commenced, or pending before them respectively.

13 (Source: P.A. 90-294, eff. 8-1-97.)

14 (5 ILCS 255/2) (from Ch. 101, par. 2)

15 Sec. 2. Affidavits and depositions. All courts, and judges,
16 and the clerks thereof, the county clerk, deputy county clerk,
17 the Secretary of State, notaries public, and persons certified
18 under the Illinois Certified Shorthand Reporters and Voice
19 Writer Reporters Act ~~of 1984~~ may administer all oaths of office
20 and all other oaths authorized or required of any officer or
21 other person, and take affidavits and depositions concerning
22 any matter or thing, process or proceeding commenced or to be
23 commenced, or pending in any court or before them, or on any

1 occasion wherein any affidavit or deposition is authorized or
2 required by law to be taken.

3 The same functions may be performed by any commissioned
4 officer in active service of the armed forces of the United
5 States, within or without the United States. Oaths, affidavits
6 or depositions taken by or affirmations made before such
7 officers need not be authenticated nor attested by any seal nor
8 shall any instruments executed or proceedings had before such
9 officers be invalid because the place of the proceedings or of
10 the execution is not stated.

11 (Source: P.A. 97-36, eff. 1-1-12.)

12 Section 15. The Department of Professional Regulation Law
13 of the Civil Administrative Code of Illinois is amended by
14 changing Section 2105-115 as follows:

15 (20 ILCS 2105/2105-115) (was 20 ILCS 2105/60f)

16 Sec. 2105-115. Certified shorthand reporter or certified
17 voice writer reporter; transcript. The Department, at its
18 expense, shall provide a certified shorthand reporter or
19 certified voice writer reporter to take down the testimony and
20 preserve a record of all proceedings at the hearing of any case
21 in which a license may be revoked, suspended, placed on
22 probationary status, reprimanded, fined, or subjected to other
23 disciplinary action with reference to the license when a
24 disciplinary action is authorized in any licensing Act

1 administered by the Department. The notice, complaint, and all
2 other documents in the nature of pleadings and written motions
3 filed in the proceedings, the transcript of testimony, the
4 report of the board, and the orders of the Department shall be
5 the record of the proceedings. The Department shall furnish the
6 record to any person interested in the hearing upon payment
7 therefor of \$1 per page. The Department may contract for court
8 reporting services, and, in the event it does so, the
9 Department shall provide the name and contact information for
10 the certified shorthand reporter or certified voice writer
11 reporter who transcribed the testimony at a hearing to any
12 person interested, who may obtain a copy of the transcript of
13 any proceedings at a hearing upon payment of the fee specified
14 by the certified shorthand reporter or certified voice writer
15 reporter. This charge is in addition to any fee charged by the
16 Department for certifying the record.

17 (Source: P.A. 99-227, eff. 8-3-15; 100-262, eff. 8-22-17.)

18 Section 20. The Emergency Medical Services (EMS) Act is
19 amended by changing Section 3.40 as follows:

20 (210 ILCS 50/3.40)

21 (Text of Section before amendment by P.A. 100-1082)

22 Sec. 3.40. EMS System Participation Suspensions and Due
23 Process.

24 (a) An EMS Medical Director may suspend from participation

1 within the System any EMS personnel, EMS Lead Instructor (LI),
2 individual, individual provider or other participant
3 considered not to be meeting the requirements of the Program
4 Plan of that approved EMS System.

5 (b) Prior to suspending any individual or entity, an EMS
6 Medical Director shall provide an opportunity for a hearing
7 before the local System review board in accordance with
8 subsection (f) and the rules promulgated by the Department.

9 (1) If the local System review board affirms or
10 modifies the EMS Medical Director's suspension order, the
11 individual or entity shall have the opportunity for a
12 review of the local board's decision by the State EMS
13 Disciplinary Review Board, pursuant to Section 3.45 of this
14 Act.

15 (2) If the local System review board reverses or
16 modifies the EMS Medical Director's order, the EMS Medical
17 Director shall have the opportunity for a review of the
18 local board's decision by the State EMS Disciplinary Review
19 Board, pursuant to Section 3.45 of this Act.

20 (3) The suspension shall commence only upon the
21 occurrence of one of the following:

22 (A) the individual or entity has waived the
23 opportunity for a hearing before the local System
24 review board; or

25 (B) the order has been affirmed or modified by the
26 local system review board and the individual or entity

1 has waived the opportunity for review by the State
2 Board; or

3 (C) the order has been affirmed or modified by the
4 local system review board, and the local board's
5 decision has been affirmed or modified by the State
6 Board.

7 (c) An EMS Medical Director may immediately suspend an EMR,
8 EMD, EMT, EMT-I, A-EMT, Paramedic, ECRN, PHRN, LI, or other
9 individual or entity if he or she finds that the continuation
10 in practice by the individual or entity would constitute an
11 imminent danger to the public. The suspended individual or
12 entity shall be issued an immediate verbal notification
13 followed by a written suspension order by the EMS Medical
14 Director which states the length, terms and basis for the
15 suspension.

16 (1) Within 24 hours following the commencement of the
17 suspension, the EMS Medical Director shall deliver to the
18 Department, by messenger, telefax, or other
19 Department-approved electronic communication, a copy of
20 the suspension order and copies of any written materials
21 which relate to the EMS Medical Director's decision to
22 suspend the individual or entity. All medical and
23 patient-specific information, including Department
24 findings with respect to the quality of care rendered,
25 shall be strictly confidential pursuant to the Medical
26 Studies Act (Part 21 of Article VIII of the Code of Civil

1 Procedure).

2 (2) Within 24 hours following the commencement of the
3 suspension, the suspended individual or entity may deliver
4 to the Department, by messenger, telefax, or other
5 Department-approved electronic communication, a written
6 response to the suspension order and copies of any written
7 materials which the individual or entity feels are
8 appropriate. All medical and patient-specific information,
9 including Department findings with respect to the quality
10 of care rendered, shall be strictly confidential pursuant
11 to the Medical Studies Act.

12 (3) Within 24 hours following receipt of the EMS
13 Medical Director's suspension order or the individual or
14 entity's written response, whichever is later, the
15 Director or the Director's designee shall determine
16 whether the suspension should be stayed pending an
17 opportunity for a hearing or review in accordance with this
18 Act, or whether the suspension should continue during the
19 course of that hearing or review. The Director or the
20 Director's designee shall issue this determination to the
21 EMS Medical Director, who shall immediately notify the
22 suspended individual or entity. The suspension shall
23 remain in effect during this period of review by the
24 Director or the Director's designee.

25 (d) Upon issuance of a suspension order for reasons
26 directly related to medical care, the EMS Medical Director

1 shall also provide the individual or entity with the
2 opportunity for a hearing before the local System review board,
3 in accordance with subsection (f) and the rules promulgated by
4 the Department.

5 (1) If the local System review board affirms or
6 modifies the EMS Medical Director's suspension order, the
7 individual or entity shall have the opportunity for a
8 review of the local board's decision by the State EMS
9 Disciplinary Review Board, pursuant to Section 3.45 of this
10 Act.

11 (2) If the local System review board reverses or
12 modifies the EMS Medical Director's suspension order, the
13 EMS Medical Director shall have the opportunity for a
14 review of the local board's decision by the State EMS
15 Disciplinary Review Board, pursuant to Section 3.45 of this
16 Act.

17 (3) The suspended individual or entity may elect to
18 bypass the local System review board and seek direct review
19 of the EMS Medical Director's suspension order by the State
20 EMS Disciplinary Review Board.

21 (e) The Resource Hospital shall designate a local System
22 review board in accordance with the rules of the Department,
23 for the purpose of providing a hearing to any individual or
24 entity participating within the System who is suspended from
25 participation by the EMS Medical Director. The EMS Medical
26 Director shall arrange for a certified shorthand reporter or

1 certified voice writer reporter to make a stenographic record
2 of that hearing and thereafter prepare a transcript of the
3 proceedings. The transcript, all documents or materials
4 received as evidence during the hearing and the local System
5 review board's written decision shall be retained in the
6 custody of the EMS system. The System shall implement a
7 decision of the local System review board unless that decision
8 has been appealed to the State Emergency Medical Services
9 Disciplinary Review Board in accordance with this Act and the
10 rules of the Department.

11 (f) The Resource Hospital shall implement a decision of the
12 State Emergency Medical Services Disciplinary Review Board
13 which has been rendered in accordance with this Act and the
14 rules of the Department.

15 (Source: P.A. 100-201, eff. 8-18-17.)

16 (Text of Section after amendment by P.A. 100-1082)

17 Sec. 3.40. EMS System Participation Suspensions and Due
18 Process.

19 (a) An EMS Medical Director may suspend from participation
20 within the System any EMS personnel, EMS Lead Instructor (LI),
21 individual, individual provider or other participant
22 considered not to be meeting the requirements of the Program
23 Plan of that approved EMS System.

24 (b) Prior to suspending any individual or entity, an EMS
25 Medical Director shall provide an opportunity for a hearing

1 before the local System review board in accordance with
2 subsection (f) and the rules promulgated by the Department.

3 (1) If the local System review board affirms or
4 modifies the EMS Medical Director's suspension order, the
5 individual or entity shall have the opportunity for a
6 review of the local board's decision by the State EMS
7 Disciplinary Review Board, pursuant to Section 3.45 of this
8 Act.

9 (2) If the local System review board reverses or
10 modifies the EMS Medical Director's order, the EMS Medical
11 Director shall have the opportunity for a review of the
12 local board's decision by the State EMS Disciplinary Review
13 Board, pursuant to Section 3.45 of this Act.

14 (3) The suspension shall commence only upon the
15 occurrence of one of the following:

16 (A) the individual or entity has waived the
17 opportunity for a hearing before the local System
18 review board; or

19 (B) the order has been affirmed or modified by the
20 local system review board and the individual or entity
21 has waived the opportunity for review by the State
22 Board; or

23 (C) the order has been affirmed or modified by the
24 local system review board, and the local board's
25 decision has been affirmed or modified by the State
26 Board.

1 (c) An EMS Medical Director may immediately suspend an EMR,
2 EMD, EMT, EMT-I, A-EMT, Paramedic, ECRN, PHRN, LI, PHPA,
3 PHAPRN, or other individual or entity if he or she finds that
4 the continuation in practice by the individual or entity would
5 constitute an imminent danger to the public. The suspended
6 individual or entity shall be issued an immediate verbal
7 notification followed by a written suspension order by the EMS
8 Medical Director which states the length, terms and basis for
9 the suspension.

10 (1) Within 24 hours following the commencement of the
11 suspension, the EMS Medical Director shall deliver to the
12 Department, by messenger, telefax, or other
13 Department-approved electronic communication, a copy of
14 the suspension order and copies of any written materials
15 which relate to the EMS Medical Director's decision to
16 suspend the individual or entity. All medical and
17 patient-specific information, including Department
18 findings with respect to the quality of care rendered,
19 shall be strictly confidential pursuant to the Medical
20 Studies Act (Part 21 of Article VIII of the Code of Civil
21 Procedure).

22 (2) Within 24 hours following the commencement of the
23 suspension, the suspended individual or entity may deliver
24 to the Department, by messenger, telefax, or other
25 Department-approved electronic communication, a written
26 response to the suspension order and copies of any written

1 materials which the individual or entity feels are
2 appropriate. All medical and patient-specific information,
3 including Department findings with respect to the quality
4 of care rendered, shall be strictly confidential pursuant
5 to the Medical Studies Act.

6 (3) Within 24 hours following receipt of the EMS
7 Medical Director's suspension order or the individual or
8 entity's written response, whichever is later, the
9 Director or the Director's designee shall determine
10 whether the suspension should be stayed pending an
11 opportunity for a hearing or review in accordance with this
12 Act, or whether the suspension should continue during the
13 course of that hearing or review. The Director or the
14 Director's designee shall issue this determination to the
15 EMS Medical Director, who shall immediately notify the
16 suspended individual or entity. The suspension shall
17 remain in effect during this period of review by the
18 Director or the Director's designee.

19 (d) Upon issuance of a suspension order for reasons
20 directly related to medical care, the EMS Medical Director
21 shall also provide the individual or entity with the
22 opportunity for a hearing before the local System review board,
23 in accordance with subsection (f) and the rules promulgated by
24 the Department.

25 (1) If the local System review board affirms or
26 modifies the EMS Medical Director's suspension order, the

1 individual or entity shall have the opportunity for a
2 review of the local board's decision by the State EMS
3 Disciplinary Review Board, pursuant to Section 3.45 of this
4 Act.

5 (2) If the local System review board reverses or
6 modifies the EMS Medical Director's suspension order, the
7 EMS Medical Director shall have the opportunity for a
8 review of the local board's decision by the State EMS
9 Disciplinary Review Board, pursuant to Section 3.45 of this
10 Act.

11 (3) The suspended individual or entity may elect to
12 bypass the local System review board and seek direct review
13 of the EMS Medical Director's suspension order by the State
14 EMS Disciplinary Review Board.

15 (e) The Resource Hospital shall designate a local System
16 review board in accordance with the rules of the Department,
17 for the purpose of providing a hearing to any individual or
18 entity participating within the System who is suspended from
19 participation by the EMS Medical Director. The EMS Medical
20 Director shall arrange for a certified shorthand reporter or
21 certified voice writer reporter to make a stenographic record
22 of that hearing and thereafter prepare a transcript of the
23 proceedings. The transcript, all documents or materials
24 received as evidence during the hearing and the local System
25 review board's written decision shall be retained in the
26 custody of the EMS system. The System shall implement a

1 decision of the local System review board unless that decision
2 has been appealed to the State Emergency Medical Services
3 Disciplinary Review Board in accordance with this Act and the
4 rules of the Department.

5 (f) The Resource Hospital shall implement a decision of the
6 State Emergency Medical Services Disciplinary Review Board
7 which has been rendered in accordance with this Act and the
8 rules of the Department.

9 (Source: P.A. 100-201, eff. 8-18-17; 100-1082, eff. 8-24-19.)

10 Section 25. The Illinois Funeral or Burial Funds Act is
11 amended by changing Sections 3b and 3d as follows:

12 (225 ILCS 45/3b) (from Ch. 111 1/2, par. 73.103b)

13 Sec. 3b. The Comptroller, at his expense, shall provide a
14 certified shorthand reporter or certified voice writer
15 reporter to take down the testimony and preserve a record of
16 all proceedings at the hearing of any case involving the
17 refusal to issue or renew a license, the suspension or
18 revocation of a license, the imposition of a monetary penalty,
19 or the referral of a case for criminal prosecution. The record
20 of any such proceeding shall consist of the notice of hearing,
21 complaint, all other documents in the nature of pleadings and
22 written motions filed in the proceedings, the transcript of
23 testimony and the report and orders of the Comptroller. Copies
24 of the transcript of such record may be purchased from the

1 certified shorthand reporter or certified voice writer
2 reporter who prepared the record.

3 (Source: P.A. 84-839.)

4 (225 ILCS 45/3d) (from Ch. 111 1/2, par. 73.103d)

5 Sec. 3d. Any person affected by a final administrative
6 decision of the Comptroller may have such decision reviewed
7 judicially by the circuit court of the county where such person
8 resides, or in the case of a corporation, where the registered
9 office is located. If the plaintiff in the review proceeding is
10 not a resident of this State, venue shall be in Sangamon
11 County. The provisions of the Administrative Review Law, as now
12 or hereafter amended, and any rules adopted thereunder shall
13 govern all proceedings for the judicial review of final
14 administrative decisions of the Comptroller. The term
15 "administrative decision" is defined as in the Administrative
16 Review Law.

17 The Comptroller is not required to certify the record of
18 the proceeding unless the plaintiff in the review proceedings
19 has purchased a copy of the transcript from the certified
20 shorthand reporter or certified voice writer reporter who
21 prepared the record. Exhibits shall be certified without cost.

22 (Source: P.A. 84-839.)

23 Section 30. The Medical Practice Act of 1987 is amended by
24 changing Section 39 as follows:

1 (225 ILCS 60/39) (from Ch. 111, par. 4400-39)

2 (Section scheduled to be repealed on December 31, 2019)

3 Sec. 39. Certified shorthand reporter or certified voice
4 writer reporter; record. The Department, at its expense, shall
5 provide a certified shorthand reporter or certified voice
6 writer reporter to take down the testimony and preserve a
7 record of all proceedings at the hearing of any case wherein a
8 license may be revoked, suspended, placed on probationary
9 status, or other disciplinary action taken with regard thereto.
10 The notice of hearing, complaint and all other documents in the
11 nature of pleadings and written motions filed in the
12 proceedings, the transcript of testimony, the report of the
13 Licensing Board and the orders of the Department constitute the
14 record of the proceedings. The Department shall furnish a copy
15 of the record to any person interested in such hearing upon
16 payment of the fee required under Section 2105-115 of the
17 Department of Professional Regulation Law (20 ILCS
18 2105/2105-115). The Department may contract for court
19 reporting services, and, in the event it does so, the
20 Department shall provide the name and contact information for
21 the certified shorthand reporter or certified voice writer
22 reporter who transcribed the testimony at a hearing to any
23 person interested, who may obtain a copy of the record of any
24 proceedings at a hearing upon payment of the fee specified by
25 the certified shorthand reporter or certified voice writer

1 reporter. This charge is in addition to any fee charged by the
2 Department for certifying the record.

3 (Source: P.A. 100-429, eff. 8-25-17.)

4 Section 35. The Illinois Explosives Act is amended by
5 changing Section 5004 as follows

6 (225 ILCS 210/5004) (from Ch. 96 1/2, par. 1-5004)

7 Sec. 5004. Record of proceedings; transcript. The
8 Department or aggrieved party may provide at its or his or her
9 expense a certified shorthand reporter or certified voice
10 writer reporter to take down the testimony and preserve a
11 record of all proceedings at the hearing of any case involving
12 denial or refusal to issue or renew a license or certificate,
13 or the suspension or revocation or other discipline of a
14 license or certificate. Copies of the transcript of such record
15 may be purchased from the certified shorthand reporter or
16 certified voice writer reporter who prepared the record.

17 (Source: P.A. 96-1194, eff. 1-1-11.)

18 Section 40. The Illinois Certified Shorthand Reporters Act
19 of 1984 is amended by changing Sections 1, 2, 3, 3.5, 4, 5, 6,
20 8, 9, 10, 11, 13, 14, 15, 16, 23, 23.1, 23.3, 23.4, 23.10,
21 23.13, 25, 26, and 28 as follows:

22 (225 ILCS 415/1) (from Ch. 111, par. 6201)

1 (Section scheduled to be repealed on January 1, 2024)

2 Sec. 1. The practice of shorthand reporting and voice
3 writer reporting in the State of Illinois is hereby declared to
4 affect the public health, safety and welfare and to be subject
5 to regulation and control in the public interest. This Act is
6 designed to encourage proficiency in the methods practice of
7 shorthand reporting and voice writer reporting as a profession;
8 to promote efficiency in court and general reporting; and to
9 extend to the public the protection afforded by a standardized
10 profession by establishing standards ~~a standard~~ of competency
11 for certified shorthand reporters and voice writer reporters.
12 It is further declared that, in order for the practice of
13 shorthand reporting and voice writer reporting as defined in
14 this Act to merit and receive the confidence of the public,
15 only qualified persons shall be authorized to practice
16 shorthand reporting and voice writer reporting in the State of
17 Illinois. This Act shall be liberally construed to best carry
18 out these subjects and purposes.

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

20 (225 ILCS 415/2) (from Ch. 111, par. 6202)

21 (Section scheduled to be repealed on January 1, 2024)

22 Sec. 2. This Act may be cited as the Illinois Certified
23 Shorthand Reporters and Voice Writer Reporters Act ~~of 1984~~.

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

1 (225 ILCS 415/3) (from Ch. 111, par. 6203)

2 (Section scheduled to be repealed on January 1, 2024)

3 Sec. 3. License required. No person may practice shorthand
4 reporting or voice writer reporting on a temporary or permanent
5 basis in this State without being certified under this Act.
6 This Act does not prohibit any non-resident practicing
7 shorthand reporter or non-resident practicing voice writer
8 reporter from practicing shorthand reporting or voice writer
9 reporting in this State as to one single proceeding.

10 (Source: P.A. 98-445, eff. 12-31-13.)

11 (225 ILCS 415/3.5)

12 (Section scheduled to be repealed on January 1, 2024)

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

14 (a) Any person who practices, offers to practice, attempts
15 to practice, or holds oneself out to practice as a shorthand
16 reporter or a voice writer reporter without being certified
17 under this Act shall, in addition to any other penalty provided
18 by law, pay a civil penalty to the Department in an amount not
19 to exceed \$10,000 for each offense as determined by the
20 Department and the assessment of costs as provided under
21 Section 23.3 of this Act. The civil penalty shall be assessed
22 by the Department after a hearing is held in accordance with
23 the provisions set forth in this Act regarding the provision of
24 a hearing for the discipline of a licensee.

25 (b) The Department has the authority and power to

1 investigate any and all unlicensed activity.

2 (c) The civil penalty shall be paid within 60 days after
3 the effective date of the order imposing the civil penalty. The
4 order shall constitute a judgment and may be filed and
5 execution had thereon in the same manner as any judgment from
6 any court of record.

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

9 (Source: P.A. 98-445, eff. 12-31-13.)

10 (225 ILCS 415/4) (from Ch. 111, par. 6204)

11 (Section scheduled to be repealed on January 1, 2024)

12 Sec. 4. In this Act:

13 (1) "Department" means the Department of Financial and
14 Professional Regulation.

15 (2) "Secretary" means the Secretary of Financial and
16 Professional Regulation.

17 (3) "Board" means the Certified Shorthand Reporters and
18 Voice Writer Reporters Board appointed by the Secretary.

19 (4) "The practice of shorthand reporting" means reporting,
20 by the use of any system of manual or mechanical shorthand
21 writing, of Grand Jury proceedings, court proceedings, court
22 related proceedings, pretrial examinations, depositions,
23 motions and related proceedings of like character, or
24 proceedings of an administrative agency when the final decision
25 of the agency with reference thereto is likely to be subject to

1 judicial review under the provisions of the Administrative
2 Review Law.

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

6 (6) "Stenographic notes" means the original notes by manual
7 or mechanical shorthand, voice writing, or shorthand writing
8 taken by a shorthand reporter or voice writer reporter of a
9 proceeding while in attendance at such proceeding for the
10 purpose of reporting the same.

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

18 (8) "Practice of voice writer reporting" means reporting,
19 by the use of a system of repeating words of the speaker into a
20 closed microphone voice dictation silencer that is capable of
21 digital translation into text, of grand jury proceedings, court
22 proceedings, court-related proceedings, pretrial examinations,
23 depositions, motions, and related proceedings of like
24 character, or proceedings of an administrative agency when the
25 final decision of the agency with reference thereto is likely
26 to be subject to judicial review under the provisions of the

1 Administrative Review Law.

2 (9) "Voice writer reporter" means a person who is
3 technically qualified and certified under this Act to practice
4 voice writer reporting.

5 (Source: P.A. 98-445, eff. 12-31-13.)

6 (225 ILCS 415/5) (from Ch. 111, par. 6205)

7 (Section scheduled to be repealed on January 1, 2024)

8 Sec. 5. Title. Every person to whom a valid existing
9 certificate as a certified shorthand reporter has been issued
10 under this Act shall be designated as a Certified Shorthand
11 Reporter and not otherwise, and any such certified shorthand
12 reporter may, in connection with his or her practice of
13 shorthand reporting, use the abbreviation "C.S.R." or the title
14 "Court Reporter". Every person to whom a valid existing
15 certificate as a certified voice writer reporter has been
16 issued under this Act shall be designated as a certified voice
17 writer reporter and not otherwise, and any such certified voice
18 writer reporter may, in connection with his or her practice of
19 voice writer reporting, use the abbreviation "C.V.W.R." or
20 "Court Reporter". No person other than the holder of a valid
21 existing certificate under this Act shall use the applicable
22 titles or designations authorized under this Section ~~title or~~
23 ~~designation of "Certified Shorthand Reporter", "Court~~
24 ~~Reporter", or "C.S.R."~~, either directly or indirectly in
25 connection with his or her profession or business. A person may

1 hold valid certificates both as a certified shorthand reporter
2 and as a certified voice writer under this Act and may use the
3 titles authorized by this Section.

4 (Source: P.A. 90-49, eff. 7-3-97.)

5 (225 ILCS 415/6) (from Ch. 111, par. 6206)

6 (Section scheduled to be repealed on January 1, 2024)

7 Sec. 6. Restricted certificate. Upon receipt of a written
8 request from the Chief Judge of the reporter's circuit, the
9 Department shall, upon payment of the required fee, issue to
10 any reporter who has been appointed in counties of less than
11 1,000,000 in population, has been examined under the Court
12 Reporters Act, and has achieved an "A" proficiency rating, a
13 restricted certificate by which such official court reporter
14 may then lawfully engage in reporting only court proceedings to
15 which he or she may be assigned by the Chief Judge of his or her
16 circuit.

17 (Source: P.A. 98-445, eff. 12-31-13.)

18 (225 ILCS 415/8) (from Ch. 111, par. 6208)

19 (Section scheduled to be repealed on January 1, 2024)

20 Sec. 8. Certified Shorthand Reporters and Voice Writer
21 Reporters Board. The Secretary shall appoint a Certified
22 Shorthand Reporters and Voice Writer Reporters Board as
23 follows: 7 persons who shall be appointed by and shall serve in
24 an advisory capacity to the Secretary. At least 5 ~~Six~~ members

1 must be certified shorthand reporters, in good standing, and
2 actively engaged in the practice of shorthand reporting in this
3 State for 10 ~~ten~~ years.⁷ One member may be a certified voice
4 writer reporter who either is actively engaged in the practice
5 of voice writer reporting and is in good standing in this State
6 or is actively engaged in the practice of voice writer
7 reporting and in good standing in another jurisdiction, and has
8 applied for certification in this State. One ~~and one~~ member
9 must be a member of the public who is not certified under this
10 Act, or a similar Act of another jurisdiction. Members of the
11 Board shall have no liability in any action based upon any
12 disciplinary proceeding or other activity performed in good
13 faith as members of the Board.

14 Members shall serve 4 year terms and until their successors
15 are appointed and qualified. No member shall be reappointed to
16 the Board for a term that would cause his or her continuous
17 service on the Board to be longer than 2 full consecutive
18 terms. Appointments to fill vacancies shall be made in the same
19 manner as original appointments, for the unexpired portion of
20 the vacated term.

21 In making appointments to the Board, the Secretary shall
22 give consideration to recommendations by national and State
23 organizations of the shorthand reporter and voice writer
24 reporter professions ~~profession~~.

25 Four members of the Board shall constitute a quorum. A
26 quorum is required for all Board decisions.

1 The Secretary may remove or suspend any member of the Board
2 for cause at any time before the expiration of his or her term.
3 The Secretary shall be the sole arbiter of cause.

4 The Secretary shall consider the recommendations of the
5 Board on questions involving standards of professional
6 conduct, discipline and qualifications of candidates and
7 certificate holders under this Act.

8 Members of the Board shall be reimbursed for all
9 legitimate, necessary, and authorized expenses incurred in
10 attending the meetings of the Board.

11 Members of the Board have no liability in any action based
12 upon any disciplinary proceedings or other activity performed
13 in good faith as members of the Board.

14 (Source: P.A. 98-445, eff. 12-31-13.)

15 (225 ILCS 415/9) (from Ch. 111, par. 6209)

16 (Section scheduled to be repealed on January 1, 2024)

17 Sec. 9. Qualifications. Applications for original
18 certificates shall be made to the Department in writing on
19 forms prescribed by the Department and shall be accompanied by
20 the required fee, which shall not be returnable. Any such
21 application shall require such information as in the judgment
22 of the Department will enable the Department to pass on the
23 qualifications of the applicant for certification.

24 In determining competency, the Department shall require
25 proof that the applicant has a good understanding of the

1 English language, including reading, spelling and vocabulary,
2 and that the applicant has sufficient ability to accurately
3 report any of the matters comprising the practice of shorthand
4 reporting or the practice of voice writer reporting, as herein
5 defined, by the use of any system of manual or mechanical
6 shorthand or shorthand writing or by the use of voice writing,
7 and a clear understanding of obligations between a shorthand
8 reporter and a voice writer reporter and the parties to any
9 proceedings reported, as well as the provisions of this Act.

10 (Source: P.A. 98-445, eff. 12-31-13.)

11 (225 ILCS 415/10) (from Ch. 111, par. 6210)

12 (Section scheduled to be repealed on January 1, 2024)

13 Sec. 10. The Department shall authorize examinations at
14 such time and place as it may designate. The examination shall
15 be of a character to give a fair test of the qualifications of
16 the applicant to practice shorthand reporting or to practice
17 voice writer reporting.

18 Applicants for examination as certified shorthand
19 reporters and for examination as certified voice writer
20 reporters shall be required to pay, either to the Department or
21 the designated testing service, a fee covering the cost of
22 providing the examination. Failure to appear for the
23 examination on the scheduled date, at the time and place
24 specified, after the applicant's application for examination
25 has been received and acknowledged by the Department or the

1 designated testing service, shall result in the forfeiture of
2 the examination fee.

3 If an applicant neglects, fails or refuses to take the next
4 available examination offered or fails to pass an examination
5 for certification under this Act, the application shall be
6 denied. If an applicant for examination for certification under
7 this Act fails to pass the examination within 3 years after
8 filing his application, the application shall be denied.
9 However, such applicant may thereafter make a new application
10 accompanied by the required fee.

11 The Department may employ consultants for the purpose of
12 preparing and conducting examinations.

13 An applicant has one year from the date of notification of
14 successful completion of the examination to apply to the
15 Department for a license. If an applicant fails to apply within
16 one year, the applicant shall be required to take and pass the
17 examination again unless licensed in another jurisdiction of
18 the United States within one year of passing the examination.

19 (Source: P.A. 98-445, eff. 12-31-13.)

20 (225 ILCS 415/11) (from Ch. 111, par. 6211)

21 (Section scheduled to be repealed on January 1, 2024)

22 Sec. 11. Qualifications; application. A person shall be
23 qualified for certification as a certified shorthand reporter
24 or for certification as a certified voice writer reporter if:

25 A. That person has applied in writing in form and substance

1 to the Department; and

2 (1) (Blank);

3 (2) Is of good moral character, the determination of
4 which shall take into account but not be totally based upon
5 any felony conviction of the applicant; and

6 (3) Has graduated from a high school or secondary
7 school or its equivalent; and

8 B. That person has successfully completed the examination
9 authorized by the Department.

10 Additional qualifications for the practice of shorthand
11 reporting or for the practice of voice writer reporting may be
12 set by the Department by rule.

13 (Source: P.A. 98-445, eff. 12-31-13.)

14 (225 ILCS 415/13) (from Ch. 111, par. 6213)

15 (Section scheduled to be repealed on January 1, 2024)

16 Sec. 13. No action or suit shall be instituted, nor
17 recovery therein be had, in any court of this State by any
18 person for compensation for any act done or service rendered,
19 the doing or rendering of which is prohibited under the
20 provisions of this Act to other than certified shorthand
21 reporters or certified voice writer reporters.

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

23 (225 ILCS 415/14) (from Ch. 111, par. 6214)

24 (Section scheduled to be repealed on January 1, 2024)

1 Sec. 14. Expiration, renewal, and military service. The
2 expiration date and renewal period for each certificate issued
3 under this Act shall be set by rule.

4 Any certified shorthand reporter or certified voice writer
5 reporter who has permitted his or her certificate to expire or
6 who has had his or her certificate on inactive status may have
7 his or her certificate restored by making application to the
8 Department, filing proof acceptable to the Department of his or
9 her fitness to have his or her certificate restored and paying
10 the required restoration fee. The Department may consider a
11 certificate expired less than 5 years as prima facie evidence
12 that the applicant is fit. If a certificate has expired or has
13 been placed on inactive status and the applicant has practiced
14 in another jurisdiction during such period, satisfactory proof
15 of fitness may include sworn evidence certifying to active
16 practice in another jurisdiction.

17 If the certified shorthand reporter or certified voice
18 writer reporter has not maintained an active practice in
19 another jurisdiction satisfactory to the Department, the
20 Department shall determine, by an evaluation program
21 established by rule, his or her fitness to resume active status
22 and shall, by rule, establish procedures and requirements for
23 restoration.

24 However, any certified shorthand reporter or certified
25 voice writer reporter whose certificate expired while he or she
26 was (1) in Federal Service on active duty with the Armed Forces

1 of the United States, or the State Militia called into service
2 or training, or (2) in training or education under the
3 supervision of the United States preliminary to induction into
4 the military service, may have his or her certificate renewed
5 or restored without paying any lapsed renewal fees if within 2
6 years after termination of such service, training or education
7 except under conditions other than honorable, he or she
8 furnished the Department with satisfactory evidence to the
9 effect that he or she has been so engaged and that his or her
10 service, training or education has been so terminated.

11 (Source: P.A. 98-445, eff. 12-31-13.)

12 (225 ILCS 415/15) (from Ch. 111, par. 6215)

13 (Section scheduled to be repealed on January 1, 2024)

14 Sec. 15. Inactive status. Any certified shorthand reporter
15 or certified voice writer reporter who notifies the Department
16 in writing on forms prescribed by the Department, may elect to
17 place his or her certificate on an inactive status and shall,
18 subject to rules of the Department, be excused from payment of
19 renewal fees until he or she notifies the Department in writing
20 of his or her desire to resume active status.

21 Any certified shorthand reporter or certified voice writer
22 reporter requesting restoration from inactive status shall be
23 required to pay the current renewal fee and shall be required
24 to restore his or her certificate, as provided in Section 14.

25 Any certified shorthand reporter or certified voice writer

1 reporter whose certificate is in an inactive status shall not
2 practice shorthand reporting or voice writer reporting in the
3 State of Illinois.

4 (Source: P.A. 98-445, eff. 12-31-13.)

5 (225 ILCS 415/16) (from Ch. 111, par. 6216)

6 (Section scheduled to be repealed on January 1, 2024)

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

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

23 (Source: P.A. 98-445, eff. 12-31-13.)

24 (225 ILCS 415/23) (from Ch. 111, par. 6223)

1 (Section scheduled to be repealed on January 1, 2024)

2 Sec. 23. Grounds for disciplinary action.

3 (a) The Department may refuse to issue or renew, or may
4 revoke, suspend, place on probation, reprimand or take other
5 disciplinary or non-disciplinary action as the Department may
6 deem appropriate, including imposing fines not to exceed
7 \$10,000 for each violation and the assessment of costs as
8 provided for in Section 23.3 of this Act, with regard to any
9 license for any one or combination of the following:

10 (1) Material misstatement in furnishing information to
11 the Department;

12 (2) Violations of this Act, or of the rules promulgated
13 thereunder;

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

23 (4) Fraud or any misrepresentation in applying for or
24 procuring a license under this Act or in connection with
25 applying for renewal of a license under this Act;

26 (5) Professional incompetence;

1 (6) Aiding or assisting another person, firm,
2 partnership or corporation in violating any provision of
3 this Act or rules;

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

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

9 (9) Habitual or excessive use or abuse of drugs defined
10 in law as controlled substances, alcohol, or any other
11 substances that results in the inability to practice with
12 reasonable judgment, skill, or safety;

13 (10) Discipline by another state, unit of government,
14 government agency, the District of Columbia, a territory,
15 or foreign nation, if at least one of the grounds for the
16 discipline is the same or substantially equivalent to those
17 set forth herein;

18 (11) Charging for professional services not rendered,
19 including filing false statements for the collection of
20 fees for which services were not rendered, or giving,
21 directly or indirectly, any gift or anything of value to
22 attorneys or their staff or any other persons or entities
23 associated with any litigation, that exceeds \$100 total per
24 year; for the purposes of this Section, pro bono services,
25 as defined by State law, are permissible in any amount;

26 (12) A finding by the Board that the certificate

1 holder, after having his or her certificate placed on
2 probationary status, has violated the terms of probation;

3 (13) Willfully making or filing false records or
4 reports in the practice of shorthand reporting or in the
5 practice of voice writer reporting, including but not
6 limited to false records filed with State agencies or
7 departments;

8 (14) Physical illness, including but not limited to,
9 deterioration through the aging process, or loss of motor
10 skill which results in the inability to practice under this
11 Act with reasonable judgment, skill or safety;

12 (15) Solicitation of professional services other than
13 by permitted advertising;

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

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

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

20 (19) Willful alteration of a transcript of
21 stenographic notes taken at any proceeding;

22 (20) Affixing one's signature to any transcript of his
23 stenographic notes or certifying to its correctness unless
24 the transcript has been prepared by him or under his
25 immediate supervision;

26 (21) Willful failure to systematically retain

1 stenographic notes or transcripts on paper or any
2 electronic media for 10 years from the date that the notes
3 or transcripts were taken;

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

6 (23) Establishing contingent fees as a basis of
7 compensation;

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

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

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

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

17 All fines imposed under this Section shall be paid within
18 60 days after the effective date of the order imposing the fine
19 or in accordance with the terms set forth in the order imposing
20 the fine.

21 (b) The determination by a circuit court that a certificate
22 holder is subject to involuntary admission or judicial
23 admission as provided in the Mental Health and Developmental
24 Disabilities Code, operates as an automatic suspension. Such
25 suspension will end only upon a finding by a court that the
26 patient is no longer subject to involuntary admission or

1 judicial admission, an order by the court so finding and
2 discharging the patient. In any case where a license is
3 suspended under this Section, the licensee may file a petition
4 for restoration and shall include evidence acceptable to the
5 Department that the licensee can resume practice in compliance
6 with acceptable and prevailing standards of the profession.

7 (c) In cases where the Department of Healthcare and Family
8 Services has previously determined a licensee or a potential
9 licensee is more than 30 days delinquent in the payment of
10 child support and has subsequently certified the delinquency to
11 the Department, the Department may refuse to issue or renew or
12 may revoke or suspend that person's license or may take other
13 disciplinary action against that person based solely upon the
14 certification of delinquency made by the Department of
15 Healthcare and Family Services in accordance with item (5) of
16 subsection (a) of Section 2105-15 of the Civil Administrative
17 Code of Illinois.

18 (d) In enforcing this Section, the Department, upon a
19 showing of a possible violation, may compel any individual who
20 is certified under this Act or any individual who has applied
21 for certification under this Act to submit to a mental or
22 physical examination and evaluation, or both, which may include
23 a substance abuse or sexual offender evaluation, at the expense
24 of the Department. The Department shall specifically designate
25 the examining physician licensed to practice medicine in all of
26 its branches or, if applicable, the multidisciplinary team

1 involved in providing the mental or physical examination and
2 evaluation, or both. The multidisciplinary team shall be led by
3 a physician licensed to practice medicine in all of its
4 branches and may consist of one or more or a combination of
5 physicians licensed to practice medicine in all of its
6 branches, licensed chiropractic physicians, licensed clinical
7 psychologists, licensed clinical social workers, licensed
8 clinical professional counselors, and other professional and
9 administrative staff. Any examining physician or member of the
10 multidisciplinary team may require any person ordered to submit
11 to an examination and evaluation pursuant to this Section to
12 submit to any additional supplemental testing deemed necessary
13 to complete any examination or evaluation process, including,
14 but not limited to, blood testing, urinalysis, psychological
15 testing, or neuropsychological testing.

16 The Department may order the examining physician or any
17 member of the multidisciplinary team to provide to the
18 Department any and all records, including business records,
19 that relate to the examination and evaluation, including any
20 supplemental testing performed. The Department may order the
21 examining physician or any member of the multidisciplinary team
22 to present testimony concerning this examination and
23 evaluation of the certified shorthand reporter, certified
24 voice writer reporter, or applicant, including testimony
25 concerning any supplemental testing or documents relating to
26 the examination and evaluation. No information, report,

1 record, or other documents in any way related to the
2 examination and evaluation shall be excluded by reason of any
3 common law or statutory privilege relating to communication
4 between the licensee or applicant and the examining physician
5 or any member of the multidisciplinary team. No authorization
6 is necessary from the certified shorthand reporter or applicant
7 ordered to undergo an evaluation and examination for the
8 examining physician or any member of the multidisciplinary team
9 to provide information, reports, records, or other documents or
10 to provide any testimony regarding the examination and
11 evaluation. The individual to be examined may have, at his or
12 her own expense, another physician of his or her choice present
13 during all aspects of the examination.

14 Failure of any individual to submit to mental or physical
15 examination and evaluation, or both, when directed, shall
16 result in an automatic suspension, without hearing, until such
17 time as the individual submits to the examination. If the
18 Department finds a certified shorthand reporter or certified
19 voice writer reporter unable to practice because of the reasons
20 set forth in this Section, the Department shall require the
21 certified shorthand reporter or certified voice writer
22 reporter to submit to care, counseling, or treatment by
23 physicians approved or designated by the Department, as a
24 condition for continued, reinstated, or renewed certification.

25 When the Secretary immediately suspends a certificate
26 under this Section, a hearing upon the person's certificate

1 must be convened by the Department within 15 days after the
2 suspension and completed without appreciable delay. The
3 Department shall have the authority to review the certified
4 shorthand reporter's or certified voice writer reporter's
5 record of treatment and counseling regarding the impairment, to
6 the extent permitted by applicable federal statutes and
7 regulations safeguarding the confidentiality of medical
8 records.

9 Individuals certified under this Act, affected under this
10 Section, shall be afforded an opportunity to demonstrate to the
11 Department that they can resume practice in compliance with
12 acceptable and prevailing standards under the provisions of
13 their certification.

14 (e) (Blank).

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

25 (Source: P.A. 100-872, eff. 8-14-18.)

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

2 (Section scheduled to be repealed on January 1, 2024)

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

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

26 (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. The rule shall clearly set
4 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. 98-445, eff. 12-31-13.)

10 (225 ILCS 415/23.3) (from Ch. 111, par. 6226)

11 (Section scheduled to be repealed on January 1, 2024)

12 Sec. 23.3. Records of proceedings. The Department, at its
13 expense, shall preserve a record of all proceedings at the
14 formal hearing of any case. The notice of hearing, complaint
15 and all other documents in the nature of pleadings and written
16 motions filed in the proceedings, the transcript of testimony,
17 the report of the Board and orders of the Department, shall be
18 the record of such proceeding. Any certified shorthand reporter
19 or certified voice writer reporter who is found to have
20 violated this Act or who fails to appear for a hearing to
21 refuse to issue, restore, or renew a license or to discipline a
22 licensee may be required by the Department to pay for the costs
23 of the proceeding. These costs are limited to costs for court
24 reporters, transcripts, and witness attendance and mileage
25 fees. All costs imposed under this Section shall be paid within

1 60 days after the effective date of the order imposing the
2 fine.

3 (Source: P.A. 98-445, eff. 12-31-13.)

4 (225 ILCS 415/23.4) (from Ch. 111, par. 6227)

5 (Section scheduled to be repealed on January 1, 2024)

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

14 The Secretary, the designated hearing officer, any member
15 of the Board, or a certified shorthand court reporter or a
16 certified voice writer reporter may have power to administer
17 oaths at any hearing which the Department conducts.
18 Notwithstanding any other statute or Department rule to the
19 contrary, all requests for testimony and production of
20 documents or records shall be in accordance with this Act.

21 (Source: P.A. 98-445, eff. 12-31-13.)

22 (225 ILCS 415/23.13) (from Ch. 111, par. 6236)

23 (Section scheduled to be repealed on January 1, 2024)

24 Sec. 23.13. Summary suspension. The Secretary may

1 summarily suspend the certificate of a certified shorthand
2 reporter or a certified voice writer reporter without a
3 hearing, simultaneously with the institution of proceedings
4 for a hearing provided for in Section 23.2 of this Act, if the
5 Secretary finds that the evidence indicates that a certified
6 shorthand reporter's or a certified voice writer reporter's
7 continuation in practice would constitute an imminent danger to
8 the public. In the event that the Secretary summarily suspends
9 the certificate of a certified shorthand reporter or a
10 certified voice writer reporter without a hearing, a hearing
11 shall be commenced within 30 days after such suspension has
12 occurred and shall be concluded as expeditiously as possible.

13 (Source: P.A. 98-445, eff. 12-31-13.)

14 (225 ILCS 415/25) (from Ch. 111, par. 6241)

15 (Section scheduled to be repealed on January 1, 2024)

16 Sec. 25. Home rule. The regulation and licensing of a
17 shorthand reporter or a voice writer reporter are exclusive
18 powers and functions of the State. A home rule unit may not
19 regulate or license a shorthand reporter or the practice of
20 shorthand reporting or regulate or license a voice writer
21 reporter or the practice of voice writer reporting. This
22 Section is a denial and limitation of home rule powers and
23 functions under subsection (h) of Section 6 of Article VII of
24 the Illinois Constitution.

25 (Source: P.A. 98-445, eff. 12-31-13.)

1 (225 ILCS 415/26) (from Ch. 111, par. 6242)

2 (Section scheduled to be repealed on January 1, 2024)

3 Sec. 26. Every shorthand reporter and voice writer reporter
4 shall print his or her name and license or restricted license
5 number on each transcript reported.

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

7 (225 ILCS 415/28)

8 (Section scheduled to be repealed on January 1, 2024)

9 Sec. 28. Payment for services. A person certified under
10 this Act may hold an attorney, firm, or any other entity
11 personally responsible for payment of shorthand reporting
12 services or voice writer reporting services rendered at the
13 request of that attorney, firm, or entity.

14 (Source: P.A. 90-295, eff. 8-1-97.)

15 Section 45. The Illinois Public Accounting Act is amended
16 by changing Section 20.2 as follows:

17 (225 ILCS 450/20.2) (from Ch. 111, par. 5523)

18 (Section scheduled to be repealed on January 1, 2024)

19 Sec. 20.2. Subpoenas; depositions; oaths.

20 (a) The Department may subpoena and bring before it any
21 person to take the oral or written testimony or compel the
22 production of any books, papers, records, or any other

1 documents that the Secretary or his or her designee deems
2 relevant or material to any investigation or hearing conducted
3 by the Department with the same fees and mileage as prescribed
4 in civil cases in circuit courts of this State and in the same
5 manner as prescribed by this Act and its rules.

6 (b) The Secretary, any member of the Committee designated
7 by the Secretary, a certified shorthand reporter or certified
8 voice writer reporter, or any hearing officer appointed may
9 administer oaths at any hearing which the Department conducts.
10 Notwithstanding any statute or Department rule to the contrary,
11 all requests for testimony, production of documents, or records
12 shall be in accordance with this Act.

13 (Source: P.A. 98-254, eff. 8-9-13.)

14 Section 50. The Real Estate Appraiser Licensing Act of 2002
15 is amended by changing Section 15-15 as follows:

16 (225 ILCS 458/15-15)

17 (Section scheduled to be repealed on January 1, 2022)

18 Sec. 15-15. Investigation; notice; hearing.

19 (a) Upon the motion of the Department or the Board or upon
20 a complaint in writing of a person setting forth facts that, if
21 proven, would constitute grounds for suspension, revocation,
22 or other disciplinary action against a licensee or applicant
23 for licensure, the Department shall investigate the actions of
24 the licensee or applicant. If, upon investigation, the

1 Department believes that there may be cause for suspension,
2 revocation, or other disciplinary action, the Department shall
3 use the services of a State certified general real estate
4 appraiser, a State certified residential real estate
5 appraiser, or the Real Estate Coordinator to assist in
6 determining whether grounds for disciplinary action exist
7 prior to commencing formal disciplinary proceedings.

8 (b) Formal disciplinary proceedings shall commence upon
9 the issuance of a written complaint describing the charges that
10 are the basis of the disciplinary action and delivery of the
11 detailed complaint to the address of record of the licensee or
12 applicant. The Department shall notify the licensee or
13 applicant to file a verified written answer within 20 days
14 after the service of the notice and complaint. The notification
15 shall inform the licensee or applicant of his or her right to
16 be heard in person or by legal counsel; that the hearing will
17 be afforded not sooner than 30 days after service of the
18 complaint; that failure to file an answer will result in a
19 default being entered against the licensee or applicant; that
20 the license may be suspended, revoked, or placed on
21 probationary status; and that other disciplinary action may be
22 taken pursuant to this Act, including limiting the scope,
23 nature, or extent of the licensee's practice. If the licensee
24 or applicant fails to file an answer after service of notice,
25 his or her license may, at the discretion of the Department, be
26 suspended, revoked, or placed on probationary status and the

1 Department may take whatever disciplinary action it deems
2 proper, including limiting the scope, nature, or extent of the
3 person's practice, without a hearing.

4 (c) At the time and place fixed in the notice, the Board
5 shall conduct hearing of the charges, providing both the
6 accused person and the complainant ample opportunity to present
7 in person or by counsel such statements, testimony, evidence,
8 and argument as may be pertinent to the charges or to a defense
9 thereto.

10 (d) The Board shall present to the Secretary a written
11 report of its findings and recommendations. A copy of the
12 report shall be served upon the licensee or applicant, either
13 personally or by certified mail. Within 20 days after the
14 service, the licensee or applicant may present the Secretary
15 with a motion in writing for either a rehearing, a proposed
16 finding of fact, a conclusion of law, or an alternative
17 sanction, and shall specify the particular grounds for the
18 request. If the accused orders a transcript of the record as
19 provided in this Act, the time elapsing thereafter and before
20 the transcript is ready for delivery to the accused shall not
21 be counted as part of the 20 days. If the Secretary is not
22 satisfied that substantial justice has been done, the Secretary
23 may order a rehearing by the Board or other special committee
24 appointed by the Secretary, may remand the matter to the Board
25 for its reconsideration of the matter based on the pleadings
26 and evidence presented to the Board, or may enter a final order

1 in contravention of the Board's recommendation.
2 Notwithstanding a licensee's or applicant's failure to file a
3 motion for rehearing, the Secretary shall have the right to
4 take any of the actions specified in this subsection (d). Upon
5 the suspension or revocation of a license, the licensee shall
6 be required to surrender his or her license to the Department,
7 and upon failure or refusal to do so, the Department shall have
8 the right to seize the license.

9 (e) The Department has the power to issue subpoenas and
10 subpoenas duces tecum to bring before it any person in this
11 State, to take testimony, or to require production of any
12 records relevant to an inquiry or hearing by the Board in the
13 same manner as prescribed by law in judicial proceedings in the
14 courts of this State. In a case of refusal of a witness to
15 attend, testify, or to produce books or papers concerning a
16 matter upon which he or she might be lawfully examined, the
17 circuit court of the county where the hearing is held, upon
18 application of the Department or any party to the proceeding,
19 may compel obedience by proceedings as for contempt.

20 (f) Any license that is suspended indefinitely or revoked
21 may not be restored for a minimum period of 2 years, or as
22 otherwise ordered by the Secretary.

23 (g) In addition to the provisions of this Section
24 concerning the conduct of hearings and the recommendations for
25 discipline, the Department has the authority to negotiate
26 disciplinary and non-disciplinary settlement agreements

1 concerning any license issued under this Act. All such
2 agreements shall be recorded as Consent Orders or Consent to
3 Administrative Supervision Orders.

4 (h) The Secretary shall have the authority to appoint an
5 attorney duly licensed to practice law in the State of Illinois
6 to serve as the hearing officer in any action to suspend,
7 revoke, or otherwise discipline any license issued by the
8 Department. The Hearing Officer shall have full authority to
9 conduct the hearing.

10 (i) The Department, at its expense, shall preserve a record
11 of all formal hearings of any contested case involving the
12 discipline of a license. At all hearings or pre-hearing
13 conferences, the Department and the licensee shall be entitled
14 to have the proceedings transcribed by a certified shorthand
15 reporter or certified voice writer reporter. A copy of the
16 transcribed proceedings shall be made available to the licensee
17 by the certified shorthand reporter or certified voice writer
18 reporter upon payment of the prevailing contract copy rate.

19 (Source: P.A. 100-831, eff. 1-1-19.)

20 Section 55. The Animal Welfare Act is amended by changing
21 Section 15 as follows:

22 (225 ILCS 605/15) (from Ch. 8, par. 315)

23 Sec. 15. Any person affected by a final administrative
24 decision of the Department may have such decision reviewed

1 judicially by the circuit court of the county wherein such
2 person resides, or in the case of a corporation, wherein the
3 registered office is located. If the plaintiff in the review
4 proceeding is not a resident of this state, the venue shall be
5 in Sangamon County. The provisions of the Administrative Review
6 Law, and all amendments and modifications thereof, and the
7 rules adopted pursuant thereto, shall apply to and govern all
8 proceedings for the judicial review of final administrative
9 decisions of the Department hereunder. The term
10 "administrative decision" is defined as in Section 3-101 of the
11 Code of Civil Procedure.

12 The Department shall not be required to certify the record
13 of the proceeding unless the plaintiff in the review
14 proceedings has purchased a copy from the certified shorthand
15 reporter or certified voice writer reporter who prepared the
16 record. Exhibits shall be certified without cost.

17 (Source: P.A. 82-783.)

18 Section 60. The Liquor Control Act of 1934 is amended by
19 changing Section 7-9 as follows:

20 (235 ILCS 5/7-9) (from Ch. 43, par. 153)

21 Sec. 7-9. Except as provided in this Section, any order or
22 action of a local liquor control commissioner levying a fine or
23 refusing to levy a fine on a licensee, granting or refusing to
24 grant a license, revoking or suspending or refusing to revoke

1 or suspend a license or refusing for more than 30 days to grant
2 a hearing upon a complaint to revoke or suspend a license may,
3 within 20 days after notice of such order or action, be
4 appealed by any resident of the political subdivision under the
5 jurisdiction of the local liquor control commissioner or any
6 person interested, to the State Commission.

7 In any case where a licensee appeals to the State
8 Commission from an order or action of the local liquor control
9 commission having the effect of suspending or revoking a
10 license, denying a renewal application, or refusing to grant a
11 license, the licensee shall resume the operation of the
12 licensed business pending the decision of the State Commission
13 and the expiration of the time allowed for an application for
14 rehearing. If an application for rehearing is filed, the
15 licensee shall continue the operation of the licensed business
16 until the denial of the application or, if the rehearing is
17 granted, until the decision on rehearing.

18 In any case in which a licensee appeals to the State
19 Commission a suspension or revocation by a local liquor control
20 commissioner that is the second or subsequent such suspension
21 or revocation placed on that licensee within the preceding 12
22 month period, the licensee shall consider the suspension or
23 revocation to be in effect until a reversal of the local liquor
24 control commissioner's action has been issued by the State
25 Commission and shall cease all activity otherwise authorized by
26 the license. The State Commission shall expedite, to the

1 greatest extent possible, its consideration of any appeal that
2 is an appeal of a second or subsequent suspension or revocation
3 within the past 12 month period.

4 The appeal shall be limited to a review of the official
5 record of the proceedings of such local liquor control
6 commissioner if the county board, city council or board of
7 trustees, as the case may be, has adopted a resolution
8 requiring that such review be on the record. If such resolution
9 is adopted, a certified official record of the proceedings
10 taken and prepared by a certified court reporter, ~~or~~ certified
11 shorthand reporter, or certified voice writer reporter shall be
12 filed by the local liquor control commissioner within 5 days
13 after notice of the filing of such appeal, if the appellant
14 licensee pays for the cost of the transcript. The State
15 Commission shall review the propriety of the order or action of
16 the local liquor control commissioner and shall consider the
17 following questions:

18 (a) whether the local liquor control commissioner has
19 proceeded in the manner provided by law;

20 (b) whether the order is supported by the findings;

21 (c) whether the findings are supported by substantial
22 evidence in the light of the whole record.

23 The only evidence which may be considered in the review,
24 shall be the evidence found in the certified official record of
25 the proceedings of the local liquor control commissioner. No
26 new or additional evidence shall be admitted or considered. The

1 State Commission shall render a decision affirming, reversing
2 or modifying the order or action reviewed within 30 days after
3 the appeal was heard.

4 In the event such appeal is from an order of a local liquor
5 control commissioner of a city, village or incorporated town of
6 500,000 or more inhabitants, granting or refusing to grant a
7 license or refusing for more than 30 days to grant a hearing
8 upon a complaint to revoke or suspend a license, the matter of
9 the propriety of such order or action shall be tried de novo by
10 the license appeal commission as expeditiously as
11 circumstances permit.

12 In the event such appeal is from an order or action of a
13 local liquor control commissioner of a city, village or
14 incorporated town of 500,000 or more inhabitants, imposing a
15 fine or refusing to impose a fine on a licensee, revoking or
16 suspending or refusing to revoke or suspend a license, the
17 license appeal commission shall determine the appeal by a
18 review of the official record of the proceedings of such local
19 liquor control commissioner. A certified record of the
20 proceedings shall be promptly filed with the license appeal
21 commission by such local liquor control commissioner after
22 notice of the filing of such appeal if the appellant licensee
23 pays for the cost of the transcript and promptly delivers the
24 transcript to the local liquor control commission or its
25 attorney. The review by the license appeal commission shall be
26 limited to the questions:

1 (a) whether the local liquor control commissioner has
2 proceeded in the manner provided by law;

3 (b) whether the order is supported by the findings;

4 (c) whether the findings are supported by substantial
5 evidence in the light of the whole record.

6 No new or additional evidence in support of or in opposition to
7 such order or action under appeal shall be received other than
8 that contained in such record of the proceedings. Within 30
9 days after such appeal was heard, the license appeal commission
10 shall render its decision in accordance with the provisions of
11 Section 7-5.

12 In cities, villages and incorporated towns having a
13 population of 500,000 or more inhabitants, appeals from any
14 order or action shall lie to the license appeal commission of
15 such city, village or incorporated town. All of the provisions
16 of this Section and Section 7-10 relative to proceedings upon
17 appeals before the State Commission and relative to appeals
18 from the decisions of the State Commission shall apply also to
19 proceedings upon appeals before any license appeal commission
20 and appeals from the decisions of license appeal commission.

21 In any trial de novo hearing before the State Commission or
22 license appeal commission, the local liquor control
23 commissioner shall be entitled to 10 days notice and to be
24 heard. All such trial de novo hearings shall be open to the
25 public and the Illinois Liquor Control Commission and the
26 license appeal commission shall reduce all evidence offered

1 thereto to writing.

2 If after trial de novo hearing or review as provided
3 herein, the State Commission or the license appeal commission
4 (as the case may be) shall decide that the license has been
5 improperly issued, denied, revoked, suspended or refused to be
6 revoked or suspended or a hearing to revoke or suspend has been
7 improperly refused or that the licensee has been improperly
8 fined or not fined, it shall enter an order in conformity with
9 such findings, which order shall be in writing.

10 A certified copy of the order shall be transmitted to the
11 particular local liquor control commissioner and it shall be
12 the duty of the local liquor control commissioner to take such
13 action as may be necessary to conform with the order.

14 In any trial de novo hearing before the State Commission or
15 the license appeal commission, the licensee shall submit to
16 examination and produce books and records material to the
17 business conducted under the license in like manner as before
18 the local liquor control commissioner, and the failure of the
19 licensee to submit to such an examination or to produce such
20 books and records, or to appear at the hearing on such appeal,
21 shall constitute an admission that he has violated the
22 provisions of this Act. In the event the appeal is from an
23 order of the local liquor control commissioner denying a
24 renewal application, the licensee shall have on deposit with
25 the local liquor control commissioner an amount sufficient to
26 cover the license fee for the renewal period and any bond that

1 may be required.

2 (Source: P.A. 88-613, eff. 1-1-95.)

3 Section 65. The Salvage Warehouse and Salvage Warehouse
4 Store Act is amended by changing Section 10 as follows:

5 (240 ILCS 30/10) (from Ch. 114, par. 410)

6 Sec. 10. The Department, at its expense, shall provide a
7 stenographer to take down the testimony and preserve a record
8 of all proceedings at the hearing of any case involving the
9 refusal to issue or renew, or the suspension or revocation of a
10 license. The notice of hearing, complaint and all other
11 documents in the nature of pleadings and written motions filed
12 in the proceedings, the transcript of testimony, and orders of
13 the Department shall be the record of such proceedings. Any
14 interested person may purchase a copy of the transcript of the
15 record from the certified shorthand reporter or certified voice
16 writer reporter who prepared the record.

17 In any case involving the refusal to issue or renew or the
18 suspension or revocation of a license, a copy of the
19 Department's report shall be served upon the respondent by the
20 Department, either personally or by registered or certified
21 mail as provided in this Act for the service of the notice of
22 hearing. Within 20 days after such service, the respondent may
23 present to the Department a motion in writing for a rehearing,
24 which written motion shall specify the particular grounds

1 therefor. If no motion for rehearing is filed, then upon the
2 expiration of the time specified for filing such a motion, or
3 if a motion for rehearing is denied, then upon such denial, the
4 Director may enter an order. If the respondent shall order and
5 pay for a transcript of the record within the time for filing a
6 motion for rehearing, the 20 day period within which such a
7 motion may be filed shall commence upon the delivery of the
8 transcript to the respondent.

9 (Source: P.A. 81-750.)

10 Section 67. The Court Reporters Act is amended by changing
11 Section 5 as follows:

12 (705 ILCS 70/5) (from Ch. 37, par. 655)

13 Sec. 5. Means of reporting; transcripts. The court reporter
14 shall make a full reporting by means of stenographic hand or
15 machine notes, voice writer reporting, or a combination
16 thereof, of the evidence and such other proceedings in trials
17 and judicial proceedings to which he is assigned by the chief
18 judge, and the court reporter may use an electronic instrument
19 as a supplementary device. In the event that the court utilizes
20 an audio or video recording system to record the proceedings, a
21 court reporter shall be in charge of such system; however, the
22 appointment of a court reporter to be in charge of an audio or
23 video recording system shall not be required where such system
24 is the judge's personal property or has been supplied by a

1 party or such party's attorney. To the extent that it does not
2 substantially interfere with the court reporter's other
3 official duties, the judge to whom, or a judge of the division
4 to which, a reporter is assigned may assign a reporter to
5 secretarial or clerical duties arising out of official court
6 operations.

7 Unless and until otherwise provided in a Uniform Schedule
8 of Charges which may hereafter be provided by rule or order of
9 the employer representative, a court reporter may charge not to
10 exceed 25¢ per 100 words for making transcripts of his notes.
11 The fees for making transcripts shall be paid in the first
12 instance by the party in whose behalf such transcript is
13 ordered and shall be taxed in the suit.

14 The transcripts shall be filed and remain with the papers
15 of the case. When the judge trying the case shall, of his own
16 motion, order a transcript of the court reporter's notes, the
17 judge may direct the payment of the charges therefor, and the
18 taxation of the charges as costs in such manner as to him may
19 seem just. Provided, that the charges for making but one
20 transcript shall be taxed as costs and the party first ordering
21 the transcript shall have preference unless it shall be
22 otherwise ordered by the court.

23 The change made to this Section by this amendatory Act of
24 1987 is intended to apply retroactively from and after January
25 1, 1987.

26 (Source: P.A. 94-98, eff. 7-1-05.)

1 Section 70. The Unified Code of Corrections is amended by
2 changing Section 5-5-5 as follows:

3 (730 ILCS 5/5-5-5) (from Ch. 38, par. 1005-5-5)

4 Sec. 5-5-5. Loss and restoration of rights.

5 (a) Conviction and disposition shall not entail the loss by
6 the defendant of any civil rights, except under this Section
7 and Sections 29-6 and 29-10 of The Election Code, as now or
8 hereafter amended.

9 (b) A person convicted of a felony shall be ineligible to
10 hold an office created by the Constitution of this State until
11 the completion of his sentence.

12 (c) A person sentenced to imprisonment shall lose his right
13 to vote until released from imprisonment.

14 (d) On completion of sentence of imprisonment or upon
15 discharge from probation, conditional discharge or periodic
16 imprisonment, or at any time thereafter, all license rights and
17 privileges granted under the authority of this State which have
18 been revoked or suspended because of conviction of an offense
19 shall be restored unless the authority having jurisdiction of
20 such license rights finds after investigation and hearing that
21 restoration is not in the public interest. This paragraph (d)
22 shall not apply to the suspension or revocation of a license to
23 operate a motor vehicle under the Illinois Vehicle Code.

24 (e) Upon a person's discharge from incarceration or parole,

1 or upon a person's discharge from probation or at any time
2 thereafter, the committing court may enter an order certifying
3 that the sentence has been satisfactorily completed when the
4 court believes it would assist in the rehabilitation of the
5 person and be consistent with the public welfare. Such order
6 may be entered upon the motion of the defendant or the State or
7 upon the court's own motion.

8 (f) Upon entry of the order, the court shall issue to the
9 person in whose favor the order has been entered a certificate
10 stating that his behavior after conviction has warranted the
11 issuance of the order.

12 (g) This Section shall not affect the right of a defendant
13 to collaterally attack his conviction or to rely on it in bar
14 of subsequent proceedings for the same offense.

15 (h) No application for any license specified in subsection
16 (i) of this Section granted under the authority of this State
17 shall be denied by reason of an eligible offender who has
18 obtained a certificate of relief from disabilities, as defined
19 in Article 5.5 of this Chapter, having been previously
20 convicted of one or more criminal offenses, or by reason of a
21 finding of lack of "good moral character" when the finding is
22 based upon the fact that the applicant has previously been
23 convicted of one or more criminal offenses, unless:

24 (1) there is a direct relationship between one or more
25 of the previous criminal offenses and the specific license
26 sought; or

1 (2) the issuance of the license would involve an
2 unreasonable risk to property or to the safety or welfare
3 of specific individuals or the general public.

4 In making such a determination, the licensing agency shall
5 consider the following factors:

6 (1) the public policy of this State, as expressed in
7 Article 5.5 of this Chapter, to encourage the licensure and
8 employment of persons previously convicted of one or more
9 criminal offenses;

10 (2) the specific duties and responsibilities
11 necessarily related to the license being sought;

12 (3) the bearing, if any, the criminal offenses or
13 offenses for which the person was previously convicted will
14 have on his or her fitness or ability to perform one or
15 more such duties and responsibilities;

16 (4) the time which has elapsed since the occurrence of
17 the criminal offense or offenses;

18 (5) the age of the person at the time of occurrence of
19 the criminal offense or offenses;

20 (6) the seriousness of the offense or offenses;

21 (7) any information produced by the person or produced
22 on his or her behalf in regard to his or her rehabilitation
23 and good conduct, including a certificate of relief from
24 disabilities issued to the applicant, which certificate
25 shall create a presumption of rehabilitation in regard to
26 the offense or offenses specified in the certificate; and

1 (8) the legitimate interest of the licensing agency in
2 protecting property, and the safety and welfare of specific
3 individuals or the general public.

4 (i) A certificate of relief from disabilities shall be
5 issued only for a license or certification issued under the
6 following Acts:

7 (1) the Animal Welfare Act; except that a certificate
8 of relief from disabilities may not be granted to provide
9 for the issuance or restoration of a license under the
10 Animal Welfare Act for any person convicted of violating
11 Section 3, 3.01, 3.02, 3.03, 3.03-1, or 4.01 of the Humane
12 Care for Animals Act or Section 26-5 or 48-1 of the
13 Criminal Code of 1961 or the Criminal Code of 2012;

14 (2) the Illinois Athletic Trainers Practice Act;

15 (3) the Barber, Cosmetology, Esthetics, Hair Braiding,
16 and Nail Technology Act of 1985;

17 (4) the Boiler and Pressure Vessel Repairer Regulation
18 Act;

19 (5) the Boxing and Full-contact Martial Arts Act;

20 (6) the Illinois Certified Shorthand Reporters and
21 Voice Writer Reporters Act of 1984; ~~of 1984~~;

22 (7) the Illinois Farm Labor Contractor Certification
23 Act;

24 (8) the Registered Interior Designers Act;

25 (9) the Illinois Professional Land Surveyor Act of
26 1989;

- 1 (10) the Illinois Landscape Architecture Act of 1989;
- 2 (11) the Marriage and Family Therapy Licensing Act;
- 3 (12) the Private Employment Agency Act;
- 4 (13) the Professional Counselor and Clinical
- 5 Professional Counselor Licensing and Practice Act;
- 6 (14) the Real Estate License Act of 2000;
- 7 (15) the Illinois Roofing Industry Licensing Act;
- 8 (16) the Professional Engineering Practice Act of
- 9 1989;
- 10 (17) the Water Well and Pump Installation Contractor's
- 11 License Act;
- 12 (18) the Electrologist Licensing Act;
- 13 (19) the Auction License Act;
- 14 (20) the Illinois Architecture Practice Act of 1989;
- 15 (21) the Dietitian Nutritionist Practice Act;
- 16 (22) the Environmental Health Practitioner Licensing
- 17 Act;
- 18 (23) the Funeral Directors and Embalmers Licensing
- 19 Code;
- 20 (24) (blank);
- 21 (25) the Professional Geologist Licensing Act;
- 22 (26) the Illinois Public Accounting Act; and
- 23 (27) the Structural Engineering Practice Act of 1989.
- 24 (Source: P.A. 100-534, eff. 9-22-17; 100-920, eff. 8-17-18.)

25 Section 75. The Code of Civil Procedure is amended by

1 changing Section 2-1003 as follows:

2 (735 ILCS 5/2-1003) (from Ch. 110, par. 2-1003)

3 Sec. 2-1003. Discovery and depositions.

4 (a) Discovery, such as admissions of fact and of
5 genuineness of documents, physical and mental examinations of
6 parties and other persons, the taking of any depositions, and
7 interrogatories, shall be in accordance with rules.

8 (b) (Blank).

9 (c) (Blank).

10 (d) Whenever the defendant in any litigation in this State
11 has the right to demand a physical or mental examination of the
12 plaintiff pursuant to statute or Supreme Court Rule, relative
13 to the occurrence and extent of injuries or damages for which
14 claim is made, or in connection with the plaintiff's capacity
15 to exercise any right plaintiff has, or would have but for a
16 finding based upon such examination, the plaintiff has the
17 right to have his or her attorney, or such other person as the
18 plaintiff may wish, present at such physical or mental
19 examination.

20 (e) No person or organization shall be required to furnish
21 claims, loss or risk management information held or provided by
22 an insurer, which information is described in Section 143.10a
23 of the "Illinois Insurance Code".

24 (f) Unless a verbatim record of the testimony or deposition
25 is prepared and certified by an individual certified under the

1 Illinois Certified Shorthand Reporters and Voice Writer
2 Reporters Act or a court reporter under the Court Reporters
3 Act, no testimony taken in any litigation in this State by
4 deposition shall be offered in any court in this State and no
5 testimony offered in the record of administrative proceedings
6 in an appeal under the Administrative Review Law shall be
7 considered part of the administrative record. Testimony taken
8 outside of this State shall be deemed to be in conformity with
9 this Section if the testimony was prepared and certified by a
10 court reporter authorized to prepare and certify deposition
11 testimony in the jurisdiction in which the testimony was taken.
12 (Source: P.A. 99-110, eff. 1-1-16.)

13 Section 80. The Illinois Pre-Need Cemetery Sales Act is
14 amended by changing Sections 9 and 11 as follows:

15 (815 ILCS 390/9) (from Ch. 21, par. 209)

16 Sec. 9. The Comptroller may upon his own motion investigate
17 the actions of any person providing, selling, or offering
18 pre-need sales contracts or of any applicant or any person or
19 persons holding or claiming to hold a license under this Act.
20 The Comptroller shall make such an investigation on receipt of
21 the verified written complaint of any person setting forth
22 facts which, if proved, would constitute grounds for refusal,
23 suspension, or revocation of a license. Before refusing to
24 issue, and before suspension or revocation of a license, the

1 Comptroller shall hold a hearing to determine whether the
2 applicant or licensee, hereafter called the respondent, is
3 entitled to hold such a license. At least 10 days prior to the
4 date set for such hearing, the Comptroller shall notify the
5 respondent in writing that on the date designated a hearing
6 will be held to determine his eligibility for a license and
7 that he may appear in person or by counsel. Such written notice
8 may be served on the respondent personally, or by registered or
9 certified mail sent to the respondent's business address as
10 shown in his latest notification to the Comptroller and shall
11 include sufficient information to inform the respondent of the
12 general nature of the charge. At the hearing, both the
13 respondent and the complainant shall be accorded ample
14 opportunity to present in person or by counsel such statements,
15 testimony, evidence and argument as may be pertinent to the
16 charges or to any defense thereto. The Comptroller may
17 reasonably continue such hearing from time to time.

18 The Comptroller may subpoena any person or persons in this
19 State and take testimony orally, by deposition or by exhibit,
20 in the same manner and with the same fees and mileage as
21 prescribed in judicial proceedings in civil cases.

22 Any authorized agent of the Comptroller may administer
23 oaths to witnesses at any hearing which the Comptroller is
24 authorized to conduct.

25 The Comptroller, at his expense, shall provide a certified
26 shorthand reporter or certified voice writer reporter to take

1 down the testimony and preserve a record of all proceedings at
2 the hearing of any case involving the refusal to issue a
3 license, the suspension or revocation of a license, the
4 imposition of a monetary penalty, or the referral of a case for
5 criminal prosecution. The record of any such proceeding shall
6 consist of the notice of hearing, complaint, all other
7 documents in the nature of pleadings and written motions filed
8 in the proceedings, the transcript of testimony and the report
9 and orders of the Comptroller. Copies of the transcript of such
10 record may be purchased from the certified shorthand reporter
11 or certified voice writer reporter who prepared the record or
12 from the Comptroller.

13 (Source: P.A. 92-419, eff. 1-1-02.)

14 (815 ILCS 390/11) (from Ch. 21, par. 211)

15 Sec. 11. Any person affected by a final administrative
16 decision of the Comptroller may have such decision reviewed
17 judicially by the circuit court of the county where such person
18 resides, or in the case of a corporation, where the registered
19 office is located. If the plaintiff in the review proceeding is
20 not a resident of this State, venue shall be in Sangamon
21 County. The provisions of the "Administrative Review Law",
22 approved August 19, 1981, all amendments and modifications
23 thereto, and any rules adopted under it govern all proceedings
24 for the judicial review of final administrative decisions of
25 the Comptroller. The term "administrative decision" is defined

1 as in the "Administrative Review Law".

2 The Comptroller is not required to certify the record of
3 the proceeding unless the plaintiff in the review proceedings
4 has purchased a copy of the transcript from the certified
5 shorthand reporter or certified voice writer reporter who
6 prepared the record or from the Comptroller. Exhibits shall be
7 certified without cost.

8 (Source: P.A. 84-239.)

9 Section 95. No acceleration or delay. Where this Act makes
10 changes in a statute that is represented in this Act by text
11 that is not yet or no longer in effect (for example, a Section
12 represented by multiple versions), the use of that text does
13 not accelerate or delay the taking effect of (i) the changes
14 made by this Act or (ii) provisions derived from any other
15 Public Act.