



Sen. Don Harmon

Filed: 4/5/2019

10100SB2128sam001

LRB101 07766 SMS 59040 a

1 AMENDMENT TO SENATE BILL 2128

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2128 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Regulatory Sunset Act is amended by  
5 changing 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 Acts and Section repealed on January 1, 2024.  
8 The following Acts and Section of an Act are repealed on  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.

1           The Registered Surgical Assistant and Registered  
2           Surgical Technologist Title Protection Act.

3           Section 2.5 of the Illinois Plumbing License Law.

4           The Veterinary Medicine and Surgery Practice Act of  
5           2004.

6           (Source: P.A. 98-140, eff. 12-31-13; 98-253, eff. 8-9-13;  
7           98-254, eff. 8-9-13; 98-264, eff. 12-31-13; 98-339, eff.  
8           12-31-13; 98-363, eff. 8-16-13; 98-364, eff. 12-31-13; 98-445,  
9           eff. 12-31-13; 98-756, eff. 7-16-14.)

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

12           (5 ILCS 255/1) (from Ch. 101, par. 1)

13           Sec. 1. Oaths and affirmations. All courts, and all judges  
14           and the clerk thereof, the county clerk, deputy county clerk,  
15           notaries public, and persons certified under the Illinois  
16           Certified Shorthand Reporters and Voice Writer Reporters Act ~~of~~  
17           ~~1984~~ have the power to administer oaths and affirmations to  
18           witnesses and others, concerning anything commenced or to be  
19           commenced, or pending before them respectively.

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

21           (5 ILCS 255/2) (from Ch. 101, par. 2)

22           Sec. 2. Affidavits and depositions. All courts, and judges,  
23           and the clerks thereof, the county clerk, deputy county clerk,

1 the Secretary of State, notaries public, and persons certified  
2 under the Illinois Certified Shorthand Reporters and Voice  
3 Writer Reporters Act of 1984 may administer all oaths of office  
4 and all other oaths authorized or required of any officer or  
5 other person, and take affidavits and depositions concerning  
6 any matter or thing, process or proceeding commenced or to be  
7 commenced, or pending in any court or before them, or on any  
8 occasion wherein any affidavit or deposition is authorized or  
9 required by law to be taken.

10 The same functions may be performed by any commissioned  
11 officer in active service of the armed forces of the United  
12 States, within or without the United States. Oaths, affidavits  
13 or depositions taken by or affirmations made before such  
14 officers need not be authenticated nor attested by any seal nor  
15 shall any instruments executed or proceedings had before such  
16 officers be invalid because the place of the proceedings or of  
17 the execution is not stated.

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

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

22 (20 ILCS 2105/2105-115) (was 20 ILCS 2105/60f)

23 Sec. 2105-115. Certified shorthand reporter or certified  
24 voice writer reporter; transcript. The Department, at its

1 expense, shall provide a certified shorthand reporter or  
2 certified voice writer reporter to take down the testimony and  
3 preserve a record of all proceedings at the hearing of any case  
4 in which a license may be revoked, suspended, placed on  
5 probationary status, reprimanded, fined, or subjected to other  
6 disciplinary action with reference to the license when a  
7 disciplinary action is authorized in any licensing Act  
8 administered by the Department. The notice, complaint, and all  
9 other documents in the nature of pleadings and written motions  
10 filed in the proceedings, the transcript of testimony, the  
11 report of the board, and the orders of the Department shall be  
12 the record of the proceedings. The Department shall furnish the  
13 record to any person interested in the hearing upon payment  
14 therefor of \$1 per page. The Department may contract for court  
15 reporting services, and, in the event it does so, the  
16 Department shall provide the name and contact information for  
17 the certified shorthand reporter or certified voice writer  
18 reporter who transcribed the testimony at a hearing to any  
19 person interested, who may obtain a copy of the transcript of  
20 any proceedings at a hearing upon payment of the fee specified  
21 by the certified shorthand reporter or certified voice writer  
22 reporter. This charge is in addition to any fee charged by the  
23 Department for certifying the record.

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

25 Section 20. The Emergency Medical Services (EMS) Act is

1 amended by changing Section 3.40 as follows:

2 (210 ILCS 50/3.40)

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

4 Sec. 3.40. EMS System Participation Suspensions and Due  
5 Process.

6 (a) An EMS Medical Director may suspend from participation  
7 within the System any EMS personnel, EMS Lead Instructor (LI),  
8 individual, individual provider or other participant  
9 considered not to be meeting the requirements of the Program  
10 Plan of that approved EMS System.

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

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

21 (2) If the local System review board reverses or  
22 modifies the EMS Medical Director's order, the EMS Medical  
23 Director shall have the opportunity for a review of the  
24 local board's decision by the State EMS Disciplinary Review  
25 Board, pursuant to Section 3.45 of this Act.

1           (3) The suspension shall commence only upon the  
2 occurrence of one of the following:

3           (A) the individual or entity has waived the  
4 opportunity for a hearing before the local System  
5 review board; or

6           (B) the order has been affirmed or modified by the  
7 local system review board and the individual or entity  
8 has waived the opportunity for review by the State  
9 Board; or

10          (C) the order has been affirmed or modified by the  
11 local system review board, and the local board's  
12 decision has been affirmed or modified by the State  
13 Board.

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

23           (1) Within 24 hours following the commencement of the  
24 suspension, the EMS Medical Director shall deliver to the  
25 Department, by messenger, telefax, or other  
26 Department-approved electronic communication, a copy of

1 the suspension order and copies of any written materials  
2 which relate to the EMS Medical Director's decision to  
3 suspend the individual or entity. All medical and  
4 patient-specific information, including Department  
5 findings with respect to the quality of care rendered,  
6 shall be strictly confidential pursuant to the Medical  
7 Studies Act (Part 21 of Article VIII of the Code of Civil  
8 Procedure).

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

19 (3) Within 24 hours following receipt of the EMS  
20 Medical Director's suspension order or the individual or  
21 entity's written response, whichever is later, the  
22 Director or the Director's designee shall determine  
23 whether the suspension should be stayed pending an  
24 opportunity for a hearing or review in accordance with this  
25 Act, or whether the suspension should continue during the  
26 course of that hearing or review. The Director or the

1 Director's designee shall issue this determination to the  
2 EMS Medical Director, who shall immediately notify the  
3 suspended individual or entity. The suspension shall  
4 remain in effect during this period of review by the  
5 Director or the Director's designee.

6 (d) Upon issuance of a suspension order for reasons  
7 directly related to medical care, the EMS Medical Director  
8 shall also provide the individual or entity with the  
9 opportunity for a hearing before the local System review board,  
10 in accordance with subsection (f) and the rules promulgated by  
11 the Department.

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

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

24 (3) The suspended individual or entity may elect to  
25 bypass the local System review board and seek direct review  
26 of the EMS Medical Director's suspension order by the State



1 EMS Disciplinary Review Board.

2 (e) The Resource Hospital shall designate a local System  
3 review board in accordance with the rules of the Department,  
4 for the purpose of providing a hearing to any individual or  
5 entity participating within the System who is suspended from  
6 participation by the EMS Medical Director. The EMS Medical  
7 Director shall arrange for a certified shorthand reporter or  
8 certified voice writer reporter to make a stenographic record  
9 of that hearing and thereafter prepare a transcript of the  
10 proceedings. The transcript, all documents or materials  
11 received as evidence during the hearing and the local System  
12 review board's written decision shall be retained in the  
13 custody of the EMS system. The System shall implement a  
14 decision of the local System review board unless that decision  
15 has been appealed to the State Emergency Medical Services  
16 Disciplinary Review Board in accordance with this Act and the  
17 rules of the Department.

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

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

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

24 Sec. 3.40. EMS System Participation Suspensions and Due  
25 Process.

1 (a) An EMS Medical Director may suspend from participation  
2 within the System any EMS personnel, EMS Lead Instructor (LI),  
3 individual, individual provider or other participant  
4 considered not to be meeting the requirements of the Program  
5 Plan of that approved EMS System.

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

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

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

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

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

26 (B) the order has been affirmed or modified by the

1 local system review board and the individual or entity  
2 has waived the opportunity for review by the State  
3 Board; or

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

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

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

1           Studies Act (Part 21 of Article VIII of the Code of Civil  
2           Procedure).

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

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

26          (d) Upon issuance of a suspension order for reasons

1 directly related to medical care, the EMS Medical Director  
2 shall also provide the individual or entity with the  
3 opportunity for a hearing before the local System review board,  
4 in accordance with subsection (f) and the rules promulgated by  
5 the Department.

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

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13 modifies the EMS Medical Director's suspension order, the  
14 EMS Medical Director shall have the opportunity for a  
15 review of the local board's decision by the State EMS  
16 Disciplinary Review Board, pursuant to Section 3.45 of this  
17 Act.

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

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

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

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

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

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

19 (225 ILCS 45/3b) (from Ch. 111 1/2, par. 73.103b)

20 Sec. 3b. The Comptroller, at his expense, shall provide a  
21 certified shorthand reporter or certified voice writer  
22 reporter to take down the testimony and preserve a record of  
23 all proceedings at the hearing of any case involving the  
24 refusal to issue or renew a license, the suspension or

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

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

11 (225 ILCS 45/3d) (from Ch. 111 1/2, par. 73.103d)

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

24 The Comptroller is not required to certify the record of  
25 the proceeding unless the plaintiff in the review proceedings

1 has purchased a copy of the transcript from the certified  
2 shorthand reporter or certified voice writer reporter who  
3 prepared the record. Exhibits shall be certified without cost.  
4 (Source: P.A. 84-839.)

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

7 (225 ILCS 60/39) (from Ch. 111, par. 4400-39)

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

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



1 reporting services, and, in the event it does so, the  
2 Department shall provide the name and contact information for  
3 the certified shorthand reporter or certified voice writer  
4 reporter who transcribed the testimony at a hearing to any  
5 person interested, who may obtain a copy of the record of any  
6 proceedings at a hearing upon payment of the fee specified by  
7 the certified shorthand reporter or certified voice writer  
8 reporter. This charge is in addition to any fee charged by the  
9 Department for certifying the record.

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

11 Section 35. The Illinois Explosives Act is amended by  
12 changing Section 5004 as follows

13 (225 ILCS 210/5004) (from Ch. 96 1/2, par. 1-5004)

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

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

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

5 (225 ILCS 415/1) (from Ch. 111, par. 6201)

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

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

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

1 (225 ILCS 415/2) (from Ch. 111, par. 6202)

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

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

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

6 (225 ILCS 415/3) (from Ch. 111, par. 6203)

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

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

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

16 (225 ILCS 415/3.5)

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

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

19 (a) Any person who practices, offers to practice, attempts  
20 to practice, or holds oneself out to practice as a shorthand  
21 reporter or a voice writer reporter without being certified  
22 under this Act shall, in addition to any other penalty provided  
23 by law, pay a civil penalty to the Department in an amount not

1 to exceed \$10,000 for each offense as determined by the  
2 Department and the assessment of costs as provided under  
3 Section 23.3 of this Act. The civil penalty shall be assessed  
4 by the Department after a hearing is held in accordance with  
5 the provisions set forth in this Act regarding the provision of  
6 a hearing for the discipline of a licensee.

7 (b) The Department has the authority and power to  
8 investigate any and all unlicensed activity.

9 (c) The civil penalty shall be paid within 60 days after  
10 the effective date of the order imposing the civil penalty. The  
11 order shall constitute a judgment and may be filed and  
12 execution had thereon in the same manner as any judgment from  
13 any court of record.

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

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

17 (225 ILCS 415/4) (from Ch. 111, par. 6204)

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

19 Sec. 4. In this Act:

20 (1) "Department" means the Department of Financial and  
21 Professional Regulation.

22 (2) "Secretary" means the Secretary of Financial and  
23 Professional Regulation.

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

1           (4) "The practice of shorthand reporting" means reporting,  
2 by the use of any system of manual or mechanical shorthand  
3 writing, of Grand Jury proceedings, court proceedings, court  
4 related proceedings, pretrial examinations, depositions,  
5 motions and related proceedings of like character, or  
6 proceedings of an administrative agency when the final decision  
7 of the agency with reference thereto is likely to be subject to  
8 judicial review under the provisions of the Administrative  
9 Review Law.

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

13           (6) "Stenographic notes" means the original notes by manual  
14 or mechanical shorthand, voice writing, or shorthand writing  
15 taken by a shorthand reporter or voice writer reporter of a  
16 proceeding while in attendance at such proceeding for the  
17 purpose of reporting the same.

18           (7) "Address of record" means the designated address  
19 recorded by the Department in the applicant's or licensee's  
20 application file or license file as maintained by the  
21 Department's licensure maintenance unit. It is the duty of the  
22 applicant or licensee to inform the Department of any change of  
23 address and those changes must be made either through the  
24 Department's Internet website or by contacting the Department.

25           (8) "Practice of voice writer reporting" means reporting,  
26 by the use of a system of repeating words of the speaker into a

1 device that is capable of digital translation into text, of  
2 grand jury proceedings, court proceedings, court-related  
3 proceedings, pretrial examinations, depositions, motions, and  
4 related proceedings of like character, or proceedings of an  
5 administrative agency when the final decision of the agency  
6 with reference thereto is likely to be subject to judicial  
7 review under the provisions of the Administrative Review Law.

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

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

12 (225 ILCS 415/5) (from Ch. 111, par. 6205)

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

14 Sec. 5. Title. Every person to whom a valid existing  
15 certificate as a certified shorthand reporter or certified  
16 voice writer reporter has been issued under this Act shall be  
17 designated as a Certified Shorthand Reporter or Certified Voice  
18 Writer Reporter, and not otherwise. Any ~~, and any~~ such  
19 certified shorthand reporter may, in connection with his or her  
20 practice of shorthand reporting, use the abbreviation "C.S.R."  
21 or the title "Court Reporter". Any such certified voice writer  
22 reporter may, in connection with his or her practice of voice  
23 writer reporting, use the abbreviation "C.C.R." or the title  
24 "Certified Voice Writer Reporter" or "Court Reporter". No  
25 person other than the holder of a valid existing certificate

1 under this Act shall use the title or designation of "Certified  
2 Shorthand Reporter", "Court Reporter", "C.C.R.", ~~or~~ "C.S.R.",  
3 or "Certified Voice Writer Reporter", either directly or  
4 indirectly in connection with his or her profession or  
5 business. A person may hold valid certificates both as a  
6 certified shorthand reporter and as a certified voice writer  
7 under this Act and may use the titles authorized by this  
8 Section.

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

10 (225 ILCS 415/6) (from Ch. 111, par. 6206)

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

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

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

23 (225 ILCS 415/8) (from Ch. 111, par. 6208)

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

1           Sec. 8. Certified Shorthand Reporters and Voice Writer  
2 Reporters Board. The Secretary shall appoint a Certified  
3 Shorthand Reporters and Voice Writer Reporters Board as  
4 follows: 9 7 persons who shall be appointed by and shall serve  
5 in an advisory capacity to the Secretary. Six members must be  
6 certified shorthand reporters, in good standing, and actively  
7 engaged in the practice of shorthand reporting in this State  
8 for ten years, 2 members must be certified voice writer  
9 reporters actively engaged in the practice of voice writer  
10 reporting in this State, who have engaged in the practice of  
11 voice writer reporting for at least 10 years in this State, or  
12 who have applied for certification in this State and are  
13 engaged in the practice of voice writer reporting in another  
14 jurisdiction for at least 10 years and are in good standing in  
15 the other jurisdiction, and one member must be a member of the  
16 public who is not certified under this Act, or a similar Act of  
17 another jurisdiction.

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

25           In making appointments to the Board, the Secretary shall  
26 give consideration to recommendations by national and State



1 organizations of the shorthand reporter and voice writer  
2 reporter professions ~~profession~~.

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

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

8 The Secretary shall consider the recommendations of the  
9 Board on questions involving standards of professional  
10 conduct, discipline and qualifications of candidates and  
11 certificate holders under this Act.

12 Members of the Board shall be reimbursed for all  
13 legitimate, necessary, and authorized expenses incurred in  
14 attending the meetings of the Board.

15 Members of the Board have no liability in any action based  
16 upon any disciplinary proceedings or other activity performed  
17 in good faith as members of the Board.

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

19 (225 ILCS 415/9) (from Ch. 111, par. 6209)

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

21 Sec. 9. Qualifications. Applications for original  
22 certificates shall be made to the Department in writing on  
23 forms prescribed by the Department and shall be accompanied by  
24 the required fee, which shall not be returnable. Any such  
25 application shall require such information as in the judgment

1 of the Department will enable the Department to pass on the  
2 qualifications of the applicant for certification.

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

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

15 (225 ILCS 415/10) (from Ch. 111, par. 6210)

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

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

22 Applicants for examination as certified shorthand  
23 reporters and for examination as certified voice writer  
24 reporters shall be required to pay, either to the Department or  
25 the designated testing service, a fee covering the cost of

1 providing the examination. Failure to appear for the  
2 examination on the scheduled date, at the time and place  
3 specified, after the applicant's application for examination  
4 has been received and acknowledged by the Department or the  
5 designated testing service, shall result in the forfeiture of  
6 the examination fee.

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

15 The Department may employ consultants for the purpose of  
16 preparing and conducting examinations.

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

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

24 (225 ILCS 415/11) (from Ch. 111, par. 6211)

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

1           Sec. 11. Qualifications; application. A person shall be  
2 qualified for certification as a certified shorthand reporter  
3 or for certification as a certified voice writer reporter if:

4           A. That person has applied in writing in form and substance  
5 to the Department; and

6                 (1) (Blank);

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

10                (3) Has graduated from a high school or secondary  
11 school or its equivalent; and

12           B. That person has successfully completed the examination  
13 authorized by the Department.

14           Additional qualifications for the practice of shorthand  
15 reporting or for the practice of voice writer reporting may be  
16 set by the Department by rule.

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

18 (225 ILCS 415/13) (from Ch. 111, par. 6213)

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

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

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

2 (225 ILCS 415/14) (from Ch. 111, par. 6214)

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

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

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

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

1 restoration.

2       However, any certified shorthand reporter or certified  
3 voice writer reporter whose certificate expired while he or she  
4 was (1) in Federal Service on active duty with the Armed Forces  
5 of the United States, or the State Militia called into service  
6 or training, or (2) in training or education under the  
7 supervision of the United States preliminary to induction into  
8 the military service, may have his or her certificate renewed  
9 or restored without paying any lapsed renewal fees if within 2  
10 years after termination of such service, training or education  
11 except under conditions other than honorable, he or she  
12 furnished the Department with satisfactory evidence to the  
13 effect that he or she has been so engaged and that his or her  
14 service, training or education has been so terminated.

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

16       (225 ILCS 415/15) (from Ch. 111, par. 6215)

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

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

25       Any certified shorthand reporter or certified voice writer

1 reporter requesting restoration from inactive status shall be  
2 required to pay the current renewal fee and shall be required  
3 to restore his or her certificate, as provided in Section 14.

4 Any certified shorthand reporter or certified voice writer  
5 reporter whose certificate is in an inactive status shall not  
6 practice shorthand reporting or voice writer reporting in the  
7 State of Illinois.

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

9 (225 ILCS 415/16) (from Ch. 111, par. 6216)

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

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

22 Applicants have 3 years from the date of application to  
23 complete the application process. If the process has not been  
24 completed in 3 years, the application shall be denied, the fee  
25 forfeited and the applicant must reapply and meet the

1 requirements in effect at the time of reapplication.

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

3 (225 ILCS 415/23) (from Ch. 111, par. 6223)

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

5 Sec. 23. Grounds for disciplinary action.

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

13 (1) Material misstatement in furnishing information to  
14 the Department;

15 (2) Violations of this Act, or of the rules promulgated  
16 thereunder;

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



1           (4) Fraud or any misrepresentation in applying for or  
2           procuring a license under this Act or in connection with  
3           applying for renewal of a license under this Act;

4           (5) Professional incompetence;

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

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

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

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

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

22          (11) Charging for professional services not rendered,  
23          including filing false statements for the collection of  
24          fees for which services were not rendered, or giving,  
25          directly or indirectly, any gift or anything of value to  
26          attorneys or their staff or any other persons or entities

1 associated with any litigation, that exceeds \$100 total per  
2 year; for the purposes of this Section, pro bono services,  
3 as defined by State law, are permissible in any amount;

4 (12) A finding by the Board that the certificate  
5 holder, after having his or her certificate placed on  
6 probationary status, has violated the terms of probation;

7 (13) Willfully making or filing false records or  
8 reports in the practice of shorthand reporting or in the  
9 practice of voice writer reporting, including but not  
10 limited to false records filed with State agencies or  
11 departments;

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

16 (15) Solicitation of professional services other than  
17 by permitted advertising;

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

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

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

24 (19) Willful alteration of a transcript of  
25 stenographic notes taken at any proceeding;

26 (20) Affixing one's signature to any transcript of his

1 stenographic notes or certifying to its correctness unless  
2 the transcript has been prepared by him or under his  
3 immediate supervision;

4 (21) Willful failure to systematically retain  
5 stenographic notes or transcripts on paper or any  
6 electronic media for 10 years from the date that the notes  
7 or transcripts were taken;

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

10 (23) Establishing contingent fees as a basis of  
11 compensation;

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

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

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

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

21 All fines imposed under this Section shall be paid within  
22 60 days after the effective date of the order imposing the fine  
23 or in accordance with the terms set forth in the order imposing  
24 the fine.

25 (b) The determination by a circuit court that a certificate  
26 holder is subject to involuntary admission or judicial

1 admission as provided in the Mental Health and Developmental  
2 Disabilities Code, operates as an automatic suspension. Such  
3 suspension will end only upon a finding by a court that the  
4 patient is no longer subject to involuntary admission or  
5 judicial admission, an order by the court so finding and  
6 discharging the patient. In any case where a license is  
7 suspended under this Section, the licensee may file a petition  
8 for restoration and shall include evidence acceptable to the  
9 Department that the licensee can resume practice in compliance  
10 with acceptable and prevailing standards of the profession.

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

22 (d) In enforcing this Section, the Department, upon a  
23 showing of a possible violation, may compel any individual who  
24 is certified under this Act or any individual who has applied  
25 for certification under this Act to submit to a mental or  
26 physical examination and evaluation, or both, which may include

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

20 The Department may order the examining physician or any  
21 member of the multidisciplinary team to provide to the  
22 Department any and all records, including business records,  
23 that relate to the examination and evaluation, including any  
24 supplemental testing performed. The Department may order the  
25 examining physician or any member of the multidisciplinary team  
26 to present testimony concerning this examination and

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

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

1 physicians approved or designated by the Department, as a  
2 condition for continued, reinstated, or renewed certification.

3 When the Secretary immediately suspends a certificate  
4 under this Section, a hearing upon the person's certificate  
5 must be convened by the Department within 15 days after the  
6 suspension and completed without appreciable delay. The  
7 Department shall have the authority to review the certified  
8 shorthand reporter's or certified voice writer reporter's  
9 record of treatment and counseling regarding the impairment, to  
10 the extent permitted by applicable federal statutes and  
11 regulations safeguarding the confidentiality of medical  
12 records.

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

18 (e) (Blank).

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

1 with subsection (g) of Section 2105-15 of the Civil  
2 Administrative Code of Illinois.

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

4 (225 ILCS 415/23.1) (from Ch. 111, par. 6224)

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

6 Sec. 23.1. Injunctive actions; order to cease and desist.

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

21 (b) If any person practices as a certified shorthand  
22 reporter or certified voice writer reporter or holds himself or  
23 herself out as a certified shorthand reporter or certified  
24 voice writer reporter without being licensed under the  
25 provisions of this Act then any certified shorthand reporter,



1 any certified voice writer reporter, any interested party or  
2 any person injured thereby may, in addition to the Secretary,  
3 petition for relief as provided in subsection (a).

4 (c) Whenever in the opinion of the Department any person  
5 violates any provision of this Act, the Department may issue a  
6 rule to show cause why an order to cease and desist should not  
7 be entered against that individual. The rule shall clearly set  
8 forth the grounds relied upon by the Department and shall  
9 provide a period of 7 days from the date of the rule to file an  
10 answer to the satisfaction of the Department. Failure to answer  
11 to the satisfaction of the Department shall cause an order to  
12 cease and desist to be issued forthwith.

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

14 (225 ILCS 415/23.3) (from Ch. 111, par. 6226)

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

16 Sec. 23.3. Records of proceedings. The Department, at its  
17 expense, shall preserve a record of all proceedings at the  
18 formal hearing of any case. The notice of hearing, complaint  
19 and all other documents in the nature of pleadings and written  
20 motions filed in the proceedings, the transcript of testimony,  
21 the report of the Board and orders of the Department, shall be  
22 the record of such proceeding. Any certified shorthand reporter  
23 or certified voice writer reporter who is found to have  
24 violated this Act or who fails to appear for a hearing to  
25 refuse to issue, restore, or renew a license or to discipline a

1 licensee may be required by the Department to pay for the costs  
2 of the proceeding. These costs are limited to costs for court  
3 reporters, transcripts, and witness attendance and mileage  
4 fees. All costs imposed under this Section shall be paid within  
5 60 days after the effective date of the order imposing the  
6 fine.

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

8 (225 ILCS 415/23.4) (from Ch. 111, par. 6227)

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

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

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

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

1 (225 ILCS 415/23.13) (from Ch. 111, par. 6236)

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

3 Sec. 23.13. Summary suspension. The Secretary may  
4 summarily suspend the certificate of a certified shorthand  
5 reporter or a certified voice writer reporter without a  
6 hearing, simultaneously with the institution of proceedings  
7 for a hearing provided for in Section 23.2 of this Act, if the  
8 Secretary finds that the evidence indicates that a certified  
9 shorthand reporter's or a certified voice writer reporter's  
10 continuation in practice would constitute an imminent danger to  
11 the public. In the event that the Secretary summarily suspends  
12 the certificate of a certified shorthand reporter or a  
13 certified voice writer reporter without a hearing, a hearing  
14 shall be commenced within 30 days after such suspension has  
15 occurred and shall be concluded as expeditiously as possible.

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

17 (225 ILCS 415/25) (from Ch. 111, par. 6241)

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

19 Sec. 25. Home rule. The regulation and licensing of a  
20 shorthand reporter or a voice writer reporter are exclusive  
21 powers and functions of the State. A home rule unit may not  
22 regulate or license a shorthand reporter or the practice of  
23 shorthand reporting or regulate or license a voice writer  
24 reporter or the practice of voice writer reporting. This

1 Section is a denial and limitation of home rule powers and  
2 functions under subsection (h) of Section 6 of Article VII of  
3 the Illinois Constitution.

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

5 (225 ILCS 415/26) (from Ch. 111, par. 6242)

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

7 Sec. 26. Every shorthand reporter and voice writer reporter  
8 shall print his or her name and license or restricted license  
9 number on each transcript reported.

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

11 (225 ILCS 415/28)

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

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

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

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

21 (225 ILCS 450/20.2) (from Ch. 111, par. 5523)

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

1           Sec. 20.2. Subpoenas; depositions; oaths.

2           (a) The Department may subpoena and bring before it any  
3 person to take the oral or written testimony or compel the  
4 production of any books, papers, records, or any other  
5 documents that the Secretary or his or her designee deems  
6 relevant or material to any investigation or hearing conducted  
7 by the Department with the same fees and mileage as prescribed  
8 in civil cases in circuit courts of this State and in the same  
9 manner as prescribed by this Act and its rules.

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

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

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

20           (225 ILCS 458/15-15)

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

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

23           (a) Upon the motion of the Department or the Board or upon  
24 a complaint in writing of a person setting forth facts that, if

1 proven, would constitute grounds for suspension, revocation,  
2 or other disciplinary action against a licensee or applicant  
3 for licensure, the Department shall investigate the actions of  
4 the licensee or applicant. If, upon investigation, the  
5 Department believes that there may be cause for suspension,  
6 revocation, or other disciplinary action, the Department shall  
7 use the services of a State certified general real estate  
8 appraiser, a State certified residential real estate  
9 appraiser, or the Real Estate Coordinator to assist in  
10 determining whether grounds for disciplinary action exist  
11 prior to commencing formal disciplinary proceedings.

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

1 nature, or extent of the licensee's practice. If the licensee  
2 or applicant fails to file an answer after service of notice,  
3 his or her license may, at the discretion of the Department, be  
4 suspended, revoked, or placed on probationary status and the  
5 Department may take whatever disciplinary action it deems  
6 proper, including limiting the scope, nature, or extent of the  
7 person's practice, without a hearing.

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

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

1 may order a rehearing by the Board or other special committee  
2 appointed by the Secretary, may remand the matter to the Board  
3 for its reconsideration of the matter based on the pleadings  
4 and evidence presented to the Board, or may enter a final order  
5 in contravention of the Board's recommendation.  
6 Notwithstanding a licensee's or applicant's failure to file a  
7 motion for rehearing, the Secretary shall have the right to  
8 take any of the actions specified in this subsection (d). Upon  
9 the suspension or revocation of a license, the licensee shall  
10 be required to surrender his or her license to the Department,  
11 and upon failure or refusal to do so, the Department shall have  
12 the right to seize the license.

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

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



1 (g) In addition to the provisions of this Section  
2 concerning the conduct of hearings and the recommendations for  
3 discipline, the Department has the authority to negotiate  
4 disciplinary and non-disciplinary settlement agreements  
5 concerning any license issued under this Act. All such  
6 agreements shall be recorded as Consent Orders or Consent to  
7 Administrative Supervision Orders.

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

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

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

24 Section 55. The Animal Welfare Act is amended by changing  
25 Section 15 as follows:

1 (225 ILCS 605/15) (from Ch. 8, par. 315)

2 Sec. 15. Any person affected by a final administrative  
3 decision of the Department may have such decision reviewed  
4 judicially by the circuit court of the county wherein such  
5 person resides, or in the case of a corporation, wherein the  
6 registered office is located. If the plaintiff in the review  
7 proceeding is not a resident of this state, the venue shall be  
8 in Sangamon County. The provisions of the Administrative Review  
9 Law, and all amendments and modifications thereof, and the  
10 rules adopted pursuant thereto, shall apply to and govern all  
11 proceedings for the judicial review of final administrative  
12 decisions of the Department hereunder. The term  
13 "administrative decision" is defined as in Section 3-101 of the  
14 Code of Civil Procedure.

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

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

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

23 (235 ILCS 5/7-9) (from Ch. 43, par. 153)

1           Sec. 7-9. Except as provided in this Section, any order or  
2 action of a local liquor control commissioner levying a fine or  
3 refusing to levy a fine on a licensee, granting or refusing to  
4 grant a license, revoking or suspending or refusing to revoke  
5 or suspend a license or refusing for more than 30 days to grant  
6 a hearing upon a complaint to revoke or suspend a license may,  
7 within 20 days after notice of such order or action, be  
8 appealed by any resident of the political subdivision under the  
9 jurisdiction of the local liquor control commissioner or any  
10 person interested, to the State Commission.

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

22           In any case in which a licensee appeals to the State  
23 Commission a suspension or revocation by a local liquor control  
24 commissioner that is the second or subsequent such suspension  
25 or revocation placed on that licensee within the preceding 12  
26 month period, the licensee shall consider the suspension or

1 revocation to be in effect until a reversal of the local liquor  
2 control commissioner's action has been issued by the State  
3 Commission and shall cease all activity otherwise authorized by  
4 the license. The State Commission shall expedite, to the  
5 greatest extent possible, its consideration of any appeal that  
6 is an appeal of a second or subsequent suspension or revocation  
7 within the past 12 month period.

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

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

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

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

1           The only evidence which may be considered in the review,  
2 shall be the evidence found in the certified official record of  
3 the proceedings of the local liquor control commissioner. No  
4 new or additional evidence shall be admitted or considered. The  
5 State Commission shall render a decision affirming, reversing  
6 or modifying the order or action reviewed within 30 days after  
7 the appeal was heard.

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

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

1 pays for the cost of the transcript and promptly delivers the  
2 transcript to the local liquor control commission or its  
3 attorney. The review by the license appeal commission shall be  
4 limited to the questions:

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

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

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

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

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

25 In any trial de novo hearing before the State Commission or  
26 license appeal commission, the local liquor control

1 commissioner shall be entitled to 10 days notice and to be  
2 heard. All such trial de novo hearings shall be open to the  
3 public and the Illinois Liquor Control Commission and the  
4 license appeal commission shall reduce all evidence offered  
5 thereto to writing.

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

14 A certified copy of the order shall be transmitted to the  
15 particular local liquor control commissioner and it shall be  
16 the duty of the local liquor control commissioner to take such  
17 action as may be necessary to conform with the order.

18 In any trial de novo hearing before the State Commission or  
19 the license appeal commission, the licensee shall submit to  
20 examination and produce books and records material to the  
21 business conducted under the license in like manner as before  
22 the local liquor control commissioner, and the failure of the  
23 licensee to submit to such an examination or to produce such  
24 books and records, or to appear at the hearing on such appeal,  
25 shall constitute an admission that he has violated the  
26 provisions of this Act. In the event the appeal is from an

1 order of the local liquor control commissioner denying a  
2 renewal application, the licensee shall have on deposit with  
3 the local liquor control commissioner an amount sufficient to  
4 cover the license fee for the renewal period and any bond that  
5 may be required.

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

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

9 (240 ILCS 30/10) (from Ch. 114, par. 410)

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

21 In any case involving the refusal to issue or renew or the  
22 suspension or revocation of a license, a copy of the  
23 Department's report shall be served upon the respondent by the  
24 Department, either personally or by registered or certified



1 mail as provided in this Act for the service of the notice of  
2 hearing. Within 20 days after such service, the respondent may  
3 present to the Department a motion in writing for a rehearing,  
4 which written motion shall specify the particular grounds  
5 therefor. If no motion for rehearing is filed, then upon the  
6 expiration of the time specified for filing such a motion, or  
7 if a motion for rehearing is denied, then upon such denial, the  
8 Director may enter an order. If the respondent shall order and  
9 pay for a transcript of the record within the time for filing a  
10 motion for rehearing, the 20 day period within which such a  
11 motion may be filed shall commence upon the delivery of the  
12 transcript to the respondent.

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

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

16 (730 ILCS 5/5-5-5) (from Ch. 38, par. 1005-5-5)

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

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

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

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

3           (d) On completion of sentence of imprisonment or upon  
4 discharge from probation, conditional discharge or periodic  
5 imprisonment, or at any time thereafter, all license rights and  
6 privileges granted under the authority of this State which have  
7 been revoked or suspended because of conviction of an offense  
8 shall be restored unless the authority having jurisdiction of  
9 such license rights finds after investigation and hearing that  
10 restoration is not in the public interest. This paragraph (d)  
11 shall not apply to the suspension or revocation of a license to  
12 operate a motor vehicle under the Illinois Vehicle Code.

13           (e) Upon a person's discharge from incarceration or parole,  
14 or upon a person's discharge from probation or at any time  
15 thereafter, the committing court may enter an order certifying  
16 that the sentence has been satisfactorily completed when the  
17 court believes it would assist in the rehabilitation of the  
18 person and be consistent with the public welfare. Such order  
19 may be entered upon the motion of the defendant or the State or  
20 upon the court's own motion.

21           (f) Upon entry of the order, the court shall issue to the  
22 person in whose favor the order has been entered a certificate  
23 stating that his behavior after conviction has warranted the  
24 issuance of the order.

25           (g) This Section shall not affect the right of a defendant  
26 to collaterally attack his conviction or to rely on it in bar

1 of subsequent proceedings for the same offense.

2 (h) No application for any license specified in subsection  
3 (i) of this Section granted under the authority of this State  
4 shall be denied by reason of an eligible offender who has  
5 obtained a certificate of relief from disabilities, as defined  
6 in Article 5.5 of this Chapter, having been previously  
7 convicted of one or more criminal offenses, or by reason of a  
8 finding of lack of "good moral character" when the finding is  
9 based upon the fact that the applicant has previously been  
10 convicted of one or more criminal offenses, unless:

11 (1) there is a direct relationship between one or more  
12 of the previous criminal offenses and the specific license  
13 sought; or

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

17 In making such a determination, the licensing agency shall  
18 consider the following factors:

19 (1) the public policy of this State, as expressed in  
20 Article 5.5 of this Chapter, to encourage the licensure and  
21 employment of persons previously convicted of one or more  
22 criminal offenses;

23 (2) the specific duties and responsibilities  
24 necessarily related to the license being sought;

25 (3) the bearing, if any, the criminal offenses or  
26 offenses for which the person was previously convicted will

1 have on his or her fitness or ability to perform one or  
2 more such duties and responsibilities;

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

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

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

8 (7) any information produced by the person or produced  
9 on his or her behalf in regard to his or her rehabilitation  
10 and good conduct, including a certificate of relief from  
11 disabilities issued to the applicant, which certificate  
12 shall create a presumption of rehabilitation in regard to  
13 the offense or offenses specified in the certificate; and

14 (8) the legitimate interest of the licensing agency in  
15 protecting property, and the safety and welfare of specific  
16 individuals or the general public.

17 (i) A certificate of relief from disabilities shall be  
18 issued only for a license or certification issued under the  
19 following Acts:

20 (1) the Animal Welfare Act; except that a certificate  
21 of relief from disabilities may not be granted to provide  
22 for the issuance or restoration of a license under the  
23 Animal Welfare Act for any person convicted of violating  
24 Section 3, 3.01, 3.02, 3.03, 3.03-1, or 4.01 of the Humane  
25 Care for Animals Act or Section 26-5 or 48-1 of the  
26 Criminal Code of 1961 or the Criminal Code of 2012;

- 1 (2) the Illinois Athletic Trainers Practice Act;
- 2 (3) the Barber, Cosmetology, Esthetics, Hair Braiding,  
3 and Nail Technology Act of 1985;
- 4 (4) the Boiler and Pressure Vessel Repairer Regulation  
5 Act;
- 6 (5) the Boxing and Full-contact Martial Arts Act;
- 7 (6) the Illinois Certified Shorthand Reporters and  
8 Voice Writer Reporters Act of 1984;
- 9 (7) the Illinois Farm Labor Contractor Certification  
10 Act;
- 11 (8) the Registered Interior Designers Act;
- 12 (9) the Illinois Professional Land Surveyor Act of  
13 1989;
- 14 (10) the Illinois Landscape Architecture Act of 1989;
- 15 (11) the Marriage and Family Therapy Licensing Act;
- 16 (12) the Private Employment Agency Act;
- 17 (13) the Professional Counselor and Clinical  
18 Professional Counselor Licensing and Practice Act;
- 19 (14) the Real Estate License Act of 2000;
- 20 (15) the Illinois Roofing Industry Licensing Act;
- 21 (16) the Professional Engineering Practice Act of  
22 1989;
- 23 (17) the Water Well and Pump Installation Contractor's  
24 License Act;
- 25 (18) the Electrologist Licensing Act;
- 26 (19) the Auction License Act;

- 1           (20) the Illinois Architecture Practice Act of 1989;  
2           (21) the Dietitian Nutritionist Practice Act;  
3           (22) the Environmental Health Practitioner Licensing  
4           Act;  
5           (23) the Funeral Directors and Embalmers Licensing  
6           Code;  
7           (24) (blank);  
8           (25) the Professional Geologist Licensing Act;  
9           (26) the Illinois Public Accounting Act; and  
10          (27) the Structural Engineering Practice Act of 1989.  
11          (Source: P.A. 100-534, eff. 9-22-17; 100-920, eff. 8-17-18.)

12           Section 75. The Code of Civil Procedure is amended by  
13          changing Section 2-1003 as follows:

14           (735 ILCS 5/2-1003) (from Ch. 110, par. 2-1003)

15           Sec. 2-1003. Discovery and depositions.

16           (a) Discovery, such as admissions of fact and of  
17          genuineness of documents, physical and mental examinations of  
18          parties and other persons, the taking of any depositions, and  
19          interrogatories, shall be in accordance with rules.

20           (b) (Blank).

21           (c) (Blank).

22           (d) Whenever the defendant in any litigation in this State  
23          has the right to demand a physical or mental examination of the  
24          plaintiff pursuant to statute or Supreme Court Rule, relative

1 to the occurrence and extent of injuries or damages for which  
2 claim is made, or in connection with the plaintiff's capacity  
3 to exercise any right plaintiff has, or would have but for a  
4 finding based upon such examination, the plaintiff has the  
5 right to have his or her attorney, or such other person as the  
6 plaintiff may wish, present at such physical or mental  
7 examination.

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

12 (f) Unless a verbatim record of the testimony or deposition  
13 is prepared and certified by an individual certified under the  
14 Illinois Certified Shorthand Reporters and Voice Writer  
15 Reporters Act, no testimony taken in any litigation in this  
16 State by deposition shall be offered in any court in this State  
17 and no testimony offered in the record of administrative  
18 proceedings in an appeal under the Administrative Review Law  
19 shall be offered as part of the administrative record.  
20 Testimony taken outside of this State shall be deemed to be in  
21 conformity with this Section if the testimony was prepared and  
22 certified by a court reporter authorized to prepare and certify  
23 deposition testimony in the jurisdiction in which the testimony  
24 was taken.

25 (Source: P.A. 99-110, eff. 1-1-16.)

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

3           (815 ILCS 390/9) (from Ch. 21, par. 209)

4           Sec. 9. The Comptroller may upon his own motion investigate  
5 the actions of any person providing, selling, or offering  
6 pre-need sales contracts or of any applicant or any person or  
7 persons holding or claiming to hold a license under this Act.  
8 The Comptroller shall make such an investigation on receipt of  
9 the verified written complaint of any person setting forth  
10 facts which, if proved, would constitute grounds for refusal,  
11 suspension, or revocation of a license. Before refusing to  
12 issue, and before suspension or revocation of a license, the  
13 Comptroller shall hold a hearing to determine whether the  
14 applicant or licensee, hereafter called the respondent, is  
15 entitled to hold such a license. At least 10 days prior to the  
16 date set for such hearing, the Comptroller shall notify the  
17 respondent in writing that on the date designated a hearing  
18 will be held to determine his eligibility for a license and  
19 that he may appear in person or by counsel. Such written notice  
20 may be served on the respondent personally, or by registered or  
21 certified mail sent to the respondent's business address as  
22 shown in his latest notification to the Comptroller and shall  
23 include sufficient information to inform the respondent of the  
24 general nature of the charge. At the hearing, both the  
25 respondent and the complainant shall be accorded ample



1 opportunity to present in person or by counsel such statements,  
2 testimony, evidence and argument as may be pertinent to the  
3 charges or to any defense thereto. The Comptroller may  
4 reasonably continue such hearing from time to time.

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

9 Any authorized agent of the Comptroller may administer  
10 oaths to witnesses at any hearing which the Comptroller is  
11 authorized to conduct.

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

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

1 (815 ILCS 390/11) (from Ch. 21, par. 211)

2 Sec. 11. Any person affected by a final administrative  
3 decision of the Comptroller may have such decision reviewed  
4 judicially by the circuit court of the county where such person  
5 resides, or in the case of a corporation, where the registered  
6 office is located. If the plaintiff in the review proceeding is  
7 not a resident of this State, venue shall be in Sangamon  
8 County. The provisions of the "Administrative Review Law",  
9 approved August 19, 1981, all amendments and modifications  
10 thereto, and any rules adopted under it govern all proceedings  
11 for the judicial review of final administrative decisions of  
12 the Comptroller. The term "administrative decision" is defined  
13 as in the "Administrative Review Law".

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

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

21 Section 95. No acceleration or delay. Where this Act makes  
22 changes in a statute that is represented in this Act by text  
23 that is not yet or no longer in effect (for example, a Section  
24 represented by multiple versions), the use of that text does

1 not accelerate or delay the taking effect of (i) the changes  
2 made by this Act or (ii) provisions derived from any other  
3 Public Act.".