



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2499

Introduced 2/15/2023, by Rep. Bob Morgan

SYNOPSIS AS INTRODUCED:

5 ILCS 80/4.34
5 ILCS 80/4.39
225 ILCS 412/10
225 ILCS 412/12 new
225 ILCS 412/32
225 ILCS 412/40
225 ILCS 412/90
225 ILCS 412/120

Amends the Regulatory Sunset Act. Repeals the Electrologist Licensing Act on January 1, 2029 (rather than January 1, 2024). Amends the Electrologist Licensing Act. Provides that all applicants and licensees shall: (1) provide a valid physical address and email address to the Department of Financial and Professional Regulation, which shall serve as the address of record and email address of record, respectively, at the time of applicant for licensure or renewal of a license; and (2) inform the Department of any change of address of record or email address of record within 14 days. Provides that the changes must be made either through the Department's website or by contacting the Department through the Department's licensure maintenance unit. Provides that every application for an original license under this Act shall include the applicant's social security number or individual taxpayer identification number. Provides that specified written notices may be served electronically to the licensee's email address of record. Provides that in any case involving the refusal to issue or renew a license, a copy of the hearing officer's report shall be served upon the respondent by the Secretary (rather than the Department). Makes corresponding changes. Provisions amending the Regulatory Sunset Act are effective immediately.

LRB103 30875 AMQ 57395 b

1 AN ACT concerning regulation.

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

4 Section 5. The Regulatory Sunset Act is amended by
5 changing Sections 4.34 and 4.39 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 Acts and Section repealed on January 1, 2024.

8 The following Acts and Section of an Act are repealed on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 Crematory Regulation Act.

11 ~~The Electrologist Licensing Act.~~

12 The Illinois Certified Shorthand Reporters Act of
13 1984.

14 The Illinois Occupational Therapy Practice Act.

15 The Illinois Public Accounting Act.

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

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

20 Section 2.5 of the Illinois Plumbing License Law.

21 The Veterinary Medicine and Surgery Practice Act of
22 2004.

23 (Source: P.A. 102-291, eff. 8-6-21.)

1 (5 ILCS 80/4.39)

2 Sec. 4.39. Acts repealed on January 1, 2029 and December
3 31, 2029.

4 (a) The following Act is repealed on January 1, 2029:

5 The Electrologist Licensing Act.

6 The Environmental Health Practitioner Licensing Act.

7 (b) The following Act is repealed on December 31, 2029:

8 The Structural Pest Control Act.

9 (Source: P.A. 100-716, eff. 8-3-18; 100-796, eff. 8-10-18;
10 101-81, eff. 7-12-19.)

11 Section 10. The Electrologist Licensing Act is amended by
12 changing Sections 10, 32, 40, 90, and 120 and by adding Section
13 12 as follows:

14 (225 ILCS 412/10)

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

16 Sec. 10. Definitions. In this Act:

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

1 "Department" means the Department of Financial and
2 Professional Regulation.

3 "Electrologist" means an individual licensed to practice
4 electrology pursuant to the provisions of this Act.

5 "Electrology" means the practice or teaching of services
6 for permanent hair removal utilizing only solid probe
7 electrode type epilation, which may include thermolysis
8 (shortwave, high frequency), electrolysis (galvanic), or a
9 combination of both (superimposed or sequential blend).

10 "Email address of record" means the designated email
11 address recorded by the Department in the applicant's
12 application file or in a licensee's license file, as
13 maintained by the Department's licensure maintenance unit.

14 "Secretary" means the Secretary of Financial and
15 Professional Regulation.

16 (Source: P.A. 98-363, eff. 8-16-13.)

17 (225 ILCS 412/12 new)

18 Sec. 12. Address of record and email address of record.

19 All applicants and licensees shall:

20 (1) provide a valid physical address and email address
21 to the Department, which shall serve as the address of
22 record and email address of record, respectively, at the
23 time of application for licensure or renewal of a license;
24 and

25 (2) inform the Department of any change of address of

1 record or email address of record within 14 days. Those
2 changes must be made either through the Department's
3 website or by contacting the Department through the
4 Department's licensure maintenance unit.

5 (225 ILCS 412/32)

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

7 Sec. 32. Social Security number or federal individual
8 taxpayer identification Number on license application. In
9 addition to any other information required to be contained in
10 the application, every application for an original license
11 under this Act shall include the applicant's social security
12 number or federal individual taxpayer identification number,
13 which shall be retained in the agency's records pertaining to
14 the license. As soon as practical, the Department shall assign
15 a customer's identification number to each applicant for a
16 license.

17 Every application for a renewed, reinstated, or restored
18 license shall require the applicant's customer identification
19 number.

20 (Source: P.A. 97-400, eff. 1-1-12; 98-363, eff. 8-16-13.)

21 (225 ILCS 412/40)

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

23 Sec. 40. Administrative Procedure Act. The Illinois
24 Administrative Procedure Act is hereby expressly adopted and

1 incorporated in this Act as if all of the provisions of the
2 Illinois Administrative Procedure Act were included in this
3 Act, except that the provision of paragraph (d) of Section
4 10-65 of the Illinois Administrative Procedure Act, which
5 provides that at hearings the licensee has the right to show
6 compliance with all lawful requirements for retention,
7 continuation, or renewal of the license, is specifically
8 excluded. For the purposes of this Act, the notice required
9 under Section 10-25 of the Illinois Administrative Procedure
10 Act is considered to be sufficient when mailed to the
11 licensee's address of record or email address of record.

12 (Source: P.A. 98-363, eff. 8-16-13.)

13 (225 ILCS 412/90)

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

15 Sec. 90. Investigations; notice and hearing.

16 (a) The Department may investigate the actions of an
17 applicant or a person holding or claiming to hold a license.

18 (b) Before refusing to issue or renew a license or take any
19 disciplinary or non-disciplinary action against a licensed
20 electrologist pursuant to Section 75 of this Act, the
21 Department shall notify in writing the applicant or the
22 licensee of the nature of the charges and that a hearing will
23 be held on the date designated, which shall be at least 30 days
24 after the date of the notice. The Department shall direct the
25 applicant or licensee to file a written answer to the

1 Department under oath within 20 days after the service of the
2 notice and inform the applicant or licensee that failure to
3 file an answer will result in default being taken against the
4 applicant or licensee and that the license may be suspended,
5 revoked, placed on probationary status, or other disciplinary
6 or non-disciplinary action may be taken, including limiting
7 the scope, nature, or extent of business as the Secretary may
8 deem proper. ~~Written notice may be served by certified or
9 registered mail sent to the licensee's address of record.~~

10 The written notice and any notice in the subsequent
11 proceeding may be served by regular mail to the licensee's
12 address of record or electronically to the licensee's email
13 address of record.

14 If the applicant or licensee fails to file an answer after
15 receiving notice, the license may, in the discretion of the
16 Department, be suspended, revoked, or placed on probationary
17 status, or the Department may take whatever disciplinary
18 action considered proper including limiting the scope, nature,
19 or extent of the person's practice or the imposition of a fine,
20 without a hearing if the act or acts charged constitute
21 sufficient grounds for such action under this Act.

22 At the time and place fixed in the notice, the Department
23 shall proceed to hear the charges, and the parties or their
24 counsel shall be accorded ample opportunity to present any
25 pertinent statements, testimony, evidence, and argument. The
26 Department may continue a hearing from time to time.

1 (Source: P.A. 98-363, eff. 8-16-13.)

2 (225 ILCS 412/120)

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

4 Sec. 120. Motion for rehearing. In any case involving the
5 refusal to issue or renew a license, or the discipline of a
6 licensee, a copy of the hearing officer's report shall be
7 served upon the respondent by the Secretary Department, either
8 personally or as provided in this Act for the service of the
9 notice of hearing. Within 20 days after service, the
10 respondent may present to the Department a motion in writing
11 for a rehearing which shall specify the particular grounds for
12 rehearing. If no motion for rehearing is filed, then upon the
13 expiration of the time specified for filing a motion, or if a
14 motion for rehearing is denied, then upon denial, the
15 Secretary may enter an order in accordance with the
16 recommendation of the hearing officer. If the respondent
17 orders from the reporting service, and pays for a transcript
18 of the record within the time for filing a motion for
19 rehearing, the 20-day period within which a motion may be
20 filed shall commence upon the delivery of the transcript to
21 the respondent.

22 (Source: P.A. 98-363, eff. 8-16-13.)

23 Section 99. Effective date. This Section and Section 5
24 take effect upon becoming law.