



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB0900

Introduced 2/2/2005, by Rep. Michael P. McAuliffe

#### SYNOPSIS AS INTRODUCED:

225 ILCS 305/4	from Ch. 111, par. 1304
225 ILCS 305/8	from Ch. 111, par. 1308
225 ILCS 305/16.5	
225 ILCS 325/4	from Ch. 111, par. 5204
225 ILCS 325/5	from Ch. 111, par. 5205
225 ILCS 325/17.5	
225 ILCS 330/4	from Ch. 111, par. 3254
225 ILCS 330/6	from Ch. 111, par. 3256
225 ILCS 330/18.5	
225 ILCS 340/4	from Ch. 111, par. 6604
225 ILCS 340/6	from Ch. 111, par. 6606
225 ILCS 340/14.5	

Amends the Illinois Architecture Practice Act of 1989. Defines "Architect, Retired". Requires the Department of Financial and Professional Regulation to adopt rules concerning the issuance of the title and allows the Department to exempt from continuing education requirements retired architects who have been granted the title and who meet certain other requirements. Amends the Professional Engineering Practice Act. Defines "Professional Engineer, Retired". Requires the Department of Financial and Professional Regulation to adopt rules concerning the issuance of the title and allows the Department to exempt from continuing education requirements retired professional engineers who have been granted the title and who meet certain other requirements. Amends the Professional Land Surveyor Act of 1989. Defines "Professional Land Surveyor, Retired". Requires the Department of Financial and Professional Regulation to adopt rules concerning the issuance of the title and allows the Department to exempt from continuing education requirements retired professional land surveyors who have been granted the title and who meet certain other requirements. Amends the Structural Engineering Practice Act. Defines "Structural Engineer, Retired". Requires the Department of Financial and Professional Regulation to adopt rules concerning the issuance of the title and allows the Department to exempt from continuing education requirements retired structural engineers who have been granted the title and who meet certain other requirements. Effective January 1, 2006.

LRB094 07090 RAS 37235 b

FISCAL NOTE ACT  
MAY APPLY

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 Illinois Architecture Practice Act of 1989  
5 is amended by changing Sections 4, 8, and 16.5 as follows:

6 (225 ILCS 305/4) (from Ch. 111, par. 1304)

7 (Section scheduled to be repealed on January 1, 2010)

8 Sec. 4. Definitions. In this Act:

9 (a) "Department" means the Department of Professional  
10 Regulation.

11 (b) "Director" means the Director of Professional  
12 Regulation.

13 (c) "Board" means the Illinois Architecture Licensing  
14 Board appointed by the Director.

15 (d) "Public health" as related to the practice of  
16 architecture means the state of the well-being of the body or  
17 mind of the building user.

18 (e) "Public safety" as related to the practice of  
19 architecture means the state of being reasonably free from risk  
20 of danger, damage, or injury.

21 (f) "Public welfare" as related to the practice of  
22 architecture means the well-being of the building user  
23 resulting from the state of a physical environment that  
24 accommodates human activity.

25 (g) "Architect, Retired" means the title granted by the  
26 Department of Financial and Professional Regulation to a person  
27 who has been duly licensed as an architect by the Department  
28 and who chooses to relinquish or not renew his or her license.

29 (Source: P.A. 93-1009, eff. 1-1-05.)

30 (225 ILCS 305/8) (from Ch. 111, par. 1308)

31 (Section scheduled to be repealed on January 1, 2010)

1           Sec. 8. Powers and duties of the Department.

2           (1) Subject to the provisions of this Act, the Department  
3 shall exercise the following functions, powers, and duties:

4           (a)     conduct examinations to ascertain the  
5 qualifications and fitness of applicants for licensure as  
6 licensed architects, and pass upon the qualifications and  
7 fitness of applicants for licensure by endorsement;

8           (b)     prescribe rules for a method of examination of  
9 candidates;

10          (c)     prescribe rules defining what constitutes a  
11 school, college or university, or department of a  
12 university, or other institution, reputable and in good  
13 standing, to determine whether or not a school, college or  
14 university, or department of a university, or other  
15 institution is reputable and in good standing by reference  
16 to compliance with such rules, and to terminate the  
17 approval of such school, college or university or  
18 department of a university or other institution that  
19 refuses admittance to applicants solely on the basis of  
20 race, color, creed, sex or national origin. The Department  
21 may adopt, as its own rules relating to education  
22 requirements, those guidelines published from time to time  
23 by the National Architectural Accrediting Board;

24          (d)     prescribe rules for diversified professional  
25 training;

26          (e)     conduct oral interviews, disciplinary conferences  
27 and formal evidentiary hearings on proceedings to impose  
28 fines or to suspend, revoke, place on probationary status,  
29 reprimand, and refuse to issue or restore any license  
30 issued under the provisions of this Act for the reasons set  
31 forth in Section 22 of this Act;

32          (f)     issue licenses to those who meet the requirements  
33 of this Act;

34          (g)     formulate and publish rules necessary or  
35 appropriate to carrying out the provisions of this Act; ~~and~~

36          (h)     maintain membership in the National Council of

1 Architectural Registration Boards and participate in  
2 activities of the Council by designation of individuals for  
3 the various classifications of membership and the  
4 appointment of delegates for attendance at regional and  
5 national meetings of the Council. All costs associated with  
6 membership and attendance of such delegates to any national  
7 meetings may be funded from the Design Professionals  
8 Administration and Investigation Fund; and -

9 (i) adopt rules concerning the issuance of the title  
10 "Architect, Retired".

11 (2) Prior to issuance of any final decision or order that  
12 deviates from any report or recommendation of the Board  
13 relating to the qualification of applicants, discipline of  
14 licensees or registrants, or promulgation of rules, the  
15 Director shall notify the Board in writing with an explanation  
16 of the deviation and provide a reasonable time for the Board to  
17 submit written comments to the Director regarding the proposed  
18 action. In the event that the Board fails or declines to submit  
19 written comments within 30 days of the notification, the  
20 Director may issue a final decision or order consistent with  
21 the Director's original decision. The Department may at any  
22 time seek the expert advice and knowledge of the Board on any  
23 matter relating to the enforcement of this Act.

24 (Source: P.A. 91-133, eff. 1-1-00; 92-16, eff. 6-28-01.)

25 (225 ILCS 305/16.5)

26 (Section scheduled to be repealed on January 1, 2010)

27 Sec. 16.5. Continuing education. The Department may  
28 promulgate rules of continuing education for persons licensed  
29 under this Act. The Department shall consider the  
30 recommendations of the Board in establishing the guidelines for  
31 the continuing education requirements. The requirements of  
32 this Section apply to any person seeking renewal or restoration  
33 under Section 16 or 17 of this Act.

34 The Department may, by rule, exempt from continuing  
35 education requirements retired architects who apply for and are

1 granted the title "Architect, Retired" and who no longer sign  
2 and seal architectural documents or actively engage in the  
3 practice of architecture as defined by this Act.

4 (Source: P.A. 91-133, eff. 1-1-00.)

5 Section 10. The Professional Engineering Practice Act of  
6 1989 is amended by changing Sections 4, 5, and 17.5 as follows:

7 (225 ILCS 325/4) (from Ch. 111, par. 5204)

8 (Section scheduled to be repealed on January 1, 2010)

9 Sec. 4. Definitions. As used in this Act:

10 (a) "Approved engineering curriculum" means an engineering  
11 curriculum or program of 4 academic years or more which meets  
12 the standards established by the rules of the Department.

13 (b) "Board" means the State Board of Professional Engineers  
14 of the Department of Professional Regulation, previously known  
15 as the Examining Committee.

16 (c) "Department" means the Department of Professional  
17 Regulation.

18 (d) "Design professional" means an architect, structural  
19 engineer or professional engineer practicing in conformance  
20 with the Illinois Architecture Practice Act of 1989, the  
21 Structural Engineering Practice Act of 1989 or the Professional  
22 Engineering Practice Act of 1989.

23 (e) "Director" means the Director of Professional  
24 Regulation.

25 (f) "Direct supervision/responsible charge" means work  
26 prepared under the control of a licensed professional engineer  
27 or that work as to which that professional engineer has  
28 detailed professional knowledge.

29 (g) "Engineering college" means a school, college,  
30 university, department of a university or other educational  
31 institution, reputable and in good standing in accordance with  
32 rules prescribed by the Department, and which grants  
33 baccalaureate degrees in engineering.

34 (h) "Engineering system or facility" means a system or

1 facility whose design is based upon the application of the  
2 principles of science for the purpose of modification of  
3 natural states of being.

4 (i) "Engineer intern" means a person who is a candidate for  
5 licensure as a professional engineer and who has been enrolled  
6 as an engineer intern.

7 (j) "Enrollment" means an action by the Department to  
8 record those individuals who have met the Board's requirements  
9 for an engineer intern.

10 (k) "License" means an official document issued by the  
11 Department to an individual, a corporation, a partnership, a  
12 professional service corporation, a limited liability company,  
13 or a sole proprietorship, signifying authority to practice.

14 (l) "Negligence in the practice of professional  
15 engineering" means the failure to exercise that degree of  
16 reasonable professional skill, judgment and diligence normally  
17 rendered by professional engineers in the practice of  
18 professional engineering.

19 (m) "Professional engineer" means a person licensed under  
20 the laws of the State of Illinois to practice professional  
21 engineering.

22 (n) "Professional engineering" means the application of  
23 science to the design of engineering systems and facilities  
24 using the knowledge, skills, ability and professional judgment  
25 developed through professional engineering education, training  
26 and experience.

27 (o) "Professional engineering practice" means the  
28 consultation on, conception, investigation, evaluation,  
29 planning, and design of, and selection of materials to be used  
30 in, administration of construction contracts for, or site  
31 observation of, an engineering system or facility, where such  
32 consultation, conception, investigation, evaluation, planning,  
33 design, selection, administration, or observation requires  
34 extensive knowledge of engineering laws, formulae, materials,  
35 practice, and construction methods. A person shall be construed  
36 to practice or offer to practice professional engineering,

1 within the meaning and intent of this Act, who practices, or  
2 who, by verbal claim, sign, advertisement, letterhead, card, or  
3 any other way, is represented to be a professional engineer, or  
4 through the use of the initials "P.E." or the title "engineer"  
5 or any of its derivations or some other title implies licensure  
6 as a professional engineer, or holds himself out as able to  
7 perform any service which is recognized as professional  
8 engineering practice.

9 Examples of the practice of professional engineering  
10 include, but need not be limited to, transportation facilities  
11 and publicly owned utilities for a region or community,  
12 railroads, railways, highways, subways, canals, harbors, river  
13 improvements; irrigation works; aircraft, airports and landing  
14 fields; waterworks, piping systems and appurtenances, sewers,  
15 sewage disposal works; plants for the generation of power;  
16 devices for the utilization of power; boilers; refrigeration  
17 plants, air conditioning systems and plants; heating systems  
18 and plants; plants for the transmission or distribution of  
19 power; electrical plants which produce, transmit, distribute,  
20 or utilize electrical energy; works for the extraction of  
21 minerals from the earth; plants for the refining, alloying or  
22 treating of metals; chemical works and industrial plants  
23 involving the use of chemicals and chemical processes; plants  
24 for the production, conversion, or utilization of nuclear,  
25 chemical, or radiant energy; forensic engineering,  
26 geotechnical engineering including, subsurface investigations;  
27 soil classification, geology and geohydrology, incidental to  
28 the practice of professional engineering; energy analysis,  
29 environmental design, hazardous waste mitigation and control;  
30 recognition, measurement, evaluation and control of  
31 environmental systems and emissions; automated building  
32 management systems; or the provision of professional  
33 engineering site observation of the construction of works and  
34 engineering systems. Nothing contained in this Section imposes  
35 upon a person licensed under this Act the responsibility for  
36 the performance of any of the foregoing functions unless such

1 person specifically contracts to provide it.

2 (p) "Project representative" means the professional  
3 engineer's representative at the project site who assists in  
4 the administration of the construction contract.

5 (q) "Registered" means the same as "licensed" for purposes  
6 of this Act.

7 (r) "Related science curriculum" means a 4 year program of  
8 study, the satisfactory completion of which results in a  
9 Bachelor of Science degree, and which contains courses from  
10 such areas as life, earth, engineering and computer sciences,  
11 including but not limited to, physics and chemistry. In the  
12 study of these sciences, the objective is to acquire  
13 fundamental knowledge about the nature of its phenomena,  
14 including quantitative expression, appropriate to particular  
15 fields of engineering.

16 (s) "Rules" means those rules promulgated pursuant to this  
17 Act.

18 (t) "Seal" means the seal in compliance with Section 14 of  
19 this Act.

20 (u) "Site observation" is visitation of the construction  
21 site for the purpose of reviewing, as available, the quality  
22 and conformance of the work to the technical submissions as  
23 they relate to design.

24 (v) "Support design professional" means a professional  
25 engineer practicing in conformance with the Professional  
26 Engineering Practice Act of 1989, who provides services to the  
27 design professional who has contract responsibility.

28 (w) "Technical submissions" means designs, drawings, and  
29 specifications which establish the standard of quality for  
30 materials, workmanship, equipment, and the construction  
31 systems, studies, and other technical reports prepared in the  
32 course of a design professional's practice.

33 (x) "Professional Engineer, Retired" means the title  
34 granted by the Department of Financial and Professional  
35 Regulation to a person who has been duly licensed as a  
36 professional engineer by the Department and who chooses to



1 relinquish or not renew his or her license.

2 (Source: P.A. 91-91, eff. 1-1-00; 91-92, eff. 1-1-00; 92-16,  
3 eff. 6-28-01; 92-145, eff. 1-1-02.)

4 (225 ILCS 325/5) (from Ch. 111, par. 5205)

5 (Section scheduled to be repealed on January 1, 2010)

6 Sec. 5. Powers and duties of the Department. Subject to the  
7 provisions of this Act, the Department shall exercise the  
8 following functions, powers and duties:

9 (a) To pass upon the qualifications and conduct  
10 examinations of applicants for licensure as professional  
11 engineers or enrollment as engineer interns and pass upon  
12 the qualifications of applicants by endorsement and issue a  
13 license or enrollment to those who are found to be fit and  
14 qualified.

15 (b) To prescribe rules for the method, conduct and  
16 grading of the examination of applicants.

17 (c) To license corporations, partnerships,  
18 professional service corporations, limited liability  
19 companies, and sole proprietorships for the practice of  
20 professional engineering and issue a license to those who  
21 qualify.

22 (d) To conduct investigations and hearings regarding  
23 violations of this Act and take disciplinary or other  
24 actions as provided in this Act as a result of the  
25 proceedings.

26 (e) To prescribe rules as to what shall constitute an  
27 engineering or related science curriculum and to determine  
28 if a specific engineering curriculum is in compliance with  
29 the rules, and to terminate the approval of a specific  
30 engineering curriculum for non-compliance with such rules.

31 (f) To promulgate rules required for the  
32 administration of this Act, including rules of  
33 professional conduct.

34 (g) To maintain membership in the National Council of  
35 Examiners for Engineering and Surveying and participate in

1 activities of the Council by designation of individuals for  
2 the various classifications of membership, the appointment  
3 of delegates for attendance at zone and national meetings  
4 of the Council, and the funding of the delegates for  
5 attendance at the meetings of the Council.

6 (h) To obtain written recommendations from the Board  
7 regarding qualifications of individuals for licensure and  
8 enrollment, definitions of curriculum content and approval  
9 of engineering curricula, standards of professional  
10 conduct and formal disciplinary actions, and the  
11 promulgation of the rules affecting these matters.

12 Prior to issuance of any final decision or order that  
13 deviates from any report or recommendations of the Board  
14 relating to the qualification of applicants, discipline of  
15 licensees or registrants, or promulgation of rules, the  
16 Director shall notify the Board in writing with an  
17 explanation of any such deviation and provide a reasonable  
18 time for the Board to submit written comments to the  
19 Director regarding the proposed action. In the event that  
20 the Board fails or declines to submit such written comments  
21 within 30 days of said notification, the Director may issue  
22 a final decision or orders consistent with the Director's  
23 original decision. The Department may at any time seek the  
24 expert advice and knowledge of the Board on any matter  
25 relating to the enforcement of this Act.

26 (i) To publish and distribute or to post on the  
27 Department's website, at least semi-annually, a newsletter  
28 to all persons licensed and registered under this Act. The  
29 newsletter shall describe the most recent changes in this  
30 Act and the rules adopted under this Act and shall contain  
31 information of any final disciplinary action that has been  
32 ordered under this Act since the date of the last  
33 newsletter.

34 (j) To adopt rules concerning the issuance of the title  
35 "Professional Engineer, Retired".

36 None of the functions, powers or duties enumerated in this

1 Section shall be exercised by the Department except upon the  
2 action and report in writing of the Board.

3 (Source: P.A. 91-92, eff. 1-1-00; 92-145, eff. 1-1-02.)

4 (225 ILCS 325/17.5)

5 (Section scheduled to be repealed on January 1, 2010)

6 Sec. 17.5. Continuing education. The Department may  
7 promulgate rules of continuing education for persons licensed  
8 under this Act. The Department shall consider the  
9 recommendations of the Board in establishing the guidelines for  
10 the continuing education requirements. The requirements of  
11 this Section apply to any person seeking renewal or restoration  
12 under Section 17 or 18 of this Act.

13 The Department may, by rule, exempt from continuing  
14 education requirements retired professional engineers who  
15 apply for and are granted the title "Professional Engineer,  
16 Retired" and who no longer sign and seal engineering documents  
17 or actively engage in the practice of engineering as defined by  
18 this Act.

19 (Source: P.A. 91-92, eff. 1-1-00.)

20 Section 15. The Illinois Professional Land Surveyor Act of  
21 1989 is amended by changing Sections 4, 6, and 18.5 as follows:

22 (225 ILCS 330/4) (from Ch. 111, par. 3254)

23 (Section scheduled to be repealed on January 1, 2010)

24 Sec. 4. Definitions. As used in this Act:

25 (a) "Department" means the Department of Professional  
26 Regulation.

27 (b) "Director" means the Director of Professional  
28 Regulation.

29 (c) "Board" means the Land Surveyors Licensing Board.

30 (d) "Direct supervision and control" means the personal  
31 review by a Licensed Professional Land Surveyor of each survey,  
32 including, but not limited to, procurement, research, field  
33 work, calculations, preparation of legal descriptions and

1 plats. The personal review shall be of such a nature as to  
2 assure the client that the Professional Land Surveyor or the  
3 firm for which the Professional Land Surveyor is employed is  
4 the provider of the surveying services.

5 (e) "Responsible charge" means an individual responsible  
6 for the various components of the land survey operations  
7 subject to the overall supervision and control of the  
8 Professional Land Surveyor.

9 (f) "Design professional" means a land surveyor,  
10 architect, structural engineer, or professional engineer  
11 licensed in conformance with this Act, the Illinois  
12 Architecture Practice Act of 1989, the Structural Engineering  
13 Practice Act of 1989, or the Professional Engineering Practice  
14 Act of 1989.

15 (g) "Professional Land Surveyor" means any person licensed  
16 under the laws of the State of Illinois to practice land  
17 surveying, as defined by this Act or its rules.

18 (h) "Land Surveyor-in-Training" means any person licensed  
19 under the laws of the State of Illinois who has qualified for,  
20 taken, and passed an examination in the fundamental land  
21 surveyor-in-training subjects as provided by this Act or its  
22 rules.

23 (i) "Land surveying experience" means those activities  
24 enumerated in Section 5 of this Act, which, when exercised in  
25 combination, to the satisfaction of the Board, is proof of an  
26 applicant's broad range of training in and exposure to the  
27 prevailing practice of land surveying.

28 (j) "Professional Land Surveyor, Retired" means the title  
29 granted by the Department of Financial and Professional  
30 Regulation to a person who has been duly licensed as a  
31 professional land surveyor by the Department and who chooses to  
32 relinquish or not renew his or her license.

33 (Source: P.A. 92-16, eff. 6-28-01; 93-467, eff. 1-1-04.)

34 (225 ILCS 330/6) (from Ch. 111, par. 3256)

35 (Section scheduled to be repealed on January 1, 2010)

1           Sec. 6. Powers and duties of the Department.

2           (a) The Department shall exercise the powers and duties  
3 prescribed by The Illinois Administrative Procedure Act for the  
4 administration of licensing Acts. The Department shall also  
5 exercise, subject to the provisions of this Act, the following  
6 powers and duties:

7           (1) Conduct or authorize examinations to ascertain the  
8 fitness and qualifications of applicants for licensure and  
9 issue licenses to those who are found to be fit and  
10 qualified.

11           (2) Prescribe rules for a method of examination.

12           (3) Conduct hearings on proceedings to revoke,  
13 suspend, or refuse to issue, renew, or restore a license,  
14 or other disciplinary actions.

15           (4) Promulgate rules and regulations required for the  
16 administration of this Act.

17           (5) License corporations and partnerships for the  
18 practice of professional surveying and issue a license to  
19 those who qualify.

20           (6) Prescribe, adopt, and amend rules as to what shall  
21 constitute a surveying or related science curriculum,  
22 determine if a specific surveying curriculum is in  
23 compliance with the rules, and terminate the approval of a  
24 specific surveying curriculum for non-compliance with such  
25 rules.

26           (7) Maintain membership in the National Council of  
27 Engineering Examiners or a similar organization and  
28 participate in activities of the Council or organization by  
29 designating individuals for the various classifications of  
30 membership and appoint delegates for attendance at zone and  
31 national meetings of the Council or organization.

32           (8) Obtain written recommendations from the Board  
33 regarding qualification of individuals for licensing,  
34 definition of curriculum content and approval of surveying  
35 curriculums, standards of professional conduct and  
36 disciplinary actions, promulgate and amend the rules

1 affecting these matters, and consult with the Board on  
2 other matters affecting administration of the Act.

3 (9) Adopt rules concerning the issuance of the title  
4 "Professional Land Surveyor, Retired".

5 (a-5) The Department may promulgate rules for a Code of  
6 Ethics and Standards of Practice to be followed by persons  
7 licensed under this Act. The Department shall consider the  
8 recommendations of the Board in establishing the Code of Ethics  
9 and Standards of Practice.

10 (b) The Department shall consult with the Board in  
11 promulgating rules. Notice of proposed rulemaking shall be  
12 transmitted to the Board and the Department shall review the  
13 Board's response and recommendations.

14 (c) The Department shall review the Board's recommendation  
15 of the applicants' qualifications. The Director shall notify  
16 the Board in writing with an explanation of any deviation from  
17 the Board's recommendation. After review of the Director's  
18 written explanation of his or her reasons for deviation, the  
19 Board shall have the opportunity to comment upon the Director's  
20 decision.

21 Whenever the Director is not satisfied that substantial  
22 justice has been done in the revocation or suspension of a  
23 license, or other disciplinary action the Director may order  
24 re-hearing by the same or other boards.

25 None of the functions, powers or duties enumerated in this  
26 Section shall be exercised by the Department except upon the  
27 action and report in writing of the Board.

28 (Source: P.A. 93-467, eff. 1-1-04.)

29 (225 ILCS 330/18.5)

30 (Section scheduled to be repealed on January 1, 2010)

31 Sec. 18.5. Continuing education. The Department may  
32 promulgate rules of continuing education for persons licensed  
33 under this Act. The Department shall consider the  
34 recommendations of the Board in establishing the guidelines for  
35 the continuing education requirements. The requirements of

1 this Section apply to any person seeking renewal or restoration  
2 under Section 18 or 19 of this Act.

3 The Department may, by rule, exempt from continuing  
4 education requirements retired professional land surveyors who  
5 apply for and are granted the title "Professional Land  
6 Surveyor, Retired" and who no longer sign and seal land  
7 surveying documents or actively engage in the practice of land  
8 surveying as defined by this Act.

9 (Source: P.A. 91-132, eff. 1-1-00.)

10 Section 20. The Structural Engineering Practice Act of 1989  
11 is amended by changing Sections 4, 6, and 14.5 as follows:

12 (225 ILCS 340/4) (from Ch. 111, par. 6604)

13 (Section scheduled to be repealed on January 1, 2010)

14 Sec. 4. In this Act:

15 (a) "Department" means the Department of Professional  
16 Regulation.

17 (b) "Director" means the Director of the Department of  
18 Professional Regulation.

19 (c) "Board" means the Structural Engineering Board  
20 appointed by the Director.

21 (d) "Negligence in the practice of structural engineering"  
22 means the failure to exercise that degree of reasonable  
23 professional skill, judgment and diligence normally rendered  
24 by structural engineers in the practice of structural  
25 engineering.

26 (e) "Structural engineer intern" means a person who is a  
27 candidate for licensure as a structural engineer and who has  
28 been enrolled as a structural engineer intern.

29 (f) "Structural engineer" means a person licensed under the  
30 laws of the State of Illinois to practice structural  
31 engineering.

32 (g) "Structural Engineer, Retired" means the title granted  
33 by the Department of Financial and Professional Regulation to a  
34 person who has been duly licensed as a structural engineer by

1 the Department and who chooses to relinquish or not renew his  
2 or her license.

3 (Source: P.A. 91-91, eff. 1-1-00.)

4 (225 ILCS 340/6) (from Ch. 111, par. 6606)

5 (Section scheduled to be repealed on January 1, 2010)

6 Sec. 6. The Department of Professional Regulation shall  
7 exercise the following functions, powers and duties subject to  
8 the provisions of this Act:

9 (1) Conduct examinations to ascertain the  
10 qualifications and fitness of applicants for licensure as  
11 licensed structural engineers, and pass upon the  
12 qualifications and fitness of applicants for licensure by  
13 endorsement.

14 (2) Prescribe rules for a method of examination of  
15 candidates.

16 (3) Prescribe rules defining what shall constitute a  
17 school, college or university or department of a  
18 university, or other institution, reputable and in good  
19 standing, and to determine the reputability and good  
20 standing of a school, college or other institution  
21 reputable and in good standing by reference to a compliance  
22 with such rules; provided that no school, college or  
23 university, or department of a university or other  
24 institution that refuses admittance to applicants, solely  
25 on account of race, color, creed, sex, religion, physical  
26 or mental handicap unrelated to ability, or national origin  
27 shall be considered reputable and in good standing.

28 (3.5) Register corporations, partnerships,  
29 professional service corporations, limited liability  
30 companies, and sole proprietorships for the practice of  
31 structural engineering and issue a license to those who  
32 qualify.

33 (4) Investigate complaints, conduct oral interviews,  
34 disciplinary conferences, and formal evidentiary hearings  
35 on proceedings to refuse to issue, renew or restore, or to



1 suspend or revoke a license, or to place on probation or  
2 reprimand a licensee for reasons set forth in Section 20 of  
3 this Act.

4 (5) Formulate rules necessary to carry out the  
5 provisions of this Act.

6 (6) Maintain membership in a national organization  
7 that provides an acceptable structural engineering  
8 examination and participate in activities of the  
9 organization by designation of individuals for the various  
10 classifications of membership and the appointment of  
11 delegates for attendance at regional and national meetings  
12 of the organization. All costs associated with membership  
13 and attendance of such delegates to any national meetings  
14 may be funded from the Design Professionals Administration  
15 and Investigation Fund.

16 (7) Adopt rules concerning the issuance of the title  
17 "Structural Engineer, Retired".

18 Prior to issuance of any final decision or order that  
19 deviates from any report or recommendation of the Board  
20 relating to the qualification of applicants, discipline of  
21 licensees or registrants, or promulgation of rules, the  
22 Director shall notify the Board and the Secretary of State in  
23 writing with an explanation of any such deviation and provide a  
24 reasonable time for the Board to submit written comments to the  
25 Director regarding the proposed action. In the event that the  
26 Board fails or declines to submit such written comments within  
27 30 days of said notification, the Director may issue a final  
28 decision or order consistent with the Director's original  
29 decision.

30 None of these functions, powers or duties shall be  
31 exercised by the Department of Professional Regulation except  
32 upon the action and report in writing of the Board.

33 (Source: P.A. 91-91, eff. 1-1-00.)

34 (225 ILCS 340/14.5)

35 (Section scheduled to be repealed on January 1, 2010)

1           Sec. 14.5. Continuing education. The Department may  
2 promulgate rules of continuing education for persons licensed  
3 under this Act. The Department shall consider the  
4 recommendations of the Board in establishing the guidelines for  
5 the continuing education requirements. The requirements of  
6 this Section apply to any person seeking renewal or restoration  
7 under Section 14 or 15 of this Act.

8           The Department may, by rule, exempt from continuing  
9 education requirements retired structural engineers who apply  
10 for and are granted the title "Structural Engineer, Retired"  
11 and who no longer sign and seal structural engineering  
12 documents or actively engage in the practice of structural  
13 engineering as defined by this Act.

14 (Source: P.A. 91-91, eff. 1-1-00.)

15           Section 99. Effective date. This Act takes effect January  
16 1, 2006.