

1 AN ACT concerning regulation.

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

4 Section 5. The Regulatory Sunset Act is amended by changing
5 Section 4.32 as follows:

6 (5 ILCS 80/4.32)

7 Sec. 4.32. Acts repealed on January 1, 2022. The following
8 Acts are repealed on January 1, 2022:

9 The Boxing and Full-contact Martial Arts Act.

10 The Collateral Recovery Act.

11 The Detection of Deception Examiners Act.

12 The Home Inspector License Act.

13 The Registered Interior Designers ~~Design Title~~ Act.

14 The Massage Licensing Act.

15 The Petroleum Equipment Contractors Licensing Act.

16 The Real Estate Appraiser Licensing Act of 2002.

17 The Water Well and Pump Installation Contractor's License
18 Act.

19 (Source: P.A. 97-24, eff. 6-28-11; 97-119, eff. 7-14-11;
20 97-168, eff. 7-22-11; 97-226, eff. 7-28-11; 97-428, eff.
21 8-16-11; 97-514, eff. 8-23-11; 97-576, eff. 7-1-12; 97-598,
22 eff. 8-26-11; 97-602, eff. 8-26-11; 97-813, eff. 7-13-12.)

1 Section 10. The Interior Design Title Act is amended by
2 changing Sections 1, 2, 3, 5, 8, 9, 10, and 13 and by adding
3 Sections 11.5 and 30.5 as follows:

4 (225 ILCS 310/1) (from Ch. 111, par. 8201)

5 (Section scheduled to be repealed on January 1, 2022)

6 Sec. 1. Short title. This Act may be cited as the
7 Registered Interior Designers ~~Design Title~~ Act.

8 (Source: P.A. 92-104, eff. 7-20-01.)

9 (225 ILCS 310/2) (from Ch. 111, par. 8202)

10 (Section scheduled to be repealed on January 1, 2022)

11 Sec. 2. Public policy. Interior design in the State of
12 Illinois is hereby declared to affect the public health,
13 safety, and welfare and to be subject to regulation and control
14 in the public interest. It is further declared to be a matter
15 of public interest and concern that the interior design
16 profession ~~professions~~ merit and receive the confidence of the
17 public and that only qualified persons be permitted to use the
18 title of registered interior designer in the State of Illinois.
19 This Act shall be liberally construed to carry out these
20 objectives and purposes.

21 (Source: P.A. 95-1023, eff. 6-1-09; 96-1334, eff. 7-27-10.)

22 (225 ILCS 310/3) (from Ch. 111, par. 8203)

23 (Section scheduled to be repealed on January 1, 2022)

1 Sec. 3. Definitions. As used in this Act:

2 ~~"Department" means the Department of Financial and~~
3 ~~Professional Regulation.~~

4 ~~"Secretary" means the Secretary of Financial and~~
5 ~~Professional Regulation.~~

6 "Board" means the Board of Registered Interior Design
7 Professionals established under Section 6 of this Act.

8 "Department" means the Department of Financial and
9 Professional Regulation.

10 "The profession of interior design", within the meaning and
11 intent of this Act, refers to persons qualified by education,
12 experience, and examination, who administer contracts for
13 fabrication, procurement, or installation in the
14 implementation of designs, drawings, and specifications for
15 any interior design project and offer or furnish professional
16 services, such as consultations, studies, drawings, and
17 specifications in connection with the location of lighting
18 fixtures, lamps and specifications of ceiling finishes as shown
19 in reflected ceiling plans, space planning, furnishings, or the
20 fabrication of non-loadbearing structural elements within and
21 surrounding interior spaces of buildings but specifically
22 excluding mechanical and electrical systems, except for
23 specifications of fixtures and their location within interior
24 spaces.

25 "Public member" means a person who is not an interior
26 designer, educator in the field, architect, structural

1 engineer, or professional engineer. For purposes of board
2 membership, any person with a significant financial interest in
3 the design or construction service or profession is not a
4 public member.

5 "Registered interior designer" means a person who has
6 received registration under Section 8 of this Act. A person
7 represents himself or herself to be a "registered interior
8 designer" within the meaning of this Act if he or she holds
9 himself or herself out to the public by any title incorporating
10 the words "registered interior designer" or any title that
11 includes the words "registered interior design".

12 "Secretary" means the Secretary of Financial and
13 Professional Regulation.

14 ~~"The profession of interior design", within the meaning and~~
15 ~~intent of this Act, refers to persons qualified by education,~~
16 ~~experience, and examination, who administer contracts for~~
17 ~~fabrication, procurement, or installation in the~~
18 ~~implementation of designs, drawings, and specifications for~~
19 ~~any interior design project and offer or furnish professional~~
20 ~~services, such as consultations, studies, drawings, and~~
21 ~~specifications in connection with the location of lighting~~
22 ~~fixtures, lamps and specifications of ceiling finishes as shown~~
23 ~~in reflected ceiling plans, space planning, furnishings, or the~~
24 ~~fabrication of non-loadbearing structural elements within and~~
25 ~~surrounding interior spaces of buildings but specifically~~
26 ~~excluding mechanical and electrical systems, except for~~

1 ~~specifications of fixtures and their location within interior~~
2 ~~spaces.~~

3 ~~A person represents himself or herself to be a "registered~~
4 ~~interior designer" within the meaning of this Act if he or she~~
5 ~~holds himself or herself out to the public by any title~~
6 ~~incorporating the words "registered interior designer" or any~~
7 ~~title that includes the words "registered interior design".~~

8 (Source: P.A. 95-1023, eff. 6-1-09; 96-1334, eff. 7-27-10.)

9 (225 ILCS 310/5) (from Ch. 111, par. 8205)

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

11 Sec. 5. Powers and duties of the Department. Subject to the
12 provisions of this Act, the Department shall exercise the
13 following functions, powers, and duties:

14 (a) To conduct or authorize examinations to ascertain
15 the fitness and qualifications of applicants for
16 registration and issue certificates of registration to
17 those who are found to be fit and qualified.

18 (b) To prescribe rules and regulations for a method of
19 examination of candidates. The Department shall designate
20 as its examination for registered interior designers the
21 National Council for Interior Design Qualification
22 examination.

23 (c) To adopt as its own rules relating to education and
24 experience requirements, those guidelines published from
25 time to time by the Council for Interior Design

1 ~~Accreditation Foundation for Interior Design Education~~
2 ~~Research~~ or its successor entity equivalent.

3 (d) To conduct hearings on proceedings to revoke,
4 suspend, or refuse to issue certificates of registration.

5 (e) To promulgate rules and regulations required for
6 the administration of this Act.

7 (f) The Department is encouraged to:

8 (1) maintain membership in the Council for
9 Interior Design Qualification and participate in
10 activities of the Council for Interior Design
11 Qualification Council of Delegates; and

12 (2) designate at least one employee of the
13 Department to attend national and regional meetings of
14 the Council for Interior Design Qualification. All
15 costs associated with Department membership and
16 attendance of the delegate to any national or regional
17 Council for Interior Design Qualification meetings may
18 be funded from the General Professions Dedicated Fund.

19 (Source: P.A. 95-1023, eff. 6-1-09; 96-1334, eff. 7-27-10.)

20 (225 ILCS 310/8) (from Ch. 111, par. 8208)

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

22 Sec. 8. Requirements for registration.

23 (a) Each applicant for registration shall apply to the
24 Department in writing on a form provided by the Department.
25 Except as otherwise provided in this Act, each ~~applicant shall~~

1 ~~take and pass the examination approved by the Department. Prior~~
2 ~~to registration, the applicant shall provide substantial~~
3 ~~evidence to the Board that the applicant: (1) is a graduate of~~
4 ~~a 5 year interior design program from an accredited institution~~
5 ~~and has completed at least 2 years of full time diversified~~
6 ~~interior design experience; (2) is a graduate of a 4 year~~
7 ~~interior design program from an accredited institution and has~~
8 ~~completed at least 2 years of full time diversified interior~~
9 ~~design experience; (3) has completed at least 3 years of~~
10 ~~interior design curriculum from an accredited institution and~~
11 ~~has completed 3 years of full time diversified interior design~~
12 ~~experience; (4) is a graduate of a 2 year interior design~~
13 ~~program from an accredited institution and has completed 4~~
14 ~~years of full time diversified interior design experience; or~~
15 ~~(5) (blank). (b) In addition to providing evidence of meeting~~
16 ~~the requirements of subsection (a): (1) Each applicant for~~
17 ~~registration as a registered interior designer shall provide~~
18 ~~substantial evidence, including written documentation, to the~~
19 ~~Department that he or she has successfully passed ~~completed~~ the~~
20 ~~examination administered by the ~~National~~ Council for Interior~~
21 ~~Design Qualification ~~Qualifications~~. The evidence and~~
22 ~~documentation shall be placed on file at the Department and be~~
23 ~~available to the Board.~~

24 ~~(2) (Blank).~~

25 ~~Examinations for applicants under this Act may be held at~~
26 ~~the direction of the Department from time to time but not less~~

1 ~~than once each year. The scope and form of the examination~~
2 ~~shall conform to the National Council for Interior Design~~
3 ~~Qualification examination for interior designers.~~

4 (b) Each applicant for registration ~~who possesses the~~
5 ~~necessary qualifications~~ shall pay to the Department the
6 required registration fee, which is not refundable, at the time
7 of filing his or her application.

8 (c) An individual may apply ~~applying~~ for original
9 registration prior to passing the National Council for Interior
10 Design Qualification examination. He or she shall have 2 years
11 after 3 years from the date of filing an application to pass
12 the examination ~~complete the application process.~~ If evidence
13 and documentation of passing the examination is received by the
14 Department later than 2 years after the individual's filing ~~the~~
15 ~~process has not been completed in 3 years,~~ the application
16 shall be denied and the fee forfeited. The applicant may
17 reapply at any time, ~~but shall meet the requirements in effect~~
18 ~~at the time of reapplication.~~

19 ~~(e) (Blank).~~

20 ~~(e-5) (Blank).~~

21 (d) Upon payment of the required fee, which shall be
22 determined by rule, an applicant who is an architect licensed
23 under the laws of this State may, without passing the National
24 Council for Interior Design Qualification examination, be
25 granted registration as a registered interior designer by the
26 Department provided the applicant submits proof of an active

1 architectural license in Illinois.

2 ~~(c) (Blank)~~.

3 (Source: P.A. 95-1023, eff. 6-1-09; 96-1334, eff. 7-27-10.)

4 (225 ILCS 310/9) (from Ch. 111, par. 8209)

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

6 Sec. 9. Expiration; renewal; restoration.

7 (a) The expiration date and renewal period for each
8 certificate of registration issued under this Act shall be set
9 by rule. A registrant may renew such registration during the
10 month preceding its expiration date by paying the required
11 renewal fee.

12 (b) Inactive status.

13 (1) Any registrant who notifies the Department in
14 writing on forms prescribed by the Department may elect to
15 place his or her certificate of registration on an inactive
16 status and shall, subject to rules of the Department, be
17 excused from payment of renewal fees until he or she
18 notifies the Department in writing of his or her desire to
19 resume active status.

20 (2) Any registrant requesting restoration from
21 inactive status shall be required to pay the current
22 renewal fee and shall be required to restore his or her
23 registration.

24 (3) Any registrant whose registration is on inactive
25 status shall not use the title "registered interior

1 designer" in the State of Illinois.

2 (4) Any registrant who uses the title "registered
3 interior designer" while his or her certificate of
4 registration is lapsed or inactive shall be considered to
5 be using the title without a registration which shall be
6 grounds for discipline under Section 13 of this Act.

7 (c) Any registrant whose registration has expired may have
8 his or her certificate of registration restored at any time
9 within 5 years after its expiration, upon payment of the
10 required fee.

11 (d) Any person whose registration has been expired for more
12 than 5 years may have his or her registration restored by
13 making application to the Department and filing proof
14 acceptable to the Department of his or her fitness to have his
15 or her registration restored, including sworn evidence
16 certifying to active lawful practice in another jurisdiction,
17 and by paying the required restoration fee. A person using the
18 title "registered interior designer" on an expired
19 registration is deemed to be in violation of this Act.

20 (e) If a person whose certificate of registration has
21 expired has not maintained active status in another
22 jurisdiction, the Department shall determine, by an evaluation
23 process established by rule, his or her fitness to resume
24 active status and may require the person to complete a period
25 of evaluated practical experience, and may require successful
26 completion of an examination.

1 (f) Any person whose certificate of registration has
2 expired while he or she has been engaged (1) in federal or
3 State service active duty, or (2) in training or education
4 under the supervision of the United States preliminary to
5 induction into the military service, may have his or her
6 registration restored without paying any lapsed renewal or
7 restoration fee if, within 2 years after termination of such
8 service, training or education, he or she furnishes the
9 Department with satisfactory proof that he or she has been so
10 engaged and that his or her service, training, or education has
11 been so terminated.

12 (g) An individual applying for restoration of a
13 registration shall have 3 years from the date of application to
14 complete the application process. If the process has not been
15 completed in 3 years, the application shall be denied and the
16 fee forfeited. The applicant may reapply at any time, ~~but shall~~
17 ~~meet the requirement in effect at the time of reapplication.~~

18 (Source: P.A. 95-1023, eff. 6-1-09; 96-1334, eff. 7-27-10.)

19 (225 ILCS 310/10) (from Ch. 111, par. 8210)

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

21 Sec. 10. Foreign applicants. Upon payment of the required
22 fee, an applicant who is an interior designer currently
23 registered, certified, or licensed under the laws of another
24 state or territory of the United States or a foreign country or
25 province shall, without further examination, be granted

1 registration as an interior designer, ~~as the case may be,~~ by
2 the Department if, as determined by the Department, the
3 applicant provides adequate documentation establishing:

4 (1) that the applicant has passed the National Council
5 for Interior Design Qualification examination; and

6 (2) the applicant's current licensure, certification,
7 or registration with regard to the practice of interior
8 design in one or more jurisdictions; ~~(a)~~ whenever the
9 requirements of such state or territory of the United
10 States or a foreign country or province were, at the date
11 of registration, certification, or licensure,
12 substantially equal to or greater than the requirements
13 then in force in this State. ~~;~~ ~~or~~

14 ~~(b) whenever such requirements of another state or~~
15 ~~territory of the United States or a foreign country or~~
16 ~~province together with educational and professional~~
17 ~~qualifications, as distinguished from practical~~
18 ~~experience, of the applicant since obtaining a license as~~
19 ~~an interior designer in such state or territory of the~~
20 ~~United States are substantially equal to the requirements~~
21 ~~in force in Illinois at the time of application for~~
22 ~~registration.~~

23 (Source: P.A. 96-1334, eff. 7-27-10.)

24 (225 ILCS 310/11.5 new)

25 Sec. 11.5. Continuing education.

1 (a) This Section applies to an individual applying for
2 renewal or restoration of registration as a registered interior
3 designer.

4 (b) An applicant for renewal of registration shall submit
5 proof to the Department of having completed 24 continuing
6 education units from one or more Department approved continuing
7 education providers during the term of the registration.

8 An applicant shall prove completion of continuing
9 education units by submitting with the registration renewal
10 application the following information:

11 (1) Official documentation from a continuing education
12 provider, including:

13 (A) the name and address of the continuing
14 education provider;

15 (B) the dates on which the applicant attended the
16 provider's continuing education course;

17 (C) the name of the continuing education course and
18 a description of the subject matter covered; and

19 (D) the hours of credit earned by the applicant due
20 to his or her successful completion of the continuing
21 education course.

22 (2) Satisfactory documentation that a total of at least
23 12 continuing education units addresses one or more of the
24 following subject matters:

25 (A) The health, wellness, or overall consumer
26 protection of building occupants.

1 (B) Public safety, with an emphasis on the impact
2 and application of the State, county, and local
3 building codes, especially those pertaining to fire
4 safety within interior spaces of a building or
5 structure.

6 (C) Resiliency.

7 (D) Sustainability.

8 (E) The impact and application of the federal
9 Americans with Disabilities Act and State, county, or
10 local accessibility standards or laws, such as the
11 Environmental Barriers Act and the Illinois
12 Accessibility Code.

13 (c) An individual with an expired registration of more than
14 one year seeking to restore the registration is required to
15 meet the same continuing education requirements as an
16 individual applying for renewal.

17 (d) The Department shall only approve continuing education
18 providers that have an established track record of annual
19 course offerings that contribute to individuals' growth of
20 professional competence in the practice of interior design.

21 (e) The Department may, in its discretion, grant extensions
22 of no more than one year for renewal after expiration if the
23 individual applicant's failure to submit proof of completion of
24 required continuing education units was due to emergency or
25 hardship, including:

26 (1) serious and protracted illness of the applicant;

1 (2) the death or serious and protracted illness of a
2 member of the applicant's immediate family; or

3 (3) the applicant or the applicant's spouse being on
4 extended active military duty.

5 An extension granted under this Section does not relieve a
6 registered interior designer from complying with the
7 continuing education requirement.

8 (225 ILCS 310/13) (from Ch. 111, par. 8213)

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

10 Sec. 13. Refusal, revocation or suspension of
11 registration. The Department may refuse to issue, renew, or
12 restore or may revoke, suspend, place on probation, reprimand
13 or take other disciplinary action as the Department may deem
14 proper, including fines not to exceed \$5,000 for each
15 violation, with regard to any registration for any one or
16 combination of the following causes:

17 (a) Fraud in procuring the certificate of
18 registration.

19 (b) Habitual intoxication or addiction to the use of
20 drugs.

21 (c) Making any misrepresentations or false promises,
22 directly or indirectly, to influence, persuade, or induce
23 patronage.

24 (d) Professional connection or association with, or
25 lending his or her name, to another for illegal use of the

1 title "registered interior designer", or professional
2 connection or association with any person, firm, or
3 corporation holding itself out in any manner contrary to
4 this Act.

5 (e) Obtaining or seeking to obtain checks, money, or
6 any other items of value by false or fraudulent
7 representations.

8 (f) Use of the title under a name other than his or her
9 own.

10 (g) Improper, unprofessional, or dishonorable conduct
11 of a character likely to deceive, defraud, or harm the
12 public.

13 (h) Conviction in this or another state, or federal
14 court, of any crime which is a felony, if the Department
15 determines, after investigation, that such person has not
16 been sufficiently rehabilitated to warrant the public
17 trust.

18 (i) A violation of any provision of this Act or its
19 rules.

20 (j) Revocation by another state, the District of
21 Columbia, territory, or foreign nation of an interior
22 design or residential interior design license,
23 certification, or registration if at least one of the
24 grounds for that revocation is the same as or the
25 equivalent of one of the grounds for revocation set forth
26 in this Act.

1 (k) Mental incompetence as declared by a court of
2 competent jurisdiction.

3 (l) Being named as a perpetrator in an indicated report
4 by the Department of Children and Family Services pursuant
5 to the Abused and Neglected Child Reporting Act, and upon
6 proof by clear and convincing evidence that the registrant
7 has caused a child to be an abused child or neglected child
8 as defined in the Abused and Neglected Child Reporting Act.

9 (m) Aiding or assisting another person in violating any
10 provision of this Act or its rules.

11 (n) Failure to provide information in response to a
12 written request made by the Department within 30 days after
13 receipt of the written request.

14 (o) Physical illness, including, but not limited to,
15 deterioration through the aging process or loss of motor
16 skill that results in the inability to practice interior
17 design with reasonable judgment, skill, or safety.

18 The Department shall deny a registration or renewal
19 authorized by this Act to any person who has defaulted on an
20 educational loan guaranteed by the Illinois Student Assistance
21 Commission; however, the Department may issue a certificate of
22 registration or renewal if such person has established a
23 satisfactory repayment record as determined by the Illinois
24 Student Assistance Commission.

25 The Department may refuse to issue or may suspend the
26 registration of any person who fails to file a return, or to

1 pay the tax, penalty, or interest showing in a filed return, or
2 to pay any final assessment of tax, penalty, or interest, as
3 required by any tax Act administered by the Illinois Department
4 of Revenue, until such time as the requirements of any such tax
5 Act are satisfied.

6 The entry of a decree by any circuit court establishing
7 that any person holding a certificate of registration under
8 this Act is a person subject to involuntary admission under the
9 Mental Health and Developmental Disabilities Code shall
10 operate as a suspension of that registration. That person may
11 resume using the title "registered interior designer" only upon
12 a finding by the Board that he or she has been determined to be
13 no longer subject to involuntary admission by the court and
14 upon the Board's recommendation to the Director that he or she
15 be permitted to resume using the title "registered interior
16 designer".

17 (Source: P.A. 95-1023, eff. 6-1-09; 96-1334, eff. 7-27-10.)

18 (225 ILCS 310/30.5 new)

19 Sec. 30.5. Roster. The Department shall annually prepare a
20 roster showing the names and addresses of all registered
21 interior designers. This roster shall be available online and
22 electronically upon written request and payment of a required
23 fee as determined by the Department.

24 Section 15. The Unified Code of Corrections is amended by

1 changing Section 5-5-5 as follows:

2 (730 ILCS 5/5-5-5) (from Ch. 38, par. 1005-5-5)

3 Sec. 5-5-5. Loss and Restoration of Rights.

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

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

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

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

23 (e) Upon a person's discharge from incarceration or parole,
24 or upon a person's discharge from probation or at any time
25 thereafter, the committing court may enter an order certifying

1 that the sentence has been satisfactorily completed when the
2 court believes it would assist in the rehabilitation of the
3 person and be consistent with the public welfare. Such order
4 may be entered upon the motion of the defendant or the State or
5 upon the court's own motion.

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

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

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

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

25 (2) the issuance of the license would involve an
26 unreasonable risk to property or to the safety or welfare

1 of specific individuals or the general public.

2 In making such a determination, the licensing agency shall
3 consider the following factors:

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

8 (2) the specific duties and responsibilities
9 necessarily related to the license being sought;

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

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

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

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

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

25 (8) the legitimate interest of the licensing agency in
26 protecting property, and the safety and welfare of specific

1 individuals or the general public.

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

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

12 (2) the Illinois Athletic Trainers Practice Act;

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

15 (4) the Boiler and Pressure Vessel Repairer Regulation
16 Act;

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

18 (6) the Illinois Certified Shorthand Reporters Act of
19 1984;

20 (7) the Illinois Farm Labor Contractor Certification
21 Act;

22 (8) the Registered Interior Designers ~~Design Title~~
23 Act;

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

26 (10) the Illinois Landscape Architecture Act of 1989;

- 1 (11) the Marriage and Family Therapy Licensing Act;
- 2 (12) the Private Employment Agency Act;
- 3 (13) the Professional Counselor and Clinical
- 4 Professional Counselor Licensing and Practice Act;
- 5 (14) the Real Estate License Act of 2000;
- 6 (15) the Illinois Roofing Industry Licensing Act;
- 7 (16) the Professional Engineering Practice Act of
- 8 1989;
- 9 (17) the Water Well and Pump Installation Contractor's
- 10 License Act;
- 11 (18) the Electrologist Licensing Act;
- 12 (19) the Auction License Act;
- 13 (20) the Illinois Architecture Practice Act of 1989;
- 14 (21) the Dietitian Nutritionist Practice Act;
- 15 (22) the Environmental Health Practitioner Licensing
- 16 Act;
- 17 (23) the Funeral Directors and Embalmers Licensing
- 18 Code;
- 19 (24) the Land Sales Registration Act of 1999;
- 20 (25) the Professional Geologist Licensing Act;
- 21 (26) the Illinois Public Accounting Act; and
- 22 (27) the Structural Engineering Practice Act of 1989.

23 (Source: P.A. 97-119, eff. 7-14-11; 97-706, eff. 6-25-12;
24 97-1108, eff. 1-1-13; 97-1141, eff. 12-28-12; 97-1150, eff.
25 1-25-13; 98-756, eff. 7-16-14.)

1 Section 20. The Mechanics Lien Act is amended by changing
2 Section 1 as follows:

3 (770 ILCS 60/1) (from Ch. 82, par. 1)

4 Sec. 1. Contractor defined; amount of lien; waiver of lien;
5 attachment of lien; agreement to waive; when not enforceable.

6 (a) Any person who shall by any contract or contracts,
7 express or implied, or partly expressed or implied, with the
8 owner of a lot or tract of land, or with one whom the owner has
9 authorized or knowingly permitted to contract, to improve the
10 lot or tract of land or for the purpose of improving the tract
11 of land, or to manage a structure under construction thereon,
12 is known under this Act as a contractor and has a lien upon the
13 whole of such lot or tract of land and upon adjoining or
14 adjacent lots or tracts of land of such owner constituting the
15 same premises and occupied or used in connection with such lot
16 or tract of land as a place of residence or business; and in
17 case the contract relates to 2 or more buildings, on 2 or more
18 lots or tracts of land, upon all such lots and tracts of land
19 and improvements thereon for the amount due to him or her for
20 the material, fixtures, apparatus, machinery, services or
21 labor, and interest at the rate of 10% per annum from the date
22 the same is due. This lien extends to an estate in fee, for
23 life, for years, or any other estate or any right of redemption
24 or other interest that the owner may have in the lot or tract
25 of land at the time of making such contract or may subsequently

1 acquire and this lien attaches as of the date of the contract.

2 (b) As used in subsection (a) of this Section, "improve"
3 means to furnish labor, services, material, fixtures,
4 apparatus or machinery, forms or form work in the process of
5 construction where cement, concrete or like material is used
6 for the purpose of or in the building, altering, repairing or
7 ornamenting any house or other building, walk or sidewalk,
8 whether the walk or sidewalk is on the land or bordering
9 thereon, driveway, fence or improvement or appurtenances to the
10 lot or tract of land or connected therewith, and upon, over or
11 under a sidewalk, street or alley adjoining; or fill, sod or
12 excavate such lot or tract of land, or do landscape work
13 thereon or therefor; or raise or lower any house thereon or
14 remove any house thereto, or remove any house or other
15 structure therefrom, or perform any services or incur any
16 expense as an architect, structural engineer, professional
17 engineer, land surveyor, registered interior designer, or
18 property manager in, for, or on a lot or tract of land for any
19 such purpose; or drill any water well thereon; or furnish or
20 perform labor or services as superintendent, time keeper,
21 mechanic, laborer or otherwise, in the building, altering,
22 repairing or ornamenting of the same; or furnish material,
23 fixtures, apparatus, machinery, labor or services, forms or
24 form work used in the process of construction where concrete,
25 cement or like material is used, or drill any water well on the
26 order of his agent, architect, structural engineer, registered

1 interior designer, or superintendent having charge of the
2 improvements, building, altering, repairing, or ornamenting
3 the same.

4 (c) The taking of additional security by the contractor or
5 sub-contractor is not a waiver of any right of lien which he
6 may have by virtue of this Act, unless made a waiver by express
7 agreement of the parties and the waiver is not prohibited by
8 this Act.

9 (d) An agreement to waive any right to enforce or claim any
10 lien under this Act, or an agreement to subordinate the lien,
11 where the agreement is in anticipation of and in consideration
12 for the awarding of a contract or subcontract, either express
13 or implied, to perform work or supply materials for an
14 improvement upon real property is against public policy and
15 unenforceable. This Section does not prohibit release of lien
16 under subsection (b) of Section 35 of this Act, nor does it
17 prohibit an agreement to subordinate a mechanics lien to a
18 mortgage lien that secures a construction loan if that
19 agreement is made after more than 50% of the loan has been
20 disbursed to fund improvements to the property.

21 (Source: P.A. 98-764, eff. 7-16-14.)

22 Section 99. Effective date. This Act takes effect January
23 1, 2018.