

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 Acts repealed on January 1, 2022.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8 Acts are repealed on January 1, 2022: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 Section 11.5 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5 (Section scheduled to be repealed on January 1, 2022)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10 (Section scheduled to be repealed on January 1, 2022)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23 (Section scheduled to be repealed on January 1, 2022)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~~. An applicant shall
22 provide written documentation showing his or her fulfillment of
23 the education requirements of the Council for Interior Design
24 Qualification in order for the applicant to sit for the
25 examination. The evidence and documentation shall be placed on
26 file at the Department and be available to the Board.

1 ~~(2) (Blank).~~

2 ~~Examinations for applicants under this Act may be held at~~
3 ~~the direction of the Department from time to time but not less~~
4 ~~than once each year. The scope and form of the examination~~
5 ~~shall conform to the National Council for Interior Design~~
6 ~~Qualification examination for interior designers.~~

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

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

22 ~~(e) (Blank).~~

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

24 (d) Upon payment of the required fee, which shall be
25 determined by rule, an applicant who is an architect licensed
26 under the laws of this State may, without passing the National

1 Council for Interior Design Qualification examination, be
2 granted registration as a registered interior designer by the
3 Department provided the applicant submits proof of an active
4 architectural license in Illinois.

5 ~~(c) (Blank).~~

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

7 (225 ILCS 310/9) (from Ch. 111, par. 8209)

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

9 Sec. 9. Expiration; renewal; restoration.

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

15 (b) Inactive status.

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

23 (2) Any registrant requesting restoration from
24 inactive status shall be required to pay the current
25 renewal fee and shall be required to restore his or her

1 registration.

2 (3) Any registrant whose registration is on inactive
3 status shall not use the title "registered interior
4 designer" in the State of Illinois.

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

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

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

23 (e) If a person whose certificate of registration has
24 expired has not maintained active status in another
25 jurisdiction, the Department shall determine, by an evaluation
26 process established by rule, his or her fitness to resume

1 active status and may require the person to complete a period
2 of evaluated practical experience, and may require successful
3 completion of an examination.

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

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

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

22 (225 ILCS 310/10) (from Ch. 111, par. 8210)

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

24 Sec. 10. Foreign applicants. Upon payment of the required
25 fee, an applicant who is an interior designer currently

1 registered, certified, or licensed under the laws of another
2 state or territory of the United States or a foreign country or
3 province shall, without further examination, be granted
4 registration as an interior designer, ~~as the case may be,~~ by
5 the Department if, as determined by the Department, the
6 applicant provides adequate documentation establishing:

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

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

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

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

1 (225 ILCS 310/11.5 new)

2 Sec. 11.5. Continuing education.

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

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

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

13 (1) Official documentation from a continuing education
14 provider, including:

15 (A) the name and address of the continuing
16 education provider;

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

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

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

24 (2) Satisfactory documentation that a total of at least
25 12 continuing education units addresses one or more of the

1 following subject matters:

2 (A) The health, wellness, or overall consumer
3 protection of building occupants.

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

9 (C) Resiliency.

10 (D) Sustainability.

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

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

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

24 (e) The Department may, in its discretion, grant extensions
25 of no more than one year for renewal after expiration if the
26 individual applicant's failure to submit proof of completion of

1 required continuing education units was due to emergency or
2 hardship, including:

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

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

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

8 An extension granted under this Section does not relieve a
9 registered interior designer from complying with the
10 continuing education requirement.

11 (225 ILCS 310/13) (from Ch. 111, par. 8213)

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

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

20 (a) Fraud in procuring the certificate of
21 registration.

22 (b) Habitual intoxication or addiction to the use of
23 drugs.

24 (c) Making any misrepresentations or false promises,
25 directly or indirectly, to influence, persuade, or induce

1 patronage.

2 (d) Professional connection or association with, or
3 lending his or her name, to another for illegal use of the
4 title "registered interior designer", or professional
5 connection or association with any person, firm, or
6 corporation holding itself out in any manner contrary to
7 this Act.

8 (e) Obtaining or seeking to obtain checks, money, or
9 any other items of value by false or fraudulent
10 representations.

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

13 (g) Improper, unprofessional, or dishonorable conduct
14 of a character likely to deceive, defraud, or harm the
15 public.

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

21 (i) A violation of any provision of this Act or its
22 rules.

23 (j) Revocation by another state, the District of
24 Columbia, territory, or foreign nation of an interior
25 design or residential interior design license,
26 certification, or registration if at least one of the

1 grounds for that revocation is the same as or the
2 equivalent of one of the grounds for revocation set forth
3 in this Act.

4 (k) Mental incompetence as declared by a court of
5 competent jurisdiction.

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

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

14 (n) Failure to provide information in response to a
15 written request made by the Department within 30 days after
16 receipt of the written request.

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

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

1 Student Assistance Commission.

2 The Department may refuse to issue or may suspend the
3 registration of any person who fails to file a return, or to
4 pay the tax, penalty, or interest showing in a filed return, or
5 to pay any final assessment of tax, penalty, or interest, as
6 required by any tax Act administered by the Illinois Department
7 of Revenue, until such time as the requirements of any such tax
8 Act are satisfied.

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

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

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

23 (730 ILCS 5/5-5-5) (from Ch. 38, par. 1005-5-5)

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

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

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

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

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

20 (e) Upon a person's discharge from incarceration or parole,
21 or upon a person's discharge from probation or at any time
22 thereafter, the committing court may enter an order certifying
23 that the sentence has been satisfactorily completed when the
24 court believes it would assist in the rehabilitation of the
25 person and be consistent with the public welfare. Such order
26 may be entered upon the motion of the defendant or the State or

1 upon the court's own motion.

2 (f) Upon entry of the order, the court shall issue to the
3 person in whose favor the order has been entered a certificate
4 stating that his behavior after conviction has warranted the
5 issuance of the order.

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

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

18 (1) there is a direct relationship between one or more
19 of the previous criminal offenses and the specific license
20 sought; or

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

24 In making such a determination, the licensing agency shall
25 consider the following factors:

26 (1) the public policy of this State, as expressed in

1 Article 5.5 of this Chapter, to encourage the licensure and
2 employment of persons previously convicted of one or more
3 criminal offenses;

4 (2) the specific duties and responsibilities
5 necessarily related to the license being sought;

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

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

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

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

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

21 (8) the legitimate interest of the licensing agency in
22 protecting property, and the safety and welfare of specific
23 individuals or the general public.

24 (i) A certificate of relief from disabilities shall be
25 issued only for a license or certification issued under the
26 following Acts:

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

8 (2) the Illinois Athletic Trainers Practice Act;

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

11 (4) the Boiler and Pressure Vessel Repairer Regulation
12 Act;

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

14 (6) the Illinois Certified Shorthand Reporters Act of
15 1984;

16 (7) the Illinois Farm Labor Contractor Certification
17 Act;

18 (8) the Registered Interior Designers ~~Design Title~~
19 Act;

20 (9) the Illinois Professional Land Surveyor Act of
21 1989;

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

23 (11) the Marriage and Family Therapy Licensing Act;

24 (12) the Private Employment Agency Act;

25 (13) the Professional Counselor and Clinical
26 Professional Counselor Licensing and Practice Act;

- 1 (14) the Real Estate License Act of 2000;
- 2 (15) the Illinois Roofing Industry Licensing Act;
- 3 (16) the Professional Engineering Practice Act of
4 1989;
- 5 (17) the Water Well and Pump Installation Contractor's
6 License Act;
- 7 (18) the Electrologist Licensing Act;
- 8 (19) the Auction License Act;
- 9 (20) the Illinois Architecture Practice Act of 1989;
- 10 (21) the Dietitian Nutritionist Practice Act;
- 11 (22) the Environmental Health Practitioner Licensing
12 Act;
- 13 (23) the Funeral Directors and Embalmers Licensing
14 Code;
- 15 (24) the Land Sales Registration Act of 1999;
- 16 (25) the Professional Geologist Licensing Act;
- 17 (26) the Illinois Public Accounting Act; and
- 18 (27) the Structural Engineering Practice Act of 1989.
- 19 (Source: P.A. 97-119, eff. 7-14-11; 97-706, eff. 6-25-12;
20 97-1108, eff. 1-1-13; 97-1141, eff. 12-28-12; 97-1150, eff.
21 1-25-13; 98-756, eff. 7-16-14.)

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

24 (770 ILCS 60/1) (from Ch. 82, par. 1)

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

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

24 (b) As used in subsection (a) of this Section, "improve"
25 means to furnish labor, services, material, fixtures,
26 apparatus or machinery, forms or form work in the process of

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

26 (c) The taking of additional security by the contractor or

1 sub-contractor is not a waiver of any right of lien which he
2 may have by virtue of this Act, unless made a waiver by express
3 agreement of the parties and the waiver is not prohibited by
4 this Act.

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

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

18 Section 99. Effective date. This Act takes effect January
19 1, 2018.