



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB0123

Introduced 2/1/2005, by Sen. Todd Sieben

SYNOPSIS AS INTRODUCED:

5 ILCS 100/10-65
20 ILCS 801/1-17 new

from Ch. 127, par. 1010-65

Amends the Illinois Administrative Procedure Act and the Department of Natural Resources Act. Requires the Department of Natural Resources as soon as practicable to assign a customer identification number to each applicant for a hunting or fishing license. Provides that after the applicant has been assigned a customer identification number, the applicant may use that customer identification number in place of his or her social security number on any subsequent application for a hunting or fishing license. Requires the Department to keep a record of the social security number of each applicant and to notify each applicant that his or her social security number is kept on file with the Department. Provides that a licensee's social security number shall not appear on the face of his or her hunting or fishing license.

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FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning government.

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

4 Section 5. The Illinois Administrative Procedure Act is
5 amended by changing Section 10-65 as follows:

6 (5 ILCS 100/10-65) (from Ch. 127, par. 1010-65)
7 Sec. 10-65. Licenses.

8 (a) When any licensing is required by law to be preceded by
9 notice and an opportunity for a hearing, the provisions of this
10 Act concerning contested cases shall apply.

11 (b) When a licensee has made timely and sufficient
12 application for the renewal of a license or a new license with
13 reference to any activity of a continuing nature, the existing
14 license shall continue in full force and effect until the final
15 agency decision on the application has been made unless a later
16 date is fixed by order of a reviewing court.

17 (c) Except as provided in Section 1-27 of the Department of
18 Natural Resources Act, an application for the renewal of a
19 license or a new license shall include the applicant's social
20 security number. Each agency shall require the licensee to
21 certify on the application form, under penalty of perjury, that
22 he or she is not more than 30 days delinquent in complying with
23 a child support order. Every application shall state that
24 failure to so certify shall result in disciplinary action, and
25 that making a false statement may subject the licensee to
26 contempt of court. The agency shall notify each applicant or
27 licensee who acknowledges a delinquency or who, contrary to his
28 or her certification, is found to be delinquent or who after
29 receiving notice, fails to comply with a subpoena or warrant
30 relating to a paternity or a child support proceeding, that the
31 agency intends to take disciplinary action. Accordingly, the
32 agency shall provide written notice of the facts or conduct

1 upon which the agency will rely to support its proposed action
2 and the applicant or licensee shall be given an opportunity for
3 a hearing in accordance with the provisions of the Act
4 concerning contested cases. Any delinquency in complying with a
5 child support order can be remedied by arranging for payment of
6 past due and current support. Any failure to comply with a
7 subpoena or warrant relating to a paternity or child support
8 proceeding can be remedied by complying with the subpoena or
9 warrant. Upon a final finding of delinquency or failure to
10 comply with a subpoena or warrant, the agency shall suspend,
11 revoke, or refuse to issue or renew the license. In cases in
12 which the Department of Public Aid has previously determined
13 that an applicant or a licensee is more than 30 days delinquent
14 in the payment of child support and has subsequently certified
15 the delinquency to the licensing agency, and in cases in which
16 a court has previously determined that an applicant or licensee
17 has been in violation of the Non-Support Punishment Act for
18 more than 60 days, the licensing agency shall refuse to issue
19 or renew or shall revoke or suspend that person's license based
20 solely upon the certification of delinquency made by the
21 Department of Public Aid or the certification of violation made
22 by the court. Further process, hearings, or redetermination of
23 the delinquency or violation by the licensing agency shall not
24 be required. The licensing agency may issue or renew a license
25 if the licensee has arranged for payment of past and current
26 child support obligations in a manner satisfactory to the
27 Department of Public Aid or the court. The licensing agency may
28 impose conditions, restrictions, or disciplinary action upon
29 that license.

30 (d) Except as provided in subsection (c), no agency shall
31 revoke, suspend, annul, withdraw, amend materially, or refuse
32 to renew any valid license without first giving written notice
33 to the licensee of the facts or conduct upon which the agency
34 will rely to support its proposed action and an opportunity for
35 a hearing in accordance with the provisions of this Act
36 concerning contested cases. At the hearing, the licensee shall

1 have the right to show compliance with all lawful requirements
2 for the retention, continuation, or renewal of the license. If,
3 however, the agency finds that the public interest, safety, or
4 welfare imperatively requires emergency action, and if the
5 agency incorporates a finding to that effect in its order,
6 summary suspension of a license may be ordered pending
7 proceedings for revocation or other action. Those proceedings
8 shall be promptly instituted and determined.

9 (e) Any application for renewal of a license that contains
10 required and relevant information, data, material, or
11 circumstances that were not contained in an application for the
12 existing license shall be subject to the provisions of
13 subsection (a).

14 (Source: P.A. 90-18, eff. 7-1-99; 91-613, eff. 10-1-99.)

15 Section 10. The Department of Natural Resources Act is
16 amended by adding Section 1-17 as follows:

17 (20 ILCS 801/1-17 new)

18 Sec. 1-17. Licenses; privacy protection.

19 (a) For purposes of this Section, "license" means a license
20 required under Article 3 of the Wildlife Code or under Article
21 20 of the Fish and Aquatic Life Code.

22 (b) As soon as practicable, the Department must assign a
23 customer identification number to each applicant for a license.
24 After the applicant has been assigned a customer identification
25 number, the applicant may use that customer identification
26 number in place of his or her social security number on any
27 subsequent application for a license. The Department must keep
28 a record of the social security number of each applicant. The
29 Department shall notify the applicant that his or her social
30 security number is kept on file with the Department.

31 (c) A licensee's social security number shall not appear on
32 the face of his or her license.