



Registration and Regulation Committee

**Filed: 3/21/2007**

09500HB1271ham001

LRB095 10207 RAS 34019 a

1 AMENDMENT TO HOUSE BILL 1271

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1271 on page 1,  
3 immediately below line 3, by inserting the following:

4 "Section 2. The Massage Licensing Act is amended by  
5 changing Section 20 as follows:

6 (225 ILCS 57/20)

7 (Section scheduled to be repealed on January 1, 2012)

8 Sec. 20. Grandfathering provision.

9 (a) For a period of one year after the effective date of  
10 the rules adopted under this Act, the Department may issue a  
11 license to an individual who, in addition to meeting the  
12 requirements set forth in paragraphs (1) and (2) of subsection  
13 (a) and subsection (b) of Section 15, produces proof that he or  
14 she has met at least one of the following requirements before  
15 the effective date of this Act:

16 (1) has been an active member, for a period of at least

1 one year prior to the application for licensure, of a  
2 national professional massage therapy organization  
3 established prior to the year 2000, which offers  
4 professional liability insurance and a code of ethics;

5 (2) has passed the National Certification Exam of  
6 Therapeutic Massage and Bodywork and has kept his or her  
7 certification current;

8 (3) has practiced massage therapy an average of at  
9 least 10 hours per week for at least 10 years; or

10 (4) has practiced massage therapy an average of at  
11 least 10 hours per week for at least one year prior to the  
12 effective date of this Act and has completed at least 100  
13 hours of formal training in massage therapy.

14 (a-5) The Department may issue a license to an individual  
15 who failed to apply for licensure under subsection (a) of this  
16 Section before October 31, 2005 (one year after the effective  
17 date of the rules adopted under this Act), but who applied for  
18 licensure between October 31, 2005 and April 30, 2006 and was  
19 denied licensure due to his or her failure to apply before  
20 October 31, 2005 and who otherwise meets the qualifications set  
21 forth in subsection (a) of this Section, provided that the  
22 individual submits a completed application for licensure as  
23 required under subsection (a) of this Section within 90 days  
24 after the effective date of this amendatory Act of the 95th  
25 General Assembly.

26 (b) An applicant who can show proof of having engaged in

1 the practice of massage therapy for at least 10 hours per week  
2 for a minimum of one year prior to the effective date of this  
3 Act and has less than 100 hours of formal training or has been  
4 practicing for less than one year with 100 hours of formal  
5 training must complete at least 100 additional hours of formal  
6 training consisting of at least 25 hours in anatomy and  
7 physiology by January 1, 2005.

8 (c) An applicant who has training from another state or  
9 country may qualify for a license under subsection (a) by  
10 showing proof of meeting the requirements of that state or  
11 country and demonstrating that those requirements are  
12 substantially the same as the requirements in this Section.

13 (d) For purposes of this Section, "formal training" means a  
14 massage therapy curriculum approved by the Illinois State Board  
15 of Education or the Illinois Board of Higher Education or  
16 course work provided by continuing education sponsors approved  
17 by the Department.

18 (Source: P.A. 92-860, eff. 6-1-03; 93-524, eff. 8-12-03;  
19 93-908, eff. 8-11-04.)

20 Section 3. The Illinois Roofing Industry Licensing Act is  
21 amended by changing Section 3 as follows:

22 (225 ILCS 335/3) (from Ch. 111, par. 7503)

23 (Section scheduled to be repealed on January 1, 2016)

24 Sec. 3. Application for license.

1           (1) To obtain a license, an applicant must indicate if the  
2 license is sought for a sole proprietorship, partnership,  
3 corporation, business trust, or other legal entity and whether  
4 the application is for a limited or unlimited roofing license.  
5 If the license is sought for a sole proprietorship, the license  
6 shall be issued to the proprietor who shall also be designated  
7 as the qualifying party. If the license is sought for a  
8 partnership, corporation, business trust, or other legal  
9 entity, the license shall be issued in the company name. A  
10 company must designate one individual who will serve as a  
11 qualifying party. The qualifying party is the individual who  
12 must take the examination required under Section 3.5. The  
13 company shall submit an application in writing to the  
14 Department on a form containing the information prescribed by  
15 the Department and accompanied by the fee fixed by the  
16 Department. The application shall include, but shall not be  
17 limited to:

18           (a) the name and address of the person designated as  
19 the qualifying party responsible for the practice of  
20 professional roofing in Illinois;

21           (b) the name of the proprietorship and its proprietor,  
22 the name of the partnership and its partners, the name of  
23 the corporation and its officers and directors, the name of  
24 the business trust and its trustees, or the name of such  
25 other legal entity and its members;

26           (c) evidence of compliance with any statutory

1 requirements pertaining to such legal entity, including  
2 compliance with any laws pertaining to the use of  
3 fictitious names, if a fictitious name is used; if the  
4 business is a sole proprietorship and doing business under  
5 a name other than that of the individual proprietor, the  
6 individual proprietor must list all business names used for  
7 that proprietorship.

8 (1.5) A certificate issued by the Department before the  
9 effective date of this amendatory Act of the 91st General  
10 Assembly shall be deemed a license for the purposes of this  
11 Act.

12 (2) An applicant for a license must submit satisfactory  
13 evidence that:

14 (a) he or she has obtained public liability and  
15 property damage insurance in such amounts and under such  
16 circumstances as may be determined by the Department;

17 (b) he or she has obtained Workers' Compensation  
18 insurance covering his or her employees or is approved as a  
19 self-insurer of Workers' Compensation in accordance with  
20 Illinois law;

21 (c) he or she has an Illinois Unemployment Insurance  
22 employer identification number or has proof of application  
23 to the Illinois Department of Labor for such an  
24 identification number;

25 (d) he or she has submitted a continuous bond to the  
26 Department in the amount of \$10,000 for a limited license

1 and in the amount of \$25,000 for an unlimited license; and

2 (e) a qualifying party has satisfactorily completed  
3 the examination required under Section 3.5.

4 (2.5) The Department may issue a license under this Act to  
5 any applicant who meets the requirements of subdivisions (a)  
6 through (d) of subsection (2) of this Section and who provides  
7 satisfactory proof to the Department that, on or before July 1,  
8 2003, he or she had at least 20 years of licensed experience in  
9 the roofing industry.

10 (3) It is the responsibility of the licensee to provide to  
11 the Department notice in writing of any changes in the  
12 information required to be provided on the application.

13 (4) All roofing contractors must designate a qualifying  
14 party and otherwise achieve compliance with this Act no later  
15 than July 1, 2003 or his or her license will automatically  
16 expire on July 1, 2003.

17 (5) Nothing in this Section shall apply to a seller of  
18 roofing materials or services when the construction,  
19 reconstruction, alteration, maintenance, or repair of roofing  
20 or waterproofing is to be performed by a person other than the  
21 seller or the seller's employees.

22 (6) Applicants have 3 years from the date of application to  
23 complete the application process. If the application has not  
24 been completed within 3 years, the application shall be denied,  
25 the fee shall be forfeited and the applicant must reapply and  
26 meet the requirements in effect at the time of reapplication.

1 (Source: P.A. 91-950, eff. 2-9-01.)"; and

2 on page 2, line 13, by replacing "5" with "10"; and

3 on page 2, by replacing lines 17 through 20 with the following:

4 "satisfies the standards of alarm industry competence. An  
5 applicant who has received a".