

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 State Finance Act is amended by changing
5 Section 6z-18 as follows:

6 (30 ILCS 105/6z-18) (from Ch. 127, par. 142z-18)

7 Sec. 6z-18. A portion of the money paid into the Local
8 Government Tax Fund from sales of food for human consumption
9 which is to be consumed off the premises where it is sold
10 (other than alcoholic beverages, soft drinks and food which has
11 been prepared for immediate consumption) and prescription and
12 nonprescription medicines, drugs, medical appliances and
13 insulin, urine testing materials, syringes and needles used by
14 diabetics, which occurred in municipalities, shall be
15 distributed to each municipality based upon the sales which
16 occurred in that municipality. The remainder shall be
17 distributed to each county based upon the sales which occurred
18 in the unincorporated area of that county.

19 A portion of the money paid into the Local Government Tax
20 Fund from the 6.25% general use tax rate on the selling price
21 of tangible personal property which is purchased outside
22 Illinois at retail from a retailer and which is titled or
23 registered by any agency of this State's government shall be

1 distributed to municipalities as provided in this paragraph.
2 Each municipality shall receive the amount attributable to
3 sales for which Illinois addresses for titling or registration
4 purposes are given as being in such municipality. The remainder
5 of the money paid into the Local Government Tax Fund from such
6 sales shall be distributed to counties. Each county shall
7 receive the amount attributable to sales for which Illinois
8 addresses for titling or registration purposes are given as
9 being located in the unincorporated area of such county.

10 A portion of the money paid into the Local Government Tax
11 Fund from the 6.25% general rate (and, beginning July 1, 2000
12 and through December 31, 2000, the 1.25% rate on motor fuel and
13 gasohol, and beginning on August 6, 2010 through August 15,
14 2010, the 1.25% rate on sales tax holiday items) on sales
15 subject to taxation under the Retailers' Occupation Tax Act and
16 the Service Occupation Tax Act, which occurred in
17 municipalities, shall be distributed to each municipality,
18 based upon the sales which occurred in that municipality. The
19 remainder shall be distributed to each county, based upon the
20 sales which occurred in the unincorporated area of such county.

21 For the purpose of determining allocation to the local
22 government unit, a retail sale by a producer of coal or other
23 mineral mined in Illinois is a sale at retail at the place
24 where the coal or other mineral mined in Illinois is extracted
25 from the earth. This paragraph does not apply to coal or other
26 mineral when it is delivered or shipped by the seller to the

1 purchaser at a point outside Illinois so that the sale is
2 exempt under the United States Constitution as a sale in
3 interstate or foreign commerce.

4 Whenever the Department determines that a refund of money
5 paid into the Local Government Tax Fund should be made to a
6 claimant instead of issuing a credit memorandum, the Department
7 shall notify the State Comptroller, who shall cause the order
8 to be drawn for the amount specified, and to the person named,
9 in such notification from the Department. Such refund shall be
10 paid by the State Treasurer out of the Local Government Tax
11 Fund.

12 As soon as possible after the first day of each month,
13 beginning January 1, 2011, upon certification of the Department
14 of Revenue, the Comptroller shall order transferred, and the
15 Treasurer shall transfer, to the STAR Bonds Revenue Fund the
16 local sales tax increment, as defined in the Innovation
17 Development and Economy Act, collected during the second
18 preceding calendar month for sales within a STAR bond district
19 and deposited into the Local Government Tax Fund, less 3% of
20 that amount, which shall be transferred into the Tax Compliance
21 and Administration Fund and shall be used by the Department,
22 subject to appropriation, to cover the costs of the Department
23 in administering the Innovation Development and Economy Act.

24 After the monthly transfer to the STAR Bonds Revenue Fund,
25 on or before the 25th day of each calendar month, the
26 Department shall prepare and certify to the Comptroller the

1 disbursement of stated sums of money to named municipalities
2 and counties, the municipalities and counties to be those
3 entitled to distribution of taxes or penalties paid to the
4 Department during the second preceding calendar month. The
5 amount to be paid to each municipality or county shall be the
6 amount (not including credit memoranda) collected during the
7 second preceding calendar month by the Department and paid into
8 the Local Government Tax Fund, plus an amount the Department
9 determines is necessary to offset any amounts which were
10 erroneously paid to a different taxing body, and not including
11 an amount equal to the amount of refunds made during the second
12 preceding calendar month by the Department, and not including
13 any amount which the Department determines is necessary to
14 offset any amounts which are payable to a different taxing body
15 but were erroneously paid to the municipality or county, and
16 not including any amounts that are transferred to the STAR
17 Bonds Revenue Fund. Within 10 days after receipt, by the
18 Comptroller, of the disbursement certification to the
19 municipalities and counties, provided for in this Section to be
20 given to the Comptroller by the Department, the Comptroller
21 shall cause the orders to be drawn for the respective amounts
22 in accordance with the directions contained in such
23 certification.

24 When certifying the amount of monthly disbursement to a
25 municipality or county under this Section, the Department shall
26 increase or decrease that amount by an amount necessary to

1 offset any misallocation of previous disbursements. The offset
2 amount shall be the amount erroneously disbursed within the 6
3 months preceding the time a misallocation is discovered.

4 The provisions directing the distributions from the
5 special fund in the State Treasury provided for in this Section
6 shall constitute an irrevocable and continuing appropriation
7 of all amounts as provided herein. The State Treasurer and
8 State Comptroller are hereby authorized to make distributions
9 as provided in this Section.

10 In construing any development, redevelopment, annexation,
11 preannexation or other lawful agreement in effect prior to
12 September 1, 1990, which describes or refers to receipts from a
13 county or municipal retailers' occupation tax, use tax or
14 service occupation tax which now cannot be imposed, such
15 description or reference shall be deemed to include the
16 replacement revenue for such abolished taxes, distributed from
17 the Local Government Tax Fund.

18 As soon as possible after the effective date of this
19 amendatory Act of the 98th General Assembly, the State
20 Comptroller shall order and the State Treasurer shall transfer
21 \$6,600,000 from the Local Government Tax Fund to the Illinois
22 State Medical Disciplinary Fund.

23 (Source: P.A. 96-939, eff. 6-24-10; 96-1012, eff. 7-7-10;
24 97-333, eff. 8-12-11.)

25 Section 10. The Medical Practice Act of 1987 is amended by

1 changing Section 21 as follows:

2 (225 ILCS 60/21) (from Ch. 111, par. 4400-21)

3 (Section scheduled to be repealed on December 31, 2013)

4 Sec. 21. License renewal; restoration; inactive status;
5 disposition and collection of fees.

6 (A) Renewal. The expiration date and renewal period for
7 each license issued under this Act shall be set by rule. The
8 holder of a license may renew the license by paying the
9 required fee. The holder of a license may also renew the
10 license within 90 days after its expiration by complying with
11 the requirements for renewal and payment of an additional fee.
12 A license renewal within 90 days after expiration shall be
13 effective retroactively to the expiration date.

14 The Department shall mail to each licensee under this Act,
15 at his or her address of record, at least 60 days in advance of
16 the expiration date of his or her license, a renewal notice. No
17 such license shall be deemed to have lapsed until 90 days after
18 the expiration date and after such notice has been mailed by
19 the Department as herein provided.

20 (B) Restoration. Any licensee who has permitted his or her
21 license to lapse or who has had his or her license on inactive
22 status may have his or her license restored by making
23 application to the Department and filing proof acceptable to
24 the Department of his or her fitness to have the license
25 restored, including evidence certifying to active practice in

1 another jurisdiction satisfactory to the Department, proof of
2 meeting the continuing education requirements for one renewal
3 period, and by paying the required restoration fee.

4 If the licensee has not maintained an active practice in
5 another jurisdiction satisfactory to the Department, the
6 Licensing Board shall determine, by an evaluation program
7 established by rule, the applicant's fitness to resume active
8 status and may require the licensee to complete a period of
9 evaluated clinical experience and may require successful
10 completion of a practical examination specified by the
11 Licensing Board.

12 However, any registrant whose license has expired while he
13 or she has been engaged (a) in Federal Service on active duty
14 with the Army of the United States, the United States Navy, the
15 Marine Corps, the Air Force, the Coast Guard, the Public Health
16 Service or the State Militia called into the service or
17 training of the United States of America, or (b) in training or
18 education under the supervision of the United States
19 preliminary to induction into the military service, may have
20 his or her license reinstated or restored without paying any
21 lapsed renewal fees, if within 2 years after honorable
22 termination of such service, training, or education, he or she
23 furnishes to the Department with satisfactory evidence to the
24 effect that he or she has been so engaged and that his or her
25 service, training, or education has been so terminated.

26 (C) Inactive licenses. Any licensee who notifies the

1 Department, in writing on forms prescribed by the Department,
2 may elect to place his or her license on an inactive status and
3 shall, subject to rules of the Department, be excused from
4 payment of renewal fees until he or she notifies the Department
5 in writing of his or her desire to resume active status.

6 Any licensee requesting restoration from inactive status
7 shall be required to pay the current renewal fee, provide proof
8 of meeting the continuing education requirements for the period
9 of time the license is inactive not to exceed one renewal
10 period, and shall be required to restore his or her license as
11 provided in subsection (B).

12 Any licensee whose license is in an inactive status shall
13 not practice in the State of Illinois.

14 (D) Disposition of monies collected. All monies collected
15 under this Act by the Department shall be deposited in the
16 Illinois State Medical Disciplinary Fund in the State Treasury,
17 and used only for the following purposes: (a) by the
18 Disciplinary Board and Licensing Board in the exercise of its
19 powers and performance of its duties, as such use is made by
20 the Department with full consideration of all recommendations
21 of the Disciplinary Board and Licensing Board, (b) for costs
22 directly related to persons licensed under this Act, and (c)
23 for direct and allocable indirect costs related to the public
24 purposes of the Department.

25 Moneys in the Fund may be transferred to the Professions
26 Indirect Cost Fund as authorized under Section 2105-300 of the

1 Department of Professional Regulation Law (20 ILCS
2 2105/2105-300).

3 The State Comptroller shall order and the State Treasurer
4 shall transfer an amount equal to \$2,200,000 from the Illinois
5 State Medical Disciplinary Fund to the Local Government Tax
6 Fund on each of the following dates: July 1, 2014, October 1,
7 2014, and January 1, 2015. These transfers shall constitute
8 repayment of the \$6,600,000 transfer made under Section 6z-18
9 of the State Finance Act.

10 All earnings received from investment of monies in the
11 Illinois State Medical Disciplinary Fund shall be deposited in
12 the Illinois State Medical Disciplinary Fund and shall be used
13 for the same purposes as fees deposited in such Fund.

14 (E) Fees. The following fees are nonrefundable.

15 (1) Applicants for any examination shall be required to
16 pay, either to the Department or to the designated testing
17 service, a fee covering the cost of determining the
18 applicant's eligibility and providing the examination.
19 Failure to appear for the examination on the scheduled
20 date, at the time and place specified, after the
21 applicant's application for examination has been received
22 and acknowledged by the Department or the designated
23 testing service, shall result in the forfeiture of the
24 examination fee.

25 (2) The fee for a license under Section 9 of this Act
26 is \$750 ~~\$300~~.

1 (3) The fee for a license under Section 19 of this Act
2 is \$750 ~~\$300~~.

3 (4) The fee for the renewal of a license for a resident
4 of Illinois shall be calculated at the rate of \$250 ~~\$100~~
5 per year, except for licensees who were issued a license
6 within 12 months of the expiration date of the license, the
7 fee for the renewal shall be \$250 ~~\$100~~. The fee for the
8 renewal of a license for a nonresident shall be calculated
9 at the rate of \$500 ~~\$200~~ per year, except for licensees who
10 were issued a license within 12 months of the expiration
11 date of the license, the fee for the renewal shall be \$500
12 ~~\$200~~.

13 (5) The fee for the restoration of a license other than
14 from inactive status, is \$250 ~~\$100~~. In addition, payment of
15 all lapsed renewal fees not to exceed \$1,500 ~~\$600~~ is
16 required.

17 (6) The fee for a 3-year temporary license under
18 Section 17 is \$250 ~~\$100~~.

19 (7) The fee for the issuance of a duplicate license,
20 for the issuance of a replacement license for a license
21 which has been lost or destroyed, or for the issuance of a
22 license with a change of name or address other than during
23 the renewal period is \$20. No fee is required for name and
24 address changes on Department records when no duplicate
25 license is issued.

26 (8) The fee to be paid for a license record for any

1 purpose is \$20.

2 (9) The fee to be paid to have the scoring of an
3 examination, administered by the Department, reviewed and
4 verified, is \$20 plus any fees charged by the applicable
5 testing service.

6 (10) The fee to be paid by a licensee for a wall
7 certificate showing his or her license shall be the actual
8 cost of producing the certificate as determined by the
9 Department.

10 (11) The fee for a roster of persons licensed as
11 physicians in this State shall be the actual cost of
12 producing such a roster as determined by the Department.

13 (F) Any person who delivers a check or other payment to the
14 Department that is returned to the Department unpaid by the
15 financial institution upon which it is drawn shall pay to the
16 Department, in addition to the amount already owed to the
17 Department, a fine of \$50. The fines imposed by this Section
18 are in addition to any other discipline provided under this Act
19 for unlicensed practice or practice on a nonrenewed license.
20 The Department shall notify the person that payment of fees and
21 fines shall be paid to the Department by certified check or
22 money order within 30 calendar days of the notification. If,
23 after the expiration of 30 days from the date of the
24 notification, the person has failed to submit the necessary
25 remittance, the Department shall automatically terminate the
26 license or certificate or deny the application, without

1 hearing. If, after termination or denial, the person seeks a
2 license or certificate, he or she shall apply to the Department
3 for restoration or issuance of the license or certificate and
4 pay all fees and fines due to the Department. The Department
5 may establish a fee for the processing of an application for
6 restoration of a license or certificate to pay all expenses of
7 processing this application. The Secretary may waive the fines
8 due under this Section in individual cases where the Secretary
9 finds that the fines would be unreasonable or unnecessarily
10 burdensome.

11 (Source: P.A. 97-622, eff. 11-23-11.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.