



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3422

Introduced 2/18/2025, by Rep. Tony M. McCombie

SYNOPSIS AS INTRODUCED:

20 ILCS 2105/2105-410 new

Amends the Department of Professional Regulation Law of the Civil Administrative Code of Illinois. Provides that the Department of Professional and Financial Regulation shall conduct a review of each license, certification, or other authority issued or conferred by the Department, including any costs and fees associated with such authorities. Provides that the Department shall create a report based on this review and deliver the report to the General Assembly no later than 12 months prior to the termination of the relevant licensing Act under the Regulatory Sunset Act. Sets forth requirements for the report. Provides that the Department shall conduct a review of each potential new Department license, certification, or authority, including any costs and fees associated with the potential new program. Provides that the Department shall create a report based on this review and deliver the report to the General Assembly no later than 30 days after the filing date of the bill in which the license, certification, or authority is proposed. Sets forth requirements for the report. Provides that the Department shall complete a review and report for any license, certification, or authority reviewed which becomes law 24 months after the effective date of the bill in which the license, certification, or authority was proposed and shall subsequently conduct review and reporting duties according to the provided schedule. Provides that nothing in the amendatory provisions shall be construed to prevent the Department from conducting a review or publishing and delivering a report prior to the filing date of a piece of legislation if the Department reasonably believes a new license, certification, or authority is necessary to meet a demonstrated public safety or welfare interest or the Department has received requests to regulate a previously unregulated profession

LRB104 09875 AAS 19943 b

1 AN ACT concerning State government.

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

4 Section 5. The Department of Professional Regulation Law
5 of the Civil Administrative Code of Illinois is amended by
6 adding Section 2105-410 as follows:

7 (20 ILCS 2105/2105-410 new)

8 Sec. 2105-410. Department licensure report.

9 (a) The Department shall conduct a review of each license,
10 certification, or other authority issued or conferred by the
11 Department, including any costs and fees associated with such
12 authorities. The Department shall create a report based on
13 this review and deliver said report to the General Assembly no
14 later than 12 months prior to termination of the relevant
15 licensing Act under the Regulatory Sunset Act. The report
16 shall be publicly published on the Department's website no
17 later than 30 days prior to the date the report is delivered to
18 the General Assembly. The report shall include, but is not
19 limited to, the following recommendations and any data,
20 assumptions, or other analysis utilized to make each
21 recommendation:

22 (1) whether the license, certification, or other
23 authority is necessary to meet a demonstrated public

1 safety or welfare interest;

2 (2) whether the conditions that led to the initial
3 creation of the license, certification, or other authority
4 have changed and whether other conditions have arisen that
5 would warrant more, less, or the same degree of regulation
6 and oversight;

7 (3) if the license, certification, or other authority
8 is necessary, whether the existing rules and regulations
9 establish the least restrictive form of governmental
10 regulation and oversight consistent with the demonstrated
11 public interest, considering other available regulatory
12 mechanisms;

13 (4) if the license, certification, or other authority
14 is necessary, whether Department rules pertaining to the
15 license, certification, or other authority enhance the
16 demonstrated public interest and are within the scope of
17 legislative intent;

18 (5) the economic impact of the license, certification,
19 or other authority and, if national economic information
20 is not available, whether the license, certification, or
21 other authority stimulates or restricts competition;

22 (6) the budget and administration of the program,
23 including, but not limited to:

24 (A) the adequacy of current staffing levels;

25 (B) the cost of required and current staffing
26 levels to meet the needs of the issuance and

1 disciplinary process;

2 (C) the adequacy of current physical, software,
3 and technical resources;

4 (D) the cost of required and current physical,
5 software, and technical resources;

6 (E) the speed of application processing and
7 issuance for both original licenses and renewals;

8 (F) the cost of application processing; and

9 (G) the necessity, efficiency and efficacy of
10 disciplinary procedures; and

11 (H) the cost of disciplinary action;

12 (7) whether complaint, investigation, and disciplinary
13 procedures adequately protect the public and whether final
14 dispositions of complaints are in the demonstrated public
15 interest or self-serving to the profession or regulated
16 entity;

17 (8) whether the scope of practice of the regulated
18 occupation or profession contributes to the optimum use of
19 personnel;

20 (9) whether the regulation and administration of the
21 license, certification, or other authority include
22 numerous stakeholders and the public to ensure fairness;

23 (10) whether fees associated with the license,
24 certification, or other authority are fair, taking into
25 consideration factor that include, but are not limited to:

26 (A) the average annual income of an applicant;

1 (B) the average annual income of a person in the
2 occupation or profession;

3 (C) the cost of education and other requirements
4 necessary to perform the services and duties of the
5 occupation or profession;

6 (D) the cost to the Department of administering
7 the program; and

8 (E) if fees are not fair, what a fair fee would
9 look like;

10 (11) whether the current number of training, education
11 and, continuing education days are only those demonstrably
12 necessary to protect health and safety;

13 (12) whether the Department imposes any sanctions or
14 disqualifications on applicants based on past criminal
15 history and, if so, whether the sanctions or
16 disqualifications serve a public safety or commercial or
17 consumer protection interest, including data on the
18 following:

19 (A) the number of applications that the Department
20 denied based on an applicant's criminal history and
21 the criminal offenses that led to the
22 disqualification;

23 (B) the number of licenses, certifications, or
24 other authorities issued based upon an applicant's
25 criminal history; and

26 (C) the number of licenses, certifications, or

1 other authorities revoked or suspended based on an
2 individual's criminal conduct and the criminal
3 offenses that led to the sanction; and

4 (13) whether administrative and statutory changes are
5 necessary to improve agency operations to enhance the
6 public interest or to ensure that the standards for
7 applicants are not vague and are consistent with the
8 demonstrated public safety or welfare interest
9 necessitating the regulation.

10 Nothing in this subsection (a) shall be construed to
11 prevent the Department from conducting a review or publishing
12 and delivering a report prior to 12 months before the
13 termination of a licensing Act under the Regulatory Sunset Act
14 if the Secretary reasonably believes a different level of
15 regulation is the least restrictive necessary to meet the
16 demonstrated public safety or welfare interest or the
17 Department has received requests to alter the current level of
18 regulation.

19 (b) Notwithstanding any Section of this Act, the
20 Department shall conduct a review of each potential new
21 Department license, certification, or authority, including any
22 costs and fees associated with the potential new authority.
23 The Department shall create a new license, certification, or
24 authority report based on this review and deliver the report
25 to the General Assembly no later than 30 days after the filing
26 date of the bill in which the license, certification, or

1 authority is proposed. The report must be published on the
2 Department's website no later than the date the report is
3 delivered to the General Assembly. The report shall include,
4 but is not limited to, the following recommendations and any
5 data, assumptions or other analysis utilized to make each
6 recommendation:

7 (1) whether the license, certification, or authority
8 is necessary to meet a demonstrated public safety or
9 welfare interest;

10 (2) the conditions that led to the proposal of the
11 license, certification, or authority and whether other
12 conditions have arisen that would warrant more, less, or
13 the same degree of regulation and oversight as that
14 proposed;

15 (3) whether the proposed license, certification, or
16 authority establishes the least restrictive form of
17 governmental regulation and oversight consistent with the
18 demonstrated public interest, considering other available
19 regulatory mechanisms;

20 (4) if the license, certification, or authority is
21 necessary, potential Department rules pertaining to the
22 license, certification, or authority and how these rules
23 would enhance the demonstrated public interest and are
24 within the scope of legislative intent;

25 (5) the estimated economic impact of the license,
26 certification, or authority and, if national economic

1 information is not available, whether the license,
2 certification, or authority stimulates or restricts
3 competition;

4 (6) the budget and administration constraints of the
5 license, certification, or authority, including, but not
6 limited to:

7 (A) the adequacy of current staffing levels to
8 administer the license, certification, or authority;

9 (B) the cost of maintaining appropriate staffing
10 levels to meet the needs of the issuance and
11 disciplinary process;

12 (C) the adequacy of current physical, software,
13 and technical resources;

14 (D) the cost of additional physical, software, and
15 technical resources, if necessary;

16 (E) the anticipated cost of license,
17 certification, or authority application processing;
18 and

19 (F) the anticipated cost of license,
20 certification, or authority disciplinary procedure;

21 (7) whether proposed complaint, investigation, and
22 disciplinary procedures adequately protect the public and
23 the potential methods of evaluating whether final
24 dispositions of complaints are in the demonstrated public
25 interest or self-serving to the profession or regulated
26 entity;

1 (8) whether the proposed scope of practice of the
2 regulated occupation or profession contributes to the
3 optimum use of personnel;

4 (9) whether the regulation and administration of the
5 license, certification, or authority as presented in the
6 bill include input from numerous stakeholders and the
7 public to ensure fairness, or, if such inclusion may be
8 facilitated by Department rulemaking, what type of rules
9 would ensure such inclusion;

10 (10) if a fee amount is proposed in the bill, whether
11 fees associated with the license, certification, or
12 authority are fair, taking into consideration factors that
13 include, but are not limited to, the following:

14 (A) the average annual income of an applicant;

15 (B) the average annual income of a person in the
16 occupation or profession;

17 (C) the cost of education and other requirements
18 necessary to perform the services and duties of the
19 occupation or profession;

20 (D) the cost to the Department of administering
21 the license, certification, or authority; and

22 (E) if fees are left to the discretion of the
23 Department, an estimate of a fair fee;

24 (11) whether the proposed number of training,
25 education, and continuing education days, if any, are only
26 demonstrably necessary to protect health and safety. If no

1 number of training, education, or continuing education
2 days are proposed, a Department estimate thereof;

3 (12) whether the Department, through the license,
4 certification, or authority proposed, would impose any
5 sanctions or disqualifications on applicants based on past
6 criminal history and, if so, whether the sanctions or
7 disqualifications proposed serve a public safety or
8 commercial or consumer protection interest; and

9 (13) whether changes to the bill language are
10 necessary to improve Department operations to enhance the
11 demonstrated public interest or to ensure license,
12 certification, or authority standards for all applicants
13 are not vague and are consistent with the demonstrated
14 public safety or welfare interest necessitating the
15 regulation and suggested language making the changes.

16 The Department shall complete a review and report under
17 subsection (a) of this Section for any license, certification,
18 or authority reviewed under this subsection (b) which becomes
19 law 24 months after the license, certification or authority's
20 effective date and shall subsequently conduct review and
21 reporting duties under subsection (a) according to the
22 specified schedule.

23 Nothing in this subsection (b) shall be construed to
24 prevent the Department from conducting a review or publishing
25 and delivering a report prior to the filing date of a piece of
26 legislation if the Secretary reasonably believes a new

1 license, certification, or authority is necessary to meet a
2 demonstrated public safety or welfare interest or the
3 Department has received requests to regulate a previously
4 unregulated profession.