



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB5428

Introduced 2/13/2026, by Rep. Marcus C. Evans, Jr.

SYNOPSIS AS INTRODUCED:

See Index

Amends the Regulatory Sunset Act. Changes the repeal date of the Cemetery Oversight Act, the Community Association Manager Licensing and Disciplinary Act, the Detection of Deception Examiners Act, the Home Inspector License Act, the Real Estate Appraiser Licensing Act of 2002, the Registered Interior Designers Act, and the Landscape Architecture Registration Act to January 1, 2032 (rather than January 1, 2027). Amends the Auction License Act. Makes changes in provisions concerning necessity of license; expiration, renewal, and restoration; nonresident auctioneer reciprocity; and illegal discrimination. Repeals provisions concerning actions for compensation. Amends the Registered Interior Designers Act. Makes changes in provisions concerning the Board of Registered Interior Design Professionals; application requirements for registration; expiration, renewal, and restoration; and appropriations, investments, and audits. Amends the Landscape Architecture Registration Act. Makes changes in provisions concerning the reproducible seal; the Registered Landscape Architecture Registration Board; disposition of funds; violations and civil penalties; and grounds for discipline. Amends the Community Association Manager Licensing and Disciplinary Act. Makes changes in provisions concerning insurance and the segregation of accounts; renewals, restoration, and persons in military service; illegal discrimination; and appointment of a hearing officer. Amends the Detection of Deception Examiners Act. Makes changes in provisions concerning applications for original licenses; investigations; and applicants who are Examiners. Amends the Home Inspector License Act. Makes changes in provisions concerning the necessity of licensure; renewal; endorsement; and illegal discrimination. Amends the Real Estate Appraiser Licensing Act of 2002. Makes changes in provisions concerning necessity of a license; illegal discrimination; and investigations, notice, and hearings. Amends the Appraisal Management Company Registration Act. Makes changes in provisions concerning disciplinary actions. Repeals provisions concerning bonds of registrants. Makes other changes. Effective immediately.

LRB104 18006 AAS 31443 b

A BILL FOR

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
5 changing Sections 4.37 and 4.42 as follows:

6 (5 ILCS 80/4.37)

7 Sec. 4.37. Acts and Articles repealed on January 1, 2027.

8 The following are repealed on January 1, 2027:

9 The Clinical Psychologist Licensing Act.

10 The Illinois Optometric Practice Act of 1987.

11 Articles II, III, IV, V, VI, VIIA, VIIC, XVII, XXXI, and
12 XXXI 1/4 of the Illinois Insurance Code.

13 The Boiler and Pressure Vessel Repairer Regulation Act.

14 The Marriage and Family Therapy Licensing Act.

15 The Boxing and Full-contact Martial Arts Act.

16 ~~The Cemetery Oversight Act.~~

17 ~~The Community Association Manager Licensing and~~
18 ~~Disciplinary Act.~~

19 ~~The Detection of Deception Examiners Act.~~

20 ~~The Home Inspector License Act.~~

21 The Massage Licensing Act.

22 The Medical Practice Act of 1987.

23 The Petroleum Equipment Contractors Licensing Act.

1 The Radiation Protection Act of 1990.

2 ~~The Real Estate Appraiser Licensing Act of 2002.~~

3 ~~The Registered Interior Designers Act.~~

4 ~~The Landscape Architecture Registration Act.~~

5 The Water Well and Pump Installation Contractor's License
6 Act.

7 The Licensed Certified Professional Midwife Practice Act.

8 (Source: P.A. 102-20, eff. 6-25-21; 102-284, eff. 8-6-21;
9 102-437, eff. 8-20-21; 102-656, eff. 8-27-21; 102-683, eff.
10 10-1-22; 102-813, eff. 5-13-22; 103-371, eff. 1-1-24; 103-823,
11 eff. 8-9-24.)

12 (5 ILCS 80/4.42)

13 Sec. 4.42. Acts repealed on January 1, 2032. The following
14 Acts are repealed on January 1, 2032:

15 The Collateral Recovery Act.

16 The Cemetery Oversight Act.

17 The Community Association Manager Licensing and
18 Disciplinary Act.

19 The Detection of Deception Examiners Act.

20 The Home Inspector License Act.

21 The Real Estate Appraiser Licensing Act of 2002.

22 The Registered Interior Designers Act.

23 The Landscape Architecture Registration Act.

24 (Source: P.A. 103-371, eff. 1-1-24.)

1 Section 10. The Auction License Act is amended by changing
2 Sections 5-10, 10-1, 10-30, 10-40, 10-45, 15-15, 15-25, 20-15,
3 20-15.1, 20-16, 20-20, 20-30, 20-35, 20-40, 20-43, 20-55, and
4 20-56 as follows:

5 (225 ILCS 407/5-10)

6 (Section scheduled to be repealed on January 1, 2030)

7 Sec. 5-10. Definitions. As used in this Act:

8 "Advertisement" means any written, oral, or electronic
9 communication that contains a promotion, inducement, or offer
10 to conduct an auction or offer to provide an auction service,
11 including but not limited to brochures, pamphlets, radio and
12 television scripts, telephone and direct mail solicitations,
13 electronic media, Internet online, and other means of
14 promotion.

15 "Advisory Board" or "Board" means the Auctioneer Advisory
16 Board.

17 "Auction" means the sale or lease of property, real or
18 personal, by means of exchanges between an auctioneer and
19 prospective purchasers or lessees, which consists of a series
20 of invitations or bids for offers made by the auctioneer to
21 prospective purchasers or lessees for the purpose of obtaining
22 an acceptable offer for the sale or lease of property. ~~via~~
23 ~~mail, telecommunications, or the Internet online.~~

24 "Auction contract" means a written agreement between an
25 auctioneer or auction firm and a seller or sellers.

1 "Auction firm" means any corporation, partnership, or
2 limited liability company that ~~acts as an auctioneer and~~
3 provides an auction service.

4 "Auction school" means any educational institution, public
5 or private, that offers a curriculum of auctioneer education
6 and training approved by the Department.

7 "Auction service" means the service of arranging,
8 managing, advertising, or conducting auctions.

9 "Auctioneer" means a person or entity who, for another,
10 for a fee, compensation, commission, or any other valuable
11 consideration at auction or with the intention or expectation
12 of receiving valuable consideration by the means of or process
13 of an auction or sale at auction or providing an auction
14 service, offers, negotiates, or attempts to negotiate an
15 auction contract, sale, purchase, or exchange of goods,
16 chattels, merchandise, personal property, real property, or
17 any commodity that may be lawfully kept or offered for sale by
18 or at auction.

19 "Address of record" means the designated address recorded
20 by the Department in the applicant's or licensee's application
21 file or license file maintained by the Department.

22 "Buyer premium" means any fee or compensation paid by the
23 successful purchaser of property sold or leased at or by
24 auction, to the auctioneer, auction firms, seller, lessor, or
25 other party to the transaction, other than the purchase price.

26 "Department" means the Department of Financial and

1 Professional Regulation.

2 "Division" means the Division of Real Estate within the
3 Department.

4 "Email address of record" means the designated email
5 address recorded by the Department in the applicant's
6 application file or the licensee's license file maintained by
7 the Department's licensure maintenance unit.

8 "Estate sale" means a sale for liquidation of personal
9 property of an estate owned by one or more individuals,
10 families, or legal representatives of the estate that is
11 advertised and scheduled for a predetermined amount of time
12 and to which the public is invited to participate in a
13 negotiation or bid for the purchase of the personal property.

14 "Estate sale service" means the performance of an auction
15 service for the owners of personal property to be sold at an
16 estate sale, where an auctioneer undertakes the responsibility
17 of conducting the sale. "Estate sale service" does not include
18 the sale of real property.

19 "Goods" means chattels, movable goods, merchandise, or
20 personal property or commodities of any form or type that may
21 be lawfully kept or offered for sale.

22 "Interactive computer service" means any information
23 service, system, or access software provider that provides or
24 enables computer access by multiple users to a computer
25 server, including specifically a service or system that
26 provides access to the Internet.

1 "Internet auction listing service" means a website on the
2 Internet, or other interactive computer service, that is
3 designed to allow or advertise as a means of allowing users to
4 offer personal property or services for sale or lease to a
5 prospective buyer or lessee through an online bid submission
6 process using that website or interactive computer service and
7 that does not examine, set the price, prepare the description
8 of the personal property or service to be offered, or in any
9 way utilize the services of a natural person as an auctioneer.

10 "Licensee" means any person licensed under this Act.

11 "Managing auctioneer" means any person licensed as an
12 auctioneer who manages and supervises auction firm licensees.

13 "Online auction" means an auction or auction service
14 conducted by an auctioneer via a website on the Internet, an
15 application, an interactive computer service, or other similar
16 media.

17 "Person" means an individual, association, partnership,
18 corporation, ~~or~~ limited liability company, or auction firm ~~or~~
19 ~~the officers, directors, or employees of the same.~~

20 ~~"Pre-renewal period" means the 24 months prior to the~~
21 ~~expiration date of a license issued under this Act.~~

22 "Real estate" means real estate as defined in Section 1-10
23 of the Real Estate License Act of 2000 or its successor Acts.

24 "Secretary" means the Secretary of Financial and
25 Professional Regulation or the Secretary's ~~his or her~~
26 designee.

1 (Source: P.A. 104-145, eff. 1-1-26.)

2 (225 ILCS 407/10-1)

3 (Section scheduled to be repealed on January 1, 2030)

4 Sec. 10-1. Necessity of license; exemptions.

5 (a) It is unlawful for any person, corporation, limited
6 liability company, partnership, or other entity to conduct an
7 auction, provide an auction service, hold oneself ~~himself or~~
8 ~~herself~~ out as an auctioneer, or advertise oneself ~~his or her~~
9 services as an auctioneer in the State of Illinois without a
10 license issued by the Department under this Act, except at:

11 (1) an auction conducted solely by or for a
12 not-for-profit organization for charitable purposes in
13 which the individual receives no compensation;

14 (2) an auction conducted by the owner of the property,
15 real or personal;

16 (3) an auction for the sale or lease of real property
17 conducted by a licensee under the Real Estate License Act,
18 or its successor Acts, in accordance with the terms of
19 that Act;

20 (4) an auction conducted by a business registered as a
21 market agency under the federal Packers and Stockyards Act
22 (7 U.S.C. 181 et seq.) or under the Livestock Auction
23 Market Law;

24 (5) an auction conducted by an agent, officer, or
25 employee of a federal agency in the conduct of the

1 agent's, officer's, or employee's ~~his or her~~ official
2 duties; and

3 (6) an auction conducted by an agent, officer, or
4 employee of the State government or any political
5 subdivision thereof performing ~~his or her~~ official duties.

6 (b) Nothing in this Act shall be construed to apply to a
7 new or used vehicle dealer or a vehicle auctioneer licensed by
8 the Secretary of State of Illinois, or to any employee of the
9 licensee, who is a resident of the State of Illinois, while the
10 employee is acting in the regular scope of the employee's ~~his~~
11 ~~or her~~ employment for the licensee while conducting an auction
12 that is not open to the public, provided that only new or used
13 vehicle dealers, rebuilders, automotive parts recyclers, or
14 scrap processors licensed by the Secretary of State or
15 licensed by another state or jurisdiction may buy property at
16 the auction, or to sales by or through the licensee.
17 Out-of-state salvage vehicle buyers licensed in another state
18 or jurisdiction may also buy property at the auction.

19 (c) Nothing in this Act shall be construed to prohibit a
20 person under the age of 18 from selling property under \$250 in
21 value while under the direct supervision of a licensed
22 auctioneer.

23 (d) Nothing in this Act shall be construed to apply to a
24 person providing an Internet auction listing service as
25 defined in Section 5-10.

26 (e) Nothing in this Act shall be construed to apply to a

1 third-party reseller of personal property where owners or
2 representatives of an estate have transferred ownership of the
3 property to the reseller to be sold anonymously. A third-party
4 reseller may include, but is not limited to, a retail seller, a
5 consignment seller, or a distributor who does not conduct an
6 estate sale.

7 (f) Nothing in this Section shall be construed to apply to
8 any person as a receiver, trustee in bankruptcy, guardian,
9 administrator, or executor; any such person acting under an
10 order of any court, under the direction of any public
11 authority, or pursuant to any judicial decree; or any such
12 person acting pursuant to a trust agreement, deed of trust, or
13 will.

14 (g) The licensing of auction firms required under this Act
15 does not apply to an entity whose ownership structure consists
16 of one licensed auctioneer operating either (i) a sole
17 proprietorship, a single member limited liability company, or
18 a single shareholder corporation, or (ii) a limited liability
19 company, corporation, or partnership co-owned solely with the
20 auctioneer's unlicensed spouse. The auctioneer owner or
21 operator must be the only licensee performing auctions on the
22 entity's behalf and shall comply with all other provisions of
23 this Act.

24 (Source: P.A. 104-145, eff. 1-1-26.)

1 (Section scheduled to be repealed on January 1, 2030)

2 Sec. 10-30. Renewal ~~Expiration, renewal,~~ and continuing
3 education.

4 (a) License expiration dates, renewal periods, renewal
5 fees, and procedures for renewal of licenses issued under this
6 Act shall be set by rule of the Department. The holder of a
7 license under this Act may renew the license within 90 days
8 preceding the license's expiration date by completing and
9 submitting to the Department a renewal application in a manner
10 prescribed by the Department and paying the required fees. ~~An~~
11 ~~entity may renew its license by paying the required fee and by~~
12 ~~meeting the renewal requirements adopted by the Department~~
13 ~~under this Section.~~

14 (b) All individual renewal applicants must provide proof
15 as determined by the Department of having met the continuing
16 education requirements by the deadline set forth by the
17 Department by rule. At a minimum, the rules shall require an
18 applicant for renewal licensure as an auctioneer to provide
19 proof of the completion of at least 12 hours of continuing
20 education during the ~~pre-renewal~~ period established by the
21 Department for completion of continuing education from schools
22 approved by the Department, as established by rule.

23 (c) (Blank). ~~The Department, in its discretion, may waive~~
24 ~~enforcement of the continuing education requirements of this~~
25 ~~Section and shall adopt rules defining the standards and~~
26 ~~criteria for such waiver.~~

1 (c-5) The expiration date and renewal period for an
2 auction firm shall be set by rule. An auction firm whose
3 license under this Act has expired may renew the license for a
4 period of 2 years following the expiration date by complying
5 with the requirements of this Section and paying any late
6 penalties established by rule.

7 (d) (Blank).

8 (e) The Department shall not issue or renew a license if
9 the applicant or licensee has an unpaid fine or fee from a
10 disciplinary matter or from a non-disciplinary action imposed
11 by the Department until the fine or fee is paid to the
12 Department or the applicant or licensee has entered into a
13 payment plan and is current on the required payments.

14 (f) The Department shall not issue or renew a license if
15 the applicant or licensee has an unpaid fine or civil penalty
16 imposed by the Department for unlicensed practice until the
17 fine or civil penalty is paid to the Department or the
18 applicant or licensee has entered into a payment plan and is
19 current on the required payments.

20 (Source: P.A. 102-970, eff. 5-27-22; 103-236, eff. 1-1-24.)

21 (225 ILCS 407/10-40)

22 (Section scheduled to be repealed on January 1, 2030)

23 Sec. 10-40. Expiration, renewal, and restoration
24 ~~Restoration.~~

25 (a) An auctioneer ~~A licensee~~ whose license has lapsed or

1 expired shall have 2 years from the expiration date to renew
2 the license ~~restore licensure~~ without examination. The ~~expired~~
3 licensee shall complete an ~~make~~ application to the Department
4 ~~on forms provided by the Department,~~ provide evidence of
5 successful completion of all ~~12~~ hours of approved continuing
6 education during the period of time the license had lapsed,
7 and pay all fees and penalties as established by rule.

8 (a-5) An auctioneer whose license has lapsed or expired
9 for more than 2 years but less than 5 years may restore the
10 license without examination by (i) applying to the Department,
11 (ii) providing evidence of the licensee's successful
12 completion of all hours of approved continuing education
13 during the lapsed period prior to the date of the application,
14 (iii) paying the required fees, and (iv) satisfying any other
15 requirements as established by rule. An auctioneer whose
16 license has been expired for more than 5 years shall be
17 required to meet the requirements of a new license.

18 (b) Notwithstanding any other provisions of this Act to
19 the contrary, any auctioneer ~~licensee~~ whose license under this
20 Act has expired is eligible to renew or restore such license
21 without paying any lapsed fees and penalties if the license
22 expired while the auctioneer ~~licensee~~ was:

23 (1) on active duty with the United States Army, United
24 States Marine Corps, United States Navy, United States Air
25 Force, United States Coast Guard, the State Militia called
26 into service or training;

1 (2) engaged in training or education under the
2 supervision of the United States prior to induction into
3 military service; or

4 (3) serving as an employee of the Department, while
5 the employee was required to surrender the license.

6 An auctioneer ~~A licensee~~ shall also be eligible to renew
7 ~~restore~~ a license under paragraphs (1), (2), and (3) without
8 completing the continuing education requirements for a ~~that~~
9 licensure ~~period~~. ~~For a~~ period of 2 years following the
10 termination of the service or education if the termination was
11 by other than dishonorable discharge and the licensee
12 furnishes the Department with an affidavit specifying that the
13 licensee has been so engaged.

14 (c) At any time after the suspension, revocation,
15 placement on probationary status, or other disciplinary action
16 taken under this Act with reference to any license, the
17 Department may restore the license to the licensee without
18 examination upon the order of the Secretary, if the licensee
19 submits a properly completed application, pays the appropriate
20 fees, and otherwise complies with the conditions of the order.

21 (d) An auctioneer who notifies the Department, in a manner
22 prescribed by the Department, may place a license on inactive
23 status for a period not to exceed 2 years and shall be excused
24 from the payment of renewal fees until the auctioneer notifies
25 the Department in writing of auctioneer's intention to resume
26 active practice.

1 (e) An auctioneer requesting that a license be changed
2 from inactive to active status shall be required to pay the
3 current renewal fee and shall also demonstrate compliance with
4 the continuing education requirements.

5 (f) No licensee with a non-renewed or inactive license
6 status shall provide auction services as set forth in this
7 Act.

8 (Source: P.A. 103-236, eff. 1-1-24.)

9 (225 ILCS 407/10-45)

10 (Section scheduled to be repealed on January 1, 2030)

11 Sec. 10-45. Nonresident auctioneer reciprocity.

12 (a) An individual ~~A person~~ holding a license to engage in
13 auctions issued to the individual ~~him or her~~ by the proper
14 authority of a state, territory, or possession of the United
15 States of America or the District of Columbia that has
16 licensing requirements equal to or substantially equivalent to
17 the requirements of this State and that otherwise meets the
18 requirements of this Act may obtain a license under this Act
19 without examination if:

20 (1) the Department has entered into a valid reciprocal
21 agreement with the proper authority of the state,
22 territory, or possession of the United States of America
23 or the District of Columbia from which the nonresident
24 applicant has a valid license;

25 (2) the applicant provides the Department with a

1 certificate of good standing from the applicant's state of
2 licensure;

3 (3) the applicant completes and submits an application
4 as provided by the Department; and

5 (4) the applicant pays all applicable fees required
6 under this Act.

7 (b) A nonresident applicant shall file an irrevocable
8 consent with the Department that actions may be commenced
9 against the applicant or nonresident licensee in a court of
10 competent jurisdiction in this State by the service of
11 summons, process, or other pleading authorized by the law upon
12 the Secretary. The consent shall stipulate and agree that
13 service of the process, summons, or pleading upon the
14 Secretary shall be taken and held in all courts to be valid and
15 binding as if actual service had been made upon the applicant
16 in Illinois. If a summons, process, or other pleading is
17 served upon the Secretary, it shall be by duplicate copies,
18 one of which shall be retained by the Department and the other
19 immediately forwarded by certified or registered mail or email
20 to the last known business address or email address of record
21 of the applicant or nonresident licensee against whom the
22 summons, process, or other pleading may be directed.

23 (Source: P.A. 101-345, eff. 8-9-19.)

24 (225 ILCS 407/15-15)

25 (Section scheduled to be repealed on January 1, 2030)

1 Sec. 15-15. Supervisory duties. The auction firm and
2 managing auctioneer shall have the duty and responsibility to
3 supervise and ~~manage, and control~~ any ~~sponsored~~ licensee,
4 agent, ~~or~~ employee, or representative of the auction firm that
5 conducts auctions ~~while conducting an auction~~ or provides
6 ~~providing an auction~~ services ~~service~~. Any violation of this
7 Act by a licensee, agent, or employee of an auction firm or
8 managing auctioneer shall be deemed to be a violation by the
9 auction firm or managing auctioneer as well as by the
10 licensee, agent, or employee.

11 (Source: P.A. 101-345, eff. 8-9-19.)

12 (225 ILCS 407/15-25)

13 (Section scheduled to be repealed on January 1, 2030)

14 Sec. 15-25. Auction firm. No corporation, limited
15 liability company, or partnership shall be licensed as an
16 auction firm without being managed by a licensed auctioneer.
17 The auction firm and managing auctioneer of the ~~any~~ auction
18 firm shall be responsible for the actions of all licensed and
19 unlicensed employees, agents, and representatives of said
20 auction firm while the firm conducts auctions ~~is conducting an~~
21 ~~auction~~ or provides ~~providing an~~ services ~~service~~.

22 (Source: P.A. 91-603, eff. 1-1-00.)

23 (225 ILCS 407/20-15)

24 (Section scheduled to be repealed on January 1, 2030)

1 Sec. 20-15. Disciplinary actions; grounds. The Department
2 may refuse to issue or renew a license, may place on probation
3 ~~or administrative supervision~~, suspend, or revoke any license
4 or may reprimand or take other disciplinary or
5 non-disciplinary action as the Department may deem proper,
6 including the imposition of fines not to exceed \$10,000 for
7 each violation upon any licensee or applicant under this Act
8 or any person or entity who holds oneself out as an applicant
9 or licensee for any of the following reasons:

10 (1) False or fraudulent representation or material
11 misstatement in furnishing information to the Department
12 in obtaining or seeking to obtain a license.

13 (2) Violation of any provision of this Act or the
14 rules adopted under this Act.

15 (3) Conviction of or entry of a plea of guilty or nolo
16 contendere, as set forth in subsection (c) of Section
17 10-5, to any crime that is a felony or misdemeanor under
18 the laws of the United States or any state or territory
19 thereof, or entry of an administrative sanction by a
20 governmental ~~government~~ agency in this State or any other
21 jurisdiction.

22 (3.5) Failing to notify the Department, within 30 days
23 after the occurrence, of the information required in
24 subsection (c) of Section 10-5.

25 (4) Being adjudged to be a person under legal
26 disability or subject to involuntary admission or to meet

1 the standard for judicial admission as provided in the
2 Mental Health and Developmental Disabilities Code.

3 (5) Discipline of a licensee by another state, the
4 District of Columbia, a territory of the United States, a
5 foreign nation, a governmental agency, or any other entity
6 authorized to impose discipline if at least one of the
7 grounds for that discipline is the same as or equivalent
8 to one of the grounds for discipline set forth in this Act
9 or for failing to report to the Department, within 30
10 days, any adverse final action taken against the licensee
11 by any other licensing jurisdiction, governmental
12 ~~government~~ agency, law enforcement agency, or court, or
13 liability for conduct that would constitute grounds for
14 action as set forth in this Act.

15 (6) Engaging in the practice of auctioneering,
16 conducting an auction, or providing an auction service
17 without a license or after the license was expired,
18 revoked, suspended, or terminated or while the license was
19 inoperative.

20 (7) Attempting to subvert or cheat on the auctioneer
21 exam or any continuing education exam, or aiding or
22 abetting another to do the same.

23 (8) Directly or indirectly giving to or receiving from
24 a person, firm, corporation, partnership, or association a
25 fee, commission, rebate, or other form of compensation for
26 professional service not actually or personally rendered,

1 except that an auctioneer licensed under this Act may
2 receive a fee from another licensed auctioneer from this
3 State or jurisdiction for the referring of a client or
4 prospect for auction services to the licensed auctioneer.

5 (9) Making any substantial misrepresentation or
6 untruthful advertising.

7 (10) Making any false promises of a character likely
8 to influence, persuade, or induce.

9 (11) Pursuing a continued and flagrant course of
10 misrepresentation or the making of false promises through
11 a licensee, agent, employee, advertising, or otherwise.

12 (12) Any misleading or untruthful advertising, or
13 using any trade name or insignia of membership in any
14 auctioneer association or organization of which the
15 licensee is not a member.

16 (13) Commingling funds of others with the licensee's
17 own funds or failing to keep the funds of others in an
18 escrow or trustee account.

19 (14) Failure to account for, remit, or return any
20 moneys, property, or documents coming into the licensee's
21 possession that belong to others, acquired through the
22 practice of auctioneering, conducting an auction, or
23 providing an auction service within 30 days of the written
24 request from the owner of said moneys, property, or
25 documents.

26 (15) Failure to maintain and deposit into a special

1 account, separate and apart from any personal or other
2 business accounts, all moneys belonging to others
3 entrusted to a licensee while acting as an auctioneer,
4 auction firm, or as a temporary custodian of the funds of
5 others.

6 (16) Failure to make available to Department personnel
7 during normal business hours all escrow and trustee
8 records and related documents maintained in connection
9 with the practice of auctioneering, conducting an auction,
10 or providing an auction service within 24 hours after a
11 request from Department personnel.

12 (17) Making or filing false records or reports in the
13 licensee's practice, including, but not limited to, false
14 records or reports filed with State agencies.

15 (18) Failing to voluntarily furnish copies of all
16 written instruments or executed documents prepared by the
17 auctioneer and signed by all parties to all parties at the
18 time of execution.

19 (19) Failing to provide information within 30 days in
20 response to a written request made by the Department.

21 (20) Engaging in any act that constitutes a violation
22 of the Illinois Human Rights Act.

23 (21) (Blank).

24 (22) Engaging in dishonorable, unethical, or
25 unprofessional conduct of a character likely to deceive,
26 defraud, or harm the public.

1 (23) Offering or advertising real estate for sale or
2 lease at auction without a valid broker or managing
3 broker's license under the Real Estate License Act of
4 1983, or any successor Act, unless exempt from licensure
5 under the terms of the Real Estate License Act of 2000, or
6 any successor Act, except as provided in Section 5-32 of
7 the Real Estate License Act of 2000.

8 (24) Inability to practice the profession with
9 reasonable judgment, skill, or safety as a result of a
10 physical illness, mental illness, or disability.

11 (25) A pattern of practice or other behavior that
12 demonstrates incapacity or incompetence to practice under
13 this Act.

14 (26) Being named as a perpetrator in an indicated
15 report by the Department of Children and Family Services
16 under the Abused and Neglected Child Reporting Act and
17 upon proof by clear and convincing evidence that the
18 licensee has caused a child to be an abused child or a
19 neglected child as defined in the Abused and Neglected
20 Child Reporting Act.

21 (27) Inability to practice with reasonable judgment,
22 skill, or safety as a result of habitual or excessive use
23 or addiction to alcohol, narcotics, stimulants, or any
24 other chemical agent or drug, which may result in
25 significant harm to the public.

26 (28) (Blank). ~~Willfully failing to report an instance~~

1 ~~of suspected child abuse or neglect as required by the~~
2 ~~Abused and Neglected Child Reporting Act.~~

3 (29) Violating the terms of any order issued by the
4 Department.

5 (Source: P.A. 103-236, eff. 1-1-24; 104-417, eff. 8-15-25.)

6 (225 ILCS 407/20-15.1)

7 (Section scheduled to be repealed on January 1, 2030)

8 Sec. 20-15.1. Citations.

9 (a) The Department may adopt rules to permit the issuance
10 of citations to any licensee for failure to comply with the
11 continuing education requirements set forth in this Act or as
12 established by rule. The citation shall be issued to the
13 licensee and shall contain the licensee's name and address,
14 the licensee's license number, the number of required hours of
15 continuing education that have not been successfully completed
16 on or before ~~by the licensee's licensee within the~~ renewal
17 deadline ~~period~~, and the penalty imposed, which shall not
18 exceed \$2,000. The issuance of any such citation shall not
19 excuse the licensee from completing all continuing education
20 required for that term of licensure ~~renewal period~~.

21 (b) Service of a citation shall be made in person,
22 electronically, or by mail to the licensee at the licensee's
23 address of record or email address of record, and must clearly
24 state that if the cited licensee wishes to dispute the
25 citation, they may make a written request, within 30 days

1 after the citation is served, for a hearing before the
2 Department. If the cited licensee does not request a hearing
3 within 30 days after the citation is served, then ~~the citation~~
4 ~~shall become~~ a final, non-disciplinary order shall be entered,
5 and any fine imposed is due and payable within 30 ~~60~~ days after
6 the entry of that final order. If the cited licensee requests a
7 hearing within 30 days after the citation is served, the
8 Department shall afford the cited licensee a hearing conducted
9 in the same manner as a hearing provided for in this Act for
10 any violation of this Act and shall determine whether the
11 cited licensee committed the violation as charged and whether
12 the fine as levied is warranted. If the violation is found, any
13 fine shall constitute non-public discipline and be due and
14 payable within 30 days after the order of the Secretary, which
15 shall constitute a final order of the Department. No change in
16 license status may be made by the Department until a final
17 order of the Department has been issued.

18 (c) Payment of a fine that has been assessed pursuant to
19 this Section shall not constitute disciplinary action
20 reportable on the Department's website or elsewhere unless a
21 licensee has previously received 2 or more citations and been
22 assessed 2 or more fines.

23 (d) Nothing in this Section shall prohibit or limit the
24 Department from taking further action pursuant to this Act and
25 rules for additional, repeated, or continuing violations.

26 (Source: P.A. 102-970, eff. 5-27-22.)

1 (225 ILCS 407/20-16)

2 (Section scheduled to be repealed on January 1, 2030)

3 Sec. 20-16. Illegal discrimination.

4 (a) When there has been an adjudication in a civil or
5 criminal proceeding that a licensee has illegally
6 discriminated while engaged in any activity for which a
7 license is required under this Act, the Department, following
8 the provision of notice to the licensee and a hearing
9 conducted in accordance with Section 20-43 and upon the
10 recommendation of the Board as to the nature and extent of the
11 suspension or revocation, shall, in accordance with Section
12 20-50, suspend or revoke the license of that licensee in a
13 timely manner, unless the adjudication is in the appeal
14 process. The finding or judgment of the civil or criminal
15 proceeding is a matter of record and the merits of the
16 administrative order shall not be challenged in a request for
17 a hearing by the licensee.

18 (b) When there has been an order in an administrative
19 proceeding finding that a licensee has illegally discriminated
20 while engaged in any activity for which a license is required
21 under this Act, the Department, following the provision of
22 notice to the licensee and a hearing conducted in accordance
23 with Section 20-43 and upon recommendation of the Board as to
24 the nature and extent of the discipline, shall, in accordance
25 with Section 20-64, take one or more of the disciplinary

1 actions provided for in this Act ~~Section 20-15~~ in a timely
2 manner, unless the administrative order is in the appeal
3 process. The finding of the administrative order is a matter
4 of record and the merits of the administrative order shall not
5 be challenged in a request for a hearing by the licensee.

6 (Source: P.A. 102-970, eff. 5-27-22.)

7 (225 ILCS 407/20-20)

8 (Section scheduled to be repealed on January 1, 2030)

9 Sec. 20-20. Suspension ~~Termination~~ without hearing for
10 failure to pay taxes, ~~or~~ child support, or workers
11 compensation obligations. The Department may suspend ~~terminate~~
12 or otherwise deny ~~discipline~~ any license issued under this Act
13 without hearing if the following ~~appropriate~~ administering
14 agency provides adequate information and proof that the
15 licensee has:

16 (1) failed to file a return, to pay the tax, penalty,
17 or interest shown in a filed return, or to pay any final
18 assessment of tax, penalty, or interest, as required by
19 any tax act administered by the Illinois Department of
20 Revenue until the requirements of the tax act are
21 satisfied;

22 (2) failed to pay any court ordered child support as
23 determined by a court order or by referral from the
24 Department of Healthcare and Family Services (formerly
25 Illinois Department of Public Aid); ~~or~~

1 (3) (blank); ~~or-~~

2 (4) failed to pay or secure workers compensation
3 obligations as determined by and based solely upon the
4 certification of the Department of Insurance or the
5 Illinois Workers' Compensation Commission.

6 If a license is suspended ~~terminated~~ or otherwise denied
7 ~~disciplined~~ pursuant to this Section, the licensee may request
8 a hearing conducted pursuant to the Civil Administrative Code
9 of Illinois ~~as provided by this Act within 30 days of notice of~~
10 ~~termination or discipline.~~ The Department may issue a license
11 or lift the suspension of a license if satisfactory repayment
12 or obligation is determined by the respective State agency.

13 (Source: P.A. 100-872, eff. 8-14-18.)

14 (225 ILCS 407/20-30)

15 (Section scheduled to be repealed on January 1, 2030)

16 Sec. 20-30. Consent orders. Notwithstanding any provisions
17 concerning the conduct of hearings and recommendations for
18 disciplinary actions, the Department has the authority to
19 negotiate agreements with licensees and applicants resulting
20 in disciplinary consent orders. The consent orders may provide
21 for any form of discipline provided for in this Act. The
22 consent orders shall provide that they were not entered into
23 as a result of any coercion by the Department. Any consent
24 order shall be accepted by or rejected by the Secretary or
25 designee in a timely manner.

1 (Source: P.A. 95-572, eff. 6-1-08.)

2 (225 ILCS 407/20-35)

3 (Section scheduled to be repealed on January 1, 2030)

4 Sec. 20-35. Subpoenas; attendance of witnesses; oaths.

5 (a) The Department shall have the power to issue subpoenas
6 ad testificandum (subpoena for documents) and to bring before
7 it any persons and to take testimony, either orally or by
8 deposition or both, with the same fees and mileage and in the
9 same manner as prescribed in civil cases in the courts of this
10 State. The Department shall have the power to issue subpoenas
11 duces tecum and to bring before it any documents, papers,
12 files, books, and records with the same costs and in the same
13 manner as prescribed in civil cases in the courts of this
14 State.

15 (b) Any circuit court may, upon application of the
16 Department or its designee or of the applicant, licensee, or
17 person holding a certificate of licensure against whom
18 proceedings under this Act are pending, enter an order
19 compelling the enforcement of any Department subpoena issued
20 in connection with any hearing or investigation.

21 (c) The Secretary or the Secretary's ~~his or her~~ designee
22 or the Board shall have power to administer oaths to witnesses
23 at any hearing that the Department is authorized to conduct
24 and any other oaths authorized in any Act administered by the
25 Department.

1 (Source: P.A. 95-572, eff. 6-1-08.)

2 (225 ILCS 407/20-40)

3 (Section scheduled to be repealed on January 1, 2030)

4 Sec. 20-40. Hearings; record of hearings.

5 (a) The Department shall have the authority to conduct
6 hearings on proceedings to revoke, suspend, place on probation
7 ~~or administrative review~~, reprimand, or refuse to issue or
8 renew any license under this Act or to impose a civil penalty
9 not to exceed \$10,000 upon any licensee under this Act.

10 (b) The Department, at its expense, shall preserve a
11 record of all proceedings at the formal hearing of any case.
12 The notice of hearing, complaint, all other documents in the
13 nature of pleadings, written motions filed in the proceedings,
14 the transcripts of testimony, the report of the Board, and
15 orders of the Department shall be in the record of the
16 proceeding. The Department shall furnish a transcript of such
17 record to any person interested in such hearing upon payment
18 of the fee required under Section 2105-115 of the Department
19 of Professional Regulation Law of the Civil Administrative
20 Code of Illinois ~~(20 ILCS 2105/2105-115)~~.

21 (Source: P.A. 95-572, eff. 6-1-08; 96-730, eff. 8-25-09.)

22 (225 ILCS 407/20-43)

23 (Section scheduled to be repealed on January 1, 2030)

24 Sec. 20-43. Investigations; notice and hearing. The

1 Department may investigate the actions or qualifications of
2 any person who is an applicant, unlicensed person, or person
3 rendering or offering to render auction services, or holding
4 or claiming to hold a license as a licensed auctioneer. At
5 least 30 days before any disciplinary hearing under this Act,
6 the Department shall: (i) notify the person charged in writing
7 of the charges made and the time and place of the hearing; (ii)
8 direct the person to file ~~with the Board~~ a written answer under
9 oath to the charges within 20 days of receiving service of the
10 notice; and (iii) inform the person that, if the person fails
11 to file an answer to the charges within 20 days of receiving
12 service of the notice, default may be entered and the license
13 may be suspended, revoked, placed on probationary status, or
14 have other disciplinary action taken with regard to the
15 license as the Department may consider proper, including, but
16 not limited to, limiting the scope, nature, or extent of the
17 licensee's practice, or imposing a fine.

18 At the time and place of the hearing fixed in the notice,
19 the Department ~~Board~~ shall proceed to hear the charges, and
20 the person or person's counsel shall be accorded ample
21 opportunity to present any pertinent statements, testimony,
22 evidence, and arguments in the person's defense. The
23 Department ~~Board~~ may continue the hearing when it deems it
24 appropriate.

25 Notice of the hearing may be served by certified mail, or,
26 at the discretion of the Department, by an electronic means to

1 the person's most recent ~~last-known~~ address or email address
2 of record provided to the Department or, if in the course of
3 the administrative proceeding the party has previously
4 designated a specific email address at which to accept
5 electronic service for that specific proceeding, by sending a
6 copy by email to the party's email address on record.

7 (Source: P.A. 103-236, eff. 1-1-24.)

8 (225 ILCS 407/20-55)

9 (Section scheduled to be repealed on January 1, 2030)

10 Sec. 20-55. Appointment of a hearing officer. The
11 Secretary has the authority to appoint any attorney licensed
12 to practice law in the State of Illinois to serve as the
13 hearing officer in any action for refusal to issue, restore,
14 or renew a license or to discipline a licensee. The hearing
15 officer has full authority to conduct the hearing. Any Board
16 member may attend hearings. The hearing officer shall report
17 his or her findings of fact, conclusions of law, and
18 recommendations to the Board. The Board shall have 90 days
19 after the date of receipt of ~~review~~ the report of the hearing
20 officer and present its findings of fact, conclusions of law,
21 and recommendations to the Secretary and to all parties to the
22 proceedings.

23 If the Secretary disagrees with the recommendations of the
24 Board or hearing officer, the Secretary may issue an order in
25 contravention of the Board's recommendations.

1 If the Board fails to present its findings of fact,
2 conclusions of law, and recommendations within the 90-day time
3 period, the Department may request in writing a direct appeal
4 to the Secretary and the Secretary may issue an order based
5 upon the report of the hearing officer and the record of the
6 proceedings or issue an order remanding the matter back to the
7 hearing officer for additional proceedings in accordance with
8 the order. If the Board fails to present its findings of fact,
9 conclusions of law, and recommendations within the 90-day time
10 period after receiving an Order of Default, the Department may
11 request in writing a direct appeal to the Secretary.

12 (Source: P.A. 95-572, eff. 6-1-08; 96-730, eff. 8-25-09.)

13 (225 ILCS 407/20-56)

14 (Section scheduled to be repealed on January 1, 2030)

15 Sec. 20-56. Board; rehearing. At the conclusion of the
16 hearing, a copy of the Board's report shall be served upon the
17 applicant, licensee, or unlicensed person by the Department,
18 either personally or as provided in this Act for the service of
19 a notice of hearing. Within 20 days after service, the person
20 ~~applicant or licensee~~ may present to the Department a motion
21 in writing for a rehearing, which shall specify the particular
22 grounds for rehearing. If no motion for rehearing is filed,
23 then upon the expiration of the time specified for filing such
24 a motion, or if a motion for rehearing is denied, then upon
25 denial, the Secretary may enter an order in accordance with

1 recommendations of the Board. If the applicant or licensee
2 orders from the reporting service and pays for a transcript of
3 the record within the time for filing a motion for rehearing,
4 the 20-day period within which a motion may be filed shall
5 commence upon the delivery of the transcript to the applicant
6 or licensee.

7 (Source: P.A. 101-345, eff. 8-9-19.)

8 (225 ILCS 407/20-85 rep.)

9 Section 15. The Auction License Act is amended by
10 repealing Section 20-85.

11 Section 20. The Registered Interior Designers Act is
12 amended by changing Sections 3, 4, 4.5, 6, 7, 8, 9, 10, 11, 12,
13 14, 15, 18, 19, 27, and 30 as follows:

14 (225 ILCS 310/3) (from Ch. 111, par. 8203)

15 (Section scheduled to be repealed on January 1, 2027)

16 Sec. 3. Definitions. As used in this Act:

17 "Accredited institution" means an institution accredited
18 by the Council for Interior Design Accreditation, an
19 accreditation body recognized by the United States Department
20 of Education, or a curriculum or transcript approved by the
21 Board per a registration applicant's application.

22 "Address of record" means the designated address recorded
23 by the Department in the applicant's application file or the

1 registrant's registration file as maintained by the
2 Department's licensure maintenance unit.

3 "Board" means the Board of Registered Interior Design
4 Professionals established under Section 6 of this Act.

5 "Department" means the Department of Financial and
6 Professional Regulation.

7 "Email address of record" means the designated email
8 address recorded by the Department in the applicant's
9 application file or the registrant's registration file as
10 maintained by the Department's licensure maintenance unit.

11 "Interior technical submissions" means the designs,
12 drawings, and specifications that establish the scope of the
13 interior design to be constructed, the standard of quality for
14 materials, workmanship, equipment, and construction systems,
15 and the studies and other technical reports and calculations
16 prepared in the course of the practice of registered interior
17 design.

18 "Practice of registered interior design" means the design
19 of interior spaces as a part of an interior alteration or
20 interior construction project in conformity with public
21 health, safety, and welfare requirements, including the
22 preparation of documents relating to building code
23 descriptions, project egress plans that require no increase
24 capacity of exits in the space affected, space planning,
25 finish materials, furnishings, fixtures, equipment, and the
26 preparation of documents and interior technical submissions

1 relating to interior construction. "Practice of registered
2 interior design" does not include:

3 (1) The practice of structural engineering as defined
4 in the Structural Engineering Practice Act of 1989, the
5 practice of professional engineering as defined in the
6 Professional Engineering Practice Act of 1989, or the
7 practice of land surveying as defined in the Illinois
8 Professional Land Surveyor Act of 1989.

9 (2) Services that constitute the practice of
10 architecture as defined in the Illinois Architecture
11 Practice Act of 1989, except as provided in this Act.

12 (3) Altering or affecting the structural system of a
13 building, including changing the building's live or dead
14 load on the structural system.

15 (4) Changes to the building envelope, including
16 exterior walls, exterior wall coverings, exterior wall
17 openings, exterior windows and doors, architectural trim,
18 balconies and similar projections, bay and oriel windows,
19 roof assemblies and rooftop structures, and glass and
20 glazing for exterior use in both vertical and sloped
21 applications in buildings and structures.

22 (5) Altering or affecting the mechanical, plumbing,
23 heating, air conditioning, ventilation, electrical,
24 vertical transportation, fire sprinkler, or fire alarm
25 systems.

26 (6) Changes beyond the exit access component of a

1 means of egress system.

2 (7) Construction that materially affects life safety
3 systems pertaining to fire safety or the fire protection
4 of structural elements, or alterations to smoke evacuation
5 and compartmentalization systems or to fire-rated vertical
6 shafts in multistory structures.

7 (8) Changes of use to an occupancy of greater hazard
8 as determined by the International Building Code.

9 (9) Changes to the construction classification of the
10 building or structure according to the International
11 Building Code.

12 "Public member" means a person who is not a registered
13 interior designer, educator in the field, architect,
14 structural engineer, ~~or~~ professional engineer. ~~For purposes of~~
15 ~~board membership, any, or a person who does not have any with a~~
16 ~~significant~~ financial interest in ~~the~~ design or construction
17 services ~~service~~ or the design or construction professions
18 ~~profession is not a public member.~~

19 "Registered interior designer" means a person who has
20 received registration under Section 8 of this Act. A person
21 represents oneself ~~himself or herself~~ to be a "registered
22 interior designer" within the meaning of this Act by holding
23 oneself ~~if he or she holds himself or herself~~ out to the public
24 by any title incorporating the words "registered interior
25 designer" or any title that includes the words "registered
26 interior design".

1 "Responsible control" means the amount of control over
2 detailed professional knowledge of the content of interior
3 technical submissions during the preparation as is ordinarily
4 exercised by registered interior designers applying the
5 required professional standard of care. Merely reviewing or
6 reviewing and correcting an interior technical submission or
7 any portion thereof prepared by those not in the regular
8 employment of the office where the registered interior
9 designer is a resident without control over the content of
10 such work throughout its preparation does not constitute
11 responsible control.

12 "Secretary" means the Secretary of Financial and
13 Professional Regulation.

14 (Source: P.A. 102-20, eff. 1-1-22; 102-1066, eff. 1-1-23;
15 103-154, eff. 6-30-23.)

16 (225 ILCS 310/4) (from Ch. 111, par. 8204)

17 (Section scheduled to be repealed on January 1, 2027)

18 Sec. 4. Title; application of Act.

19 (a) No individual shall, without a valid registration as a
20 registered interior designer issued by the Department, in any
21 manner hold oneself ~~himself or herself~~ out to the public as a
22 registered interior designer or attach the title "registered
23 interior designer" or any other name or designation which
24 would in any way imply that the person ~~he or she~~ is able to use
25 the title "registered interior designer" as defined in this

1 Act.

2 (a-5) Nothing in this Act shall be construed as preventing
3 or restricting the services offered or advertised by an
4 interior designer who is registered under this Act.

5 (b) Nothing in this Act shall prevent the employment, by a
6 registered interior designer association, partnership, or a
7 corporation furnishing interior design services for
8 remuneration, of persons not registered as interior designers
9 to perform services in various capacities as needed, provided
10 that the persons do not represent themselves as, or use the
11 title of, "registered interior designer".

12 (c) Nothing in this Act shall be construed to limit the
13 activities and use of the title "interior designer" on the
14 part of a person not registered under this Act who is a
15 graduate of an interior design program and a full-time
16 employee of a duly chartered institution of higher education
17 insofar as such person engages in public speaking, with or
18 without remuneration, provided that such person does not
19 represent oneself ~~himself or herself~~ to be a registered
20 interior designer or use the title "registered interior
21 designer".

22 (d) Nothing contained in this Act shall restrict any
23 person not registered under this Act from carrying out any of
24 the activities listed in the definition of "the profession of
25 interior design" in Section 3 if such person does not
26 represent oneself ~~himself or herself~~ or the person's ~~his or~~

1 ~~her~~ services in any manner prohibited by this Act.

2 (e) Nothing in this Act shall be construed as preventing
3 or restricting the practice, services, or activities of any
4 person licensed in this State under any other law from
5 engaging in the profession or occupation for which that person
6 ~~he or she~~ is licensed.

7 (f) Nothing in this Act shall be construed as preventing
8 or restricting the practice, services, or activities of
9 engineers licensed under the Professional Engineering Practice
10 Act of 1989 or the Structural Engineering Practice Act of
11 1989; architects licensed pursuant to the Illinois
12 Architectural Practice Act of 1989; any interior decorator or
13 individual offering interior decorating services including,
14 but not limited to, the selection of surface materials, window
15 treatments, wall coverings, furniture, accessories, paint,
16 floor coverings, and lighting fixtures; or builders, home
17 furnishings salespersons, and similar purveyors of related
18 goods and services ~~relating to homemaking~~.

19 (g) Nothing in this Act or any other Act shall prevent a
20 licensed architect from practicing interior design services.
21 Nothing in this Act shall be construed as requiring the
22 services of a registered interior designer for the interior
23 designing of a single family residence.

24 (h) Nothing in this Act shall authorize registered
25 interior designers to perform services, including life safety
26 services that they are prohibited from performing, or any

1 practice: (i) that is restricted in the Professional
2 Engineering Practice Act of 1989, the Professional Land
3 Surveyor Act of 1989, of the Structural Engineering Practice
4 Act of 1989; (ii) that is restricted in the Illinois
5 Architecture Practice Act of 1989, except as provided in this
6 Act; or (iii) that they are not authorized to perform under the
7 Environmental Barriers Act, except as provided in this Act.

8 (i) Nothing in this Act shall authorize registered
9 interior designers to advertise services that they are
10 prohibited to perform, including architecture or engineering
11 services, nor to use the title "architect" in any form.

12 (j) Nothing in this Act shall be construed as preventing
13 or restricting persons from engaging in professional services
14 limited to the design of kitchen and bath spaces or the
15 specification of products for kitchen and bath areas in
16 noncommercial settings.

17 (Source: P.A. 102-20, eff. 1-1-22; 102-1066, eff. 1-1-23.)

18 (225 ILCS 310/4.5)

19 (Section scheduled to be repealed on January 1, 2027)

20 Sec. 4.5. Unregistered practice; violation; civil penalty.

21 (a) Any person who holds oneself ~~himself or herself~~ out to
22 be a registered interior designer without being registered
23 under this Act shall, in addition to any other penalty
24 provided by law, pay a civil penalty to the Department in an
25 amount not to exceed \$5,000 for each offense as determined by

1 the Department. The civil penalty shall be assessed by the
2 Department after a hearing is held in accordance with the
3 provisions set forth in this Act regarding the provision of a
4 hearing for the discipline of a registrant.

5 (b) The Department has the authority and power to
6 investigate any illegal use of the title of registered
7 interior designer.

8 (c) The civil penalty shall be paid within 60 days after
9 the effective date of the order imposing the civil penalty.
10 The order shall constitute a judgment and may be filed and
11 execution had thereon in the same manner as any judgment from
12 any court of record.

13 (Source: P.A. 102-20, eff. 1-1-22.)

14 (225 ILCS 310/6) (from Ch. 111, par. 8206)

15 (Section scheduled to be repealed on January 1, 2027)

16 Sec. 6. Board of Registered Interior Design Professionals.
17 The Secretary shall appoint a Board of Registered Interior
18 Design Professionals consisting of 5 members who shall serve
19 in an advisory capacity to the Secretary. All members of the
20 Board shall be residents of Illinois. Four members shall (i)
21 hold a valid registration as an interior designer in Illinois
22 and have held the registration under this Act for the
23 preceding 10 years; and (ii) not have been disciplined within
24 the preceding 10 years under this Act. In addition to the 4
25 registered interior designer members, there shall be one

1 public member. The public member shall be a voting member and
2 shall not be licensed or registered under this Act or any other
3 design profession licensing Act that the Department
4 administers.

5 Board members shall serve 5-year terms and until their
6 successors are appointed and qualified. In appointing members
7 to the Board, the Secretary shall give due consideration to
8 recommendations by members and organizations of the interior
9 design profession.

10 The membership of the Board should reasonably reflect
11 representation from the geographic areas in this State.

12 No member shall be reappointed to the Board for a term that
13 would cause his or her continuous service on the Board to be
14 longer than 2 consecutive 5-year terms.

15 Appointments to fill vacancies shall be made in the same
16 manner as original appointments for the unexpired portion of
17 the vacated term.

18 Three members of the Board shall constitute a quorum. A
19 quorum is required for Board decisions.

20 The Secretary may remove any member of the Board for cause
21 at any time. The Secretary shall be the sole arbiter of cause.
22 ~~misconduct, incompetence, or neglect of duty or for reasons~~
23 ~~prescribed by law for removal of State officials.~~

24 The Secretary may remove a member of the Board who does not
25 attend 2 consecutive meetings.

26 ~~Notice of proposed rulemaking may be transmitted to the~~

1 ~~Board and the Department may review the response of the Board~~
2 ~~and any recommendations made therein. The Department may, at~~
3 ~~any time, seek the expert advice and knowledge of the Board on~~
4 ~~any matter relating to the administration or enforcement of~~
5 ~~this Act.~~

6 Members of the Board are not liable for damages in any
7 action or proceeding as a result of activities performed as
8 members of the Board, except upon proof of actual malice.

9 Members of the Board shall be reimbursed for all
10 legitimate, necessary, and authorized expenses.

11 (Source: P.A. 102-20, eff. 1-1-22.)

12 (225 ILCS 310/7) (from Ch. 111, par. 8207)

13 (Section scheduled to be repealed on January 1, 2027)

14 Sec. 7. Board recommendations. The Secretary may ~~shall~~
15 consider the recommendations of the Board in establishing
16 guidelines for professional conduct, for the conduct of formal
17 disciplinary proceedings brought under this Act, and for
18 establishing guidelines for qualifications of applicants.
19 Notice of proposed rulemaking may be transmitted to the Board
20 and the Department shall review the response of the Board and
21 any recommendations made in their response. The Department, at
22 any time, may seek the expert advice and knowledge of the Board
23 on any matter relating to the administration or enforcement of
24 this Act.

25 (Source: P.A. 102-20, eff. 1-1-22.)

1 (225 ILCS 310/8) (from Ch. 111, par. 8208)

2 (Section scheduled to be repealed on January 1, 2027)

3 Sec. 8. Application requirements for registration.

4 (a) Each applicant for registration shall apply to the
5 Department in writing on a form or electronically as provided
6 by the Department. The Department may require an applicant, at
7 the applicant's expense, to have an evaluation of the
8 applicant's education in a foreign country by a nationally
9 recognized evaluation service approved by the Department in
10 accordance with the rules adopted by the Department. Except as
11 otherwise provided in this Act, each applicant shall take and
12 pass the examination approved by the Department. Prior to
13 registration, the applicant shall provide substantial evidence
14 to the Board that the applicant has completed the education
15 and work experience requirements to sit for the NCIDQ
16 examination administered by the Council for Interior Design
17 Qualification, has successfully passed the NCIDQ examination
18 ~~exam~~, has maintained an active NCIDQ certification, and:

19 (1) is a graduate of a 5-year interior design or
20 architecture program from an accredited institution and
21 has completed at least 2 years of full-time diversified
22 interior design experience;

23 (2) is a graduate of a 4-year interior design or
24 architecture program from an accredited institution and
25 has completed at least 2 years of full-time diversified

1 interior design experience;

2 (3) has completed at least 3 years of interior design
3 or architecture curriculum from an accredited institution
4 and has completed 3 years of full-time diversified
5 interior design experience; or

6 (4) is a graduate of a 2-year interior design or
7 architecture program from an accredited institution and
8 has completed 4 years of full-time diversified interior
9 design experience.

10 (b) (Blank). ~~In addition to providing evidence of meeting~~
11 ~~the requirements of subsection (a), each applicant for~~
12 ~~registration as a registered interior designer shall provide~~
13 ~~substantial evidence that the applicant has successfully~~
14 ~~completed the examination administered by the Council for~~
15 ~~Interior Design Qualification.~~

16 (b-5) Each applicant for registration shall pay to the
17 Department the required registration fee, which is not
18 refundable, at the time of filing the application.

19 (b-10) Each applicant for renewal or reinstatement of
20 registration under this Act shall have completed continuing
21 education as set forth by the Department by rule. The
22 Department shall consider the recommendations of the Board in
23 establishing requirements for continuing education
24 requirements but shall be no less than 10 hours of continuing
25 education in the areas of health, safety, and welfare every 2
26 years.

1 (c) Applicants have 3 years from the date of application
2 to complete the application process. If the process has not
3 been completed in 3 years, the application shall expire, the
4 fee shall be forfeited, and the applicant must reapply and
5 meet the requirements in effect at the time of reapplication.
6 ~~An individual may apply for original registration prior to~~
7 ~~passing the examination. The individual shall have 3 years~~
8 ~~after the date of filing an application to pass the~~
9 ~~examination. If evidence and documentation of passing the~~
10 ~~examination are received by the Department later than 3 years~~
11 ~~after the individual's filing, the application shall be denied~~
12 ~~and the fee forfeited. The applicant may reapply at any time,~~
13 ~~but shall meet the requirements in effect at the time of~~
14 ~~reapplication.~~

15 (d) Upon payment of the required fee, which shall be
16 determined by rule, an applicant who is an architect licensed
17 under the laws of this State may, without examination, be
18 granted registration as a registered interior designer by the
19 Department provided the applicant submits proof of an active
20 architectural license in Illinois.

21 (Source: P.A. 102-1066, eff. 1-1-23; 103-1044, eff. 1-1-25.)

22 (225 ILCS 310/9) (from Ch. 111, par. 8209)

23 (Section scheduled to be repealed on January 1, 2027)

24 Sec. 9. Expiration; renewal; restoration.

25 (a) The expiration date and renewal period for each

1 certificate of registration issued under this Act shall be set
2 by rule. A registrant may renew such registration during the
3 month preceding its expiration date by paying the required
4 renewal fee.

5 (b) Inactive status.

6 (1) Any registrant who notifies the Department in
7 writing on forms prescribed by the Department may elect to
8 place that person's ~~his or her~~ certificate of registration
9 on an inactive status and shall, subject to rules of the
10 Department, be excused from payment of renewal fees until
11 that person ~~he or she~~ notifies the Department in writing
12 of that person's ~~his or her~~ desire to resume active
13 status.

14 (2) Any registrant requesting restoration from
15 inactive status shall be required to pay the current
16 renewal fee and shall be required to restore the ~~his or her~~
17 registration.

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

21 (4) Any registrant who uses the title "registered
22 interior designer" while the registrant's ~~his or her~~
23 certificate of registration is lapsed or inactive shall be
24 considered to be using the title without a registration
25 which shall be grounds for discipline under Section 13 of
26 this Act.

1 (c) Any registrant whose registration has expired may have
2 the registrant's ~~his or her~~ certificate of registration
3 restored at any time within 5 years after its expiration, upon
4 making application to the Department and payment of the
5 required fee.

6 (d) Any registrant ~~person~~ whose registration has been
7 expired for more than 5 years may have the registrant's ~~his or~~
8 ~~her~~ registration restored by making application to the
9 Department and submitting ~~filing~~ proof acceptable to the
10 Department of the registrant's ~~his or her~~ fitness to have the
11 registrant's ~~his or her~~ registration restored, including, but
12 not limited to, sworn evidence certifying to active practice
13 in another jurisdiction satisfactory to the Department and
14 proof of completion of applicable continuing education,
15 ~~including sworn evidence certifying to active lawful practice~~
16 ~~in another jurisdiction,~~ and by paying the required
17 restoration fee. A person using the title "registered interior
18 designer" on an expired registration is deemed to be in
19 violation of this Act.

20 (e) If a person whose certificate of registration has
21 expired has not maintained active status in another
22 jurisdiction, the Department shall determine, by an evaluation
23 process established by rule, that person's ~~his or her~~ fitness
24 to resume active status, including by requiring ~~and may~~
25 ~~require~~ the person to complete a period of evaluated practical
26 experience, and also requiring ~~may require~~ successful

1 completion of an examination.

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

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

20 (Source: P.A. 100-920, eff. 8-17-18.)

21 (225 ILCS 310/10) (from Ch. 111, par. 8210)

22 (Section scheduled to be repealed on January 1, 2027)

23 Sec. 10. Endorsement.

24 (a) Upon payment of the required fee and the filing of an
25 application in writing on a form or electronically as provided

1 by the Department, an applicant who is an interior designer
2 currently registered, certified, or licensed under the laws of
3 another state or territory of the United States or a foreign
4 country or province shall, without further examination, be
5 granted registration as an interior designer by the Department
6 whenever the requirements of such state or territory of the
7 United States or a foreign country or province were, at the
8 date of registration, certification, or licensure,
9 substantially equal to or greater than the requirements then
10 in force in this State. The Department may adopt rules
11 governing recognition of education and legal practice of the
12 profession in another jurisdiction, requiring additional
13 education, and determining when an examination may be
14 required.

15 (b) If the accuracy of any submitted documentation or
16 relevance or sufficiency of the coursework or experience is
17 questioned by the Department or the Board because of a lack of
18 information, discrepancies, or conflicts in information given,
19 or a need for clarification, the applicant seeking
20 registration may be required to provide additional
21 information.

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

1 the time of reapplication.

2 (Source: P.A. 103-1044, eff. 1-1-25.)

3 (225 ILCS 310/11) (from Ch. 111, par. 8211)

4 (Section scheduled to be repealed on January 1, 2027)

5 Sec. 11. Fees. The Department shall provide by rule for a
6 schedule of fees for the administration and enforcement of
7 this Act, including but not limited to original registration,
8 renewal, and restoration. The fees shall be nonrefundable.

9 ~~All fees collected under this Act shall be deposited into~~
10 ~~the General Professions Dedicated Fund and shall be~~
11 ~~appropriated to the Department for the ordinary and contingent~~
12 ~~expenses of the Department in the administration of this Act.~~

13 (Source: P.A. 102-20, eff. 1-1-22.)

14 (225 ILCS 310/12) (from Ch. 111, par. 8212)

15 (Section scheduled to be repealed on January 1, 2027)

16 Sec. 12. Returned checks; penalties. Any person who
17 delivers a check or other payment to the Department that is
18 returned to the Department unpaid by the financial institution
19 upon which it is drawn shall pay to the Department, in addition
20 to the amount already owed to the Department, a fine of \$50.
21 The fines imposed by this Section are in addition to any other
22 discipline provided under this Act for prohibited use of a
23 title without a registration or on a nonrenewed registration.
24 The Department shall notify the person that payment of fees

1 and fines shall be paid to the Department by certified check or
2 money order within 30 calendar days of the notification. If,
3 after the expiration of 30 days from the date of the
4 notification, the person has failed to submit the necessary
5 remittance, the Department shall automatically terminate the
6 registration or deny the application, without hearing. If,
7 after termination or denial, the person seeks registration,
8 the person ~~he or she~~ shall apply to the Department for
9 restoration or issuance of the registration and pay all fees
10 and fines due to the Department. The Department may establish
11 a fee for the processing of an application for restoration of a
12 certificate of registration to pay all expenses of processing
13 this application. The Director may waive the fines due under
14 this Section in individual cases where the Director finds that
15 the fines would be unreasonable or unnecessarily burdensome.

16 (Source: P.A. 92-146, eff. 1-1-02.)

17 (225 ILCS 310/14) (from Ch. 111, par. 8214)

18 (Section scheduled to be repealed on January 1, 2027)

19 Sec. 14. Investigations; Notice of hearing. Upon the
20 motion of either the Department or the Board, or upon the
21 verified complaint in writing of any person setting forth
22 facts which, if proven, would constitute grounds for refusal,
23 suspension, or revocation of registration under this Act, the
24 Board shall investigate the actions of any person, hereinafter
25 called the "registrant", who holds or represents that the

1 person ~~he~~ holds a certificate of registration. All such
2 motions or complaints shall be brought to the Board.

3 The Director shall, before suspending, revoking, placing
4 on probationary status, or taking any other disciplinary
5 action as the Director may deem proper with regard to any
6 registration, at least 30 days prior to the date set for the
7 hearing, notify the registrant in writing of any charges made
8 and the time and place for a hearing on the charges before the
9 Board. The Board shall also direct the registrant to file a ~~his~~
10 written answer to the charges with the Board under oath within
11 20 days after the service on the registrant ~~him~~ of such notice,
12 and inform the registrant ~~him~~ that if the registrant ~~he~~ fails
13 to file such answer, the registrant's ~~his~~ certificate of
14 registration may be suspended, revoked, placed on probationary
15 status or other disciplinary action may be taken with regard
16 thereto, as the Director may deem proper.

17 The written notice and any notice in such proceeding may
18 be served by delivery personally to the registrant, by email,
19 or by ~~registered or certified~~ mail to the address specified by
20 the registrant in the registrant's ~~his~~ last notification to
21 the Director.

22 The Department, at its expense, shall preserve a record of
23 all proceedings at the formal hearing of any case involving
24 the refusal to issue or renew a registration, or discipline of
25 a registrant. The notice of hearing, complaint, and all other
26 documents in the nature of pleadings and written motions filed

1 in the proceedings, the transcript of testimony, the report of
2 the Board, and the orders of the Department shall be the record
3 of such proceedings.

4 (Source: P.A. 102-20, eff. 1-1-22.)

5 (225 ILCS 310/15) (from Ch. 111, par. 8215)

6 (Section scheduled to be repealed on January 1, 2027)

7 Sec. 15. Disciplinary actions.

8 (a) In case the registrant, after receiving notice, fails
9 to file an answer, the registrant's ~~his~~ registration may, in
10 the discretion of the Director, having first received the
11 recommendation of the Board, be suspended, revoked, placed on
12 probationary status, or the Director may take whatever
13 disciplinary action the Director ~~he~~ may deem proper, including
14 the imposition of a fine, without a hearing, if the act or acts
15 charged constitute sufficient grounds for such action under
16 this Act.

17 (b) The Director may temporarily suspend the registration
18 of a registrant without a hearing, simultaneous to the
19 institution of proceedings for a hearing under this Act, if
20 the Director finds that evidence in the Director's ~~his~~
21 possession indicates that the person's continuation of use of
22 the title would constitute an immediate danger to the public.
23 In the event that the Director temporarily suspends the
24 registration of a registrant without a hearing, a hearing by
25 the Board must be held within 15 days after such suspension has

1 occurred and concluded without appreciable delay.

2 (Source: P.A. 88-650, eff. 9-16-94.)

3 (225 ILCS 310/18) (from Ch. 111, par. 8218)

4 (Section scheduled to be repealed on January 1, 2027)

5 Sec. 18. Recommendations for disciplinary action; Action
6 by Director. The Board may advise the Director that probation
7 be granted or that other disciplinary action, including the
8 limitation of the use of the title, be taken, as it deems
9 proper. If disciplinary action other than suspension or
10 revocation is taken, the Board may advise the Director to
11 impose reasonable limitations and requirements upon the
12 registrant to ensure ~~insure~~ compliance with the terms of the
13 probation or other disciplinary action, including, but not
14 limited to, regular reporting by the registrant to the
15 Director of the registrant's ~~his~~ actions, or the registrant
16 placing oneself ~~himself~~ under the care of a qualified
17 physician for treatment, or limiting the registrant's ~~his~~ use
18 of the title in such manner as the Director may require.

19 The Board shall present to the Director a written report
20 of its findings and recommendations. A copy of the report
21 shall be served upon the registrant, by email, ~~either~~
22 personally, or by ~~registered or certified~~ mail. Within 20 days
23 after such service, the registrant may present to the
24 Department the registrant's ~~his~~ motion in writing for a
25 rehearing, specifying the particular grounds for rehearing. If

1 the registrant orders and pays for a transcript of the record,
2 the time elapsing until the transcript is ready for delivery
3 to the registrant ~~him~~ shall not be counted as part of such 20
4 days.

5 At the expiration of the time allowed for filing a motion
6 for rehearing, the Director may take the action recommended by
7 the Board. Upon suspension, revocation, placement on
8 probationary status, or the taking of any other disciplinary
9 action, including the limiting of the use of the title, deemed
10 proper by the Director with regard to the registration, the
11 registrant shall surrender the ~~his~~ certificate of registration
12 to the Department if ordered to do so by the Department. Upon
13 the registrant's ~~his~~ failure or refusal to do so, the
14 Department may seize the certificate of registration.

15 In all instances in which the Board has rendered a
16 recommendation to the Director with respect to a particular
17 person, the Director shall, to the extent that the Director ~~he~~
18 disagrees with or takes action contrary to the recommendation
19 of the Board, file with the Board his specific written reasons
20 of disagreement. Such reasons shall be filed within 30 days
21 after the Director has taken the contrary position.

22 Each order of revocation, suspension, or other
23 disciplinary action shall contain a brief and concise
24 statement of the ground or grounds upon which the Department's
25 action is based, as well as the specific terms and conditions
26 of such action.

1 Whenever the Director is satisfied that substantial
2 justice has not been done either in an examination or in the
3 revocation, suspension, or refusal to issue a certificate of
4 registration, or other disciplinary action, the Director may
5 order a re-examination or rehearing.

6 (Source: P.A. 86-1404.)

7 (225 ILCS 310/19) (from Ch. 111, par. 8219)

8 (Section scheduled to be repealed on January 1, 2027)

9 Sec. 19. Hearing officer. The Director has the authority
10 to appoint any attorney duly licensed to practice law in the
11 State of Illinois to serve as the hearing officer for any
12 disciplinary action under this Act. The hearing officer shall
13 have full authority to conduct the hearing. The hearing
14 officer shall report the hearing officer's ~~his~~ findings and
15 recommendations to the Board and the Director. The Board shall
16 have 60 days from receipt of the report to review the report of
17 the hearing officer and present its findings of fact,
18 conclusions of law, and recommendations to the Director. If
19 the Board fails to present its report within the 60-day ~~60-day~~
20 period, the Director may issue an order based on the report of
21 the hearing officer. If the Director disagrees in any regard
22 with the Board's report, the Director ~~he~~ may issue an order in
23 contravention of the Board's report.

24 (Source: P.A. 86-1404.)

1 (225 ILCS 310/27) (from Ch. 111, par. 8227)

2 (Section scheduled to be repealed on January 1, 2027)

3 Sec. 27. Filing registration or diploma of another. Any
4 person filing, or attempting to file, as the person's ~~his~~ own
5 the diploma or registration of another, or a forged affidavit
6 of identification or qualification, is guilty of a Class 3
7 felony, and upon conviction is subject to such fine and
8 imprisonment as is made and provided by the statutes of this
9 State for the crime of forgery.

10 (Source: P.A. 86-1404.)

11 (225 ILCS 310/30) (from Ch. 111, par. 8230)

12 (Section scheduled to be repealed on January 1, 2027)

13 Sec. 30. Fund; appropriations; investments; audits. All of
14 the fees collected pursuant to this Act shall be deposited
15 into the Design Professionals Administration and Investigation
16 ~~General Professions Dedicated~~ Fund.

17 The moneys deposited into ~~in~~ the Design Professionals
18 Administration and Investigation ~~General Professions Dedicated~~
19 Fund may be used for the expenses of the Department in the
20 administration of this Act.

21 ~~Moneys from the Fund may also be used for direct and~~
22 ~~allocable indirect costs related to the public purposes of the~~
23 ~~Department of Professional Regulation. Moneys in the Fund may~~
24 ~~be transferred to the Professions Indirect Cost Fund as~~
25 ~~authorized by Section 2105 300 of the Department of~~

1 ~~Professional Regulation Law.~~

2 Upon the completion of any audit of the Department as
3 prescribed by the Illinois State Auditing Act that includes an
4 audit of the Design Professionals Administration and
5 Investigation ~~General Professions Dedicated~~ Fund, the
6 Department shall make the audit open to inspection by any
7 interested person. The copy of the audit report required to be
8 submitted to the Department by this Section is in addition to
9 copies of audit reports required to be submitted to other
10 State officers and agencies by Section 3-14 of the Illinois
11 State Auditing Act.

12 (Source: P.A. 102-20, eff. 1-1-22.)

13 Section 25. The Landscape Architecture Registration Act is
14 amended by changing Sections 10, 20, 23, 25, 30, 33, 34, 48,
15 50, 55, 60, 70, 80, 85, 95, and 110 as follows:

16 (225 ILCS 316/10)

17 (Section scheduled to be repealed on January 1, 2027)

18 Sec. 10. Definitions. For purposes of ~~As used in~~ this Act,
19 the following definitions shall have the following meanings,
20 except where the context requires otherwise:

21 "Address of record" means the designated address recorded
22 by the Department in the applicant's application file or
23 registrant's registration file as maintained by the
24 Department.

1 "Board" means the Registered Landscape Architecture
2 Registration Board.

3 "Department" means the Department of Financial and
4 Professional Regulation.

5 "Email address of record" means the designated email
6 address of record by the Department in the applicant's
7 application file or registrant's registration file as
8 maintained by the Department's licensure maintenance unit
9 ~~Department~~.

10 "Landscape architecture" means the art and science of
11 arranging land, together with the spaces and objects upon it,
12 for the purpose of creating a safe, efficient, healthful, and
13 aesthetically pleasing physical environment for human use and
14 enjoyment, as performed by landscape architects.

15 "Landscape architectural practice" or "practice of
16 landscape architecture" means the offering or furnishing of
17 professional services in connection with a landscape
18 architecture project that do not require the seal of an
19 architect, land surveyor, professional engineer, or structural
20 engineer. These services may include, but are not limited to,
21 providing preliminary studies; developing design concepts;
22 planning for the relationships of physical improvements and
23 intended uses of the site, including the preparation and
24 filing of sketches, drawings, plans, and specifications;
25 establishing form and aesthetic elements; developing those
26 technical details on the site that are exclusive of any

1 building or structure; preparing and administering
2 ~~coordinating~~ technical submissions; and conducting site
3 observation of a landscape architecture project.

4 "Registered landscape architect" means a person who, based
5 on education, experience, and examination in the field of
6 landscape architecture, is registered under this Act.

7 "Secretary" means the Secretary of Financial and
8 Professional Regulation. The Secretary may designate the
9 Secretary's ~~his or her~~ duties under this Act to a designee of
10 the Secretary's ~~his or her~~ choice, including, but not limited
11 to, the Director of Professional Regulation.

12 (Source: P.A. 102-284, eff. 8-6-21; 103-309, eff. 1-1-24.)

13 (225 ILCS 316/20)

14 (Section scheduled to be repealed on January 1, 2027)

15 Sec. 20. Seal.

16 (a) Every registered landscape architect shall have a
17 reproducible seal, which may be computer generated, the
18 impression of which shall contain the name of the registered
19 landscape architect, the registered landscape architect's
20 registration number, and the words "Registered Landscape
21 Architect, State of Illinois". The registered landscape
22 architect shall be responsible for the registered landscape
23 architect's ~~his or her~~ seal and signature as defined by rule.

24 (b) Notwithstanding the requirements of this Section, an
25 architect, land surveyor, professional engineer, or structural

1 engineer licensed by the Department shall be permitted to
2 affix the architect's, land surveyor's, professional
3 engineer's, or structural engineer's ~~his or her~~ seal to any
4 plans, specifications, and reports prepared by or under his or
5 her supervision in connection with the incidental practice of
6 landscape architecture.

7 (c) For all plans, specifications, or other technical
8 submissions prepared or issued by the registered landscape
9 architect and filed for public record, the registered
10 landscape architect shall affix the registered landscape
11 architect's signature, current date, date of registration
12 expiration, and a form of seal as prescribed by rule.

13 (d) The registered landscape architect's signature, date,
14 and seal shall be evidence of the authenticity of that to which
15 the signature, date, and seal are affixed. Any and all
16 technical submissions may be transmitted electronically and
17 may be signed by the registered landscape architect, dated,
18 and sealed electronically with said seal.

19 (Source: P.A. 102-284, eff. 8-6-21.)

20 (225 ILCS 316/23)

21 (Section scheduled to be repealed on January 1, 2027)

22 Sec. 23. Technical submissions.

23 (a) As used in this Act ~~Section~~, "technical submissions"
24 includes the designs, drawings, plans, ~~and~~ specifications, and
25 reports that establish the scope of a landscape architecture

1 project; the standard of quality for materials, workmanship,
2 equipment, and systems; and the studies and other technical
3 reports and calculations prepared in the course of the
4 practice of landscape architecture.

5 (b) A registered landscape architect shall not exercise
6 authority in preparing technical submissions that require the
7 involvement of an architect, professional engineer, structural
8 engineer, or professional land surveyor licensed in Illinois.

9 (c) The registered landscape architect who has contract
10 responsibility shall seal a cover sheet of the technical
11 submissions and those individual portions of the technical
12 submissions for which the registered landscape architect is
13 legally and professionally responsible.

14 (Source: P.A. 102-284, eff. 8-6-21.)

15 (225 ILCS 316/25)

16 (Section scheduled to be repealed on January 1, 2027)

17 Sec. 25. Display of registration. Every holder of a
18 registered landscape architect registration shall display the
19 holder's ~~his or her~~ certificate of registration in a
20 conspicuous place in the holder's ~~his or her~~ principal office,
21 place of business, or place of employment.

22 (Source: P.A. 102-284, eff. 8-6-21.)

23 (225 ILCS 316/30)

24 (Section scheduled to be repealed on January 1, 2027)

1 Sec. 30. Address of record; email address of record. All
2 applicants and registrants shall:

3 (1) provide a valid address and email address to the
4 Department, which shall serve as the address of record and
5 email address of record, respectively, at the time of
6 application for registration or renewal of registration;
7 and

8 (2) inform the Department of any change of address of
9 record or email address of record within 14 days after the
10 ~~such~~ change, either through the Department's website or by
11 contacting the Department's licensure maintenance unit
12 ~~Department.~~

13 (Source: P.A. 102-284, eff. 8-6-21.)

14 (225 ILCS 316/33)

15 (Section scheduled to be repealed on January 1, 2027)

16 Sec. 33. Registered Landscape Architecture Registration
17 Board.

18 (a) The Secretary shall appoint a Registered Landscape
19 Architecture Registration Board. The Board shall consist of 5
20 persons who shall serve in an advisory capacity to the
21 Secretary. All members of the Board shall be residents of
22 Illinois. Four members shall be registered under this Act and
23 have not been disciplined within the last 10-year period under
24 this Act or the Illinois Landscape Architecture Act of 1989.
25 In addition to the 4 registered landscape architects, there

1 shall be one public member. The public member shall be a voting
2 member and shall not be registered under this Act or licensed
3 under any other design profession licensing Act that the
4 Department administers.

5 (b) Board members shall serve 5-year terms and until their
6 successors are appointed and qualified.

7 (c) In appointing members to the Board, the Secretary
8 shall give due consideration to recommendations by members and
9 organizations of the landscape architecture profession.

10 (d) The membership of the Board should reasonably reflect
11 representation from the geographic areas in this State.

12 (e) No member shall be reappointed to the Board for a term
13 that would cause the member's ~~his or her~~ continuous service on
14 the Board to be longer than 2 consecutive 5-year terms.

15 (f) An appointment to fill a vacancy for the unexpired
16 portion of the vacated term shall be made in the same manner as
17 an initial appointment.

18 (g) Three members shall constitute a quorum. A quorum is
19 required for Board decisions.

20 (h) The Secretary may terminate or refuse the appointment
21 of any member of the Board for cause that, in the opinion of
22 the Secretary, reasonably justified such termination, which
23 may include, but is not limited to, a Board member who does not
24 attend 2 consecutive meetings.

25 (i) Members of the Board may be reimbursed for all
26 legitimate, necessary, and authorized expenses.

1 (j) (Blank). ~~The Department may at any time seek the~~
2 ~~expert advice and knowledge of the Board on any matter~~
3 ~~relating to the enforcement of this Act.~~

4 (k) Members of the Board shall be immune from suit in any
5 action based upon any disciplinary proceedings or other acts
6 performed in good faith as members of the Board, unless the
7 conduct that gave rise to the suit was willful and wanton
8 misconduct.

9 (Source: P.A. 102-284, eff. 8-6-21.)

10 (225 ILCS 316/34)

11 (Section scheduled to be repealed on January 1, 2027)

12 Sec. 34. Powers and duties of the Board.

13 (a) The Board shall ~~meet~~ ~~hold~~ at least once per ~~one meeting~~
14 ~~each~~ year or as otherwise called by the Secretary, with any
15 such meeting conducted in accordance with the Open Meetings
16 Act.

17 (b) The Board shall annually elect a chairperson and a
18 vice chairperson who shall be registered landscape architects.

19 (c) The Department may, at any time, seek the expert
20 advice and knowledge of the Board on any matter relating to the
21 enforcement of this Act, including, but not limited to,
22 qualifications of applicants for registration.

23 (Source: P.A. 102-284, eff. 8-6-21.)

24 (225 ILCS 316/48)

1 Sec. 48. Endorsement.

2 (a) The Department may issue a registration as a landscape
3 architect to an applicant who submits a valid application
4 accompanied by the required fee and is a landscape architect
5 licensed, ~~or~~ registered, certified, or otherwise authorized
6 under the laws of another state, the District of Columbia, a
7 territory of the United States, or a foreign country if the
8 requirements for licensure, registration, ~~or~~ certification, or
9 authorization in that other jurisdiction were, on the date of
10 original licensure, registration, or certification,
11 substantially equivalent to the requirements then in force in
12 this State.

13 (b) An application for endorsement shall provide proof of
14 passage of an examination required for registration.

15 (c) If the accuracy of any submitted documentation or
16 relevance or sufficiency of the coursework or experience is
17 questioned by the Department or the Board because of a lack of
18 information, discrepancies, or conflicts in information given
19 or a need for clarification, the applicant seeking
20 registration may be required to provide additional
21 information.

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

1 (e) (Blank). ~~This Section is repealed on January 1, 2027.~~

2 (Source: P.A. 103-1044, eff. 1-1-25.)

3 (225 ILCS 316/50)

4 (Section scheduled to be repealed on January 1, 2027)

5 Sec. 50. Registration, renewal, and restoration.

6 (a) The expiration date and renewal period for each
7 certificate of registration issued under this Act shall be
8 established by rule. A registrant may renew a certificate of
9 registration during the month preceding its expiration date by
10 paying the required fee.

11 (b) A registered landscape architect who has permitted the
12 registered landscape architect's ~~his or her~~ registration to
13 expire or has had the registered landscape architect's ~~his or~~
14 ~~her~~ registration placed on inactive status may have the
15 registered landscape architect's ~~his or her~~ registration
16 restored by making application to the Department and filing
17 proof acceptable to the Department of the registered landscape
18 architect's ~~his or her~~ fitness to have the registered
19 landscape architect's ~~his or her~~ registration restored,
20 including, but not limited to, sworn evidence certifying
21 active lawful practice in another jurisdiction satisfactory to
22 the Department and by paying the required fee as determined by
23 rule.

24 (c) A registered landscape architect whose registration
25 expired while engaged (1) in federal service on active duty

1 with the Armed Forces of the United States or the State Militia
2 called into service or training or (2) in training or
3 education under the supervision of the United States
4 preliminary to induction into the military service, may have a
5 registration restored or reinstated without paying any lapsed
6 reinstatement, renewal, or restoration fees if, within 2 years
7 after termination, other than by dishonorable discharge, of
8 such service, training, or education, and the Department is
9 furnished with satisfactory evidence that the registrant has
10 been so engaged in the practice of landscape architecture and
11 that such service, training, or education has been so
12 terminated.

13 (Source: P.A. 102-284, eff. 8-6-21.)

14 (225 ILCS 316/55)

15 (Section scheduled to be repealed on January 1, 2027)

16 Sec. 55. Prior registrations under the Illinois Landscape
17 Architecture Act of 1989. A person who was actively registered
18 under the Illinois Landscape Architecture Act of 1989 and had
19 renewed the person's ~~his or her~~ registration before January 1,
20 2020, may have the person's ~~his or her~~ registration restored
21 without fee upon the effective date of the rules adopted under
22 this Act.

23 (Source: P.A. 102-284, eff. 8-6-21.)

24 (225 ILCS 316/60)

1 (Section scheduled to be repealed on January 1, 2027)

2 Sec. 60. Inactive status.

3 (a) A person registered under this Act who notifies the
4 Department in writing on forms or electronically as prescribed
5 by the Department may elect to place the person's ~~his or her~~
6 registration on inactive status and shall, subject to rules of
7 the Department, be excused from payment of renewal fees until
8 the person ~~he or she~~ notifies the Department in writing on
9 forms or electronically as prescribed by the Department of the
10 person's ~~his or her~~ desire to resume active status.

11 (b) Any registrant whose registration is on inactive
12 status shall not use the title "registered landscape
13 architect" or "landscape architect" in the State of Illinois.

14 (c) Any registrant who uses the title "registered
15 landscape architect" or "landscape architect" while the
16 registrant's ~~his or her~~ registration is inactive shall be
17 considered to be using the title without a registration that
18 shall be grounds for discipline under this Act.

19 (Source: P.A. 102-284, eff. 8-6-21.)

20 (225 ILCS 316/70)

21 (Section scheduled to be repealed on January 1, 2027)

22 Sec. 70. Disposition of funds. All ~~of the~~ fees collected
23 as authorized under this Act shall be deposited into the
24 Design Professionals Administration and Investigation General
25 Professions Dedicated Fund. The moneys deposited into the

1 Design Professionals Administration and Investigation General
2 Professions Dedicated Fund may be used for the expenses of the
3 Department in the administration of this Act. Moneys from the
4 Fund may also be used for direct and allocable indirect costs
5 related to the public purposes of the Department of Financial
6 and Professional Regulation. Moneys in the Fund may be
7 transferred to the Professions Indirect Cost Fund as
8 authorized by Section 2105-300 of the Department of
9 Professional Regulation Law of the Civil Administrative Code
10 of Illinois.

11 (Source: P.A. 102-284, eff. 8-6-21.)

12 (225 ILCS 316/80)

13 (Section scheduled to be repealed on January 1, 2027)

14 Sec. 80. Unauthorized practice; violation ~~Violation;~~
15 ~~injunction; cease and desist order;~~ civil penalty.

16 (a) If any person violates the provisions of this Act, the
17 Secretary may, in the name of the People of the State of
18 Illinois, through the Attorney General of the State of
19 Illinois or the State's Attorney of any county in which the
20 action is brought, petition for an order enjoining such
21 violation and for an order enforcing compliance with this Act.
22 Upon the filing of a verified petition in court, the court may
23 issue a temporary restraining order, without notice or bond,
24 and may preliminarily and permanently enjoin such violation.
25 If it is established that such person has violated or is

1 violating the injunction, the Court may punish the offender
2 for contempt of court. Proceedings under this Section shall be
3 in addition to, and not in lieu of, all other remedies and
4 penalties provided by this Act.

5 (b) Whoever holds oneself ~~himself or herself~~ out as a
6 "registered landscape architect", "landscape architect", or
7 any other name or designation that would in any way imply that
8 the person ~~he or she~~ is able to use the title "registered
9 landscape architect" or "landscape architect" without being
10 registered under this Act shall be guilty of a Class A
11 misdemeanor, and for each subsequent conviction shall be
12 guilty of a Class 4 felony.

13 (c) Any person who holds oneself out as a "registered
14 landscape architect", "landscape architect", or any other name
15 or designation that would in any way imply that the person is
16 able to use the title "registered landscape architect" or
17 "landscape architect" shall, in addition to any other penalty
18 provided by law, pay a civil penalty to the Department in an
19 amount not to exceed \$10,000 for each offense, as determined
20 by the Department. The civil penalty shall be assessed by the
21 Department after a hearing is held in accordance with the
22 provisions set forth in this Act regarding the provision of a
23 hearing for the discipline of a licensee.

24 (d) The Department may investigate any actual, alleged, or
25 suspected unauthorized activity.

26 (e) The civil penalty shall be paid within 60 days after

1 the effective date of the order imposing the civil penalty.
2 The order shall constitute a judgment and may be filed and
3 executed thereon in the same manner as any judgment from any
4 court of record.

5 (f) Each day that a violation occurs constitutes a
6 separate offense. Any civil penalties imposed shall be payable
7 to the Department.

8 (Source: P.A. 102-284, eff. 8-6-21.)

9 (225 ILCS 316/85)

10 (Section scheduled to be repealed on January 1, 2027)

11 Sec. 85. Grounds for discipline.

12 (a) The Department may refuse to issue or to renew a
13 certificate of registration, or may revoke, suspend, place on
14 probation, reprimand, or take other disciplinary or
15 nondisciplinary action the Department may deem proper,
16 including fines not to exceed \$10,000 for each violation, with
17 regard to any certificate of registration issued under this
18 Act, for any one or combination of the following reasons:

19 (1) Material misstatement in furnishing information to
20 the Department.

21 (2) Negligent or intentional disregard of this Act or
22 rules adopted under this Act.

23 (3) Conviction of or plea of guilty or nolo
24 contendere, finding of guilt, jury verdict, or entry of
25 judgment or sentencing, including, but not limited to,

1 convictions, preceding sentences of supervision,
2 conditional discharge, or first offender probation under
3 the laws of any jurisdiction of the United States that is
4 (i) a felony, (ii) a misdemeanor, an essential element of
5 which is dishonesty, or (iii) any crime that is directly
6 related to the practice of landscape architecture.

7 (4) Making any misrepresentations for the purpose of
8 obtaining a certificate of registration.

9 (5) Professional incompetence or gross negligence in
10 the rendering of landscape architectural services.

11 (6) Aiding or assisting another person in violating
12 any provision of this Act or any rules and regulations
13 issued pursuant to this Act.

14 (7) Failing to provide information within 60 days in
15 response to a written request made by the Department.

16 (8) Engaging in dishonorable, unethical, or
17 unprofessional conduct of a character likely to deceive,
18 defraud, or harm the public.

19 (9) Habitual or excessive use or abuse of drugs
20 defined by law as controlled substances, alcohol,
21 narcotics, stimulants, or any other substances that
22 results in the inability to practice with reasonable
23 judgment, skill, or safety.

24 (10) Discipline by another jurisdiction, if at least
25 one of the grounds for the discipline is the same or
26 substantially equivalent to those set forth in this

1 Section.

2 (11) Directly or indirectly giving to or receiving
3 from any person, firm, corporation, partnership, or
4 association any fee, commission, rebate, or other form of
5 compensation for any professional service not actually
6 rendered.

7 (12) A finding by the Department that the registrant,
8 after having the registration placed on probationary
9 status, has violated or failed to comply with the terms of
10 probation.

11 (13) A finding by the Department that the registrant
12 has failed to pay a fine imposed by the Department.

13 (14) Being named as a perpetrator in an indicated
14 report by the Department of Children and Family Services
15 under the Abused and Neglected Child Reporting Act, and
16 upon proof by clear and convincing evidence that the
17 registrant has caused a child to be an abused child or
18 neglected child as defined in the Abused and Neglected
19 Child Reporting Act.

20 (15) Solicitation of professional services by ~~using~~
21 ~~false or misleading~~ advertising in any manner that is
22 false, misleading, or deceptive.

23 (16) Inability to practice the profession with
24 reasonable judgment, skill, or safety as a result of
25 physical illness, including, but not limited to,
26 deterioration through the aging process, loss of motor

1 skill, mental illness, or disability.

2 (17) Using or attempting to use an expired, inactive,
3 suspended, ~~or~~ revoked, canceled, nonrenewed, or otherwise
4 inoperative registration, using ~~or~~ the seal of another
5 registrant, or impersonating another registrant.

6 (18) Signing, affixing, or allowing the registered
7 landscape architect's seal to be affixed to any plans not
8 prepared by the registered landscape architect or under
9 the registered landscape architect's supervision.

10 (19) Practicing, attempting to practice, or
11 advertising under a name other than the full name as shown
12 on the certificate of registration or any other legally
13 authorized name.

14 (20) Performing any act or practice that is a
15 violation of the Consumer Fraud and Deceptive Business
16 Practices Act.

17 (21) Treating any person differently to the person's
18 detriment because of the person's race, color, creed,
19 gender, age, religion, or national origin.

20 (22) Violating any final administrative order of the
21 Secretary.

22 (23) Gross and willful overcharging for professional
23 services, including filing false statements for the
24 collection of fees or moneys for which services are not
25 rendered.

26 (b) The Department may refuse to issue or may suspend the

1 registration of any person who fails to file a return, fails to
2 pay the tax, penalty, or interest showing in a filed return, or
3 fails to pay any final assessment of tax, penalty, or
4 interest, as required by any tax Act administered by the
5 Department of Revenue, until any such tax Act are satisfied.

6 (c) The determination or entry of a decree by any circuit
7 court establishing that any person holding a certificate of
8 registration under this Act is a person subject to involuntary
9 admission under the Mental Health and Developmental
10 Disabilities Code shall operate as a suspension of that
11 registration. That person may resume using the title
12 "registered landscape architect" or "landscape architect" only
13 upon a finding by the Department that the person ~~he or she~~ has
14 been determined to be no longer subject to involuntary
15 admission by the court and meeting the requirements for
16 restoration as required by this Act and its rules.

17 (Source: P.A. 102-284, eff. 8-6-21.)

18 (225 ILCS 316/95)

19 (Section scheduled to be repealed on January 1, 2027)

20 Sec. 95. Record of proceedings.

21 (a) The Department, at its expense, shall provide a
22 certified shorthand reporter to take down the testimony and
23 preserve a record of all proceedings in which a registrant may
24 have their registration revoked or suspended or in which the
25 registrant may be placed on probationary status, reprimanded,

1 fined, or subjected to other disciplinary action with
2 reference to the registration when a disciplinary action is
3 authorized under this Act and rules issued pursuant to this
4 Act. The notice of hearing, complaint, and all other documents
5 in the nature of pleadings and written motions filed in the
6 proceedings, the transcript of the testimony, and the orders
7 of the Department shall be the record of the proceedings. The
8 record may be made available to any person interested in the
9 hearing upon payment of the fee required by Section 2105-115
10 of the Department of Professional Regulation Law of the Civil
11 Administrative Code of Illinois.

12 (b) The Department may contract for court reporting
13 services, and, if it does so, the Department shall provide the
14 name and contact information for the certified shorthand
15 reporter who transcribed the testimony at a hearing to any
16 person interested, who may obtain a copy of the transcript of
17 any proceedings at a hearing upon payment of the fee specified
18 by the certified shorthand reporter.

19 (Source: P.A. 102-284, eff. 8-6-21.)

20 (225 ILCS 316/110)

21 (Section scheduled to be repealed on January 1, 2027)

22 Sec. 110. Hearing; motion for rehearing.

23 (a) The hearing officer appointed by the Secretary shall
24 hear evidence in support of the formal charges and evidence
25 produced by the registrant. At the conclusion of the hearing,

1 the hearing officer shall present to the Secretary a written
2 report of the hearing officer's ~~his or her~~ findings of fact,
3 conclusions of law, and recommendations.

4 (b) At the conclusion of the hearing, a copy of the hearing
5 officer's report shall be served upon the applicant or
6 registrant, either personally or as provided in this Act for
7 the service of the notice of hearing. Within 20 days after such
8 service, the applicant or registrant may present to the
9 Department a motion, in writing, for a rehearing which shall
10 specify the particular grounds for rehearing. The Department
11 may respond to the motion for rehearing within 20 days after
12 its service on the Department. If no motion for rehearing is
13 filed, then upon the expiration of the time specified for
14 filing such a motion, or upon denial of a motion for rehearing,
15 the Secretary may enter an order in accordance with the
16 recommendations of the hearing officer. If the applicant or
17 registrant orders from the reporting service and pays for a
18 transcript of the record within the time for filing a motion
19 for rehearing, the 20-day period within which a motion may be
20 filed shall commence upon delivery of the transcript to the
21 applicant or registrant.

22 (c) If the Secretary disagrees in any regard with the
23 report of the hearing officer, the Secretary may issue an
24 order contrary to the hearing officer's report.

25 (d) If the Secretary is not satisfied that substantial
26 justice has been done, the Secretary may order a hearing by the

1 same or another hearing officer.

2 (e) At any point in any investigation or disciplinary
3 proceeding provided for in this Act, both parties may agree to
4 a negotiated consent order. The consent order shall be final
5 upon signature of the Secretary.

6 (Source: P.A. 102-284, eff. 8-6-21.)

7 Section 30. The Community Association Manager Licensing
8 and Disciplinary Act is amended by changing Sections 10, 20,
9 40, 55, 60, 75, 85, 85.1, 86, 95, and 120 as follows:

10 (225 ILCS 427/10)

11 (Section scheduled to be repealed on January 1, 2027)

12 Sec. 10. Definitions. As used in this Act:

13 "Address of record" means the designated street address,
14 which may not be a post office box, recorded by the Department
15 in the applicant's or licensee's application file or license
16 file maintained by the Department.

17 "Advertise" means, but is not limited to, issuing or
18 causing to be distributed any card, sign or device to any
19 person; or causing, permitting or allowing any sign or marking
20 on or in any building, structure, newspaper, magazine or
21 directory, or on radio or television; or advertising by any
22 other means designed to secure public attention, including,
23 but not limited to, print, electronic, social media, and
24 digital forums.

1 "Board" means the Community Association Manager Licensing
2 and Disciplinary Board.

3 "Community association" means an association in which
4 membership is a condition of ownership or shareholder interest
5 of a unit in a condominium, cooperative, townhouse, villa, or
6 other residential unit which is part of a residential
7 development plan and that is authorized to impose an
8 assessment, rents, or other costs that may become a lien on the
9 unit or lot.

10 "Community association funds" means any assessments, fees,
11 fines, or other funds collected by the community association
12 manager from the community association, or its members, other
13 than the compensation paid to the community association
14 manager for performance of community association management
15 services.

16 "Community association management firm" means a company,
17 corporation, limited liability company, partnership, or other
18 entity that engages in community association management
19 services.

20 "Community association management services" means those
21 services listed in the definition of community association
22 manager in this Section.

23 "Community association manager" means an individual who:

24 (1) has an ownership interest in or is employed by a
25 community association management firm, or is directly
26 employed by or provides services as an independent

1 contractor to a community association; and

2 (2) administers for remuneration the financial,
3 administrative, maintenance, or other duties for the
4 community association, including the following services:

5 (A) collecting, controlling or disbursing funds of
6 the community association or having the authority to
7 do so;

8 (B) preparing budgets or other financial documents
9 for the community association;

10 (C) assisting in the conduct of community
11 association meetings;

12 (D) maintaining association records;

13 (E) administering association contracts or
14 procuring goods and services in accordance with the
15 declaration, bylaws, proprietary lease, declaration of
16 covenants, or other governing document of the
17 community association or at the direction of the board
18 of managers; and

19 (F) coordinating financial, administrative,
20 maintenance, or other duties called for in the
21 management contract, including individuals who are
22 direct employees of the community association.

23 ~~"Community association manager" does not mean support~~
24 ~~staff, including, but not limited to bookkeepers,~~
25 ~~administrative assistants, secretaries, property inspectors,~~
26 ~~or customer service representatives.~~

1 "Department" means the Department of Financial and
2 Professional Regulation.

3 "Designated community association manager" means a
4 licensed community association manager who: (1) has an
5 ownership interest in or is employed by a community
6 association management firm to act as a controlling person;
7 and (2) is the authorized signatory or has delegated signing
8 authority for the firm on community association accounts; and
9 (3) supervises, manages, and is responsible for the firm's
10 community association manager activities pursuant to Section
11 50 of this Act.

12 "Email address of record" means the designated email
13 address recorded by the Department in the applicant's
14 application file or the licensee's license file, as maintained
15 by the Department.

16 "License" means the privilege conferred by the Department
17 to a person that has fulfilled all requirements prerequisite
18 to any type of licensure under this Act.

19 "Licensee" means any person licensed under this Act.

20 "Person" means any individual, corporation, partnership,
21 limited liability company, or other legal entity.

22 "Secretary" means the Secretary of Financial and
23 Professional Regulation or the Secretary's designee.

24 (Source: P.A. 102-20, eff. 1-1-22; 102-970, eff. 5-27-22.)

25 (225 ILCS 427/20)

1 (Section scheduled to be repealed on January 1, 2027)

2 Sec. 20. Exemptions.

3 (a) The requirement for holding a license under this Act
4 shall not apply to any of the following:

5 (1) Any director or officer of a community association
6 providing one or more of the services of a community
7 association manager to a community association without
8 compensation for such services to the association.

9 (2) Any person providing one or more of the services
10 of a community association manager to a community
11 association of 10 units or less.

12 (3) A licensed attorney acting solely as an incident
13 to the practice of law.

14 (4) An individual acting as a receiver, trustee in
15 bankruptcy, administrator, executor, or guardian acting
16 under a court order or under the authority of a court.

17 (5) A person licensed in this State under any other
18 Act who engages in practices or activities specifically
19 authorized by the Act pursuant to which the license was
20 granted.

21 (6) An unlicensed owner who does not perform a
22 licensed activity and the unlicensed owner's support
23 staff, including, but not limited to bookkeepers,
24 administrative assistants, secretaries, property
25 inspectors, or customer service representatives.

26 (b) A licensed community association manager may not

1 perform or engage in any activities for which a real estate
2 managing broker, real estate broker, or residential leasing
3 agent license is required under the Real Estate License Act of
4 2000, unless the licensee also possesses a current and valid
5 license under the Real Estate License Act of 2000 and is
6 providing those services as provided for in the Real Estate
7 License Act of 2000 and the applicable rules.

8 (c) (Blank).

9 (Source: P.A. 102-20, eff. 1-1-22.)

10 (225 ILCS 427/40)

11 (Section scheduled to be repealed on January 1, 2027)

12 Sec. 40. Qualifications for licensure as a community
13 association manager.

14 (a) No person shall be qualified for licensure as a
15 community association manager under this Act unless the person
16 has applied in writing on the prescribed forms and has paid the
17 required, nonrefundable fees and has met all of the following
18 qualifications:

19 (1) Is at least 18 years of age.

20 (1.5) Successfully completed a 4-year course of study
21 in a high school, secondary school, or an equivalent
22 course of study approved by the state in which the school
23 is located, or possess a State of Illinois High School
24 Diploma, which shall be verified under oath by the
25 applicant.

1 (2) Provided satisfactory evidence of having completed
2 at least 20 classroom hours in community association
3 management courses approved by the Board.

4 (3) Passed an examination authorized by the
5 Department.

6 (4) Has not committed an act or acts, in this or any
7 other jurisdiction, that would be a violation of this Act.

8 (5) Is of good moral character. In determining moral
9 character under this Section, the Department may take into
10 consideration whether the applicant has engaged in conduct
11 or activities that would constitute grounds for discipline
12 under this Act. Good moral character is a continuing
13 requirement of licensure. Conviction of crimes may be used
14 in determining moral character, but shall not constitute
15 an absolute bar to licensure.

16 (6) (Blank). ~~Has not been declared by any court of~~
17 ~~competent jurisdiction to be incompetent by reason of~~
18 ~~mental or physical defect or disease, unless subsequently~~
19 ~~declared by a court to be competent.~~

20 (7) Complies with any additional qualifications for
21 licensure as determined by rule of the Department.

22 (b) (Blank).

23 (c) (Blank).

24 (d) Applicants have 3 years from the date of application
25 to complete the application process. If the process has not
26 been completed within the 3 years, the application shall be

1 denied, the fee shall be forfeited, and the applicant must
2 reapply and meet the requirements in effect at the time of
3 re-application.

4 (e) The Department shall not require applicants to report
5 the following information and shall not consider the following
6 criminal history records in connection with an application for
7 licensure:

8 (1) juvenile adjudications of delinquent minors as
9 defined in Section 5-105 of the Juvenile Court Act of 1987
10 subject to the restrictions set forth in Section 5-130 of
11 that Act;

12 (2) law enforcement records, court records, and
13 conviction records of an individual who was 17 years old
14 at the time of the offense and before January 1, 2014,
15 unless the nature of the offense required the individual
16 to be tried as an adult;

17 (3) records of arrest not followed by a charge or
18 conviction;

19 (4) records of arrest in which the charges were
20 dismissed unless related to the practice of the
21 profession; however, applicants shall not be asked to
22 report any arrests, and an arrest not followed by a
23 conviction shall not be the basis of a denial and may be
24 used only to assess an applicant's rehabilitation;

25 (5) convictions overturned by a higher court; or

26 (6) convictions or arrests that have been sealed or

1 expunged.

2 (f) An applicant or licensee shall report to the
3 Department, in a manner prescribed by the Department, and
4 within 30 days after the occurrence if during the term of
5 licensure: (i) any conviction of or plea of guilty or nolo
6 contendere to forgery, embezzlement, obtaining money under
7 false pretenses, larceny, extortion, conspiracy to defraud, or
8 any similar offense or offenses or any conviction of a felony
9 involving moral turpitude; (ii) the entry of an administrative
10 sanction by a governmental ~~government~~ agency in this State or
11 any other jurisdiction that has as an essential element
12 dishonesty or fraud or involves larceny, embezzlement, or
13 obtaining money, property, or credit by false pretenses; or
14 (iii) any conviction of or plea of guilty or nolo contendere to
15 a crime that subjects the licensee to compliance with the
16 requirements of the Sex Offender Registration Act.

17 (Source: P.A. 102-20, eff. 1-1-22; 102-1100, eff. 1-1-23.)

18 (225 ILCS 427/55)

19 (Section scheduled to be repealed on January 1, 2027)

20 Sec. 55. Insurance ~~Fidelity insurance~~; segregation of
21 accounts.

22 (a) The designated community association manager or the
23 community association management firm that employs the
24 designated community association manager shall not have access
25 to and disburse community association funds unless each of the

1 following conditions occur:

2 (1) There is fidelity or crime insurance in place to
3 insure against loss or theft of community association
4 funds.

5 (2) The fidelity or crime insurance is in the maximum
6 amount of coverage available to protect funds in the
7 custody or control of the designated community association
8 manager or community association management firm providing
9 service to the association.

10 Nothing in this Section shall require that fidelity
11 coverage be issued when a crime insurance policy with
12 equivalent or broader coverage is already in place.

13 (3) During the term and coverage period of the
14 insurance, the fidelity or crime insurance shall cover:

15 (A) the designated community association manager;

16 (B) the community association management firm;

17 (C) all community association managers;

18 (D) all partners, officers, and employees of the
19 community association management firm; and

20 (E) the community association officers, directors,
21 and employees.

22 (4) The insurance company issuing the fidelity or
23 crime insurance may not cancel or refuse to renew the
24 coverage ~~bond~~ without giving at least 10 days' prior
25 written notice.

26 (5) Unless an agreement between the community

1 association and the designated community association
2 manager or the community association management firm
3 provides to the contrary, a community association may
4 secure and pay for the fidelity or crime insurance
5 required by this Section. The designated community
6 association manager, all other licensees, and the
7 community association management firm must be named as
8 additional insured parties on the community association
9 policy. If the fidelity or crime insurance is not secured
10 and paid for by the association, the community association
11 manager or the community association management firm that
12 secures and pays for the insurance shall provide a current
13 certificate of fidelity or crime insurance to the
14 community association for which it provides community
15 association management services within 10 days of a
16 request for such certificate by the community association
17 for its records.

18 (b) A community association management firm that provides
19 community association management services for more than one
20 community association shall maintain separate, segregated
21 accounts for each community association. The funds shall not,
22 in any event, be commingled with the funds of the community
23 association manager, the community association management
24 firm, or any other community association. The maintenance of
25 such accounts shall be custodial, and such accounts shall be
26 in the name of the respective community association.

1 (c) The designated community association manager or
2 community association management firm shall obtain the
3 appropriate general liability and errors and omissions
4 insurance, as determined by the Department, to cover any
5 losses or claims against a community association manager, the
6 designated community association manager, or the community
7 association management firm. The community association manager
8 or the community association management firm shall provide a
9 current certificate of general liability and errors and
10 omissions insurance to the community association for which it
11 provides community association management services within 10
12 days of a request for such certificate by the community
13 association for its records.

14 (d) The Department shall have authority to promulgate
15 additional rules regarding insurance, fidelity or crime
16 insurance and all accounts maintained and to be maintained by
17 a community association manager, designated community
18 association manager, or community association management firm.
19 (Source: P.A. 102-20, eff. 1-1-22; 102-970, eff. 5-27-22.)

20 (225 ILCS 427/60)

21 (Section scheduled to be repealed on January 1, 2027)

22 Sec. 60. Licenses; renewals; restoration; person in
23 military service.

24 (a) The expiration date, fees, and renewal period for each
25 license issued under this Act shall be set by rule. The

1 Department may promulgate rules requiring continuing education
2 and set all necessary requirements for such, including, but
3 not limited to, fees. ~~, approved coursework, number of hours,~~
4 ~~and waivers of continuing education.~~

5 (a-5) A community association manager whose license has
6 lapsed or expired may renew the license without examination
7 for a time period of up to 2 years following the expiration
8 date of the license. The licensee shall complete an
9 application to the Department, provide evidence of the
10 licensee's successful completion of all hours of approved
11 continuing education during the period of time the license had
12 lapsed, and pay all fees as required by rule.

13 (b) A community association manager whose license has been
14 lapsed or expired for more than 2 years but less than 5 years
15 following the expiration date of the license may restore the
16 license without examination by (i) applying to the Department,
17 (ii) providing evidence of the community association manager's
18 successful completion of all hours of approved continuing
19 education during the lapsed periods prior to the date of the
20 application, (iii) paying the required fees, and (iv)
21 satisfying any other requirements as established by rule. A
22 community association manager whose license has been expired
23 for more than 5 years shall be required to meet the
24 requirements of a new license. Any licensee who has an expired
25 license may have the license restored by applying to the
26 Department and filing proof acceptable to the Department of

1 ~~fitness to have the expired license restored, which may~~
2 ~~include sworn evidence certifying to active practice in~~
3 ~~another jurisdiction satisfactory to the Department, complying~~
4 ~~with any continuing education requirements, and paying the~~
5 ~~required restoration fee.~~

6 (c) Any person whose license expired while (i) in federal
7 service on active duty with the Armed Forces of the United
8 States or called into service or training with the State
9 Militia, (ii) in training or education under the supervision
10 of the United States preliminary to induction into the
11 military service, or (iii) serving as an employee of the
12 Department may have the license renewed or restored without
13 paying any lapsed renewal fees and without completing the
14 continuing education requirements for that licensure period
15 if, within 2 years after honorable termination of the service,
16 training, or education, except under condition other than
17 honorable, the licensee furnishes the Department with
18 satisfactory evidence of engagement and that the service,
19 training, or education has been so honorably terminated.

20 (d) A community association manager or community
21 association management firm that notifies the Department, in a
22 manner prescribed by the Department, may place the license on
23 inactive status for a period not to exceed 2 years and shall be
24 excused from the payment of renewal fees until the person
25 notifies the Department in writing of the intention to resume
26 active practice.

1 (e) A community association manager or community
2 association management firm requesting that the license be
3 changed from inactive to active status shall be required to
4 pay the current renewal fee and shall also demonstrate
5 compliance with the continuing education requirements.

6 (f) No licensee with a nonrenewed or inactive license
7 status or community association management firm operating
8 without a designated community association manager shall
9 provide community association management services as set forth
10 in this Act.

11 (g) Any person violating subsection (f) of this Section
12 shall be considered to be practicing without a license and
13 will be subject to the disciplinary provisions of this Act.

14 (h) The Department shall not issue or renew a license if
15 the applicant or licensee has an unpaid fine or fee from a
16 disciplinary matter or from a non-disciplinary action imposed
17 by the Department until the fine or fee is paid to the
18 Department or the applicant or licensee has entered into a
19 payment plan and is current on the required payments.

20 (i) The Department shall not issue or renew a license if
21 the applicant or licensee has an unpaid fine or civil penalty
22 imposed by the Department for unlicensed practice until the
23 fine or civil penalty is paid to the Department or the
24 applicant or licensee has entered into a payment plan and is
25 current on the required payments.

26 (Source: P.A. 102-20, eff. 1-1-22; 102-970, eff. 5-27-22;

1 103-236, eff. 1-1-24.)

2 (225 ILCS 427/75)

3 (Section scheduled to be repealed on January 1, 2027)

4 Sec. 75. Endorsement. The Department may issue a
5 community association manager license ~~without the required~~
6 ~~examination,~~ to an applicant licensed under the laws of
7 another state or jurisdiction without the required
8 examination. ~~if the requirements for licensure in that state~~
9 ~~are, on the date of licensure, substantially equal to the~~
10 ~~requirements of this Act or to a person who, at the time of~~
11 ~~application for licensure, possessed individual qualifications~~
12 ~~that were substantially equivalent to the requirements then in~~
13 ~~force in this State. An applicant under this Section shall pay~~
14 ~~all of the required fees.~~

15 An applicant under this Section shall pay all the required
16 fees and ~~All applicants under this Act~~ have 3 years from the
17 date of application to complete the application process. If
18 the process has not been completed within the 3 years, the
19 application shall be denied, the fee shall be forfeited, and
20 the applicant must reapply and meet the requirements in effect
21 at the time of reapplication.

22 (Source: P.A. 102-20, eff. 1-1-22.)

23 (225 ILCS 427/85)

24 (Section scheduled to be repealed on January 1, 2027)

1 Sec. 85. Grounds for discipline; refusal, revocation, or
2 suspension.

3 (a) The Department may refuse to issue or renew a license,
4 or may place on probation, reprimand, suspend, or revoke any
5 license, or take any other disciplinary or non-disciplinary
6 action as the Department may deem proper and impose a fine not
7 to exceed \$10,000 for each violation upon any licensee or
8 applicant under this Act or any person or entity who holds
9 oneself out as an applicant or licensee for any one or
10 combination of the following causes:

11 (1) Material misstatement in furnishing information to
12 the Department.

13 (2) Violations of this Act or its rules.

14 (3) Conviction of or entry of a plea of guilty or plea
15 of nolo contendere, as set forth in subsection (f) of
16 Section 40, to (i) a felony or a misdemeanor under the laws
17 of the United States, any state, or any other jurisdiction
18 or entry of an administrative sanction by a governmental
19 ~~government~~ agency in this State or any other jurisdiction
20 or (ii) a crime that subjects the licensee to compliance
21 with the requirements of the Sex Offender Registration
22 Act; or the entry of an administrative sanction by a
23 governmental ~~government~~ agency in this State or any other
24 jurisdiction.

25 (4) Making any misrepresentation for the purpose of
26 obtaining a license or violating any provision of this Act

1 or its rules.

2 (5) Professional incompetence.

3 (6) Gross negligence.

4 (7) Aiding or assisting another person in violating
5 any provision of this Act or its rules.

6 (8) Failing, within 30 days, to provide information in
7 response to a request made by the Department.

8 (9) Engaging in dishonorable, unethical, or
9 unprofessional conduct of a character likely to deceive,
10 defraud, or harm the public as defined by the rules of the
11 Department, or violating the rules of professional conduct
12 adopted by the Department.

13 (10) Habitual or excessive use or addiction to
14 alcohol, narcotics, stimulants, or any other chemical
15 agent or drug that results in the inability to practice
16 with reasonable judgment, skill, or safety, and which may
17 result in significant harm to the public.

18 (11) Having been disciplined by another state, the
19 District of Columbia, a territory, a foreign nation, or a
20 governmental agency authorized to impose discipline if at
21 least one of the grounds for the discipline is the same or
22 substantially equivalent of one of the grounds for which a
23 licensee may be disciplined under this Act. A certified
24 copy of the record of the action by the other state or
25 jurisdiction shall be prima facie evidence thereof.

26 (12) Directly or indirectly giving to or receiving

1 from any person, firm, corporation, partnership, or
2 association any fee, commission, rebate, or other form of
3 compensation for any services not actually or personally
4 rendered.

5 (13) A finding by the Department that the licensee,
6 after having the license placed on probationary status,
7 has violated the terms of probation.

8 (14) Willfully making or filing false records or
9 reports relating to a licensee's practice, including, but
10 not limited to, false records filed with any State or
11 federal agencies or departments.

12 (15) Being named as a perpetrator in an indicated
13 report by the Department of Children and Family Services
14 under the Abused and Neglected Child Reporting Act and
15 upon proof by clear and convincing evidence that the
16 licensee has caused a child to be an abused child or
17 neglected child as defined in the Abused and Neglected
18 Child Reporting Act.

19 (16) Physical illness or mental illness or impairment
20 that results in the inability to practice the profession
21 with reasonable judgment, skill, or safety.

22 (17) Solicitation of professional services by using
23 false or misleading advertising.

24 (18) A finding that licensure has been applied for or
25 obtained by fraudulent means.

26 (19) Practicing or attempting to practice under a name

1 other than the full name as shown on the license or any
2 other legally authorized name unless approved by the
3 Department.

4 (20) Gross overcharging for professional services
5 including, but not limited to, (i) collection of fees or
6 moneys for services that are not rendered; and (ii)
7 charging for services that are not in accordance with the
8 contract between the licensee and the community
9 association.

10 (21) Improper commingling of personal and client funds
11 in violation of this Act or any rules promulgated thereto.

12 (22) Failing to account for or remit any moneys or
13 documents coming into the licensee's possession that
14 belong to another person or entity.

15 (23) Giving differential treatment to a person that is
16 to that person's detriment on the basis of race, color,
17 sex, ancestry, age, order of protection status, marital
18 status, physical or mental disability, military status,
19 unfavorable discharge from military status, sexual
20 orientation, pregnancy, religion, or national origin.

21 (24) Performing and charging for services without
22 reasonable authorization to do so from the person or
23 entity for whom service is being provided.

24 (25) Failing to make available to the Department, upon
25 request, any books, records, or forms required by this
26 Act.

1 (26) Purporting to be a designated community
2 association manager of a firm without active participation
3 in the firm and having been designated as such.

4 (27) Failing to make available to the Department at
5 the time of the request any indicia of licensure issued
6 under this Act.

7 (28) Failing to maintain and deposit funds belonging
8 to a community association in accordance with subsection
9 (b) of Section 55 of this Act.

10 (29) Violating the terms of any order issued by the
11 Department.

12 (30) Operating a community association management firm
13 without a designated community association manager who
14 holds an active community association manager license.

15 (31) For a designated community association manager,
16 failing to meet the requirements for acting as a
17 designated community association manager.

18 (32) Failing to disclose to a community association
19 any compensation received by a licensee from a third party
20 in connection with or related to a transaction entered
21 into by the licensee on behalf of the community
22 association.

23 (33) Failing to disclose to a community association,
24 at the time of making the referral, that a licensee (A) has
25 greater than a 1% ownership interest in a third party to
26 which it refers the community association; or (B) receives

1 or may receive dividends or other profit sharing
2 distributions from a third party, other than a publicly
3 held or traded company, to which it refers the community
4 association.

5 (b) (Blank).

6 (c) The determination by a circuit court that a licensee
7 is subject to involuntary admission or judicial admission, as
8 provided in the Mental Health and Developmental Disabilities
9 Code, operates as an automatic suspension. The suspension will
10 terminate only upon a finding by a court that the patient is no
11 longer subject to involuntary admission or judicial admission
12 and the issuance of an order so finding and discharging the
13 patient, and upon the recommendation of the Board to the
14 Secretary that the licensee be allowed to resume practice as a
15 licensed community association manager.

16 (d) In accordance with subsection (g) of Section 2105-15
17 of the Department of Professional Regulation Law of the Civil
18 Administrative Code of Illinois (~~20 ILCS 2105/2105-15~~), the
19 Department may refuse to issue or renew or may suspend the
20 license of any person who fails to file a return, to pay the
21 tax, penalty, or interest shown in a filed return, or to pay
22 any final assessment of tax, penalty, or interest, as required
23 by any tax Act administered by the Department of Revenue,
24 until such time as the requirements of that tax Act are
25 satisfied.

26 (e) In accordance with subdivision (a)(5) of Section

1 2105-15 of the Department of Professional Regulation Law of
2 the Civil Administrative Code of Illinois ~~(20 ILCS~~
3 ~~2105/2105-15)~~ and in cases where the Department of Healthcare
4 and Family Services (formerly Department of Public Aid) has
5 previously determined that a licensee or a potential licensee
6 is more than 30 days delinquent in the payment of child support
7 and has subsequently certified the delinquency to the
8 Department, the Department may refuse to issue or renew or may
9 revoke or suspend that person's license or may take other
10 disciplinary action against that person based solely upon the
11 certification of delinquency made by the Department of
12 Healthcare and Family Services.

13 (f) (Blank).

14 (g) In accordance with subsection (g-5) of Section 2105-15
15 of the Department of Professional Regulation Law of the Civil
16 Administrative Code of Illinois, the Department may refuse to
17 issue or renew, suspend, or revoke, without a hearing, the
18 license of any person or entity who fails to pay or secure
19 workers' compensation obligations as determined by and based
20 solely upon the certification of the Department of Insurance
21 or the Illinois Workers' Compensation Commission.

22 (Source: P.A. 102-20, eff. 1-1-22; 103-236, eff. 1-1-24.)

23 (225 ILCS 427/85.1)

24 (Section scheduled to be repealed on January 1, 2027)

25 Sec. 85.1. Citations.

1 (a) The Department may adopt rules to permit the issuance
2 of citations to any licensee for failure to comply with the
3 continuing education requirements set forth in this Act or as
4 established by rule. The citation shall be issued to the
5 licensee and a copy sent to the licensee's designated
6 community association manager, if any, and shall contain the
7 licensee's name, the licensee's address, the licensee's
8 license number, the number of required hours of continuing
9 education that have not been successfully completed on or
10 before ~~by the licensee's renewal deadline, licensee within the~~
11 ~~renewal period,~~ and the penalty imposed, which shall not
12 exceed \$2,000. The issuance of any such citation shall not
13 excuse the licensee from completing all continuing education
14 required for that term of licensure ~~renewal period~~.

15 (b) Service of a citation shall be made in person,
16 electronically, or by mail to the licensee at the licensee's
17 address of record or email address of record, and the citation
18 must clearly state that if the cited licensee wishes to
19 dispute the citation, the cited licensee may make a written
20 request, within 30 days after the citation is served, for a
21 hearing before the Department. If the cited licensee does not
22 request a hearing within 30 days after the citation is served,
23 then ~~the citation shall become~~ a final, non-disciplinary order
24 shall be entered, and any fine imposed is due and payable
25 within 30 ~~60~~ days after the entry of that final order. If the
26 cited licensee requests a hearing within 30 days after the

1 citation is served, the Department shall afford the cited
2 licensee a hearing conducted in the same manner as a hearing
3 provided for in this Act for any violation of this Act and
4 shall determine whether the cited licensee committed the
5 violation as charged and whether the fine as levied is
6 warranted. If the violation is found, any fine shall
7 constitute non-public discipline and be due and payable within
8 30 days after the order of the Secretary, which shall
9 constitute a final order of the Department. No change in
10 license status may be made by the Department until a final
11 order of the Department has been issued.

12 (c) Payment of a fine that has been assessed pursuant to
13 this Section shall not constitute disciplinary action
14 reportable on the Department's website or elsewhere unless a
15 licensee has previously received 2 or more citations and been
16 assessed 2 or more fines.

17 (d) Nothing in this Section shall prohibit or limit the
18 Department from taking further action pursuant to this Act and
19 rules for additional, repeated, or continuing violations.

20 (Source: P.A. 102-20, eff. 1-1-22.)

21 (225 ILCS 427/86)

22 (Section scheduled to be repealed on January 1, 2027)

23 Sec. 86. Illegal discrimination.

24 (a) When there has been an adjudication in a civil or
25 criminal proceeding that a community association manager or

1 community association management firm has illegally
2 discriminated while engaged in any activity for which a
3 license is required under this Act, the Department, following
4 the provision of notice to the licensee and a hearing
5 conducted in accordance with Section 95 and upon the
6 recommendation of the Board as to the extent of the suspension
7 or revocation, shall suspend or revoke the license of that
8 licensee in a timely manner, unless the adjudication is in the
9 appeal process. The finding or judgment of the civil or
10 criminal proceeding is a matter of record and the merits of the
11 finding or judgment shall not be challenged in a request for a
12 hearing by the licensee.

13 (b) When there has been an order in an administrative
14 proceeding finding that a licensee has illegally discriminated
15 while engaged in any activity for which a license is required
16 under this Act, the Department, following the provision of
17 notice to the licensee and a hearing conducted in accordance
18 with Section 95, and upon recommendation of the Board as to the
19 nature and extent of the discipline, shall take one or more of
20 the disciplinary actions provided for in Section 85 in a
21 timely manner, unless the administrative order is in the
22 appeal process. The finding of the administrative order is a
23 matter of record and the merits of the finding shall not be
24 challenged in a request for a hearing by the licensee.

25 (Source: P.A. 102-20, eff. 1-1-22.)

1 (225 ILCS 427/95)

2 (Section scheduled to be repealed on January 1, 2027)

3 Sec. 95. Investigation; notice and hearing. The
4 Department may investigate the actions or qualifications of a
5 person, which includes an entity, applying for, holding or
6 claiming to hold, or holding oneself out as having a license or
7 rendering or offering to render services for which a license
8 is required by this Act. The Department shall, before ~~Before~~
9 suspending, revoking, placing on probationary status, or
10 taking any other disciplinary action as the Department may
11 deem proper with regard to any license, at least 30 days before
12 the date set for the hearing: ~~the Department shall~~ (i) notify
13 the person charged and the person's designated community
14 association manager, if any, in writing of any charges made
15 and the time and place for a hearing on the charges before the
16 Board, (ii) direct the person to file a written answer to the
17 charges with the Board under oath within 20 days after the
18 service on the person of such notice, and (iii) inform the
19 person that, if the person fails to file an answer, default
20 will be taken against the person and the license of the person
21 may be suspended, revoked, placed on probationary status, or
22 have other disciplinary action taken with regard to the
23 license, including limiting the scope, nature, or extent of
24 the person's ~~related~~ practice, as the Department may deem
25 proper.

26 The Department shall serve notice under this Section by

1 regular or electronic mail to the person's most recent last
2 address of record or email address of record as provided to the
3 Department. ~~If the person fails to file an answer after~~
4 ~~receiving notice, the license may, in the discretion of the~~
5 ~~Department, be suspended, revoked, or placed on probationary~~
6 ~~status, or the Department may take whatever disciplinary~~
7 ~~action deemed proper, including limiting the scope, nature, or~~
8 ~~extent of the person's practice or the imposition of a fine,~~
9 ~~without a hearing, if the act or acts charged constitute~~
10 ~~sufficient grounds for such action under this Act.~~ The answer
11 shall be served by regular mail or electronic mail to the
12 Department. At the time and place fixed in the notice, the
13 Department shall proceed to hear the charges and the parties
14 or their counsel shall be accorded ample opportunity to
15 present such statements, testimony, evidence, and argument as
16 may be pertinent to the charges or to the defense thereto. The
17 Department may continue such hearing from time to time. If the
18 person fails to file an answer after receiving notice, the
19 license may, in the discretion of the Secretary, be suspended,
20 revoked, or placed on probationary status or the Department
21 may take whatever disciplinary action the Secretary deems
22 proper, including limiting the scope, nature, or extent of the
23 person's practice or the imposition of a fine, without a
24 hearing, if the act or acts charged constitute sufficient
25 grounds for such action under this Act.

26 At the discretion of the Secretary after having first

1 received the recommendation of the Board, the person's license
2 may be suspended, revoked, or placed on probationary status or
3 the Department may take whatever disciplinary action
4 considered proper, including limiting the scope, nature, or
5 extent of the person's practice or the imposition of a fine if
6 the act or acts charged constitute sufficient grounds for that
7 action under this Act. A copy of the Department's final
8 disciplinary order shall be delivered to the person's
9 designated community association manager or may be sent to the
10 community association that directly employs the person.

11 (Source: P.A. 102-20, eff. 1-1-22; 103-236, eff. 1-1-24.)

12 (225 ILCS 427/120)

13 (Section scheduled to be repealed on January 1, 2027)

14 Sec. 120. Appointment of a hearing officer. The Secretary
15 has the authority to appoint any attorney duly licensed to
16 practice law in the State of Illinois to serve as the hearing
17 officer in any action for refusal to issue or renew a license,
18 or to discipline a licensee. The hearing officer has full
19 authority to conduct the hearing. The hearing officer shall
20 report the findings and recommendations to the Board and the
21 Secretary. ~~At its next meeting following receipt of the~~
22 ~~report, the Board shall review the report of the hearing~~
23 ~~officer and present its findings of fact, conclusions of law,~~
24 ~~and recommendations to the Secretary.~~

25 The Board shall have 90 days from receipt of the hearing

1 officer's report to review the report of the hearing officer
2 and present the Board's findings of fact, conclusions of law,
3 and recommendations to the Secretary. If the Board fails to
4 present its findings of fact, conclusions of law, and
5 recommendations within the 90-day time period, the Department
6 may request in writing a direct appeal to the Secretary and the
7 Secretary may issue an order based upon the report of the
8 hearing officer and the record of the proceedings or issue an
9 order remanding the matter back to the hearing officer for
10 additional proceedings in accordance with the order. If the
11 Board fails to present its findings of fact, conclusions of
12 law, and recommendations within a 90-day time period after
13 receiving an Order of Default, the Department may request in
14 writing a direct appeal to the Secretary to issue a final
15 order.

16 ~~If the Board fails to present its report within 30~~
17 ~~calendar days following its next meeting after receiving the~~
18 ~~report, the respondent may request in writing a direct appeal~~
19 ~~to the Secretary, in which case the Secretary shall, within 7~~
20 ~~calendar days after the request, issue an order directing the~~
21 ~~Board to issue its findings of fact, conclusions of law, and~~
22 ~~recommendations to the Secretary within 30 calendar days after~~
23 ~~such order.~~

24 ~~If the Board fails to issue its findings of fact,~~
25 ~~conclusions of law, and recommendations within that time frame~~
26 ~~to the Secretary after the entry of such order, the Secretary~~

1 ~~shall, within 30 calendar days thereafter, issue an order~~
2 ~~based upon the report of the hearing officer and the record of~~
3 ~~the proceedings or issue an order remanding the matter back to~~
4 ~~the hearing officer for additional proceedings in accordance~~
5 ~~with the order.~~

6 ~~If (i) a direct appeal is requested, (ii) the Board fails~~
7 ~~to issue its findings of fact, conclusions of law, and~~
8 ~~recommendations within the 30 day mandate from the Secretary~~
9 ~~or the Secretary fails to order the Board to do so, and (iii)~~
10 ~~the Secretary fails to issue an order within 30 calendar days~~
11 ~~thereafter, then the hearing officer's report is deemed~~
12 ~~accepted and a final decision of the Secretary.~~

13 Notwithstanding any other provision of this Section, if
14 the Secretary, upon review, determines that substantial
15 justice has not been done in the revocation, suspension, or
16 refusal to issue or renew a license or other disciplinary
17 action taken as the result of the entry of the hearing
18 officer's report, the Secretary may order a rehearing by the
19 same or other examiners. If the Secretary disagrees in any
20 regard with the recommendation of the Board or the hearing
21 officer, the Secretary may issue an order in contravention of
22 either recommendation.

23 (Source: P.A. 102-20, eff. 1-1-22.)

24 Section 35. The Detection of Deception Examiners Act is
25 amended by changing Sections 3, 8, 8.5, 11, 13, 14, 17, 19,

1 26.1, and 30 as follows:

2 (225 ILCS 430/3) (from Ch. 111, par. 2403)

3 (Section scheduled to be repealed on January 1, 2027)

4 Sec. 3. Every examiner shall use an instrument which
5 records permanently and simultaneously the subject's
6 cardiovascular, respiratory and galvanic skin response
7 patterns as minimum standards and shall base the ~~his or her~~
8 evaluation upon changes in such patterns. Such an instrument
9 may record additional physiological patterns pertinent to the
10 detection of deception. The examiner may also consider changes
11 in such additional patterns in making the ~~his or her~~
12 evaluations. An examiner shall, upon written request of a
13 person examined, make known the results of such test to the
14 person examined within 5 days of receipt of the written
15 request.

16 (Source: P.A. 97-168, eff. 7-22-11.)

17 (225 ILCS 430/8) (from Ch. 111, par. 2409)

18 (Section scheduled to be repealed on January 1, 2027)

19 Sec. 8. Applications for original licenses shall be made
20 to the Department in writing on forms prescribed by the
21 Department and shall be accompanied by the required fee, which
22 shall not be returnable. Any such application shall require
23 such information as in the judgment of the Department will
24 enable the Department to pass on the qualifications of the

1 applicant for a license.

2 If an applicant neglects, fails without an approved excuse
3 or refuses to take the next available examination for a
4 license under this Act, the fee paid by the applicant shall be
5 forfeited and the application denied. If an applicant fails to
6 pass an examination for a license under this Act within 3 years
7 after filing an ~~his or her~~ application, the application shall
8 be denied. However, such applicant may thereafter make a new
9 application for examination, accompanied by the required fee.
10 (Source: P.A. 97-168, eff. 7-22-11.)

11 (225 ILCS 430/8.5)

12 (Section scheduled to be repealed on January 1, 2027)

13 Sec. 8.5. Social Security Number or individual tax
14 identification number on license application. In addition to
15 any other information required to be contained in the
16 application, every application for an original license under
17 this Act shall include the applicant's Social Security Number
18 or individual taxpayer identification number, which shall be
19 retained in the agency's records pertaining to the license. As
20 soon as practical, the Department shall assign a customer's
21 identification number to each applicant for a license.

22 Every application for a renewal, reinstated, or restored
23 license shall require the applicant's customer identification
24 number.

25 (Source: P.A. 97-400, eff. 1-1-12.)

1 (225 ILCS 430/11) (from Ch. 111, par. 2412)

2 (Section scheduled to be repealed on January 1, 2027)

3 Sec. 11. Qualifications for licensure as an examiner. A
4 person is qualified to receive a license as an examiner:

5 A. Who establishes that the person ~~he or she~~ is a
6 person of good moral character; and

7 B. Who has passed an examination approved by the
8 Department to determine the person's ~~his or her~~ competency
9 to obtain a license to practice as an examiner; and

10 C. Who has been ~~had~~ conferred ~~upon him or her~~ an
11 academic degree, at the baccalaureate level, from an
12 accredited college or university; and

13 D. Who has satisfactorily completed 6 months of study
14 in detection of deception, as prescribed by rule, which
15 shall include, but not be limited to, course content,
16 trainer qualifications, and specialized instructor
17 qualifications.

18 In determining good moral character, the Department may
19 take into consideration conviction of any crime under the laws
20 of the United States or any state or territory thereof that is
21 a felony or a misdemeanor or any crime that is directly related
22 to the practice of the profession.

23 (Source: P.A. 97-168, eff. 7-22-11.)

24 (225 ILCS 430/13) (from Ch. 111, par. 2414)

1 (Section scheduled to be repealed on January 1, 2027)

2 Sec. 13. The expiration date and renewal period for each
3 license issued under this Act shall be set by rule. An examiner
4 whose license has expired may reinstate the ~~his or her~~ license
5 at any time within 5 years after the expiration thereof, by
6 making a renewal application therefore and by paying the
7 required fee. However, any examiner whose license expired
8 while the examiner ~~he or she~~ was (1) in Federal Service on
9 active duty with the Armed Forces of the United States, or the
10 State Militia called into service or training, or (2) in
11 training or education under the supervision of the United
12 States preliminary to induction into the military service, may
13 have the ~~his or her~~ license renewed, reinstated or restored
14 without paying any lapsed renewal and restoration fees if
15 within 2 years after honorable termination of such service,
16 training, or education except under conditions other than
17 honorable, the examiner ~~he or she~~ furnishes the Department
18 with satisfactory evidence to the effect that the examiner ~~he~~
19 ~~or she~~ has been so engaged and that the examiner ~~his or her~~
20 service, training, or education has been so terminated.

21 A license or duplicate license must be prominently
22 displayed at the principal place of business of every
23 examiner.

24 Notice in writing shall be given to the Department by such
25 license holder of any change of principal business location
26 whereupon, the Department shall issue a new license for the

1 unexpired period upon payment of the required fee. A change of
2 business location without notification to the Department and
3 without the issuance by it of a new license shall
4 automatically suspend the license theretofore issued.

5 (Source: P.A. 97-168, eff. 7-22-11.)

6 (225 ILCS 430/14) (from Ch. 111, par. 2415)

7 (Section scheduled to be repealed on January 1, 2027)

8 Sec. 14. (a) The Department may refuse to issue or renew or
9 may revoke, suspend, place on probation, reprimand, or take
10 other disciplinary or non-disciplinary action as the
11 Department may deem appropriate, including imposing fines not
12 to exceed \$10,000 for each violation, with regard to any
13 license for any one or a combination of the following:

14 (1) Material misstatement in furnishing information to
15 the Department.

16 (2) Violations of this Act, or of the rules adopted
17 under this Act.

18 (3) Conviction by plea of guilty or nolo contendere,
19 finding of guilt, jury verdict, or entry of judgment or by
20 sentencing of any crime, including, but not limited to,
21 convictions, preceding sentences of supervision,
22 conditional discharge, or first offender probation, under
23 the laws of any jurisdiction of the United States: (i)
24 that is a felony or (ii) that is a misdemeanor, an
25 essential element of which is dishonesty, or that is

1 directly related to the practice of the profession.

2 (4) Making any misrepresentation for the purpose of
3 obtaining licensure or violating any provision of this Act
4 or the rules adopted under this Act pertaining to
5 advertising.

6 (5) Professional incompetence.

7 (6) Allowing one's license under this Act to be used
8 by an unlicensed person in violation of this Act.

9 (7) Aiding or assisting another person in violating
10 this Act or any rule adopted under this Act.

11 (8) Where the license holder has been adjudged
12 mentally ill, mentally deficient or subject to involuntary
13 admission as provided in the Mental Health and
14 Developmental Disabilities Code.

15 (9) Failing, within 60 days, to provide information in
16 response to a written request made by the Department.

17 (10) Engaging in dishonorable, unethical, or
18 unprofessional conduct of a character likely to deceive,
19 defraud, or harm the public.

20 (11) Inability to practice with reasonable judgment,
21 skill, or safety as a result of habitual or excessive use
22 or addiction to alcohol, narcotics, stimulants, or any
23 other chemical agent or drug.

24 (12) Discipline by another state, District of
25 Columbia, territory, or foreign nation, if at least one of
26 the grounds for the discipline is the same or

1 substantially equivalent to those set forth in this
2 Section.

3 (13) A finding by the Department that the licensee,
4 after having his or her license placed on probationary
5 status, has violated the terms of probation.

6 (14) Willfully making or filing false records or
7 reports in his or her practice, including, but not limited
8 to, false records filed with State agencies or
9 departments.

10 (15) Inability to practice the profession with
11 reasonable judgment, skill, or safety as a result of a
12 physical illness, including, but not limited to,
13 deterioration through the aging process or loss of motor
14 skill, or a mental illness or disability.

15 (16) Charging for professional services not rendered,
16 including filing false statements for the collection of
17 fees for which services are not rendered.

18 (17) Practicing under a false or, except as provided
19 by law, an assumed name.

20 (18) Fraud or misrepresentation in applying for, or
21 procuring, a license under this Act or in connection with
22 applying for renewal of a license under this Act.

23 (19) Cheating on or attempting to subvert the
24 licensing examination administered under this Act.

25 All fines imposed under this Section shall be paid within
26 60 days after the effective date of the order imposing the

1 fine.

2 (b) The Department may refuse to issue or may suspend
3 without hearing, as provided for in the Code of Civil
4 Procedure, the license of any person who fails to file a
5 return, or pay the tax, penalty, or interest shown in a filed
6 return, or pay any final assessment of the tax, penalty, or
7 interest as required by any tax Act administered by the
8 Illinois Department of Revenue, until such time as the
9 requirements of any such tax Act are satisfied in accordance
10 with subsection (g) of Section 2105-15 of the Civil
11 Administrative Code of Illinois.

12 (c) (Blank).

13 (d) In cases where the Department of Healthcare and Family
14 Services has previously determined a licensee or a potential
15 licensee is more than 30 days delinquent in the payment of
16 child support and has subsequently certified the delinquency
17 to the Department, the Department may refuse to issue or renew
18 or may revoke or suspend that person's license or may take
19 other disciplinary action against that person based solely
20 upon the certification of delinquency made by the Department
21 of Healthcare and Family Services in accordance with item (5)
22 of subsection (a) of Section 2105-15 of the Civil
23 Administrative Code of Illinois.

24 (e) The determination by a circuit court that a licensee
25 is subject to involuntary admission or judicial admission, as
26 provided in the Mental Health and Developmental Disabilities

1 Code, operates as an automatic suspension. The suspension will
2 end only upon a finding by a court that the patient is no
3 longer subject to involuntary admission or judicial admission
4 and the issuance of an order so finding and discharging the
5 patient.

6 (f) In enforcing this Act, the Department, upon a showing
7 of a possible violation, may compel an individual licensed to
8 practice under this Act, or who has applied for licensure
9 under this Act, to submit to a mental or physical examination,
10 or both, as required by and at the expense of the Department.
11 The Department may order the examining physician to present
12 testimony concerning the mental or physical examination of the
13 licensee or applicant. No information shall be excluded by
14 reason of any common law or statutory privilege relating to
15 communications between the licensee or applicant and the
16 examining physician. The examining physicians shall be
17 specifically designated by the Department. The individual to
18 be examined may have, at the individual's ~~his or her~~ own
19 personal expense, another physician of the individual's ~~his or~~
20 ~~her~~ choice present during all aspects of this examination. The
21 examination shall be performed by a physician licensed to
22 practice medicine in all its branches. Failure of an
23 individual to submit to a mental or physical examination, when
24 directed, shall result in an automatic suspension without
25 hearing.

26 A person holding a license under this Act or who has

1 applied for a license under this Act who, because of a physical
2 or mental illness or disability, including, but not limited
3 to, deterioration through the aging process or loss of motor
4 skill, is unable to practice the profession with reasonable
5 judgment, skill, or safety, may be required by the Department
6 to submit to care, counseling, or treatment by physicians
7 approved or designated by the Department as a condition, term,
8 or restriction for continued, reinstated, or renewed licensure
9 to practice. Submission to care, counseling, or treatment as
10 required by the Department shall not be considered discipline
11 of a license. If the licensee refuses to enter into a care,
12 counseling, or treatment agreement or fails to abide by the
13 terms of the agreement, the Department may file a complaint to
14 revoke, suspend, or otherwise discipline the license of the
15 individual. The Secretary may order the license suspended
16 immediately, pending a hearing by the Department. Fines shall
17 not be assessed in disciplinary actions involving physical or
18 mental illness or impairment.

19 In instances in which the Secretary immediately suspends a
20 person's license under this Section, a hearing on that
21 person's license must be convened by the Department within 15
22 days after the suspension and completed without appreciable
23 delay. The Department shall have the authority to review the
24 subject individual's record of treatment and counseling
25 regarding the impairment to the extent permitted by applicable
26 federal statutes and regulations safeguarding the

1 confidentiality of medical records.

2 An individual licensed under this Act and affected under
3 this Section shall be afforded an opportunity to demonstrate
4 to the Department that ~~he or she can resume~~ practice may resume
5 in compliance with acceptable and prevailing standards under
6 the provisions of the ~~his or her~~ license.

7 (Source: P.A. 100-872, eff. 8-14-18.)

8 (225 ILCS 430/17) (from Ch. 111, par. 2418)

9 (Section scheduled to be repealed on January 1, 2027)

10 Sec. 17. Investigations; notice and hearing. The
11 Department may investigate the actions of any applicant or any
12 person or persons rendering or offering to render detection of
13 deception services or any person holding or claiming to hold a
14 license as a licensed examiner. The Department shall, before
15 refusing to issue or renew a license or to discipline a
16 licensee under Section 14, at least 30 days prior to the date
17 set for the hearing, (i) notify the accused in writing of the
18 charges made and the time and place for the hearing on the
19 charges, (ii) direct the accused ~~him or her~~ to file a written
20 answer with the Department under oath within 20 days after the
21 service of the notice, and (iii) inform the accused ~~applicant~~
22 ~~or licensee~~ that failure to file an answer will result in
23 default. ~~being taken against the applicant or licensee.~~ At the
24 time and place fixed in the notice, the Department shall
25 proceed to hear the charges and the parties or their counsel

1 shall be accorded ample opportunity to present any pertinent
2 statements, testimony, evidence, and arguments. The Department
3 may continue the hearing from time to time. In case the accused
4 ~~person~~, after receiving the notice, fails to file an answer,
5 the ~~his or her~~ license, may, in the discretion of the
6 Department, be revoked, suspended, placed on probationary
7 status, or the Department may take whatever disciplinary
8 action considered proper, including limiting the scope,
9 nature, or extent of the accused's ~~person's~~ practice or the
10 imposition of a fine, without a hearing, if the act or acts
11 charged constitute sufficient grounds for that action under
12 the Act. The written notice may be served by email, by personal
13 delivery, or by mail to the accused's address of record.

14 (Source: P.A. 102-20, eff. 1-1-22.)

15 (225 ILCS 430/19) (from Ch. 111, par. 2420)

16 (Section scheduled to be repealed on January 1, 2027)

17 Sec. 19. Subpoenas; depositions; oaths.

18 (a) The Department may subpoena and bring before it any
19 person to take the oral or written testimony or compel the
20 production of any books, papers, records, or any other
21 documents that the Secretary or Secretary's ~~his or her~~
22 designee deems relevant or material to any investigation or
23 hearing conducted by the Department with the same fees and in
24 the same manner as prescribed in civil cases in the courts of
25 this State.

1 (b) Any circuit court, upon the application of the
2 licensee or the Department, may order the attendance and
3 testimony of witnesses and the production of relevant
4 documents, files, records, books, and papers in connection
5 with any hearing or investigation. The circuit court may
6 compel obedience to its order by proceedings for contempt.

7 (c) The Secretary, the hearing officer, any member of the
8 Board, or a certified shorthand court reporter may administer
9 oaths at any hearing the Department conducts. Notwithstanding
10 any other statute or Department rule to the contrary, all
11 requests for testimony, production of documents, or records
12 shall be in accordance with this Act.

13 (Source: P.A. 97-168, eff. 7-22-11.)

14 (225 ILCS 430/26.1) (from Ch. 111, par. 2427.1)

15 (Section scheduled to be repealed on January 1, 2027)

16 Sec. 26.1. Returned checks; fines. Any person who delivers
17 a check or other payment to the Department that is returned to
18 the Department unpaid by the financial institution upon which
19 it is drawn shall pay to the Department, in addition to the
20 amount already owed to the Department, a fine of \$50. The fines
21 imposed by this Section are in addition to any other
22 discipline provided under this Act for unlicensed practice or
23 practice on a nonrenewed license. The Department shall notify
24 the person that payment of fees and fines shall be paid to the
25 Department by certified check or money order within 30

1 calendar days of the notification. If, after the expiration of
2 30 days from the date of the notification, the person has
3 failed to submit the necessary remittance, the Department
4 shall automatically terminate the license or certificate or
5 deny the application, without hearing. If, after termination
6 or denial, the person seeks a license or certificate, the
7 person ~~he or she~~ shall apply to the Department for restoration
8 or issuance of the license or certificate and pay all fees and
9 fines due to the Department. The Department may establish a
10 fee for the processing of an application for restoration of a
11 license or certificate to pay all expenses of processing this
12 application. The Secretary may waive the fines due under this
13 Section in individual cases where the Secretary finds that the
14 fines would be unreasonable or unnecessarily burdensome.

15 (Source: P.A. 97-168, eff. 7-22-11.)

16 (225 ILCS 430/30) (from Ch. 111, par. 2431)

17 (Section scheduled to be repealed on January 1, 2027)

18 Sec. 30. An applicant who is an Examiner, licensed under
19 the laws of another state or territory of the United States, or
20 an examiner who has been trained under the training standards
21 determined by the federal government, may be issued a license
22 by the Department, in its discretion, upon payment of a fee as
23 set by rule, and the production of:

24 (a) satisfactory proof ~~that he or she is~~ of good moral
25 character; and

1 (b) satisfactory proof that the requirements for the
2 licensing of Examiners in such particular state or
3 territory of the United States were, at the date of
4 licensing, substantially equivalent to the requirements
5 then in force in this State; or

6 (c) certification, if applicable, that the applicant
7 has successfully completed the Defense Academy for
8 Credibility Assessment course, or its predecessor or
9 successor course.

10 (Source: P.A. 97-168, eff. 7-22-11.)

11 Section 40. The Home Inspector License Act is amended by
12 changing Sections 1-10, 5-5, 5-12, 5-16, 5-20, 15-10, 15-10.1,
13 15-11, and 15-15 as follows:

14 (225 ILCS 441/1-10)

15 (Section scheduled to be repealed on January 1, 2027)

16 Sec. 1-10. Definitions. As used in this Act, unless the
17 context otherwise requires:

18 "Address of record" means the designated street address,
19 which may not be a post office box, recorded by the Department
20 in the applicant's or licensee's application file or license
21 file as maintained by the Department.

22 "Applicant" means a person who applies to the Department
23 for a license under this Act.

24 "Client" means a person who engages or seeks to engage the

1 services of a home inspector for an inspection assignment.

2 "Department" means the Department of Financial and
3 Professional Regulation.

4 "Email address of record" means the designated email
5 address recorded by the Department in the applicant's
6 application file or the licensee's license file, as maintained
7 by the Department.

8 "Home inspection" means the examination and evaluation of
9 the exterior and interior components of residential real
10 property, which includes the inspection of any 2 or more of the
11 following components of residential real property in
12 connection with or to facilitate the sale, lease, or other
13 conveyance of, or the proposed sale, lease or other conveyance
14 of, residential real property:

15 (1) heating, ventilation, and air conditioning system;

16 (2) plumbing system;

17 (3) electrical system;

18 (4) structural composition;

19 (5) foundation;

20 (6) roof;

21 (7) masonry structure; or

22 (8) any other residential real property component as
23 established by rule.

24 "Home inspector" means a person or entity who, for another
25 and for compensation either direct or indirect, performs home
26 inspections.

1 "Home inspector entity" means any corporation,
2 partnership, or limited liability company that provides home
3 inspection services.

4 "Home inspection report" or "inspection report" means a
5 written evaluation prepared and issued by a home inspector
6 upon completion of a home inspection, which meets the
7 standards of practice as established by the Department.

8 "Inspection assignment" means an engagement for which a
9 home inspector is employed or retained to conduct a home
10 inspection and prepare a home inspection report.

11 "License" means the privilege conferred by the Department
12 to a person who has fulfilled all requirements prerequisite to
13 any type of licensure under this Act.

14 "Licensee" means any person licensed under this Act.

15 "Person" means individuals, entities, corporations,
16 limited liability companies, registered limited liability
17 partnerships, and partnerships, foreign or domestic, except
18 that when the context otherwise requires, the term may refer
19 to a single individual or other described entity.

20 "Residential real property" means real property that is
21 used or intended to be used as a residence by one or more
22 individuals.

23 "Secretary" means the Secretary of Financial and
24 Professional Regulation or the Secretary's designee.

25 "Standards of practice" means recognized standards to be
26 used in a home inspection, as determined by the Department and

1 established by rule.

2 (Source: P.A. 102-20, eff. 1-1-22; 102-970, eff. 5-27-22.)

3 (225 ILCS 441/5-5)

4 (Section scheduled to be repealed on January 1, 2027)

5 Sec. 5-5. Necessity of license; use of title; exemptions.

6 (a) It is unlawful for any person, including any entity,
7 to act or assume to act as a home inspector, to engage in the
8 business of home inspection, to develop a home inspection
9 report, to practice as a home inspector, or to advertise or
10 hold oneself out to be a home inspector without a home
11 inspector license issued under this Act. A person who violates
12 this subsection is guilty of a Class A misdemeanor for the
13 first offense and a Class 4 felony for the second and any
14 subsequent offenses.

15 (b) It is unlawful for any person, other than a person who
16 holds a valid home inspector license issued pursuant to this
17 Act, to use the title "home inspector" or any other title,
18 designation, or abbreviation likely to create the impression
19 that the person is licensed as a home inspector pursuant to
20 this Act. A person who violates this subsection is guilty of a
21 Class A misdemeanor.

22 (c) The licensing requirements of this Article do not
23 apply to:

24 (1) any person who is employed as a code enforcement
25 official by the State of Illinois or any unit of local

1 government, while acting within the scope of that
2 government employment;

3 (2) any person licensed in this State by any other law
4 who is engaging in the profession or occupation for which
5 the person is licensed; or

6 (3) any person engaged by the owner or lessor of
7 residential real property for the purpose of preparing a
8 bid or estimate as to the work necessary or the costs
9 associated with performing home construction, home
10 remodeling, or home repair work on the residential real
11 property, provided such person does not advertise or hold
12 oneself out as engaged in business as a home inspector.

13 (d) The licensing of home inspector entities required
14 under this Act does not apply to an entity whose ownership
15 structure is one licensed home inspector operating either (1)
16 a sole proprietorship, a single member limited liability
17 company, or a single shareholder corporation, or (2) a limited
18 liability company, corporation, or partnership co-owned solely
19 with the home inspector's unlicensed spouse. and that The home
20 inspector owner or operator shall be is the only licensee
21 licensed home inspector performing inspections on the entity's
22 behalf and the. The licensed home inspector who is the sole
23 proprietor, sole shareholder, or single member of the company
24 or entity shall comply with all other provisions of this Act.

25 (Source: P.A. 102-20, eff. 1-1-22.)

1 (225 ILCS 441/5-12)

2 (Section scheduled to be repealed on January 1, 2027)

3 Sec. 5-12. Application for home inspector license; entity.
4 Every entity that is not a natural person that desires to
5 obtain a home inspector license shall apply to the Department
6 in a manner prescribed by the Department and accompanied by
7 the required fee.

8 Applicants have 3 years after the date of the application
9 to complete the application process. If the process has not
10 been completed within 3 years, the application shall be
11 denied, the fee forfeited, and the applicant must reapply and
12 meet the requirements in effect at the time of reapplication.

13 A corporation, limited liability company, partnership, or
14 entity shall, as a condition of licensure, designate a
15 managing licensed home inspector. The home inspector entity
16 and the designated managing home inspector of that ~~any home~~
17 ~~inspector~~ entity shall be responsible for the actions of all
18 licensed and unlicensed employees, agents, and representatives
19 of that home inspector entity that provides ~~while it is~~
20 ~~providing~~ a home inspection or home inspection service. All
21 other requirements for home inspector entities shall be
22 established by rule.

23 (Source: P.A. 102-20, eff. 1-1-22.)

24 (225 ILCS 441/5-16)

25 (Section scheduled to be repealed on January 1, 2027)

1 Sec. 5-16. Renewal of license.

2 (a) The expiration date and renewal period for a home
3 inspector license issued under this Act shall be set by rule.
4 Except as otherwise provided in subsections (b) and (c) of
5 this Section, the holder of a license may renew the license
6 within 90 days preceding the expiration date by:

7 (1) completing and submitting to the Department a
8 renewal application in a manner prescribed by the
9 Department;

10 (2) paying the required fees; and

11 (3) providing evidence of successful completion of the
12 continuing education requirements through courses approved
13 by the Department given by education providers licensed by
14 the Department, as established by rule.

15 (b) A home inspector whose license under this Act has
16 expired may renew the license for a period of 2 years following
17 the expiration date by complying with the requirements of
18 subparagraphs (1), (2), and (3) of subsection (a) of this
19 Section and paying any late penalties established by rule.

20 (b-5) A home inspector whose license has been lapsed or
21 expired for more than 2 years but less than 5 years may restore
22 the license without examination by (i) applying to the
23 Department, (ii) providing evidence of the successful
24 completion of all hours of approved continuing education
25 during the lapsed time periods prior to the date of the
26 application, (iii) paying the required fees, and (iv)

1 satisfying any other requirements as established by rule. A
2 home inspector whose license has been expired for more than 5
3 years shall be required to meet the requirements of a new
4 license.

5 (c) Notwithstanding subsection (b), a home inspector whose
6 license under this Act has expired may renew or restore the
7 license without paying any lapsed renewal fees or late
8 penalties and without completing the continuing education
9 requirements for that licensure period if the license expired
10 while the home inspector was (i) in federal service on active
11 duty with the Armed Forces of the United States or called into
12 service or training with the State Militia, (ii) in training
13 or education under the supervision of the United States
14 preliminary to induction into the military service, or (iii)
15 serving as an employee of the Department and within 2 years
16 after the termination of the service, training, or education,
17 the licensee furnishes the Department with satisfactory
18 evidence of service, training, or education and was terminated
19 under honorable conditions.

20 (d) The Department shall provide reasonable care and due
21 diligence to ensure that each licensee under this Act is
22 provided a renewal application at least 90 days prior to the
23 expiration date, but it is the responsibility of each licensee
24 to renew the license prior to its expiration date.

25 (e) The Department shall not issue or renew a license if
26 the applicant or licensee has an unpaid fine or fee from a

1 disciplinary matter or from a non-disciplinary action imposed
2 by the Department until the fine or fee is paid to the
3 Department or the applicant or licensee has entered into a
4 payment plan and is current on the required payments.

5 (f) The Department shall not issue or renew a license if
6 the applicant or licensee has an unpaid fine or civil penalty
7 imposed by the Department for unlicensed practice until the
8 fine or civil penalty is paid to the Department or the
9 applicant or licensee has entered into a payment plan and is
10 current on the required payments.

11 (g) A home inspector who notifies the Department, in a
12 manner prescribed by the Department, may place the license on
13 inactive status for a period not to exceed 2 years and shall be
14 excused from the payment of renewal fees until the person
15 notifies the Department in writing of the intention to resume
16 active practice.

17 (h) A home inspector requesting that the license be
18 changed from inactive to active status shall be required to
19 pay the current renewal fee and shall also demonstrate
20 compliance with the continuing education requirements.

21 (i) No licensee with a nonrenewed or inactive license
22 status shall provide home inspection services as set forth in
23 this Act.

24 (Source: P.A. 102-20, eff. 1-1-22; 102-970, eff. 5-27-22;
25 103-236, eff. 1-1-24.)

1 (225 ILCS 441/5-20)

2 (Section scheduled to be repealed on January 1, 2027)

3 Sec. 5-20. Endorsement. The Department may, in its
4 discretion, license as a home inspector, by endorsement, on
5 payment of the required fee, and without the required
6 examination, an applicant who is a home inspector licensed
7 under the laws of another state or territory, if ~~(i)~~ the
8 requirements for licensure in the state or territory in which
9 the applicant was licensed were, at the date of licensure,
10 substantially equivalent to the requirements in force in this
11 State on that date. ~~or (ii) there were no requirements in force~~
12 ~~in this State on the date of licensure and the applicant~~
13 ~~possessed individual qualifications on that date that are~~
14 ~~substantially similar to the requirements under this Act.~~ The
15 Department may adopt any rules necessary to implement this
16 Section.

17 Applicants have 3 years after the date of application to
18 complete the application process. If the process has not been
19 completed within 3 years, the application shall be denied, the
20 fee forfeited, and the applicant must reapply and meet the
21 requirements in effect at the time of reapplication.

22 (Source: P.A. 102-20, eff. 1-1-22.)

23 (225 ILCS 441/15-10)

24 (Section scheduled to be repealed on January 1, 2027)

25 Sec. 15-10. Grounds for disciplinary action.

1 (a) The Department may refuse to issue or renew, or may
2 revoke, suspend, place on probation, reprimand, or take other
3 disciplinary or non-disciplinary action as the Department may
4 deem appropriate, including imposing fines not to exceed
5 \$25,000 for each violation upon any licensee or applicant
6 under this Act or any person or entity who holds oneself out as
7 an applicant or licensee, for any one or combination of the
8 following:

9 (1) Fraud or misrepresentation in applying for, or
10 procuring a license under this Act or in connection with
11 applying for renewal of a license under this Act.

12 (2) Failing to meet the minimum qualifications for
13 licensure as a home inspector established by this Act.

14 (3) Paying money, other than for the fees provided for
15 by this Act, or anything of value to an employee of the
16 Department to procure licensure under this Act.

17 (4) Conviction of, or plea of guilty or nolo
18 contendere, or finding as enumerated in subsection (c) of
19 Section 5-10, under the laws of any jurisdiction of the
20 United States: (i) that is a felony, misdemeanor, or
21 administrative sanction, or (ii) that is a crime that
22 subjects the licensee to compliance with the requirements
23 of the Sex Offender Registration Act.

24 (5) Committing an act or omission involving
25 dishonesty, fraud, or misrepresentation with the intent to
26 substantially benefit the licensee or another person or

1 with the intent to substantially injure another person.

2 (6) Violating a provision or standard for the
3 development or communication of home inspections as
4 provided in Section 10-5 of this Act or as defined in the
5 rules.

6 (7) Failing or refusing to exercise reasonable
7 diligence in the development, reporting, or communication
8 of a home inspection report, as defined by this Act or the
9 rules.

10 (8) Violating a provision of this Act or the rules.

11 (9) Having been disciplined by another state, the
12 District of Columbia, a territory, a foreign nation, a
13 governmental agency, or any other entity authorized to
14 impose discipline if at least one of the grounds for that
15 discipline is the same as or substantially equivalent to
16 one of the grounds for which a licensee may be disciplined
17 under this Act.

18 (10) Engaging in dishonorable, unethical, or
19 unprofessional conduct of a character likely to deceive,
20 defraud, or harm the public.

21 (11) Accepting an inspection assignment when the
22 employment itself is contingent upon the home inspector
23 reporting a predetermined analysis or opinion, or when the
24 fee to be paid is contingent upon the analysis, opinion,
25 or conclusion reached or upon the consequences resulting
26 from the home inspection assignment.

1 (12) Developing home inspection opinions or
2 conclusions based on the race, color, religion, sex,
3 national origin, ancestry, age, marital status, family
4 status, physical or mental disability, military status,
5 unfavorable discharge from military status, sexual
6 orientation, order of protection status, pregnancy, or any
7 other protected class as defined under the Illinois Human
8 Rights Act, of the prospective or present owners or
9 occupants of the area or property under home inspection.

10 (13) Being adjudicated liable in a civil proceeding on
11 grounds of fraud, misrepresentation, or deceit. In a
12 disciplinary proceeding based upon a finding of civil
13 liability, the home inspector shall be afforded an
14 opportunity to present mitigating and extenuating
15 circumstances, but may not collaterally attack the civil
16 adjudication.

17 (14) Being adjudicated liable in a civil proceeding
18 for violation of a State or federal fair housing law.

19 (15) Engaging in misleading or untruthful advertising
20 or using a trade name or insignia of membership in a home
21 inspection organization of which the licensee is not a
22 member.

23 (16) Failing, within 30 days, to provide information
24 in response to a written request made by the Department.

25 (17) Failing to include within the home inspection
26 report the home inspector's license number and the date of

1 expiration of the license. The names of (i) all persons
2 who conducted the home inspection; and (ii) all persons
3 who prepared the subsequent written evaluation or any part
4 thereof must be disclosed in the report. It is a violation
5 of this Act for a home inspector to sign a home inspection
6 report knowing that the names of all such persons have not
7 been disclosed in the home inspection report.

8 (18) Advising a client as to whether the client should
9 or should not engage in a transaction regarding the
10 residential real property that is the subject of the home
11 inspection.

12 (19) Performing a home inspection in a manner that
13 damages or alters the residential real property that is
14 the subject of the home inspection without the consent of
15 the owner.

16 (20) Performing a home inspection when the home
17 inspector is providing or may also provide other services
18 in connection with the residential real property or
19 transaction, or has an interest in the residential real
20 property, without providing prior written notice of the
21 potential or actual conflict and obtaining the prior
22 consent of the client as provided by rule.

23 (21) Aiding or assisting another person in violating
24 any provision of this Act or rules adopted under this Act.

25 (22) Inability to practice with reasonable judgment,
26 skill, or safety as a result of habitual or excessive use

1 or addiction to alcohol, narcotics, stimulants, or any
2 other chemical agent or drug, which may result in
3 significant harm to the public.

4 (23) A finding by the Department that the licensee,
5 after having the license placed on probationary status,
6 has violated the terms of probation.

7 (24) Willfully making or filing false records or
8 reports related to the practice of home inspection,
9 including, but not limited to, false records filed with
10 State agencies or departments.

11 (25) Charging for professional services not rendered,
12 including filing false statements for the collection of
13 fees for which services are not rendered.

14 (26) Practicing under a false or, except as provided
15 by law, an assumed name.

16 (27) Cheating on or attempting to subvert the
17 licensing examination administered under this Act.

18 (28) Engaging in any of the following prohibited
19 fraudulent, false, deceptive, or misleading advertising
20 practices:

21 (i) advertising as a home inspector or operating a
22 home inspection business entity unless there is a duly
23 licensed home inspector responsible for all inspection
24 activities and all inspections;

25 (ii) advertising that contains a misrepresentation
26 of facts or false statements regarding the licensee's

1 professional achievements, degrees, training, skills,
2 or qualifications in the home inspection profession or
3 any other profession requiring licensure;

4 (iii) advertising that makes only a partial
5 disclosure of relevant facts related to pricing or
6 home inspection services; and

7 (iv) advertising that claims this State or any of
8 its political subdivisions endorse the home inspection
9 report or its contents.

10 (29) Disclosing, except as otherwise required by law,
11 inspection results or client information obtained without
12 the client's written consent. A home inspector shall not
13 deliver a home inspection report to any person other than
14 the client of the home inspector without the client's
15 written consent.

16 (30) Providing fees, gifts, waivers of liability, or
17 other forms of compensation or gratuities to persons
18 licensed under any real estate professional licensing Act
19 ~~act~~ in this State as consideration or inducement for the
20 referral of business.

21 (31) Violating the terms of any order issued by the
22 Department.

23 (b) The Department may suspend, revoke, or refuse to issue
24 or renew an education provider's license, may reprimand, place
25 on probation, or otherwise discipline an education provider
26 licensee, and may suspend or revoke the course approval of any

1 course offered by an education provider, for any of the
2 following:

3 (1) Procuring or attempting to procure licensure by
4 knowingly making a false statement, submitting false
5 information, making any form of fraud or
6 misrepresentation, or refusing to provide complete
7 information in response to a question in an application
8 for licensure.

9 (2) Failing to comply with the covenants certified to
10 on the application for licensure as an education provider.

11 (3) Committing an act or omission involving
12 dishonesty, fraud, or misrepresentation or allowing any
13 such act or omission by any employee or contractor under
14 the control of the education provider.

15 (4) Engaging in misleading or untruthful advertising.

16 (5) Failing to retain competent instructors in
17 accordance with rules adopted under this Act.

18 (6) Failing to meet the topic or time requirements for
19 course approval as the provider of a pre-license
20 curriculum course or a continuing education course.

21 (7) Failing to administer an approved course using the
22 course materials, syllabus, and examinations submitted as
23 the basis of the course approval.

24 (8) Failing to provide an appropriate classroom
25 environment for presentation of courses, with
26 consideration for student comfort, acoustics, lighting,

1 seating, workspace, and visual aid material.

2 (9) Failing to maintain student records in compliance
3 with the rules adopted under this Act.

4 (10) Failing to provide a certificate, transcript, or
5 other student record to the Department or to a student as
6 may be required by rule.

7 (11) Failing to fully cooperate with a Department
8 investigation by knowingly making a false statement,
9 submitting false or misleading information, or refusing to
10 provide complete information in response to written
11 interrogatories or a written request for documentation
12 within 30 days of the request.

13 (c) (Blank).

14 (d) The Department may refuse to issue or may suspend
15 without hearing, as provided for in the Code of Civil
16 Procedure, the license of any person who fails to file a tax
17 return, to pay the tax, penalty, or interest shown in a filed
18 tax return, or to pay any final assessment of tax, penalty, or
19 interest, as required by any tax Act administered by the
20 Illinois Department of Revenue, until such time as the
21 requirements of the tax Act are satisfied in accordance with
22 subsection (g) of Section 2105-15 of the Civil Administrative
23 Code of Illinois.

24 (e) (Blank).

25 (f) In cases where the Department of Healthcare and Family
26 Services has previously determined that a licensee or a

1 potential licensee is more than 30 days delinquent in the
2 payment of child support and has subsequently certified the
3 delinquency to the Department, the Department may refuse to
4 issue or renew or may revoke or suspend that person's license
5 or may take other disciplinary action against that person
6 based solely upon the certification of delinquency made by the
7 Department of Healthcare and Family Services in accordance
8 with item (5) of subsection (a) of Section 2105-15 of the Civil
9 Administrative Code of Illinois.

10 (g) The determination by a circuit court that a licensee
11 is subject to involuntary admission or judicial admission, as
12 provided in the Mental Health and Developmental Disabilities
13 Code, operates as an automatic suspension. The suspension will
14 end only upon a finding by a court that the patient is no
15 longer subject to involuntary admission or judicial admission
16 and the issuance of a court order so finding and discharging
17 the patient.

18 (h) (Blank).

19 (j) In accordance with subsection (g-5) of Section 2105-15
20 of the Civil Administrative Code of Illinois, the Department
21 may refuse to issue, refuse to renew, suspend, or revoke,
22 without a hearing, the license of any person or entity who
23 fails to pay, perform, or secure workers' compensation
24 obligations as determined by and based solely upon the
25 certification of the Department of Insurance or the Illinois
26 Workers' Compensation Commission.

1 (Source: P.A. 102-20, eff. 1-1-22; 103-236, eff. 1-1-24;
2 revised 6-25-25.)

3 (225 ILCS 441/15-10.1)

4 (Section scheduled to be repealed on January 1, 2027)

5 Sec. 15-10.1. Citations.

6 (a) The Department may adopt rules to permit the issuance
7 of citations to any licensee for failure to comply with the
8 continuing education requirements set forth in this Act or as
9 established by rule. The citation shall be issued to the
10 licensee and shall contain the licensee's name, the licensee's
11 address, the licensee's license number, the number of required
12 hours of continuing education that have not been successfully
13 completed by the licensee's ~~licensee within the~~ renewal
14 deadline period, and the penalty imposed, which shall not
15 exceed \$2,000. The issuance of a citation shall not excuse the
16 licensee from completing all continuing education required for
17 that renewal period.

18 (b) Service of a citation shall be made in person,
19 electronically, or by mail to the licensee at the licensee's
20 address of record or email address of record, and the citation
21 must clearly state that if the cited licensee wishes to
22 dispute the citation, the cited licensee may make a written
23 request, within 30 days after the citation is served, for a
24 hearing before the Department. If the cited licensee does not
25 request a hearing within 30 days after the citation is served,

1 then ~~the citation shall become~~ a final, non-disciplinary order
2 shall be entered, and any fine imposed is due and payable
3 within 30 ~~60~~ days after the entry of that final order. If the
4 cited licensee requests a hearing within 30 days after the
5 citation is served, the Department shall afford the cited
6 licensee a hearing conducted in the same manner as a hearing
7 provided for in this Act for any violation of this Act and
8 shall determine whether the cited licensee committed the
9 violation as charged and whether the fine as levied is
10 warranted. If the violation is found, any fine shall
11 constitute non-public discipline and be due and payable within
12 30 days after the order of the Secretary, which shall
13 constitute a final order of the Department. No change in
14 license status may be made by the Department until a final
15 order of the Department has been issued.

16 (c) Payment of a fine that has been assessed pursuant to
17 this Section shall not constitute disciplinary action
18 reportable on the Department's website or elsewhere unless a
19 licensee has previously received 2 or more citations and been
20 assessed 2 or more fines.

21 (d) Nothing in this Section shall prohibit or limit the
22 Department from taking further action pursuant to this Act and
23 rules for additional, repeated, or continuing violations.

24 (Source: P.A. 102-20, eff. 1-1-22.)

1 (Section scheduled to be repealed on January 1, 2027)

2 Sec. 15-11. Illegal discrimination.

3 (a) When there has been an adjudication in a civil or
4 criminal proceeding that a licensee has illegally
5 discriminated while engaged in any activity for which a
6 license is required under this Act, the Department, following
7 the provision of notice to the licensee and a hearing
8 conducted in accordance with Section 15-15 and upon the
9 determination by the Secretary as to the extent of the
10 suspension or revocation, shall suspend or revoke the license
11 of that licensee in a timely manner, unless the adjudication
12 is in the appeal process. The finding or judgment of the civil
13 or criminal proceeding is a matter of record and the merits of
14 the finding or judgment shall not be challenged in a request
15 for a hearing by the licensee.

16 (b) When there has been an order in an administrative
17 proceeding finding that a licensee has illegally discriminated
18 while engaged in any activity for which a license is required
19 under this Act, the Department, following the provision of
20 notice to the licensee and a hearing conducted in accordance
21 with Section 15-15 and upon the determination by the Secretary
22 as to the nature and extent of the discipline, shall take one
23 or more of the disciplinary actions provided for in Section
24 15-10 of this Act in a timely manner, unless the
25 administrative order is in the appeal process. The finding of
26 the administrative order is a matter of record and the merits

1 of the finding shall not be challenged in a request for a
2 hearing by the licensee.

3 (Source: P.A. 102-970, eff. 5-27-22; 103-236, eff. 1-1-24.)

4 (225 ILCS 441/15-15)

5 (Section scheduled to be repealed on January 1, 2027)

6 Sec. 15-15. Investigation; notice; hearing. The Department
7 may investigate the actions of any person who is an applicant,
8 licensee, person or persons rendering or offering to render
9 home inspection services, or any person holding or claiming to
10 hold a license as a home inspector. The Department shall,
11 before refusing to issue or renew a license or to discipline a
12 person pursuant to Section 15-10, at least 30 days prior to the
13 date set for the hearing, (i) notify the person charged in
14 writing and the person's managing licensed home inspector, if
15 any, of the charges made and the time and place for the hearing
16 on the charges, (ii) direct the person to file a written answer
17 with the Department under oath within 20 days after the
18 service of the notice, and (iii) inform the person that
19 failure to file an answer will result in a default entered
20 against the person. At the time and place fixed in the notice,
21 the Department shall proceed to hear the charges and the
22 parties of their counsel shall be accorded ample opportunity
23 to present any pertinent statements, testimony, evidence, and
24 arguments. The Department may continue the hearing from time
25 to time. In case the person, after receiving the notice, fails

1 to file an answer, the license, may, in the discretion of the
2 Department, be revoked, suspended, placed on probationary
3 status, or the Department may take whatever disciplinary
4 actions considered proper, including limiting the scope,
5 nature, or extent of the person's practice or the imposition
6 of a fine, without a hearing, if the act or acts charged
7 constitute sufficient grounds for that action under the Act.
8 The notice may be served by mail, or, at the discretion of the
9 Department, by electronic means to the address of record or
10 email address of record specified by the person as last
11 updated with the Department.

12 A copy of the hearing officer's report or any Order of
13 Default, along with a copy of the original or amended
14 complaint giving rise to the action, shall be served upon the
15 person by the Department in the manner provided in this Act for
16 the service of a notice of hearing. Within 20 days after
17 service, the person may present to the Department a motion in
18 writing for a rehearing, which shall specify the particular
19 grounds for rehearing. If the person orders from the reporting
20 service and pays for a transcript of the record within the time
21 for filing a motion for rehearing, then the 20-day period
22 during which a motion may be filed shall commence upon the
23 delivery of the transcript to the applicant or licensee. The
24 Department may respond to the motion, or if a motion for
25 rehearing is denied, then upon denial, the Secretary may enter
26 an order in accordance with the recommendations of the hearing

1 officer. If the Secretary disagrees in any regard with the
2 report of the hearing officer, the Secretary may issue an
3 order in contravention thereof. A copy of the Department's
4 final disciplinary order shall be delivered to the person and
5 the person's managing home inspector, if any.

6 (Source: P.A. 102-20, eff. 1-1-22; 103-236, eff. 1-1-24.)

7 Section 45. The Real Estate Appraiser Licensing Act of
8 2002 is amended by changing Sections 1-10, 5-5, 5-30, 15-10,
9 15-10.1, 15-11, 15-15, and 25-10 as follows:

10 (225 ILCS 458/1-10)

11 (Section scheduled to be repealed on January 1, 2027)

12 Sec. 1-10. Definitions. As used in this Act, unless the
13 context otherwise requires:

14 "Accredited college or university, junior college, or
15 community college" means a college or university, junior
16 college, or community college that is approved or accredited
17 by the Board of Higher Education, a regional or national
18 accreditation association, or by an accrediting agency that is
19 recognized by the U.S. Secretary of Education.

20 "Address of record" means the designated street address,
21 which may not be a post office box, recorded by the Department
22 in the applicant's or licensee's application file or license
23 file as maintained by the Department.

24 "Applicant" means a person who applies to the Department

1 for a license under this Act.

2 "Appraisal" means (noun) the act or process of developing
3 an opinion of value; an opinion of value (adjective) of or
4 pertaining to appraising and related functions, such as
5 appraisal practice or appraisal services.

6 "Appraisal assignment" means a valuation service provided
7 pursuant to an agreement between an appraiser and a client.

8 "Appraisal firm" means an appraisal entity that is 100%
9 owned and controlled by a person or persons licensed in
10 Illinois as a certified general real estate appraiser or a
11 certified residential real estate appraiser. "Appraisal firm"
12 does not include an appraisal management company.

13 "Appraisal management company" means any corporation,
14 limited liability company, partnership, sole proprietorship,
15 subsidiary, unit, or other business entity that directly or
16 indirectly: (1) provides appraisal management services to
17 creditors or secondary mortgage market participants, including
18 affiliates; (2) provides appraisal management services in
19 connection with valuing the consumer's principal dwelling as
20 security for a consumer credit transaction (including consumer
21 credit transactions incorporated into securitizations); and
22 (3) any appraisal management company that, within a given
23 12-month period, oversees an appraiser panel of 16 or more
24 State-certified appraisers in Illinois or 25 or more
25 State-certified or State-licensed appraisers in 2 or more
26 jurisdictions. "Appraisal management company" includes a

1 hybrid entity.

2 "Appraisal practice" means valuation services performed by
3 an individual acting as an appraiser, including, but not
4 limited to, appraisal or appraisal review.

5 "Appraisal qualification board (AQB)" means the
6 independent board of the Appraisal Foundation, which, under
7 the provisions of Title XI of the Financial Institutions
8 Reform, Recovery, and Enforcement Act of 1989, establishes the
9 minimum education, experience, and examination requirements
10 for real property appraisers to obtain a state certification
11 or license.

12 "Appraisal report" means any communication, written or
13 oral, of an appraisal or appraisal review that is transmitted
14 to a client upon completion of an assignment.

15 "Appraisal review" means the act or process of developing
16 and communicating an opinion about the quality of another
17 appraiser's work that was performed as part of an appraisal,
18 appraisal review, or appraisal assignment.

19 "Appraisal Subcommittee" means the Appraisal Subcommittee
20 of the Federal Financial Institutions Examination Council as
21 established by Title XI.

22 "Appraiser" means a person who performs real estate or
23 real property appraisals competently and in a manner that is
24 independent, impartial, and objective.

25 "Appraiser panel" means a network, list, or roster of
26 licensed or certified appraisers approved by the appraisal

1 management company or by the ~~end-user~~ client to perform
2 appraisals as independent contractors for the appraisal
3 management company. "Appraiser panel" includes both appraisers
4 accepted by an appraisal management company for consideration
5 for future appraisal assignments and appraisers engaged by an
6 appraisal management company to perform one or more
7 appraisals. For the purposes of determining the size of an
8 appraiser panel, only independent contractors of hybrid
9 entities shall be counted towards the appraiser panel.

10 "Associate real estate trainee appraiser" means an
11 entry-level appraiser who holds a license of this
12 classification under this Act with restrictions as to the
13 scope of practice in accordance with this Act.

14 "Automated valuation model" means an automated system that
15 is used to derive a property value through the use of available
16 property records and various analytic methodologies such as
17 comparable sales prices, home characteristics, and price
18 changes.

19 "Board" means the Real Estate Appraisal Administration and
20 Disciplinary Board.

21 "Broker price opinion" means an estimate or analysis of
22 the probable selling price of a particular interest in real
23 estate, which may provide a varying level of detail about the
24 property's condition, market, and neighborhood and information
25 on comparable sales. The activities of a real estate broker or
26 managing broker engaging in the ordinary course of business as

1 a broker, as defined in this Section, shall not be considered a
2 broker price opinion if no compensation is paid to the broker
3 or managing broker, other than compensation based upon the
4 sale or rental of real estate.

5 "Classroom hour" means 50 minutes of instruction out of
6 each 60-minute segment of coursework.

7 "Client" means the party or parties who engage an
8 appraiser by employment or contract in a specific appraisal
9 assignment.

10 "Comparative market analysis" is an analysis or opinion
11 regarding pricing, marketing, or financial aspects relating to
12 a specified interest or interests in real estate that may be
13 based upon an analysis of comparative market data, the
14 expertise of the real estate broker or managing broker, and
15 such other factors as the broker or managing broker may deem
16 appropriate in developing or preparing such analysis or
17 opinion. The activities of a real estate broker or managing
18 broker engaging in the ordinary course of business as a
19 broker, as defined in this Section, shall not be considered a
20 comparative market analysis if no compensation is paid to the
21 broker or managing broker, other than compensation based upon
22 the sale or rental of real estate.

23 "Coordinator" means the Real Estate Appraisal Coordinator
24 created in Section 25-15.

25 "Department" means the Department of Financial and
26 Professional Regulation.

1 "Email address of record" means the designated email
2 address recorded by the Department in the applicant's
3 application file or the licensee's license file maintained by
4 the Department.

5 "Evaluation" means a valuation permitted by the appraisal
6 regulations of the Federal Financial Institutions Examination
7 Council and its federal agencies for transactions that qualify
8 for the appraisal threshold exemption, business loan
9 exemption, or subsequent transaction exemption.

10 "Federal financial institutions regulatory agencies" means
11 the Board of Governors of the Federal Reserve System, the
12 Federal Deposit Insurance Corporation, the Office of the
13 Comptroller of the Currency, the Consumer Financial Protection
14 Bureau, and the National Credit Union Administration.

15 "Federally related transaction" means any real
16 estate-related financial transaction in which a federal
17 financial institutions regulatory agency engages in, contracts
18 for, or regulates and requires the services of an appraiser.

19 "Financial institution" means any bank, savings bank,
20 savings and loan association, credit union, mortgage broker,
21 mortgage banker, licensee under the Consumer Installment Loan
22 Act or the Sales Finance Agency Act, or a corporate fiduciary,
23 subsidiary, affiliate, parent company, or holding company of
24 any such licensee, or any institution involved in real estate
25 financing that is regulated by state or federal law.

26 "Hybrid entity" means an appraisal management company that

1 hires an appraiser as an employee to perform an appraisal and
2 engages an independent contractor to perform an appraisal.

3 "License" means the privilege conferred by the Department
4 to a person that has fulfilled all requirements prerequisite
5 to any type of licensure under this Act.

6 "Licensee" means any person licensed under this Act.

7 "Multi-state licensing system" means a web-based platform
8 that allows an applicant to submit the application or license
9 renewal application to the Department online.

10 "Person" means an individual, entity, sole proprietorship,
11 corporation, limited liability company, partnership, and joint
12 venture, foreign or domestic, except that when the context
13 otherwise requires, the term may refer to more than one
14 individual or other described entity.

15 "Real estate" means an identified parcel or tract of land,
16 including any improvements.

17 "Real estate related financial transaction" means any
18 transaction involving:

19 (1) the sale, lease, purchase, investment in, or
20 exchange of real property, including interests in property
21 or the financing thereof;

22 (2) the refinancing of real property or interests in
23 real property; and

24 (3) the use of real property or interest in property
25 as security for a loan or investment, including mortgage
26 backed securities.

1 "Real property" means the interests, benefits, and rights
2 inherent in the ownership of real estate.

3 "Secretary" means the Secretary of Financial and
4 Professional Regulation or the Secretary's designee.

5 "State certified general real estate appraiser" means an
6 appraiser who holds a license of this classification under
7 this Act and such classification applies to the appraisal of
8 all types of real property without restrictions as to the
9 scope of practice.

10 "State certified residential real estate appraiser" means
11 an appraiser who holds a license of this classification under
12 this Act and such classification applies to the appraisal of
13 one to 4 units of residential real property without regard to
14 transaction value or complexity, but with restrictions as to
15 the scope of practice in a federally related transaction in
16 accordance with Title XI, the provisions of USPAP, criteria
17 established by the AQB, and further defined by rule.

18 "Supervising appraiser" means either (i) an appraiser who
19 holds a valid license under this Act as either a State
20 certified general real estate appraiser or a State certified
21 residential real estate appraiser, who co-signs an appraisal
22 report for an associate real estate trainee appraiser or (ii)
23 a State certified general real estate appraiser who holds a
24 valid license under this Act who co-signs an appraisal report
25 for a State certified residential real estate appraiser on
26 properties other than one to 4 units of residential real

1 property without regard to transaction value or complexity.

2 "Title XI" means Title XI of the federal Financial
3 Institutions Reform, Recovery, and Enforcement Act of 1989.

4 "USPAP" means the Uniform Standards of Professional
5 Appraisal Practice as promulgated by the Appraisal Standards
6 Board pursuant to Title XI and by rule.

7 "Valuation services" means services pertaining to aspects
8 of property value.

9 "Waiver valuation" means a valuation prepared pursuant to
10 the federal Uniform Relocation Assistance and Real Property
11 Acquisition Policies Act of 1970, as amended, or prepared
12 pursuant to the federal Uniform Relocation Assistance and Real
13 Property Acquisition for Federal and Federally-Assisted
14 Programs regulations under 49 CFR Part 24 that is not an
15 appraisal or represented as an appraisal.

16 (Source: P.A. 102-20, eff. 1-1-22; 102-687, eff. 12-17-21;
17 102-970, eff. 5-27-22; 103-236, eff. 1-1-24.)

18 (225 ILCS 458/5-5)

19 (Section scheduled to be repealed on January 1, 2027)

20 Sec. 5-5. Necessity of license; use of title; exemptions.

21 (a) It is unlawful for a person to (i) act, offer services,
22 or advertise services as a State certified general real estate
23 appraiser, State certified residential real estate appraiser,
24 or associate real estate trainee appraiser, (ii) develop a
25 real estate appraisal, (iii) practice as a real estate

1 appraiser, or (iv) advertise as a real estate appraiser
2 without a license issued under this Act. A person who violates
3 this subsection is guilty of a Class A misdemeanor for a first
4 offense and a Class 4 felony for any subsequent offense.

5 (a-5) It is unlawful for a person, unless registered as an
6 appraisal management company, to solicit clients or enter into
7 an appraisal engagement with clients without either a
8 certified residential real estate appraiser license or a
9 certified general real estate appraiser license issued under
10 this Act. A person who violates this subsection is guilty of a
11 Class A misdemeanor for a first offense and a Class 4 felony
12 for any subsequent offense.

13 (b) It is unlawful for a person, other than a person who
14 holds a valid license issued pursuant to this Act as a State
15 certified general real estate appraiser, a State certified
16 residential real estate appraiser, or an associate real estate
17 trainee appraiser to use these titles or any other title,
18 designation, or abbreviation likely to create the impression
19 that the person is licensed as a real estate appraiser
20 pursuant to this Act. A person who violates this subsection is
21 guilty of a Class A misdemeanor for a first offense and a Class
22 4 felony for any subsequent offense.

23 (c) This Act does not apply to a person who holds a valid
24 license as a real estate broker or managing broker pursuant to
25 the Real Estate License Act of 2000 who prepares or provides a
26 broker price opinion or comparative market analysis in

1 compliance with Section 10-45 of the Real Estate License Act
2 of 2000.

3 (d) Nothing in this Act shall preclude a State certified
4 general real estate appraiser, a State certified residential
5 real estate appraiser, or an associate real estate trainee
6 appraiser from rendering appraisals for or on behalf of a
7 partnership, association, corporation, firm, or group.
8 However, no State appraisal license or certification shall be
9 issued under this Act to a partnership, association,
10 corporation, firm, or group.

11 (e) This Act does not apply to a county assessor, township
12 assessor, multi-township assessor, county supervisor of
13 assessments, or any deputy or employee of any county assessor,
14 township assessor, multi-township assessor, or county
15 supervisor of assessments in performance of respective duties
16 in accordance with the provisions of the Property Tax Code.

17 (e-5) For the purposes of this Act, waiver valuations
18 ~~valuation waivers may be prepared by a licensed appraiser~~
19 ~~notwithstanding any other provision of this Act, and the~~
20 ~~following types of valuations~~ are not appraisals and may not
21 be represented to be appraisals, and a license or
22 certification is not required under this Act to perform such
23 valuations if the valuations are created in one of the
24 following manners: ~~performed by (1) an employee of the~~
25 ~~Illinois Department of Transportation who has completed a~~
26 ~~minimum of 45 hours of course work in real estate appraisal,~~

1 ~~including the principles of real estate appraisals, appraisal~~
2 ~~of partial acquisitions, easement valuation, reviewing~~
3 ~~appraisals in eminent domain, appraisal for federal aid~~
4 ~~highway programs, and appraisal review for federal aid highway~~
5 ~~programs and has at least 2 years' experience in a field~~
6 ~~closely related to real estate; (2) a county engineer who is a~~
7 ~~registered professional engineer under the Professional~~
8 ~~Engineering Practice Act of 1989; (3) an employee of a~~
9 ~~municipality who has (i) completed a minimum of 45 hours of~~
10 ~~coursework in real estate appraisal, including the principles~~
11 ~~of real estate appraisals, appraisal of partial acquisitions,~~
12 ~~easement valuation, reviewing appraisals in eminent domain,~~
13 ~~appraisal for federal aid highway programs, and appraisal~~
14 ~~review for federal aid highway programs and (ii) has either 2~~
15 ~~years' experience in a field clearly related to real estate or~~
16 ~~has completed 20 hours of additional coursework that is~~
17 ~~sufficient for a person to complete waiver valuations as~~
18 ~~approved by the Federal Highway Administration; or (4) a~~
19 ~~municipal engineer who has completed coursework that is~~
20 ~~sufficient for waiver valuations to be approved by the Federal~~
21 ~~Highway Administration and who is a registered professional~~
22 ~~engineer under the Professional Engineering Act of 1989, under~~
23 ~~the following circumstances:~~

24 (A) a waiver valuation ~~waiver~~ in an amount not to
25 exceed \$35,000 that ~~\$20,000~~ prepared pursuant to the
26 federal Uniform Relocation Assistance and Real Property

1 ~~Acquisition Policies Act of 1970, or prepared pursuant to~~
2 ~~the federal Uniform Relocation Assistance and Real~~
3 ~~Property Acquisition for Federal and Federally Assisted~~
4 ~~Programs regulations and which is performed by :~~

5 (1) an employee of the Illinois Department of
6 Transportation who is a registered professional
7 engineer under the Professional Engineering Practice
8 Act of 1989 or an employee of the Illinois Department
9 of Transportation that is ~~and co-signed, with a~~
10 ~~license number affixed,~~ by another employee of the
11 Illinois Department of Transportation who is a
12 registered professional engineer under the
13 Professional Engineering Practice Act of 1989, with a
14 license number affixed;

15 (2) an employee of the Illinois Department of
16 Transportation or an employee of a consultant or
17 subconsultant under contract to provide land
18 acquisition services to the Illinois Department of
19 Transportation who has at least 2 years of experience
20 in a field closely related to real estate and who has
21 completed a minimum of 45 hours of course work in real
22 estate appraisal, including the principles of real
23 estate appraisals, appraisal of partial acquisitions,
24 easement valuation, reviewing appraisals in eminent
25 domain, appraisal for federal aid highway programs, or
26 appraisal review for federal aid highway programs;

1 (3) a county or municipal engineer who is a
2 registered professional engineer under the
3 Professional Engineering Practice Act of 1989, with
4 engineer's signature and license number affixed;

5 (4) a municipal engineer who has completed
6 coursework that is sufficient for waiver valuations to
7 be approved by the Federal Highway Administration and
8 who is a registered professional engineer under the
9 Professional Engineering Act of 1989;

10 (5) ~~or (2)~~ an employee of a county or municipality
11 who is and co-signed with a license number affixed by
12 the applicable a county or municipal engineer who is a
13 registered professional engineer under the
14 Professional Engineering Practice Act of 1989, with a
15 license number affixed;

16 (6) an employee of a municipality who has

17 (A) completed a minimum of 45 hours of
18 coursework in real estate appraisal, including the
19 principles of real estate appraisals, appraisal of
20 partial acquisitions, easement valuation,
21 reviewing appraisals in eminent domain, appraisal
22 for federal aid highway programs, and appraisal
23 review for federal aid highway programs; and

24 (B) has either 2 years of experience in a
25 field clearly related to real estate or has
26 completed 20 hours of additional coursework that

1 is sufficient for the employee to complete waiver
2 valuations as approved by the Federal Highway
3 Administration; or

4 (7) a nonresident appraiser licensed in another
5 jurisdiction who does not represent themselves to be
6 an Illinois-licensed appraiser; or and

7 (B) a waiver valuation ~~waiver~~ in an amount not to
8 exceed \$50,000 that is (i) performed by a licensed
9 certified general real estate appraiser, a licensed
10 certified residential real estate appraiser, or an
11 associate real estate trainee appraiser employed by the
12 Illinois Department of Transportation, (ii) includes the
13 signature and licensee numbers of the appraiser or the
14 trainee and their supervising appraiser, and (iii) is
15 co-signed by an employee of the Illinois Department of
16 Transportation who is a registered professional engineer
17 under the Professional Engineering Practice Act of 1989,
18 with a license number affixed ~~\$20,000 prepared pursuant to~~
19 ~~the federal Uniform Relocation Assistance and Real~~
20 ~~Property Acquisition Policies Act of 1970, or prepared~~
21 ~~pursuant to the federal Uniform Relocation Assistance and~~
22 ~~Real Property Acquisition for Federal and~~
23 ~~Federally Assisted Programs regulations and which is~~
24 ~~performed by a county or municipal engineer who is~~
25 ~~employed by a county or municipality and is a registered~~
26 ~~professional engineer under the Professional Engineering~~

1 ~~Practice Act of 1989. The valuation shall include the~~
2 ~~county or municipal engineer's signature and license~~
3 ~~number.~~

4 Nothing in this subsection (e-5) shall be construed to
5 allow the State of Illinois, a political subdivision thereof,
6 or any public body to acquire real estate by eminent domain in
7 any manner other than provided for in the Eminent Domain Act.

8 (f) A State real estate appraisal certification or license
9 is not required under this Act for any person, partnership,
10 association, or corporation that performs appraisals of
11 property owned by that person, partnership, association, or
12 corporation for the sole use of that person, partnership,
13 association, or corporation.

14 Any person who is certified or licensed under this Act and
15 who performs any of the activities set forth in this
16 subsection (f) must comply with the provisions of this Act. A
17 person who violates this subsection (f) is guilty of a Class A
18 misdemeanor for a first offense and a Class 4 felony for any
19 subsequent offense.

20 (g) This Act does not apply to an employee, officer,
21 director, or member of a credit or loan committee of a
22 financial institution or any other person engaged by a
23 financial institution when performing an evaluation of real
24 property for the sole use of the financial institution in a
25 transaction for which the financial institution would not be
26 required to use the services of a State licensed or State

1 certified appraiser pursuant to federal regulations adopted
2 under Title XI of the federal Financial Institutions Reform,
3 Recovery, and Enforcement Act of 1989.

4 (h) This Act does not apply to the procurement of an
5 automated valuation model.

6 (Source: P.A. 102-20, eff. 1-1-22.)

7 (225 ILCS 458/5-30)

8 (Section scheduled to be repealed on January 1, 2027)

9 Sec. 5-30. Endorsement. The Department may issue an
10 appraiser license, without the required examination, to an
11 applicant licensed by another state, territory, possession of
12 the United States, or the District of Columbia, if (i) the
13 licensing requirements of that licensing authority are, on the
14 date of licensure, substantially equal to the requirements set
15 forth under this Act or to a person who, at the time of the
16 application, possessed individual qualifications that were
17 substantially equivalent to the requirements of this Act and
18 ~~or~~ (ii) the applicant provides the Department with evidence of
19 good standing from the Appraisal Subcommittee National
20 Registry report and a criminal history records check in
21 accordance with Section 5-22. An applicant under this Section
22 shall pay all of the required fees.

23 (Source: P.A. 102-20, eff. 1-1-22.)

24 (225 ILCS 458/15-10)

1 (Section scheduled to be repealed on January 1, 2027)

2 Sec. 15-10. Grounds for disciplinary action.

3 (a) The Department may suspend, revoke, refuse to issue,
4 renew, or restore a license and may reprimand, place on
5 probation or administrative supervision, or take any
6 disciplinary or non-disciplinary action, including imposing
7 conditions limiting the scope, nature, or extent of the real
8 estate appraisal practice of a licensee or reducing the
9 appraisal rank of a licensee, and may impose an administrative
10 fine not to exceed \$25,000 for each violation upon a licensee
11 or applicant under this Act or any person who holds oneself out
12 as an applicant or licensee for any one or combination of the
13 following:

14 (1) Procuring or attempting to procure a license by
15 knowingly making a false statement, submitting false
16 information, engaging in any form of fraud or
17 misrepresentation, or refusing to provide complete
18 information in response to a question in an application
19 for licensure.

20 (2) Failing to meet the minimum qualifications for
21 licensure as an appraiser established by this Act.

22 (3) Paying money, other than for the fees provided for
23 by this Act, or anything of value to a member or employee
24 of the Board or the Department to procure licensure under
25 this Act.

26 (4) Conviction of, or plea of guilty or nolo

1 contendere, as enumerated in subsection (e) of Section
2 5-22, under the laws of any jurisdiction of the United
3 States to: (i) ~~that is~~ a felony, misdemeanor, or
4 administrative sanction or (ii) ~~that is~~ a crime that
5 subjects the licensee to compliance with the requirements
6 of the Sex Offender Registration Act.

7 (5) Committing an act or omission involving
8 dishonesty, fraud, or misrepresentation with the intent to
9 substantially benefit the licensee or another person or
10 with intent to substantially injure another person as
11 defined by rule.

12 (6) Violating a provision or standard for the
13 development or communication of real estate appraisals as
14 provided in Section 10-10 of this Act or as defined by
15 rule.

16 (7) Failing or refusing without good cause to exercise
17 reasonable diligence in developing, reporting, or
18 communicating an appraisal, as defined by this Act or by
19 rule.

20 (8) Violating a provision of this Act or the rules
21 adopted pursuant to this Act.

22 (9) Having been disciplined by another state, the
23 District of Columbia, a territory, a foreign nation, a
24 governmental agency, or any other entity authorized to
25 impose discipline if at least one of the grounds for that
26 discipline is the same as or the equivalent of one of the

1 grounds for which a licensee may be disciplined under this
2 Act.

3 (10) Engaging in dishonorable, unethical, or
4 unprofessional conduct of a character likely to deceive,
5 defraud, or harm the public.

6 (11) Accepting an appraisal assignment when the
7 employment itself is contingent upon the appraiser
8 reporting a predetermined estimate, analysis, or opinion
9 or when the fee to be paid is contingent upon the opinion,
10 conclusion, or valuation reached or upon the consequences
11 resulting from the appraisal assignment.

12 (12) Developing valuation conclusions based on the
13 race, color, religion, sex, national origin, ancestry,
14 age, marital status, family status, physical or mental
15 disability, sexual orientation, pregnancy, order of
16 protection status, military status, unfavorable military
17 discharge, source of income, or any other protected class,
18 as defined under the Illinois Human Rights Act, of the
19 prospective or present owners or occupants of the area or
20 property under appraisal.

21 (13) Violating the confidential nature of government
22 records to which the licensee gained access through
23 employment or engagement as an appraiser by a governmental
24 ~~government~~ agency.

25 (14) Being adjudicated liable in a civil proceeding on
26 grounds of fraud, misrepresentation, or deceit. In a

1 disciplinary proceeding based upon a finding of civil
2 liability, the appraiser shall be afforded an opportunity
3 to present mitigating and extenuating circumstances, but
4 may not collaterally attack the civil adjudication.

5 (15) Being adjudicated liable in a civil proceeding
6 for violation of a state or federal fair housing law.

7 (16) Engaging in misleading or untruthful advertising
8 or using a trade name or insignia of membership in a real
9 estate appraisal or real estate organization of which the
10 licensee is not a member.

11 (17) Failing to fully cooperate with a Department
12 investigation by knowingly making a false statement,
13 submitting false or misleading information, or refusing to
14 provide complete information in response to written
15 interrogatories or a written request for documentation
16 within 30 days of the request.

17 (18) Failing to include within the certificate of
18 appraisal for all written appraisal reports the
19 appraiser's license number and licensure title. All
20 appraisers providing significant contribution to the
21 development and reporting of an appraisal must be
22 disclosed in the appraisal report. It is a violation of
23 this Act for an appraiser to sign a report, transmittal
24 letter, or appraisal certification knowing that a person
25 providing a significant contribution to the report has not
26 been disclosed in the appraisal report.

1 (19) Violating the terms of a disciplinary order or
2 Consent ~~consent~~ to Administrative Supervision
3 ~~administrative supervision~~ order.

4 (20) Habitual or excessive use or addiction to
5 alcohol, narcotics, stimulants, or any other chemical
6 agent or drug that results in a licensee's inability to
7 practice with reasonable judgment, skill, or safety that
8 may result in significant harm to the public.

9 (21) A physical or mental illness or disability which
10 results in the inability to practice under this Act with
11 reasonable judgment, skill, or safety.

12 (22) Gross negligence in developing an appraisal or in
13 communicating an appraisal or failing to observe one or
14 more of the Uniform Standards of Professional Appraisal
15 Practice.

16 (23) A pattern of practice or other behavior that
17 demonstrates incapacity or incompetence to practice under
18 this Act.

19 (24) Using or attempting to use the seal, certificate,
20 or license of another as one's own; falsely impersonating
21 any duly licensed appraiser; using or attempting to use an
22 inactive, expired, suspended, or revoked license; or
23 aiding or abetting any of the foregoing.

24 (25) Solicitation of professional services by using
25 false, misleading, or deceptive advertising.

26 (26) Making a material misstatement in furnishing

1 information to the Department.

2 (27) Failure to furnish information to the Department
3 upon written request.

4 (b) The Department may reprimand suspend, revoke, or
5 refuse to issue or renew an education provider's license, may
6 reprimand, place on probation, or otherwise discipline an
7 education provider, and may suspend or revoke the course
8 approval of any course offered by an education provider and
9 may impose an administrative fine not to exceed \$25,000 upon
10 an education provider, for any of the following:

11 (1) Procuring or attempting to procure licensure by
12 knowingly making a false statement, submitting false
13 information, engaging in any form of fraud or
14 misrepresentation, or refusing to provide complete
15 information in response to a question in an application
16 for licensure.

17 (2) Failing to comply with the covenants certified to
18 on the application for licensure as an education provider.

19 (3) Committing an act or omission involving
20 dishonesty, fraud, or misrepresentation or allowing any
21 such act or omission by any employee or contractor under
22 the control of the provider.

23 (4) Engaging in misleading or untruthful advertising.

24 (5) Failing to retain competent instructors in
25 accordance with rules adopted under this Act.

26 (6) Failing to meet the topic or time requirements for

1 course approval as the provider of a qualifying curriculum
2 course or a continuing education course.

3 (7) Failing to administer an approved course using the
4 course materials, syllabus, and examinations submitted as
5 the basis of the course approval.

6 (8) Failing to provide an appropriate classroom
7 environment for presentation of courses, with
8 consideration for student comfort, acoustics, lighting,
9 seating, workspace, and visual aid material.

10 (9) Failing to maintain student records in compliance
11 with the rules adopted under this Act.

12 (10) Failing to provide a certificate, transcript, or
13 other student record to the Department or to a student as
14 may be required by rule.

15 (11) Failing to fully cooperate with an investigation
16 by the Department by knowingly making a false statement,
17 submitting false or misleading information, or refusing to
18 provide complete information in response to written
19 interrogatories or a written request for documentation
20 within 30 days of the request.

21 (c) In appropriate cases, the Department may resolve a
22 complaint against a licensee through the issuance of a Consent
23 to Administrative Supervision order. A licensee subject to a
24 Consent to Administrative Supervision order shall be
25 considered by the Department as an active licensee in good
26 standing. This order shall not be reported or considered by

1 the Department to be a discipline of the licensee. The records
2 regarding an investigation and a Consent to Administrative
3 Supervision order shall be considered confidential and shall
4 not be released by the Department except as mandated by law.

5 (Source: P.A. 102-20, eff. 1-1-22; 103-236, eff. 1-1-24;
6 revised 6-24-25.)

7 (225 ILCS 458/15-10.1)

8 (Section scheduled to be repealed on January 1, 2027)

9 Sec. 15-10.1. Citations.

10 (a) The Department may adopt rules to permit the issuance
11 of citations to any licensee for failure to comply with the
12 continuing education requirements set forth in this Act or as
13 established by rule. The citation shall be issued to the
14 licensee. For associate real estate trainee appraisers, a copy
15 shall also be sent to the licensee's supervising appraiser of
16 record. The citation shall contain the licensee's name, the
17 licensee's address, the licensee's license number, the number
18 of required hours of continuing education that have not been
19 successfully completed by the licensee's ~~licensee within the~~
20 renewal deadline period, and the penalty imposed, which shall
21 not exceed \$2,000. The issuance of a citation shall not excuse
22 the licensee from completing all continuing education required
23 for that renewal period.

24 (b) Service of a citation shall be made in person,
25 electronically, or by mail to the licensee at the licensee's

1 address of record or email address of record and ~~Service of a~~
2 ~~citation~~ must clearly state that if the cited licensee wishes
3 to dispute the citation, the cited licensee may make a written
4 request, within 30 days after the citation is served, for a
5 hearing before the Department. If the cited licensee does not
6 request a hearing within 30 days after the citation is served,
7 then ~~the citation shall become~~ a final, non-disciplinary order
8 shall be entered, and any fine imposed is due and payable
9 within 30 ~~60~~ days after the entry of that final order. If the
10 cited licensee requests a hearing within 30 days after the
11 citation is served, the Department shall afford the cited
12 licensee a hearing conducted in the same manner as a hearing
13 provided for in this Act for any violation of this Act and
14 shall determine whether the cited licensee committed the
15 violation as charged and whether the fine as levied is
16 warranted. If the violation is found, any fine shall
17 constitute non-public discipline and be due and payable within
18 30 days after the order of the Secretary, which shall
19 constitute a final order of the Department. No change in
20 license status may be made by the Department until a final
21 order of the Department has been issued.

22 (c) Payment of a fine that has been assessed pursuant to
23 this Section shall not constitute disciplinary action
24 reportable on the Department's website or elsewhere unless a
25 licensee has previously received 2 or more citations and been
26 assessed 2 or more fines.

1 (d) Nothing in this Section shall prohibit or limit the
2 Department from taking further action pursuant to this Act and
3 rules for additional, repeated, or continuing violations.

4 (Source: P.A. 102-20, eff. 1-1-22.)

5 (225 ILCS 458/15-11)

6 (Section scheduled to be repealed on January 1, 2027)

7 Sec. 15-11. Illegal discrimination.

8 (a) When there has been an adjudication in a civil or
9 criminal proceeding that a licensee has illegally
10 discriminated while engaged in any activity for which a
11 license is required under this Act, the Department, following
12 notice to the licensee and a hearing in accordance with
13 Section 15-15 and upon the recommendation of the Board as to
14 the extent of the suspension or revocation, shall suspend or
15 revoke the license of that licensee in a timely manner, unless
16 the adjudication is in the appeal process. The finding or
17 judgment of the civil or criminal proceeding is a matter of
18 record, the merits of which shall not be challenged in a
19 request for a hearing by the licensee.

20 (b) When there has been an order in an administrative
21 proceeding finding that a licensee has illegally discriminated
22 while engaged in any activity for which a license is required
23 under this Act, the Department, following notice to the
24 licensee and a hearing in accordance with Section 15-15, and
25 upon recommendation of the Board as to the nature and extent of

1 the discipline, shall take one or more of the disciplinary
2 actions provided for in Section 15-10 in a timely manner,
3 unless the administrative order is in the appeal process. The
4 finding of the administrative order is a matter of record, the
5 merits of which shall not be challenged in a request for a
6 hearing by the licensee.

7 (Source: P.A. 102-20, eff. 1-1-22.)

8 (225 ILCS 458/15-15)

9 (Section scheduled to be repealed on January 1, 2027)

10 Sec. 15-15. Investigation; notice; hearing.

11 (a) Upon the motion of the Department or the Board or upon
12 a complaint in writing of a person setting forth facts that, if
13 proven, would constitute grounds for suspension, revocation,
14 or other disciplinary action, the Department shall investigate
15 the actions or qualifications of any person who is a licensee,
16 applicant for licensure, unlicensed person, person rendering
17 or offering to render appraisal services, or person holding or
18 claiming to hold a license under this Act. If, upon
19 investigation, the Department believes that there may be cause
20 for suspension, revocation, or other disciplinary action, the
21 Department may ~~shall~~ use the services of a State certified
22 general real estate appraiser, a State certified residential
23 real estate appraiser, or the Coordinator to assist in
24 determining whether grounds for disciplinary action exist
25 prior to commencing formal disciplinary proceedings.

1 (b) Formal disciplinary proceedings shall commence upon
2 the issuance of a written complaint describing the charges
3 that are the basis of the disciplinary action and delivery of
4 the detailed complaint to the most recent address of record or
5 email address of record of the person charged as provided to
6 the Department. For an associate real estate trainee
7 appraiser, a copy shall also be sent to the licensee's
8 supervising appraiser of record. The Department shall notify
9 the person to file a verified written answer within 20 days
10 after the service of the notice and complaint. The
11 notification shall inform the person of the right to be heard
12 in person or by legal counsel; that the hearing will be
13 afforded not sooner than 20 days after service of the
14 complaint; that failure to file an answer after service of
15 notice will result in a default being entered against the
16 person; that the license may be suspended, revoked, or placed
17 on probationary status; and that the Department may take
18 whatever other disciplinary action may be taken pursuant to
19 this Act, including limiting the scope, nature, or extent of
20 the licensee's practice without a hearing. ~~If the person fails~~
21 ~~to file an answer after service of notice, the respective~~
22 ~~license may, at the discretion of the Department, be~~
23 ~~suspended, revoked, or placed on probationary status and the~~
24 ~~Department may take whatever disciplinary action it deems~~
25 ~~proper, including limiting the scope, nature, or extent of the~~
26 ~~person's practice, without a hearing.~~

1 (c) At the time and place fixed in the notice, the
2 Department Board shall conduct a hearing of the charges,
3 providing both the person charged and the complainant ample
4 opportunity to present in person or by counsel such
5 statements, testimony, evidence, and argument as may be
6 pertinent to the charges or to a defense thereto.

7 (c-5) The Secretary shall have the authority to appoint an
8 attorney duly licensed to practice law in the State of
9 Illinois to serve as the hearing officer in any action to
10 suspend, revoke, or otherwise discipline any license issued by
11 the Department. The Hearing Officer shall have full authority
12 to conduct the hearing.

13 There may be present one or more members of the Board at
14 any such hearing. The hearing officer shall report his or her
15 findings and recommendations to the Board and the Secretary.
16 The Board shall have 60 days from receipt of the report to
17 review the report of the hearing officer and present its
18 findings of fact, conclusions of law, and recommendations to
19 the Secretary. If the Board fails to present its findings of
20 fact, conclusions of law, and recommendations within the
21 60-day period, the Department may request in writing a direct
22 appeal to the Secretary, in which case the Secretary may issue
23 an order based upon the report of the hearing officer and the
24 record of the proceedings or issue an order remanding the
25 matter back to the hearing officer for additional proceedings
26 in accordance with the order. If the Board fails to present its

1 findings of fact, conclusions of law, and recommendations
2 within a 60-day period after receiving an Order of Default,
3 the Department may request in writing a direct appeal to the
4 Secretary.

5 (d) The Board shall present to the Secretary a written
6 report of its findings of fact and recommendations. A copy of
7 the report shall be served upon the person either by mail or,
8 at the discretion of the Department, by electronic means. For
9 associate real estate trainee appraisers, a copy shall also be
10 sent to the licensee's supervising appraiser of record. Within
11 20 days after the service, the person may present to the
12 Department Secretary with a motion in writing for a rehearing
13 that specifies and shall specify the particular grounds for
14 the request. If the person orders a transcript of the record
15 from the applicable reporting service and pay for the
16 transcript within the 20-day period for filing a motion for
17 rehearing, the 20-day period shall restart upon the delivery
18 of the transcript.

19 Notwithstanding any other provision of this Section, if
20 the Secretary, upon review, determines that substantial
21 justice has not been done in the revocation, suspension, or
22 refusal to issue or renew a license or any other disciplinary
23 action taken as a result of the entry of the hearing officer's
24 report, the Secretary may order a rehearing by the Board or
25 other special committee appointed by the Secretary or may
26 remand the matter to the Board for its reconsideration of the

1 matter based on the pleadings and evidence presented to the
2 Board. If the Secretary disagrees in any regard with the
3 report of the Board or the hearing officer, the Secretary may
4 issue an order in contravention of the Board or the hearing
5 officer. ~~If the person orders a transcript of the record as~~
6 ~~provided in this Act, the time elapsing thereafter and before~~
7 ~~the transcript is ready for delivery to the person shall not be~~
8 ~~counted as part of the 20 days. If the Secretary is not~~
9 ~~satisfied that substantial justice has been done, the~~
10 ~~Secretary may order a rehearing by the Board or other special~~
11 ~~committee appointed by the Secretary, may remand the matter to~~
12 ~~the Board for its reconsideration of the matter based on the~~
13 ~~pleadings and evidence presented to the Board, or may enter a~~
14 ~~final order in contravention of the Board's recommendation.~~
15 Notwithstanding a person's failure to file a motion for
16 rehearing, the Secretary shall have the right to take any of
17 the actions specified in this subsection (d). Upon the
18 suspension or revocation of a license, the licensee shall be
19 required to surrender the respective license to the
20 Department, and upon failure or refusal to do so, the
21 Department shall have the right to seize the license.

22 (e) The Department has the power to issue subpoenas and
23 subpoenas duces tecum to bring before it any person in this
24 State, to take testimony, or to require production of any
25 records relevant to an inquiry or hearing by the Board in the
26 same manner as prescribed by law in judicial proceedings in

1 the courts of this State. In a case of refusal of a witness to
2 attend, testify, or to produce books or papers concerning a
3 matter upon which the witness might be lawfully examined, the
4 circuit court of the county where the hearing is held, upon
5 application of the Department or any party to the proceeding,
6 may compel obedience by proceedings as for contempt.

7 (f) Any license that is revoked may not be restored for a
8 minimum period of 3 years.

9 (g) In addition to the provisions of this Section
10 concerning the conduct of hearings and the recommendations for
11 discipline, the Department has the authority to negotiate
12 disciplinary and non-disciplinary settlement agreements
13 concerning any license issued under this Act. All such
14 agreements shall be recorded as Consent Orders or Consent to
15 Administrative Supervision Orders.

16 (h) (Blank). ~~The Secretary shall have the authority to~~
17 ~~appoint an attorney duly licensed to practice law in the State~~
18 ~~of Illinois to serve as the hearing officer in any action to~~
19 ~~suspend, revoke, or otherwise discipline any license issued by~~
20 ~~the Department. The Hearing Officer shall have full authority~~
21 ~~to conduct the hearing.~~

22 (i) The Department, at its expense, shall preserve a
23 record of all formal hearings of any contested case involving
24 the discipline of a license. At all hearings or pre-hearing
25 conferences, the Department and the licensee shall be entitled
26 to have the proceedings transcribed by a certified shorthand

1 reporter. A copy of the transcribed proceedings shall be made
2 available to the licensee by the certified shorthand reporter
3 upon payment of the prevailing contract copy rate.

4 (Source: P.A. 102-20, eff. 1-1-22; 102-970, eff. 5-27-22;
5 103-236, eff. 1-1-24; revised 6-24-25.)

6 (225 ILCS 458/25-10)

7 (Section scheduled to be repealed on January 1, 2027)

8 Sec. 25-10. Real Estate Appraisal Administration and
9 Disciplinary Board; appointment.

10 (a) There is hereby created the Real Estate Appraisal
11 Administration and Disciplinary Board. The Board shall be
12 composed of the Coordinator and 10 persons appointed by the
13 Governor. Members shall be appointed to the Board subject to
14 the following conditions:

15 (1) All appointed members shall have been residents
16 and citizens of this State for at least 5 years prior to
17 the date of appointment.

18 (2) The appointed membership of the Board should
19 reasonably reflect the geographic distribution of the
20 population of the State.

21 (3) Four appointed members shall have been actively
22 engaged and currently licensed as State certified general
23 real estate appraisers for a period of not less than 5
24 years.

25 (4) Three appointed members shall have been actively

1 engaged and currently licensed as State certified
2 residential real estate appraisers for a period of not
3 less than 5 years.

4 (5) One appointed member shall hold a valid license as
5 a real estate broker for at least 3 years prior to the date
6 of the appointment and shall hold either a valid State
7 certified general real estate appraiser license or a valid
8 State certified residential appraiser license issued under
9 this Act or a predecessor Act for a period of at least 5
10 years prior to the appointment.

11 (6) One appointed member shall be a representative of
12 a financial institution, as evidenced by proof of
13 employment with a financial institution.

14 (7) One appointed member shall represent the interests
15 of the general public. This member or the member's spouse
16 shall not be licensed under this Act nor be employed by or
17 have any financial interest in an appraisal business,
18 appraisal management company, real estate brokerage
19 business, or a financial institution.

20 In making appointments as provided in paragraphs (3) and
21 (4) of this subsection, the Governor shall give due
22 consideration to recommendations by members and organizations
23 representing the profession.

24 In making the appointments as provided in paragraph (5) of
25 this subsection, the Governor shall give due consideration to
26 the recommendations by members and organizations representing

1 the real estate industry.

2 In making the appointment as provided in paragraph (6) of
3 this subsection, the Governor shall give due consideration to
4 the recommendations by members and organizations representing
5 financial institutions.

6 (b) The members' terms shall be for 4 years or until a
7 successor is appointed. No member shall be reappointed to the
8 Board for a term that would cause the member's cumulative
9 service to the Board to exceed 12 years. Appointments to fill
10 vacancies shall be for the unexpired portion of the term.

11 (c) The Governor may terminate the appointment of a member
12 for cause that, in the opinion of the Governor, reasonably
13 justifies the termination. Cause for termination may include,
14 without limitation, misconduct, incapacity, neglect of duty,
15 or missing 4 Board meetings during any one fiscal year.

16 (d) A majority of the Board members shall constitute a
17 quorum. A vacancy in the membership of the Board shall not
18 impair the right of a quorum to exercise all of the rights and
19 perform all of the duties of the Board.

20 (e) The Board shall meet at least monthly ~~and may be~~
21 ~~convened by the Chairperson, Vice-Chairperson, or 3 members of~~
22 ~~the Board upon 10 days written notice.~~

23 (f) The Board shall, annually at the first meeting of the
24 fiscal year, elect a Chairperson and Vice-Chairperson from its
25 members. The Chairperson shall preside over the meetings and
26 shall coordinate with the Coordinator in developing and

1 distributing an agenda for each meeting. In the absence of the
2 Chairperson, the Vice-Chairperson shall preside over the
3 meeting.

4 (g) The Coordinator shall serve as a member of the Board
5 without vote.

6 (h) The Board shall advise and make recommendations to the
7 Department on the education and experience qualifications of
8 any applicant for initial licensure as a State certified
9 general real estate appraiser or a State certified residential
10 real estate appraiser. The Department shall not make any
11 decisions concerning education or experience qualifications of
12 an applicant for initial licensure as a State certified
13 general real estate appraiser or a State certified residential
14 real estate appraiser without having first received the advice
15 and recommendation of the Board and shall give due
16 consideration to all such advice and recommendations; however,
17 if the Board does not render advice or make a recommendation
18 within a reasonable amount of time, then the Department may
19 render a decision.

20 (i) Except as provided in Section 15-17 of this Act, the
21 Board shall hear and make recommendations to the Secretary on
22 disciplinary matters that require a formal evidentiary
23 hearing. The Secretary shall give due consideration to the
24 recommendations of the Board involving discipline and
25 questions involving standards of professional conduct of
26 licensees.

1 (j) The Department shall seek and the Board shall provide
2 recommendations to the Department consistent with the
3 provisions of this Act and for the administration and
4 enforcement of all rules adopted pursuant to this Act. The
5 Department shall give due consideration to such
6 recommendations prior to adopting rules.

7 (k) The Department shall seek and the Board shall provide
8 recommendations to the Department on the approval of all
9 courses submitted to the Department pursuant to this Act and
10 the rules adopted pursuant to this Act. The Department shall
11 not approve any courses without having first received the
12 recommendation of the Board and shall give due consideration
13 to such recommendations prior to approving and licensing
14 courses; however, if the Board does not make a recommendation
15 within a reasonable amount of time, then the Department may
16 approve courses.

17 (l) Each voting member of the Board may receive a per diem
18 stipend in an amount to be determined by the Secretary. While
19 engaged in the performance of duties, each member shall be
20 reimbursed for necessary expenses.

21 (m) Members of the Board shall be immune from suit in an
22 action based upon any disciplinary proceedings or other acts
23 performed in good faith as members of the Board.

24 (n) If the Department disagrees with any advice or
25 recommendation provided by the Board under this Section to the
26 Secretary or the Department, then notice of such disagreement

1 must be provided to the Board by the Department.

2 (o) (Blank).

3 (Source: P.A. 102-20, eff. 1-1-22; 102-970, eff. 5-27-22;
4 103-236, eff. 1-1-24.)

5 Section 50. The Appraisal Management Company Registration
6 Act is amended by changing Sections 10, 15, 20, 43, and 45, 60,
7 65, 75, 105, 110, 125, 165 as follows:

8 (225 ILCS 459/10)

9 Sec. 10. Definitions. In this Act:

10 "Address of record" means the principal address recorded
11 by the Department in the applicant's or registrant's
12 application file or registration file maintained by the
13 Department's registration maintenance unit.

14 "Applicant" means a person or entity who applies to the
15 Department for a registration under this Act.

16 "Appraisal" means (noun) the act or process of developing
17 an opinion of value; an opinion of value (adjective) of or
18 pertaining to appraising and related functions.

19 "Appraisal firm" means an appraisal entity that is 100%
20 owned and controlled by a person or persons licensed in
21 Illinois as a certified general real estate appraiser or a
22 certified residential real estate appraiser. An appraisal firm
23 does not include an appraisal management company.

24 "Appraisal management company" means any corporation,

1 limited liability company, partnership, sole proprietorship,
2 subsidiary, unit, or other business entity that directly or
3 indirectly: (1) provides appraisal management services to
4 creditors or secondary mortgage market participants, including
5 affiliates; (2) provides appraisal management services in
6 connection with valuing the consumer's principal dwelling as
7 security for a consumer credit transaction (including consumer
8 credit transactions incorporated into securitizations); and
9 (3) any appraisal management company that, within a given
10 12-month period, oversees an appraiser panel of 16 or more
11 State-certified appraisers in Illinois or 25 or more
12 State-certified or State-licensed appraisers in 2 or more
13 jurisdictions. "Appraisal management company" includes a
14 hybrid entity.

15 "Appraisal management company national registry fee" means
16 the fee implemented pursuant to Title XI of the federal
17 Financial Institutions Reform, Recovery, and Enforcement Act
18 of 1989 for an appraiser management company's national
19 registry.

20 "Appraisal management services" means one or more of the
21 following:

- 22 (1) recruiting, selecting, and retaining appraisers;
- 23 (2) contracting with State-certified or State-licensed
24 appraisers to perform appraisal assignments;
- 25 (3) managing the process of having an appraisal
26 performed, including providing administrative services

1 such as receiving appraisal orders and appraisal reports;
2 submitting completed appraisal reports to creditors and
3 secondary market participants; collecting compensation
4 from creditors, underwriters, or secondary market
5 participants for services provided; and ~~or~~ paying
6 appraisers for services performed; and ~~or~~

7 (4) reviewing and verifying the work of appraisers.

8 "Appraiser panel" means a network, list, or roster of
9 licensed or certified appraisers approved by the appraisal
10 management company or by the end-user client to perform
11 appraisals as independent contractors for the appraisal
12 management company. "Appraiser panel" includes both appraisers
13 accepted by an appraisal management company for consideration
14 for future appraisal assignments and appraisers engaged by an
15 appraisal management company to perform one or more
16 appraisals. For the purposes of determining the size of an
17 appraiser panel, only independent contractors of hybrid
18 entities shall be counted towards the appraiser panel.

19 "Appraiser panel fee" means the amount collected from a
20 registrant that, where applicable, includes an appraisal
21 management company's national registry fee.

22 "Appraisal report" means a written appraisal by an
23 appraiser to a client.

24 "Appraisal practice service" means valuation services
25 performed by an individual acting as an appraiser, including,
26 but not limited to, appraisal or appraisal review.

1 "Appraisal subcommittee" means the appraisal subcommittee
2 of the Federal Financial Institutions Examination Council as
3 established by Title XI.

4 "Appraiser" means a person who performs real estate or
5 real property appraisals.

6 "Assignment result" means an appraiser's opinions and
7 conclusions developed specific to an assignment.

8 "Audit" includes, but is not limited to, an annual or
9 special audit, visit, or review necessary under this Act or
10 required by the Secretary or the Secretary's authorized
11 representative in carrying out the duties and responsibilities
12 under this Act.

13 "Client" means the party or parties who engage an
14 appraiser by employment or contract in a specific appraisal
15 assignment.

16 "Controlling person" means:

17 (1) an owner, officer, or director of an entity
18 seeking to offer appraisal management services;

19 (2) an individual employed, appointed, or authorized
20 by an appraisal management company who has the authority
21 to:

22 (A) enter into a contractual relationship with a
23 client for the performance of an appraisal management
24 service or appraisal practice service; and

25 (B) enter into an agreement with an appraiser for
26 the performance of a real estate appraisal activity;

1 (3) an individual who possesses, directly or
2 indirectly, the power to direct or cause the direction of
3 the management or policies of an appraisal management
4 company; or

5 (4) an individual who will act as the sole compliance
6 officer with regard to this Act and any rules adopted
7 under this Act.

8 "Covered transaction" means a consumer credit transaction
9 secured by a consumer's principal dwelling.

10 "Department" means the Department of Financial and
11 Professional Regulation.

12 "Email address of record" means the designated email
13 address recorded by the Department in the applicant's
14 application file or the registrant's registration file
15 maintained by the Department's registration maintenance unit.

16 "Entity" means a corporation, a limited liability company,
17 partnership, a sole proprietorship, or other entity providing
18 services or holding itself out to provide services as an
19 appraisal management company or an appraisal management
20 service.

21 "End-user client" means any person who utilizes or engages
22 the services of an appraiser through an appraisal management
23 company.

24 "Federally regulated appraisal management company" means
25 an appraisal management company that is owned and controlled
26 by an insured depository institution, as defined in 12 U.S.C.

1 1813, or an insured credit union, as defined in 12 U.S.C. 1752,
2 and regulated by the Office of the Comptroller of the
3 Currency, the Federal Reserve Board, the National Credit Union
4 Association, or the Federal Deposit Insurance Corporation.

5 "Financial institution" means any bank, savings bank,
6 savings and loan association, credit union, mortgage broker,
7 mortgage banker, registrant under the Consumer Installment
8 Loan Act or the Sales Finance Agency Act, or a corporate
9 fiduciary, subsidiary, affiliate, parent company, or holding
10 company of any registrant, or any institution involved in real
11 estate financing that is regulated by State or federal law.

12 "Foreign appraisal management company" means any appraisal
13 management company organized under the laws of any other state
14 of the United States, the District of Columbia, or any other
15 jurisdiction of the United States.

16 "Hybrid entity" means an appraisal management company that
17 hires an appraiser as an employee to perform an appraisal and
18 engages an independent contractor to perform an appraisal.

19 "Multi-state licensing system" means a web-based platform
20 that allows an applicant to submit the application or
21 registration renewal to the Department online.

22 "Person" means individuals, entities, sole
23 proprietorships, corporations, limited liability companies,
24 and alien, foreign, or domestic partnerships, except that when
25 the context otherwise requires, the term may refer to a single
26 individual or other described entity.

1 "Principal dwelling" means a residential structure that
2 contains one to 4 units, whether or not that structure is
3 attached to real property. "Principal dwelling" includes an
4 individual condominium unit, cooperative unit, manufactured
5 home, mobile home, and trailer, if it is used as a residence.

6 "Principal office" means the actual, physical business
7 address, which shall not be a post office box or a virtual
8 business address, of a registrant, at which (i) the Department
9 may contact the registrant and (ii) records required under
10 this Act are maintained.

11 "Qualified to transact business in this State" means being
12 in compliance with the requirements of the Business
13 Corporation Act of 1983.

14 "Quality control review" means a review of an appraisal
15 report for compliance and completeness, including grammatical,
16 typographical, or other similar errors, unrelated to
17 developing an opinion of value.

18 "Real estate" means an identified parcel or tract of land,
19 including any improvements.

20 "Real estate related financial transaction" means any
21 transaction involving:

22 (1) the sale, lease, purchase, investment in, or
23 exchange of real property, including interests in property
24 or the financing thereof;

25 (2) the refinancing of real property or interests in
26 real property; and

1 (3) the use of real property or interest in property
2 as security for a loan or investment, including mortgage
3 backed securities.

4 "Real property" means the interests, benefits, and rights
5 inherent in the ownership of real estate.

6 "Secretary" means the Secretary of Financial and
7 Professional Regulation.

8 "USPAP" means the Uniform Standards of Professional
9 Appraisal Practice as adopted by the Appraisal Standards Board
10 under Title XI.

11 "Valuation" means any estimate of the value of real
12 property in connection with a creditor's decision to provide
13 credit, including those values developed under a policy of a
14 government sponsored enterprise or by an automated valuation
15 model or other methodology or mechanism.

16 "Written notice" means a communication transmitted by mail
17 or by electronic means that can be verified between an
18 appraisal management company and a licensed or certified real
19 estate appraiser.

20 (Source: P.A. 102-20, eff. 1-1-22; 102-687, eff. 12-17-21.)

21 (225 ILCS 459/15)

22 Sec. 15. Exemptions.

23 (a) Nothing in this Act shall apply to any of the
24 following:

25 (1) an agency of the federal, State, county, or

1 municipal government or an officer or employee of a
2 governmental ~~government~~ agency, or person, described in
3 this Section when acting within the scope of employment of
4 the officer or employee;

5 (2) a corporate relocation company when the appraisal
6 is not used for mortgage purposes and the end user client
7 is an employer company;

8 (3) any person licensed in this State under any other
9 Act while engaged in the activities or practice for which
10 the person ~~he or she~~ is licensed;

11 (4) any person licensed to practice law in this State
12 who is working with or on behalf of a client of that person
13 in connection with one or more appraisals for that client;

14 (5) an appraiser that enters into an agreement,
15 whether written or otherwise, with another appraiser for
16 the performance of an appraisal, and upon the completion
17 of the appraisal, the report of the appraiser performing
18 the appraisal is signed by both the appraiser who
19 completed the appraisal and the appraiser who requested
20 the completion of the appraisal, except that an appraisal
21 management company may not avoid the requirement of
22 registration under this Act by requiring an employee of
23 the appraisal management company who is an appraiser to
24 sign an appraisal that was completed by another appraiser
25 who is part of the appraisal panel of the appraisal
26 management company;

1 (6) any person acting as an agent of the Illinois
2 Department of Transportation in the acquisition or
3 relinquishment of land for transportation issues to the
4 extent of their contract scope;

5 (7) a design professional entity when the appraisal is
6 not used for mortgage purposes and the end user client is
7 an agency of State government or a unit of local
8 government;

9 (8) an appraiser firm whose ownership is appropriately
10 certified under the Real Estate Appraiser Licensing Act of
11 2002;

12 (9) an appraisal management company solely engaged in
13 non-residential appraisal management services; or

14 (10) a department or division of an entity that
15 provides appraisal management services only to that
16 entity.

17 (b) A federally regulated appraisal management company
18 shall register with the Department for the sole purpose of
19 collecting required information for, and to pay all fees
20 associated with, the State of Illinois' obligation to register
21 the federally regulated appraisal management company with the
22 Appraisal Management Companies National Registry, but the
23 federally regulated appraisal management company is otherwise
24 exempt from all other provisions in this Act.

25 (c) In the event that the Final Interim Rule of the federal
26 Dodd-Frank Wall Street Reform and Consumer Protection Act

1 provides that an appraisal management company is a subsidiary
2 owned and controlled by a financial institution regulated by a
3 federal financial institution's regulatory agency and is
4 exempt from State appraisal management company registration
5 requirements, the Department, shall, by rule, provide for the
6 implementation of such an exemption.

7 (Source: P.A. 102-20, eff. 1-1-22.)

8 (225 ILCS 459/20)

9 Sec. 20. Restrictions and limitations. Beginning January
10 1, 2012, it is unlawful for a person or entity to act or assume
11 to act as an appraisal management company as defined in this
12 Act, to engage in the business of appraisal management
13 service, or to advertise or hold oneself ~~himself or herself~~
14 out to be a registered appraisal management company without
15 first obtaining a registration issued by the Department under
16 this Act. A person or entity that violates this Section is
17 guilty of a Class A misdemeanor for the first offense and a
18 Class 4 felony for second and subsequent offenses.

19 (Source: P.A. 100-604, eff. 7-13-18.)

20 (225 ILCS 459/43)

21 Sec. 43. Application denial. If an application is denied,
22 the applicant may, within 20 days after the date of the notice
23 of denial, make a written request to the Secretary for a
24 hearing on the application, and the Secretary shall set a time

1 and place for the hearing. The hearing shall be set for a date
2 after the receipt by the Secretary of the request for hearing,
3 and notice of the time and place of the hearing shall be
4 communicated to the applicant at least 10 days before the date
5 of the hearing. The applicant shall pay the actual cost of
6 making the transcript of the hearing before the Secretary
7 issues a ~~his or her~~ decision following the hearing. If,
8 following the hearing, the application is denied, the
9 Secretary shall prepare and keep on file ~~in his or her office~~ a
10 written order of denial thereof that shall contain the ~~his or~~
11 ~~her~~ findings and the reasons supporting the denial and shall
12 communicate a copy to the applicant in a manner prescribed by
13 the Department. A decision may be reviewed as provided in
14 Section 135.

15 (Source: P.A. 100-604, eff. 7-13-18.)

16 (225 ILCS 459/45)

17 Sec. 45. Expiration and renewal of registration. The
18 expiration date and renewal period for each registration shall
19 be set by rule. A registrant whose registration has expired
20 may reinstate the ~~his or her~~ registration at any time within 5
21 years after the expiration thereof, by making a renewal
22 application and by paying the required fee.

23 Any registrant whose registration has expired for more
24 than 5 years may have it restored by making application to the
25 Department, paying the required fee, and filing acceptable

1 proof of fitness to have the registration restored as set by
2 rule.

3 (Source: P.A. 97-602, eff. 8-26-11.)

4 (225 ILCS 459/60)

5 Sec. 60. Returned checks; fines. Any person who delivers
6 a check or other payment to the Department that is returned to
7 the Department unpaid by the financial institution upon which
8 it is drawn shall pay to the Department, in addition to the
9 amount already owed to the Department, a fine of \$50. The fines
10 imposed by this Section are in addition to any other
11 discipline provided under this Act for unregistered practice
12 or practice on a nonrenewed registration. The Department shall
13 notify the person that payment of fees and fines shall be paid
14 to the Department by certified check or money order within 30
15 calendar days of the notification. If, after the expiration of
16 30 days after the date of the notification, the person has
17 failed to submit the necessary remittance, the Department
18 shall automatically terminate the registration or deny the
19 application, without hearing. If, after termination or denial,
20 the person seeks a registration, the person ~~he or she~~ shall
21 apply to the Department for restoration or issuance of the
22 registration and pay all fees and fines due to the Department.
23 The Department may establish a fee for the processing of an
24 application for restoration of a registration to pay all
25 expenses of processing this application. The Secretary may

1 waive the fines due under this Section in individual cases
2 where the Secretary finds that the fines would be unreasonable
3 or unnecessarily burdensome.

4 (Source: P.A. 97-602, eff. 8-26-11.)

5 (225 ILCS 459/65)

6 Sec. 65. Disciplinary actions.

7 (a) The Department may refuse to issue or renew, or may
8 revoke, suspend, place on probation, reprimand, or take other
9 disciplinary or non-disciplinary action as the Department may
10 deem appropriate, including imposing fines not to exceed
11 \$25,000 for each violation upon any registrant or applicant
12 under this Act or entity who holds oneself or itself out as an
13 applicant or registrant, for any one or combination of the
14 following:

15 (1) Material misstatement in furnishing information to
16 the Department.

17 (2) Violations of this Act or of the rules adopted
18 under this Act.

19 (3) Conviction of or entry of a plea of guilty or nolo
20 contendere to any crime that is a felony under the laws of
21 the United States or any state or territory thereof or
22 that is a misdemeanor of which an essential element is
23 dishonesty, or any crime that is directly related to the
24 practice of the profession.

25 (4) Making any misrepresentation for the purpose of

1 obtaining registration or violating any provision of this
2 Act or the rules adopted under this Act pertaining to
3 advertising.

4 (5) Professional incompetence.

5 (6) Gross malpractice.

6 (7) Aiding or assisting another person in violating
7 any provision of this Act, the Illinois Real Estate
8 Appraiser Licensing Act of 2002, or the ~~or~~ rules adopted
9 under either ~~this~~ Act.

10 (8) Failing, within 30 days after requested, to
11 provide information in response to a written request made
12 by the Department.

13 (9) Engaging in dishonorable, unethical, or
14 unprofessional conduct of a character likely to deceive,
15 defraud, or harm the public.

16 (10) Discipline by another state, the District of
17 Columbia, a territory, or a foreign nation, if at least
18 one of the grounds for the discipline is the same or
19 substantially equivalent to those set forth in this
20 Section.

21 (11) A finding by the Department that the registrant,
22 after having the registrant's registration placed on
23 probationary status, has violated the terms of probation.

24 (12) Willfully making or filing false records or
25 reports in the registrant's practice, including, but not
26 limited to, false records filed with State agencies or

1 departments.

2 (13) Filing false statements for collection of fees
3 for which services are not rendered.

4 (14) Practicing under a false or, except as provided
5 by law, an assumed name.

6 (15) Fraud or misrepresentation in applying for, or
7 procuring, a registration under this Act or in connection
8 with applying for renewal of a registration under this
9 Act.

10 (16) Being adjudicated liable in a civil proceeding
11 for violation of a state or federal fair housing law.

12 (17) (Blank). ~~Failure to obtain or maintain the bond~~
13 ~~required under Section 50 of this Act.~~

14 (18) Failure to pay appraiser panel fees or appraisal
15 management company national registry fees.

16 (19) Violating the terms of any order issued by the
17 Department.

18 (b) The Department may refuse to issue or may suspend
19 without hearing as provided for in the Department of
20 Professional Regulation Law of the Civil Administrative Code
21 of Illinois the registration of any person who fails to file a
22 return, or to pay the tax, penalty, or interest shown in a
23 filed return, or to pay any final assessment of the tax,
24 penalty, or interest as required by any tax Act administered
25 by the Illinois Department of Revenue, until such time as the
26 requirements of any such tax Act are satisfied.

1 (b-5) The Department may refuse to issue or renew or may
2 suspend without hearing as provided for in the Department of
3 Professional Regulation Law of the Civil Administrative Code
4 of Illinois the registration of any person who fails to pay or
5 secure workers' compensation obligations as determined by and
6 based solely upon the certification of the Department of
7 Insurance or the Illinois Workers' Compensation Commission.

8 (c) An appraisal management company shall not be
9 registered or included on the national registry if the
10 company, in whole or in part, directly or indirectly, is owned
11 by a person who has had an appraiser license or certificate
12 refused, denied, canceled, surrendered in lieu of revocation,
13 or revoked under the Real Estate Appraiser Licensing Act of
14 2002 or the rules adopted under that Act, or similar
15 discipline by another state, the District of Columbia, a
16 territory, a foreign nation, a governmental agency, or an
17 entity authorized to impose discipline if at least one of the
18 grounds for that discipline is the same as or the equivalent of
19 one of the grounds for which a licensee may be disciplined as
20 set forth under this Section.

21 (Source: P.A. 103-236, eff. 1-1-24; revised 6-24-25.)

22 (225 ILCS 459/75)

23 Sec. 75. Investigations; notice and hearing. The
24 Department may investigate the actions of any person who is an
25 applicant or of any person or persons rendering or offering to

1 render any services requiring registration under this Act or
2 any person holding or claiming to hold a registration as an
3 appraisal management company. The Department shall, before
4 revoking, suspending, placing on probation, reprimanding, or
5 taking any other disciplinary or non-disciplinary action under
6 Section 65 or Section 165 of this Act, at least 30 days before
7 the date set for the hearing, (i) notify the person charged in
8 writing of the charges made and the time and place for the
9 hearing on the charges, (ii) direct the person to file a
10 written answer to the charges with the Department under oath
11 within 20 days after service of the notice, and (iii) inform
12 the person that, if the person fails to answer, default will be
13 entered or that the person's registration may be suspended,
14 revoked, placed on probationary status, or other disciplinary
15 action taken with regard to the registration, including
16 limiting the scope, nature, or extent of the person's
17 practice, as the Department may consider proper. At the time
18 and place fixed in the notice, the Department shall proceed to
19 hear the charges and the parties or their counsel shall be
20 accorded ample opportunity to present any pertinent
21 statements, testimony, evidence, and arguments. The Department
22 may continue the hearing from time to time. In case the person,
23 after receiving the notice, fails to file an answer, the
24 person's registration may, in the discretion of the
25 Department, be suspended, revoked, placed on probationary
26 status, or the Department may take whatever disciplinary

1 action considered proper, including limiting the scope,
2 nature, or extent of the person's practice or the imposition
3 of a fine, without a hearing, if the act or acts charged
4 constitute sufficient grounds for that action under this Act.
5 The written notice may be served by certified mail or
6 electronic mail to the last address of record or email address
7 of record as provided to the Department or, if in the course of
8 the administrative proceeding the party has previously
9 designated a specific email address at which to accept
10 electronic service for that specific proceeding, by sending a
11 copy by email to the party's email address on record.
12 (Source: P.A. 103-236, eff. 1-1-24.)

13 (225 ILCS 459/105)

14 Sec. 105. Secretary; rehearing. Whenever the Secretary
15 believes that substantial justice has not been done in the
16 revocation, suspension, or refusal to issue, restore, or renew
17 a registration, or other discipline of an applicant or
18 registrant, the Secretary ~~he or she~~ may order a rehearing by
19 the same or other hearing officers.
20 (Source: P.A. 97-602, eff. 8-26-11.)

21 (225 ILCS 459/110)

22 Sec. 110. Appointment of a hearing officer. The Secretary
23 has the authority to appoint any attorney licensed to practice
24 law in the State to serve as the hearing officer in any action

1 for refusal to issue, restore, or renew a registration or to
2 discipline a registrant. The hearing officer has full
3 authority to conduct the hearing. The hearing officer shall
4 report the ~~his or her~~ findings of fact, conclusions of law, and
5 recommendations to the Secretary. If the Secretary disagrees
6 with the recommendation of the hearing officer, the Secretary
7 may issue an order in contravention of the recommendation.

8 (Source: P.A. 97-602, eff. 8-26-11.)

9 (225 ILCS 459/125)

10 Sec. 125. Surrender of registration. Upon the revocation
11 or suspension of a registration, the registrant shall
12 immediately surrender the ~~his or her~~ registration to the
13 Department. If the registrant fails to do so, the Department
14 has the right to seize the registration.

15 (Source: P.A. 97-602, eff. 8-26-11.)

16 (225 ILCS 459/165)

17 Sec. 165. Prohibited activities.

18 (a) No person or entity acting in the capacity of an
19 appraisal management company shall improperly influence or
20 attempt to improperly influence the development, reporting,
21 result, or review of any appraisal by engaging, without
22 limitation, in any of the following:

23 (1) Withholding or threatening to withhold timely
24 payment for a completed appraisal, except where addressed

1 in a mutually agreed upon contract.

2 (2) Withholding or threatening to withhold, either
3 expressed or by implication, future business from, or
4 demoting, or terminating, or threatening to demote or
5 terminate an Illinois licensed or certified appraiser.

6 (3) Expressly or impliedly promising future business,
7 promotions, or increased compensation for an independent
8 appraiser.

9 (4) Conditioning an assignment for an appraisal
10 service or the payment of an appraisal fee or salary or
11 bonus on the opinion, conclusion, or valuation to be
12 reached in an appraisal report.

13 (5) Requesting that an appraiser provide an estimated,
14 predetermined, or desired valuation in an appraisal report
15 or provide estimated values or sales at any time prior to
16 the appraiser's completion of an appraisal report.

17 (6) Allowing or directing the removal of an appraiser
18 from an appraisal panel without prior written notice to
19 the appraiser.

20 (7) Requiring an appraiser to sign a non-compete
21 clause when not an employee of the entity.

22 (8) Requiring an appraiser to sign any sort of
23 indemnification agreement that would require the appraiser
24 to defend and hold harmless the appraisal management
25 company or any of its agents, employees, or independent
26 contractors for any liability, damage, losses, or claims

1 arising out of the services performed by the appraisal
2 management company or its agents, employees, or
3 independent contractors and not the services performed by
4 the appraiser.

5 (9) Prohibiting or attempting to prohibit the
6 appraiser from including or referencing the appraisal fee,
7 the appraisal management company name or identity, or the
8 client's or lender's name or identity within the body of
9 the appraisal report.

10 (10) Require an appraiser to collect a fee from the
11 borrower or occupant of the property to be appraised.

12 (11) Knowingly withholding any end-user client
13 guidelines, policies, requirements, standards, assignment
14 conditions, and special instructions from an appraiser
15 prior to the acceptance of an appraisal assignment.

16 (b) A person or entity may not structure an appraisal
17 assignment or a contract with an independent appraiser for the
18 purpose of evading the provisions of this Act.

19 (c) No registrant or other person or entity may alter,
20 modify, or otherwise change a completed appraisal report
21 submitted by an independent appraiser, including without
22 limitation, by doing either of the following:

23 (1) permanently or temporarily removing the
24 appraiser's signature or seal; or

25 (2) adding information to, or removing information
26 from, the appraisal report with an intent to change the

1 value conclusion or the condition of the property.

2 (d) No appraisal management company may require an
3 appraiser to provide it with the appraiser's digital signature
4 or seal. However, nothing in this Act shall be deemed to
5 prohibit an appraiser from voluntarily providing the
6 appraiser's ~~his or her~~ digital signature or seal to another
7 person on an assignment-by-assignment basis, in accordance
8 with USPAP.

9 (e) Nothing in this Act shall prohibit an appraisal
10 management company from requesting that an appraiser:

11 (1) consider additional appropriate property
12 information, including the consideration of additional
13 comparable properties to make or support an appraisal;

14 (2) provide further detail, substantiation, or
15 explanation for the appraiser's value conclusion; or

16 (3) correct factual errors in the appraisal report.

17 (Source: P.A. 97-602, eff. 8-26-11.)

18 (225 ILCS 459/50 rep.)

19 Section 55. The Appraisal Management Company Registration
20 Act is amended by repealing Section 50.

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.

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