

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 Section 4.36 and adding Section 4.41 as follows:

6 (5 ILCS 80/4.36)

7 Sec. 4.36. Acts repealed on January 1, 2026. The following
8 Acts are repealed on January 1, 2026:

9 The Barber, Cosmetology, Esthetics, Hair Braiding, and
10 Nail Technology Act of 1985.

11 The Collection Agency Act.

12 The Hearing Instrument Consumer Protection Act.

13 The Illinois Athletic Trainers Practice Act.

14 The Illinois Dental Practice Act.

15 ~~The Illinois Roofing Industry Licensing Act.~~

16 The Illinois Physical Therapy Act.

17 ~~The Professional Geologist Licensing Act.~~

18 The Respiratory Care Practice Act.

19 (Source: P.A. 99-26, eff. 7-10-15; 99-204, eff. 7-30-15;
20 99-227, eff. 8-3-15; 99-229, eff. 8-3-15; 99-230, eff. 8-3-15;
21 99-427, eff. 8-21-15; 99-469, eff. 8-26-15; 99-492, eff.
22 12-31-15; 99-642, eff. 7-28-16.)

1 (5 ILCS 80/4.41 new)

2 Sec. 4.41. Acts repealed on January 1, 2031. The following

3 Acts are repealed on January 1, 2031:

4 The Illinois Roofing Industry Licensing Act.

5 The Professional Geologist Licensing Act.

6 Section 10. The Illinois Roofing Industry Licensing Act is
7 amended by changing Sections 1, 2, 2.1, 3, 3.5, 4.5, 5.1, 5.5,
8 6, 7.1, 9, 9.1, 9.4, 9.7, 9.8, 10a, 11, 11.5, and 11.8 and by
9 adding Sections 2.05, 4.6, and 11.5a as follows:

10 (225 ILCS 335/1) (from Ch. 111, par. 7501)

11 (Section scheduled to be repealed on January 1, 2026)

12 Sec. 1. Legislative purpose. It is hereby declared to be
13 the public policy of this State that, in order to safeguard the
14 life, health, property, and public welfare of its citizens,
15 the business of roofing construction, reconstruction,
16 alteration, maintenance and repair is a matter affecting the
17 public interest, and any person desiring to obtain a license
18 to engage in the business as herein defined shall be required
19 to establish the person's ~~his or her~~ qualifications to be
20 licensed as herein provided.

21 (Source: P.A. 90-55, eff. 1-1-98.)

22 (225 ILCS 335/2) (from Ch. 111, par. 7502)

23 (Section scheduled to be repealed on January 1, 2026)

1 Sec. 2. Definitions. As used in this Act, unless the
2 context otherwise requires:

3 (a) "Licensure" means the act of obtaining or holding a
4 license issued by the Department as provided in this Act.

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

7 (c) "Secretary" means the Secretary of Financial and
8 Professional Regulation or his or her designee.

9 (d) "Person" means any individual, partnership,
10 corporation, business trust, professional limited liability
11 company, limited liability company, or other legal entity.

12 (e) "Roofing contractor" is one who has the experience,
13 knowledge, and skill to construct, reconstruct, alter,
14 maintain, and repair roofs and use materials and items used in
15 the construction, reconstruction, alteration, maintenance, and
16 repair of all kinds of roofing and waterproofing as related to
17 roofing over an occupiable space, all in such manner to comply
18 with all plans, specifications, codes, laws, and regulations
19 applicable thereto, but does not include such contractor's
20 employees to the extent the requirements of Section 3 of this
21 Act apply and extend to such employees. "Roofing contractor"
22 includes a corporation, professional limited liability
23 company, limited liability company, limited partnership,
24 partnership, business trust, or sole proprietorship.

25 (f) "Board" means the Roofing Advisory Board.

26 (g) "Qualifying party" means the individual designated by

1 a roofing contracting business who is filing for licensure as
2 a sole proprietor, partner of a partnership, officer of a
3 corporation, trustee of a business trust, or manager of a
4 professional limited liability company or limited liability
5 company. ~~party of another legal entity,~~

6 "Qualifying party" means a person who, prior to and upon
7 the roofing contractor's licensure, ~~who~~ is legally qualified
8 to act for the business organization in all matters connected
9 with its roofing contracting business, has the authority to
10 supervise roofing installation operations, and is actively
11 engaged in day-to-day ~~day to day~~ activities of the business
12 organization.

13 "Qualifying party" does not apply to a seller of roofing
14 services ~~materials~~ or roofing materials ~~services~~ when the
15 construction, reconstruction, alteration, maintenance, or
16 repair of roofing or waterproofing is to be performed by a
17 person other than the seller or the seller's employees.

18 (h) "Limited roofing license" means a license made
19 available to contractors whose roofing business is limited to
20 roofing residential properties consisting of 8 units or less.

21 (i) "Unlimited roofing license" means a license made
22 available to contractors whose roofing business is unlimited
23 in nature and includes roofing on residential, commercial, and
24 industrial properties.

25 (j) "Seller of roofing ~~services or~~ materials" means a
26 business entity primarily engaged in the sale of tangible

1 personal property at retail.

2 (k) "Building permit" means a permit issued by a unit of
3 local government for work performed within the local
4 government's jurisdiction that requires a license under this
5 Act.

6 (l) "Address of record" means the designated street
7 address recorded by the Department in the applicant's or
8 licensee's application file or license file as maintained by
9 the Department's licensure maintenance unit. ~~It is the duty of~~
10 ~~the applicant or licensee to inform the Department of any~~
11 ~~change of address, and those changes must be made either~~
12 ~~through the Department's website or by contacting the~~
13 ~~Department.~~

14 (m) "Email address of record" means the designated email
15 address recorded by the Department in the applicant's
16 application file or the licensee's license file as maintained
17 by the Department's licensure maintenance unit.

18 (n) "Roof repair" means reconstruction or renewal of any
19 portion of an existing roof for the purpose of correcting
20 damage or restoring the roof to pre-damage condition, ~~part of~~
21 an existing roof for the purpose of its maintenance but
22 excludes circumstances when a torch technique is used by a
23 licensed roofing contractor. "Roof repair" includes the use
24 of:

25 (1) new material that is compatible with existing
26 materials that are to remain in a specific roof section;

1 and

2 (2) new material that is at least as fire resistive as
3 the material being replaced.

4 (o) "Roofing work" or "professional roofing services"
5 means the construction, reconstruction, alteration,
6 maintenance, and repair of a roof on residential, commercial,
7 or industrial property and the use of materials and items in
8 the construction, reconstruction, alteration, maintenance, and
9 repair of roofing and waterproofing of roofs, all in a manner
10 that complies with plans, specifications, codes, laws, rules,
11 regulations, and current roofing industry standards for
12 workmanlike performance applicable to the construction,
13 reconstruction, alteration, maintenance, and repair of roofs
14 on such properties.

15 (p) "Seller of roofing services" means a business or
16 governmental entity that subcontracts professional roofing
17 services to a licensed roofing contractor that serves as the
18 subcontractor for a roofing project. "Seller of roofing
19 services" includes a general contractor, real estate
20 developer, or builder.

21 (q) "General contractor", "real estate developer", or
22 "builder" means the person responsible for overseeing a
23 building or construction project that includes a roof system.

24 (r) "Public member" means a consumer who is not a
25 qualifying party or employee of a licensed roofing contractor.
26 For purposes of board membership, the public member shall have

1 no connection or financial interest in the roofing or general
2 contracting industries.

3 (s) "Subcontractor" means any person who is a licensed
4 roofing contractor that has a direct contract with a seller of
5 roofing services or a governmental entity to perform a portion
6 of roofing work under a building or construction contract for
7 a project that includes a roof system.

8 (t) "Roof system" means the components of a roof that
9 include, but are not limited to, covering, framing,
10 insulation, sheathing, ventilation, sealing, waterproofing,
11 weatherproofing, related architectural sheet metal work, and
12 roof coatings.

13 (u) "Roof section" means a separation or division of a
14 roof area by existing expansion joints, parapet walls,
15 flashing (excluding valley), difference of elevation
16 (excluding hips and ridges), roof type, or legal description.
17 "Roof section" does not include the roof area required for a
18 proper tie-off with an existing system.

19 (v) "Roof recover" means installing an additional roof
20 covering over a prepared existing roof covering without
21 removing the existing roof covering. "Roof recover" does not
22 include the following situations:

23 (1) if the existing roof covering is water soaked or
24 has deteriorated to the point that the existing roof or
25 roof covering is not adequate as a base for additional
26 roofing;

1 (2) if the existing roof covering is slate or tile; or
2 (3) if the existing roof has 2 or more applications of
3 roof covering unless the Department has received and
4 accepted a structural condition report, prepared by an
5 Illinois licensed architect or structural engineer,
6 confirming that the existing structure can support an
7 additional layer of roof covering.

8 (w) "Roof replacement" means removing the existing roof
9 covering, repairing any damaged substrate, and installing a
10 new roof covering. The new roof shall be installed in
11 accordance with the applicable provisions of the Illinois
12 Energy Conservation Code.

13 (Source: P.A. 99-469, eff. 8-26-15; 100-545, eff. 11-8-17.)

14 (225 ILCS 335/2.05 new)

15 Sec. 2.05. Address of record; email address of record. All
16 applicants and licensees shall:

17 (1) provide a valid address and email address to the
18 Department, which shall serve as the address of record and
19 email address of record, respectively, at the time of
20 application for licensure or renewal of a license; and

21 (2) inform the Department of any change of address of
22 record or email address of record within 14 days after the
23 change, either through the Department's website or by
24 contacting the Department's licensure maintenance unit.

1 (225 ILCS 335/2.1) (from Ch. 111, par. 7502.1)

2 (Section scheduled to be repealed on January 1, 2026)

3 Sec. 2.1. Administration of Act; rules and forms.

4 (a) The Department shall exercise the powers and duties
5 prescribed by the Civil Administrative Code of Illinois for
6 the administration of licensing Acts and shall exercise such
7 other powers and duties necessary for effectuating the
8 purposes of this Act.

9 (b) The Secretary may adopt rules consistent with the
10 provisions of this Act for the administration and enforcement
11 of this Act and for the payment of fees connected with this Act
12 and may prescribe forms that shall be issued in connection
13 with this Act. The rules may include, but not be limited to,
14 the standards and criteria for licensure and professional
15 conduct and discipline and the standards and criteria used
16 when determining fitness to practice. The Department may
17 consult with the Board in adopting rules.

18 (c) The Department may, at any time, seek the advice and
19 the expert knowledge of the Board and any member of the Board
20 on any matter relating to the administration of this Act.

21 (d) (Blank).

22 (Source: P.A. 99-469, eff. 8-26-15.)

23 (225 ILCS 335/3) (from Ch. 111, par. 7503)

24 (Section scheduled to be repealed on January 1, 2026)

25 Sec. 3. Application for roofing contractor license.

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

23 (a) the name and address of the individual ~~person~~
24 designated as the qualifying party responsible for the
25 practice of professional roofing in Illinois;

26 (b) the name of the sole proprietorship and its sole

1 proprietor, the name of the partnership and its partners,
2 the name of the corporation and its officers,
3 shareholders, and directors, the name of the business
4 trust and its trustees, or the name of such other legal
5 entity and its members and managers;

6 (c) evidence of compliance with any statutory
7 requirements pertaining to such legal entity, including
8 compliance with the Assumed Business Name Act; and

9 (d) a signed irrevocable uniform consent to service of
10 process form provided by the Department.

11 (1.5) (Blank).

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

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

18 (b) the applicant ~~he or she~~ has obtained Workers'
19 Compensation insurance for roofing covering the
20 applicant's ~~his or her~~ employees or is approved as a
21 self-insurer of Workers' Compensation in accordance with
22 Illinois law;

23 (c) the applicant ~~he or she~~ has an unemployment
24 insurance employer account number issued by the Department
25 of Employment Security, and the applicant ~~he or she~~ is not
26 delinquent in the payment of any amount due under the

1 Unemployment Insurance Act;

2 (d) the applicant ~~he or she~~ has submitted a continuous
3 bond to the Department in the amount of \$10,000 for a
4 limited license and in the amount of \$25,000 for an
5 unlimited license; and

6 (e) the ~~a~~ qualifying party has satisfactorily
7 completed the examination required under Section 3.5.

8 (3) It is the ongoing responsibility of the licensee to
9 provide to the Department notice in writing of any and all
10 changes in the information required to be provided on the
11 application, including, but not limited to, a change in the
12 licensee's assumed name, if applicable.

13 (3.5) The qualifying party shall be an employee who
14 receives compensation from and is under the supervision and
15 control of the licensed roofing contractor business employer
16 that regularly deducts the payroll tax under the Federal
17 Insurance Contributions Act, deducts withholding tax, and
18 provides workers' compensation as prescribed by law. The
19 qualifying party shall not receive a Form 1099 from the
20 licensed roofing contractor business.

21 (4) (Blank).

22 (5) Nothing in this Section shall apply to a seller of
23 roofing services ~~materials~~ or roofing materials ~~services~~ when
24 the construction, reconstruction, alteration, maintenance, or
25 repair of roofing or waterproofing is to be performed by a
26 subcontractor or a person other than the seller or the

1 seller's employees.

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

8 (Source: P.A. 98-838, eff. 1-1-15; 99-469, eff. 8-26-15.)

9 (225 ILCS 335/3.5)

10 (Section scheduled to be repealed on January 1, 2026)

11 Sec. 3.5. Examinations.

12 (a) The Department shall authorize examinations for
13 applicants for initial licensure at the time and place it may
14 designate. The examinations shall be of a character to fairly
15 test the competence and qualifications of applicants to act as
16 roofing contractors. Each applicant for limited licenses shall
17 designate a qualifying party who shall take an examination,
18 the technical portion of which shall cover current residential
19 roofing practices. Each applicant for an unlimited license
20 shall designate a qualifying party who shall take an
21 examination, the technical portion of which shall cover
22 current residential, commercial, and industrial roofing
23 practices. Both examinations shall cover Illinois
24 jurisprudence as it relates to roofing practice.

25 (b) An applicant for a limited license or an unlimited

1 license or a qualifying party designated by an applicant for a
2 limited license or unlimited license shall pay, either to the
3 Department or the designated testing service, a fee
4 established by the Department to cover the cost of providing
5 the examination. Failure to appear for the examination on the
6 scheduled date at the time and place specified, after the
7 applicant's application for examination has been received and
8 acknowledged by the Department or the designated testing
9 service, shall result in forfeiture of the examination fee.

10 (c) The qualifying party for an applicant for a new
11 license must have passed an examination authorized by the
12 Department before the Department may issue a license.

13 (d) The application for a license as a corporation,
14 business trust, or other legal entity submitted by a sole
15 proprietor who is currently licensed under this Act and exempt
16 from the examination requirement of this Section shall not be
17 considered an application for initial licensure for the
18 purposes of this subsection (d) if the sole proprietor is
19 named in the application as the qualifying party and is the
20 sole owner of the legal entity. Upon issuance of a license to
21 the new legal entity, the sole proprietorship license is
22 terminated.

23 The application for initial licensure as a partnership,
24 corporation, professional limited liability company, limited
25 liability company, business trust, or other legal entity
26 submitted by a currently licensed partnership, corporation,

1 professional limited liability company, limited liability
2 company, business trust, or other legal entity shall not be
3 considered an application for initial licensure for the
4 purposes of this subsection (d) if the entity's current
5 qualifying party is exempt from the examination requirement of
6 this Section, that qualifying party is named as the new legal
7 entity's qualifying party, and the majority of ownership in
8 the new legal entity remains the same as the currently
9 licensed entity. Upon issuance of a license to the new legal
10 entity under this subsection (d), the former license issued to
11 the applicant is terminated.

12 (e) A roofing contractor applicant and a qualifying party
13 ~~An~~ applicant have ~~has~~ 3 years after the date of application to
14 complete the application process. If the process has not been
15 completed within 3 years, the application shall be denied, the
16 fee shall be forfeited, and the applicant must reapply and
17 meet the requirements in effect at the time of reapplication.

18 (Source: P.A. 99-469, eff. 8-26-15.)

19 (225 ILCS 335/4.5)

20 (Section scheduled to be repealed on January 1, 2026)

21 Sec. 4.5. Duties and responsibilities of qualifying party;
22 acceptance ~~replacement~~; grounds for discipline.

23 (a) While named as and engaged as ~~or named as~~ a qualifying
24 party for a roofing contractor licensee, no person may be the
25 named qualifying party for any other licensee. However, the

1 person may act in the capacity of the qualifying party for one
2 additional roofing contractor licensee of the same type of
3 licensure only if one of the following conditions exists:

4 (1) the person has ~~there is~~ a common ownership or
5 management interest of at least 25% of each licensed
6 entity for which the person acts as a qualifying party; or

7 (2) the same person acts as a qualifying party for one
8 licensed entity and its licensed subsidiary.

9 "Subsidiary" as used in this Section means a corporation,
10 professional limited liability company, or limited liability
11 company of which at least 25% is owned or managed by another
12 roofing contractor licensee.

13 (b) At all times a licensed roofing contractor shall have
14 one corresponding qualifying party actively engaged in the
15 day-to-day activities of the roofing contractor's business,
16 except for a change in qualifying party as set forth in Section
17 4.6 and the rules adopted under this Act ~~Upon the loss of a~~
18 ~~qualifying party who is not replaced, the qualifying party or~~
19 ~~the licensee, or both, shall notify the Department of the name~~
20 ~~and address of the newly designated qualifying party. The~~
21 ~~newly designated qualifying party must take and pass the~~
22 ~~examination prescribed in Section 3.5 of this Act. These~~
23 ~~requirements shall be met in a timely manner as established by~~
24 ~~rule of the Department.~~

25 (c) A qualifying party that is accepted by the Department
26 shall be issued an appropriate credential and shall have and

1 exercise the authority to act for the licensed entity in all
2 matters connected with its roofing contracting business and to
3 supervise roofing installation operations. This authority
4 shall not be deemed to be a license for purposes of this Act.
5 Upon acceptance, the qualifying party shall act on behalf of
6 the licensed roofing contractor entity only, except as
7 provided for in subsection (a).

8 (d) Designation of a qualifying party by an applicant
9 under this Section and Section 3 is subject to acceptance by
10 the Department. The Department may refuse to accept a
11 qualifying party (i) for failure to qualify as required under
12 this Act and the rules adopted under this Act or (ii) after
13 making a determination that the designated qualifying party
14 has a history of acting illegally, fraudulently,
15 incompetently, or with gross negligence in the roofing or
16 construction business.

17 The qualifying party who has been accepted by the
18 Department shall maintain the qualifying party's duties and
19 responsibilities to the licensed roofing contractor as
20 follows:

21 (1) The qualifying party may have a common ownership
22 or management interest in the licensed roofing contractor
23 entity, and, on behalf of the licensed entity, may serve
24 as an estimator, salesperson, project manager,
25 superintendent, or in a similar capacity as defined by
26 rule;

1 (2) The qualifying party may delegate the qualifying
2 party's supervising authority over the persons performing
3 the onsite roofing work only to another employee of the
4 licensed roofing contractor;

5 (3) While engaged as a qualifying party for a licensed
6 roofing contractor, the qualifying party shall not accept
7 other employment that would conflict with the individual's
8 duties as a qualifying party or conflict with the
9 individual's ability to supervise adequately the work
10 performed by the licensed roofing contractor;

11 (4) The qualifying party shall not act on behalf of an
12 unlicensed entity or a subcontractor that is not the
13 qualifying party's licensee; and

14 (5) The qualifying party shall not use the qualifying
15 party's credential for the benefit of an unlicensed person
16 or a roofing contractor that has not designated the
17 individual to qualify the contractor for licensure in
18 accordance with this Act, unless the licensed roofing
19 contractor affiliated with the qualifying party is a
20 subcontractor or seller of roofing services pursuant to a
21 bona fide contract for roofing contracting services.

22 (e) The Department may, at any time after giving
23 appropriate notice and the opportunity for a hearing, suspend
24 or revoke its acceptance of a qualifying party designated by a
25 roofing contractor licensee and impose other discipline,
26 including, but not limited to, fines not to exceed \$15,000 per

1 violation for any act or failure to act that gives rise to any
2 ground for disciplinary action against that roofing contractor
3 licensee under this Act and the rules adopted under this Act.
4 If the Department suspends or revokes its acceptance of a
5 qualifying party, the license of the roofing contractor
6 licensee shall be deemed to be suspended until a new
7 qualifying party has been designated by the roofing contractor
8 licensee and accepted by the Department.

9 If acceptance of a qualifying party is suspended or
10 revoked for action or inaction that constitutes a violation of
11 this Act or the rules adopted under this Act, the Department
12 may in addition take such other disciplinary or
13 non-disciplinary action as it may deem proper against the
14 licensee or qualifying party, including imposing a fine on the
15 qualifying party, not to exceed \$15,000~~\$10,000~~ for each
16 violation.

17 All administrative decisions of the Department under this
18 subsection (e) are subject to judicial review pursuant to
19 Section 9.7 of this Act. An order taking action against a
20 qualifying party shall be deemed a final administrative
21 decision of the Department for purposes of Section 9.7 of this
22 Act.

23 (Source: P.A. 99-469, eff. 8-26-15.)

24 (225 ILCS 335/4.6 new)

25 Sec. 4.6. Qualifying party termination; succession;

1 inoperative status.

2 (a) The licensed roofing contractor shall provide
3 information as requested by the Department, which shall
4 include, but not be limited to, the name and contact
5 information of the qualifying party.

6 (b) A qualifying party shall at all times maintain a
7 valid, active credential only on behalf of the qualifying
8 party's corresponding licensed roofing contractor.

9 (c) In the event a qualifying party is terminated or has an
10 active status as the qualifying party of the licensed roofing
11 contractor terminated, both the licensee and the qualifying
12 party shall notify the Department of this disassociation in
13 writing, by regular mail or email, within 30 business days
14 after the date of disassociation. If such notice is not given
15 in a timely manner, the license will be placed on inoperative
16 status.

17 (d) Upon the termination, loss, or disassociation of the
18 qualifying party, the licensed roofing contractor, if it has
19 so informed the Department of the disassociation, shall notify
20 the Department of the name and address of the newly designated
21 qualifying party within 60 days after the date the licensee
22 notifies the Department of the date of disassociation. If such
23 notice is not given in a timely manner, the license will be
24 placed on inoperative status.

25 (e) The Department shall determine the newly designated
26 qualifying party's fitness to have the roofing contracting

1 license requalified, including, but not limited to, the
2 application qualifications to sit for the examination.

3 (f) Within 7 months after approval by the Department, the
4 newly designated qualifying party must take and pass the
5 examination prescribed in Section 3.5 of this Act to requalify
6 the roofing contracting license.

7 (g) If a licensed roofing contractor fails to requalify
8 through the newly designated qualifying party within the time
9 prescribed by the Department by rule, the license is
10 automatically placed in inoperative status at the end of the
11 time period until the licensee requalifies through another
12 newly designated qualifying party. The requirements in this
13 Section shall be met in a timely manner as established by rule
14 of the Department.

15 (h) The license of any roofing contractor whose
16 association with a qualifying party has terminated shall
17 automatically become inoperative immediately upon such
18 termination. An inoperative licensee under this Act shall not
19 perform any roofing contracting services while the license is
20 in inoperative status, unless the licensee meets all of the
21 criteria outlined in this Section.

22 (225 ILCS 335/5.1)

23 (Section scheduled to be repealed on January 1, 2026)

24 Sec. 5.1. Commercial vehicles. Any entity offering
25 services regulated by the Roofing Industry Licensing Act shall

1 affix the roofing contractor license number and the licensee's
2 name, as it appears on the license, on all commercial vehicles
3 used in offering such services. An entity in violation of this
4 Section shall be subject to a civil penalty of no less than
5 \$250 and no more than \$1,000 ~~civil penalty~~. This Section may be
6 enforced by the Department, the Attorney General, or local
7 code enforcement officials employed by units of local
8 government as it relates to roofing work being performed
9 within the boundaries of their jurisdiction. For purposes of
10 this Section, "code enforcement official" means an officer or
11 other designated authority charged with the administration,
12 interpretation, and enforcement of codes on behalf of a
13 municipality or county. If the alleged violation has been
14 corrected prior to or on the date of the hearing scheduled to
15 adjudicate the alleged violation, the violation shall be
16 dismissed.

17 (Source: P.A. 99-469, eff. 8-26-15.)

18 (225 ILCS 335/5.5)

19 (Section scheduled to be repealed on January 1, 2026)

20 Sec. 5.5. Contracts.

21 (a) A licensed roofing contractor, when signing a contract
22 for professional roofing services, must include in the
23 contract ~~provide a land-based phone number, and~~ a street
24 address other than a post office box, and an email address at
25 which the roofing contractor may be contacted.

1 (b) Prior to engaging in any roofing work, a roofing
2 contractor shall provide a written contract to the property
3 owner, signed by both the roofing contractor or the roofing
4 contractor's designee and the property owner, stating at least
5 the following terms:

6 (1) the scope of roofing services and materials to be
7 provided;

8 (2) the approximate dates of service;

9 (3) for roof repair, the approximate costs of the
10 services based on damages known at the time the contract
11 is entered;

12 (4) the licensed roofing contractor's contact
13 information, including a street address other than a post
14 office box, email address, phone number, and any other
15 contact information available for the roofing contractor;

16 (5) identification of the roofing contractor's surety
17 and liability coverage insurer and the insurer's contact
18 information, if applicable;

19 (6) the roofing contractor's policy regarding
20 cancellation of the contract and refund of any deposit,
21 including a rescission clause allowing the property owner
22 to rescind the contract and obtain a full refund of any
23 deposit within 72 hours after entering the contract and a
24 written statement that the property owner may rescind a
25 roofing contract; and

26 (7) a written statement that if the property owner

1 plans to use the proceeds of a property and casualty
2 insurance policy issued to pay for the roofing work, the
3 roofing contractor cannot pay, waive, rebate, or promise
4 to pay, waive, or rebate all or part of any insurance
5 deductible applicable to the insurance claim for payment
6 for roofing work on the covered property.

7 (c) In addition to the contract terms required in
8 subsection (b) of this Section, a licensed roofing contractor
9 shall include, on the face of the contract, in bold-faced
10 type, a statement indicating that the roofing contractor shall
11 hold in trust any payment from the property owner until the
12 roofing contractor has delivered roofing materials at the
13 property site or has performed a majority of the roofing work
14 on the property.

15 (d) The roofing contractor for a roofing project shall
16 keep a fully executed copy of the contract for professional
17 roofing services available for inspection by the Department.

18 (e) In awarding a contract for professional roofing
19 services, if the property owner is the State or any
20 municipality, county, incorporated area, or school district,
21 the property owner or responsible public entity shall conduct
22 a bona fide procurement process in accordance with applicable
23 law in which the awarded vendor or a subcontractor holds the
24 applicable verified active licenses and a qualifying party
25 credential issued by the Department.

26 (Source: P.A. 99-469, eff. 8-26-15.)

1 (225 ILCS 335/6) (from Ch. 111, par. 7506)

2 (Section scheduled to be repealed on January 1, 2026)

3 Sec. 6. Expiration and renewal; inactive status;
4 restoration.

5 (a) The expiration date and renewal period for each
6 certificate of registration issued under this Act shall be set
7 by the Department by rule.

8 (b) A licensee who has permitted the licensee's ~~his or her~~
9 license to expire or whose license is on inactive status may
10 have the ~~his or her~~ license restored by making application to
11 the Department in the form and manner prescribed by the
12 Department.

13 (c) A licensee who notifies the Department in writing on
14 forms prescribed by the Department may elect to place the ~~his~~
15 ~~or her~~ license on inactive status and shall, subject to rules
16 of the Department, be excused from payment of renewal fees
17 until the licensee ~~he or she~~ notifies the Department in
18 writing of the licensee's ~~his or her~~ desire to resume active
19 status.

20 (d) A licensee whose license expired while the licensee's
21 qualifying party ~~he or she~~ was (1) on active duty with the
22 Armed Forces of the United States or the State Militia called
23 into service or training or (2) in training or education under
24 the supervision of the United States preliminary to induction
25 into the military service, may have the ~~his or her~~ license

1 renewed or restored without paying any lapsed renewal fees if,
2 within 2 years after termination of such service, training, or
3 education, except under conditions other than honorable, the
4 qualifying party ~~he or she~~ furnishes the Department with
5 satisfactory evidence to the effect that the qualifying party
6 ~~he or she~~ has been so engaged and that the qualifying party's
7 ~~his or her~~ service, training, or education has been so
8 terminated.

9 (e) A roofing contractor whose license is expired or on
10 inactive status shall not practice under this Act in the State
11 of Illinois.

12 (Source: P.A. 99-469, eff. 8-26-15.)

13 (225 ILCS 335/7.1)

14 (Section scheduled to be repealed on January 1, 2026)

15 Sec. 7.1. Applicant convictions.

16 (a) When reviewing a conviction by plea of guilty or nolo
17 contendere, finding of guilt, jury verdict, or entry of
18 judgment or by sentencing of an initial applicant, the
19 Department may only deny a license or refuse to accept a
20 designated qualifying party based upon consideration of
21 mitigating factors provided in subsection (c) of this Section
22 for a felony directly related to the practice of roofing
23 contracting.

24 (b) The following crimes or similar offenses in any other
25 jurisdiction are hereby deemed directly related to the

1 practice of roofing contracting:

2 (1) first degree murder;

3 (2) second degree murder;

4 (3) drug induced homicide;

5 (4) unlawful restraint;

6 (5) aggravated unlawful restraint;

7 (6) forcible detention;

8 (7) involuntary servitude;

9 (8) involuntary sexual servitude of a minor;

10 (9) predatory criminal sexual assault of a child;

11 (10) aggravated criminal sexual assault;

12 (11) criminal sexual assault;

13 (12) criminal sexual abuse;

14 (13) aggravated kidnaping;

15 (14) aggravated robbery;

16 (15) armed robbery;

17 (16) kidnaping;

18 (17) aggravated battery;

19 (18) aggravated vehicular hijacking;

20 (19) home invasion;

21 (20) terrorism;

22 (21) causing a catastrophe;

23 (22) possession of a deadly substance;

24 (23) making a terrorist threat;

25 (24) material support for terrorism;

26 (25) hindering prosecution of terrorism;

1 (26) armed violence;

2 (27) any felony based on consumer fraud or deceptive
3 business practices under the Consumer Fraud and Deceptive
4 Business Practices Act;

5 (28) any felony requiring registration as a sex
6 offender under the Sex Offender Registration Act;

7 (29) attempt of any the offenses set forth in
8 paragraphs (1) through (28) of this subsection (b); and

9 (30) convictions set forth in subsection (e) of
10 Section 5 or Section 9.8 of this Act.

11 (c) The Department shall consider any mitigating factors
12 contained in the record, when determining the appropriate
13 disciplinary sanction, if any, to be imposed. In addition to
14 those set forth in Section 2105-130 of the Department of
15 Professional Regulation Law of the Civil Administrative Code
16 of Illinois, mitigating factors shall include the following:

17 (1) the bearing, if any, the criminal offense or
18 offenses for which the person was previously convicted
19 will have on the person's ~~his or her~~ fitness or ability to
20 perform one or more such duties and responsibilities;

21 (2) the time that has elapsed since the criminal
22 conviction; and

23 (3) the age of the person at the time of the criminal
24 conviction.

25 (d) The Department shall issue an annual report by January
26 31, 2027 ~~2018~~ and by January 31 each year thereafter,

1 indicating the following:

2 (1) the number of initial applicants for a license
3 under this Act within the preceding calendar year;

4 (2) the number of initial applicants for a license
5 under this Act within the previous calendar year who had a
6 conviction;

7 (3) the number of applicants with a conviction who
8 were granted a license under this Act within the previous
9 year;

10 (4) the number of applicants denied a license under
11 this Act within the preceding calendar year; and

12 (5) the number of applicants denied a license under
13 this Act solely on the basis of a conviction within the
14 preceding calendar year.

15 (e) Nothing in this Section shall prevent the Department
16 taking disciplinary or non-disciplinary action against a
17 license as set forth in Section 9.1 of this Act.

18 (Source: P.A. 99-876, eff. 1-1-17.)

19 (225 ILCS 335/9) (from Ch. 111, par. 7509)

20 (Section scheduled to be repealed on January 1, 2026)

21 Sec. 9. Licensure requirement.

22 (1) It is unlawful for any person to engage in the business
23 of providing professional roofing services or act in the
24 capacity of or hold himself, herself, or itself out in any
25 manner as a roofing contractor or a qualifying party without

1 having been duly licensed or accepted by the Department under
2 the provisions of this Act.

3 (2) No work involving the construction, reconstruction,
4 alteration, maintenance, or repair of any kind of roofing or
5 waterproofing may be done except by a roofing contractor or a
6 qualifying party licensed or credentialed under this Act.

7 (3) Sellers of roofing services may subcontract the
8 provision of those roofing services only to roofing
9 contractors licensed under this Act. Subcontractors that are
10 licensed roofing contractors shall have at all times updated
11 assumed business names disclosed to the Department, if
12 applicable.

13 (4) All persons performing roofing services under this Act
14 shall be licensed as roofing contractors, except for
15 qualifying parties and those persons who are deemed to be
16 employees under Section 10 of the Employee Classification Act
17 of a licensed roofing contractor.

18 (Source: P.A. 98-838, eff. 1-1-15; 99-469, eff. 8-26-15.)

19 (225 ILCS 335/9.1) (from Ch. 111, par. 7509.1)

20 (Section scheduled to be repealed on January 1, 2026)

21 Sec. 9.1. Grounds for disciplinary action.

22 (1) The Department may refuse to issue, to accept, or to
23 renew, or may revoke, suspend, place on probation, reprimand
24 or take other disciplinary or non-disciplinary action as the
25 Department may deem proper, including fines not to exceed

1 \$15,000 ~~\$10,000~~ for each violation, with regard to any license
2 or credential for any one or combination of the following:

3 (a) violation of this Act or its rules;

4 (b) for licensees, conviction or plea of guilty or
5 nolo contendere, finding of guilt, jury verdict, or entry
6 of judgment or sentencing of any crime, including, but not
7 limited to, convictions, preceding sentences of
8 supervision, conditional discharge, or first offender
9 probation, under the laws of any jurisdiction of the
10 United States that is (i) a felony or (ii) a misdemeanor,
11 an essential element of which is dishonesty or that is
12 directly related to the practice of the profession and,
13 for initial applicants, convictions set forth in Section
14 7.1 of this Act;

15 (c) fraud or any misrepresentation in applying for or
16 procuring a license under this Act, or in connection with
17 applying for renewal of a license under this Act;

18 (d) professional incompetence or gross negligence in
19 the practice of roofing contracting, prima facie evidence
20 of which may be a conviction or judgment in any court of
21 competent jurisdiction against an applicant or licensee
22 and that relates ~~relating~~ to the practice of roofing
23 contracting or the construction of a roof or repair
24 thereof that results in leakage within 90 days after the
25 completion of such work;

26 (e) (blank);

1 (f) aiding or assisting another person in violating
2 any provision of this Act or its rules;

3 (g) failing, within 60 days, to provide information in
4 response to a written request made by the Department;

5 (h) engaging in dishonorable, unethical, or
6 unprofessional conduct of a character likely to deceive,
7 defraud, or harm the public;

8 (i) habitual or excessive use or abuse of controlled
9 substances, as defined by the Illinois Controlled
10 Substances Act, alcohol, or any other substance that
11 results in the inability to practice with reasonable
12 judgment, skill, or safety;

13 (j) discipline by another state, unit of government,
14 or government agency, the District of Columbia, a
15 territory, or a foreign country ~~nation~~, if at least one of
16 the grounds for the discipline is the same or
17 substantially equivalent to those set forth in this
18 Section. This includes any adverse action taken by a State
19 or federal agency that prohibits a roofing contractor or
20 qualifying party from providing services to the agency's
21 participants;

22 (k) directly or indirectly giving to or receiving from
23 any person, firm, corporation, partnership, or association
24 any fee, commission, rebate, or other form of compensation
25 for any professional services not actually or personally
26 rendered;

1 (1) a finding by the Department that any ~~the~~ licensee
2 or individual with a qualifying party credential under
3 this Act, after having the individual's ~~his or her~~ license
4 or credential disciplined, has violated the terms of the
5 discipline;

6 (m) a finding by any court of competent jurisdiction,
7 either within or without this State, of any violation of
8 any law governing the practice of roofing contracting, if
9 the Department determines, after investigation, that such
10 person has not been sufficiently rehabilitated to warrant
11 the public trust;

12 (n) willfully making or filing false records or
13 reports in the practice of roofing contracting, including,
14 but not limited to, false records filed with the State
15 agencies or departments;

16 (o) practicing, attempting to practice, or advertising
17 under a name other than the full name as shown on the
18 license or credential or any other legally authorized
19 name;

20 (p) gross and willful overcharging for professional
21 services including filing false statements for collection
22 of fees or monies for which services are not rendered;

23 (q) (blank);

24 (r) (blank);

25 (s) failure to continue to meet the requirements of
26 this Act shall be deemed a violation;

1 (t) physical or mental disability, including
2 deterioration through the aging process or loss of
3 abilities and skills that result in an inability to
4 practice the profession with reasonable judgment, skill,
5 or safety;

6 (u) material misstatement in furnishing information to
7 the Department or to any other State agency;

8 (v) (blank);

9 (w) advertising in any manner that is false,
10 misleading, or deceptive;

11 (x) taking undue advantage of a customer, which
12 results in the perpetration of a fraud;

13 (y) performing any act or practice that is a violation
14 of the Consumer Fraud and Deceptive Business Practices
15 Act;

16 (z) engaging in the practice of roofing contracting,
17 as defined in this Act, with a suspended, revoked,
18 canceled, nonrenewed, or otherwise inoperative ~~or~~
19 ~~cancelled~~ license or credential;

20 (aa) treating any person differently to the person's
21 detriment because of race, color, creed, gender, age,
22 religion, or national origin;

23 (bb) knowingly making any false statement, oral,
24 written, or otherwise, of a character likely to influence,
25 persuade, or induce others in the course of obtaining or
26 performing roofing contracting services;

1 (cc) violation of any final administrative action of
2 the Secretary;

3 (dd) allowing the use of the ~~his or her~~ roofing
4 license or qualifying party credential by an unlicensed
5 roofing contractor for the purposes of providing roofing
6 or waterproofing services; or

7 (ee) (blank);

8 (ff) cheating or attempting to subvert a licensing
9 examination administered under this Act; or

10 (gg) use of a license or credential to permit or
11 enable an unlicensed person to provide roofing contractor
12 services.

13 (2) The determination by a circuit court that a license or
14 credential holder is subject to involuntary admission or
15 judicial admission, as provided in the Mental Health and
16 Developmental Disabilities Code, operates as an automatic
17 suspension. Such suspension will end only upon a finding by a
18 court that the patient is no longer subject to involuntary
19 admission or judicial admission, an order by the court so
20 finding and discharging the patient, and the recommendation of
21 the Board to the Director of the Division of Professional
22 Regulation that the license or credential holder be allowed to
23 resume the license or credential holder's ~~his or her~~ practice.

24 (3) The Department may refuse to issue or take
25 disciplinary action concerning the license or credential of
26 any person who fails to file a return, to pay the tax, penalty,

1 or interest shown in a filed return, or to pay any final
2 assessment of tax, penalty, or interest as required by any tax
3 Act administered by the Department of Revenue, until such time
4 as the requirements of any such tax Act are satisfied as
5 determined by the Department of Revenue.

6 (4) In enforcing this Section, the Department, upon a
7 showing of a possible violation, may compel any individual who
8 is licensed or credentialed under this Act or any individual
9 who has applied for licensure or a credential to submit to a
10 mental or physical examination or evaluation, or both, which
11 may include a substance abuse or sexual offender evaluation,
12 at the expense of the Department. The Department shall
13 specifically designate the examining physician licensed to
14 practice medicine in all of its branches or, if applicable,
15 the multidisciplinary team involved in providing the mental or
16 physical examination and evaluation. The multidisciplinary
17 team shall be led by a physician licensed to practice medicine
18 in all of its branches and may consist of one or more or a
19 combination of physicians licensed to practice medicine in all
20 of its branches, licensed chiropractic physicians, licensed
21 clinical psychologists, licensed clinical social workers,
22 licensed clinical professional counselors, and other
23 professional and administrative staff. Any examining physician
24 or member of the multidisciplinary team may require any person
25 ordered to submit to an examination and evaluation pursuant to
26 this Section to submit to any additional supplemental testing

1 deemed necessary to complete any examination or evaluation
2 process, including, but not limited to, blood testing,
3 urinalysis, psychological testing, or neuropsychological
4 testing.

5 (5) The Department may order the examining physician or
6 any member of the multidisciplinary team to provide to the
7 Department any and all records, including business records,
8 that relate to the examination and evaluation, including any
9 supplemental testing performed. The Department may order the
10 examining physician or any member of the multidisciplinary
11 team to present testimony concerning this examination and
12 evaluation of the licensee or applicant, including testimony
13 concerning any supplemental testing or documents relating to
14 the examination and evaluation. No information, report,
15 record, or other documents in any way related to the
16 examination and evaluation shall be excluded by reason of any
17 common law or statutory privilege relating to communication
18 between the licensee or applicant and the examining physician
19 or any member of the multidisciplinary team. No authorization
20 is necessary from the licensee, qualifying party, or applicant
21 ordered to undergo an evaluation and examination for the
22 examining physician or any member of the multidisciplinary
23 team to provide information, reports, records, or other
24 documents or to provide any testimony regarding the
25 examination and evaluation. The individual to be examined may
26 have, at the individual's ~~his or her~~ own expense, another

1 physician of the individual's ~~his or her~~ choice present during
2 all aspects of the examination.

3 (6) Failure of any individual to submit to mental or
4 physical examination or evaluation, or both, when directed,
5 shall result in an automatic suspension without hearing until
6 such time as the individual submits to the examination. If the
7 Department finds a licensee or qualifying party unable to
8 practice because of the reasons set forth in this Section, the
9 Department shall require the licensee or qualifying party to
10 submit to care, counseling, or treatment by physicians
11 approved or designated by the Department as a condition for
12 continued, reinstated, or renewed licensure.

13 (7) When the Secretary immediately suspends a license or
14 credential under this Section, a hearing upon such person's
15 license or credential must be convened by the Department
16 within 15 days after the suspension and completed without
17 appreciable delay. The Department shall have the authority to
18 review the licensee's or qualifying party's record of
19 treatment and counseling regarding the impairment to the
20 extent permitted by applicable federal statutes and
21 regulations safeguarding the confidentiality of medical
22 records.

23 (8) Licensees and qualifying parties affected under this
24 Section shall be afforded an opportunity to demonstrate to the
25 Department that they can resume practice in compliance with
26 acceptable and prevailing standards under the provisions of

1 their license.

2 (9) (Blank).

3 (10) In cases where the Department of Healthcare and
4 Family Services has previously determined a licensee,
5 qualifying party, ~~or~~ a potential licensee, or potential
6 qualifying party is more than 30 days delinquent in the
7 payment of child support and has subsequently certified the
8 delinquency to the Department, the Department may refuse to
9 issue or renew or may revoke or suspend that person's license
10 or credential or may take other disciplinary action against
11 that person based solely upon the certification of delinquency
12 made by the Department of Healthcare and Family Services in
13 accordance with paragraph (5) of subsection (a) of Section
14 2105-15 of the Department of Professional Regulation Law of
15 the Civil Administrative Code of Illinois.

16 ~~The changes to this Act made by this amendatory Act of 1997~~
17 ~~apply only to disciplinary actions relating to events~~
18 ~~occurring after the effective date of this amendatory Act of~~
19 ~~1997.~~

20 (Source: P.A. 99-469, eff. 8-26-15; 99-876, eff. 1-1-17;
21 100-872, eff. 8-14-18.)

22 (225 ILCS 335/9.4) (from Ch. 111, par. 7509.4)

23 (Section scheduled to be repealed on January 1, 2026)

24 Sec. 9.4. Subpoenas; oaths. The Department has power to
25 subpoena and bring before it any person in this State and to

1 take the oral or written testimony, or to compel the
2 production of any books, papers, records, documents, exhibits,
3 or other materials that the Secretary or the Secretary's ~~his~~
4 ~~or her~~ designee deems relevant or material to an investigation
5 or hearing conducted by the Department, with the same fees and
6 mileage and in the same manner as prescribed by law in judicial
7 proceedings in civil cases in courts of this State.

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

15 (Source: P.A. 99-469, eff. 8-26-15.)

16 (225 ILCS 335/9.7) (from Ch. 111, par. 7509.7)

17 (Section scheduled to be repealed on January 1, 2026)

18 Sec. 9.7. Final administrative decisions. All final
19 administrative decisions of the Department are subject to
20 judicial review pursuant to the Administrative Review Law and
21 all rules adopted pursuant thereto. The term "administrative
22 decision" is defined as in Section 3-101 of the Code of Civil
23 Procedure. Proceedings for judicial review shall be commenced
24 in the circuit court of the county in which the party applying
25 for review resides, except that, if the party is not a resident

1 of this State, the venue shall be Sangamon County.

2 (Source: P.A. 99-469, eff. 8-26-15.)

3 (225 ILCS 335/9.8) (from Ch. 111, par. 7509.8)

4 (Section scheduled to be repealed on January 1, 2026)

5 Sec. 9.8. Criminal penalties. Any person who is found to
6 have violated any provision of this Act is guilty of a Class A
7 misdemeanor for the first offense and such violation may
8 result in a sentence in accordance with subsection (a) of
9 Section 5-4.5-55 of the Unified Code of Corrections and a fine
10 not to exceed \$2,500. On conviction of a second or subsequent
11 offense, the violator is guilty of a Class 4 felony, which may
12 result in a sentence in accordance with subsection (a) of
13 Section 5-4.5-45 of the Unified Code of Corrections and a fine
14 of \$25,000. Each day of violation constitutes a separate
15 offense. Fines for any and all criminal penalties imposed
16 shall be payable to the Department.

17 (Source: P.A. 99-469, eff. 8-26-15.)

18 (225 ILCS 335/10a)

19 (Section scheduled to be repealed on January 1, 2026)

20 Sec. 10a. Unlicensed practice; violation; civil penalty.

21 (a) In addition to any other penalty provided by law, any
22 person who practices, offers to practice, attempts to
23 practice, or holds himself or herself out to practice roofing
24 without being licensed under this Act shall, in addition to

1 any other penalty provided by law, pay a civil penalty to the
2 Department in an amount not to exceed \$15,000 ~~\$10,000~~ for each
3 offense as determined by the Department. The civil penalty
4 shall be assessed by the Department after a hearing is held in
5 accordance with the provisions set forth in this Act regarding
6 the provision of a hearing for the discipline of a licensee.

7 (b) The Department has the authority and power to
8 investigate any and all unlicensed activity.

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

14 (Source: P.A. 99-469, eff. 8-26-15.)

15 (225 ILCS 335/11) (from Ch. 111, par. 7511)

16 (Section scheduled to be repealed on January 1, 2026)

17 Sec. 11. Application of Act.

18 (1) Nothing in this Act limits the power of a
19 municipality, city, county, ~~or~~ incorporated area, or school
20 district to regulate the quality and character of work
21 performed by roofing contractors through a system of permits,
22 fees, and inspections which are designed to secure compliance
23 with and aid in the implementation of State and local building
24 laws or to enforce other local laws for the protection of the
25 public health and safety.

1 (2) Nothing in this Act shall be construed to require a
2 seller of roofing services ~~materials~~ or a seller of roofing
3 materials ~~services~~ to be licensed as a roofing contractor when
4 the construction, reconstruction, alteration, maintenance or
5 repair of roofing or waterproofing is to be performed by a
6 person other than the seller or the seller's employees.

7 (3) Nothing in this Act shall be construed to require a
8 person who performs roofing or waterproofing work to the
9 person's ~~his or her~~ own property, or for no consideration, to
10 be licensed as a roofing contractor.

11 (3.5) Nothing in this Act shall be construed to require an
12 employee who performs roofing or waterproofing work to an ~~his~~
13 ~~or her~~ employer's residential property, where there exists an
14 employee-employer relationship or for no consideration, to be
15 licensed as a roofing contractor.

16 (4) Nothing in this Act shall be construed to require a
17 person who performs roof repair or waterproofing work to an
18 ~~his or her~~ employer's commercial or industrial property to be
19 licensed as a roofing contractor, where there exists an
20 employer-employee relationship. Nothing in this Act shall be
21 construed to apply to the installation of plastics, glass or
22 fiberglass to greenhouses and related horticultural
23 structures, or to the repair or construction of farm
24 buildings.

25 (5) Nothing in this Act limits the power of a
26 municipality, city, county, ~~or~~ incorporated area, or school

1 district to collect occupational license and inspection fees
2 for engaging in roofing contracting.

3 (6) Nothing in this Act limits the power of the
4 municipalities, cities, counties, ~~or~~ incorporated areas, or
5 school districts to adopt any system of permits requiring
6 submission to and approval by the municipality, city, county,
7 or incorporated area of plans and specifications for work to
8 be performed by roofing contractors before commencement of the
9 work.

10 (7) Any official authorized to issue building or other
11 related permits shall ascertain that the applicant contractor
12 is duly licensed before issuing the permit. The evidence shall
13 consist only of the exhibition to him or her of current
14 evidence of licensure.

15 (8) This Act applies to any roofing contractor performing
16 work for the State or any municipality, city, county, ~~or~~
17 incorporated area, or school district. Officers of the State
18 or any municipality, city, county, ~~or~~ incorporated area, or
19 school district are required to determine compliance with this
20 Act before awarding any contracts for construction,
21 improvement, remodeling, or repair.

22 (9) If an incomplete contract exists at the time of death
23 of a qualifying party or the dissolution of a roofing
24 contractor licensee, the contract may be completed by any
25 person even though not licensed or credentialed. Such person
26 shall notify the Department within 30 days after the death of

1 the qualifying party or the dissolution of the roofing
2 contractor of the person's ~~his or her~~ name and address. For ~~the~~
3 purposes of this subsection (9), an incomplete contract is one
4 which has been awarded to, or entered into by, the licensee
5 before the dissolution or the ~~his or her~~ death of the
6 qualifying party or on which the licensee ~~he or she~~ was the low
7 bidder and the contract is subsequently awarded to the roofing
8 contractor ~~him or her~~ regardless of whether any actual work
9 has commenced under the contract before the dissolution or the
10 ~~his or her~~ death of the qualifying party.

11 (10) The State or any municipality, city, county, ~~or~~
12 incorporated area, or school district may require that bids
13 submitted for roofing construction, improvement, remodeling,
14 or repair of public buildings be accompanied by evidence that
15 that bidder holds an appropriate license issued pursuant to
16 this Act.

17 (11) (Blank).

18 (12) Nothing in this Act shall prevent a municipality,
19 city, county, ~~or~~ incorporated area, or school district from
20 making laws or ordinances that are more stringent than those
21 contained in this Act.

22 (13) Nothing in this Act shall be construed to prevent or
23 limit the practice of professional engineering as defined in
24 the Professional Engineering Practice Act of 1989 or the
25 practice of structural engineering as defined in the
26 Structural Engineering Practice Act of 1989.

1 (Source: P.A. 99-469, eff. 8-26-15; 100-545, eff. 11-8-17.)

2 (225 ILCS 335/11.5)

3 (Section scheduled to be repealed on January 1, 2026)

4 Sec. 11.5. Roofing Advisory Board. There is created within
5 the Department a Roofing Advisory Board to be composed of
6 persons: ~~The Roofing Advisory Board is created and shall~~
7 ~~consist of 8 persons~~

8 (a) Nine members, one of whom is a ~~knowledgeable~~ public
9 member and 5 ~~7~~ of whom are each (i) designated as the
10 qualifying party of a licensed roofing contractor or (ii)
11 legally qualified to act for the business entity ~~organization~~
12 on behalf of the licensed roofing contractor ~~licensee~~ in all
13 matters connected with its roofing contracting business,
14 exercise ~~have~~ the authority to supervise roofing installation
15 operations, and actively engaged in day-to-day activities of
16 the business entity ~~organization~~ for a licensed roofing
17 contractor. One shall represent ~~. One of the 7 nonpublic~~
18 ~~members on the Board shall represent~~ a statewide association
19 representing home builders, another shall represent ~~and~~
20 ~~another of the 7 nonpublic members shall represent~~ an
21 association predominantly ~~predominately~~ representing
22 retailers, and another shall represent the employees of
23 licensed roofing contractors.

24 The public member shall not represent any association or
25 be licensed or credentialed under this Act.

1 **(b)** Each member shall be appointed by the Secretary. The
2 membership of the Board should represent racial, ethnic, and
3 cultural diversity and reasonably reflect representation from
4 the various geographic areas of the State. ~~Five members of the~~
5 ~~Board shall constitute a quorum. A quorum is required for all~~
6 ~~Board decisions.~~

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

12 **(d)** Terms for each member of the Board shall be for 4
13 years. A member shall serve until the member's successor is
14 qualified and appointed. Partial terms over 2 years in length
15 shall be considered as full terms. A member may be reappointed
16 for a successive term, but no member shall serve more than 2
17 full terms. For any such reappointment, the second term shall
18 begin the day after the end of the first full term. ~~The persons~~
19 ~~appointed shall hold office for 4 years and until a successor~~
20 ~~is appointed and qualified. No member shall serve more than 2~~
21 ~~complete 4 year terms.~~

22 **(e)** The Secretary may terminate or refuse the appointment
23 of ~~shall have the authority to remove or suspend~~ any member of
24 the Board for cause ~~at any time before the expiration of his or~~
25 ~~her term.~~ The Secretary shall be the sole arbiter of cause.

26 **(f)** The Secretary shall fill a vacancy for the unexpired

1 portion of the term with an appointee who meets the same
2 qualifications as the person whose position has become vacant.
3 ~~The Board shall meet annually to elect one member as chairman~~
4 ~~and one member as vice chairman. No officer shall be elected~~
5 ~~more than twice in succession to the same office.~~

6 (g) The members of the Board shall be reimbursed ~~receive~~
7 ~~reimbursement~~ for all legitimate actual, necessary, and
8 authorized expenses incurred in attending the meetings of the
9 Board.

10 (Source: P.A. 99-469, eff. 8-26-15.)

11 (225 ILCS 335/11.5a new)

12 Sec. 11.5a. Roofing Advisory Board; powers and duties.

13 (a) The Board shall meet at least once per year or as
14 otherwise called by the Secretary.

15 (b) Five members of the Board currently appointed shall
16 constitute a quorum. A vacancy in the membership of the Board
17 shall not impair the right of a quorum to exercise all the
18 rights and perform all the duties of the Board.

19 (c) Each member, in exercising the member's duties on
20 behalf of the Board, shall not engage in any self-interest,
21 including, but not limited to, conduct contrary to an
22 appropriate regulatory interest as determined by the
23 Department.

24 (d) The Board shall annually elect a chairperson and a
25 vice chairperson who shall be qualifying parties credentialed

1 under this Act. No officer shall be elected more than twice in
2 succession to the same office unless there are extenuating
3 circumstances.

4 (e) The Board shall elect a successor chairperson or vice
5 chairperson in the event such officer position becomes vacant,
6 and such successor shall serve the remainder of the vacating
7 officer's term.

8 (f) Without limiting the power of the Department to
9 conduct investigations, the Board may recommend to the
10 Secretary that one or more credentialed qualifying parties be
11 selected by the Secretary to conduct or assist in any
12 investigation pursuant to this Act. Each such credentialed
13 qualifying party may receive remuneration as determined by the
14 Secretary.

15 (225 ILCS 335/11.8)

16 (Section scheduled to be repealed on January 1, 2026)

17 Sec. 11.8. Surrender of license. Upon the revocation or
18 suspension of any license, the licensee shall immediately
19 surrender the license or licenses or credential or credentials
20 to the Department. If the licensee or qualifying party fails
21 to do so, the Department shall have the right to seize the
22 license or credential.

23 (Source: P.A. 99-469, eff. 8-26-15.)

24 Section 15. The Professional Geologist Licensing Act is

1 amended by changing Sections 15, 20, 25, 30, 35, 40, 45, 50,
2 54, 65, 75, 80, 85, 90, 110, 120, 125, 140, 160, and 180 and by
3 adding Sections 18, 41, and 66 as follows:

4 (225 ILCS 745/15)

5 (Section scheduled to be repealed on January 1, 2026)

6 Sec. 15. Definitions. In this Act:

7 "Address of record" means the designated address recorded
8 by the Department in the applicant's application file or the
9 licensee's license file, as maintained by the Department's
10 licensure maintenance unit.

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

15 "Board" means the Board of Licensing for Professional
16 Geologists.

17 "Department" means the Department of Financial and
18 Professional Regulation.

19 "Geologist" means an individual who, by reason of the
20 individual's ~~his or her~~ knowledge of geology, mathematics, and
21 the physical and life sciences, acquired by education and
22 practical experience as defined by this Act, is capable of
23 practicing the science of geology.

24 "Geology" means the science that includes the treatment of
25 the earth and its origin and history including, but not

1 limited to, (i) the investigation of the earth's crust and
2 interior and the solids and fluids, including all surface and
3 underground waters, gases, and other materials that compose
4 the earth as they may relate to geologic processes; (ii) the
5 study of the natural agents, forces, and processes that cause
6 changes in the earth; and (iii) the utilization of this
7 knowledge of the earth and its solids, fluids, and gases, and
8 their collective properties and processes, for the benefit of
9 humankind.

10 "Person" or "individual" means a natural person.

11 "Practice of professional geology" means the performance
12 of, or the offer to perform, the services of a geologist,
13 including consultation, investigation, evaluation, planning,
14 mapping, inspection of geologic work, and other services that
15 require extensive knowledge of geologic laws, formulas,
16 principles, practice, and methods of data interpretation.

17 Any ~~A~~ person shall be construed to practice or offer to
18 practice professional geology, within the meaning and intent
19 of this Act, if the ~~that~~ person (i) by verbal claim, sign,
20 advertisement, letterhead, card, or any other means,
21 represents oneself ~~himself or herself~~ to be a Licensed
22 Professional Geologist or through the use of some title
23 implies that the person ~~he or she~~ is a Licensed Professional
24 Geologist or is licensed under this Act or (ii) holds oneself
25 ~~himself or herself~~ out as able to perform or does perform
26 services or work defined in this Act as the practice of

1 professional geology.

2 Examples of the practice of professional geology include,
3 but are not limited to, the conduct of, or responsible charge
4 for, the following types of activities: (i) mapping, sampling,
5 and analysis of earth materials, interpretation of data, and
6 the preparation of oral or written testimony regarding the
7 probable geological causes of events; (ii) planning, review,
8 and supervision of data gathering activities, interpretation
9 of geological data gathered by direct and indirect means,
10 preparation and interpretation of geological maps,
11 cross-sections, interpretive maps and reports for the purpose
12 of determining regional or site specific geological
13 conditions; (iii) the planning, review, and supervision of
14 data gathering activities and interpretation of data on
15 regional or site specific geological characteristics affecting
16 groundwater; (iv) the interpretation of geological conditions
17 on the surface of the Earth and at depth in the Earth for the
18 purpose of determining whether those conditions correspond to
19 a geologic map of the site or a legally specified geological
20 requirement for the site; and (v) the conducting of
21 environmental property audits.

22 "Licensed Professional Geologist" means an individual who
23 is licensed under this Act to engage in the practice of
24 professional geology in Illinois.

25 "Responsible charge" means the independent control and
26 direction, by use of initiative, skill, and independent

1 judgment, of geological work or the supervision of that work.

2 "Rules" means the rules adopted pursuant to this Act.

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

5 "Seal" means the seal in compliance with Section 60 of
6 this Act.

7 (Source: P.A. 99-26, eff. 7-10-15.)

8 (225 ILCS 745/18 new)

9 Sec. 18. Address of record; email address of record. All
10 applicants and licensees shall:

11 (1) provide a valid address and email address to the
12 Department, which shall serve as the address of record and
13 email address of record, respectively, at the time of
14 application for licensure or renewal of a license; and

15 (2) inform the Department of any change of address of
16 record or email address of record within 14 days after
17 such change either through the Department's website or by
18 contacting the Department's licensure maintenance unit.

19 (225 ILCS 745/20)

20 (Section scheduled to be repealed on January 1, 2026)

21 Sec. 20. Exemptions. Nothing in this Act shall be
22 construed to restrict the use of the title "geologist" or
23 similar words by any person engaged in a practice of geology
24 exempted under this Act, provided the person does not hold the

1 person ~~himself or herself~~ out as being a Licensed Professional
2 Geologist or does not practice professional geology in a
3 manner requiring licensure under this Act. Performance of the
4 following activities does not require licensure as a licensed
5 professional geologist under this Act:

6 (a) The practice of professional geology by an
7 employee or a subordinate of a licensee under this Act,
8 provided the work does not include responsible charge of
9 geological work and is performed under the direct
10 supervision of a Licensed Professional Geologist who is
11 responsible for the work.

12 (b) The practice of professional geology by officers
13 and employees of the United States government within the
14 scope of their employment.

15 (c) The practice of professional geology as geologic
16 research to advance basic knowledge for the purpose of
17 offering scientific papers, publications, or other
18 presentations (i) before meetings of scientific societies,
19 (ii) internal to a partnership, corporation,
20 proprietorship, or government agency, or (iii) for
21 publication in scientific journals, or in books.

22 (d) The teaching of geology in schools, colleges, or
23 universities, as defined by rule.

24 (e) The practice of professional geology exclusively
25 in the exploration for or development of energy resources
26 or base, precious and nonprecious minerals, including

1 sand, gravel, and aggregate, that does not require, by
2 law, rule, or ordinance, the submission of reports,
3 documents, or oral or written testimony to public
4 agencies. Public agencies may, by law or by rule, allow
5 required oral or written testimony, reports, permit
6 applications, or other documents based on the science of
7 geology to be submitted to them by persons not licensed
8 under this Act. Unless otherwise required by State or
9 federal law, public agencies may not require that the
10 geology-based aspects of testimony, reports, permits, or
11 other documents so exempted be reviewed by, approved, or
12 otherwise certified by any person who is not a Licensed
13 Professional Geologist. Licensure is not required for the
14 submission and review of reports or documents or the
15 provision of oral or written testimony made under the Well
16 Abandonment Act, the Illinois Oil and Gas Act, the Surface
17 Coal Mining Land Conservation and Reclamation Act, or the
18 Surface-Mined Land Conservation and Reclamation Act.

19 (f) The practice of professional engineering as
20 defined in the Professional Engineering Practice Act of
21 1989.

22 (g) The practice of structural engineering as defined
23 in the Structural Engineering Practice Act of 1989.

24 (h) The practice of architecture as defined in the
25 Illinois Architecture Practice Act of 1989.

26 (i) The practice of land surveying as defined in the

1 Illinois Professional Land Surveyor Act of 1989.

2 (j) The practice of landscape architecture as defined
3 in the Landscape Architecture Registration Act.

4 (k) The practice of professional geology for a period
5 not to exceed 9 months by any person pursuing a course of
6 study leading to a degree in geology from an accredited
7 college or university, as set forth in this Act and as
8 established by rule, provided that (i) such practice
9 constitutes a part of a supervised course of study, (ii)
10 the person is under the supervision of a geologist
11 licensed under this Act or a teacher of geology at an
12 accredited college or university, and (iii) the person is
13 designated by a title that clearly indicates the person's
14 ~~his or her~~ status as a student or trainee.

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

16 (225 ILCS 745/25)

17 (Section scheduled to be repealed on January 1, 2026)

18 Sec. 25. Restrictions and limitations. No person shall,
19 without a valid license issued by the Department (i) in any
20 manner hold oneself ~~himself or herself~~ out to the public as a
21 Licensed Professional Geologist; (ii) attach the title
22 "Licensed Professional Geologist" to the person's ~~his or her~~
23 name; or (iii) render or offer to render to individuals,
24 corporations, or public agencies services constituting the
25 practice of professional geology.

1 (Source: P.A. 99-26, eff. 7-10-15.)

2 (225 ILCS 745/30)

3 (Section scheduled to be repealed on January 1, 2026)

4 Sec. 30. Powers and duties of the Department. Subject to
5 the provisions of this Act, the Department may:

6 (a) Authorize examinations to ascertain the
7 qualifications and fitness of applicants for licensing as
8 a Licensed Professional Geologist ~~or as a Licensed~~
9 ~~Specialty Geologist, as defined by the Board,~~ and pass
10 upon the qualifications of applicants for licensure by
11 endorsement.

12 (b) Conduct hearings on proceedings to refuse to issue
13 or renew licenses or to revoke, suspend, place on
14 probation, reprimand, or take any other disciplinary or
15 non-disciplinary action against licenses issued under this
16 Act.

17 (c) Formulate rules required for the administration of
18 this Act.

19 (d) Obtain written recommendations from the Board
20 regarding ~~(i)~~ definitions of curriculum content and
21 approval of geological curricula, standards of
22 professional conduct, and formal disciplinary actions and
23 the formulation of rules affecting these matters ~~and (ii)~~
24 ~~when petitioned by the applicant, opinions regarding the~~
25 ~~qualifications of applicants for licensing.~~

1 (e) Issue licenses to applicants who meet the
2 requirements of this Act. ~~Maintain rosters of the names~~
3 ~~and addresses of all licensees, and all persons whose~~
4 ~~licenses have been suspended, revoked, denied renewal, or~~
5 ~~otherwise disciplined within the previous calendar year.~~
6 ~~These rosters shall be available upon written request and~~
7 ~~payment of the required fee.~~

8 (Source: P.A. 99-26, eff. 7-10-15.)

9 (225 ILCS 745/35)

10 (Section scheduled to be repealed on January 1, 2026)

11 Sec. 35. Board of Licensing for Professional Geologists;
12 members; qualifications; duties.

13 (a) The Secretary shall appoint a Board of Licensing for
14 Professional Geologists which shall serve in an advisory
15 capacity to the Secretary. The Board shall be composed of 8
16 persons, 7 of whom shall be voting members appointed by the
17 Secretary, who shall give due consideration to recommendations
18 by members of the profession of geology and of geology
19 organizations within the State. In addition, the State
20 Geologist or the State Geologist's ~~his or her~~ designated
21 representative, shall be an advisory, non-voting member of the
22 Board.

23 (b) Insofar as possible, the geologists appointed to serve
24 on the Board shall be generally representative of the
25 occupational and geographical distribution of geologists

1 within this State.

2 (c) Of the 7 appointed voting members of the Board, 6 shall
3 be geologists and one shall be a member of the general public
4 with no family or business connection with the practice of
5 geology.

6 (d) Each of the appointed geologist members of the Board
7 shall be a Licensed Professional Geologist licensed under this
8 Act with at least 10 years of experience and shall not have
9 been disciplined within the last 10 years under this Act.

10 (e) Voting members shall be appointed to 4-year terms.
11 Partial terms of over 2 years in length shall be considered
12 full terms.

13 (f) Members shall hold office until the expiration of
14 their terms or until their successors have been appointed and
15 have qualified.

16 (g) No voting member of the Board shall serve more than 2
17 consecutive full terms.

18 (h) Vacancies in the membership of the Board shall be
19 filled by appointment for the remainder of the unexpired term.

20 (i) The Secretary may remove or suspend any appointed
21 member of the Board for cause at any time before the expiration
22 of the member's ~~his or her~~ term. The Secretary shall be the
23 sole arbiter of cause.

24 (j) The Board shall annually elect one of its members as
25 chairperson and one of its members as vice-chair.

26 (k) The members of the Board shall be reimbursed for all

1 legitimate and necessary expenses authorized by the Department
2 incurred in attending the meetings of the Board.

3 (l) The Board may make recommendations to the Secretary to
4 establish the examinations and their method of grading.

5 (m) The Board may submit written recommendations to the
6 Secretary concerning formulation of rules and a Code of
7 Professional Conduct and Ethics. The Board may recommend or
8 endorse revisions and amendments to the Code and to the rules
9 from time to time.

10 (n) The Board may make recommendations on matters relating
11 to continuing education of Licensed Professional Geologists,
12 including the number of hours necessary for license renewal,
13 waivers for those unable to meet that requirement, and
14 acceptable course content. These recommendations shall not
15 impose an undue burden on the Department or an unreasonable
16 restriction on those seeking a license renewal.

17 (o) Four voting Board members constitute ~~constitutes~~ a
18 quorum. A quorum is required for all Board decisions.

19 (Source: P.A. 99-26, eff. 7-10-15.)

20 (225 ILCS 745/40)

21 (Section scheduled to be repealed on January 1, 2026)

22 Sec. 40. Application for original license.

23 (a) Applications for original licenses shall be made to
24 the Department on physical or electronic forms prescribed by
25 the Department and accompanied by the required fee, which

1 shall not be refundable. All applications shall contain the
2 information that, in the judgment of the Department, will
3 enable the Department to pass on the qualifications of the
4 applicant for a license to practice as a Licensed Professional
5 Geologist.

6 (b) The Department may require an applicant, at the
7 applicant's expense, to have an evaluation of the applicant's
8 education in a foreign country by a nationally recognized
9 evaluation service approved by the Department in accordance
10 with rules adopted by the Department.

11 (c) Applicants have 3 years from the date of receipt of the
12 application to complete the application process. If the
13 process has not been completed in 3 years, the application
14 shall be denied, the fee shall be forfeited, and the applicant
15 must reapply and meet the requirements in effect at the time of
16 reapplication.

17 (Source: P.A. 96-1327, eff. 7-27-10.)

18 (225 ILCS 745/41 new)

19 Sec. 41. Social Security Number or Individual Taxpayer
20 Identification Number on license application. In addition to
21 any other information required to be contained in the
22 application, every application for an original license under
23 this Act shall include the applicant's Social Security Number
24 or Individual Taxpayer Identification Number, which shall be
25 retained in the agency's records pertaining to the license. As

1 soon as practical, the Department shall assign a customer's
2 identification number to each applicant for a license.

3 Every application for a renewal or restored license shall
4 require the applicant's customer identification number.

5 (225 ILCS 745/45)

6 (Section scheduled to be repealed on January 1, 2026)

7 Sec. 45. Examination; failure or refusal to take the
8 examination.

9 (a) The Department shall authorize examinations of
10 applicants for original licensure as a Professional Geologist
11 at such times and places as it may determine. The examination
12 for licensure as a Licensed Professional Geologist shall be a
13 2-part examination, with one part fairly testing an
14 applicant's knowledge of the fundamental theory and concepts
15 of the science of geology, including subjects that are
16 generally taught in geology curricula of accredited colleges
17 and universities, and the other part testing the applicant's
18 knowledge of the practical application and uses of the theory
19 and science of geology. The 2 parts of the examination may be
20 taken at separate times.

21 (b) Applicants for examinations shall pay, either to the
22 Department or to the designated testing service, a fee
23 covering the cost of providing the examination. Failure to
24 appear for the examination on the scheduled date at the time
25 and place specified after the application for examination has

1 been received and acknowledged by the Department or the
2 designated testing service shall result in forfeiture of the
3 examination fee.

4 (c) If the applicant neglects, fails, or refuses to take
5 an examination or fails to pass an examination for a license
6 under this Act within 3 years ~~6 years~~ after filing an
7 application, the application shall be denied. However, the
8 applicant may thereafter submit a new application accompanied
9 by the required fee. The applicant shall meet the requirements
10 in force at the time of making the new application.

11 (d) The Department may employ consultants for the purpose
12 of preparing and conducting examinations.

13 (e) The Department shall have the authority to adopt or
14 recognize, in part or in whole, examinations prepared,
15 administered, or graded by other organizations that are
16 determined appropriate to measure the qualifications of an
17 applicant for licensure as a Licensed Professional Geologist.

18 (Source: P.A. 96-1327, eff. 7-27-10.)

19 (225 ILCS 745/50)

20 (Section scheduled to be repealed on January 1, 2026)

21 Sec. 50. Qualifications for licensure.

22 (a) The Department may issue a license to practice as a
23 Licensed Professional Geologist to any applicant who meets the
24 following qualifications:

25 (1) The applicant has completed an application ~~form~~

1 and paid the required fees.

2 (2) The applicant is of good ethical character,
3 including compliance with the Code of Professional Conduct
4 and Ethics under this Act, and has not committed any act or
5 offense in any jurisdiction that would constitute the
6 basis for disciplining a Licensed Professional Geologist
7 under this Act.

8 (3) The applicant has earned a degree in geology or a
9 related science, as defined by rule, from an accredited
10 college or university, as established by rule, with a
11 minimum of 30 semester or 45 quarter hours of course
12 credits in geology, of which 24 semester or 36 quarter
13 hours are in upper level courses. The Department may, upon
14 the recommendation of the Board, allow the substitution of
15 appropriate experience as a geologist for prescribed
16 educational requirements as established by rule.

17 (4) The applicant has a documented record of a minimum
18 of 4 years of professional experience, obtained after
19 completion of the education requirements specified in this
20 Section, in geologic or directly related work,
21 demonstrating that the applicant is qualified to assume
22 responsible charge of such work upon licensure as a
23 Licensed Professional Geologist or such specialty of
24 professional geology that the Board may recommend and the
25 Department may recognize. The Department may require
26 evidence acceptable to it that up to 2 years of

1 professional experience have been gained under the
2 supervision of a person licensed under this Act or similar
3 Acts in any other state, or under the supervision of
4 others who, in the opinion of the Department, are
5 qualified to have responsible charge of geological work
6 under this Act.

7 (5) The applicant has passed both parts of the ~~an~~
8 examination authorized by the Department for practice as a
9 Licensed Professional Geologist.

10 (6) The applicant has complied with all other
11 requirements of this Act and rules established for the
12 implementation of this Act.

13 (b) A license to practice as a Licensed Professional
14 Geologist shall not be denied any applicant because of the
15 applicant's race, religion, creed, national origin, political
16 beliefs or activities, age, sex, sexual orientation, or
17 physical impairment.

18 (c) The Department may establish by rule an intern process
19 to, in part, allow (1) a graduate who has earned a degree in
20 geology from an accredited college or university in accordance
21 with this Act or (2) a student in a degree program at an
22 accredited college or university who has completed the
23 necessary course requirements established in this Section to
24 request to take one or both parts of the examination required
25 by the Department without first submitting a formal
26 application to the Department for licensure as a Licensed

1 Professional Geologist. The Department may set by rule the
2 criteria for the intern process, including, but not limited
3 to, the educational requirements, exam requirements,
4 experience requirements, remediation requirements, and any
5 fees or applications required for the process. The Department
6 may also set by rule provisions concerning disciplinary
7 guidelines and the use of the title "intern" or "trainee" by a
8 graduate or student who has passed the required examination.

9 (Source: P.A. 99-26, eff. 7-10-15.)

10 (225 ILCS 745/54)

11 (Section scheduled to be repealed on January 1, 2026)

12 Sec. 54. Endorsement ~~Previous qualification in other~~
13 ~~jurisdiction~~. The Department may, ~~upon the recommendation of~~
14 ~~the Board,~~ issue a license by endorsement to any applicant
15 who, upon applying to the Department and remitting the
16 required application fee, meets all of the following
17 qualifications:

18 (1) The applicant holds an active, valid license to
19 practice professional geology in at least one jurisdiction
20 in the United States in which the current requirements for
21 licensure are substantially equivalent to or more
22 stringent than those required by this Act.

23 (2) The applicant is of good ethical character as
24 established by the Department in the Code of Professional
25 Conduct and Ethics under this Act and has not committed

1 any act or offense in any jurisdiction that would
2 constitute the basis for discipline under this Act.

3 (3) The applicant has met any other qualifications
4 recommended to the Department by the Board.

5 An applicant has 3 years from the date of application to
6 complete the application process. If the process has not been
7 completed within this 3-year ~~3-year~~ period, then the
8 application shall be denied, the fee shall be forfeited, and
9 the applicant must re-apply and meet the requirements in
10 effect at the time of re-application.

11 (Source: P.A. 96-1327, eff. 7-27-10.)

12 (225 ILCS 745/65)

13 (Section scheduled to be repealed on January 1, 2026)

14 Sec. 65. Expiration and renewal of license. The expiration
15 date and renewal period for each license shall be set by rule.
16 A Licensed Professional Geologist whose license has expired
17 may reinstate the ~~his or her~~ license or enrollment at any time
18 within 5 years after the expiration thereof, by making a
19 renewal application and by paying the required fee. However,
20 any Licensed Professional Geologist whose license expired
21 while the Licensed Professional Geologist ~~he or she~~ was (i) on
22 active duty with the Armed Forces of the United States or
23 called into service or training by the State militia or (ii) in
24 training or education under the supervision of the United
25 States preliminary to induction into the military service, may

1 have the ~~his or her~~ Licensed Professional Geologist license
2 renewed, reinstated, or restored without paying any lapsed
3 renewal fees if within 2 years after termination of the
4 service, training, or education the Licensed Professional
5 Geologist furnishes to the Department satisfactory evidence of
6 the service, training, or education and that it has been
7 terminated under honorable conditions.

8 Any Licensed Professional Geologist whose license has
9 expired for more than 5 years may have it restored by making
10 application to the Department, paying the required fee, and
11 filing acceptable proof of fitness to have the license
12 restored. The proof may include sworn evidence certifying
13 active practice in another jurisdiction. If the geologist has
14 not practiced for 5 years or more, the Board shall determine by
15 an evaluation program established by rule, whether that
16 individual is fit to resume active status as a Licensed
17 Professional Geologist. The Board may require the geologist to
18 complete a period of evaluated professional experience and may
19 require successful completion of an examination.

20 The Department may refuse to issue or may suspend the
21 license of any person who fails to file a tax return, or to pay
22 the tax, penalty, or interest shown in a filed return, or to
23 pay any final assessment of tax, penalty, or interest, as
24 required by any tax Act administered by the Illinois
25 Department of Revenue, until such time as the requirements of
26 any such tax Act are satisfied.

1 (Source: P.A. 99-26, eff. 7-10-15.)

2 (225 ILCS 745/66 new)

3 Sec. 66. Inactive status. A person licensed under this Act
4 who notifies the Department in writing on forms prescribed by
5 the Department may place the person's license on inactive
6 status and shall be excused from the payment of renewal fees
7 until the Department is notified in writing of the person's
8 desire to resume active status.

9 Any licensed geologist whose license is in inactive status
10 shall not practice professional geology in this State.

11 (225 ILCS 745/75)

12 (Section scheduled to be repealed on January 1, 2026)

13 Sec. 75. Returned checks; fines. Any person who delivers a
14 check or other payment to the Department that is returned to
15 the Department unpaid by the financial institution upon which
16 it is drawn shall pay to the Department, in addition to the
17 amount already owed to the Department, a fine of \$50. The fines
18 imposed by this Section are in addition to any other
19 discipline provided under this Act for unlicensed practice or
20 practice on a nonrenewed license. The Department shall notify
21 the person that payment of fees and fines shall be paid to the
22 Department by certified check or money order within 30
23 calendar days of the notification. If, after the expiration of
24 30 calendar days from the date of the notification, the person

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

14 (Source: P.A. 99-26, eff. 7-10-15.)

15 (225 ILCS 745/80)

16 (Section scheduled to be repealed on January 1, 2026)

17 Sec. 80. Disciplinary actions.

18 (a) The Department may refuse to issue or renew, or may
19 revoke, suspend, place on probation, reprimand, or take other
20 disciplinary or non-disciplinary action as the Department may
21 deem appropriate, including fines not to exceed \$10,000 for
22 each violation, with regard to any license for any one or
23 combination of the following:

24 (1) Material misstatement in furnishing information to
25 the Department.

1 (2) Violations of this Act, or of the rules
2 promulgated under this Act.

3 (3) Conviction by plea of guilty or nolo contendere,
4 finding of guilt, jury verdict, or entry of judgment or by
5 sentencing of any crime, including, but not limited to,
6 convictions, preceding sentences of supervision,
7 conditional discharge, or first offender probation, under
8 the laws of any jurisdiction of the United States: (i)
9 that is a felony or (ii) that is a misdemeanor, an
10 essential element of which is dishonesty, or that is
11 directly related to the practice of the profession.

12 (4) Making any misrepresentation for the purpose of
13 obtaining licensure or violating any provision of this Act
14 or the rules promulgated under this Act pertaining to
15 advertising.

16 (5) Professional incompetence.

17 (6) Malpractice.

18 (7) Aiding or assisting another person in violating
19 any provision of this Act or rules promulgated under this
20 Act.

21 (8) Failing, within 60 days, to provide information in
22 response to a written request made by the Department.

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

26 (10) Habitual or excessive use or addiction to

1 alcohol, narcotics, stimulants, or any other chemical
2 agent or drug that results in the inability to practice
3 with reasonable judgment, skill, or safety.

4 (11) Discipline by another state, the District of
5 Columbia, a territory of the United States, or a foreign
6 nation, if at least one of the grounds for the discipline
7 is the same or substantially equivalent to those set forth
8 in this Section.

9 (12) Directly or indirectly giving to or receiving
10 from any person, firm, corporation, partnership, or
11 association any fee, commission, rebate or other form of
12 compensation for professional services not actually or
13 personally rendered.

14 (13) A finding by the Department that the licensee,
15 after having a ~~his or her~~ license placed on probationary
16 status, has violated the terms of probation.

17 (14) Willfully making or filing false records or
18 reports in the person's ~~his or her~~ practice, including,
19 but not limited to, false records filed with State
20 agencies or departments.

21 (15) Physical illness, including, l but not limited to,
22 deterioration through the aging process, or loss of motor
23 skill that results in the inability to practice the
24 profession with reasonable judgment, skill, or safety.

25 (16) Solicitation of professional services other than
26 permitted advertising.

1 (17) Conviction of or cash compromise of a charge or
2 violation of the Illinois Controlled Substances Act
3 regulating narcotics.

4 (18) Failure to (i) file a tax return, (ii) pay the
5 tax, penalty, or interest shown in a filed return, or
6 (iii) pay any final assessment of tax, penalty, or
7 interest, as required by any tax Act administered by the
8 Illinois Department of Revenue, until the requirements of
9 that tax Act are satisfied.

10 (19) Conviction by any court of competent
11 jurisdiction, either within or outside this State, of any
12 violation of any law governing the practice of
13 professional geology, if the Department determines, after
14 investigation, that the person has not been sufficiently
15 rehabilitated to warrant the public trust.

16 (20) Gross, willful, or continued overcharging for
17 professional services, including filing false statements
18 for collection of fees for which services are not
19 rendered.

20 (21) Practicing under a false or, except as provided
21 by law, an assumed name.

22 (22) Fraud or misrepresentation in applying for, or
23 procuring, a license to practice as a Licensed
24 Professional Geologist under this Act or in connection
25 with applying for renewal of a license under this Act.

26 (23) Cheating on or attempting to subvert the

1 licensing examination administered under this Act.

2 (b) The determination by a circuit court that a licensee
3 is subject to involuntary admission or judicial admission as
4 provided in the Mental Health and Developmental Disabilities
5 Code operates as an automatic suspension. The suspension will
6 end only upon a finding by a court that the licensee is no
7 longer subject to the involuntary admission or judicial
8 admission and issues an order so finding and discharging the
9 licensee; and upon the recommendation of the Board to the
10 Secretary that the licensee be allowed to resume the
11 licensee's ~~his or her~~ practice.

12 All fines imposed under this Section shall be paid within
13 60 days after the effective date of the order imposing the fine
14 or in accordance with the terms set forth in the order imposing
15 the fine.

16 (Source: P.A. 99-26, eff. 7-10-15.)

17 (225 ILCS 745/85)

18 (Section scheduled to be repealed on January 1, 2026)

19 Sec. 85. Injunctive action; cease and desist order.

20 (a) If any person violates the provisions of this Act, the
21 Director, in the name of the People of the State of Illinois,
22 through the Attorney General or the State's Attorney of the
23 county in which the violation is alleged to have occurred, may
24 petition for an order enjoining the violation or for an order
25 enforcing compliance with this Act. Upon the filing of a

1 verified petition, the court with appropriate jurisdiction may
2 issue a temporary restraining order, without notice or bond,
3 and may preliminarily and permanently enjoin the violation. If
4 it is established that the person has violated or is violating
5 the injunction, the court may punish the offender for contempt
6 of court. Proceedings under this Section are in addition to,
7 and not in lieu of, all other remedies and penalties provided
8 by this Act.

9 (b) If any ~~a~~ person practices as a Licensed Professional
10 Geologist or holds oneself ~~himself or herself~~ out as a
11 Licensed Professional Geologist in Illinois, without being
12 licensed to do so under this Act, then any Licensed
13 Professional Geologist, interested party, or any person
14 injured thereby may petition for relief as provided in
15 subsection (a) of this Section.

16 (c) Whenever, in the opinion of the Department, a person
17 violates any provision of this Act, the Department may issue a
18 rule to show cause why an order to cease and desist should not
19 be entered against that person. The rule shall clearly set
20 forth the grounds relied upon by the Department and shall
21 allow at least 7 days from the date of the rule to file an
22 answer satisfactory to the Department. Failure to answer to
23 the satisfaction of the Department shall cause an order to
24 cease and desist to be issued.

25 (Source: P.A. 96-1327, eff. 7-27-10.)

1 (225 ILCS 745/90)

2 (Section scheduled to be repealed on January 1, 2026)

3 Sec. 90. Investigations; notice and hearing. The
4 Department may investigate the actions of any applicant or of
5 any person or persons rendering or offering to render
6 geological services or any person holding or claiming to hold
7 a license as a Licensed Professional Geologist. The Department
8 shall, before revoking, suspending, placing on probation,
9 reprimanding, or taking any other disciplinary action under
10 Section 80 of this Act, at least 30 days before the date set
11 for the hearing, (i) notify the accused in writing of the
12 charges made and the time and place for the hearing on the
13 charges, (ii) direct the accused ~~him or her~~ to file a written
14 answer to the charges with the Board under oath within 20 days
15 after the service on the accused ~~him or her~~ of the notice, and
16 (iii) notify the accused that, if the accused ~~he or she~~ fails
17 to answer, default will be taken against the accused ~~him or~~
18 ~~her~~, and that the ~~his or her~~ license may be suspended, revoked,
19 placed on probationary status, or other disciplinary action
20 taken with regard to the license, including limiting the
21 scope, nature, or extent of the accused's ~~his or her~~ practice,
22 as the Department may consider proper. At the time and place
23 fixed in the notice, the Board shall proceed to hear the
24 charges and the parties or their counsel shall be accorded
25 ample opportunity to present any pertinent statements,
26 testimony, evidence, and arguments. The Board may continue the

1 hearing from time to time. In case the person, after receiving
2 the notice, fails to file an answer, the person's ~~his or her~~
3 license may, in the discretion of the Department, be
4 suspended, revoked, placed on probationary status, or subject
5 to any other disciplinary action the Department considers
6 proper, including limiting the scope, nature, or extent of the
7 person's practice or the imposition of a fine, without a
8 hearing, if the act or acts charged constitute sufficient
9 grounds for that action under this Act. The written notice may
10 be served by personal delivery or by ~~certified~~ mail or by email
11 to the licensee's address of record or email address of
12 record.

13 (Source: P.A. 99-26, eff. 7-10-15.)

14 (225 ILCS 745/110)

15 (Section scheduled to be repealed on January 1, 2026)

16 Sec. 110. Findings and recommendations. At the conclusion
17 of the hearing, the Board shall present to the Secretary a
18 written report of its findings of fact, conclusions of law,
19 and recommendations. The report shall contain a finding
20 whether or not the accused person violated this Act or its
21 rules or failed to comply with the conditions required in this
22 Act or its rules. The Board shall specify the nature of any
23 violations or failure to comply and shall make its
24 recommendations to the Secretary. In making recommendations
25 for any disciplinary actions, the Board may take into

1 consideration all facts and circumstances bearing upon the
2 reasonableness of the conduct of the accused and the potential
3 for future harm to the public, including, but not limited to,
4 previous discipline of the accused by the Department, intent,
5 degree of harm to the public and likelihood of harm in the
6 future, any restitution made by the accused, and whether the
7 incident or incidents contained in the complaint appear to be
8 isolated or represent a continuing pattern of conduct. In
9 making its recommendations for discipline, the Board shall
10 endeavor to ensure that the severity of the discipline
11 recommended is reasonably related to the severity of the
12 violation.

13 The report of findings of fact, conclusions of law, and
14 recommendation of the Board shall be the basis for the
15 Department's order refusing to issue, restore, or renew a
16 person's license to practice as a Licensed Professional
17 Geologist, or otherwise disciplining a licensee. If the
18 Secretary disagrees with the recommendations of the Board, the
19 Secretary may issue an order in contravention of the Board
20 recommendations. ~~The Secretary shall provide a written report~~
21 ~~to the Board on any disagreement and shall specify the reasons~~
22 ~~for the action in the final order.~~ The finding is not
23 admissible in evidence against the person in a criminal
24 prosecution brought for a violation of this Act, but the
25 hearing and finding are not a bar to a criminal prosecution
26 brought for a violation of this Act.

1 (Source: P.A. 99-26, eff. 7-10-15.)

2 (225 ILCS 745/120)

3 (Section scheduled to be repealed on January 1, 2026)

4 Sec. 120. Secretary; rehearing. Whenever the Secretary
5 believes that justice has not been done in the revocation,
6 suspension, or refusal to issue, restore, or renew a person's
7 license to practice as a Licensed Professional Geologist, or
8 other discipline of an applicant or licensee, the Secretary ~~he~~
9 ~~or she~~ may order a rehearing by the same or other examiners.

10 (Source: P.A. 99-26, eff. 7-10-15.)

11 (225 ILCS 745/125)

12 (Section scheduled to be repealed on January 1, 2026)

13 Sec. 125. Appointment of a hearing officer. The Secretary
14 has the authority to appoint any attorney licensed to practice
15 law in the State of Illinois to serve as the hearing officer in
16 any action for refusal to issue, restore, or renew a person's
17 license to practice as a Licensed Professional Geologist or to
18 discipline a licensee. The hearing officer has full authority
19 to conduct the hearing. Members of the Board may attend each
20 hearing. The hearing officer shall report ~~his or her~~ findings
21 of fact, conclusions of law, and recommendations to the Board
22 and the Secretary. The Board shall have 60 calendar days from
23 receipt of the report to review the report of the hearing
24 officer and present its findings of fact, conclusions of law,

1 and recommendations to the Secretary. If the Board does not
2 present its report within the 60-day period, the Secretary may
3 issue an order based on the report of the hearing officer. If
4 the Secretary disagrees with the recommendation of the Board
5 or of the hearing officer, the Secretary may issue an order in
6 contravention of the recommendation. The Secretary shall
7 promptly provide a written report to the Board on any
8 deviation, and shall specify the reasons for the action in the
9 final order.

10 (Source: P.A. 99-26, eff. 7-10-15.)

11 (225 ILCS 745/140)

12 (Section scheduled to be repealed on January 1, 2026)

13 Sec. 140. Surrender of license. Upon the revocation or
14 suspension of a person's license to practice as a Licensed
15 Professional Geologist, the licensee shall immediately
16 surrender the person's ~~his or her~~ license to the Department
17 and the licensee's name and address shall be added to the list
18 of individuals whose licenses have been revoked, suspended, or
19 denied renewal for cause. If the licensee fails to surrender
20 the ~~his or her~~ license, the Department has the right to seize
21 the license.

22 (Source: P.A. 96-1327, eff. 7-27-10.)

23 (225 ILCS 745/160)

24 (Section scheduled to be repealed on January 1, 2026)

1 Sec. 160. Violations.

2 (a) Using or attempting to use an expired license is a
3 Class A misdemeanor.

4 (b) Each of the following acts is a Class A misdemeanor for
5 the first offense and a Class 4 felony for a second or
6 subsequent offense:

7 (1) A violation of any provision of this Act or its
8 rules, except as noted in subsection (a) of this Section.

9 (2) The making of any willfully ~~wilfully~~ false oath or
10 affirmation in any matter or proceeding where an oath or
11 affirmation is required by this Act.

12 (3) Using or attempting to use an inactive, suspended,
13 or revoked license or the license or seal of another, or
14 impersonating another licensee, or practicing geology as a
15 Licensed Professional Geologist in Illinois while one's
16 license is inactive, suspended, or revoked.

17 (4) The practice, attempt to practice, or offer to
18 practice professional geology in Illinois without a
19 license as a Licensed Professional Geologist. Each day of
20 practicing professional geology or attempting to practice
21 professional geology, and each instance of offering to
22 practice professional geology, without a license as a
23 Licensed Professional Geologist constitutes a separate
24 offense.

25 (5) Advertising or displaying any sign or card or
26 other device that might indicate to the public that the

1 person or entity is entitled to practice as a Licensed
2 Professional Geologist, unless that person holds an active
3 license as a Licensed Professional Geologist in the State
4 of Illinois.

5 (6) Fraud, misrepresentation, or concealment in
6 applying for or procuring a license under this Act, or in
7 connection with applying for the renewal of a license
8 under this Act ~~Obtaining or attempting to obtain a license~~
9 ~~by fraud.~~

10 (7) The inability to practice with reasonable
11 judgment, skill, or safety as a result of habitual or
12 excessive use or addiction to alcohol, narcotics,
13 stimulants, or any other chemical agent or drug.

14 (8) Engaging in dishonorable, unethical, or
15 unprofessional conduct of a nature likely to deceive,
16 defraud, or harm the public.

17 (9) A violation of any provision of this Act or any
18 rules adopted under this Act.

19 (Source: P.A. 96-1327, eff. 7-27-10.)

20 (225 ILCS 745/180)

21 (Section scheduled to be repealed on January 1, 2026)

22 Sec. 180. Confidentiality. All information collected by
23 the Department in the course of an examination or
24 investigation of a licensee or applicant, including, but not
25 limited to, any complaint against a licensee filed with the

1 Department and information collected to investigate any such
2 complaint, shall be maintained for the confidential use of the
3 Department and shall not be disclosed. The Department shall
4 not disclose the information to anyone other than law
5 enforcement officials, regulatory agencies that have an
6 appropriate regulatory interest as determined by the
7 Secretary, or a party presenting a lawful subpoena to the
8 Department. Information and documents disclosed to a federal,
9 State, county, or local law enforcement agency or regulatory
10 agency shall not be disclosed by the agency for any purpose to
11 any other agency or person. A formal complaint filed against a
12 licensee by the Department or any order issued by the
13 Department against a licensee or applicant shall be a public
14 record, except as otherwise prohibited by law.

15 (Source: P.A. 99-26, eff. 7-10-15.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.