



Sen. Ram Villivalam

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10400SB3634sam001

LRB104 19988 CCC 35260 a

1 AMENDMENT TO SENATE BILL 3634

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3634 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Public Contract Fraud Act is amended by  
5 changing Section 2 as follows:

6 (30 ILCS 545/2) (from Ch. 127, par. 132.52)

7 Sec. 2. Spending money without obtaining title to land;  
8 approval of title by Attorney General.

9 (a) Except as otherwise provided in Section 2 of the  
10 Superconducting Super Collider Act or for projects constructed  
11 under the Bikeway Act, any person or persons, commissioner or  
12 commissioners, or other officer or officers, entrusted with  
13 the construction or repair of any public work or improvement,  
14 as set forth in Section 1, who shall expend or cause to be  
15 expended upon such public work or improvement, the whole or  
16 any part of the moneys appropriated therefor, or who shall

1 commence work, or in any way authorize work to be commenced,  
2 thereon, without first having obtained a title, by purchase,  
3 donation, condemnation or otherwise, to all lands needed for  
4 such public work or improvement, running to the People of the  
5 State of Illinois; such title to be approved by the Attorney  
6 General, and his approval certified by the Secretary of State  
7 and placed on record in his office, shall be deemed guilty of a  
8 Class A misdemeanor.

9 (b) Approval of title by the Attorney General for all  
10 lands needed for a public work or improvement shall not be  
11 required as established under subsection (a) of this Section  
12 and the State Comptroller may draw warrant in payment of  
13 consideration for all such lands without requiring approval of  
14 title by the Attorney General if consideration to be paid does  
15 not exceed \$25,000 and the title acquired for such lands is  
16 for:

17 (1) a fee simple title or easement acquired by the  
18 State for highway right-of-way; or

19 (2) an acquisition of rights or easements of access,  
20 crossing, light, air or view to, from or over a freeway  
21 vested in abutting property; or

22 (3) a fee simple title or easement used to place  
23 utility lines and connect a permanent public work or  
24 improvement owned by the State to main utility lines; or

25 (4) for the purpose of flood relief or other water  
26 resource projects.

1 (c) This Section does not apply to any otherwise lawful  
2 expenditures for the construction, completion, remodeling,  
3 maintenance and equipment of buildings and other facilities  
4 made in connection with and upon premises owned by the  
5 Illinois Building Authority, nor shall this Section apply to  
6 improvements to real estate leased by any State agency as  
7 defined in the Illinois State Auditing Act, provided the  
8 leasehold improvements were contracted for by an agency with  
9 leasing authority and in compliance with the rules and  
10 regulations promulgated by such agency for that purpose.

11 (d) Notwithstanding subsection (a), the Department of  
12 Transportation may proceed with bidding or awarding a contract  
13 or any construction activities once it has complied with the  
14 requirements for conditional certification under 23 CFR  
15 635.309(c)(3). The Department of Transportation shall comply  
16 with the requirements under subsection (a) before expending  
17 funds on construction activities or property acquisition  
18 related to parcels that were outstanding at the time of  
19 conditional certification under this subsection (d). No  
20 construction activities shall be undertaken on any property  
21 until the requirements under subsection (a) have been met for  
22 that property. No delay costs shall be assessed against the  
23 State until the Department of Transportation has complied with  
24 subsection (a).

25 (Source: P.A. 103-865, eff. 1-1-25.)

1           Section 10. The Real Estate Appraiser Licensing Act of  
2           2002 is amended by changing Sections 1-10, 5-5, 5-30, 15-10,  
3           15-10.1, 15-11, 15-15, and 25-10 as follows:

4           (225 ILCS 458/1-10)

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

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

8           "Accredited college or university, junior college, or  
9           community college" means a college or university, junior  
10          college, or community college that is approved or accredited  
11          by the Board of Higher Education, a regional or national  
12          accreditation association, or by an accrediting agency that is  
13          recognized by the U.S. Secretary of Education.

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

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

20          "Appraisal" means (noun) the act or process of developing  
21          an opinion of value; an opinion of value (adjective) of or  
22          pertaining to appraising and related functions, such as  
23          appraisal practice or appraisal services.

24          "Appraisal assignment" means a valuation service provided  
25          pursuant to an agreement between an appraiser and a client.

1 "Appraisal firm" means an appraisal entity that is 100%  
2 owned and controlled by a person or persons licensed in  
3 Illinois as a certified general real estate appraiser or a  
4 certified residential real estate appraiser. "Appraisal firm"  
5 does not include an appraisal management company.

6 "Appraisal management company" means any corporation,  
7 limited liability company, partnership, sole proprietorship,  
8 subsidiary, unit, or other business entity that directly or  
9 indirectly: (1) provides appraisal management services to  
10 creditors or secondary mortgage market participants, including  
11 affiliates; (2) provides appraisal management services in  
12 connection with valuing the consumer's principal dwelling as  
13 security for a consumer credit transaction (including consumer  
14 credit transactions incorporated into securitizations); and  
15 (3) any appraisal management company that, within a given  
16 12-month period, oversees an appraiser panel of 16 or more  
17 State-certified appraisers in Illinois or 25 or more  
18 State-certified or State-licensed appraisers in 2 or more  
19 jurisdictions. "Appraisal management company" includes a  
20 hybrid entity.

21 "Appraisal practice" means valuation services performed by  
22 an individual acting as an appraiser, including, but not  
23 limited to, appraisal or appraisal review.

24 "Appraisal qualification board (AQB)" means the  
25 independent board of the Appraisal Foundation, which, under  
26 the provisions of Title XI of the Financial Institutions

1 Reform, Recovery, and Enforcement Act of 1989, establishes the  
2 minimum education, experience, and examination requirements  
3 for real property appraisers to obtain a state certification  
4 or license.

5 "Appraisal report" means any communication, written or  
6 oral, of an appraisal or appraisal review that is transmitted  
7 to a client upon completion of an assignment.

8 "Appraisal review" means the act or process of developing  
9 and communicating an opinion about the quality of another  
10 appraiser's work that was performed as part of an appraisal,  
11 appraisal review, or appraisal assignment.

12 "Appraisal Subcommittee" means the Appraisal Subcommittee  
13 of the Federal Financial Institutions Examination Council as  
14 established by Title XI.

15 "Appraiser" means a person who performs real estate or  
16 real property appraisals competently and in a manner that is  
17 independent, impartial, and objective.

18 "Appraiser panel" means a network, list, or roster of  
19 licensed or certified appraisers approved by the appraisal  
20 management company or by the ~~end-user~~ client to perform  
21 appraisals as independent contractors for the appraisal  
22 management company. "Appraiser panel" includes both appraisers  
23 accepted by an appraisal management company for consideration  
24 for future appraisal assignments and appraisers engaged by an  
25 appraisal management company to perform one or more  
26 appraisals. For the purposes of determining the size of an

1 appraiser panel, only independent contractors of hybrid  
2 entities shall be counted towards the appraiser panel.

3 "Associate real estate trainee appraiser" means an  
4 entry-level appraiser who holds a license of this  
5 classification under this Act with restrictions as to the  
6 scope of practice in accordance with this Act.

7 "Automated valuation model" means an automated system that  
8 is used to derive a property value through the use of available  
9 property records and various analytic methodologies such as  
10 comparable sales prices, home characteristics, and price  
11 changes.

12 "Board" means the Real Estate Appraisal Administration and  
13 Disciplinary Board.

14 "Broker price opinion" means an estimate or analysis of  
15 the probable selling price of a particular interest in real  
16 estate, which may provide a varying level of detail about the  
17 property's condition, market, and neighborhood and information  
18 on comparable sales. The activities of a real estate broker or  
19 managing broker engaging in the ordinary course of business as  
20 a broker, as defined in this Section, shall not be considered a  
21 broker price opinion if no compensation is paid to the broker  
22 or managing broker, other than compensation based upon the  
23 sale or rental of real estate.

24 "Classroom hour" means 50 minutes of instruction out of  
25 each 60-minute segment of coursework.

26 "Client" means the party or parties who engage an

1 appraiser by employment or contract in a specific appraisal  
2 assignment.

3 "Comparative market analysis" is an analysis or opinion  
4 regarding pricing, marketing, or financial aspects relating to  
5 a specified interest or interests in real estate that may be  
6 based upon an analysis of comparative market data, the  
7 expertise of the real estate broker or managing broker, and  
8 such other factors as the broker or managing broker may deem  
9 appropriate in developing or preparing such analysis or  
10 opinion. The activities of a real estate broker or managing  
11 broker engaging in the ordinary course of business as a  
12 broker, as defined in this Section, shall not be considered a  
13 comparative market analysis if no compensation is paid to the  
14 broker or managing broker, other than compensation based upon  
15 the sale or rental of real estate.

16 "Coordinator" means the Real Estate Appraisal Coordinator  
17 created in Section 25-15.

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

20 "Email address of record" means the designated email  
21 address recorded by the Department in the applicant's  
22 application file or the licensee's license file maintained by  
23 the Department.

24 "Evaluation" means a valuation permitted by the appraisal  
25 regulations of the Federal Financial Institutions Examination  
26 Council and its federal agencies for transactions that qualify

1 for the appraisal threshold exemption, business loan  
2 exemption, or subsequent transaction exemption.

3 "Federal financial institutions regulatory agencies" means  
4 the Board of Governors of the Federal Reserve System, the  
5 Federal Deposit Insurance Corporation, the Office of the  
6 Comptroller of the Currency, the Consumer Financial Protection  
7 Bureau, and the National Credit Union Administration.

8 "Federally related transaction" means any real  
9 estate-related financial transaction in which a federal  
10 financial institutions regulatory agency engages in, contracts  
11 for, or regulates and requires the services of an appraiser.

12 "Financial institution" means any bank, savings bank,  
13 savings and loan association, credit union, mortgage broker,  
14 mortgage banker, licensee under the Consumer Installment Loan  
15 Act or the Sales Finance Agency Act, or a corporate fiduciary,  
16 subsidiary, affiliate, parent company, or holding company of  
17 any such licensee, or any institution involved in real estate  
18 financing that is regulated by state or federal law.

19 "Hybrid entity" means an appraisal management company that  
20 hires an appraiser as an employee to perform an appraisal and  
21 engages an independent contractor to perform an appraisal.

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

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

26 "Multi-state licensing system" means a web-based platform

1 that allows an applicant to submit the application or license  
2 renewal application to the Department online.

3 "Person" means an individual, entity, sole proprietorship,  
4 corporation, limited liability company, partnership, and joint  
5 venture, foreign or domestic, except that when the context  
6 otherwise requires, the term may refer to more than one  
7 individual or other described entity.

8 "Real estate" means an identified parcel or tract of land,  
9 including any improvements.

10 "Real estate related financial transaction" means any  
11 transaction involving:

12 (1) the sale, lease, purchase, investment in, or  
13 exchange of real property, including interests in property  
14 or the financing thereof;

15 (2) the refinancing of real property or interests in  
16 real property; and

17 (3) the use of real property or interest in property  
18 as security for a loan or investment, including mortgage  
19 backed securities.

20 "Real property" means the interests, benefits, and rights  
21 inherent in the ownership of real estate.

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

24 "State certified general real estate appraiser" means an  
25 appraiser who holds a license of this classification under  
26 this Act and such classification applies to the appraisal of

1 all types of real property without restrictions as to the  
2 scope of practice.

3 "State certified residential real estate appraiser" means  
4 an appraiser who holds a license of this classification under  
5 this Act and such classification applies to the appraisal of  
6 one to 4 units of residential real property without regard to  
7 transaction value or complexity, but with restrictions as to  
8 the scope of practice in a federally related transaction in  
9 accordance with Title XI, the provisions of USPAP, criteria  
10 established by the AQB, and further defined by rule.

11 "Supervising appraiser" means either (i) an appraiser who  
12 holds a valid license under this Act as either a State  
13 certified general real estate appraiser or a State certified  
14 residential real estate appraiser, who co-signs an appraisal  
15 report for an associate real estate trainee appraiser or (ii)  
16 a State certified general real estate appraiser who holds a  
17 valid license under this Act who co-signs an appraisal report  
18 for a State certified residential real estate appraiser on  
19 properties other than one to 4 units of residential real  
20 property without regard to transaction value or complexity.

21 "Title XI" means Title XI of the federal Financial  
22 Institutions Reform, Recovery, and Enforcement Act of 1989.

23 "USPAP" means the Uniform Standards of Professional  
24 Appraisal Practice as promulgated by the Appraisal Standards  
25 Board pursuant to Title XI and by rule.

26 "Valuation services" means services pertaining to aspects

1 of property value.

2 "Waiver valuation" means a valuation prepared pursuant to  
3 the federal Uniform Relocation Assistance and Real Property  
4 Acquisition Policies Act of 1970, as amended, or pursuant to  
5 the federal Uniform Relocation Assistance and Real Property  
6 Acquisition for Federal and Federally Assisted Programs  
7 regulations under 49 CFR Part 24 that is not an appraisal or  
8 represented as an appraisal.

9 (Source: P.A. 102-20, eff. 1-1-22; 102-687, eff. 12-17-21;  
10 102-970, eff. 5-27-22; 103-236, eff. 1-1-24.)

11 (225 ILCS 458/5-5)

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

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

14 (a) It is unlawful for a person to (i) act, offer services,  
15 or advertise services as a State certified general real estate  
16 appraiser, State certified residential real estate appraiser,  
17 or associate real estate trainee appraiser, (ii) develop a  
18 real estate appraisal, (iii) practice as a real estate  
19 appraiser, or (iv) advertise as a real estate appraiser  
20 without a license issued under this Act. A person who violates  
21 this subsection is guilty of a Class A misdemeanor for a first  
22 offense and a Class 4 felony for any subsequent offense.

23 (a-5) It is unlawful for a person, unless registered as an  
24 appraisal management company, to solicit clients or enter into  
25 an appraisal engagement with clients without either a

1 certified residential real estate appraiser license or a  
2 certified general real estate appraiser license issued under  
3 this Act. A person who violates this subsection is guilty of a  
4 Class A misdemeanor for a first offense and a Class 4 felony  
5 for any subsequent offense.

6 (b) It is unlawful for a person, other than a person who  
7 holds a valid license issued pursuant to this Act as a State  
8 certified general real estate appraiser, a State certified  
9 residential real estate appraiser, or an associate real estate  
10 trainee appraiser to use these titles or any other title,  
11 designation, or abbreviation likely to create the impression  
12 that the person is licensed as a real estate appraiser  
13 pursuant to this Act. A person who violates this subsection is  
14 guilty of a Class A misdemeanor for a first offense and a Class  
15 4 felony for any subsequent offense.

16 (c) This Act does not apply to a person who holds a valid  
17 license as a real estate broker or managing broker pursuant to  
18 the Real Estate License Act of 2000 who prepares or provides a  
19 broker price opinion or comparative market analysis in  
20 compliance with Section 10-45 of the Real Estate License Act  
21 of 2000.

22 (d) Nothing in this Act shall preclude a State certified  
23 general real estate appraiser, a State certified residential  
24 real estate appraiser, or an associate real estate trainee  
25 appraiser from rendering appraisals for or on behalf of a  
26 partnership, association, corporation, firm, or group.

1 However, no State appraisal license or certification shall be  
2 issued under this Act to a partnership, association,  
3 corporation, firm, or group.

4 (e) This Act does not apply to a county assessor, township  
5 assessor, multi-township assessor, county supervisor of  
6 assessments, or any deputy or employee of any county assessor,  
7 township assessor, multi-township assessor, or county  
8 supervisor of assessments in performance of respective duties  
9 in accordance with the provisions of the Property Tax Code.

10 (e-5) For the purposes of this Act, waiver valuations  
11 ~~valuation waivers may be prepared by a licensed appraiser~~  
12 ~~notwithstanding any other provision of this Act, and the~~  
13 ~~following types of valuations~~ are not appraisals and may not  
14 be represented to be appraisals, and a license or  
15 certification is not required under this Act to perform such  
16 valuations if the valuations are created in one of the  
17 following manners: ~~performed by (1) an employee of the~~  
18 ~~Illinois Department of Transportation who has completed a~~  
19 ~~minimum of 45 hours of course work in real estate appraisal,~~  
20 ~~including the principles of real estate appraisals, appraisal~~  
21 ~~of partial acquisitions, easement valuation, reviewing~~  
22 ~~appraisals in eminent domain, appraisal for federal aid~~  
23 ~~highway programs, and appraisal review for federal aid highway~~  
24 ~~programs and has at least 2 years' experience in a field~~  
25 ~~closely related to real estate; (2) a county engineer who is a~~  
26 ~~registered professional engineer under the Professional~~

1 ~~Engineering Practice Act of 1989; (3) an employee of a~~  
2 ~~municipality who has (i) completed a minimum of 45 hours of~~  
3 ~~coursework in real estate appraisal, including the principles~~  
4 ~~of real estate appraisals, appraisal of partial acquisitions,~~  
5 ~~easement valuation, reviewing appraisals in eminent domain,~~  
6 ~~appraisal for federal aid highway programs, and appraisal~~  
7 ~~review for federal aid highway programs and (ii) has either 2~~  
8 ~~years' experience in a field clearly related to real estate or~~  
9 ~~has completed 20 hours of additional coursework that is~~  
10 ~~sufficient for a person to complete waiver valuations as~~  
11 ~~approved by the Federal Highway Administration; or (4) a~~  
12 ~~municipal engineer who has completed coursework that is~~  
13 ~~sufficient for waiver valuations to be approved by the Federal~~  
14 ~~Highway Administration and who is a registered professional~~  
15 ~~engineer under the Professional Engineering Act of 1989, under~~  
16 ~~the following circumstances:~~

17 (A) a waiver valuation ~~waiver~~ in an amount not to  
18 exceed \$35,000 ~~that \$20,000 prepared pursuant to the~~  
19 ~~federal Uniform Relocation Assistance and Real Property~~  
20 ~~Acquisition Policies Act of 1970, or prepared pursuant to~~  
21 ~~the federal Uniform Relocation Assistance and Real~~  
22 ~~Property Acquisition for Federal and Federally Assisted~~  
23 ~~Programs regulations and which is performed by:~~

24 (1) an employee of the Illinois Department of  
25 Transportation who is a registered professional  
26 engineer under the Professional Engineering Practice

1           Act of 1989 or an employee of the Illinois Department  
2           of Transportation who is ~~and co-signed, with a license~~  
3           ~~number affixed,~~ by another employee of the Illinois  
4           Department of Transportation and who is a registered  
5           professional engineer under the Professional  
6           Engineering Practice Act of 1989, with a license  
7           number affixed;

8           (2) an employee of the Illinois Department of  
9           Transportation or an employee of a consultant or  
10           subconsultant under contract to provide land  
11           acquisition services to the Illinois Department of  
12           Transportation who has at least 2 years of experience  
13           in a field closely related to real estate and who has  
14           completed a minimum of 45 hours of course work in real  
15           estate appraisal, including the principles of real  
16           estate appraisals, appraisal of partial acquisitions,  
17           easement valuation, reviewing appraisals in eminent  
18           domain, appraisal for federal aid highway programs,  
19           and appraisal review for federal aid highway programs;

20           (3) a county or municipal engineer who is a  
21           registered professional engineer under the  
22           Professional Engineering Practice Act of 1989, with an  
23           engineer's signature and license number affixed;

24           (4) a municipal engineer who has completed  
25           coursework that is sufficient for waiver valuations to  
26           be approved by the Federal Highway Administration and

1 who is a registered professional engineer under the  
2 Professional Engineering Practice Act of 1989;

3 (5) ~~or (2)~~ an employee of a county or municipality  
4 who is and co-signed with a license number affixed by  
5 the applicable a county or municipal engineer who is a  
6 registered professional engineer under the  
7 Professional Engineering Practice Act of 1989, with a  
8 license number affixed;

9 (6) an employee of a municipality who:

10 (A) has completed a minimum of 45 hours of  
11 coursework in real estate appraisal, including the  
12 principles of real estate appraisals, appraisal of  
13 partial acquisitions, easement valuation,  
14 reviewing appraisals in eminent domain, appraisal  
15 for federal aid highway programs, and appraisal  
16 review for federal aid highway programs; and

17 (B) has either 2 years of experience in a  
18 field clearly related to real estate or has  
19 completed 20 hours of additional coursework that  
20 is sufficient for the employee to complete waiver  
21 valuations as approved by the Federal Highway  
22 Administration; or

23 (7) a nonresident appraiser licensed in another  
24 jurisdiction who does not represent himself or herself  
25 to be an Illinois-licensed appraiser; or ~~and~~

26 (B) a waiver valuation ~~waiver~~ in an amount not to

1        exceed \$50,000 that (i) is performed by a licensed  
2        certified general real estate appraiser, a licensed  
3        certified residential real estate appraiser, or an  
4        associate real estate trainee appraiser employed by the  
5        Illinois Department of Transportation, (ii) includes the  
6        signature and license numbers of the appraiser or the  
7        trainee and the trainee's supervising appraiser, and (iii)  
8        is co-signed by an employee of the Illinois Department of  
9        Transportation who is a registered professional engineer  
10       under the Professional Engineering Practice Act of 1989,  
11       with a license number affixed ~~\$20,000 prepared pursuant to~~  
12       ~~the federal Uniform Relocation Assistance and Real~~  
13       ~~Property Acquisition Policies Act of 1970, or prepared~~  
14       ~~pursuant to the federal Uniform Relocation Assistance and~~  
15       ~~Real Property Acquisition for Federal and~~  
16       ~~Federally Assisted Programs regulations and which is~~  
17       ~~performed by a county or municipal engineer who is~~  
18       ~~employed by a county or municipality and is a registered~~  
19       ~~professional engineer under the Professional Engineering~~  
20       ~~Practice Act of 1989. The valuation shall include the~~  
21       ~~county or municipal engineer's signature and license~~  
22       ~~number.~~

23       Nothing in this subsection (e-5) shall be construed to  
24       allow the State of Illinois, a political subdivision thereof,  
25       or any public body to acquire real estate by eminent domain in  
26       any manner other than provided for in the Eminent Domain Act.

1           (f) A State real estate appraisal certification or license  
2 is not required under this Act for any person, partnership,  
3 association, or corporation that performs appraisals of  
4 property owned by that person, partnership, association, or  
5 corporation for the sole use of that person, partnership,  
6 association, or corporation.

7           Any person who is certified or licensed under this Act and  
8 who performs any of the activities set forth in this  
9 subsection (f) must comply with the provisions of this Act. A  
10 person who violates this subsection (f) is guilty of a Class A  
11 misdemeanor for a first offense and a Class 4 felony for any  
12 subsequent offense.

13           (g) This Act does not apply to an employee, officer,  
14 director, or member of a credit or loan committee of a  
15 financial institution or any other person engaged by a  
16 financial institution when performing an evaluation of real  
17 property for the sole use of the financial institution in a  
18 transaction for which the financial institution would not be  
19 required to use the services of a State licensed or State  
20 certified appraiser pursuant to federal regulations adopted  
21 under Title XI of the federal Financial Institutions Reform,  
22 Recovery, and Enforcement Act of 1989.

23           (h) This Act does not apply to the procurement of an  
24 automated valuation model.

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

1 (225 ILCS 458/5-30)

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

3 Sec. 5-30. Endorsement. The Department may issue an  
4 appraiser license, without the required examination, to an  
5 applicant licensed by another state, territory, possession of  
6 the United States, or the District of Columbia, if (i) the  
7 licensing requirements of that licensing authority are, on the  
8 date of licensure, substantially equal to the requirements set  
9 forth under this Act or to a person who, at the time of the  
10 application, possessed individual qualifications that were  
11 substantially equivalent to the requirements of this Act and  
12 ~~or~~ (ii) the applicant provides the Department with evidence of  
13 good standing from the Appraisal Subcommittee National  
14 Registry report and a criminal history records check in  
15 accordance with Section 5-22. An applicant under this Section  
16 shall pay all of the required fees.

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

18 (225 ILCS 458/15-10)

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

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

21 (a) The Department may suspend, revoke, refuse to issue,  
22 renew, or restore a license and may reprimand, place on  
23 probation or administrative supervision, or take any  
24 disciplinary or non-disciplinary action, including imposing  
25 conditions limiting the scope, nature, or extent of the real

1 estate appraisal practice of a licensee or reducing the  
2 appraisal rank of a licensee, and may impose an administrative  
3 fine not to exceed \$25,000 for each violation upon a licensee  
4 or applicant under this Act or any person who holds oneself out  
5 as an applicant or licensee for any one or combination of the  
6 following:

7 (1) Procuring or attempting to procure a license by  
8 knowingly making a false statement, submitting false  
9 information, engaging in any form of fraud or  
10 misrepresentation, or refusing to provide complete  
11 information in response to a question in an application  
12 for licensure.

13 (2) Failing to meet the minimum qualifications for  
14 licensure as an appraiser established by this Act.

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

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

26 (5) Committing an act or omission involving

1 dishonesty, fraud, or misrepresentation with the intent to  
2 substantially benefit the licensee or another person or  
3 with intent to substantially injure another person as  
4 defined by rule.

5 (6) Violating a provision or standard for the  
6 development or communication of real estate appraisals as  
7 provided in Section 10-10 of this Act or as defined by  
8 rule.

9 (7) Failing or refusing without good cause to exercise  
10 reasonable diligence in developing, reporting, or  
11 communicating an appraisal, as defined by this Act or by  
12 rule.

13 (8) Violating a provision of this Act or the rules  
14 adopted pursuant to this Act.

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

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

25 (11) Accepting an appraisal assignment when the  
26 employment itself is contingent upon the appraiser

1 reporting a predetermined estimate, analysis, or opinion  
2 or when the fee to be paid is contingent upon the opinion,  
3 conclusion, or valuation reached or upon the consequences  
4 resulting from the appraisal assignment.

5 (12) Developing valuation conclusions based on the  
6 race, color, religion, sex, national origin, ancestry,  
7 age, marital status, family status, physical or mental  
8 disability, sexual orientation, pregnancy, order of  
9 protection status, military status, unfavorable military  
10 discharge, source of income, or any other protected class,  
11 as defined under the Illinois Human Rights Act, of the  
12 prospective or present owners or occupants of the area or  
13 property under appraisal.

14 (13) Violating the confidential nature of government  
15 records to which the licensee gained access through  
16 employment or engagement as an appraiser by a government  
17 agency.

18 (14) Being adjudicated liable in a civil proceeding on  
19 grounds of fraud, misrepresentation, or deceit. In a  
20 disciplinary proceeding based upon a finding of civil  
21 liability, the appraiser shall be afforded an opportunity  
22 to present mitigating and extenuating circumstances, but  
23 may not collaterally attack the civil adjudication.

24 (15) Being adjudicated liable in a civil proceeding  
25 for violation of a state or federal fair housing law.

26 (16) Engaging in misleading or untruthful advertising

1 or using a trade name or insignia of membership in a real  
2 estate appraisal or real estate organization of which the  
3 licensee is not a member.

4 (17) Failing to fully cooperate with a Department  
5 investigation by knowingly making a false statement,  
6 submitting false or misleading information, or refusing to  
7 provide complete information in response to written  
8 interrogatories or a written request for documentation  
9 within 30 days of the request.

10 (18) Failing to include within the certificate of  
11 appraisal for all written appraisal reports the  
12 appraiser's license number and licensure title. All  
13 appraisers providing significant contribution to the  
14 development and reporting of an appraisal must be  
15 disclosed in the appraisal report. It is a violation of  
16 this Act for an appraiser to sign a report, transmittal  
17 letter, or appraisal certification knowing that a person  
18 providing a significant contribution to the report has not  
19 been disclosed in the appraisal report.

20 (19) Violating the terms of a disciplinary order or  
21 Consent ~~consent~~ to Administrative Supervision  
22 ~~administrative supervision~~ order.

23 (20) Habitual or excessive use or addiction to  
24 alcohol, narcotics, stimulants, or any other chemical  
25 agent or drug that results in a licensee's inability to  
26 practice with reasonable judgment, skill, or safety that

1       may result in significant harm to the public.

2           (21) A physical or mental illness or disability which  
3 results in the inability to practice under this Act with  
4 reasonable judgment, skill, or safety.

5           (22) Gross negligence in developing an appraisal or in  
6 communicating an appraisal or failing to observe one or  
7 more of the Uniform Standards of Professional Appraisal  
8 Practice.

9           (23) A pattern of practice or other behavior that  
10 demonstrates incapacity or incompetence to practice under  
11 this Act.

12           (24) Using or attempting to use the seal, certificate,  
13 or license of another as one's own; falsely impersonating  
14 any duly licensed appraiser; using or attempting to use an  
15 inactive, expired, suspended, or revoked license; or  
16 aiding or abetting any of the foregoing.

17           (25) Solicitation of professional services by using  
18 false, misleading, or deceptive advertising.

19           (26) Making a material misstatement in furnishing  
20 information to the Department.

21           (27) Failure to furnish information to the Department  
22 upon written request.

23           (b) The Department may reprimand suspend, revoke, or  
24 refuse to issue or renew an education provider's license, may  
25 reprimand, place on probation, or otherwise discipline an  
26 education provider, and may suspend or revoke the course

1 approval of any course offered by an education provider and  
2 may impose an administrative fine not to exceed \$25,000 upon  
3 an education provider, for any of the following:

4 (1) Procuring or attempting to procure licensure by  
5 knowingly making a false statement, submitting false  
6 information, engaging in any form of fraud or  
7 misrepresentation, or refusing to provide complete  
8 information in response to a question in an application  
9 for licensure.

10 (2) Failing to comply with the covenants certified to  
11 on the application for licensure as an education provider.

12 (3) Committing an act or omission involving  
13 dishonesty, fraud, or misrepresentation or allowing any  
14 such act or omission by any employee or contractor under  
15 the control of the provider.

16 (4) Engaging in misleading or untruthful advertising.

17 (5) Failing to retain competent instructors in  
18 accordance with rules adopted under this Act.

19 (6) Failing to meet the topic or time requirements for  
20 course approval as the provider of a qualifying curriculum  
21 course or a continuing education course.

22 (7) Failing to administer an approved course using the  
23 course materials, syllabus, and examinations submitted as  
24 the basis of the course approval.

25 (8) Failing to provide an appropriate classroom  
26 environment for presentation of courses, with

1 consideration for student comfort, acoustics, lighting,  
2 seating, workspace, and visual aid material.

3 (9) Failing to maintain student records in compliance  
4 with the rules adopted under this Act.

5 (10) Failing to provide a certificate, transcript, or  
6 other student record to the Department or to a student as  
7 may be required by rule.

8 (11) Failing to fully cooperate with an investigation  
9 by the Department by knowingly making a false statement,  
10 submitting false or misleading information, or refusing to  
11 provide complete information in response to written  
12 interrogatories or a written request for documentation  
13 within 30 days of the request.

14 (c) In appropriate cases, the Department may resolve a  
15 complaint against a licensee through the issuance of a Consent  
16 to Administrative Supervision order. A licensee subject to a  
17 Consent to Administrative Supervision order shall be  
18 considered by the Department as an active licensee in good  
19 standing. This order shall not be reported or considered by  
20 the Department to be a discipline of the licensee. The records  
21 regarding an investigation and a Consent to Administrative  
22 Supervision order shall be considered confidential and shall  
23 not be released by the Department except as mandated by law.

24 (Source: P.A. 102-20, eff. 1-1-22; 103-236, eff. 1-1-24;  
25 revised 6-24-25.)

1 (225 ILCS 458/15-10.1)

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

3 Sec. 15-10.1. Citations.

4 (a) The Department may adopt rules to permit the issuance  
5 of citations to any licensee for failure to comply with the  
6 continuing education requirements set forth in this Act or as  
7 established by rule. The citation shall be issued to the  
8 licensee. For associate real estate trainee appraisers, a copy  
9 shall also be sent to the licensee's supervising appraiser of  
10 record. The citation shall contain the licensee's name, the  
11 licensee's address, the licensee's license number, the number  
12 of required hours of continuing education that have not been  
13 successfully completed by the licensee's ~~licensee within the~~  
14 renewal deadline ~~period~~, and the penalty imposed, which shall  
15 not exceed \$2,000. The issuance of a citation shall not excuse  
16 the licensee from completing all continuing education required  
17 for that renewal period.

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

1 shall be entered, and any fine imposed is due and payable  
2 within 30 ~~60~~ days after the entry of that final order. If the  
3 cited licensee requests a hearing within 30 days after the  
4 citation is served, the Department shall afford the cited  
5 licensee a hearing conducted in the same manner as a hearing  
6 provided for in this Act for any violation of this Act and  
7 shall determine whether the cited licensee committed the  
8 violation as charged and whether the fine as levied is  
9 warranted. If the violation is found, any fine shall  
10 constitute non-public discipline and be due and payable within  
11 30 days after the order of the Secretary, which shall  
12 constitute a final order of the Department. No change in  
13 license status may be made by the Department until a final  
14 order of the Department has been issued.

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

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

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

24 (225 ILCS 458/15-11)

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

1           Sec. 15-11. Illegal discrimination.

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

14           (b) When there has been an order in an administrative  
15 proceeding finding that a licensee has illegally discriminated  
16 while engaged in any activity for which a license is required  
17 under this Act, the Department, following notice to the  
18 licensee and a hearing in accordance with the provisions of  
19 Section 15-15 and upon recommendation of the Board as to the  
20 nature and extent of the discipline, shall take one or more of  
21 the disciplinary actions provided for in Section 15-10 in a  
22 timely manner, unless the administrative order is in the  
23 appeal process. The finding of the administrative order is a  
24 matter of record, the merits of which shall not be challenged  
25 in a request for a hearing by the licensee.

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

1 (225 ILCS 458/15-15)

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

3 Sec. 15-15. Investigation; notice; hearing.

4 (a) Upon the motion of the Department or the Board or upon  
5 a complaint in writing of a person setting forth facts that, if  
6 proven, would constitute grounds for suspension, revocation,  
7 or other disciplinary action, the Department shall investigate  
8 the actions or qualifications of any person who is a licensee,  
9 applicant for licensure, unlicensed person, person rendering  
10 or offering to render appraisal services, or person holding or  
11 claiming to hold a license under this Act. If, upon  
12 investigation, the Department believes that there may be cause  
13 for suspension, revocation, or other disciplinary action, the  
14 Department may ~~shall~~ use the services of a State certified  
15 general real estate appraiser, a State certified residential  
16 real estate appraiser, or the Coordinator to assist in  
17 determining whether grounds for disciplinary action exist  
18 prior to commencing formal disciplinary proceedings.

19 (b) Formal disciplinary proceedings shall commence upon  
20 the issuance of a written complaint describing the charges  
21 that are the basis of the disciplinary action and delivery of  
22 the detailed complaint to the most recent address of record or  
23 email address of record of the person charged as provided to  
24 the Department. For an associate real estate trainee  
25 appraiser, a copy shall also be sent to the licensee's

1 supervising appraiser of record at the supervising appraiser's  
2 most recent address of record or email address of record as  
3 provided to the Department. The Department shall notify the  
4 person to file a verified written answer within 20 days after  
5 the service of the notice and complaint. The notification  
6 shall inform the person of the right to be heard in person or  
7 by legal counsel; that the hearing will be afforded not sooner  
8 than 20 days after service of the complaint; that failure to  
9 file an answer after the service of notice will result in a  
10 default being entered against the person; that the license may  
11 be suspended, revoked, or placed on probationary status; and  
12 that the Department may take whatever other disciplinary  
13 action may be taken pursuant to this Act, including limiting  
14 the scope, nature, or extent of the licensee's practice  
15 without a hearing. ~~If the person fails to file an answer after~~  
16 ~~service of notice, the respective license may, at the~~  
17 ~~discretion of the Department, be suspended, revoked, or placed~~  
18 ~~on probationary status and the Department may take whatever~~  
19 ~~disciplinary action it deems proper, including limiting the~~  
20 ~~scope, nature, or extent of the person's practice, without a~~  
21 ~~hearing.~~

22 (c) At the time and place fixed in the notice, the  
23 Department Board shall conduct a hearing of the charges,  
24 providing both the person charged and the complainant ample  
25 opportunity to present in person or by counsel such  
26 statements, testimony, evidence, and argument as may be

1 pertinent to the charges or to a defense thereto.

2 (c-5) The Secretary shall have the authority to appoint  
3 any attorney duly licensed to practice law in the State of  
4 Illinois to serve as the hearing officer in any action to  
5 suspend, revoke, or otherwise discipline any license issued by  
6 the Department. The hearing officer shall have full authority  
7 to conduct the hearing.

8 There may be present one or more members of the Board at  
9 any such hearing. The hearing officer shall report his or her  
10 findings of fact, conclusions of law and recommendations to  
11 the Board and the Secretary. The Board shall have 60 days from  
12 receipt of the report to review the report of the hearing  
13 officer and present its findings of fact, conclusions of law,  
14 and recommendations to the Secretary. If the Board fails to  
15 present its findings of fact, conclusions of law, and  
16 recommendations within the 60-day period, the Department may  
17 request in writing a direct appeal to the Secretary, in which  
18 case the Secretary may issue an order based upon the report of  
19 the hearing officer and the record of the proceedings or issue  
20 an order remanding the matter back to the hearing officer for  
21 additional proceedings in accordance with the order. If the  
22 Board fails to present its findings of fact, conclusions of  
23 law, and recommendations within a 60-day period after  
24 receiving an Order of Default, the Department may request in  
25 writing a direct appeal to the Secretary.

26 (d) The Board shall present to the Secretary a written

1 report of its findings of fact and recommendations. A copy of  
2 the report shall be served upon the person either by mail or,  
3 at the discretion of the Department, by electronic means. For  
4 associate real estate trainee appraisers, a copy shall also be  
5 sent to the licensee's supervising appraiser of record. Within  
6 20 days after the service, the person may present to the  
7 Department Secretary with a motion in writing for a rehearing  
8 that specifies and shall specify the particular grounds for  
9 the request. If the person orders a transcript of the record  
10 from the applicable reporting service and pays for the  
11 transcript within the 20-day period for filing a motion for  
12 rehearing, the 20-day period shall restart upon the delivery  
13 of the transcript.

14 (g) Notwithstanding any other provision of this Section,  
15 if the Secretary, upon review, determines that substantial  
16 justice has not been done in the revocation, suspension, or  
17 refusal to issue or renew a license or any other disciplinary  
18 action taken as a result of the entry of the hearing officer's  
19 report, the Secretary may order a rehearing by the Board or  
20 other special committee appointed by the Secretary or may  
21 remand the matter to the Board for its reconsideration of the  
22 matter based on the pleadings and evidence presented to the  
23 Board. If the Secretary disagrees in any regard with the  
24 report of the Board or the hearing officer, the Secretary may  
25 issue an order in contravention of the Board or the hearing  
26 officer. If the person orders a transcript of the record as

1 ~~provided in this Act, the time elapsing thereafter and before~~  
2 ~~the transcript is ready for delivery to the person shall not be~~  
3 ~~counted as part of the 20 days. If the Secretary is not~~  
4 ~~satisfied that substantial justice has been done, the~~  
5 ~~Secretary may order a rehearing by the Board or other special~~  
6 ~~committee appointed by the Secretary, may remand the matter to~~  
7 ~~the Board for its reconsideration of the matter based on the~~  
8 ~~pleadings and evidence presented to the Board, or may enter a~~  
9 ~~final order in contravention of the Board's recommendation.~~

10 Notwithstanding a person's failure to file a motion for  
11 rehearing, the Secretary shall have the right to take any of  
12 the actions specified in this subsection (d). Upon the  
13 suspension or revocation of a license, the licensee shall be  
14 required to surrender the respective license to the  
15 Department, and upon failure or refusal to do so, the  
16 Department shall have the right to seize the license.

17 (e) The Department has the power to issue subpoenas and  
18 subpoenas duces tecum to bring before it any person in this  
19 State, to take testimony, or to require production of any  
20 records relevant to an inquiry or hearing by the Board in the  
21 same manner as prescribed by law in judicial proceedings in  
22 the courts of this State. In a case of refusal of a witness to  
23 attend, testify, or to produce books or papers concerning a  
24 matter upon which the witness might be lawfully examined, the  
25 circuit court of the county where the hearing is held, upon  
26 application of the Department or any party to the proceeding,

1 may compel obedience by proceedings as for contempt.

2 (f) Any license that is revoked may not be restored for a  
3 minimum period of 3 years.

4 (g) In addition to the provisions of this Section  
5 concerning the conduct of hearings and the recommendations for  
6 discipline, the Department has the authority to negotiate  
7 disciplinary and non-disciplinary settlement agreements  
8 concerning any license issued under this Act. All such  
9 agreements shall be recorded as Consent Orders or Consent to  
10 Administrative Supervision Orders.

11 (h) (Blank). ~~The Secretary shall have the authority to~~  
12 ~~appoint an attorney duly licensed to practice law in the State~~  
13 ~~of Illinois to serve as the hearing officer in any action to~~  
14 ~~suspend, revoke, or otherwise discipline any license issued by~~  
15 ~~the Department. The Hearing Officer shall have full authority~~  
16 ~~to conduct the hearing.~~

17 (i) The Department, at its expense, shall preserve a  
18 record of all formal hearings of any contested case involving  
19 the discipline of a license. At all hearings or pre-hearing  
20 conferences, the Department and the licensee shall be entitled  
21 to have the proceedings transcribed by a certified shorthand  
22 reporter. A copy of the transcribed proceedings shall be made  
23 available to the licensee by the certified shorthand reporter  
24 upon payment of the prevailing contract copy rate.

25 (Source: P.A. 102-20, eff. 1-1-22; 102-970, eff. 5-27-22;  
26 103-236, eff. 1-1-24; revised 6-24-25.)

1 (225 ILCS 458/25-10)

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

3 Sec. 25-10. Real Estate Appraisal Administration and  
4 Disciplinary Board; appointment.

5 (a) There is hereby created the Real Estate Appraisal  
6 Administration and Disciplinary Board. The Board shall be  
7 composed of the Coordinator and 10 persons appointed by the  
8 Governor. Members shall be appointed to the Board subject to  
9 the following conditions:

10 (1) All appointed members shall have been residents  
11 and citizens of this State for at least 5 years prior to  
12 the date of appointment.

13 (2) The appointed membership of the Board should  
14 reasonably reflect the geographic distribution of the  
15 population of the State.

16 (3) Four appointed members shall have been actively  
17 engaged and currently licensed as State certified general  
18 real estate appraisers for a period of not less than 5  
19 years.

20 (4) Three appointed members shall have been actively  
21 engaged and currently licensed as State certified  
22 residential real estate appraisers for a period of not  
23 less than 5 years.

24 (5) One appointed member shall hold a valid license as  
25 a real estate broker for at least 3 years prior to the date

1 of the appointment and shall hold either a valid State  
2 certified general real estate appraiser license or a valid  
3 State certified residential appraiser license issued under  
4 this Act or a predecessor Act for a period of at least 5  
5 years prior to the appointment.

6 (6) One appointed member shall be a representative of  
7 a financial institution, as evidenced by proof of  
8 employment with a financial institution.

9 (7) One appointed member shall represent the interests  
10 of the general public. This member or the member's spouse  
11 shall not be licensed under this Act nor be employed by or  
12 have any financial interest in an appraisal business,  
13 appraisal management company, real estate brokerage  
14 business, or a financial institution.

15 In making appointments as provided in paragraphs (3) and  
16 (4) of this subsection, the Governor shall give due  
17 consideration to recommendations by members and organizations  
18 representing the profession.

19 In making the appointments as provided in paragraph (5) of  
20 this subsection, the Governor shall give due consideration to  
21 the recommendations by members and organizations representing  
22 the real estate industry.

23 In making the appointment as provided in paragraph (6) of  
24 this subsection, the Governor shall give due consideration to  
25 the recommendations by members and organizations representing  
26 financial institutions.

1 (b) The members' terms shall be for 4 years or until a  
2 successor is appointed. No member shall be reappointed to the  
3 Board for a term that would cause the member's cumulative  
4 service to the Board to exceed 12 years. Appointments to fill  
5 vacancies shall be for the unexpired portion of the term.

6 (c) The Governor may terminate the appointment of a member  
7 for cause that, in the opinion of the Governor, reasonably  
8 justifies the termination. Cause for termination may include,  
9 without limitation, misconduct, incapacity, neglect of duty,  
10 or missing 4 Board meetings during any one fiscal year.

11 (d) A majority of the Board members shall constitute a  
12 quorum. A vacancy in the membership of the Board shall not  
13 impair the right of a quorum to exercise all of the rights and  
14 perform all of the duties of the Board.

15 (e) The Board shall meet at least monthly ~~and may be~~  
16 ~~convened by the Chairperson, Vice Chairperson, or 3 members of~~  
17 ~~the Board upon 10 days written notice.~~

18 (f) The Board shall, annually at the first meeting of the  
19 fiscal year, elect a Chairperson and Vice-Chairperson from its  
20 members. The Chairperson shall preside over the meetings and  
21 shall coordinate with the Coordinator in developing and  
22 distributing an agenda for each meeting. In the absence of the  
23 Chairperson, the Vice-Chairperson shall preside over the  
24 meeting.

25 (g) The Coordinator shall serve as a member of the Board  
26 without vote.

1           (h) The Board shall advise and make recommendations to the  
2 Department on the education and experience qualifications of  
3 any applicant for initial licensure as a State certified  
4 general real estate appraiser or a State certified residential  
5 real estate appraiser. The Department shall not make any  
6 decisions concerning education or experience qualifications of  
7 an applicant for initial licensure as a State certified  
8 general real estate appraiser or a State certified residential  
9 real estate appraiser without having first received the advice  
10 and recommendation of the Board and shall give due  
11 consideration to all such advice and recommendations; however,  
12 if the Board does not render advice or make a recommendation  
13 within a reasonable amount of time, then the Department may  
14 render a decision.

15           (i) Except as provided in Section 15-17 of this Act, the  
16 Board shall hear and make recommendations to the Secretary on  
17 disciplinary matters that require a formal evidentiary  
18 hearing. The Secretary shall give due consideration to the  
19 recommendations of the Board involving discipline and  
20 questions involving standards of professional conduct of  
21 licensees.

22           (j) The Department shall seek and the Board shall provide  
23 recommendations to the Department consistent with the  
24 provisions of this Act and for the administration and  
25 enforcement of all rules adopted pursuant to this Act. The  
26 Department shall give due consideration to such

1 recommendations prior to adopting rules.

2 (k) The Department shall seek and the Board shall provide  
3 recommendations to the Department on the approval of all  
4 courses submitted to the Department pursuant to this Act and  
5 the rules adopted pursuant to this Act. The Department shall  
6 not approve any courses without having first received the  
7 recommendation of the Board and shall give due consideration  
8 to such recommendations prior to approving and licensing  
9 courses; however, if the Board does not make a recommendation  
10 within a reasonable amount of time, then the Department may  
11 approve courses.

12 (l) Each voting member of the Board may receive a per diem  
13 stipend in an amount to be determined by the Secretary. While  
14 engaged in the performance of duties, each member shall be  
15 reimbursed for necessary expenses.

16 (m) Members of the Board shall be immune from suit in an  
17 action based upon any disciplinary proceedings or other acts  
18 performed in good faith as members of the Board.

19 (n) If the Department disagrees with any advice or  
20 recommendation provided by the Board under this Section to the  
21 Secretary or the Department, then notice of such disagreement  
22 must be provided to the Board by the Department.

23 (o) (Blank).

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

1 Section 15. The Illinois Highway Code is amended by  
2 changing Section 4-501 as follows:

3 (605 ILCS 5/4-501) (from Ch. 121, par. 4-501)

4 Sec. 4-501. The Department, in its name, or any county may  
5 acquire the fee simple title, or such lesser interest as may be  
6 desired, to any public or private land, rights, or other  
7 property necessary for the construction, maintenance or  
8 operation of State highways, or necessary for locating,  
9 relocating, extending, widening or straightening any State  
10 highway, or necessary for locating, relocating, extending,  
11 widening or straightening an existing street or for laying  
12 out, establishing or opening a new street within the corporate  
13 limits of any municipality which has been designated by the  
14 Department as a street to form a part of or to connect with a  
15 State highway leading up to the corporate limits of such  
16 municipality, or necessary for any other purpose or use  
17 contemplated by this Code by purchase or by the exercise of the  
18 right of eminent domain under the eminent domain laws of this  
19 State and the Department shall not be required, in any case, to  
20 furnish bond.

21 When, in the judgment of the acquiring agency, it is more  
22 practical and economical to acquire the fee to the  
23 inaccessible remnants of the tracts of land from which  
24 rights-of-way are being acquired than to pay severance  
25 damages, such agency may do so by purchase or by an eminent

1 domain proceeding.

2       When a part of a parcel of land is to be taken for State  
3 highway purposes and the accessible remnant is to be left in a  
4 shape or condition rendering it of little value to the owner or  
5 giving rise to claims for severance or other damages, upon  
6 written request of the owner, the acquiring agency may take  
7 the whole parcel and may sell or exchange the part not needed  
8 for highway purposes.

9       When acquiring land for a highway on a new location, and  
10 when a parcel of land one acre or less in area contains a  
11 single family residence, which is in conformance with existing  
12 zoning ordinances, and only a part of that parcel is required  
13 for State highway purposes causing the remainder of the parcel  
14 not to conform with the existing zoning ordinances, or when  
15 the location of the right of way line of the proposed highway  
16 reduces the distance from an existing single family residence  
17 to the right of way line to 10 feet or less, the acquiring  
18 agency shall, if the owner so demands, take the whole parcel by  
19 negotiation or condemnation. The part not needed for highway  
20 purposes may be rented, sold or exchanged by the acquiring  
21 agency.

22       When any farm land is acquired for State highway purposes  
23 by the exercise of the right of eminent domain, the rate of  
24 compensation to be paid by the acquiring agency shall be  
25 computed by taking into consideration the total acreage  
26 originally involved in the farm land parcel, including that

1 portion of such parcel already part of a right of way for  
2 highway purposes but for which legal title lies in the owner of  
3 the parcel.

4 (Source: P.A. 81-536.)

5 Section 99. Effective date. This Act takes effect upon  
6 becoming law.".