**Section 1480.61 Consideration of Past Crimes in Licensing Hearings**

*Notwithstanding the prohibitions set forth in Sections 40 and 45 of* the *Act, when considering the denial of a license or recovery permit on the grounds of conviction of a crime, the Commission, in evaluating the rehabilitation of the applicant and the applicant's present* *eligibility for a license or recovery permit, shall consider each of the following criteria:*

a) *The nature and severity of the act or crime under consideration as grounds for denial.*

b) *Evidence of any act committed subsequent to the act or crime under consideration as grounds for denial, which also could be considered as grounds for disciplinary action under* the *Act.*

c) *The amount of time that has lapsed since the commission of the act or crime referred to in* subsection (a) or (b)*.*

d) *The extent to which the applicant has complied with any terms of parole, probation, restitution, or any other sanctions lawfully imposed against the applicant* as of the date of the hearing as evidenced by:

1) Satisfactory termination of the applicant's sentence;

2) Applicant's compliance with all requirements and conditions of parole, probation, conditional discharge, term of imprisonment or any other lawfully imposed sentence;

3) Applicant's compliance with paying any fees, fines, court costs or restitution imposed by the court as part of the sentence.

e) *Evidence, if any, of rehabilitation submitted by the applicant* [225 ILCS 422/85], such as:

1) Bestowment onto the applicant of certifications or commendations subsequent to a *conviction for a crime under the laws of the United States or any state or territory of the United States that is a felony, a misdemeanor an essential element of which is dishonesty, or a crime related to the practice of the profession* [225 ILCS 422/80] that demonstrate a decrease in propensity toward the behavior that previously caused the applicant to become convicted;

2) Applicant's successful participation in special programs or counseling groups designed to decrease the propensity toward the behavior that previously caused the applicant to become *convicted of a crime under the laws of the United States or any state or territory of the United States that is a felony, a misdemeanor an essential element of which is dishonesty, or a crime related to the practice of the profession.* [225 ILCS 422/80]

(Source: Added at 38 Ill. Reg. 5821, effective March 14, 2014)