



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB2145

Introduced 2/7/2023, by Rep. Marcus C. Evans, Jr.

#### SYNOPSIS AS INTRODUCED:

20 ILCS 2105/2105-15	
20 ILCS 2105/2105-207	
105 ILCS 105/10a	from Ch. 122, par. 1410a
410 ILCS 45/8.1	from Ch. 111 1/2, par. 1308.1
225 ILCS 320/13.1	

Amends the Civil Administrative Code of Illinois (Department of Professional Regulation Law). Provides that the Department of Financial and Professional Regulation shall refuse the issuance or renewal of a license to, or suspend or revoke the license of, any individual, corporation, partnership, or other business entity that has been found by the Workers' Compensation Commission or the Department of Insurance to have failed to secure workers' compensation obligations in the manner required by the Workers' Compensation Act, to pay in full a fine or penalty imposed due to a failure to secure workers' compensation obligations in the manner required by the Workers' Compensation Act, or to fulfill all obligations assumed pursuant to a settlement reached with the Workers' Compensation Commission or the Department of Insurance relating to a failure to secure workers' compensation obligations in the manner required by the Workers' Compensation Act. Provides no initial or renewal license shall be issued, and no suspended license shall be reinstated, until the Department is notified by the Workers' Compensation Commission or the Department of Insurance that the licensee's or applicant's failure to comply with the Workers' Compensation Act has been corrected or otherwise resolved to the satisfaction of the Workers' Compensation Commission or the Department of Insurance. Provides that an application to make disciplinary records confidential shall also be considered by the Department for an offense or action relating to: failure to comply with workers' compensation requirements or reprimand of a licensee. Makes corresponding changes to the Asbestos Abatement Act, the Lead Poisoning Prevention Act, and the Illinois Plumbing License Law. Effective January 1, 2024.

LRB103 28765 AMQ 55148 b

1 AN ACT concerning State government.

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

4 Section 5. The Department of Professional Regulation Law  
5 of the Civil Administrative Code of Illinois is amended by  
6 changing Sections 2105-15 and 2105-207 as follows:

7 (20 ILCS 2105/2105-15)

8 Sec. 2105-15. General powers and duties.

9 (a) The Department has, subject to the provisions of the  
10 Civil Administrative Code of Illinois, the following powers  
11 and duties:

12 (1) To authorize examinations in English to ascertain  
13 the qualifications and fitness of applicants to exercise  
14 the profession, trade, or occupation for which the  
15 examination is held.

16 (2) To prescribe rules and regulations for a fair and  
17 wholly impartial method of examination of candidates to  
18 exercise the respective professions, trades, or  
19 occupations.

20 (3) To pass upon the qualifications of applicants for  
21 licenses, certificates, and authorities, whether by  
22 examination, by reciprocity, or by endorsement.

23 (4) To prescribe rules and regulations defining, for

1 the respective professions, trades, and occupations, what  
2 shall constitute a school, college, or university, or  
3 department of a university, or other institution,  
4 reputable and in good standing, and to determine the  
5 reputability and good standing of a school, college, or  
6 university, or department of a university, or other  
7 institution, reputable and in good standing, by reference  
8 to a compliance with those rules and regulations;  
9 provided, that no school, college, or university, or  
10 department of a university, or other institution that  
11 refuses admittance to applicants solely on account of  
12 race, color, creed, sex, sexual orientation, or national  
13 origin shall be considered reputable and in good standing.

14 (5) To conduct hearings on proceedings to revoke,  
15 suspend, refuse to renew, place on probationary status, or  
16 take other disciplinary action as authorized in any  
17 licensing Act administered by the Department with regard  
18 to licenses, certificates, or authorities of persons  
19 exercising the respective professions, trades, or  
20 occupations and to revoke, suspend, refuse to renew, place  
21 on probationary status, or take other disciplinary action  
22 as authorized in any licensing Act administered by the  
23 Department with regard to those licenses, certificates, or  
24 authorities.

25 The Department shall issue a monthly disciplinary  
26 report.

1           The Department shall refuse to issue or renew a  
2 license to, or shall suspend or revoke a license of, any  
3 person who, after receiving notice, fails to comply with a  
4 subpoena or warrant relating to a paternity or child  
5 support proceeding. However, the Department may issue a  
6 license or renewal upon compliance with the subpoena or  
7 warrant.

8           The Department, without further process or hearings,  
9 shall revoke, suspend, or deny any license or renewal  
10 authorized by the Civil Administrative Code of Illinois to  
11 a person who is certified by the Department of Healthcare  
12 and Family Services (formerly Illinois Department of  
13 Public Aid) as being more than 30 days delinquent in  
14 complying with a child support order or who is certified  
15 by a court as being in violation of the Non-Support  
16 Punishment Act for more than 60 days. The Department may,  
17 however, issue a license or renewal if the person has  
18 established a satisfactory repayment record as determined  
19 by the Department of Healthcare and Family Services  
20 (formerly Illinois Department of Public Aid) or if the  
21 person is determined by the court to be in compliance with  
22 the Non-Support Punishment Act. The Department may  
23 implement this paragraph as added by Public Act 89-6  
24 through the use of emergency rules in accordance with  
25 Section 5-45 of the Illinois Administrative Procedure Act.  
26 For purposes of the Illinois Administrative Procedure Act,

1 the adoption of rules to implement this paragraph shall be  
2 considered an emergency and necessary for the public  
3 interest, safety, and welfare.

4 (6) To transfer jurisdiction of any realty under the  
5 control of the Department to any other department of the  
6 State Government or to acquire or accept federal lands  
7 when the transfer, acquisition, or acceptance is  
8 advantageous to the State and is approved in writing by  
9 the Governor.

10 (7) To formulate rules and regulations necessary for  
11 the enforcement of any Act administered by the Department.

12 (8) To exchange with the Department of Healthcare and  
13 Family Services information that may be necessary for the  
14 enforcement of child support orders entered pursuant to  
15 the Illinois Public Aid Code, the Illinois Marriage and  
16 Dissolution of Marriage Act, the Non-Support of Spouse and  
17 Children Act, the Non-Support Punishment Act, the Revised  
18 Uniform Reciprocal Enforcement of Support Act, the Uniform  
19 Interstate Family Support Act, the Illinois Parentage Act  
20 of 1984, or the Illinois Parentage Act of 2015.  
21 Notwithstanding any provisions in this Code to the  
22 contrary, the Department of Professional Regulation shall  
23 not be liable under any federal or State law to any person  
24 for any disclosure of information to the Department of  
25 Healthcare and Family Services (formerly Illinois  
26 Department of Public Aid) under this paragraph (8) or for

1 any other action taken in good faith to comply with the  
2 requirements of this paragraph (8).

3 (8.3) To exchange information with the Department of  
4 Human Rights regarding recommendations received under  
5 paragraph (B) of Section 8-109 of the Illinois Human  
6 Rights Act regarding a licensee or candidate for licensure  
7 who has committed a civil rights violation that may lead  
8 to the refusal, suspension, or revocation of a license  
9 from the Department.

10 (8.5) To accept continuing education credit for  
11 mandated reporter training on how to recognize and report  
12 child abuse offered by the Department of Children and  
13 Family Services and completed by any person who holds a  
14 professional license issued by the Department and who is a  
15 mandated reporter under the Abused and Neglected Child  
16 Reporting Act. The Department shall adopt any rules  
17 necessary to implement this paragraph.

18 (9) To perform other duties prescribed by law.

19 (a-5) Except in cases involving delinquency in complying  
20 with a child support order or violation of the Non-Support  
21 Punishment Act and notwithstanding anything that may appear in  
22 any individual licensing Act or administrative rule, no person  
23 or entity whose license, certificate, or authority has been  
24 revoked as authorized in any licensing Act administered by the  
25 Department may apply for restoration of that license,  
26 certification, or authority until 3 years after the effective

1 date of the revocation.

2 (b) (Blank).

3 (c) For the purpose of securing and preparing evidence,  
4 and for the purchase of controlled substances, professional  
5 services, and equipment necessary for enforcement activities,  
6 recoupment of investigative costs, and other activities  
7 directed at suppressing the misuse and abuse of controlled  
8 substances, including those activities set forth in Sections  
9 504 and 508 of the Illinois Controlled Substances Act, the  
10 Director and agents appointed and authorized by the Director  
11 may expend sums from the Professional Regulation Evidence Fund  
12 that the Director deems necessary from the amounts  
13 appropriated for that purpose. Those sums may be advanced to  
14 the agent when the Director deems that procedure to be in the  
15 public interest. Sums for the purchase of controlled  
16 substances, professional services, and equipment necessary for  
17 enforcement activities and other activities as set forth in  
18 this Section shall be advanced to the agent who is to make the  
19 purchase from the Professional Regulation Evidence Fund on  
20 vouchers signed by the Director. The Director and those agents  
21 are authorized to maintain one or more commercial checking  
22 accounts with any State banking corporation or corporations  
23 organized under or subject to the Illinois Banking Act for the  
24 deposit and withdrawal of moneys to be used for the purposes  
25 set forth in this Section; provided, that no check may be  
26 written nor any withdrawal made from any such account except

1 upon the written signatures of 2 persons designated by the  
2 Director to write those checks and make those withdrawals.  
3 Vouchers for those expenditures must be signed by the  
4 Director. All such expenditures shall be audited by the  
5 Director, and the audit shall be submitted to the Department  
6 of Central Management Services for approval.

7 (d) Whenever the Department is authorized or required by  
8 law to consider some aspect of criminal history record  
9 information for the purpose of carrying out its statutory  
10 powers and responsibilities, then, upon request and payment of  
11 fees in conformance with the requirements of Section 2605-400  
12 of the Illinois State Police Law, the Illinois State Police is  
13 authorized to furnish, pursuant to positive identification,  
14 the information contained in State files that is necessary to  
15 fulfill the request.

16 (e) The provisions of this Section do not apply to private  
17 business and vocational schools as defined by Section 15 of  
18 the Private Business and Vocational Schools Act of 2012.

19 (f) (Blank).

20 (f-5) Notwithstanding anything that may appear in any  
21 individual licensing statute or administrative rule, the  
22 Department shall allow an applicant to provide his or her  
23 individual taxpayer identification number as an alternative to  
24 providing a social security number when applying for a  
25 license.

26 (g) Notwithstanding anything that may appear in any



1 individual licensing statute or administrative rule, the  
2 Department shall deny any license application or renewal  
3 authorized under any licensing Act administered by the  
4 Department to any person who has failed to file a return, or to  
5 pay the tax, penalty, or interest shown in a filed return, or  
6 to pay any final assessment of tax, penalty, or interest, as  
7 required by any tax Act administered by the Illinois  
8 Department of Revenue, until such time as the requirement of  
9 any such tax Act are satisfied; however, the Department may  
10 issue a license or renewal if the person has established a  
11 satisfactory repayment record as determined by the Illinois  
12 Department of Revenue. For the purpose of this Section,  
13 "satisfactory repayment record" shall be defined by rule.

14 In addition, a complaint filed with the Department by the  
15 Illinois Department of Revenue that includes a certification,  
16 signed by its Director or designee, attesting to the amount of  
17 the unpaid tax liability or the years for which a return was  
18 not filed, or both, is prima facie evidence of the licensee's  
19 failure to comply with the tax laws administered by the  
20 Illinois Department of Revenue. Upon receipt of that  
21 certification, the Department shall, without a hearing,  
22 immediately suspend all licenses held by the licensee.  
23 Enforcement of the Department's order shall be stayed for 60  
24 days. The Department shall provide notice of the suspension to  
25 the licensee by mailing a copy of the Department's order to the  
26 licensee's address of record or emailing a copy of the order to

1 the licensee's email address of record. The notice shall  
2 advise the licensee that the suspension shall be effective 60  
3 days after the issuance of the Department's order unless the  
4 Department receives, from the licensee, a request for a  
5 hearing before the Department to dispute the matters contained  
6 in the order.

7 Any suspension imposed under this subsection (g) shall be  
8 terminated by the Department upon notification from the  
9 Illinois Department of Revenue that the licensee is in  
10 compliance with all tax laws administered by the Illinois  
11 Department of Revenue.

12 The Department may promulgate rules for the administration  
13 of this subsection (g).

14 (g-5) Notwithstanding anything that may appear in any  
15 individual licensing statute or administrative rule, the  
16 Department shall refuse the issuance or renewal of a license  
17 to, or suspend or revoke the license of, any individual,  
18 corporation, partnership, or other business entity that has  
19 been found by the Workers' Compensation Commission or the  
20 Department of Insurance to have failed to (i) secure workers'  
21 compensation obligations in the manner required by the  
22 Workers' Compensation Act, (ii) pay in full a fine or penalty  
23 imposed due to a failure to secure workers' compensation  
24 obligations in the manner required by the Workers'  
25 Compensation Act, or (iii) fulfill all obligations assumed  
26 pursuant to a settlement reached with the Workers'

1 Compensation Commission or the Department of Insurance  
2 relating to a failure to secure workers' compensation  
3 obligations in the manner required by the Workers'  
4 Compensation Act. No initial or renewal license shall be  
5 issued, and no suspended license shall be reinstated, until  
6 such time that the Department is notified by the Workers'  
7 Compensation Commission or the Department of Insurance that  
8 the licensee's or applicant's failure to comply with the  
9 Workers' Compensation Act has been corrected or otherwise  
10 resolved to satisfaction of the Workers' Compensation  
11 Commission or the Department of Insurance.

12 In addition, a complaint filed with the Department by the  
13 Workers' Compensation Commission or the Department of  
14 Insurance that includes a certification, signed by its  
15 Director or Chairman, or the Director or Chairman's designee,  
16 attesting to a finding of the failure to secure workers'  
17 compensation obligations in the manner required by the  
18 Workers' Compensation Act or the failure to pay any fines or  
19 penalties or to discharge any obligation under a settlement  
20 relating to the failure to secure workers' compensation  
21 obligations in the manner required by the Workers'  
22 Compensation Act is prima facie evidence of the licensee's or  
23 applicant's failure to comply with the Workers' Compensation  
24 Act. Upon receipt of that certification, the Department shall,  
25 without a hearing, immediately suspend all licenses held by  
26 the licensee or the processing of any application from the

1 applicant. Enforcement of the Department's order shall be  
2 stayed for 60 days. The Department shall provide notice of the  
3 suspension to the licensee by mailing a copy of the  
4 Department's order to the licensee's address of record or  
5 emailing a copy of the order to the licensee's email address of  
6 record. The notice shall advise the licensee that the  
7 suspension shall be effective 60 days after the issuance of  
8 the Department's order unless the Department receives from the  
9 licensee or applicant a request for a hearing before the  
10 Department to dispute the matters contained in the order.

11 Any suspension imposed under this subsection shall be  
12 terminated by the Department upon notification from the  
13 Workers' Compensation Commission or the Department of  
14 Insurance that the licensee's or applicant's failure to comply  
15 with the Workers' Compensation Act has been corrected or  
16 otherwise resolved to the satisfaction of the Workers'  
17 Compensation Commissions or the Department of Insurance.

18 The Department may adopt rules for the administration of  
19 this subsection.

20 (h) The Department may grant the title "Retired", to be  
21 used immediately adjacent to the title of a profession  
22 regulated by the Department, to eligible retirees. For  
23 individuals licensed under the Medical Practice Act of 1987,  
24 the title "Retired" may be used in the profile required by the  
25 Patients' Right to Know Act. The use of the title "Retired"  
26 shall not constitute representation of current licensure,

1 registration, or certification. Any person without an active  
2 license, registration, or certificate in a profession that  
3 requires licensure, registration, or certification shall not  
4 be permitted to practice that profession.

5 (i) The Department shall make available on its website  
6 general information explaining how the Department utilizes  
7 criminal history information in making licensure application  
8 decisions, including a list of enumerated offenses that serve  
9 as a statutory bar to licensure.

10 (Source: P.A. 101-81, eff. 7-12-19; 101-221, eff. 1-1-20;  
11 102-538, eff. 8-20-21.)

12 (20 ILCS 2105/2105-207)

13 Sec. 2105-207. Records of Department actions.

14 (a) Any licensee subject to a licensing Act administered  
15 by the Department ~~Division of Professional Regulation~~ and who  
16 has been subject to disciplinary action by the Department may  
17 file an application with the Department on forms provided by  
18 the Department, along with the required fee of \$175, to have  
19 the records classified as confidential, not for public  
20 release, and considered expunged for reporting purposes if:

21 (1) the application is submitted more than 3 years  
22 after the disciplinary offense or offenses occurred or  
23 after restoration of the license, whichever is later;

24 (2) the licensee has had no incidents of discipline  
25 under the licensing Act since the disciplinary offense or

1 offenses identified in the application occurred;

2 (3) the Department has no pending investigations  
3 against the licensee; and

4 (4) the licensee is not currently in a disciplinary  
5 status.

6 (b) An application to make disciplinary records  
7 confidential shall only be considered by the Department for an  
8 offense or action relating to:

9 (1) failure to pay taxes;

10 (2) continuing education;

11 (3) failure to renew a license on time;

12 (4) failure to obtain or renew a certificate of  
13 registration or ancillary license;

14 (5) advertising;

15 (5.1) discipline based on criminal charges or  
16 convictions:

17 (A) that did not arise from the licensed activity  
18 and was unrelated to the licensed activity; or

19 (B) that were dismissed or for which records have  
20 been sealed or expunged;

21 (5.2) past probationary status of a license issued to  
22 new applicants on the sole or partial basis of prior  
23 convictions; ~~or~~

24 (6) any grounds for discipline removed from the  
25 licensing Act; ~~or~~

26 (7) failure to comply with workers' compensation

1           requirements; or

2           (8) reprimand of a licensee.

3           (c) An application shall be submitted to and considered by  
4 the Director ~~of the Division of Professional Regulation~~ upon  
5 submission of an application and the required non-refundable  
6 fee. The Department may establish additional requirements by  
7 rule. The Department is not required to report the removal of  
8 any disciplinary record to any national database. Nothing in  
9 this Section shall prohibit the Department from using a  
10 previous discipline for any regulatory purpose or from  
11 releasing records of a previous discipline upon request from  
12 law enforcement, or other governmental body as permitted by  
13 law. Classification of records as confidential shall result in  
14 removal of records of discipline from records kept pursuant to  
15 Sections 2105-200 and 2105-205 of this Act.

16           (d) Any applicant for licensure or a licensee whose  
17 petition for review is granted by the Department pursuant to  
18 subsection (a-1) of Section 2105-165 of this Law may file an  
19 application with the Department on forms provided by the  
20 Department to have records relating to his or her permanent  
21 denial or permanent revocation classified as confidential and  
22 not for public release and considered expunged for reporting  
23 purposes in the same manner and under the same terms as is  
24 provided in this Section for the offenses listed in subsection  
25 (b) of this Section, except that the requirements of a 3-year  
26 ~~7-year~~ waiting period and the \$175 ~~\$200~~ application fee do not

1 apply.

2 (Source: P.A. 100-262, eff. 8-22-17; 100-286, eff. 1-1-18;  
3 100-863, eff. 8-14-18; 100-872, eff. 8-14-18.)

4 Section 10. The Asbestos Abatement Act is amended by  
5 changing Section 10a as follows:

6 (105 ILCS 105/10a) (from Ch. 122, par. 1410a)

7 Sec. 10a. Licensing. No inspector, management planner,  
8 project designer, project manager, air sampling professional,  
9 asbestos abatement contractor, worker or project supervisor  
10 may be employed as a response action contractor unless that  
11 individual or entity is licensed by the Department. Those  
12 individuals and entities wishing to be licensed shall make  
13 application on forms prescribed and furnished by the  
14 Department. A license shall expire annually according to a  
15 schedule determined by the Department. Applications for  
16 renewal of licenses shall be filed with the Department at  
17 least 30 days before the expiration date. When a licensure  
18 examination is required, the application for licensure shall  
19 be submitted to the Department at least 30 days prior to the  
20 date of the scheduled examination. The Department shall  
21 evaluate each application based on its minimum standards for  
22 licensure, promulgated as rules, and render a decision. Such  
23 standards may include a requirement for the successful  
24 completion of a course of training approved by the Department.



1 If the Department denies the application, the applicant may  
2 appeal such decision pursuant to the provisions of the  
3 "Administrative Review Law".

4 The Department, upon notification by the Workers'  
5 Compensation Commission or the Department of Insurance, shall  
6 refuse the issuance or renewal of a license to, or suspend or  
7 revoke the license of, any individual, corporation,  
8 partnership, or other business entity that has been found by  
9 the Workers' Compensation Commission or the Department of  
10 Insurance to have failed:

11 (a) to secure workers' compensation obligations in the  
12 manner required by the Workers' Compensation Act;

13 (b) to pay in full a fine or penalty imposed by the  
14 Workers' Compensation Commission or the Department of  
15 Insurance due to a failure to secure workers' compensation  
16 obligations in the manner required by the Workers'  
17 Compensation Act; or

18 (c) to fulfill all obligations assumed pursuant to any  
19 settlement reached with the Workers' Compensation  
20 Commission or the Department of Insurance due to a failure  
21 to secure workers' compensation obligations in the manner  
22 required by the Workers' Compensation Act.

23 A complaint filed with the Department by the Workers'  
24 Compensation Commission or the Department of Insurance that  
25 includes a certification, signed by its Director or Chairman,  
26 or the Director or Chairman's designee, attesting to a finding

1 of the failure to secure workers' compensation obligations in  
2 the manner required by the Workers' Compensation Act or the  
3 failure to pay any fines or penalties or to discharge any  
4 obligation under a settlement relating to the failure to  
5 secure workers' compensation obligations in the manner  
6 required by the Workers' Compensation Act is prima facie  
7 evidence of the licensee's or applicant's failure to comply  
8 with the Workers' Compensation Act. Upon receipt of that  
9 certification, the Department shall, without a hearing,  
10 immediately suspend all licenses held by the licensee or the  
11 processing of any application from the applicant. Enforcement  
12 of the Department's order shall be stayed for 60 days. The  
13 Department shall provide notice of the suspension to the  
14 licensee by mailing a copy of the Department's order to the  
15 licensee's or applicant's address of record or emailing a copy  
16 of the order to the licensee's or applicant's email address of  
17 record. The notice shall advise the licensee or applicant that  
18 the suspension shall be effective 60 days after the issuance  
19 of the order unless the Department receives, from the licensee  
20 or applicant, a request for a hearing before the Department to  
21 dispute the matters contained in the order.

22 Upon receiving notice from the Workers' Compensation  
23 Commission or the Department of Insurance that the violation  
24 has been corrected or otherwise resolved, the Department shall  
25 vacate the order suspending a licensee's license or the  
26 processing of an applicant's application.

1 (Source: P.A. 86-416.)

2 Section 15. The Lead Poisoning Prevention Act is amended  
3 by changing Section 8.1 as follows:

4 (410 ILCS 45/8.1) (from Ch. 111 1/2, par. 1308.1)

5 Sec. 8.1. Licensing of lead inspectors and lead risk  
6 assessors.

7 (a) The Department shall establish standards and licensing  
8 procedures for lead inspectors and lead risk assessors. An  
9 integral element of these procedures shall be an education and  
10 training program prescribed by the Department which shall  
11 include but not be limited to scientific sampling, chemistry,  
12 and construction techniques. No person shall make inspections  
13 or risk assessments without first being licensed by the  
14 Department. The penalty for inspection or risk assessment  
15 without a license shall be a Class A misdemeanor and an  
16 administrative fine.

17 (b) The Department shall charge licensed lead inspectors  
18 and lead risk assessors reasonable license fees and the fees  
19 shall be placed in the Lead Poisoning Screening, Prevention,  
20 and Abatement Fund and used to fund the Department's licensing  
21 of lead inspectors and lead risk assessors and any other  
22 activities prescribed by this Act. A licensed lead inspector  
23 or lead risk assessor employed by the Department or its  
24 delegate agency shall not be charged a license fee.

1       (c) The Department, upon notification by the Workers'  
2 Compensation Commission or the Department of Insurance, shall  
3 refuse the issuance or renewal of a license to, or suspend or  
4 revoke the license of, of any individual, corporation,  
5 partnership, or other business entity that has been found by  
6 the Workers' Compensation Commission or the Department of  
7 Insurance to have failed:

8           (1) to secure workers' compensation obligations in the  
9 manner required by the Workers' Compensation Act;

10          (2) to pay in full a fine or penalty imposed by the  
11 Workers' Compensation Commission or the Department of  
12 Insurance due to a failure to secure workers' compensation  
13 obligations in the manner required by the Workers'  
14 Compensation Act; or

15          (3) to fulfill all obligations assumed pursuant to any  
16 settlement reached with the Workers' Compensation  
17 Commission or the Department of Insurance due to a failure  
18 to secure workers' compensation obligations in the manner  
19 required by the Workers' Compensation Act.

20       A complaint filed with the Department by the Workers'  
21 Compensation Commission or the Department of Insurance that  
22 includes a certification, signed by its Director or Chairman  
23 or designee, attesting to a finding of the failure to secure  
24 workers' compensation obligations in the manner required by  
25 the Workers' Compensation Act or the failure to pay any fines  
26 or penalties or to discharge any obligation under a settlement

1 relating to the failure to secure workers' compensation  
2 obligations in the manner required by the Workers'  
3 Compensation Act is prima facie evidence of the licensee's or  
4 applicant's failure to comply with the Workers' Compensation  
5 Act. Upon receipt of that certification, the Department shall,  
6 without a hearing, immediately suspend all licenses held by  
7 the licensee or the processing of any application from the  
8 applicant. Enforcement of the Department's order shall be  
9 stayed for 60 days. The Department shall provide notice of the  
10 suspension to the licensee by mailing a copy of the  
11 Department's order to the licensee's or applicant's address of  
12 record or emailing a copy of the order to the licensee's or  
13 applicant's email address of record. The notice shall advise  
14 the licensee or applicant that the suspension shall be  
15 effective 60 days after the issuance of the order unless the  
16 Department receives, from the licensee or applicant, a request  
17 for a hearing before the Department to dispute the matters  
18 contained in the order.

19 Upon receiving notice from the Workers' Compensation  
20 Commission or the Department of Insurance that the violation  
21 has been corrected or otherwise resolved, the Department shall  
22 vacate the order suspending a licensee's license or the  
23 processing of an applicant's application.

24 (Source: P.A. 98-690, eff. 1-1-15.)

25 Section 20. The Illinois Plumbing License Law is amended

1 by changing Section 13.1 as follows:

2 (225 ILCS 320/13.1)

3 Sec. 13.1. Plumbing contractors; registration;  
4 applications.

5 (1) On and after May 1, 2002, all persons or corporations  
6 desiring to engage in the business of plumbing contractor,  
7 other than any entity that maintains an audited net worth of  
8 shareholders' equity equal to or exceeding \$100,000,000, shall  
9 register in accordance with the provisions of this Act.

10 (2) Application for registration shall be filed with the  
11 Department each year, on or before the last day of September,  
12 in writing and on forms prepared and furnished by the  
13 Department. All plumbing contractor registrations expire on  
14 the last day of September of each year.

15 (3) Applications shall contain the name, address, and  
16 telephone number of the person and the plumbing license of (i)  
17 the individual, if a sole proprietorship; (ii) the partner, if  
18 a partnership; or (iii) an officer, if a corporation. The  
19 application shall contain the business name, address, and  
20 telephone number, a current copy of the plumbing license, and  
21 any other information the Department may require by rule.

22 (4) Applicants shall submit an original certificate of  
23 insurance documenting that the contractor carries general  
24 liability insurance with a minimum of \$100,000 per occurrence,  
25 a minimum of \$300,000 aggregate for bodily injury, property

1 damage insurance with a minimum of \$50,000 or a minimum of  
2 \$300,000 combined single limit, and workers compensation  
3 insurance with a minimum \$500,000 employer's liability. No  
4 registration may be issued in the absence of this certificate.  
5 Certificates must be in force at all times for registration to  
6 remain valid.

7 (5) Applicants shall submit, on a form provided by the  
8 Department, an indemnification bond in the amount of \$20,000  
9 or a letter of credit in the same amount for work performed in  
10 accordance with this Act and the rules promulgated under this  
11 Act.

12 (5.5) The Department, upon notification by the Workers'  
13 Compensation Commission or the Department of Insurance, shall  
14 refuse the issuance or renewal of a license to, or suspend or  
15 revoke the license of, any individual, corporation,  
16 partnership, or other business entity that has been found by  
17 the Workers' Compensation Commission or the Department of  
18 Insurance to have failed:

19 (a) to secure workers' compensation obligations in the  
20 manner required by the Workers' Compensation Act;

21 (b) to pay in full a fine or penalty imposed by the  
22 Workers' Compensation Commission or the Illinois  
23 Department of Insurance due to a failure to secure  
24 workers' compensation obligations in the manner required  
25 by the Workers' Compensation Act; or

26 (c) to fulfill all obligations assumed pursuant to any

1 settlement reached with the Workers' Compensation  
2 Commission or the Department of Insurance due to a failure  
3 to secure workers' compensation obligations in the manner  
4 required by the Workers' Compensation Act.

5 A complaint filed with the Department by the Workers'  
6 Compensation Commission or the Department of Insurance that  
7 includes a certification, signed by its Director or Chairman  
8 or designee, attesting to a finding of the failure to secure  
9 workers' compensation obligations in the manner required by  
10 the Workers' Compensation Act or the failure to pay any fines  
11 or penalties or to discharge any obligation under a settlement  
12 relating to the failure to secure workers' compensation  
13 obligations in the manner required by the Workers'  
14 Compensation Act is prima facie evidence of the licensee's or  
15 applicant's failure to comply with the Workers' Compensation  
16 Act. Upon receipt of that certification, the Department shall,  
17 without a hearing, immediately suspend all licenses held by  
18 the licensee or the processing of any application from the  
19 applicant. Enforcement of the Department's order shall be  
20 stayed for 60 days. The Department shall provide notice of the  
21 suspension to the licensee by mailing a copy of the  
22 Department's order to the licensee's or applicant's address of  
23 record or emailing a copy of the order to the licensee's or  
24 applicant's email address of record. The notice shall advise  
25 the licensee or applicant that the suspension shall be  
26 effective 60 days after the issuance of the order unless the



1 Department receives, from the licensee or applicant, a request  
2 for a hearing before the Department to dispute the matters  
3 contained in the order.

4 Upon receiving notice from the Workers' Compensation  
5 Commission or the Department of Insurance that the violation  
6 has been corrected or otherwise resolved, the Department shall  
7 vacate the order suspending a licensee's license or the  
8 processing of an applicant's application.

9 (6) All employees of a registered plumbing contractor who  
10 engage in plumbing work shall be licensed plumbers or  
11 apprentice plumbers in accordance with this Act.

12 (7) Plumbing contractors shall submit an annual  
13 registration fee in an amount to be established by rule.

14 (8) The Department shall be notified in advance of any  
15 changes in the business structure, name, or location or of the  
16 addition or deletion of the owner or officer who is the  
17 licensed plumber listed on the application. Failure to notify  
18 the Department of this information is grounds for suspension  
19 or revocation of the plumbing contractor's registration.

20 (9) In the event that the plumber's license on the  
21 application for registration of a plumbing contractor is a  
22 license issued by the City of Chicago, it shall be the  
23 responsibility of the applicant to forward a copy of the  
24 plumber's license to the Department, noting the name of the  
25 registered plumbing contractor, when it is renewed. In the  
26 event that the plumbing contractor's registration is suspended

1 or revoked, the Department shall notify the City of Chicago  
2 and any corresponding plumbing contractor's license issued by  
3 the City of Chicago shall be suspended or revoked.

4 (Source: P.A. 97-365, eff. 1-1-12.)

5 Section 99. Effective date. This Act takes effect January  
6 1, 2024.