

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 Illinois Workers' Compensation Commission or
20 the Department of Insurance to have failed to (i) secure
21 workers' compensation obligations in the manner required by
22 subsections (a) and (b) of Section 4 of the Workers'
23 Compensation Act, (ii) pay in full a fine or penalty imposed
24 due to a failure to secure workers' compensation obligations
25 in the manner required by subsections (a) and (b) of Section 4
26 of the Workers' Compensation Act, or (iii) fulfill all

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

15 In addition, a complaint filed with the Department by the
16 Illinois Workers' Compensation Commission or the Department of
17 Insurance that includes a certification, signed by its
18 Director or Chairman, or the Director or Chairman's designee,
19 attesting to a finding of the failure to secure workers'
20 compensation obligations in the manner required by subsections
21 (a) and (b) of Section 4 of the Workers' Compensation Act or
22 the failure to pay any fines or penalties or to discharge any
23 obligation under a settlement relating to the failure to
24 secure workers' compensation obligations in the manner
25 required by subsections (a) and (b) of Section 4 of the
26 Workers' Compensation Act is prima facie evidence of the

1 licensee's or applicant's failure to comply with subsections
2 (a) and (b) of Section 4 of the Workers' Compensation Act. Upon
3 receipt of that certification, the Department shall, without a
4 hearing, immediately suspend all licenses held by the licensee
5 or the processing of any application from the applicant.
6 Enforcement of the Department's order shall be stayed for 60
7 days. The Department shall provide notice of the suspension to
8 the licensee by mailing a copy of the Department's order to the
9 licensee's address of record or emailing a copy of the order to
10 the licensee's email address of record. The notice shall
11 advise the licensee that the suspension shall be effective 60
12 days after the issuance of the Department's order unless the
13 Department receives from the licensee or applicant a request
14 for a hearing before the Department to dispute the matters
15 contained in the order.

16 Any suspension imposed under this subsection shall be
17 terminated by the Department upon notification from the
18 Illinois Workers' Compensation Commission or the Department of
19 Insurance that the licensee's or applicant's failure to comply
20 with subsections (a) and (b) of Section 4 of the Workers'
21 Compensation Act has been corrected or otherwise resolved to
22 the satisfaction of the Illinois Workers' Compensation
23 Commissions or the Department of Insurance.

24 No license shall be suspended or revoked until after the
25 licensee is afforded any due process protection guaranteed by
26 statute or rule adopted by the Workers' Compensation

1 Commission or the Department of Insurance.

2 The Department may adopt rules for the administration of
3 this subsection.

4 (h) The Department may grant the title "Retired", to be
5 used immediately adjacent to the title of a profession
6 regulated by the Department, to eligible retirees. For
7 individuals licensed under the Medical Practice Act of 1987,
8 the title "Retired" may be used in the profile required by the
9 Patients' Right to Know Act. The use of the title "Retired"
10 shall not constitute representation of current licensure,
11 registration, or certification. Any person without an active
12 license, registration, or certificate in a profession that
13 requires licensure, registration, or certification shall not
14 be permitted to practice that profession.

15 (i) The Department shall make available on its website
16 general information explaining how the Department utilizes
17 criminal history information in making licensure application
18 decisions, including a list of enumerated offenses that serve
19 as a statutory bar to licensure.

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

22 (20 ILCS 2105/2105-207)

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

24 (a) Any licensee subject to a licensing Act administered
25 by the Department ~~Division of Professional Regulation~~ and who

1 has been subject to disciplinary action by the Department may
2 file an application with the Department on forms provided by
3 the Department, along with the required fee of \$175, to have
4 the records classified as confidential, not for public
5 release, and considered expunged for reporting purposes if:

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

9 (2) the licensee has had no incidents of discipline
10 under the licensing Act since the disciplinary offense or
11 offenses identified in the application occurred;

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

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

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

19 (1) failure to pay taxes;

20 (2) continuing education;

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

22 (4) failure to obtain or renew a certificate of
23 registration or ancillary license;

24 (5) advertising;

25 (5.1) discipline based on criminal charges or
26 convictions:

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

3 (B) that were dismissed or for which records have
4 been sealed or expunged;

5 (5.2) past probationary status of a license issued to
6 new applicants on the sole or partial basis of prior
7 convictions; ~~or~~

8 (6) any grounds for discipline removed from the
9 licensing Act; ~~or~~

10 (7) failure to comply with workers' compensation
11 requirements; or

12 (8) reprimand of a licensee.

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

26 (d) Any applicant for licensure or a licensee whose

1 petition for review is granted by the Department pursuant to
2 subsection (a-1) of Section 2105-165 of this Law may file an
3 application with the Department on forms provided by the
4 Department to have records relating to his or her permanent
5 denial or permanent revocation classified as confidential and
6 not for public release and considered expunged for reporting
7 purposes in the same manner and under the same terms as is
8 provided in this Section for the offenses listed in subsection
9 (b) of this Section, except that the requirements of a 3-year
10 ~~7-year~~ waiting period and the \$175 ~~\$200~~ application fee do not
11 apply.

12 (Source: P.A. 100-262, eff. 8-22-17; 100-286, eff. 1-1-18;
13 100-863, eff. 8-14-18; 100-872, eff. 8-14-18.)

14 Section 10. The Asbestos Abatement Act is amended by
15 changing Section 10a as follows:

16 (105 ILCS 105/10a) (from Ch. 122, par. 1410a)

17 Sec. 10a. Licensing. No inspector, management planner,
18 project designer, project manager, air sampling professional,
19 asbestos abatement contractor, worker or project supervisor
20 may be employed as a response action contractor unless that
21 individual or entity is licensed by the Department. Those
22 individuals and entities wishing to be licensed shall make
23 application on forms prescribed and furnished by the
24 Department. A license shall expire annually according to a

1 schedule determined by the Department. Applications for
2 renewal of licenses shall be filed with the Department at
3 least 30 days before the expiration date. When a licensure
4 examination is required, the application for licensure shall
5 be submitted to the Department at least 30 days prior to the
6 date of the scheduled examination. The Department shall
7 evaluate each application based on its minimum standards for
8 licensure, promulgated as rules, and render a decision. Such
9 standards may include a requirement for the successful
10 completion of a course of training approved by the Department.
11 If the Department denies the application, the applicant may
12 appeal such decision pursuant to the provisions of the
13 "Administrative Review Law".

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

21 (a) to secure workers' compensation obligations in the
22 manner required by subsections (a) and (b) of Section 4 of
23 the Workers' Compensation Act;

24 (b) to pay in full a fine or penalty imposed by the
25 Illinois Workers' Compensation Commission or the
26 Department of Insurance due to a failure to secure

1 workers' compensation obligations in the manner required
2 by subsections (a) and (b) of Section 4 of the Workers'
3 Compensation Act; or

4 (c) to fulfill all obligations assumed pursuant to any
5 settlement reached with the Illinois Workers' Compensation
6 Commission or the Department of Insurance due to a failure
7 to secure workers' compensation obligations in the manner
8 required by subsections (a) and (b) of Section 4 of the
9 Workers' Compensation Act.

10 A complaint filed with the Department by the Illinois
11 Workers' Compensation Commission or the Department of
12 Insurance that includes a certification, signed by its
13 Director or Chairman, or the Director or Chairman's designee,
14 attesting to a finding of the failure to secure workers'
15 compensation obligations in the manner required by subsections
16 (a) and (b) of Section 4 of the Workers' Compensation Act or
17 the failure to pay any fines or penalties or to discharge any
18 obligation under a settlement relating to the failure to
19 secure workers' compensation obligations in the manner
20 required by subsections (a) and (b) of Section 4 of the
21 Workers' Compensation Act is prima facie evidence of the
22 licensee's or applicant's failure to comply with subsections
23 (a) and (b) of Section 4 of the Workers' Compensation Act. Upon
24 receipt of that certification, the Department shall, without a
25 hearing, immediately suspend all licenses held by the licensee
26 or the processing of any application from the applicant.

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

11 Upon receiving notice from the Illinois Workers'
12 Compensation Commission or the Department of Insurance that
13 the violation has been corrected or otherwise resolved, the
14 Department shall vacate the order suspending a licensee's
15 license or the processing of an applicant's application.

16 No license shall be suspended or revoked until after the
17 licensee is afforded any due process protection guaranteed by
18 statute or rule adopted by the Workers' Compensation
19 Commission or the Department of Insurance.

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

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

23 (410 ILCS 45/8.1) (from Ch. 111 1/2, par. 1308.1)

24 Sec. 8.1. Licensing of lead inspectors and lead risk

1 assessors.

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

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

20 (c) The Department, upon notification by the Illinois
21 Workers' Compensation Commission or the Department of
22 Insurance, shall refuse the issuance or renewal of a license
23 to, or suspend or revoke the license of, any individual,
24 corporation, partnership, or other business entity that has
25 been found by the Illinois Workers' Compensation Commission or
26 the Department of Insurance to have failed:

1 (1) to secure workers' compensation obligations in the
2 manner required by subsections (a) and (b) of Section 4 of
3 the Workers' Compensation Act;

4 (2) to pay in full a fine or penalty imposed by the
5 Illinois Workers' Compensation Commission or the
6 Department of Insurance due to a failure to secure
7 workers' compensation obligations in the manner required
8 by subsections (a) and (b) of Section 4 of the Workers'
9 Compensation Act; or

10 (3) to fulfill all obligations assumed pursuant to any
11 settlement reached with the Illinois Workers' Compensation
12 Commission or the Department of Insurance due to a failure
13 to secure workers' compensation obligations in the manner
14 required by subsections (a) and (b) of Section 4 of the
15 Workers' Compensation Act.

16 A complaint filed with the Department by the Illinois
17 Workers' Compensation Commission or the Department of
18 Insurance that includes a certification, signed by its
19 Director or Chairman or designee, attesting to a finding of
20 the failure to secure workers' compensation obligations in the
21 manner required by subsections (a) and (b) of Section 4 of the
22 Workers' Compensation Act or the failure to pay any fines or
23 penalties or to discharge any obligation under a settlement
24 relating to the failure to secure workers' compensation
25 obligations in the manner required by subsections (a) and (b)
26 of Section 4 of the Workers' Compensation Act is prima facie

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

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

22 No license shall be suspended or revoked until after the
23 licensee is afforded any due process protection guaranteed by
24 statute or rule adopted by the Workers' Compensation
25 Commission or the Department of Insurance.

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

1 Section 20. The Illinois Plumbing License Law is amended
2 by changing Section 13.1 as follows:

3 (225 ILCS 320/13.1)

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

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

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

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

23 (4) Applicants shall submit an original certificate of
24 insurance documenting that the contractor carries general

1 liability insurance with a minimum of \$100,000 per occurrence,
2 a minimum of \$300,000 aggregate for bodily injury, property
3 damage insurance with a minimum of \$50,000 or a minimum of
4 \$300,000 combined single limit, and workers compensation
5 insurance with a minimum \$500,000 employer's liability. No
6 registration may be issued in the absence of this certificate.
7 Certificates must be in force at all times for registration to
8 remain valid.

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

14 (5.5) The Department, upon notification by the Illinois
15 Workers' Compensation Commission or the Department of
16 Insurance, 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 Illinois Workers' Compensation Commission or
20 the Department of Insurance to have failed:

21 (a) to secure workers' compensation obligations in the
22 manner required by subsections (a) and (b) of Section 4 of
23 the Workers' Compensation Act;

24 (b) to pay in full a fine or penalty imposed by the
25 Illinois Workers' Compensation Commission or the
26 Department of Insurance due to a failure to secure

1 workers' compensation obligations in the manner required
2 by subsections (a) and (b) of Section 4 of the Workers'
3 Compensation Act; or

4 (c) to fulfill all obligations assumed pursuant to any
5 settlement reached with the Illinois Workers' Compensation
6 Commission or the Department of Insurance due to a failure
7 to secure workers' compensation obligations in the manner
8 required by subsections (a) and (b) of Section 4 of the
9 Workers' Compensation Act.

10 A complaint filed with the Department by the Illinois
11 Workers' Compensation Commission or the Department of
12 Insurance that includes a certification, signed by its
13 Director or Chairman or designee, attesting to a finding of
14 the failure to secure workers' compensation obligations in the
15 manner required by subsections (a) and (b) of Section 4 of the
16 Workers' Compensation Act or the failure to pay any fines or
17 penalties or to discharge any obligation under a settlement
18 relating to the failure to secure workers' compensation
19 obligations in the manner required by subsections (a) and (b)
20 of Section 4 of the Workers' Compensation Act is prima facie
21 evidence of the licensee's or applicant's failure to comply
22 with subsections (a) and (b) of Section 4 of the Workers'
23 Compensation Act. Upon receipt of that certification, the
24 Department shall, without a hearing, immediately suspend all
25 licenses held by the licensee or the processing of any
26 application from the applicant. Enforcement of the

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

11 Upon receiving notice from the Illinois Workers'
12 Compensation Commission or the Department of Insurance that
13 the violation has been corrected or otherwise resolved, the
14 Department shall vacate the order suspending a licensee's
15 license or the processing of an applicant's application.

16 No license shall be suspended or revoked until after the
17 licensee is afforded any due process protection guaranteed by
18 statute or rule adopted by the Workers' Compensation
19 Commission or the Department of Insurance.

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

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

25 (8) The Department shall be notified in advance of any
26 changes in the business structure, name, or location or of the

1 addition or deletion of the owner or officer who is the
2 licensed plumber listed on the application. Failure to notify
3 the Department of this information is grounds for suspension
4 or revocation of the plumbing contractor's registration.

5 (9) In the event that the plumber's license on the
6 application for registration of a plumbing contractor is a
7 license issued by the City of Chicago, it shall be the
8 responsibility of the applicant to forward a copy of the
9 plumber's license to the Department, noting the name of the
10 registered plumbing contractor, when it is renewed. In the
11 event that the plumbing contractor's registration is suspended
12 or revoked, the Department shall notify the City of Chicago
13 and any corresponding plumbing contractor's license issued by
14 the City of Chicago shall be suspended or revoked.

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

16 Section 99. Effective date. This Act takes effect January
17 1, 2024.