



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5147

Introduced 2/9/2024, by Rep. Christopher "C.D." Davidsmeyer

SYNOPSIS AS INTRODUCED:

225 ILCS 5/14	from Ch. 111, par. 7614
225 ILCS 20/13	from Ch. 111, par. 6363
225 ILCS 30/85	from Ch. 111, par. 8401-85
225 ILCS 57/80	
225 ILCS 75/16	from Ch. 111, par. 3716
225 ILCS 85/27	from Ch. 111, par. 4147
225 ILCS 115/14	from Ch. 111, par. 7014
225 ILCS 410/4-5	from Ch. 111, par. 1704-5
225 ILCS 447/50-30	

Amends the Illinois Athletic Trainers Practice Act, the Clinical Social Work and Social Work Practice Act, the Dietitian Nutritionist Practice Act, the Massage Licensing Act, the Illinois Occupational Therapy Practice Act, the Pharmacy Practice Act, the Veterinary Medicine and Surgery Practice Act of 2004, the Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985, and the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. Provides the maximum fees for original licensure and renewal of licensure for professions licensed under the Acts. Provides that the total fees required by the Department of Financial and Professional Regulation to enter a profession shall not exceed double the original license fee.

LRB103 38324 RTM 68459 b

1 AN ACT concerning regulation.

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

4 Section 5. The Illinois Athletic Trainers Practice Act is
5 amended by changing Section 14 as follows:

6 (225 ILCS 5/14) (from Ch. 111, par. 7614)

7 (Section scheduled to be repealed on January 1, 2026)

8 Sec. 14. Fees; returned checks. The fees for
9 administration and enforcement of this Act, including but not
10 limited to original licensure, renewal, and restoration shall
11 be set by rule. The fees shall be non-refundable. The fee for
12 original licensure as an athletic trainer shall not exceed
13 \$100. The fee for renewal of licensure as an athletic trainer
14 shall be calculated at a rate not to exceed \$50 per year. The
15 total fees required by the Department to enter the profession
16 shall not exceed double the original license fee.

17 Any person who delivers a check or other payment to the
18 Department that is returned to the Department unpaid by the
19 financial institution upon which it is drawn shall pay to the
20 Department, in addition to the amount already owed to the
21 Department, a fine of \$50.

22 The fines imposed by this Section are in addition to any
23 other discipline provided under this Act for unlicensed

1 practice or practice on a nonrenewed license. The Department
2 shall notify the person that payment of fees and fines shall be
3 paid to the Department by certified check or money order
4 within 30 calendar days of the notification. If, after the
5 expiration of 30 days from the date of the notification, the
6 person has failed to submit the necessary remittance, the
7 Department shall automatically terminate the license or
8 certificate or deny the application, without hearing. If,
9 after termination or denial, the person seeks a license or
10 certificate, he or she shall apply to the Department for
11 restoration or issuance of the license or certificate and pay
12 all fees and fines due to the Department. The Department may
13 establish a fee for the processing of an application for
14 restoration of a license or certificate to pay all expenses of
15 processing this application. The Secretary may waive the fines
16 due under this Section in individual cases where the Secretary
17 finds that the fines would be unreasonable or unnecessarily
18 burdensome.

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

20 Section 10. The Clinical Social Work and Social Work
21 Practice Act is amended by changing Section 13 as follows:

22 (225 ILCS 20/13) (from Ch. 111, par. 6363)

23 (Section scheduled to be repealed on January 1, 2028)

24 Sec. 13. Fees.

1 (a) Except as provided in subsection (b), the fees for the
2 administration and enforcement of this Act, including but not
3 limited to fees for original licensure, renewal, and
4 restoration, shall be set by rule. The fees shall not be
5 refundable. The fee for original licensure as a social worker
6 continuing education sponsor shall not exceed \$250. The fee
7 for original licensure as a social worker shall not exceed
8 \$50. The fee for original licensure as a clinical social
9 worker shall not exceed \$50. The fee for renewal of licensure
10 as a social worker continuing education sponsor shall be
11 calculated at a rate not to exceed \$125 per year. The fee for
12 renewal of licensure as a social worker shall be calculated at
13 a rate not to exceed \$25 per year. The fee for renewal of
14 licensure as a clinical social worker shall not exceed \$25 per
15 year. The total fees required by the Department to enter a
16 profession shall not exceed double the original license fee.

17 (b) Applicants for examination shall be required to pay,
18 either to the Department or the designated testing service, a
19 fee covering the cost of initial screening to determine
20 eligibility and providing the examination. Failure to appear
21 for the examination on the scheduled date at the time and place
22 specified, after the applicant's application for examination
23 has been received and acknowledged by the Department or the
24 designated testing service, shall result in the forfeiture of
25 the examination fee.

26 (Source: P.A. 90-150, eff. 12-30-97.)

1 Section 15. The Dietitian Nutritionist Practice Act is
2 amended by changing Section 85 as follows:

3 (225 ILCS 30/85) (from Ch. 111, par. 8401-85)

4 (Section scheduled to be repealed on January 1, 2028)

5 Sec. 85. Fees. The Department shall provide by rule for a
6 schedule of fees for the administration and enforcement of
7 this Act, including, but not limited to, original licensure,
8 registration, renewal, and restoration. The fees shall be
9 nonrefundable. The fee for original licensure as a dietitian
10 nutritionist shall not exceed \$50. The fee for renewal of
11 licensure as a dietitian nutritionist shall be calculated at a
12 rate not to exceed \$25 per year. The total fees required by the
13 Department to enter the profession shall not exceed double the
14 original license fee.

15 All fees, fines, and penalties collected under this Act
16 shall be deposited into the General Professions Dedicated Fund
17 and shall be appropriated to the Department for the ordinary
18 and contingent expenses of the Department in the
19 administration of this Act.

20 (Source: P.A. 97-1141, eff. 12-28-12.)

21 Section 20. The Massage Licensing Act is amended by
22 changing Section 80 as follows:

1 (225 ILCS 57/80)

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

3 Sec. 80. Fees. The fee for original licensure as a massage
4 therapist shall not exceed \$100. The fee for renewal of
5 licensure as a massage therapist shall be calculated at a rate
6 not to exceed \$50 per year. The total fees required by the
7 Department to enter the profession shall not exceed double the
8 original license fee. ~~The fees assessed under this Act shall~~
9 ~~be set by rule.~~

10 (Source: P.A. 92-860, eff. 6-1-03.)

11 Section 25. The Illinois Occupational Therapy Practice Act
12 is amended by changing Section 16 as follows:

13 (225 ILCS 75/16) (from Ch. 111, par. 3716)

14 (Section scheduled to be repealed on January 1, 2029)

15 Sec. 16. Fees; returned checks. The fees for the
16 administration and enforcement of this Act, including, but not
17 limited to, original certification, renewal, and restoration
18 of a license issued under this Act, shall be set by rule. The
19 fees shall be non-refundable. The fee for original licensure
20 as an occupational therapist shall not exceed \$40. The fee for
21 renewal of licensure as an occupational therapist shall be
22 calculated at a rate not to exceed \$20 per year. The total fees
23 required by the Department to enter the profession shall not
24 exceed double the original license fee.

1 Any person who delivers a check or other payment to the
2 Department that is returned to the Department unpaid by the
3 financial institution upon which it is drawn shall pay to the
4 Department, in addition to the amount already owed to the
5 Department, a fine of \$50. The fines imposed by this Section
6 are in addition to any other discipline provided under this
7 Act for unlicensed practice or practice on a nonrenewed
8 license. The Department shall notify the person that payment
9 of fees and fines shall be paid to the Department by certified
10 check or money order within 30 calendar days of the
11 notification. If, after the expiration of 30 days from the
12 date of the notification, the person has failed to submit the
13 necessary remittance, the Department shall automatically
14 terminate the license or certificate or deny the application,
15 without hearing. If, after termination or denial, the person
16 seeks a license or certificate, the person shall apply to the
17 Department for restoration or issuance of the license or
18 certificate and pay all fees and fines due to the Department.
19 The Department may establish a fee for the processing of an
20 application for restoration of a license or certificate to pay
21 all expenses of processing this application. The Secretary may
22 waive the fines due under this Section in individual cases
23 where the Secretary finds that the fines would be unreasonable
24 or unnecessarily burdensome.

25 (Source: P.A. 103-251, eff. 1-1-24.)

1 Section 30. The Pharmacy Practice Act is amended by
2 changing Section 27 as follows:

3 (225 ILCS 85/27) (from Ch. 111, par. 4147)

4 (Section scheduled to be repealed on January 1, 2028)

5 Sec. 27. Fees.

6 (a) The Department shall, by rule, provide for a schedule
7 of fees to be paid for licenses and certificates. These fees
8 shall be for the administration and enforcement of this Act,
9 including without limitation original licensure and renewal
10 and restoration of licensure. All fees are nonrefundable. The
11 fee for original licensure as a pharmacy technician shall not
12 exceed \$40. The fee for renewal of licensure as a pharmacy
13 technician shall be calculated at a rate not to exceed \$20 per
14 year. The total fees required by the Department to enter the
15 profession shall not exceed double the original license fee.

16 (b) Applicants for any examination as a pharmacist shall
17 be required to pay, either to the Department or to the
18 designated testing service, a fee covering the cost of
19 determining an applicant's eligibility and providing the
20 examination. Failure to appear for the examination on the
21 scheduled date, at the time and place specified, after the
22 applicant's application for examination has been received and
23 acknowledged by the Department or the designated testing
24 service, shall result in the forfeiture of the examination
25 fee.

1 (c) Applicants for the preliminary diagnostic examination
2 shall be required to pay, either to the Department or to the
3 designated testing service, a fee covering the cost of
4 determining an applicant's eligibility and providing the
5 examination. Failure to appear for the examination on the
6 scheduled date, at the time and place specified, after the
7 application for examination has been received and acknowledged
8 by the Department or the designated testing service, shall
9 result in the forfeiture of the examination fee.

10 (d) All fees, fines, or penalties received by the
11 Department under this Act shall be deposited in the Illinois
12 State Pharmacy Disciplinary Fund hereby created in the State
13 Treasury and shall be used by the Department in the exercise of
14 its powers and performance of its duties under this Act,
15 including, but not limited to, the provision for evidence in
16 pharmacy investigations.

17 Moneys in the Fund may be transferred to the Professions
18 Indirect Cost Fund as authorized under Section 2105-300 of the
19 Department of Professional Regulation Law (20 ILCS
20 2105/2105-300).

21 The moneys deposited in the Illinois State Pharmacy
22 Disciplinary Fund shall be invested to earn interest which
23 shall accrue to the Fund.

24 (e) From the money received for license renewal fees, \$5
25 from each pharmacist fee, and \$2.50 from each pharmacy
26 technician fee, shall be set aside within the Illinois State

1 Pharmacy Disciplinary Fund for the purpose of supporting a
2 substance abuse program for pharmacists and pharmacy
3 technicians.

4 (f) A pharmacy, manufacturer of controlled substances, or
5 wholesale distributor of controlled substances that is
6 licensed under this Act and owned and operated by the State is
7 exempt from licensure, renewal, and other fees required under
8 this Act.

9 Pharmacists and pharmacy technicians working in facilities
10 owned and operated by the State are not exempt from the payment
11 of fees required by this Act and any rules adopted under this
12 Act.

13 Nothing in this subsection (f) shall be construed to
14 prohibit the Department from imposing any fine or other
15 penalty allowed under this Act.

16 (Source: P.A. 100-497, eff. 9-8-17.)

17 Section 35. The Veterinary Medicine and Surgery Practice
18 Act of 2004 is amended by changing Section 14 as follows:

19 (225 ILCS 115/14) (from Ch. 111, par. 7014)

20 (Section scheduled to be repealed on January 1, 2029)

21 Sec. 14. Fees. The Department shall provide by rule for a
22 schedule of fees for the administration and enforcement of
23 this Act, including but not limited to original licensure,
24 renewal, and restoration of a license issued under this Act.

1 The fees shall be nonrefundable. The fee for original
2 licensure as a veterinary technician shall not exceed \$50. The
3 fee for renewal of licensure as a veterinary technician shall
4 be calculated at a rate not to exceed \$25 per year. The total
5 fees required by the Department to enter the profession shall
6 not exceed double the original license fee.

7 All fees, fines, and penalties collected under this Act
8 shall be deposited into the General Professions Dedicated Fund
9 and shall be appropriated to the Department for the ordinary
10 and contingent expenses of the Department in the
11 administration of this Act.

12 (Source: P.A. 98-339, eff. 12-31-13.)

13 Section 40. The Barber, Cosmetology, Esthetics, Hair
14 Braiding, and Nail Technology Act of 1985 is amended by
15 changing Section 4-5 as follows:

16 (225 ILCS 410/4-5) (from Ch. 111, par. 1704-5)

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

18 Sec. 4-5. Fees; time limitations.

19 (a) Except as provided in paragraph (b) below, the fees
20 for the administration and enforcement of this Act, including
21 but not limited to fees for original licensure, renewal, and
22 restoration shall be set by the Department by rule. The fees
23 shall not be refundable. The fee for original licensure as a
24 barber, cosmetologist, esthetician, hair braider, or nail

1 technician shall not exceed \$30. The fee for renewal of
2 licensure as a barber, cosmetologist, esthetician, hair
3 braider, or nail technician shall be calculated at a rate not
4 to exceed \$15 per year. The total fees required by the
5 Department to enter a profession shall not exceed double the
6 original license fee.

7 (b) Applicants for examination shall be required to pay,
8 either to the Department or the designated testing service, a
9 fee covering the cost of initial screening to determine
10 eligibility and providing the examination. Failure to appear
11 for the examination on the scheduled date at the time and place
12 specified, after the applicant's application for examination
13 has been received and acknowledged by the Department or the
14 designated testing service, shall result in the forfeiture of
15 the examination fee.

16 (c) If an applicant fails to pass an examination for
17 licensure under this Act within 3 years after filing his
18 application, the application shall be denied. However, such
19 applicant may thereafter make a new application for
20 examination accompanied by the required fee.

21 (d) An individual applying on the basis of endorsement or
22 restoration of licensure has 3 years from the date of
23 application to complete the application process. If the
24 process has not been completed in 3 years, the application
25 shall be denied, the fee forfeited. The applicant may reapply,
26 but shall meet the requirements in effect at the time of

1 reapplication.

2 (e) An applicant has one year from the date of
3 notification of successful completion of the examination to
4 apply to the Department for a license. If an applicant fails to
5 apply within one year the applicant shall be required to take
6 and pass the examination again.

7 (Source: P.A. 99-427, eff. 8-21-15.)

8 Section 45. The Private Detective, Private Alarm, Private
9 Security, Fingerprint Vendor, and Locksmith Act of 2004 is
10 amended by changing Section 50-30 as follows:

11 (225 ILCS 447/50-30)

12 (Section scheduled to be repealed on January 1, 2029)

13 Sec. 50-30. Fees; deposit of fees and fines. The
14 Department shall by rule provide for fees for the
15 administration and enforcement of this Act, and those fees are
16 nonrefundable. The fee for original licensure as a private
17 detective, alarm contractor, private security, fingerprint
18 vender, or locksmith shall not exceed \$150. The fee for
19 renewal of licensure as a private detective, alarm contractor,
20 private security, fingerprint vender, or locksmith shall not
21 exceed \$75. The total fees required by the Department to enter
22 a profession shall not exceed double the original license fee.
23 Applicants for examination shall be required to pay a fee to
24 either the Department or the designated testing service to

1 cover the cost of providing the examination. If an applicant
2 fails to appear for the examination on the scheduled date at
3 the time and place specified by the Department or designated
4 testing service, then the applicant's examination fee shall be
5 forfeited. All of the fees and fines collected under this Act
6 shall be deposited into the General Professions Dedicated Fund
7 and be appropriated to the Department for the ordinary and
8 contingent expenses of the Department in the administration
9 and enforcement of this Act.

10 (Source: P.A. 96-1445, eff. 8-20-10.)