



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1940

Introduced 2/9/2023, by Sen. David Koehler

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Certified Shorthand Reporters Act of 1984. Renames the Act to the Illinois Certified Shorthand Reporters and Voice Writer Reporters Act. Provides that no person may practice voice writer reporting on a temporary or permanent basis in the State without being certified by the Department of Financial and Professional Regulation under this Act. Defines "the practice of voice writer reporting", "voice writer notes", and "voice writer reporter". Makes changes in provisions concerning: uncertified practice, violation, civil penalty; use of titles; restricted certificate; the Certified Shorthand Reporters and Voice Writer Reporters Board; qualifications, application; expiration, renewal, and military service; inactive status; endorsement, licensure without examination; grounds for disciplinary action; injunctive actions, order to cease and desist; records of proceedings; subpoenas, oaths; summary suspension; home rule; responsibility for notes; and payment for services. Amends other Acts to make conforming changes. Amends the Regulatory Sunset Act. Repeals the Act January 1, 2034 (rather than January 1, 2024). Effective January 1, 2024, except that certain provisions amending the Regulatory Sunset Act are effective immediately.

LRB103 25306 AMQ 51651 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 Regulatory Sunset Act is amended by
5 changing Section 4.34 and by adding Section 4.44 as follows:

6 (5 ILCS 80/4.34)

7 Sec. 4.34. Acts and Section repealed on January 1, 2024.

8 The following Acts and Section of an Act are repealed on
9 January 1, 2024:

10 The Crematory Regulation Act.

11 The Electrologist Licensing Act.

12 ~~The Illinois Certified Shorthand Reporters Act of~~
13 ~~1984.~~

14 The Illinois Occupational Therapy Practice Act.

15 The Illinois Public Accounting Act.

16 The Private Detective, Private Alarm, Private
17 Security, Fingerprint Vendor, and Locksmith Act of 2004.

18 The Registered Surgical Assistant and Registered
19 Surgical Technologist Title Protection Act.

20 Section 2.5 of the Illinois Plumbing License Law.

21 The Veterinary Medicine and Surgery Practice Act of
22 2004.

23 (Source: P.A. 102-291, eff. 8-6-21.)

1 (5 ILCS 80/4.44 new)

2 Sec. 4.44. Acts repealed on January 1, 2034. The following
3 Acts are repealed on January 1, 2034:

4 The Illinois Certified Shorthand Reporters and Voice
5 Writer Reporters Act.

6 Section 10. The Oaths and Affirmations Act is amended by
7 changing Sections 1 and 2 as follows:

8 (5 ILCS 255/1) (from Ch. 101, par. 1)

9 Sec. 1. Oaths and affirmations. All courts, and all judges
10 and the clerk thereof, the county clerk, deputy county clerk,
11 notaries public, and persons certified under the Illinois
12 Certified Shorthand Reporters and Voice Writer Reporters Act
13 ~~of 1984~~ have the power to administer oaths and affirmations to
14 witnesses and others, concerning anything commenced or to be
15 commenced, or pending before them respectively.

16 (Source: P.A. 90-294, eff. 8-1-97.)

17 (5 ILCS 255/2) (from Ch. 101, par. 2)

18 Sec. 2. Affidavits and depositions. All courts, and
19 judges, and the clerks thereof, the county clerk, deputy
20 county clerk, the Secretary of State, notaries public, and
21 persons certified under the Illinois Certified Shorthand
22 Reporters and Voice Writer Reporters Act ~~of 1984~~ may

1 administer all oaths of office and all other oaths authorized
2 or required of any officer or other person, and take
3 affidavits and depositions concerning any matter or thing,
4 process or proceeding commenced or to be commenced, or pending
5 in any court or before them, or on any occasion wherein any
6 affidavit or deposition is authorized or required by law to be
7 taken.

8 The same functions may be performed by any commissioned
9 officer in active service of the armed forces of the United
10 States, within or without the United States. Oaths, affidavits
11 or depositions taken by or affirmations made before such
12 officers need not be authenticated nor attested by any seal
13 nor shall any instruments executed or proceedings had before
14 such officers be invalid because the place of the proceedings
15 or of the execution is not stated.

16 (Source: P.A. 97-36, eff. 1-1-12.)

17 Section 15. The Department of Professional Regulation Law
18 of the Civil Administrative Code of Illinois is amended by
19 changing Section 2105-115 as follows:

20 (20 ILCS 2105/2105-115) (was 20 ILCS 2105/60f)

21 Sec. 2105-115. Certified shorthand reporter or certified
22 voice writer reporter; transcript. The Department, at its
23 expense, shall provide a certified shorthand reporter or
24 certified voice writer reporter to take down the testimony and

1 preserve a record of all proceedings at the hearing of any case
2 in which a license may be revoked, suspended, placed on
3 probationary status, reprimanded, fined, or subjected to other
4 disciplinary action with reference to the license when a
5 disciplinary action is authorized in any licensing Act
6 administered by the Department. The notice, complaint, and all
7 other documents in the nature of pleadings and written motions
8 filed in the proceedings, the transcript of testimony, the
9 report of the board, and the orders of the Department shall be
10 the record of the proceedings. The Department shall furnish
11 the record to any person interested in the hearing upon
12 payment therefor of \$1 per page. The Department may contract
13 for court reporting services, and, in the event it does so, the
14 Department shall provide the name and contact information for
15 the certified shorthand reporter or certified voice writer
16 reporter who transcribed the testimony at a hearing to any
17 person interested, who may obtain a copy of the transcript of
18 any proceedings at a hearing upon payment of the fee specified
19 by the certified shorthand reporter or certified voice writer
20 reporter. This charge is in addition to any fee charged by the
21 Department for certifying the record.

22 (Source: P.A. 99-227, eff. 8-3-15; 100-262, eff. 8-22-17.)

23 Section 20. The Emergency Medical Services (EMS) Act is
24 amended by changing Section 3.40 as follows:

1 (210 ILCS 50/3.40)

2 Sec. 3.40. EMS System Participation Suspensions and Due
3 Process.

4 (a) An EMS Medical Director may suspend from participation
5 within the System any EMS personnel, EMS Lead Instructor (LI),
6 individual, individual provider or other participant
7 considered not to be meeting the requirements of the Program
8 Plan of that approved EMS System.

9 (b) Prior to suspending any individual or entity, an EMS
10 Medical Director shall provide an opportunity for a hearing
11 before the local System review board in accordance with
12 subsection (f) and the rules promulgated by the Department.

13 (1) If the local System review board affirms or
14 modifies the EMS Medical Director's suspension order, the
15 individual or entity shall have the opportunity for a
16 review of the local board's decision by the State EMS
17 Disciplinary Review Board, pursuant to Section 3.45 of
18 this Act.

19 (2) If the local System review board reverses or
20 modifies the EMS Medical Director's order, the EMS Medical
21 Director shall have the opportunity for a review of the
22 local board's decision by the State EMS Disciplinary
23 Review Board, pursuant to Section 3.45 of this Act.

24 (3) The suspension shall commence only upon the
25 occurrence of one of the following:

26 (A) the individual or entity has waived the

1 opportunity for a hearing before the local System
2 review board; or

3 (B) the order has been affirmed or modified by the
4 local system review board and the individual or entity
5 has waived the opportunity for review by the State
6 Board; or

7 (C) the order has been affirmed or modified by the
8 local system review board, and the local board's
9 decision has been affirmed or modified by the State
10 Board.

11 (c) An EMS Medical Director may immediately suspend an
12 EMR, EMD, EMT, EMT-I, A-EMT, Paramedic, ECRN, PHRN, LI, PHPA,
13 PHAPRN, or other individual or entity if he or she finds that
14 the continuation in practice by the individual or entity would
15 constitute an imminent danger to the public. The suspended
16 individual or entity shall be issued an immediate verbal
17 notification followed by a written suspension order by the EMS
18 Medical Director which states the length, terms and basis for
19 the suspension.

20 (1) Within 24 hours following the commencement of the
21 suspension, the EMS Medical Director shall deliver to the
22 Department, by messenger, telefax, or other
23 Department-approved electronic communication, a copy of
24 the suspension order and copies of any written materials
25 which relate to the EMS Medical Director's decision to
26 suspend the individual or entity. All medical and

1 patient-specific information, including Department
2 findings with respect to the quality of care rendered,
3 shall be strictly confidential pursuant to the Medical
4 Studies Act (Part 21 of Article VIII of the Code of Civil
5 Procedure).

6 (2) Within 24 hours following the commencement of the
7 suspension, the suspended individual or entity may deliver
8 to the Department, by messenger, telefax, or other
9 Department-approved electronic communication, a written
10 response to the suspension order and copies of any written
11 materials which the individual or entity feels are
12 appropriate. All medical and patient-specific information,
13 including Department findings with respect to the quality
14 of care rendered, shall be strictly confidential pursuant
15 to the Medical Studies Act.

16 (3) Within 24 hours following receipt of the EMS
17 Medical Director's suspension order or the individual or
18 entity's written response, whichever is later, the
19 Director or the Director's designee shall determine
20 whether the suspension should be stayed pending an
21 opportunity for a hearing or review in accordance with
22 this Act, or whether the suspension should continue during
23 the course of that hearing or review. The Director or the
24 Director's designee shall issue this determination to the
25 EMS Medical Director, who shall immediately notify the
26 suspended individual or entity. The suspension shall

1 remain in effect during this period of review by the
2 Director or the Director's designee.

3 (d) Upon issuance of a suspension order for reasons
4 directly related to medical care, the EMS Medical Director
5 shall also provide the individual or entity with the
6 opportunity for a hearing before the local System review
7 board, in accordance with subsection (f) and the rules
8 promulgated by the Department.

9 (1) If the local System review board affirms or
10 modifies the EMS Medical Director's suspension order, the
11 individual or entity shall have the opportunity for a
12 review of the local board's decision by the State EMS
13 Disciplinary Review Board, pursuant to Section 3.45 of
14 this Act.

15 (2) If the local System review board reverses or
16 modifies the EMS Medical Director's suspension order, the
17 EMS Medical Director shall have the opportunity for a
18 review of the local board's decision by the State EMS
19 Disciplinary Review Board, pursuant to Section 3.45 of
20 this Act.

21 (3) The suspended individual or entity may elect to
22 bypass the local System review board and seek direct
23 review of the EMS Medical Director's suspension order by
24 the State EMS Disciplinary Review Board.

25 (e) The Resource Hospital shall designate a local System
26 review board in accordance with the rules of the Department,

1 for the purpose of providing a hearing to any individual or
2 entity participating within the System who is suspended from
3 participation by the EMS Medical Director. The EMS Medical
4 Director shall arrange for a certified shorthand reporter or
5 certified voice writer reporter to make a stenographic record
6 of that hearing and thereafter prepare a transcript of the
7 proceedings. The transcript, all documents or materials
8 received as evidence during the hearing and the local System
9 review board's written decision shall be retained in the
10 custody of the EMS system. The System shall implement a
11 decision of the local System review board unless that decision
12 has been appealed to the State Emergency Medical Services
13 Disciplinary Review Board in accordance with this Act and the
14 rules of the Department.

15 (f) The Resource Hospital shall implement a decision of
16 the State Emergency Medical Services Disciplinary Review Board
17 which has been rendered in accordance with this Act and the
18 rules of the Department.

19 (Source: P.A. 100-201, eff. 8-18-17; 100-1082, eff. 8-24-19.)

20 Section 25. The Dietitian Nutritionist Practice Act is
21 amended by changing Section 110 as follows:

22 (225 ILCS 30/110) (from Ch. 111, par. 8401-110)

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

24 Sec. 110. Record of hearing. The Department, at its

1 expense, shall provide a certified shorthand reporter or
2 certified voice writer reporter to take down the testimony and
3 preserve a record of all proceedings at the hearing of any case
4 in which a licensee may be revoked, suspended, placed on
5 probationary status, reprimanded, fined, or subjected to other
6 disciplinary action with reference to the license when a
7 disciplinary action is authorized under this Act and its
8 rules. The notice of hearing, complaint, and all other
9 documents in the nature of pleadings and written portions
10 filed in the proceedings, the transcript of the testimony, the
11 report of the hearing officer, and the orders of the
12 Department shall be the records of the proceedings. The record
13 may be made available to any person interested in the hearing
14 upon payment of the fee required by Section 2105-115 of the
15 Department of Professional Regulation Law of the Civil
16 Administrative Code of Illinois.

17 (Source: P.A. 102-945, eff. 1-1-23.)

18 Section 30. The Funeral Directors and Embalmers Licensing
19 Code is amended by changing Section 15-20 as follows:

20 (225 ILCS 41/15-20)

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

22 Sec. 15-20. Transcript; record of proceedings.

23 (a) The Department, at its expense, shall provide a
24 certified shorthand reporter or certified voice writer

1 reporter to take down the testimony and preserve a record of
2 all proceedings at the hearing of any case in which a licensee
3 may be revoked, suspended, placed on probationary status,
4 reprimanded, fined, or subjected to other disciplinary action
5 with reference to the license when a disciplinary action is
6 authorized under this Act and rules. The notice of hearing,
7 complaint, and all other documents in the nature of pleadings
8 and written portions filed in the proceedings, the transcript
9 of the testimony, the report of the hearing officer, and the
10 orders of the Department shall be the records of the
11 proceedings. The record may be made available to any person
12 interested in the hearing upon payment of the fee required by
13 Section 2105-115 of the Department of Professional Regulation
14 Law of the Civil Administrative Code of Illinois.

15 (b) The Department may contract for court reporting
16 services, and, if it does so, the Department shall provide the
17 name and contact information for the certified shorthand
18 reporter or certified voice writer reporter who transcribed
19 the testimony at a hearing to any person interested, who may
20 obtain a copy of the transcript of any proceedings at a hearing
21 upon payment of the fee specified by the certified shorthand
22 reporter or certified voice writer reporter.

23 (Source: P.A. 102-881, eff. 1-1-23.)

24 Section 35. The Illinois Funeral or Burial Funds Act is
25 amended by changing Sections 3b and 3d as follows:

1 (225 ILCS 45/3b) (from Ch. 111 1/2, par. 73.103b)

2 Sec. 3b. The Comptroller, at his expense, shall provide a
3 certified shorthand reporter or certified voice writer
4 reporter to take down the testimony and preserve a record of
5 all proceedings at the hearing of any case involving the
6 refusal to issue or renew a license, the suspension or
7 revocation of a license, the imposition of a monetary penalty,
8 or the referral of a case for criminal prosecution. The record
9 of any such proceeding shall consist of the notice of hearing,
10 complaint, all other documents in the nature of pleadings and
11 written motions filed in the proceedings, the transcript of
12 testimony and the report and orders of the Comptroller. Copies
13 of the transcript of such record may be purchased from the
14 certified shorthand reporter or certified voice writer
15 reporter who prepared the record.

16 (Source: P.A. 84-839.)

17 (225 ILCS 45/3d) (from Ch. 111 1/2, par. 73.103d)

18 Sec. 3d. Any person affected by a final administrative
19 decision of the Comptroller may have such decision reviewed
20 judicially by the circuit court of the county where such
21 person resides, or in the case of a corporation, where the
22 registered office is located. If the plaintiff in the review
23 proceeding is not a resident of this State, venue shall be in
24 Sangamon County. The provisions of the Administrative Review

1 Law, as now or hereafter amended, and any rules adopted
2 thereunder shall govern all proceedings for the judicial
3 review of final administrative decisions of the Comptroller.
4 The term "administrative decision" is defined as in the
5 Administrative Review Law.

6 The Comptroller is not required to certify the record of
7 the proceeding unless the plaintiff in the review proceedings
8 has purchased a copy of the transcript from the certified
9 shorthand reporter or certified voice writer reporter who
10 prepared the record. Exhibits shall be certified without cost.
11 (Source: P.A. 84-839.)

12 Section 40. The Home Medical Equipment and Services
13 Provider License Act is amended by changing Section 100 as
14 follows:

15 (225 ILCS 51/100)

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

17 Sec. 100. Shorthand reporter or voice writer reporter;
18 transcript. The Department, at its expense, shall provide a
19 shorthand reporter or voice writer reporter to take down the
20 testimony and preserve a record of all proceedings at the
21 formal hearing of any case involving the refusal to issue or
22 renew a license or the discipline of a licensee. The notice of
23 hearing, complaint, and all other documents in the nature of
24 pleadings, written motions filed in the proceedings, the

1 transcript of testimony, the report of the Board, and the
2 order of the Department shall be the record of the proceeding.
3 (Source: P.A. 100-525, eff. 9-22-17.)

4 Section 45. The Medical Practice Act of 1987 is amended by
5 changing Section 39 as follows:

6 (225 ILCS 60/39) (from Ch. 111, par. 4400-39)

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

8 Sec. 39. Certified shorthand reporter or certified voice
9 writer reporter; record. The Department, at its expense, shall
10 provide a certified shorthand reporter or certified voice
11 writer reporter to take down the testimony and preserve a
12 record of all proceedings at the hearing of any case wherein a
13 license may be revoked, suspended, placed on probationary
14 status, or other disciplinary action taken with regard thereto
15 in accordance with Section 2105-115 of the Department of
16 Professional Regulation Law of the Civil Administrative Code
17 of Illinois. The notice of hearing, complaint and all other
18 documents in the nature of pleadings and written motions filed
19 in the proceedings, the transcript of testimony, the report of
20 the hearing officer, exhibits, the report of the Medical
21 Board, and the orders of the Department constitute the record
22 of the proceedings.

23 (Source: P.A. 101-316, eff. 8-9-19; 102-20, eff. 1-1-22.)

1 Section 50. The Boxing and Full-contact Martial Arts Act
2 is amended by changing Section 20 as follows:

3 (225 ILCS 105/20) (from Ch. 111, par. 5020)

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

5 Sec. 20. Record of proceeding.

6 (a) The Department, at its expense, shall provide a
7 certified shorthand reporter or certified voice writer
8 reporter to take down the testimony and preserve a record of
9 all proceedings at the hearing of any case in which a licensee
10 may be revoked, suspended, placed on probationary status,
11 reprimanded, fined, or subjected to other disciplinary action
12 with reference to the license when a disciplinary action is
13 authorized under this Act and rules. The notice of hearing,
14 complaint, and all other documents in the nature of pleadings
15 and written portions filed in the proceedings, the transcript
16 of the testimony, the report of the hearing officer, and the
17 orders of the Department shall be the record of the
18 proceedings. The record may be made available to any person
19 interested in the hearing upon payment of the fee required by
20 Section 2105-115 of the Department of Professional Regulation
21 Law of the Civil Administrative Code of Illinois.

22 (b) The Department may contract for court reporting
23 services, and, if it does so, the Department shall provide the
24 name and contact information for the certified shorthand
25 reporter or certified voice writer reporter who transcribed

1 the testimony at a hearing to any person interested, who may
2 obtain a copy of the transcript of any proceedings at a hearing
3 upon payment of the fee specified by the certified shorthand
4 reporter or certified voice writer reporter.

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

6 Section 55. The Perfusionist Practice Act is amended by
7 changing Section 125 as follows:

8 (225 ILCS 125/125)

9 (Section scheduled to be repealed on January 1, 2030)

10 Sec. 125. Record of proceedings.

11 (a) The Department, at its expense, shall preserve a
12 record of all proceedings at the formal hearing of any case in
13 which a license under this Act may be revoked, suspended,
14 placed on probationary status, reprimanded, fined, or
15 subjected to other disciplinary action with reference to the
16 license when a disciplinary action is authorized under this
17 Act and rules. The notice of hearing, complaint, and all other
18 documents in the nature of pleadings and written motions filed
19 in the proceedings, the transcript of testimony, the report of
20 the Board or hearing officer, and orders of the Department
21 shall be the record of the proceeding. The record may be made
22 available to any person interested in the hearing on payment
23 of the fee required under Section 2105-115 of the Department
24 of Professional Regulation Law.

1 (b) The Department may contract for court reporting
2 services, and, if it does so, the Department shall provide the
3 name and contact information for the certified shorthand
4 reporter or certified voice writer reporter who transcribed
5 the testimony at a hearing to any person interested, who may
6 obtain a copy of the transcript of any proceedings at a hearing
7 upon payment of the fee specified by the certified shorthand
8 reporter or certified voice writer reporter.

9 (Source: P.A. 101-311, eff. 8-9-19.)

10 Section 60. The Illinois Explosives Act is amended by
11 changing Section 5004 as follows

12 (225 ILCS 210/5004) (from Ch. 96 1/2, par. 1-5004)

13 Sec. 5004. Record of proceedings; transcript. The
14 Department or aggrieved party may provide at its or his or her
15 expense a certified shorthand reporter or certified voice
16 writer reporter to take down the testimony and preserve a
17 record of all proceedings at the hearing of any case involving
18 denial or refusal to issue or renew a license or certificate,
19 or the suspension or revocation or other discipline of a
20 license or certificate. Copies of the transcript of such
21 record may be purchased from the certified shorthand reporter
22 or certified voice writer reporter who prepared the record.

23 (Source: P.A. 96-1194, eff. 1-1-11.)

1 Section 65. The Illinois Architecture Practice Act of 1989
2 is amended by changing Section 25 as follows:

3 (225 ILCS 305/25) (from Ch. 111, par. 1325)

4 (Section scheduled to be repealed on January 1, 2030)

5 Sec. 25. Record of proceedings.

6 (a) The Department, at its expense, shall provide a
7 certified shorthand reporter or certified voice writer
8 reporter to take down the testimony and preserve a record of
9 all proceedings at the hearing of any case in which a license
10 may be revoked, suspended, placed on probationary status,
11 reprimanded, fined, or subjected to other disciplinary action
12 with reference to the license when a disciplinary action is
13 authorized under this Act and rules. The notice of hearing,
14 complaint, and all other documents in the nature of pleadings
15 and written motions filed in the proceedings, the transcript
16 of the testimony, the report of the Board, and the orders of
17 the Department shall be the record of the proceedings. The
18 record may be made available to any person interested in the
19 hearing upon payment of the fee required by Section 2105-115
20 of the Department of Professional Regulation Law of the Civil
21 Administrative Code of Illinois.

22 (b) The Department may contract for court reporting
23 services, and, if it does so, the Department shall provide the
24 name and contact information for the certified shorthand
25 reporter or certified voice writer reporter who transcribed

1 the testimony at a hearing to any person interested, who may
2 obtain a copy of the transcript of any proceedings at a hearing
3 upon payment of the fee specified by the certified shorthand
4 reporter or certified voice writer.

5 (Source: P.A. 101-346, eff. 8-9-19.)

6 Section 70. The Landscape Architecture Registration Act is
7 amended by changing Section 95 as follows:

8 (225 ILCS 316/95)

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

10 Sec. 95. Record of proceedings.

11 (a) The Department, at its expense, shall provide a
12 certified shorthand reporter or certified voice writer
13 reporter to take down the testimony and preserve a record of
14 all proceedings in which a registrant may have their
15 registration revoked or suspended or in which the registrant
16 may be placed on probationary status, reprimanded, fined, or
17 subjected to other disciplinary action with reference to the
18 registration when a disciplinary action is authorized under
19 this Act and rules issued pursuant to this Act. The notice of
20 hearing, complaint, and all other documents in the nature of
21 pleadings and written motions filed in the proceedings, the
22 transcript of the testimony, and the orders of the Department
23 shall be the record of the proceedings. The record may be made
24 available to any person interested in the hearing upon payment

1 of the fee required by Section 2105-115 of the Department of
2 Professional Regulation Law.

3 (b) The Department may contract for court reporting
4 services, and, if it does so, the Department shall provide the
5 name and contact information for the certified shorthand
6 reporter or certified voice writer reporter who transcribed
7 the testimony at a hearing to any person interested, who may
8 obtain a copy of the transcript of any proceedings at a hearing
9 upon payment of the fee specified by the certified shorthand
10 reporter or certified voice writer reporter.

11 (Source: P.A. 102-284, eff. 8-6-21.)

12 Section 75. The Professional Engineering Practice Act of
13 1989 is amended by changing Section 27 as follows:

14 (225 ILCS 325/27) (from Ch. 111, par. 5227)

15 (Section scheduled to be repealed on January 1, 2030)

16 Sec. 27. Record of proceedings.

17 (a) The Department, at its expense, shall provide a
18 certified shorthand reporter or certified voice writer
19 reporter to take down the testimony and preserve a record of
20 all proceedings at the hearing of any case in which a license
21 may be revoked or suspended or in which a licensee may be
22 placed on probationary status, reprimanded, fined, or
23 subjected to other disciplinary action with reference to the
24 license when a disciplinary action is authorized under this

1 Act and its rules. The notice of hearing, complaint, and all
2 other documents in the nature of pleadings and written motions
3 filed in the proceedings, the transcript of the testimony, the
4 report of the Board, and the orders of the Department shall be
5 the record of the proceedings. The record may be made
6 available to any person interested in the hearing upon payment
7 of the fee required by Section 2105-115 of the Department of
8 Professional Regulation Law of the Civil Administrative Code
9 of Illinois.

10 (b) The Department may contract for court reporting
11 services, and, if it does so, the Department shall provide the
12 name and contact information for the certified shorthand
13 reporter or certified voice writer reporter who transcribed
14 the testimony at a hearing to any person interested, who may
15 obtain a copy of the transcript of any proceedings at a hearing
16 upon payment of the fee specified by the certified shorthand
17 reporter or certified voice writer reporter.

18 (Source: P.A. 101-310, eff. 8-9-19.)

19 Section 80. The Illinois Professional Land Surveyor Act of
20 1989 is amended by changing Section 30 as follows:

21 (225 ILCS 330/30) (from Ch. 111, par. 3280)

22 (Section scheduled to be repealed on January 1, 2030)

23 Sec. 30. Record of proceedings.

24 (a) The Department, at its expense, shall provide a

1 certified shorthand reporter or certified voice writer
2 reporter to take down the testimony and preserve a record of
3 all proceedings at the hearing of any case where a license may
4 be revoked, suspended, placed on probationary status,
5 reprimanded, fined, or subjected to other disciplinary action
6 with reference to the license when a disciplinary action is
7 authorized under this Act and its rules. The notice of
8 hearing, complaint, and all other documents in the nature of
9 pleadings and written motions filed in the proceedings, the
10 transcript of testimony, the report of the Board, and the
11 orders of the Department shall be the record of the
12 proceedings. The record may be made available to any person
13 interested in the hearing upon payment of the fee required by
14 Section 2105-115 of the Department of Professional Regulation
15 Law of the Civil Administrative Code of Illinois.

16 (b) The Department may contract for court reporting
17 services, and, if it does so, the Department shall provide the
18 name and contact information for the certified shorthand
19 reporter or certified voice writer reporter who transcribed
20 the testimony at a hearing to any person interested, who may
21 obtain a copy of the transcript of any proceedings at a hearing
22 upon payment of the fee specified by the certified shorthand
23 reporter or certified voice writer reporter.

24 (Source: P.A. 101-313, eff. 8-9-19.)

25 Section 85. The Structural Engineering Practice Act of

1 1989 is amended by changing Section 23 as follows:

2 (225 ILCS 340/23) (from Ch. 111, par. 6623)

3 (Section scheduled to be repealed on January 1, 2030)

4 Sec. 23. Record of proceedings.

5 (a) The Department, at its expense, shall provide a
6 certified shorthand reporter or certified voice writer
7 reporter to take down the testimony and preserve a record of
8 all proceedings at the hearing of any case in which a license
9 may be revoked or suspended or a licensee placed on
10 probationary status, reprimanded, fined, or subjected to other
11 disciplinary action with reference to the license when a
12 disciplinary action is authorized under this Act and its
13 rules. The notice of hearing, complaint, and all other
14 documents in the nature of pleadings and written motions filed
15 in the proceedings, the transcript of the testimony, the
16 report of the Board or hearing officer, and the orders of the
17 Department shall be the record of the proceedings. The record
18 may be made available to any person interested in the hearing
19 upon payment of the fee required by Section 2105-115 of the
20 Department of Professional Regulation Law of the Civil
21 Administrative Code of Illinois.

22 (b) The Department may contract for court reporting
23 services, and, if it does so, the Department shall provide the
24 name and contact information for the certified shorthand
25 reporter or certified voice writer reporter who transcribed

1 the testimony at a hearing to any person interested, who may
2 obtain a copy of the transcript of any proceedings at a hearing
3 upon payment of the fee specified by the certified shorthand
4 reporter or certified voice writer reporter.

5 (Source: P.A. 101-312, eff. 8-9-19.)

6 Section 90. The Cemetery Oversight Act is amended by
7 changing Section 25-35 as follows:

8 (225 ILCS 411/25-35)

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

10 Sec. 25-35. Record of proceedings.

11 (a) The Department, at its expense, shall provide a
12 certified shorthand reporter or certified voice writer
13 reporter to take down the testimony and preserve a record of
14 all proceedings at the hearing of any case in which a licensee
15 may be revoked, suspended, placed on probationary status,
16 reprimanded, fined, or subjected to other disciplinary action
17 with reference to the license when a disciplinary action is
18 authorized under this Act and rules. The notice of hearing,
19 complaint, and all other documents in the nature of pleadings
20 and written portions filed in the proceedings, the transcript
21 of the testimony, the report of the hearing officer, and the
22 orders of the Department shall be the record of the
23 proceedings. The record may be made available to any person
24 interested in the hearing upon payment of the fee required by

1 Section 2105-115 of the Department of Professional Regulation
2 Law.

3 (b) The Department may contract for court reporting
4 services, and, if it does so, the Department shall provide the
5 name and contact information for the certified shorthand
6 reporter or certified voice writer reporter who transcribed
7 the testimony at a hearing to any person interested, who may
8 obtain a copy of the transcript of any proceedings at a hearing
9 upon payment of the fee specified by the certified shorthand
10 reporter or certified voice writer reporter.

11 (Source: P.A. 102-20, eff. 6-25-21.)

12 Section 95. The Illinois Certified Shorthand Reporters Act
13 of 1984 is amended by changing the title of the Act and
14 Sections 1, 2, 3, 3.5, 4, 5, 6, 8, 9, 10, 11, 13, 14, 15, 16,
15 23, 23.1, 23.3, 23.4, 23.10, 23.13, 25, 26, 26.1, 27, and 28 as
16 follows:

17 (225 ILCS 415/Act title)

18 An Act concerning the regulation of shorthand reporting
19 and voice writer reporting.

20 (225 ILCS 415/1) (from Ch. 111, par. 6201)

21 (Section scheduled to be repealed on January 1, 2024)

22 Sec. 1. The practice of shorthand reporting and voice
23 writer reporting in the State ~~of Illinois~~ is hereby declared

1 to affect the public health, safety, and welfare and to be
2 subject to regulation and control in the public interest. This
3 Act is designed to encourage proficiency in the methods
4 ~~practice~~ of shorthand reporting and voice writer reporting as
5 a profession; to promote efficiency in court and general
6 reporting; and to extend to the public the protection afforded
7 by a standardized profession by establishing standards ~~a~~
8 ~~standard~~ of competency for certified shorthand reporters and
9 voice writer reporters. It is further declared that, in order
10 for the practice of shorthand reporting and voice writer
11 reporting as defined in this Act to merit and receive the
12 confidence of the public, only qualified persons shall be
13 authorized to practice shorthand reporting and voice writer
14 reporting in the State ~~of Illinois~~. This Act shall be
15 liberally construed to best carry out these subjects and
16 purposes.

17 (Source: P.A. 83-73.)

18 (225 ILCS 415/2) (from Ch. 111, par. 6202)

19 (Section scheduled to be repealed on January 1, 2024)

20 Sec. 2. This Act may be cited as the Illinois Certified
21 Shorthand Reporters and Voice Writer Reporters Act ~~of 1984~~.

22 (Source: P.A. 87-481.)

23 (225 ILCS 415/3) (from Ch. 111, par. 6203)

24 (Section scheduled to be repealed on January 1, 2024)

1 Sec. 3. License required. No person may practice shorthand
2 reporting or voice writer reporting on a temporary or
3 permanent basis in this State without being certified under
4 this Act. This Act does not prohibit any non-resident
5 practicing shorthand reporter or non-resident practicing voice
6 writer reporter from practicing shorthand reporting or voice
7 writer reporting in this State as to one single proceeding.

8 (Source: P.A. 98-445, eff. 12-31-13.)

9 (225 ILCS 415/3.5)

10 (Section scheduled to be repealed on January 1, 2024)

11 Sec. 3.5. Uncertified practice; violation; civil penalty.

12 (a) Any person who practices, offers to practice, attempts
13 to practice, or holds oneself out to practice as a shorthand
14 reporter or a voice writer reporter without being certified
15 under this Act shall, in addition to any other penalty
16 provided by law, pay a civil penalty to the Department in an
17 amount not to exceed \$10,000 for each offense as determined by
18 the Department and the assessment of costs as provided under
19 Section 23.3 of this Act. The civil penalty shall be assessed
20 by the Department after a hearing is held in accordance with
21 the provisions set forth in this Act regarding the provision
22 of a hearing for the discipline of a licensee.

23 (b) The Department has the authority and power to
24 investigate any and all unlicensed activity.

25 (c) The civil penalty shall be paid within 60 days after

1 the effective date of the order imposing the civil penalty.
2 The order shall constitute a judgment and may be filed and
3 execution had thereon in the same manner as any judgment from
4 any court of record.

5 (d) All moneys collected under this Section shall be
6 deposited into the General Professions Dedicated Fund.

7 (Source: P.A. 98-445, eff. 12-31-13.)

8 (225 ILCS 415/4) (from Ch. 111, par. 6204)

9 (Section scheduled to be repealed on January 1, 2024)

10 Sec. 4. In this Act:

11 (1) "Department" means the Department of Financial and
12 Professional Regulation.

13 (2) "Secretary" means the Secretary of Financial and
14 Professional Regulation.

15 (3) "Board" means the Certified Shorthand Reporters and
16 Voice Writer Reporters Board appointed by the Secretary.

17 (4) "The practice of shorthand reporting" means reporting,
18 by the use of any system of manual or mechanical shorthand
19 writing, of Grand Jury proceedings, court proceedings,
20 court-related ~~court—related~~ proceedings, pretrial
21 examinations, depositions, motions and related proceedings of
22 like character, or proceedings of an administrative agency
23 when the final decision of the agency with reference thereto
24 is likely to be subject to judicial review under the
25 provisions of the Administrative Review Law.

1 (5) "Shorthand reporter" means a person who is technically
2 qualified and certified under this Act to practice shorthand
3 reporting.

4 (6) "Stenographic notes" means the original notes by
5 manual or mechanical shorthand or shorthand writing taken by a
6 shorthand reporter of a proceeding while in attendance at such
7 proceeding for the purpose of reporting the same.

8 (7) "Address of record" means the designated address
9 recorded by the Department in the applicant's or licensee's
10 application file or license file as maintained by the
11 Department's licensure maintenance unit. It is the duty of the
12 applicant or licensee to inform the Department of any change
13 of address and those changes must be made either through the
14 Department's Internet website or by contacting the Department.

15 (8) "The practice of voice writer reporting" means
16 reporting, by the use of a system of repeating words of the
17 speaker into a closed microphone voice dictation silencer that
18 is capable of digital translation into text of grand jury
19 proceedings, court proceedings, court-related proceedings,
20 pretrial examinations, depositions, motions, and related
21 proceedings of like character, or proceedings of an
22 administrative agency when the final decision of the
23 administrative agency is likely to be subject to judicial
24 review under the provisions of the Administrative Review Law.

25 (9) "Voice writer notes" means the original record by
26 voice dictation taken by a voice writer reporter of a

1 proceeding while in attendance at such proceeding for the
2 purpose of reporting the same.

3 (10) "Voice writer reporter" means a person who is
4 technically qualified and certified under this Act to practice
5 voice writer reporting.

6 (Source: P.A. 98-445, eff. 12-31-13.)

7 (225 ILCS 415/5) (from Ch. 111, par. 6205)

8 (Section scheduled to be repealed on January 1, 2024)

9 Sec. 5. Use of titles ~~Title~~.

10 (a) Every person to whom a valid existing certificate as a
11 certified shorthand reporter has been issued under this Act
12 shall be designated as a Certified Shorthand Reporter and not
13 otherwise, and any such certified shorthand reporter may, in
14 connection with his or her practice of shorthand reporting,
15 use the abbreviation "C.S.R." or the title "Court Reporter".

16 (b) Every person to whom a valid existing certificate as a
17 certified voice writer reporter has been issued under this Act
18 shall be designated as a certified voice writer reporter and
19 not otherwise, and any such certified voice writer reporter
20 may use, in connection with the individual's practice of voice
21 writer reporting, the abbreviation "C.V.W.R" or phrase "voice
22 writer reporter".

23 (c) No person, other than the holder of a valid existing
24 certificate under this Act, shall use the applicable titles or
25 designations authorized under this Section. A person may hold

1 valid certificates both as a certified shorthand reporter and
2 as a certified voice writer reporter under this Act and may use
3 the titles authorized by this Section in connection with the
4 person's profession or business. ~~No person other than the~~
5 ~~holder of a valid existing certificate under this Act shall~~
6 ~~use the title or designation of "Certified Shorthand~~
7 ~~Reporter", "Court Reporter", or "C.S.R.", either directly or~~
8 ~~indirectly in connection with his or her profession or~~
9 ~~business.~~

10 (Source: P.A. 90-49, eff. 7-3-97.)

11 (225 ILCS 415/6) (from Ch. 111, par. 6206)

12 (Section scheduled to be repealed on January 1, 2024)

13 Sec. 6. Restricted certificate. Upon receipt of a written
14 request from the Chief Judge of the reporter's circuit, the
15 Department shall, upon payment of the required fee, issue to
16 any reporter who has been appointed in counties of less than
17 1,000,000 in population, has been examined under the Court
18 Reporters Act, and has achieved an "A" proficiency rating, a
19 restricted certificate by which such official court reporter
20 may then lawfully engage in reporting only court proceedings
21 to which the individual ~~he~~ may be assigned by the Chief Judge
22 of the individual's ~~his~~ circuit.

23 (Source: P.A. 98-445, eff. 12-31-13.)

24 (225 ILCS 415/8) (from Ch. 111, par. 6208)

1 (Section scheduled to be repealed on January 1, 2024)

2 Sec. 8. Certified Shorthand Reporters and Voice Writer
3 Reporters Board. The Secretary shall appoint a Certified
4 Shorthand Reporters and Voice Writer Reporters Board as
5 follows: 7 persons who shall be appointed by and shall serve in
6 an advisory capacity to the Secretary. At least 5 ~~Six~~ members
7 must be certified shorthand reporters, in good standing, and
8 actively engaged in the practice of shorthand reporting in
9 this State for at least 10 ~~ten~~ years who have not been subject
10 to disciplinary action during the 10 years immediately prior
11 to the date of appointment to the Board. One member may be a
12 certified voice writer reporter who is actively engaged in the
13 practice of voice writer reporting and is in good standing in
14 this State; except for the initial appointment, the appointee
15 must be actively engaged in the practice of voice writer
16 reporting and meet the qualifications for certification under
17 this Act. One, ~~and one~~ member must be a member of the public
18 who is not certified under this Act, or a similar Act of
19 another jurisdiction. Members of the Board shall have no
20 liability in any action based upon any disciplinary proceeding
21 or other activity performed in good faith as members of the
22 Board.

23 Members shall serve 4 year terms and until their
24 successors are appointed and qualified. No member shall be
25 reappointed to the Board for a term that would cause the
26 member's ~~his~~ continuous service on the Board to be longer than

1 2 full consecutive terms. Appointments to fill vacancies shall
2 be made in the same manner as original appointments, for the
3 unexpired portion of the vacated term.

4 In making appointments to the Board, the Secretary shall
5 give consideration to recommendations by national and State
6 organizations of the shorthand reporter and voice writer
7 reporter professions ~~profession~~.

8 Four members of the Board shall constitute a quorum. A
9 quorum is required for all Board decisions.

10 The Secretary may remove or suspend any member of the
11 Board for cause at any time before the expiration of his or her
12 term. The Secretary shall be the sole arbiter of cause.

13 The Secretary shall consider the recommendations of the
14 Board on questions involving standards of professional
15 conduct, discipline and qualifications of candidates and
16 certificate holders under this Act.

17 Members of the Board shall be reimbursed for all
18 legitimate, necessary, and authorized expenses incurred in
19 attending the meetings of the Board.

20 Members of the Board have no liability in any action based
21 upon any disciplinary proceedings or other activity performed
22 in good faith as members of the Board.

23 (Source: P.A. 98-445, eff. 12-31-13.)

24 (225 ILCS 415/9) (from Ch. 111, par. 6209)

25 (Section scheduled to be repealed on January 1, 2024)

1 Sec. 9. Qualifications. Applications for original
2 certificates shall be made to the Department in writing on
3 forms prescribed by the Department and shall be accompanied by
4 the required fee, which shall not be returnable. Any such
5 application shall require such information as in the judgment
6 of the Department will enable the Department to pass on the
7 qualifications of the applicant for certification.

8 In determining competency, the Department shall require
9 proof that the applicant has a good understanding of the
10 English language, including reading, spelling, and vocabulary,
11 and that the applicant has sufficient ability to accurately
12 report any of the matters comprising the practice of shorthand
13 reporting or the practice of voice writer reporting, as herein
14 defined, by the use of any system of manual or mechanical
15 shorthand, ~~or~~ shorthand writing, or by the use of voice
16 writing through the use of a closed microphone voice dictation
17 silencer that is capable of digital translation into text, and
18 a clear understanding of obligations between a shorthand
19 reporter or a voice writer reporter and the parties to any
20 proceedings reported, as well as the provisions of this Act.

21 (Source: P.A. 98-445, eff. 12-31-13.)

22 (225 ILCS 415/10) (from Ch. 111, par. 6210)

23 (Section scheduled to be repealed on January 1, 2024)

24 Sec. 10. The Department shall authorize examinations at
25 such time and place as it may designate. The examination shall

1 be of a character to give a fair test of the qualifications of
2 the applicant to practice shorthand reporting or to practice
3 voice writer reporting.

4 Applicants for examination as certified shorthand
5 reporters and for examination as certified voice writer
6 reporters shall be required to pay, either to the Department
7 or the designated testing service, a fee covering the cost of
8 providing the examination. Failure to appear for the
9 examination on the scheduled date, at the time and place
10 specified, after the applicant's application for examination
11 has been received and acknowledged by the Department or the
12 designated testing service, shall result in the forfeiture of
13 the examination fee.

14 If an applicant neglects, fails or refuses to take the
15 next available examination offered or fails to pass an
16 examination for certification under this Act, the application
17 shall be denied. If an applicant for examination for
18 certification under this Act fails to pass the examination
19 within 3 years after filing his application, the application
20 shall be denied. However, such applicant may thereafter make a
21 new application accompanied by the required fee.

22 The Department may employ consultants for the purpose of
23 preparing and conducting examinations.

24 An applicant has one year from the date of notification of
25 successful completion of the examination to apply to the
26 Department for a license. If an applicant fails to apply

1 within one year, the applicant shall be required to take and
2 pass the examination again unless licensed in another
3 jurisdiction of the United States within one year of passing
4 the examination.

5 (Source: P.A. 98-445, eff. 12-31-13.)

6 (225 ILCS 415/11) (from Ch. 111, par. 6211)

7 (Section scheduled to be repealed on January 1, 2024)

8 Sec. 11. Qualifications; application.

9 (a) A person shall be qualified for certification as a
10 certified shorthand reporter if:

11 (1) that ~~A. That~~ person has applied in writing in form
12 and substance to the Department, ~~+~~ and:

13 (A) (blank) ~~(1) (Blank);~~

14 (B) is ~~(2) Is~~ of good moral character, the
15 determination of which shall take into account, L but
16 not be totally based upon, L any felony conviction of
17 the applicant; and

18 (C) has ~~(3) Has~~ graduated from a high school or
19 secondary school or its equivalent; and

20 (2) that ~~B. That~~ person has successfully completed the
21 examination authorized by the Department.

22 Additional qualifications for the practice of shorthand
23 reporting may be set by the Department by rule.

24 (b) A person shall be qualified for certification as a
25 certified voice writer reporter if that person:

1 (1) has applied in writing in form and substance
2 satisfactory to the Department;

3 (2) is of good moral character, the determination of
4 which shall take into account, but not totally be based
5 upon, any felony conviction of the applicant;

6 (3) has graduated from a high school or secondary
7 school or its equivalent;

8 (4) is trained in a voice writing method of reporting
9 as evidenced by a certificate of completion issued by the
10 school;

11 (5) has successfully completed the examination
12 authorized by the Department or submits a certification of
13 successful completion of an examination from another
14 jurisdiction that is the equivalent of the examination
15 authorized by the Department; and

16 (6) submits an official copy of a Certified Verbatim
17 Reporter Certificate or Certificate of Merit issued by the
18 National Verbatim Reporters Association.

19 Additional qualifications for the practice of voice writer
20 reporting may be set by the Department by rule.

21 (Source: P.A. 98-445, eff. 12-31-13.)

22 (225 ILCS 415/13) (from Ch. 111, par. 6213)

23 (Section scheduled to be repealed on January 1, 2024)

24 Sec. 13. No action or suit shall be instituted, nor
25 recovery therein be had, in any court of this State by any

1 person for compensation for any act done or service rendered,
2 the doing or rendering of which is prohibited under the
3 provisions of this Act to other than certified shorthand
4 reporters or certified voice writer reporters.

5 (Source: P.A. 83-73.)

6 (225 ILCS 415/14) (from Ch. 111, par. 6214)

7 (Section scheduled to be repealed on January 1, 2024)

8 Sec. 14. Expiration, renewal, and military service. The
9 expiration date and renewal period for each certificate issued
10 under this Act shall be set by rule.

11 Any certified shorthand reporter or certified voice writer
12 reporter who has permitted the ~~his~~ certificate to expire or
13 who has had the ~~his~~ certificate on inactive status may have the
14 ~~his~~ certificate restored by making application to the
15 Department, filing proof acceptable to the Department of the
16 reporter's ~~his~~ fitness to have the ~~his~~ certificate restored
17 and paying the required restoration fee. The Department may
18 consider a certificate expired less than 5 years as prima
19 facie evidence that the applicant is fit. If a certificate has
20 expired or has been placed on inactive status and the
21 applicant has practiced in another jurisdiction during such
22 period, satisfactory proof of fitness may include sworn
23 evidence certifying to active practice in another
24 jurisdiction.

25 If the certified shorthand reporter or certified voice

1 writer reporter has not maintained an active practice in
2 another jurisdiction satisfactory to the Department, the
3 Department shall determine, by an evaluation program
4 established by rule, the reporter's ~~his~~ fitness to resume
5 active status and shall, by rule, establish procedures and
6 requirements for restoration.

7 However, any certified shorthand reporter or certified
8 voice writer reporter whose certificate expired while the
9 reporter ~~he~~ was (1) in Federal Service on active duty with the
10 Armed Forces of the United States, or the State Militia called
11 into service or training, or (2) in training or education
12 under the supervision of the United States preliminary to
13 induction into the military service, may have the reporter's
14 ~~his~~ certificate renewed or restored without paying any lapsed
15 renewal fees if within 2 years after termination of such
16 service, training, or education except under conditions other
17 than honorable, the reporter ~~he~~ furnished the Department with
18 satisfactory evidence to the effect that the reporter ~~he~~ has
19 been so engaged and that the reporter's ~~his~~ service, training,
20 or education has been so terminated.

21 (Source: P.A. 98-445, eff. 12-31-13.)

22 (225 ILCS 415/15) (from Ch. 111, par. 6215)

23 (Section scheduled to be repealed on January 1, 2024)

24 Sec. 15. Inactive status. Any certified shorthand reporter
25 or certified voice writer reporter who notifies the Department

1 in writing on forms prescribed by the Department, may elect to
2 place the reporter's ~~his~~ certificate on an inactive status and
3 shall, subject to rules of the Department, be excused from
4 payment of renewal fees until the reporter ~~he~~ notifies the
5 Department in writing of the reporter's ~~his~~ desire to resume
6 active status.

7 Any certified shorthand reporter or certified voice writer
8 reporter requesting restoration from inactive status shall be
9 required to pay the current renewal fee and shall be required
10 to restore the reporter's ~~his~~ certificate, as provided in
11 Section 14.

12 Any certified shorthand reporter or certified voice writer
13 reporter whose certificate is in an inactive status shall not
14 practice shorthand reporting or voice writer reporting in the
15 State ~~of Illinois~~.

16 (Source: P.A. 98-445, eff. 12-31-13.)

17 (225 ILCS 415/16) (from Ch. 111, par. 6216)

18 (Section scheduled to be repealed on January 1, 2024)

19 Sec. 16. Endorsement; licensure without examination. The
20 Department may certify as a certified shorthand reporter or as
21 a certified voice writer reporter, without examination, on
22 payment of the required fee, an applicant who is a certified
23 shorthand reporter or certified voice writer reporter
24 registered under the laws of another jurisdiction, if the
25 requirements for certification of certified shorthand

1 reporters or certified voice writer reporters in that
2 jurisdiction were, at the date of the reporter's ~~his~~
3 certification, substantially equivalent to the requirements in
4 force in this State on that date.

5 Applicants have 3 years from the date of application to
6 complete the application process. If the process has not been
7 completed in 3 years, the application shall be denied, the fee
8 forfeited and the applicant must reapply and meet the
9 requirements in effect at the time of reapplication.

10 (Source: P.A. 98-445, eff. 12-31-13.)

11 (225 ILCS 415/23) (from Ch. 111, par. 6223)

12 (Section scheduled to be repealed on January 1, 2024)

13 Sec. 23. Grounds for disciplinary action.

14 (a) The Department may refuse to issue or renew, or may
15 revoke, suspend, place on probation, reprimand or take other
16 disciplinary or non-disciplinary action as the Department may
17 deem appropriate, including imposing fines not to exceed
18 \$10,000 for each violation and the assessment of costs as
19 provided for in Section 23.3 of this Act, with regard to any
20 license for any one or combination of the following:

21 (1) Material misstatement in furnishing information to
22 the Department;

23 (2) Violations of this Act, or of the rules
24 promulgated thereunder;

25 (3) Conviction by plea of guilty or nolo contendere,

1 finding of guilt, jury verdict, or entry of judgment or by
2 sentencing of any crime, including, but not limited to,
3 convictions, preceding sentences of supervision,
4 conditional discharge, or first offender probation under
5 the laws of any jurisdiction of the United States: (i)
6 that is a felony or (ii) that is a misdemeanor, an
7 essential element of which is dishonesty, or that is
8 directly related to the practice of the profession;

9 (4) Fraud or any misrepresentation in applying for or
10 procuring a license under this Act or in connection with
11 applying for renewal of a license under this Act;

12 (5) Professional incompetence;

13 (6) Aiding or assisting another person, firm,
14 partnership or corporation in violating any provision of
15 this Act or rules;

16 (7) Failing, within 60 days, to provide information in
17 response to a written request made by the Department;

18 (8) Engaging in dishonorable, unethical or
19 unprofessional conduct of a character likely to deceive,
20 defraud or harm the public;

21 (9) Habitual or excessive use or abuse of drugs
22 defined in law as controlled substances, alcohol, or any
23 other substances that results in the inability to practice
24 with reasonable judgment, skill, or safety;

25 (10) Discipline by another state, unit of government,
26 government agency, the District of Columbia, a territory,

1 or foreign nation, if at least one of the grounds for the
2 discipline is the same or substantially equivalent to
3 those set forth herein;

4 (11) Charging for professional services not rendered,
5 including filing false statements for the collection of
6 fees for which services were not rendered, or giving,
7 directly or indirectly, any gift or anything of value to
8 attorneys or their staff or any other persons or entities
9 associated with any litigation, that exceeds \$100 total
10 per year; for the purposes of this Section, pro bono
11 services, as defined by State law, are permissible in any
12 amount;

13 (12) A finding by the Board that the certificate
14 holder, after having the holder's ~~his~~ certificate placed
15 on probationary status, has violated the terms of
16 probation;

17 (13) Willfully making or filing false records or
18 reports in the practice of shorthand reporting or in the
19 practice of voice writer reporting, including, but not
20 limited to, false records filed with State agencies or
21 departments;

22 (14) Physical illness, including, but not limited to,
23 deterioration through the aging process, or loss of motor
24 skill which results in the inability to practice under
25 this Act with reasonable judgment, skill, or safety;

26 (15) Solicitation of professional services other than

1 by permitted advertising;

2 (16) Willful failure to take full and accurate
3 stenographic notes of any proceeding;

4 (17) Willful alteration of any stenographic notes
5 taken at any proceeding;

6 (18) Willful failure to accurately transcribe verbatim
7 any stenographic notes taken at any proceeding;

8 (19) Willful alteration of a transcript of
9 stenographic notes taken at any proceeding;

10 (20) Affixing one's signature to any transcript of his
11 stenographic notes or certifying to its correctness unless
12 the transcript has been prepared by him or under his
13 immediate supervision;

14 (21) Willful failure to systematically retain
15 stenographic notes or transcripts on paper or any
16 electronic media for 10 years from the date that the notes
17 or transcripts were taken;

18 (22) Failure to deliver transcripts in a timely manner
19 or in accordance with contractual agreements;

20 (23) Establishing contingent fees as a basis of
21 compensation;

22 (24) Mental illness or disability that results in the
23 inability to practice under this Act with reasonable
24 judgment, skill, or safety;

25 (25) Practicing under a false or assumed name, except
26 as provided by law;

1 (26) Cheating on or attempting to subvert the
2 licensing examination administered under this Act;

3 (27) Allowing one's license under this Act to be used
4 by an unlicensed person in violation of this Act.

5 All fines imposed under this Section shall be paid within
6 60 days after the effective date of the order imposing the fine
7 or in accordance with the terms set forth in the order imposing
8 the fine.

9 (b) The determination by a circuit court that a
10 certificate holder is subject to involuntary admission or
11 judicial admission as provided in the Mental Health and
12 Developmental Disabilities Code, operates as an automatic
13 suspension. Such suspension will end only upon a finding by a
14 court that the patient is no longer subject to involuntary
15 admission or judicial admission, an order by the court so
16 finding and discharging the patient. In any case where a
17 license is suspended under this Section, the licensee may file
18 a petition for restoration and shall include evidence
19 acceptable to the Department that the licensee can resume
20 practice in compliance with acceptable and prevailing
21 standards of the profession.

22 (c) In cases where the Department of Healthcare and Family
23 Services has previously determined a licensee or a potential
24 licensee is more than 30 days delinquent in the payment of
25 child support and has subsequently certified the delinquency
26 to the Department, the Department may refuse to issue or renew

1 or may revoke or suspend that person's license or may take
2 other disciplinary action against that person based solely
3 upon the certification of delinquency made by the Department
4 of Healthcare and Family Services in accordance with item (5)
5 of subsection (a) of Section 2105-15 of the Civil
6 Administrative Code of Illinois.

7 (d) In enforcing this Section, the Department, upon a
8 showing of a possible violation, may compel any individual who
9 is certified under this Act or any individual who has applied
10 for certification under this Act to submit to a mental or
11 physical examination and evaluation, or both, which may
12 include a substance abuse or sexual offender evaluation, at
13 the expense of the Department. The Department shall
14 specifically designate the examining physician licensed to
15 practice medicine in all of its branches or, if applicable,
16 the multidisciplinary team involved in providing the mental or
17 physical examination and evaluation, or both. The
18 multidisciplinary team shall be led by a physician licensed to
19 practice medicine in all of its branches and may consist of one
20 or more or a combination of physicians licensed to practice
21 medicine in all of its branches, licensed chiropractic
22 physicians, licensed clinical psychologists, licensed clinical
23 social workers, licensed clinical professional counselors, and
24 other professional and administrative staff. Any examining
25 physician or member of the multidisciplinary team may require
26 any person ordered to submit to an examination and evaluation

1 pursuant to this Section to submit to any additional
2 supplemental testing deemed necessary to complete any
3 examination or evaluation process, including, but not limited
4 to, blood testing, urinalysis, psychological testing, or
5 neuropsychological testing.

6 The Department may order the examining physician or any
7 member of the multidisciplinary team to provide to the
8 Department any and all records, including business records,
9 that relate to the examination and evaluation, including any
10 supplemental testing performed. The Department may order the
11 examining physician or any member of the multidisciplinary
12 team to present testimony concerning this examination and
13 evaluation of the certified shorthand reporter, certified
14 voice writer reporter, or applicant, including testimony
15 concerning any supplemental testing or documents relating to
16 the examination and evaluation. No information, report,
17 record, or other documents in any way related to the
18 examination and evaluation shall be excluded by reason of any
19 common law or statutory privilege relating to communication
20 between the licensee or applicant and the examining physician
21 or any member of the multidisciplinary team. No authorization
22 is necessary from the certified shorthand reporter, certified
23 voice writer reporter, or applicant ordered to undergo an
24 evaluation and examination for the examining physician or any
25 member of the multidisciplinary team to provide information,
26 reports, records, or other documents or to provide any

1 testimony regarding the examination and evaluation. The
2 individual to be examined may have, at his or her own expense,
3 another physician of his or her choice present during all
4 aspects of the examination.

5 Failure of any individual to submit to mental or physical
6 examination and evaluation, or both, when directed, shall
7 result in an automatic suspension, without hearing, until such
8 time as the individual submits to the examination. If the
9 Department finds a certified shorthand reporter or certified
10 voice writer reporter unable to practice because of the
11 reasons set forth in this Section, the Department shall
12 require the certified shorthand reporter or certified voice
13 writer reporter to submit to care, counseling, or treatment by
14 physicians approved or designated by the Department, as a
15 condition for continued, reinstated, or renewed certification.

16 When the Secretary immediately suspends a certificate
17 under this Section, a hearing upon the person's certificate
18 must be convened by the Department within 15 days after the
19 suspension and completed without appreciable delay. The
20 Department shall have the authority to review the certified
21 shorthand reporter's or certified voice writer reporter's
22 record of treatment and counseling regarding the impairment,
23 to the extent permitted by applicable federal statutes and
24 regulations safeguarding the confidentiality of medical
25 records.

26 Individuals certified under this Act, affected under this

1 Section, shall be afforded an opportunity to demonstrate to
2 the Department that they can resume practice in compliance
3 with acceptable and prevailing standards under the provisions
4 of their certification.

5 (e) (Blank).

6 (f) The Department may refuse to issue or may suspend
7 without hearing, as provided for in the Code of Civil
8 Procedure, the license of any person who fails to file a
9 return, to pay the tax, penalty, or interest shown in a filed
10 return, or to pay any final assessment of tax, penalty, or
11 interest as required by any tax Act administered by the
12 Illinois Department of Revenue, until such time as the
13 requirements of any such tax Act are satisfied in accordance
14 with subsection (g) of Section 2105-15 of the Civil
15 Administrative Code of Illinois.

16 (Source: P.A. 100-872, eff. 8-14-18.)

17 (225 ILCS 415/23.1) (from Ch. 111, par. 6224)

18 (Section scheduled to be repealed on January 1, 2024)

19 Sec. 23.1. Injunctive actions; order to cease and desist.

20 (a) If any person violates the provisions of this Act, the
21 Secretary may, in the name of the People of the State of
22 Illinois, through the Attorney General of the State of
23 Illinois or the State's Attorney of the county in which the
24 violation is alleged to have occurred, petition for an order
25 enjoining such violation or for an order enforcing compliance

1 with this Act. Upon the filing of a verified petition in such
2 court, the court may issue a temporary restraining order,
3 without notice or bond, and may preliminarily and permanently
4 enjoin such violation. If it is established that such person
5 has violated or is violating the injunction, the court may
6 punish the offender for contempt of court. Proceedings under
7 this Section shall be in addition to, and not in lieu of, all
8 other remedies and penalties provided by this Act.

9 (b) If any person practices as a certified shorthand
10 reporter or certified voice writer reporter or holds himself
11 or herself out as a certified shorthand reporter or certified
12 voice writer reporter without being licensed under the
13 provisions of this Act then any certified shorthand reporter,
14 any certified voice writer reporter, any interested party or
15 any person injured thereby may, in addition to the Secretary,
16 petition for relief as provided in subsection (a).

17 (c) Whenever in the opinion of the Department any person
18 violates any provision of this Act, the Department may issue a
19 rule to show cause why an order to cease and desist should not
20 be entered against that individual. The rule shall clearly set
21 forth the grounds relied upon by the Department and shall
22 provide a period of 7 days from the date of the rule to file an
23 answer to the satisfaction of the Department. Failure to
24 answer to the satisfaction of the Department shall cause an
25 order to cease and desist to be issued forthwith.

26 (Source: P.A. 98-445, eff. 12-31-13.)

1 (225 ILCS 415/23.3) (from Ch. 111, par. 6226)

2 (Section scheduled to be repealed on January 1, 2024)

3 Sec. 23.3. Records of proceedings. The Department, at its
4 expense, shall preserve a record of all proceedings at the
5 formal hearing of any case. The notice of hearing, complaint
6 and all other documents in the nature of pleadings and written
7 motions filed in the proceedings, the transcript of testimony,
8 the report of the Board and orders of the Department, shall be
9 the record of such proceeding. Any certified shorthand
10 reporter or certified voice writer reporter who is found to
11 have violated this Act or who fails to appear for a hearing to
12 refuse to issue, restore, or renew a license or to discipline a
13 licensee may be required by the Department to pay for the costs
14 of the proceeding. These costs are limited to costs for court
15 reporters, transcripts, and witness attendance and mileage
16 fees. All costs imposed under this Section shall be paid
17 within 60 days after the effective date of the order imposing
18 the fine.

19 (Source: P.A. 98-445, eff. 12-31-13.)

20 (225 ILCS 415/23.4) (from Ch. 111, par. 6227)

21 (Section scheduled to be repealed on January 1, 2024)

22 Sec. 23.4. Subpoenas; oaths. The Department may subpoena
23 and bring before it any person and to take the oral or written
24 testimony or compel the production of any books, papers,

1 records, or any other documents that the Secretary or his or
2 her designee deems relevant or material to an investigation or
3 hearing conducted by the Department with the same fees and
4 mileage and in the same manner as prescribed by law in judicial
5 procedure in civil cases in courts of this State.

6 The Secretary, the designated hearing officer, any member
7 of the Board, or a certified shorthand court reporter or a
8 certified voice writer reporter may have power to administer
9 oaths at any hearing which the Department conducts.
10 Notwithstanding any other statute or Department rule to the
11 contrary, all requests for testimony and production of
12 documents or records shall be in accordance with this Act.

13 (Source: P.A. 98-445, eff. 12-31-13.)

14 (225 ILCS 415/23.13) (from Ch. 111, par. 6236)

15 (Section scheduled to be repealed on January 1, 2024)

16 Sec. 23.13. Summary suspension. The Secretary may
17 summarily suspend the certificate of a certified shorthand
18 reporter or a certified voice writer reporter without a
19 hearing, simultaneously with the institution of proceedings
20 for a hearing provided for in Section 23.2 of this Act, if the
21 Secretary finds that the evidence indicates that a certified
22 shorthand reporter's or a certified voice writer reporter's
23 continuation in practice would constitute an imminent danger
24 to the public. In the event that the Secretary summarily
25 suspends the certificate of a certified shorthand reporter or

1 a certified voice writer reporter without a hearing, a hearing
2 shall be commenced within 30 days after such suspension has
3 occurred and shall be concluded as expeditiously as possible.
4 (Source: P.A. 98-445, eff. 12-31-13.)

5 (225 ILCS 415/25) (from Ch. 111, par. 6241)

6 (Section scheduled to be repealed on January 1, 2024)

7 Sec. 25. Home rule. The regulation and licensing of a
8 shorthand reporter or a voice writer reporter are exclusive
9 powers and functions of the State. A home rule unit may not
10 regulate or license a shorthand reporter or the practice of
11 shorthand reporting or regulate or license a voice writer
12 reporter or the practice of voice writer reporting. This
13 Section is a denial and limitation of home rule powers and
14 functions under subsection (h) of Section 6 of Article VII of
15 the Illinois Constitution.

16 (Source: P.A. 98-445, eff. 12-31-13.)

17 (225 ILCS 415/26) (from Ch. 111, par. 6242)

18 (Section scheduled to be repealed on January 1, 2024)

19 Sec. 26. Every shorthand reporter and voice writer
20 reporter shall print his or her name and license or restricted
21 license number on each transcript reported.

22 (Source: P.A. 87-481; 87-576.)

23 (225 ILCS 415/26.1)

1 (Section scheduled to be repealed on January 1, 2024)

2 Sec. 26.1. Responsibility for notes. It is the licensee's
3 responsibility to preserve the licensee's ~~his or her~~ shorthand
4 notes or voice writer notes for a period of no less than 10
5 years from the date that the notes or transcripts were taken,
6 except as otherwise prescribed by law, through storage of the
7 original paper notes or an electronic copy of either the
8 shorthand notes, voice writer notes, or the English transcript
9 of the notes on computer disks, cassettes, backup tape
10 systems, optical or laser disk systems, or other retrieval
11 systems available at the time that the notes or transcripts
12 were taken.

13 (Source: P.A. 98-445, eff. 12-31-13.)

14 (225 ILCS 415/27) (from Ch. 111, par. 6243)

15 (Section scheduled to be repealed on January 1, 2024)

16 Sec. 27. As a condition for renewal of a license,
17 licensees shall be required to complete continuing education
18 in accordance with rules established by the Department.

19 Persons employed as full time court reporters under the
20 Court Reporters Act may apply for a waiver from the continuing
21 education requirements. The waiver shall be granted upon the
22 submission of evidence satisfactory to the Department that the
23 certified shorthand reporter or certified voice writer
24 reporter is employed as a full time court reporter under the
25 Court Reporters Act.

1 (Source: P.A. 98-445, eff. 12-31-13.)

2 (225 ILCS 415/28)

3 (Section scheduled to be repealed on January 1, 2024)

4 Sec. 28. Payment for services. A person certified under
5 this Act may hold an attorney, firm, or any other entity
6 personally responsible for payment of shorthand reporting
7 services or voice writer reporting services rendered at the
8 request of that attorney, firm, or entity.

9 (Source: P.A. 90-295, eff. 8-1-97.)

10 Section 100. The Illinois Public Accounting Act is amended
11 by changing Section 20.2 as follows:

12 (225 ILCS 450/20.2) (from Ch. 111, par. 5523)

13 (Section scheduled to be repealed on January 1, 2024)

14 Sec. 20.2. Subpoenas; depositions; oaths.

15 (a) The Department may subpoena and bring before it any
16 person to take the oral or written testimony or compel the
17 production of any books, papers, records, or any other
18 documents that the Secretary or his or her designee deems
19 relevant or material to any investigation or hearing conducted
20 by the Department with the same fees and mileage as prescribed
21 in civil cases in circuit courts of this State and in the same
22 manner as prescribed by this Act and its rules.

23 (b) The Secretary, any member of the Committee designated

1 by the Secretary, a certified shorthand reporter or certified
2 voice writer reporter, or any hearing officer appointed may
3 administer oaths at any hearing which the Department conducts.
4 Notwithstanding any statute or Department rule to the
5 contrary, all requests for testimony, production of documents,
6 or records shall be in accordance with this Act.

7 (Source: P.A. 98-254, eff. 8-9-13.)

8 Section 105. The Real Estate Appraiser Licensing Act of
9 2002 is amended by changing Section 15-15 as follows:

10 (225 ILCS 458/15-15)

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

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

13 (a) Upon the motion of the Department or the Board or upon
14 a complaint in writing of a person setting forth facts that, if
15 proven, would constitute grounds for suspension, revocation,
16 or other disciplinary action against a licensee or applicant
17 for licensure, the Department shall investigate the actions of
18 the licensee or applicant. If, upon investigation, the
19 Department believes that there may be cause for suspension,
20 revocation, or other disciplinary action, the Department shall
21 use the services of a State certified general real estate
22 appraiser, a State certified residential real estate
23 appraiser, or the Coordinator to assist in determining whether
24 grounds for disciplinary action exist prior to commencing

1 formal disciplinary proceedings.

2 (b) Formal disciplinary proceedings shall commence upon
3 the issuance of a written complaint describing the charges
4 that are the basis of the disciplinary action and delivery of
5 the detailed complaint to the address of record of the
6 licensee or applicant. For an associate real estate trainee
7 appraiser, a copy shall also be sent to the licensee's
8 supervising appraiser of record. The Department shall notify
9 the licensee or applicant to file a verified written answer
10 within 20 days after the service of the notice and complaint.
11 The notification shall inform the licensee or applicant of the
12 right to be heard in person or by legal counsel; that the
13 hearing will be afforded not sooner than 20 days after service
14 of the complaint; that failure to file an answer will result in
15 a default being entered against the licensee or applicant;
16 that the license may be suspended, revoked, or placed on
17 probationary status; and that other disciplinary action may be
18 taken pursuant to this Act, including limiting the scope,
19 nature, or extent of the licensee's practice. If the licensee
20 or applicant fails to file an answer after service of notice,
21 the respective license may, at the discretion of the
22 Department, be suspended, revoked, or placed on probationary
23 status and the Department may take whatever disciplinary
24 action it deems proper, including limiting the scope, nature,
25 or extent of the person's practice, without a hearing.

26 (c) At the time and place fixed in the notice, the Board

1 shall conduct hearing of the charges, providing both the
2 accused person and the complainant ample opportunity to
3 present in person or by counsel such statements, testimony,
4 evidence, and argument as may be pertinent to the charges or to
5 a defense thereto.

6 (d) The Board shall present to the Secretary a written
7 report of its findings of fact and recommendations. A copy of
8 the report shall be served upon the licensee or applicant,
9 either personally, by mail, or, at the discretion of the
10 Department, by electronic means. For associate real estate
11 trainee appraisers, a copy shall also be sent to the
12 licensee's supervising appraiser of record. Within 20 days
13 after the service, the licensee or applicant may present the
14 Secretary with a motion in writing for a rehearing and shall
15 specify the particular grounds for the request. If the accused
16 orders a transcript of the record as provided in this Act, the
17 time elapsing thereafter and before the transcript is ready
18 for delivery to the accused shall not be counted as part of the
19 20 days. If the Secretary is not satisfied that substantial
20 justice has been done, the Secretary may order a rehearing by
21 the Board or other special committee appointed by the
22 Secretary, may remand the matter to the Board for its
23 reconsideration of the matter based on the pleadings and
24 evidence presented to the Board, or may enter a final order in
25 contravention of the Board's recommendation. Notwithstanding a
26 licensee's or applicant's failure to file a motion for

1 rehearing, the Secretary shall have the right to take any of
2 the actions specified in this subsection (d). Upon the
3 suspension or revocation of a license, the licensee shall be
4 required to surrender the respective license to the
5 Department, and upon failure or refusal to do so, the
6 Department shall have the right to seize the license.

7 (e) The Department has the power to issue subpoenas and
8 subpoenas duces tecum to bring before it any person in this
9 State, to take testimony, or to require production of any
10 records relevant to an inquiry or hearing by the Board in the
11 same manner as prescribed by law in judicial proceedings in
12 the courts of this State. In a case of refusal of a witness to
13 attend, testify, or to produce books or papers concerning a
14 matter upon which the witness might be lawfully examined, the
15 circuit court of the county where the hearing is held, upon
16 application of the Department or any party to the proceeding,
17 may compel obedience by proceedings as for contempt.

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

20 (g) In addition to the provisions of this Section
21 concerning the conduct of hearings and the recommendations for
22 discipline, the Department has the authority to negotiate
23 disciplinary and non-disciplinary settlement agreements
24 concerning any license issued under this Act. All such
25 agreements shall be recorded as Consent Orders or Consent to
26 Administrative Supervision Orders.

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

7 (i) The Department, at its expense, shall preserve a
8 record of all formal hearings of any contested case involving
9 the discipline of a license. At all hearings or pre-hearing
10 conferences, the Department and the licensee shall be entitled
11 to have the proceedings transcribed by a certified shorthand
12 reporter or certified voice writer reporter. A copy of the
13 transcribed proceedings shall be made available to the
14 licensee by the certified shorthand reporter or certified
15 voice writer reporter upon payment of the prevailing contract
16 copy rate.

17 (Source: P.A. 102-20, eff. 1-1-22; 102-970, eff. 5-27-22.)

18 Section 110. The Animal Welfare Act is amended by changing
19 Section 15 as follows:

20 (225 ILCS 605/15) (from Ch. 8, par. 315)

21 Sec. 15. Any person affected by a final administrative
22 decision of the Department may have such decision reviewed
23 judicially by the circuit court of the county wherein such
24 person resides, or in the case of a corporation, wherein the

1 registered office is located. If the plaintiff in the review
2 proceeding is not a resident of this state, the venue shall be
3 in Sangamon County. The provisions of the Administrative
4 Review Law, and all amendments and modifications thereof, and
5 the rules adopted pursuant thereto, shall apply to and govern
6 all proceedings for the judicial review of final
7 administrative decisions of the Department hereunder. The term
8 "administrative decision" is defined as in Section 3-101 of
9 the Code of Civil Procedure.

10 The Department shall not be required to certify the record
11 of the proceeding unless the plaintiff in the review
12 proceedings has purchased a copy from the certified shorthand
13 reporter or certified voice writer reporter who prepared the
14 record. Exhibits shall be certified without cost.

15 (Source: P.A. 82-783.)

16 Section 115. The Liquor Control Act of 1934 is amended by
17 changing Section 7-9 as follows:

18 (235 ILCS 5/7-9) (from Ch. 43, par. 153)

19 Sec. 7-9. Except as provided in this Section, any order or
20 action of a local liquor control commissioner levying a fine
21 or refusing to levy a fine on a licensee, granting or refusing
22 to grant a license, revoking or suspending or refusing to
23 revoke or suspend a license or refusing for more than 30 days
24 to grant a hearing upon a complaint to revoke or suspend a

1 license may, within 20 days after notice of such order or
2 action, be appealed by any resident of the political
3 subdivision under the jurisdiction of the local liquor control
4 commissioner or any person interested, to the State
5 Commission.

6 In any case where a licensee appeals to the State
7 Commission from an order or action of the local liquor control
8 commission having the effect of suspending or revoking a
9 license, denying a renewal application, or refusing to grant a
10 license, the licensee shall resume the operation of the
11 licensed business pending the decision of the State Commission
12 and the expiration of the time allowed for an application for
13 rehearing. If an application for rehearing is filed, the
14 licensee shall continue the operation of the licensed business
15 until the denial of the application or, if the rehearing is
16 granted, until the decision on rehearing.

17 In any case in which a licensee appeals to the State
18 Commission a suspension or revocation by a local liquor
19 control commissioner that is the second or subsequent such
20 suspension or revocation placed on that licensee within the
21 preceding 12 month period, the licensee shall consider the
22 suspension or revocation to be in effect until a reversal of
23 the local liquor control commissioner's action has been issued
24 by the State Commission and shall cease all activity otherwise
25 authorized by the license. The State Commission shall
26 expedite, to the greatest extent possible, its consideration

1 of any appeal that is an appeal of a second or subsequent
2 suspension or revocation within the past 12 month period.

3 The appeal shall be limited to a review of the official
4 record of the proceedings of such local liquor control
5 commissioner if the county board, city council or board of
6 trustees, as the case may be, has adopted a resolution
7 requiring that such review be on the record. If such
8 resolution is adopted, a certified official record of the
9 proceedings taken and prepared by a certified court reporter,
10 ~~or~~ certified shorthand reporter, or certified voice writer
11 reporter shall be filed by the local liquor control
12 commissioner within 5 days after notice of the filing of such
13 appeal, if the appellant licensee pays for the cost of the
14 transcript. The State Commission shall review the propriety of
15 the order or action of the local liquor control commissioner
16 and shall consider the following questions:

17 (a) whether the local liquor control commissioner has
18 proceeded in the manner provided by law;

19 (b) whether the order is supported by the findings;

20 (c) whether the findings are supported by substantial
21 evidence in the light of the whole record.

22 The only evidence which may be considered in the review,
23 shall be the evidence found in the certified official record
24 of the proceedings of the local liquor control commissioner.
25 No new or additional evidence shall be admitted or considered.
26 The State Commission shall render a decision affirming,

1 reversing or modifying the order or action reviewed within 30
2 days after the appeal was heard.

3 In the event such appeal is from an order of a local liquor
4 control commissioner of a city, village or incorporated town
5 of 500,000 or more inhabitants, granting or refusing to grant
6 a license or refusing for more than 30 days to grant a hearing
7 upon a complaint to revoke or suspend a license, the matter of
8 the propriety of such order or action shall be tried de novo by
9 the license appeal commission as expeditiously as
10 circumstances permit.

11 In the event such appeal is from an order or action of a
12 local liquor control commissioner of a city, village or
13 incorporated town of 500,000 or more inhabitants, imposing a
14 fine or refusing to impose a fine on a licensee, revoking or
15 suspending or refusing to revoke or suspend a license, the
16 license appeal commission shall determine the appeal by a
17 review of the official record of the proceedings of such local
18 liquor control commissioner. A certified record of the
19 proceedings shall be promptly filed with the license appeal
20 commission by such local liquor control commissioner after
21 notice of the filing of such appeal if the appellant licensee
22 pays for the cost of the transcript and promptly delivers the
23 transcript to the local liquor control commission or its
24 attorney. The review by the license appeal commission shall be
25 limited to the questions:

26 (a) whether the local liquor control commissioner has

1 proceeded in the manner provided by law;

2 (b) whether the order is supported by the findings;

3 (c) whether the findings are supported by substantial
4 evidence in the light of the whole record.

5 No new or additional evidence in support of or in opposition to
6 such order or action under appeal shall be received other than
7 that contained in such record of the proceedings. Within 30
8 days after such appeal was heard, the license appeal
9 commission shall render its decision in accordance with the
10 provisions of Section 7-5.

11 In cities, villages and incorporated towns having a
12 population of 500,000 or more inhabitants, appeals from any
13 order or action shall lie to the license appeal commission of
14 such city, village or incorporated town. All of the provisions
15 of this Section and Section 7-10 relative to proceedings upon
16 appeals before the State Commission and relative to appeals
17 from the decisions of the State Commission shall apply also to
18 proceedings upon appeals before any license appeal commission
19 and appeals from the decisions of license appeal commission.

20 In any trial de novo hearing before the State Commission
21 or license appeal commission, the local liquor control
22 commissioner shall be entitled to 10 days notice and to be
23 heard. All such trial de novo hearings shall be open to the
24 public and the Illinois Liquor Control Commission and the
25 license appeal commission shall reduce all evidence offered
26 thereto to writing.

1 If after trial de novo hearing or review as provided
2 herein, the State Commission or the license appeal commission
3 (as the case may be) shall decide that the license has been
4 improperly issued, denied, revoked, suspended or refused to be
5 revoked or suspended or a hearing to revoke or suspend has been
6 improperly refused or that the licensee has been improperly
7 fined or not fined, it shall enter an order in conformity with
8 such findings, which order shall be in writing.

9 A certified copy of the order shall be transmitted to the
10 particular local liquor control commissioner and it shall be
11 the duty of the local liquor control commissioner to take such
12 action as may be necessary to conform with the order.

13 In any trial de novo hearing before the State Commission
14 or the license appeal commission, the licensee shall submit to
15 examination and produce books and records material to the
16 business conducted under the license in like manner as before
17 the local liquor control commissioner, and the failure of the
18 licensee to submit to such an examination or to produce such
19 books and records, or to appear at the hearing on such appeal,
20 shall constitute an admission that he has violated the
21 provisions of this Act. In the event the appeal is from an
22 order of the local liquor control commissioner denying a
23 renewal application, the licensee shall have on deposit with
24 the local liquor control commissioner an amount sufficient to
25 cover the license fee for the renewal period and any bond that
26 may be required.

1 (Source: P.A. 88-613, eff. 1-1-95.)

2 Section 120. The Salvage Warehouse and Salvage Warehouse
3 Store Act is amended by changing Section 10 as follows:

4 (240 ILCS 30/10) (from Ch. 114, par. 410)

5 Sec. 10. The Department, at its expense, shall provide a
6 stenographer to take down the testimony and preserve a record
7 of all proceedings at the hearing of any case involving the
8 refusal to issue or renew, or the suspension or revocation of a
9 license. The notice of hearing, complaint and all other
10 documents in the nature of pleadings and written motions filed
11 in the proceedings, the transcript of testimony, and orders of
12 the Department shall be the record of such proceedings. Any
13 interested person may purchase a copy of the transcript of the
14 record from the certified shorthand reporter or certified
15 voice writer reporter who prepared the record.

16 In any case involving the refusal to issue or renew or the
17 suspension or revocation of a license, a copy of the
18 Department's report shall be served upon the respondent by the
19 Department, either personally or by registered or certified
20 mail as provided in this Act for the service of the notice of
21 hearing. Within 20 days after such service, the respondent may
22 present to the Department a motion in writing for a rehearing,
23 which written motion shall specify the particular grounds
24 therefor. If no motion for rehearing is filed, then upon the

1 expiration of the time specified for filing such a motion, or
2 if a motion for rehearing is denied, then upon such denial, the
3 Director may enter an order. If the respondent shall order and
4 pay for a transcript of the record within the time for filing a
5 motion for rehearing, the 20 day period within which such a
6 motion may be filed shall commence upon the delivery of the
7 transcript to the respondent.

8 (Source: P.A. 81-750.)

9 Section 125. The Court Reporters Act is amended by
10 changing Section 5 as follows:

11 (705 ILCS 70/5) (from Ch. 37, par. 655)

12 Sec. 5. Means of reporting; transcripts. The court
13 reporter shall make a full reporting by means of stenographic
14 notes or voice writer reporting of the evidence and such other
15 proceedings in trials and judicial proceedings to which he or
16 she is assigned by the chief judge, and the court reporter may
17 use an electronic instrument as a supplementary device. In the
18 event that the court utilizes an audio or video recording
19 system approved by the Supreme Court to record the
20 proceedings, a court reporting services employee shall be in
21 charge of such system. To the extent that it does not
22 substantially interfere with the court reporter's other
23 official duties, a reporter may be assigned to secretarial or
24 clerical duties arising out of official court operations.

1 A court reporting services employee may charge a page rate
2 for the preparation of transcripts of court proceedings not to
3 exceed the rate set by the employer representative in the
4 Uniform Schedule of Charges for Transcripts.

5 (Source: P.A. 101-581, eff. 1-1-20.)

6 Section 130. The Unified Code of Corrections is amended by
7 changing Section 5-5-5 as follows:

8 (730 ILCS 5/5-5-5) (from Ch. 38, par. 1005-5-5)

9 Sec. 5-5-5. Loss and restoration of rights.

10 (a) Conviction and disposition shall not entail the loss
11 by the defendant of any civil rights, except under this
12 Section and Sections 29-6 and 29-10 of The Election Code, as
13 now or hereafter amended.

14 (b) A person convicted of a felony shall be ineligible to
15 hold an office created by the Constitution of this State until
16 the completion of his sentence.

17 (c) A person sentenced to imprisonment shall lose his
18 right to vote until released from imprisonment.

19 (d) On completion of sentence of imprisonment or upon
20 discharge from probation, conditional discharge or periodic
21 imprisonment, or at any time thereafter, all license rights
22 and privileges granted under the authority of this State which
23 have been revoked or suspended because of conviction of an
24 offense shall be restored unless the authority having

1 jurisdiction of such license rights finds after investigation
2 and hearing that restoration is not in the public interest.
3 This paragraph (d) shall not apply to the suspension or
4 revocation of a license to operate a motor vehicle under the
5 Illinois Vehicle Code.

6 (e) Upon a person's discharge from incarceration or
7 parole, or upon a person's discharge from probation or at any
8 time thereafter, the committing court may enter an order
9 certifying that the sentence has been satisfactorily completed
10 when the court believes it would assist in the rehabilitation
11 of the person and be consistent with the public welfare. Such
12 order may be entered upon the motion of the defendant or the
13 State or upon the court's own motion.

14 (f) Upon entry of the order, the court shall issue to the
15 person in whose favor the order has been entered a certificate
16 stating that his behavior after conviction has warranted the
17 issuance of the order.

18 (g) This Section shall not affect the right of a defendant
19 to collaterally attack his conviction or to rely on it in bar
20 of subsequent proceedings for the same offense.

21 (h) No application for any license specified in subsection
22 (i) of this Section granted under the authority of this State
23 shall be denied by reason of an eligible offender who has
24 obtained a certificate of relief from disabilities, as defined
25 in Article 5.5 of this Chapter, having been previously
26 convicted of one or more criminal offenses, or by reason of a

1 finding of lack of "good moral character" when the finding is
2 based upon the fact that the applicant has previously been
3 convicted of one or more criminal offenses, unless:

4 (1) there is a direct relationship between one or more
5 of the previous criminal offenses and the specific license
6 sought; or

7 (2) the issuance of the license would involve an
8 unreasonable risk to property or to the safety or welfare
9 of specific individuals or the general public.

10 In making such a determination, the licensing agency shall
11 consider the following factors:

12 (1) the public policy of this State, as expressed in
13 Article 5.5 of this Chapter, to encourage the licensure
14 and employment of persons previously convicted of one or
15 more criminal offenses;

16 (2) the specific duties and responsibilities
17 necessarily related to the license being sought;

18 (3) the bearing, if any, the criminal offenses or
19 offenses for which the person was previously convicted
20 will have on his or her fitness or ability to perform one
21 or more such duties and responsibilities;

22 (4) the time which has elapsed since the occurrence of
23 the criminal offense or offenses;

24 (5) the age of the person at the time of occurrence of
25 the criminal offense or offenses;

26 (6) the seriousness of the offense or offenses;

1 (7) any information produced by the person or produced
2 on his or her behalf in regard to his or her rehabilitation
3 and good conduct, including a certificate of relief from
4 disabilities issued to the applicant, which certificate
5 shall create a presumption of rehabilitation in regard to
6 the offense or offenses specified in the certificate; and

7 (8) the legitimate interest of the licensing agency in
8 protecting property, and the safety and welfare of
9 specific individuals or the general public.

10 (i) A certificate of relief from disabilities shall be
11 issued only for a license or certification issued under the
12 following Acts:

13 (1) the Animal Welfare Act; except that a certificate
14 of relief from disabilities may not be granted to provide
15 for the issuance or restoration of a license under the
16 Animal Welfare Act for any person convicted of violating
17 Section 3, 3.01, 3.02, 3.03, 3.03-1, or 4.01 of the Humane
18 Care for Animals Act or Section 26-5 or 48-1 of the
19 Criminal Code of 1961 or the Criminal Code of 2012;

20 (2) the Illinois Athletic Trainers Practice Act;

21 (3) the Barber, Cosmetology, Esthetics, Hair Braiding,
22 and Nail Technology Act of 1985;

23 (4) the Boiler and Pressure Vessel Repairer Regulation
24 Act;

25 (5) the Boxing and Full-contact Martial Arts Act;

26 (6) the Illinois Certified Shorthand Reporters and

- 1 Voice Writer Reporters Act of 1984;
2 (7) the Illinois Farm Labor Contractor Certification
3 Act;
4 (8) the Registered Interior Designers Act;
5 (9) the Illinois Professional Land Surveyor Act of
6 1989;
7 (10) the Landscape Architecture Registration Act;
8 (11) the Marriage and Family Therapy Licensing Act;
9 (12) the Private Employment Agency Act;
10 (13) the Professional Counselor and Clinical
11 Professional Counselor Licensing and Practice Act;
12 (14) the Real Estate License Act of 2000;
13 (15) the Illinois Roofing Industry Licensing Act;
14 (16) the Professional Engineering Practice Act of
15 1989;
16 (17) the Water Well and Pump Installation Contractor's
17 License Act;
18 (18) the Electrologist Licensing Act;
19 (19) the Auction License Act;
20 (20) the Illinois Architecture Practice Act of 1989;
21 (21) the Dietitian Nutritionist Practice Act;
22 (22) the Environmental Health Practitioner Licensing
23 Act;
24 (23) the Funeral Directors and Embalmers Licensing
25 Code;
26 (24) (blank);

- 1 (25) the Professional Geologist Licensing Act;
2 (26) the Illinois Public Accounting Act; and
3 (27) the Structural Engineering Practice Act of 1989.
4 (Source: P.A. 102-284, eff. 8-6-21.)

5 Section 135. The Illinois Pre-Need Cemetery Sales Act is
6 amended by changing Sections 9 and 11 as follows:

7 (815 ILCS 390/9) (from Ch. 21, par. 209)

8 Sec. 9. The Comptroller may upon his own motion
9 investigate the actions of any person providing, selling, or
10 offering pre-need sales contracts or of any applicant or any
11 person or persons holding or claiming to hold a license under
12 this Act. The Comptroller shall make such an investigation on
13 receipt of the verified written complaint of any person
14 setting forth facts which, if proved, would constitute grounds
15 for refusal, suspension, or revocation of a license. Before
16 refusing to issue, and before suspension or revocation of a
17 license, the Comptroller shall hold a hearing to determine
18 whether the applicant or licensee, hereafter called the
19 respondent, is entitled to hold such a license. At least 10
20 days prior to the date set for such hearing, the Comptroller
21 shall notify the respondent in writing that on the date
22 designated a hearing will be held to determine his eligibility
23 for a license and that he may appear in person or by counsel.
24 Such written notice may be served on the respondent

1 personally, or by registered or certified mail sent to the
2 respondent's business address as shown in his latest
3 notification to the Comptroller and shall include sufficient
4 information to inform the respondent of the general nature of
5 the charge. At the hearing, both the respondent and the
6 complainant shall be accorded ample opportunity to present in
7 person or by counsel such statements, testimony, evidence and
8 argument as may be pertinent to the charges or to any defense
9 thereto. The Comptroller may reasonably continue such hearing
10 from time to time.

11 The Comptroller may subpoena any person or persons in this
12 State and take testimony orally, by deposition or by exhibit,
13 in the same manner and with the same fees and mileage as
14 prescribed in judicial proceedings in civil cases.

15 Any authorized agent of the Comptroller may administer
16 oaths to witnesses at any hearing which the Comptroller is
17 authorized to conduct.

18 The Comptroller, at his expense, shall provide a certified
19 shorthand reporter or certified voice writer reporter to take
20 down the testimony and preserve a record of all proceedings at
21 the hearing of any case involving the refusal to issue a
22 license, the suspension or revocation of a license, the
23 imposition of a monetary penalty, or the referral of a case for
24 criminal prosecution. The record of any such proceeding shall
25 consist of the notice of hearing, complaint, all other
26 documents in the nature of pleadings and written motions filed

1 in the proceedings, the transcript of testimony and the report
2 and orders of the Comptroller. Copies of the transcript of
3 such record may be purchased from the certified shorthand
4 reporter or certified voice writer reporter who prepared the
5 record or from the Comptroller.

6 (Source: P.A. 92-419, eff. 1-1-02.)

7 (815 ILCS 390/11) (from Ch. 21, par. 211)

8 Sec. 11. Any person affected by a final administrative
9 decision of the Comptroller may have such decision reviewed
10 judicially by the circuit court of the county where such
11 person resides, or in the case of a corporation, where the
12 registered office is located. If the plaintiff in the review
13 proceeding is not a resident of this State, venue shall be in
14 Sangamon County. The provisions of the "Administrative Review
15 Law", approved August 19, 1981, all amendments and
16 modifications thereto, and any rules adopted under it govern
17 all proceedings for the judicial review of final
18 administrative decisions of the Comptroller. The term
19 "administrative decision" is defined as in the "Administrative
20 Review Law".

21 The Comptroller is not required to certify the record of
22 the proceeding unless the plaintiff in the review proceedings
23 has purchased a copy of the transcript from the certified
24 shorthand reporter or certified voice writer reporter who
25 prepared the record or from the Comptroller. Exhibits shall be

1 certified without cost.

2 (Source: P.A. 84-239.)

3 Section 999. Effective date. This Act takes effect January
4 1, 2024, except that the changes to Section 4.34 of the
5 Regulatory Sunset Act take effect upon becoming law.

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- 5 730 ILCS 5/5-5-5 from Ch. 38, par. 1005-5-5
- 6 815 ILCS 390/9 from Ch. 21, par. 209
- 7 815 ILCS 390/11 from Ch. 21, par. 211