



Rep. Kenneth Dunkin

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09700HB1265ham004

LRB097 05448 CEL 54141 a

1 AMENDMENT TO HOUSE BILL 1265

2 AMENDMENT NO. _____. Amend House Bill 1265, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Community Association Manager Licensing
6 and Disciplinary Act is amended by changing Section 65 as
7 follows:

8 (225 ILCS 427/65)

9 (Section scheduled to be repealed on January 1, 2020)

10 Sec. 65. Fees; Community Association Manager Licensing and
11 Disciplinary Fund.

12 (a) The fees for the administration and enforcement of this
13 Act, including, but not limited to, initial licensure, renewal,
14 and restoration, shall be set by rule of the Department. The
15 fees shall be nonrefundable.

16 (b) In addition to the application fee, applicants for the

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

9 (c) To support the costs of administering this Act, all
10 community associations that (i) are subject to this Act by
11 having ~~have~~ 10 or more units, (ii) retain an individual to
12 provide services as a community association manager for
13 compensation, (iii) are not master associations under Section
14 18.5 of the Condominium Property Act or the Common Interest
15 Community Association Act, and (iv) are registered in this
16 State as not-for-profit corporations shall pay to the
17 Department an annual fee of \$50 plus an additional \$1 per unit,
18 but shall not exceed an annual fee of \$1,000 for any community
19 association. The Department may establish forms and promulgate
20 any rules for the effective collection of such fees under this
21 subsection (c).

22 Any not-for-profit corporation in this State that fails to
23 pay in full to the Department all fees owed under this
24 subsection (c) shall be subject to the penalties and procedures
25 provided for under Section 92 of this Act.

26 (d) All fees, fines, penalties, or other monies received or

1 collected pursuant to this Act shall be deposited in the
2 Community Association Manager Licensing and Disciplinary Fund
3 for the administration of the Community Association Manager
4 Licensing Program and to protect the financial interests of
5 community associations.

6 (e) Four years after the date of the final adoption of
7 rules under this Act, and every 2 years thereafter, the
8 Secretary and the Board shall review the number of licenses and
9 the amount collected from community associations and make any
10 necessary adjustment of the fees for both licensees and
11 community associations subject to this Act, as recommended by
12 the Board, to equal the costs of administration for the
13 licensing program. Following the completion of the initial and
14 all subsequent fee adjustments, prospective and current
15 community association manager licensees and community
16 associations subject to this Act shall share the administration
17 costs as recommended by the Board and determined by the
18 Department.

19 (f) On or before December 31, 2014, the Department shall
20 prepare a report that shall be filed with the General Assembly
21 and that shall be made publicly available. The report shall
22 examine all of the Department's costs to enforce the provisions
23 of this Act and shall include, but not be limited to, the
24 following information:

25 (1) the total number of licenses issued under this Act;

26 (2) a description of the fees that were generated by

1 the Department in enforcing this Act;

2 (3) a description of the Department's costs in
3 administering and enforcing this Act; and

4 (4) a description of the enforcement actions taken by
5 the Department under this Act.

6 (Source: P.A. 96-726, eff. 7-1-10.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.".