

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 changing  
5 Section 4.22 and by adding Section 4.32 as follows:

6 (5 ILCS 80/4.22)

7 Sec. 4.22. Acts repealed on January 1, 2012. The following  
8 Acts are repealed on January 1, 2012:

9 The Detection of Deception Examiners Act.

10 The Home Inspector License Act.

11 The Interior Design Title Act.

12 The Massage Licensing Act.

13 The Petroleum Equipment Contractors Licensing Act.

14 ~~The Professional Boxing Act.~~

15 The Real Estate Appraiser Licensing Act of 2002.

16 The Water Well and Pump Installation Contractor's License  
17 Act.

18 (Source: P.A. 95-331, eff. 8-21-07.)

19 (5 ILCS 80/4.32 new)

20 Sec. 4.32. Acts repealed on January 1, 2022. The following  
21 Act is repealed on January 1, 2022:

22 The Boxing and Full-contact Martial Arts Act.

1 Section 7. The State Finance Act is amended by adding  
2 Section 5.786 as follows:

3 (30 ILCS 105/5.786 new)

4 Sec. 5.786. The Athletics Supervision and Regulation Fund.

5 Section 10. The Professional Boxing Act is amended by  
6 changing the title of the Act and Sections 0.05, 1, 2, 6, 7, 8,  
7 10, 10.5, 11, 12, 13, 15, 16, 17.7, 17.9, 17.10, 18, 19, 19.1,  
8 19.2, 19.5, 20, and 25.1 and by adding Sections 10.1, 11.5, and  
9 24.5 as follows:

10 (225 ILCS 105/Act title)

11 An Act in relation to ~~professional~~ boxing and full-contact  
12 martial arts.

13 (225 ILCS 105/0.05)

14 (Section scheduled to be repealed on January 1, 2012)

15 Sec. 0.05. Declaration of public policy. Professional  
16 boxing and full-contact martial arts contests in the State of  
17 Illinois, and amateur boxing and full-contact martial arts  
18 contests ~~events~~, are hereby declared to affect the public  
19 health, safety, and welfare and to be subject to regulation and  
20 control in the public interest. It is further declared to be a  
21 matter of public interest and concern that these contests ~~and~~

1 ~~events~~, as defined in this Act, merit and receive the  
2 confidence of the public and that only qualified persons be  
3 authorized to participate in these contests and events in the  
4 State of Illinois. This Act shall be liberally construed to  
5 best carry out these objects and purposes.

6 (Source: P.A. 95-593, eff. 6-1-08; 96-663, eff. 8-25-09.)

7 (225 ILCS 105/1) (from Ch. 111, par. 5001)

8 (Section scheduled to be repealed on January 1, 2012)

9 Sec. 1. Short title and definitions.

10 (a) This Act may be cited as the Boxing and Full-contact  
11 Martial Arts Act ~~Professional Boxing Act~~.

12 (b) As used in this Act:

13 ~~1.~~ "Department" means the Department of Financial and  
14 Professional Regulation.

15 ~~2.~~ "Secretary" means the Secretary of Financial and  
16 Professional Regulation.

17 ~~3.~~ "Board" means the State of Illinois Athletic  
18 Professional Boxing Board established pursuant to this Act  
19 ~~appointed by the Secretary~~.

20 ~~4.~~ "License" means the license issued for promoters,  
21 professionals ~~contestants~~, or officials in accordance with  
22 this Act.

23 ~~5. (Blank).~~

24 "Professional contest" ~~6. "Contest"~~ means a  
25 ~~professional boxing or professional~~ full-contact martial

1       arts competition in which all of the participants competing  
2       against one another are professionals and where the public  
3       is able to attend or a fee is charged ~~match or exhibition.~~

4       ~~7. (Blank).~~

5       ~~8. (Blank).~~

6       ~~9.~~ "Permit" means the authorization from the  
7       Department to a promoter to conduct professional or amateur  
8       contests, or a combination of both ~~contests.~~

9       ~~10.~~ "Promoter" means a person who is licensed and who  
10       holds a permit to conduct professional or amateur contests,  
11       or a combination of both.

12       ~~11.~~ Unless the context indicates otherwise, "person"  
13       includes, but is not limited to, an individual,  
14       association, organization, business entity, gymnasium, or  
15       club.

16       ~~12. (Blank).~~

17       ~~13. (Blank).~~

18       ~~14. (Blank).~~

19       ~~15.~~ "Judge" means a person licensed by the Department  
20       who is located at ringside or adjacent to the fighting area  
21       during a professional contest and who has the  
22       responsibility of scoring the performance of the  
23       participants in that professional ~~the~~ contest.

24       ~~16.~~ "Referee" means a person licensed by the Department  
25       who has the general supervision of ~~a contest~~ and is present  
26       inside of the ring or fighting area during a professional

1 ~~the~~ contest.

2 ~~17.~~ "Amateur" means a person registered by the  
3 Department who is not competing for, and has never received  
4 or competed for, any purse or other article of value,  
5 directly or indirectly, either for participating in any  
6 contest or for the expenses of training therefor, other  
7 than a non-monetary prize that does not exceed \$50 in  
8 value.

9 "Professional" ~~18. "Contestant"~~ means a person  
10 licensed by the Department who competes for a money prize,  
11 purse, or other type of compensation in a professional  
12 contest held in Illinois.

13 ~~19.~~ "Second" means a person licensed by the Department  
14 who is present at any professional contest to provide  
15 assistance or advice to a professional ~~contestant~~ during  
16 the contest.

17 ~~20.~~ "Matchmaker" means a person licensed by the  
18 Department who brings together professionals to compete in  
19 ~~contestants or procures contests for contestants.~~

20 ~~21.~~ "Manager" means a person licensed by the Department  
21 who is not a promoter and who, under contract, agreement,  
22 or other arrangement ~~with any contestant~~, undertakes to,  
23 directly or indirectly, control or administer the affairs  
24 of professionals ~~contestants~~.

25 ~~22.~~ "Timekeeper" means a person licensed by the  
26 Department who is the official timer of the length of

1 rounds and the intervals between the rounds.

2 ~~23.~~ "Purse" means the financial guarantee or any other  
3 remuneration for which contestants are participating in a  
4 professional contest.

5 ~~24.~~ "Physician" means a person licensed to practice  
6 medicine in all its branches under the Medical Practice Act  
7 of 1987.

8 ~~25.~~ "Martial arts" means a discipline or combination of  
9 different disciplines that utilizes sparring techniques  
10 without the intent to injure, disable, or incapacitate  
11 one's opponent, such as, but not limited to, Karate, Kung  
12 Fu, Judo, and Tae Kwon Do.

13 ~~26.~~ "Full-contact martial arts" means the use of a  
14 singular discipline or a combination of techniques from  
15 different disciplines of the martial arts, including,  
16 without limitation, full-force grappling, kicking, and  
17 striking with the intent to injure, disable, or  
18 incapacitate one's opponent.

19 ~~27.~~ "Amateur contest ~~full contact martial arts event~~"  
20 means a boxing or full-contact martial arts competition in  
21 ~~match or exhibition~~ which all of the participants competing  
22 against one another are amateurs and where the public is  
23 able to attend or a fee is charged.

24 "Contestant" means a person who competes in either a  
25 boxing or full-contact martial arts contest.

26 "Address of record" means the designated address

1 recorded by the Department in the applicant's or licensee's  
2 application file or license file as maintained by the  
3 Department's licensure maintenance unit. It is the duty of  
4 the applicant or licensee to inform the Department of any  
5 change of address and those changes must be made either  
6 through the Department's website or by contacting the  
7 Department.

8 "Bout" means one match between 2 contestants.

9 "Sanctioning body" means an organization approved by  
10 the Department under the requirements and standards stated  
11 in this Act and the rules adopted under this Act to act as  
12 a governing body that sanctions professional or amateur  
13 contests.

14 (Source: P.A. 95-593, eff. 6-1-08; 96-663, eff. 8-25-09.)

15 (225 ILCS 105/2) (from Ch. 111, par. 5002)

16 (Section scheduled to be repealed on January 1, 2012)

17 Sec. 2. State of Illinois Athletic Professional Boxing  
18 Board. There is created the State of Illinois Athletic  
19 ~~Professional Boxing~~ Board consisting of 6 persons who shall be  
20 appointed by and shall serve in an advisory capacity to the  
21 Secretary, and the State Professional Boxing Board shall be  
22 disbanded ~~Director~~. One member of the Board shall be a  
23 physician licensed to practice medicine in all of its branches.  
24 The Secretary ~~Director~~ shall appoint each member to serve for a  
25 term of 3 years and until his or her successor is appointed and

1 qualified. One member of the board shall be designated as the  
2 Chairperson and one member shall be designated as the  
3 Vice-chairperson. No member shall be appointed to the Board for  
4 a term which would cause continuous service to be more than 9  
5 years. ~~Service prior to January 1, 2000 shall not be considered~~  
6 ~~in calculating length of service on the Board.~~ Each member of  
7 the board shall receive compensation for each day he or she is  
8 engaged in transacting the business of the board and, in  
9 addition, shall be reimbursed for his or her authorized and  
10 approved expenses necessarily incurred in relation to such  
11 service in accordance with the travel regulations applicable to  
12 the Department at the time the expenses are incurred.

13 Four members ~~A majority of the current members appointed~~  
14 shall constitute a quorum.

15 The members of the Board shall be immune from suit in any  
16 action based upon any disciplinary proceedings or other acts  
17 performed in good faith as members of the Board.

18 The Secretary ~~Director~~ may remove any member of the Board  
19 for misconduct, incapacity, or neglect of duty. The Secretary  
20 ~~Director~~ shall reduce to writing any causes for removal.

21 (Source: P.A. 91-408, eff. 1-1-00; 92-499, eff. 1-1-02.)

22 (225 ILCS 105/6) (from Ch. 111, par. 5006)

23 (Section scheduled to be repealed on January 1, 2012)

24 Sec. 6. Restricted contests and events.

25 (a) All professional and amateur contests, or a combination



1 of both, in which physical contact is made are prohibited in  
2 Illinois unless authorized by the Department pursuant to the  
3 requirements and standards stated in this Act and the rules  
4 adopted pursuant to this Act. This subsection (a) does not  
5 apply to any of the following:

6 (1) Amateur boxing or full-contact martial arts  
7 contests conducted by accredited secondary schools,  
8 colleges, or universities, although a fee may be charged.

9 (2) Amateur boxing contests that are sanctioned by USA  
10 Boxing or any other sanctioning organization approved by  
11 the Association of Boxing Commissions.

12 (3) Amateur boxing or full-contact martial arts  
13 contests conducted by a State, county, or municipal entity.

14 (4) Amateur martial arts or full-contact martial arts  
15 contests, as defined by this Act, that are recognized by  
16 the International Olympic Committee and are contested in  
17 the Olympic Games and are not conducted in an enclosed  
18 fighting area or ring.

19 No other amateur boxing or full-contact martial arts  
20 contests shall be permitted unless authorized by the  
21 Department.

22 (b) The Department shall have the authority to determine  
23 whether a professional or amateur contest is exempt for  
24 purposes of this Section. ~~Department authorization is not~~  
25 ~~required for amateur full-contact martial arts events~~  
26 ~~conducted in a manner that provides substantially similar~~

1 ~~protections for the health, safety, and welfare of the~~  
2 ~~participants and the public as are required for professional~~  
3 ~~events by this Act and the rules adopted by the Department~~  
4 ~~under this Act. Those protections shall include, at a minimum,~~  
5 ~~onsite medical staff and equipment, trained officials,~~  
6 ~~adequate insurance coverage, weight classes, use of~~  
7 ~~appropriate safety equipment by participants, adequate and~~  
8 ~~safe competition surfaces, and standards regarding striking~~  
9 ~~techniques and fouls. Anyone conducting an amateur~~  
10 ~~full contact martial arts event shall notify the Department in~~  
11 ~~writing of the date, time, and location of that event at least~~  
12 ~~20 days prior to the event. Failure to comply with the~~  
13 ~~requirements of this Section shall render the event prohibited~~  
14 ~~and unauthorized by the Department, and persons involved in the~~  
15 ~~event are subject to the procedures and penalties set forth in~~  
16 ~~Section 10.5.~~

17 (Source: P.A. 95-593, eff. 6-1-08; 96-663, eff. 8-25-09.)

18 (225 ILCS 105/7) (from Ch. 111, par. 5007)

19 (Section scheduled to be repealed on January 1, 2012)

20 Sec. 7. In order to conduct a professional contest or,  
21 beginning 6 months after the adoption of rules pertaining to an  
22 amateur contest, an amateur contest, or a combination of both,  
23 in this State, a promoter shall obtain a permit issued by the  
24 Department in accordance with this Act and the rules and  
25 regulations adopted pursuant thereto. This permit shall

1 authorize one or more professional or amateur contests, or a  
2 combination of both. Amateur full-contact martial arts  
3 contests must be registered and sanctioned by a sanctioning  
4 body approved by the Department for that purpose under the  
5 requirements and standards stated in this Act and the rules  
6 adopted under this Act. A permit issued under this Act is not  
7 transferable.

8 (Source: P.A. 95-593, eff. 6-1-08; 96-663, eff. 8-25-09.)

9 (225 ILCS 105/8) (from Ch. 111, par. 5008)

10 (Section scheduled to be repealed on January 1, 2012)

11 Sec. 8. Permits.

12 (a) A promoter who desires to obtain a permit to conduct a  
13 professional or amateur contest, or a combination of both,  
14 shall apply to the Department at least 20 days prior to the  
15 event, in writing, on forms furnished by the Department. The  
16 application shall be accompanied by the required fee and shall  
17 contain, but not be limited to, ~~at least~~ the following  
18 information to be submitted at times specified by rule:

19 (1) the legal names and addresses of the promoter;

20 (2) the name of the matchmaker;

21 (3) the time and exact location of the professional or  
22 amateur contest, or a combination of both. It is the  
23 responsibility of the promoter to ensure that the building  
24 to be used for the event complies with all laws,  
25 ordinances, and regulations in the city, town, village, or

1 county where the contest is to be held;

2 ~~(4) the seating capacity of the building where the~~  
3 ~~event is to be held;~~

4 ~~(5) a copy of the lease or proof of ownership of the~~  
5 ~~building where the event is to be held;~~

6 ~~(6) the admission charge or charges to be made; and~~

7 (4) ~~(7)~~ proof of adequate security measures ~~and~~  
8 ~~adequate medical supervision~~, as determined by Department  
9 rule, to ensure the protection of the ~~health and~~ safety of  
10 contestants and the general public while attending  
11 professional or amateur contests, or a combination of both;  
12 ~~and the contestants' safety while participating in the~~  
13 ~~events and any other information that the Department may~~  
14 ~~determine by rule in order to issue a permit.~~

15 ~~(b) After the initial application and within 10 days prior~~  
16 ~~to a scheduled event, a promoter shall submit to the Department~~  
17 ~~all of the following information:~~

18 ~~(1) The amount of compensation to be paid to each~~  
19 ~~participant.~~

20 (5) proof of adequate medical supervision, as  
21 determined by Department rule, to ensure the protection of  
22 the health and safety of professionals' or amateurs' while  
23 participating in the contest;

24 (6) the ~~(2)~~ The names of the professionals or amateurs  
25 competing; ~~contestants.~~

26 (7) proof ~~(3)~~ Proof of insurance for not less than

1       \$50,000 as further defined by rule for each professional or  
2 amateur ~~contestant~~ participating in a professional or  
3 amateur contest, or a combination of both; insurance.  
4 ~~Insurance~~ required under this paragraph (6) subsection  
5 shall cover (i) hospital, medication, physician, and other  
6 such expenses as would accrue in the treatment of an injury  
7 as a result of the professional or amateur contest; ~~and~~  
8 (ii) payment to the estate of the professional or amateur  
9 ~~contestant~~ in the event of his or her death as a result of  
10 his or her participation in the professional or amateur  
11 contest; and (iii) accidental death and dismemberment; the  
12 terms of the insurance coverage must not require the  
13 contestant to pay a deductible for the medical, surgical,  
14 or hospital care for injuries he or she sustains while  
15 engaged in a contest, and if a licensed or registered  
16 contestant pays for the medical, surgical, or hospital  
17 care, the insurance proceeds must be paid to the contestant  
18 or his or her beneficiaries as reimbursement for such  
19 payment;.

20 ~~(c) All promoters shall provide to the Department, at least~~  
21 ~~24 hours prior to commencement of the event, the~~

22       (8) the amount of the purses ~~purse~~ to be paid to the  
23 professionals for the event; ~~the.~~ The Department shall  
24 ~~adopt promulgate~~ rules for payment of the purses; purse.

25       (9) organizational or internationally accepted rules,  
26 per discipline, for professional or amateur full-contact

1 martial arts contests where the Department does not provide  
2 the rules;

3 (10) proof of contract indicating the requisite  
4 registration and sanctioning by a Department approved  
5 sanctioning body for any full-contact martial arts contest  
6 with scheduled amateur bouts; and

7 (11) any other information that the Department may  
8 require to determine whether a permit shall be issued.

9 ~~(d) The contest shall be held in an area where adequate~~  
10 ~~neurosurgical facilities are immediately available for skilled~~  
11 ~~emergency treatment of an injured contestant. It is the~~  
12 ~~responsibility of the promoter to ensure that the building to~~  
13 ~~be used for the event complies with all laws, ordinances, and~~  
14 ~~regulations in the city, town, or village where the contest is~~  
15 ~~to be held.~~

16 (b) The Department may issue a permit to any promoter who  
17 meets the requirements of this Act and the rules. The permit  
18 shall only be issued for a specific date and location of a  
19 professional or amateur contest, or a combination of both, and  
20 shall not be transferable. ~~The~~ ~~In an emergency, the~~ Department  
21 may allow a promoter to amend a permit application to hold a  
22 professional or amateur contest, or a combination of both, in a  
23 different location other than the application specifies and may  
24 allow the promoter to substitute professionals or amateurs,  
25 respectively contestants.

26 (c) ~~(e)~~ The Department shall be responsible for assigning

1 the judges, timekeepers, referees, and physicians, ~~and medical~~  
2 ~~personnel~~ for a professional contest. Compensation shall be  
3 determined by the Department, and it ~~it~~ shall be the  
4 responsibility of the promoter to pay ~~cover the cost of~~ the  
5 individuals utilized ~~at a contest~~.

6 (Source: P.A. 95-593, eff. 6-1-08; 96-663, eff. 8-25-09.)

7 (225 ILCS 105/10) (from Ch. 111, par. 5010)

8 (Section scheduled to be repealed on January 1, 2012)

9 Sec. 10. Who must be licensed. In order to participate in  
10 professional contests the following persons must each be  
11 licensed and in good standing with the Department: (a)  
12 professionals, promoters, (b) ~~contestants,~~ ~~(c)~~ seconds, (c)  
13 ~~(d)~~ referees, (d) ~~(e)~~ judges, (e) ~~(f)~~ managers, (f) ~~(g)~~  
14 matchmakers, and (g) ~~(h)~~ timekeepers.

15 In order to participate in professional or amateur contests  
16 or a combination of both, promoters must be licensed and in  
17 good standing with the Department.

18 Announcers may participate in professional or amateur  
19 contests, or a combination of both, without being licensed  
20 under this Act. It shall be the responsibility of the promoter  
21 to ensure that announcers comply with the Act, and all rules  
22 and regulations promulgated pursuant to this Act.

23 A licensed promoter may not act as, and cannot be licensed  
24 as, a second, professional ~~contestant~~, referee, timekeeper,  
25 judge, or manager. If he or she is so licensed, he or she must

1 relinquish any of these licenses to the Department for  
2 cancellation. A person possessing a valid promoter's license  
3 may act as a matchmaker.

4 (Source: P.A. 95-593, eff. 6-1-08.)

5 (225 ILCS 105/10.1 new)

6 Sec. 10.1. Registration of amateurs. Beginning 6 months  
7 after the adoption of rules providing for the registration of  
8 amateurs under this Act, it shall be unlawful for any person to  
9 compete as an amateur unless he or she is registered and in  
10 good standing with the Department or is otherwise exempt from  
11 registration under this Act. A person who is required to  
12 register shall apply to the Department, in writing, on forms  
13 provided by the Department.

14 (225 ILCS 105/10.5)

15 (Section scheduled to be repealed on January 1, 2012)

16 Sec. 10.5. Unlicensed practice; violation; civil penalty.

17 (a) Any person who practices, offers to practice, attempts  
18 to practice, or holds oneself out to practice as a promoter,  
19 professional ~~contestant~~, second, referee, judge, manager,  
20 matchmaker, or timekeeper without being licensed under this Act  
21 shall, in addition to any other penalty provided by law, pay a  
22 civil penalty to the Department in an amount not to exceed  
23 \$10,000 ~~\$5,000~~ for each offense as determined by the  
24 Department. The civil penalty shall be assessed by the



1 Department after a hearing is held in accordance with the  
2 provisions set forth in this Act regarding the provision of a  
3 hearing for the discipline of a licensee.

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

6 (c) The civil penalty shall be paid within 60 days after  
7 the effective date of the order imposing the civil penalty. The  
8 order shall constitute a judgment and may be filed and  
9 execution had thereon in the same manner as any judgment from  
10 any court of record.

11 (Source: P.A. 95-593, eff. 6-1-08.)

12 (225 ILCS 105/11) (from Ch. 111, par. 5011)

13 (Section scheduled to be repealed on January 1, 2012)

14 Sec. 11. Qualifications for license. The Department shall  
15 grant licenses to the following persons if the following  
16 qualifications are met:

17 (1) ~~(A)~~ An applicant for licensure as a professional  
18 ~~contestant in a contest~~ must: (1) be 18 years old, (2) be  
19 of good moral character, (3) file an application stating  
20 the applicant's legal ~~correct~~ name (and no assumed or ring  
21 name may be used unless such name is registered with the  
22 Department along with the applicant's legal ~~correct~~ name),  
23 date and place of birth, place of current residence, and a  
24 sworn statement that he is not currently in violation of  
25 any federal, State or local laws or rules governing boxing

1 or full-contact martial arts, (4) file a certificate from  
2 ~~of~~ a physician licensed to practice medicine in all of its  
3 branches which attests that the applicant is physically fit  
4 and qualified to participate in professional contests, and  
5 (5) pay the required fee and meet any other requirements.  
6 Applicants over age 35 who have not competed in a  
7 professional or amateur contest within the last 36 months  
8 may be required to appear before the Department Board to  
9 determine their fitness to participate in a professional  
10 contest. A picture identification card shall be issued to  
11 all professionals ~~contestants~~ licensed by the Department  
12 who are residents of Illinois or who are residents of any  
13 jurisdiction, state, or country that does not regulate  
14 professional boxing or full-contact martial arts. The  
15 identification card shall be presented to the Department or  
16 its representative upon request at weigh-ins.

17 (2) ~~(B)~~ An applicant for licensure as a referee, judge,  
18 manager, second, matchmaker, or timekeeper must: (1) be of  
19 good moral character, (2) file an application stating the  
20 applicant's name, date and place of birth, and place of  
21 current residence along with a certifying statement that he  
22 is not currently in violation of any federal, State, or  
23 local laws or rules governing boxing, or full-contact  
24 martial arts, (3) have had satisfactory experience in his  
25 field, (4) pay the required fee, and (5) meet any other  
26 requirements as determined by rule.

1           (3) ~~(C)~~ An applicant for licensure as a promoter must:  
2           (1) be of good moral character, (2) file an application  
3           with the Department stating the applicant's name, date and  
4           place of birth, place of current residence along with a  
5           certifying statement that he is not currently in violation  
6           of any federal, State, or local laws or rules governing  
7           boxing or full-contact martial arts, (3) provide proof of a  
8           surety bond of no less than \$5,000 to cover financial  
9           obligations pursuant to this Act, payable to the Department  
10          and conditioned for the payment of the tax imposed by this  
11          Act and compliance with this Act and the rules promulgated  
12          pursuant to this Act, (4) provide a financial statement,  
13          prepared by a certified public accountant, showing liquid  
14          working capital of \$10,000 or more, or a \$10,000  
15          performance bond guaranteeing payment of all obligations  
16          relating to the promotional activities, and (5) pay the  
17          required fee and meet any other requirements as determined  
18          by rule.

19          (4) All applicants shall submit an application to the  
20          Department, in writing, on forms provided by the  
21          Department, containing such information as determined by  
22          rule.

23          In determining good moral character, the Department may  
24          take into consideration any violation of any of the provisions  
25          of Section 16 of this Act as to referees, judges, managers,  
26          matchmakers, timekeepers, or promoters and any felony

1 conviction of the applicant, but such a conviction shall not  
2 operate as a bar to licensure. No license issued under this Act  
3 is transferable.

4 The Department may issue temporary licenses as provided by  
5 rule.

6 (Source: P.A. 95-593, eff. 6-1-08; 96-663, eff. 8-25-09.)

7 (225 ILCS 105/11.5 new)

8 Sec. 11.5. Qualifications for registration. An applicant  
9 for registration as an amateur competing in an amateur full  
10 contact martial arts contest must (1) be 18 years old; (2) be  
11 of good moral character; (3) file an application stating the  
12 applicant's legal name, date and place of birth, and place of  
13 current residence and a sworn statement that he or she is not  
14 currently in violation of any federal, State, or local laws or  
15 rules governing full-contact martial arts; (4) file a  
16 certificate from a physician which attests that the applicant  
17 is physically fit and qualified to participate in contests; and  
18 (5) meet any other requirements as established by rule.

19 In determining good moral character, the Department may  
20 take into consideration any violation of any of the provisions  
21 of Section 16 of this Act. No registration issued under this  
22 Act is transferable.

23 This Section does not apply to amateur participants under  
24 the age of 18 and younger. Participants under the age of 18 and  
25 younger shall meet all other requirements for amateurs in this

1 Act and as established by rule.

2 (225 ILCS 105/12) (from Ch. 111, par. 5012)

3 (Section scheduled to be repealed on January 1, 2012)

4 Sec. 12. Professional or amateur contests ~~Contests~~.

5 (a) The professional or amateur contest, or a combination  
6 of both, shall be held in an area where adequate neurosurgical  
7 facilities are immediately available for skilled emergency  
8 treatment of an injured professional or amateur.

9 (b) Each professional or amateur ~~contestant~~ shall be  
10 examined before ~~entering~~ the contest ~~ring~~ and promptly  
11 ~~immediately~~ after each bout ~~contest~~ by a physician ~~licensed to~~  
12 ~~practice medicine in all of its branches~~. The physician shall  
13 determine, prior to the contest, if each professional or  
14 amateur ~~contestant~~ is physically fit to compete ~~engage~~ in the  
15 contest. After the bout ~~contest~~ the physician shall examine the  
16 professional or amateur ~~contestant~~ to determine possible  
17 injury. If the professional's or amateur's ~~contestant's~~  
18 physical condition so indicates, the physician shall recommend  
19 to the Department immediate medical suspension. The physician  
20 or a licensed emergency medical technician-paramedic (EMT-P)  
21 must check the vital signs of all contestants as established by  
22 rule.

23 (c) The physician may, at any time during the professional  
24 or amateur bout ~~contest~~, stop the professional or amateur bout  
25 ~~contest~~ to examine a professional or amateur ~~contestant~~, and

1 may direct the referee to terminate the ~~bout contest~~ when, in  
2 the physician's opinion, continuing the bout ~~contest~~ could  
3 result in serious injury to the professional or amateur  
4 contestant. If the professional's or amateur's physical  
5 condition so indicates, the physician shall recommend to the  
6 Department immediate medical suspension. The physician shall  
7 certify to the condition of the professional or amateur  
8 ~~contestant~~ in writing, over his signature on forms provided by  
9 the Department. Such reports shall be submitted to the  
10 Department in a timely manner. ~~The physician shall be paid by~~  
11 ~~the promoter a fee fixed by the Department. No contest shall be~~  
12 ~~held unless a physician licensed to practice medicine in all of~~  
13 ~~its branches is in attendance.~~

14 (d) No professional or amateur contest, or a combination of  
15 both, shall be allowed to begin or be held unless at least one  
16 physician, ~~and 2 EMT-Ps, trained paramedics or 2 nurses who are~~  
17 ~~trained to administer emergency medical care~~ and at least one  
18 ambulance have been contracted with dedicated solely for the  
19 care of professionals or amateurs who are competing as defined  
20 by rule ~~contestants are present.~~

21 (e) No professional boxing bout ~~contest~~ shall be more than  
22 12 rounds in length. The rounds shall not be more than 3  
23 minutes each with a one minute interval between them, and no  
24 professional boxer shall be allowed to participate in more than  
25 one contest within a 7-day period ~~12 rounds within 72~~  
26 ~~consecutive hours.~~

1           The number and length of rounds for all other professional  
2 or amateur boxing or full-contact martial arts contests, or a  
3 combination of both, shall be determined ~~established~~ by rule.

4           (f) The number and types of officials required for each  
5 professional or amateur contest, or a combination of both,  
6 shall be determined by rule. ~~At each contest there shall be a~~  
7 ~~referee in attendance who shall direct and control the contest.~~  
8 ~~The referee, before each contest, shall learn the name of the~~  
9 ~~contestant's chief second and shall hold the chief second~~  
10 ~~responsible for the conduct of his assistant during the~~  
11 ~~progress of the contest.~~

12           ~~There shall be 2 judges in attendance at all boxing~~  
13 ~~contests who shall render a decision at the end of each~~  
14 ~~contest. The decision of the judges, taken together with the~~  
15 ~~decision of the referee, is final; or, 3 judges shall score the~~  
16 ~~contest with the referee not scoring. The method of scoring~~  
17 ~~shall be set forth in rules. The number of judges required and~~  
18 ~~the manner of scoring for all other contests shall be set by~~  
19 ~~rule.~~

20           ~~Judges, referees, or timekeepers for contests shall be~~  
21 ~~assigned by the Department.~~

22           (g) The Department or its representative shall have  
23 discretion to declare a price, remuneration, or purse or any  
24 part of it belonging to the professional ~~contestant~~ withheld if  
25 in the judgment of the Department or its representative the  
26 professional ~~contestant~~ is not honestly competing.

1       (h) The Department shall have the authority to prevent a  
2 professional or amateur contest, or a combination of both, from  
3 being held and shall have the authority to stop a professional  
4 or amateur contest, or a combination of both, for noncompliance  
5 with any part of this Act or rules or when, in the judgment of  
6 the Department, or its representative, continuation of the  
7 event would endanger the health, safety, and welfare of the  
8 professionals or amateurs ~~contestants~~ or spectators. The  
9 Department's authority to stop a contest on the basis that the  
10 professional or amateur contest, or a combination of both,  
11 would endanger the health, safety, and welfare of the  
12 professionals or amateurs ~~contestants~~ or spectators shall  
13 extend to any professional or amateur contest, or a combination  
14 of both, regardless of whether that amateur contest is exempted  
15 from the prohibition in Section 6 of this Act. Department  
16 staff, or its representative, may be present at any  
17 full-contact martial arts contest with scheduled amateur  
18 bouts.

19       (Source: P.A. 95-593, eff. 6-1-08.)

20       (225 ILCS 105/13) (from Ch. 111, par. 5013)

21       (Section scheduled to be repealed on January 1, 2012)

22       Sec. 13. Tickets; tax. Tickets to professional or amateur  
23 contests, or a combination of both, shall be printed in such  
24 form as the Department shall prescribe. A certified inventory  
25 of all tickets printed for any professional or amateur contest,



1 or a combination of both, shall be mailed to the Department by  
2 the promoter not less than 7 days before the contest. The total  
3 number of tickets printed shall not exceed the total seating  
4 capacity of the premises in which the professional or amateur  
5 contest, or a combination of both, is to be held. No tickets of  
6 admission to any professional or amateur contest, or a  
7 combination of both, shall be sold except those declared on an  
8 official ticket inventory as described in this Section.

9 (a) A promoter who conducts a professional or a combination  
10 of a professional and amateur contest under this Act shall,  
11 within 24 hours after such a contest:

12 (1) furnish to the Department a written report verified  
13 by the promoter or his authorized designee showing the  
14 number of tickets sold for such a ~~the~~ contest or the actual  
15 ticket stubs of tickets sold and the amount of the gross  
16 proceeds thereof; and

17 (2) pay to the Department a tax of 5% ~~3% of the first~~  
18 ~~\$500,000~~ of gross receipts from the sale of admission  
19 tickets, not to exceed \$52,500, to be collected by the  
20 Department and placed in the Athletics Supervision and  
21 Regulation ~~General Revenue~~ Fund, a special fund created in  
22 the State Treasury to be administered by the Department.

23 Moneys in the Athletics Supervision and Regulation Fund  
24 shall be used by the Department, subject to appropriation, for  
25 expenses incurred in administering this Act. Moneys in the Fund  
26 may be transferred to the Professions Indirect Cost Fund, as

1 authorized under Section 2105-300 of the Department of  
2 Professional Regulation Law.

3 In addition to the payment of any other taxes and money due  
4 under subsection (a), every promoter of a professional or a  
5 combination of a professional and amateur contest shall pay to  
6 the Department 3% of the first \$500,000 and 4% thereafter,  
7 which shall not exceed \$35,000 in total from the total gross  
8 receipts from the sale, lease, or other exploitation of  
9 broadcasting, including, but not limited to, Internet, cable,  
10 television, and motion picture rights for that professional or  
11 professional and amateur combination contest or exhibition  
12 without any deductions for commissions, brokerage fees,  
13 distribution fees, advertising, professional contestants'  
14 purses, or any other expenses or charges. These fees shall be  
15 paid to the Department within 72 hours after the broadcast of  
16 the contest and placed in the Athletics Supervision and  
17 Regulation Fund.

18 (b) A promoter who conducts an amateur contest under this  
19 Act shall, within 24 hours after such a contest:

20 (1) furnish to the Department a written report verified  
21 by the promoter or his or her authorized designee showing  
22 the number of tickets sold for the amateur contest or the  
23 actual ticket stubs of tickets sold and the amount of the  
24 gross proceeds thereof; and

25 (2) pay to the Department a tax of 3% of gross receipts  
26 from the sale of admission tickets, not to exceed \$52,500,

1 to be collected by the Department and placed in the  
2 Athletics Supervision and Regulation Fund.

3 (Source: P.A. 95-593, eff. 6-1-08.)

4 (225 ILCS 105/15) (from Ch. 111, par. 5015)

5 (Section scheduled to be repealed on January 1, 2012)

6 Sec. 15. Inspectors. The Secretary ~~Director~~ may appoint  
7 inspectors to assist the Department staff in the administration  
8 of the Act. Each inspector appointed by the Secretary ~~Director~~  
9 shall receive compensation for each day he or she is engaged in  
10 the transacting of business of the Department. Each inspector  
11 shall carry a card issued by the Department to authorize him or  
12 her to act in such capacity. The inspector or inspectors shall  
13 supervise each professional contest and, at the Department's  
14 discretion, may supervise any contest to ensure that the  
15 provisions of the Act are strictly enforced. ~~The inspectors~~  
16 ~~shall also be present at the counting of the gross receipts and~~  
17 ~~shall immediately deliver to the Department the official box~~  
18 ~~office statement as required by Section 13.~~

19 (Source: P.A. 95-593, eff. 6-1-08.)

20 (225 ILCS 105/16) (from Ch. 111, par. 5016)

21 (Section scheduled to be repealed on January 1, 2012)

22 Sec. 16. Discipline and sanctions.

23 (a) The Department may refuse to issue a permit, ~~or~~  
24 license, or registration, refuse to renew, suspend, revoke,

1 reprimand, place on probation, or take such other disciplinary  
2 or non-disciplinary action as the Department may deem proper,  
3 including the imposition of fines not to exceed \$10,000 ~~\$5,000~~  
4 for each violation, with regard to any permit, license, or  
5 registration for one or any combination of the following  
6 reasons:

7 (1) gambling, betting, or wagering on the result of or  
8 a contingency connected with a professional or amateur  
9 contest, or a combination of both, or permitting such  
10 activity to take place;

11 (2) participating in or permitting a sham or fake  
12 professional or amateur contest, or a combination of both;

13 (3) holding the professional or amateur contest, or a  
14 combination of both, at any other time or place than is  
15 stated on the permit application;

16 (4) permitting any professional or amateur ~~contestant~~  
17 other than those stated on the permit application to  
18 participate in a professional or amateur contest, or a  
19 combination of both, except as provided in Section 9;

20 (5) violation or aiding in the violation of any of the  
21 provisions of this Act or any rules or regulations  
22 promulgated thereto;

23 (6) violation of any federal, State or local laws of  
24 the United States or other jurisdiction governing  
25 professional or amateur contests or any regulation  
26 promulgated pursuant thereto;

1 (7) charging a greater rate or rates of admission than  
2 is specified on the permit application;

3 (8) failure to obtain all the necessary permits,  
4 registrations, or licenses as required under this Act;

5 (9) failure to file the necessary bond or to pay the  
6 gross receipts tax as required by this Act;

7 (10) engaging in dishonorable, unethical or  
8 unprofessional conduct of a character likely to deceive,  
9 defraud or harm the public, or which is detrimental to  
10 honestly conducted contests;

11 (11) employment of fraud, deception or any unlawful  
12 means in applying for or securing a permit or license under  
13 this Act;

14 (12) permitting a physician making the physical  
15 examination to knowingly certify falsely to the physical  
16 condition of a professional or amateur ~~contestant~~;

17 (13) permitting professionals or amateurs ~~contestants~~  
18 of widely disparate weights or abilities to engage in  
19 professional or amateur contests, respectively;

20 (14) participating in a professional contest as a  
21 professional ~~contestant~~ while under medical suspension in  
22 this State or in any other state, territory or country;

23 (15) physical illness, including, but not limited to,  
24 deterioration through the aging process, or loss of motor  
25 skills which results in the inability to participate in  
26 contests with reasonable judgment, skill, or safety;

1           (16) allowing one's license or permit issued under this  
2 Act to be used by another person;

3           (17) failing, within a reasonable time, to provide any  
4 information requested by the Department as a result of a  
5 formal or informal complaint;

6           (18) professional incompetence;

7           (19) failure to file a return, or to pay the tax,  
8 penalty or interest shown in a filed return, or to pay any  
9 final assessment of tax, penalty or interest, as required  
10 by any tax Act administered by the Illinois Department of  
11 Revenue, until such time as the requirements of any such  
12 tax Act are satisfied;

13           (20) (blank);

14           (21) habitual or excessive use or addiction to alcohol,  
15 narcotics, stimulants, or any other chemical agent or drug  
16 that results in an inability to participate in an event; ~~or~~

17           (22) failure to stop a professional or amateur contest,  
18 or a combination of both, when requested to do so by the  
19 Department; ~~or~~

20           (23) failure of a promoter to adequately supervise and  
21 enforce this Act and its rules as applicable to amateur  
22 contests, as set forth in rule; or

23           (24) a finding by the Department that the licensee,  
24 after having his or her license placed on probationary  
25 status, has violated the terms of probation.

26           (b) The determination by a circuit court that a licensee is

1 subject to involuntary admission or judicial admission as  
2 provided in the Mental Health and Developmental Disabilities  
3 Code operates as an automatic suspension. The suspension will  
4 end only upon a finding by a court that the licensee is no  
5 longer subject to involuntary admission or judicial admission,  
6 issuance of an order so finding and discharging the licensee,  
7 ~~and upon the recommendation of the Board to the Director that~~  
8 ~~the licensee be allowed to resume his or her practice.~~

9 (c) In enforcing this Section, the Department Board, upon a  
10 showing of a possible violation, may compel any individual  
11 licensed to practice under this Act, or who has applied for  
12 licensure pursuant to this Act, to submit to a mental or  
13 physical examination, or both, as required by and at the  
14 expense of the Department. The examining physicians or clinical  
15 psychologists shall be those specifically designated by the  
16 Department Board. The ~~Board or the~~ Department may order the  
17 examining physician or clinical psychologist to present  
18 testimony concerning this mental or physical examination of the  
19 licensee or applicant. No information shall be excluded by  
20 reason of any common law or statutory privilege relating to  
21 communications between the licensee or applicant and the  
22 examining physician or clinical psychologist. Eye examinations  
23 may be provided by a licensed and certified therapeutic  
24 optometrist. The individual to be examined may have, at his or  
25 her own expense, another physician of his or her choice present  
26 during all aspects of the examination. Failure of any

1 individual to submit to a mental or physical examination, when  
2 directed, shall be grounds for suspension of a license ~~until~~  
3 ~~such time as the individual submits to the examination if the~~  
4 ~~Board finds, after notice and hearing, that the refusal to~~  
5 ~~submit to the examination was without reasonable cause.~~

6 ~~(d) If the Board finds an individual unable to practice~~  
7 ~~because of the reasons set forth in this Section, the Board~~  
8 ~~shall require the individual to submit to care, counseling, or~~  
9 ~~treatment by physicians or clinical psychologists approved or~~  
10 ~~designated by the Board, as a condition, term, or restriction~~  
11 ~~for continued, reinstated, or renewed licensure, or in lieu of~~  
12 ~~care, counseling, or treatment, the Board may recommend to the~~  
13 ~~Department to file a complaint to immediately suspend, revoke,~~  
14 ~~or otherwise discipline the license of the individual. Any~~  
15 ~~individual whose license was granted pursuant to this Act, or~~  
16 ~~continued, reinstated, renewed, disciplined, or supervised,~~  
17 ~~subject to such conditions, terms, or restrictions, who shall~~  
18 ~~fail to comply with such conditions, terms, or restrictions,~~  
19 ~~shall be referred to the Director for a determination as to~~  
20 ~~whether the individual shall have his or her license suspended~~  
21 ~~immediately, pending a hearing by the Board.~~

22 (Source: P.A. 95-593, eff. 6-1-08; 96-663, eff. 8-25-09.)

23 (225 ILCS 105/17.7)

24 (Section scheduled to be repealed on January 1, 2012)

25 Sec. 17.7. Restoration of license from discipline



1 ~~suspended or revoked license. At any time after the successful~~  
2 ~~completion of a term of indefinite probation, suspension, or~~  
3 ~~revocation of a license, the Department may restore the license~~  
4 ~~to the licensee, unless after an investigation and hearing the~~  
5 ~~Secretary determines that restoration is not in the public~~  
6 ~~interest. No person or entity whose license, certificate, or~~  
7 ~~authority has been revoked as authorized in this Act may apply~~  
8 ~~for restoration of that license, certification, or authority~~  
9 ~~until such time as provided for in the Civil Administrative~~  
10 ~~Code of Illinois. At any time after the suspension or~~  
11 ~~revocation of a license, the Department may restore it to the~~  
12 ~~licensee upon the written recommendation of the Board, unless~~  
13 ~~after an investigation and a hearing the Board determines that~~  
14 ~~restoration is not in the public interest.~~

15 (Source: P.A. 91-408, eff. 1-1-00; 92-499, eff. 1-1-02.)

16 (225 ILCS 105/17.9)

17 (Section scheduled to be repealed on January 1, 2012)

18 Sec. 17.9. Summary suspension of a license or registration.  
19 The Secretary ~~Director~~ may summarily suspend a license or  
20 registration without a hearing if the Secretary ~~Director~~ finds  
21 that evidence in the Secretary's ~~Director's~~ possession  
22 indicates that the continuation of practice would constitute an  
23 imminent danger to the public, participants, including any  
24 professional contest officials, or the individual involved or  
25 cause harm to the profession. If the Secretary ~~Director~~

1 summarily suspends the license without a hearing, a hearing  
2 must be commenced within 30 days after the suspension has  
3 occurred and concluded as expeditiously as practical.

4 (Source: P.A. 95-593, eff. 6-1-08.)

5 (225 ILCS 105/17.10)

6 (Section scheduled to be repealed on January 1, 2012)

7 Sec. 17.10. Administrative review; venue.

8 (a) All final administrative decisions of the Department  
9 are subject to judicial review under the Administrative Review  
10 Law and its rules. The term "administrative decision" is  
11 defined as in Section 3-101 of the Code of Civil Procedure.

12 (b) Proceedings for judicial review shall be commenced in  
13 the circuit court of the county in which the party applying for  
14 relief ~~review~~ resides, but if the party is not a resident of  
15 Illinois, the venue shall be in Sangamon County.

16 (c) The Department shall not be required to certify any  
17 record to the court or file any answer in court or otherwise  
18 appear in any court in a judicial review proceeding, unless and  
19 until the Department has received from the plaintiff payment of  
20 the costs of furnishing and certifying the record, which costs  
21 shall be determined by the Department. Failure on the part of  
22 the plaintiff to file a receipt in court shall be grounds for  
23 dismissal of the action.

24 (Source: P.A. 91-408, eff. 1-1-00.)

1 (225 ILCS 105/18) (from Ch. 111, par. 5018)

2 (Section scheduled to be repealed on January 1, 2012)

3 Sec. 18. Investigations; notice and hearing. The  
4 Department may investigate the actions of any applicant or of  
5 any person or persons promoting or participating in a  
6 professional or amateur contest or any person holding or  
7 claiming to hold a license. The Department shall, before  
8 revoking, suspending, placing on probation, reprimanding, or  
9 taking any other disciplinary action under this Act, at least  
10 30 days before the date set for the hearing, (i) notify the  
11 accused in writing of the charges made and the time and place  
12 for the hearing on the charges, (ii) direct him or her to file  
13 a written answer to the charges with the Department Board under  
14 oath within 20 days after the service on him or her of the  
15 notice, and (iii) inform the accused that, if he or she fails  
16 to answer, default will be taken against him or her or that his  
17 or her license may be suspended, revoked, or placed on  
18 probationary status or that other disciplinary action may be  
19 taken with regard to the license, including limiting the scope,  
20 nature, or extent of his or her practice, as the Department may  
21 consider proper. At the time and place fixed in the notice, the  
22 hearing officer Board shall proceed to hear the charges, and  
23 the parties or their counsel shall be accorded ample  
24 opportunity to present any pertinent statements, testimony,  
25 evidence, and arguments. The hearing officer Board may continue  
26 the hearing from time to time. In case the person, after

1 receiving the notice, fails to file an answer, his or her  
2 license may, in the discretion of the Department, be suspended,  
3 revoked, or placed on probationary status or the Department may  
4 take whatever disciplinary action considered proper, including  
5 limiting the scope, nature, or extent of the person's practice  
6 or the imposition of a fine, without a hearing, if the act or  
7 acts charged constitute sufficient grounds for that action  
8 under this Act. The written notice may be served by personal  
9 delivery or by certified mail to the person's address of record  
10 ~~specified by the accused in his or her last notification with~~  
11 ~~the Department.~~

12 (Source: P.A. 91-408, eff. 1-1-00; 92-499, eff. 1-1-02.)

13 (225 ILCS 105/19) (from Ch. 111, par. 5019)

14 (Section scheduled to be repealed on January 1, 2012)

15 Sec. 19. Findings and recommendations. At the conclusion of  
16 the hearing, the hearing officer ~~Board~~ shall present to the  
17 Secretary ~~Director~~ a written report of its findings,  
18 conclusions of law, and recommendations. The report shall  
19 contain a finding of whether the accused person violated this  
20 Act or its rules or failed to comply with the conditions  
21 required in this Act or its rules. The hearing officer ~~Board~~  
22 shall specify the nature of any violations or failure to comply  
23 and shall make its recommendations to the Secretary ~~Director~~.  
24 In making recommendations for any disciplinary actions, the  
25 hearing officer ~~Board~~ may take into consideration all facts and

1 circumstances bearing upon the reasonableness of the conduct of  
2 the accused and the potential for future harm to the public  
3 including, but not limited to, previous discipline of the  
4 accused by the Department, intent, degree of harm to the public  
5 and likelihood of harm in the future, any restitution made by  
6 the accused, and whether the incident or incidents contained in  
7 the complaint appear to be isolated or represent a continuing  
8 pattern of conduct. In making its recommendations for  
9 discipline, the hearing officer ~~Board~~ shall endeavor to ensure  
10 that the severity of the discipline recommended is reasonably  
11 related to the severity of the violation.

12 The report of findings of fact, conclusions of law, and  
13 recommendation of the hearing officer ~~Board~~ shall be the basis  
14 for the Department's order refusing to issue, restore, or renew  
15 a license, or otherwise disciplining a licensee. If the  
16 Secretary ~~Director~~ disagrees with the recommendations of the  
17 hearing officer ~~Board~~, the Secretary ~~Director~~ may issue an  
18 order in contravention of the hearing officer's ~~Board~~  
19 recommendations. ~~The Director shall provide a written report to~~  
20 ~~the Board on any disagreement and shall specify the reasons for~~  
21 ~~the action in the final order.~~ The finding is not admissible in  
22 evidence against the person in a criminal prosecution brought  
23 for a violation of this Act, but the hearing and finding are  
24 not a bar to a criminal prosecution brought for a violation of  
25 this Act.

26 (Source: P.A. 91-408, eff. 1-1-00; 92-499, eff. 1-1-02.)

1 (225 ILCS 105/19.1) (from Ch. 111, par. 5019.1)

2 (Section scheduled to be repealed on January 1, 2012)

3 Sec. 19.1. Appointment of a hearing officer. The Secretary  
4 ~~Director~~ has the authority to appoint any attorney duly  
5 licensed to practice law in the State of Illinois to serve as  
6 the hearing officer in any action for refusal to issue,  
7 restore, or renew a license or discipline of a licensee. The  
8 hearing officer has full authority to conduct the hearing. The  
9 hearing officer shall report his or her findings of fact,  
10 conclusions of law, and recommendations to ~~the Board and the~~  
11 Secretary Director. ~~The Board shall have 60 days from receipt~~  
12 ~~of the report to review the report of the hearing officer and~~  
13 ~~present its findings of fact, conclusions of law and~~  
14 ~~recommendations to the Director. If the Board fails to present~~  
15 ~~its report within the 60 day period, the Director may issue an~~  
16 ~~order based on the report of the hearing officer. If the~~  
17 Secretary Director determines that the hearing officer's  
18 ~~Board's~~ report is contrary to the manifest weight of the  
19 evidence, he may issue an order in contravention of the  
20 recommendation. ~~The Director shall promptly provide a written~~  
21 ~~report of the Board on any deviation and shall specify the~~  
22 ~~reasons for the action in the final order.~~

23 (Source: P.A. 91-408, eff. 1-1-00; 92-499, eff. 1-1-02.)

24 (225 ILCS 105/19.2)

1 (Section scheduled to be repealed on January 1, 2012)

2 Sec. 19.2. Subpoenas; depositions; oaths. The Department  
3 has the power to subpoena documents, books, records, or other  
4 materials and to bring before it any person and to take  
5 testimony either orally or by deposition, or both, with the  
6 same fees and mileage and in the same manner as prescribed in  
7 civil cases in the courts of this State.

8 The Secretary Director, the designated hearing officer,  
9 and ~~every member of the Department have Board has~~ the power to  
10 administer oaths to witnesses at any hearing that the  
11 Department is authorized to conduct and any other oaths  
12 authorized in any Act administered by the Department.

13 (Source: P.A. 91-408, eff. 1-1-00.)

14 (225 ILCS 105/19.5)

15 (Section scheduled to be repealed on January 1, 2012)

16 Sec. 19.5. Order or certified copy; prima facie proof. An  
17 order or certified copy thereof, over the seal of the  
18 Department and purporting to be signed by the Secretary  
19 ~~Director~~, is prima facie proof that:

20 (1) the signature is the genuine signature of the  
21 Secretary Director; and

22 (2) the Secretary Director is duly appointed and  
23 qualified. ~~;~~ and

24 ~~(3) the Board and its members are qualified to act.~~

25 (Source: P.A. 91-408, eff. 1-1-00.)

1 (225 ILCS 105/20) (from Ch. 111, par. 5020)

2 (Section scheduled to be repealed on January 1, 2012)

3 Sec. 20. Stenographer; transcript. The Department, at its  
4 expense, shall provide a stenographer to take down the  
5 testimony and preserve a record of all proceedings at the  
6 hearing of any case wherein a license or permit is subjected to  
7 disciplinary action. The notice of hearing, complaint and all  
8 other documents in the nature of pleadings and written motions  
9 filed in the proceedings, the transcript of testimony, the  
10 report of the hearing officer ~~board~~ and the orders of the  
11 Department shall be the record of the proceedings. The  
12 Department shall furnish a transcript of the record to any  
13 person interested in the hearing upon payment of the fee  
14 required under Section 2105-115 of the Department of  
15 Professional Regulation Law (20 ILCS 2105/2105-115).

16 (Source: P.A. 91-239, eff. 1-1-00.)

17 (225 ILCS 105/24.5 new)

18 Sec. 24.5. Confidentiality. All information collected by  
19 the Department in the course of an examination or investigation  
20 of a licensee, registrant, or applicant, including, but not  
21 limited to, any complaint against a licensee or registrant  
22 filed with the Department and information collected to  
23 investigate any such complaint, shall be maintained for the  
24 confidential use of the Department and shall not be disclosed.



1 The Department may not disclose such information to anyone  
2 other than law enforcement officials, other regulatory  
3 agencies that have an appropriate regulatory interest as  
4 determined by the Secretary, or a party presenting a lawful  
5 subpoena to the Department. Information and documents  
6 disclosed to a federal, State, county, or local law enforcement  
7 agency shall not be disclosed by the agency for any purpose to  
8 any other agency or person. A formal complaint filed against a  
9 licensee or registrant by the Department or any order issued by  
10 the Department against a licensee, registrant, or applicant  
11 shall be a public record, except as otherwise prohibited by  
12 law.

13 (225 ILCS 105/25.1)

14 (Section scheduled to be repealed on January 1, 2012)

15 Sec. 25.1. Medical Suspension. A licensee or registrant who  
16 is determined by the examining physician to be unfit to compete  
17 or officiate shall be immediately suspended until it is shown  
18 that he or she is fit for further competition or officiating.  
19 If the licensee or registrant disagrees with a medical  
20 suspension set at the discretion of the ringside physician, he  
21 or she may request a hearing to show proof of fitness. The  
22 hearing shall be provided at the earliest opportunity after the  
23 Department receives a written request from the licensee.

24 If the referee has rendered a decision of technical  
25 knockout against a professional or amateur ~~contestant~~ or if the

1 ~~professional or amateur contestant~~ is knocked out other than by  
2 a blow to the head, the professional or amateur ~~contestant~~  
3 shall be immediately suspended for a period of not less than 30  
4 days. In a full-contact martial arts contest, if the  
5 professional or amateur ~~contestant~~ has tapped out or has  
6 submitted, the referee shall stop the professional or amateur  
7 contest and the ringside physician shall determine the length  
8 of suspension.

9 If the professional or amateur ~~contestant~~ has been knocked  
10 out by a blow to the head, he or she shall be suspended  
11 immediately for a period of not less than 45 days.

12 Prior to reinstatement, any professional or amateur  
13 ~~contestant~~ suspended for his or her medical protection shall  
14 satisfactorily pass a medical examination upon the direction of  
15 the Department. The examining physician may require any  
16 necessary medical procedures during the examination.

17 (Source: P.A. 95-593, eff. 6-1-08; 96-663, eff. 8-25-09.)

18 Section 15. The Unified Code of Corrections is amended by  
19 changing Section 5-5-5 as follows:

20 (730 ILCS 5/5-5-5) (from Ch. 38, par. 1005-5-5)

21 Sec. 5-5-5. Loss and Restoration of Rights.

22 (a) Conviction and disposition shall not entail the loss by  
23 the defendant of any civil rights, except under this Section  
24 and Sections 29-6 and 29-10 of The Election Code, as now or

1 hereafter amended.

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

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

7 (d) On completion of sentence of imprisonment or upon  
8 discharge from probation, conditional discharge or periodic  
9 imprisonment, or at any time thereafter, all license rights and  
10 privileges granted under the authority of this State which have  
11 been revoked or suspended because of conviction of an offense  
12 shall be restored unless the authority having jurisdiction of  
13 such license rights finds after investigation and hearing that  
14 restoration is not in the public interest. This paragraph (d)  
15 shall not apply to the suspension or revocation of a license to  
16 operate a motor vehicle under the Illinois Vehicle Code.

17 (e) Upon a person's discharge from incarceration or parole,  
18 or upon a person's discharge from probation or at any time  
19 thereafter, the committing court may enter an order certifying  
20 that the sentence has been satisfactorily completed when the  
21 court believes it would assist in the rehabilitation of the  
22 person and be consistent with the public welfare. Such order  
23 may be entered upon the motion of the defendant or the State or  
24 upon the court's own motion.

25 (f) Upon entry of the order, the court shall issue to the  
26 person in whose favor the order has been entered a certificate

1 stating that his behavior after conviction has warranted the  
2 issuance of the order.

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

6 (h) No application for any license specified in subsection  
7 (i) of this Section granted under the authority of this State  
8 shall be denied by reason of an eligible offender who has  
9 obtained a certificate of relief from disabilities, as defined  
10 in Article 5.5 of this Chapter, having been previously  
11 convicted of one or more criminal offenses, or by reason of a  
12 finding of lack of "good moral character" when the finding is  
13 based upon the fact that the applicant has previously been  
14 convicted of one or more criminal offenses, unless:

15 (1) there is a direct relationship between one or more  
16 of the previous criminal offenses and the specific license  
17 sought; or

18 (2) the issuance of the license would involve an  
19 unreasonable risk to property or to the safety or welfare  
20 of specific individuals or the general public.

21 In making such a determination, the licensing agency shall  
22 consider the following factors:

23 (1) the public policy of this State, as expressed in  
24 Article 5.5 of this Chapter, to encourage the licensure and  
25 employment of persons previously convicted of one or more  
26 criminal offenses;

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

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

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

9           (5) the age of the person at the time of occurrence of  
10 the criminal offense or offenses;

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

12           (7) any information produced by the person or produced  
13 on his or her behalf in regard to his or her rehabilitation  
14 and good conduct, including a certificate of relief from  
15 disabilities issued to the applicant, which certificate  
16 shall create a presumption of rehabilitation in regard to  
17 the offense or offenses specified in the certificate; and

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

21           (i) A certificate of relief from disabilities shall be  
22 issued only for a license or certification issued under the  
23 following Acts:

24           (1) the Animal Welfare Act; except that a certificate  
25 of relief from disabilities may not be granted to provide  
26 for the issuance or restoration of a license under the

1 Animal Welfare Act for any person convicted of violating  
2 Section 3, 3.01, 3.02, 3.03, 3.03-1, or 4.01 of the Humane  
3 Care for Animals Act or Section 26-5 of the Criminal Code  
4 of 1961;

5 (2) the Illinois Athletic Trainers Practice Act;

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

8 (4) the Boiler and Pressure Vessel Repairer Regulation  
9 Act;

10 (5) the ~~Professional~~ Boxing and Full-contact Martial  
11 Arts Act;

12 (6) the Illinois Certified Shorthand Reporters Act of  
13 1984;

14 (7) the Illinois Farm Labor Contractor Certification  
15 Act;

16 (8) the Interior Design Title Act;

17 (9) the Illinois Professional Land Surveyor Act of  
18 1989;

19 (10) the Illinois Landscape Architecture Act of 1989;

20 (11) the Marriage and Family Therapy Licensing Act;

21 (12) the Private Employment Agency Act;

22 (13) the Professional Counselor and Clinical  
23 Professional Counselor Licensing Act;

24 (14) the Real Estate License Act of 2000;

25 (15) the Illinois Roofing Industry Licensing Act;

26 (16) the Professional Engineering Practice Act of

1 1989;

2 (17) the Water Well and Pump Installation Contractor's  
3 License Act;

4 (18) the Electrologist Licensing Act;

5 (19) the Auction License Act;

6 (20) Illinois Architecture Practice Act of 1989;

7 (21) the Dietetic and Nutrition Services Practice Act;

8 (22) the Environmental Health Practitioner Licensing  
9 Act;

10 (23) the Funeral Directors and Embalmers Licensing  
11 Code;

12 (24) the Land Sales Registration Act of 1999;

13 (25) the Professional Geologist Licensing Act;

14 (26) the Illinois Public Accounting Act; and

15 (27) the Structural Engineering Practice Act of 1989.

16 (Source: P.A. 96-1246, eff. 1-1-11.)

17 (225 ILCS 105/25 rep.)

18 Section 20. The Professional Boxing Act is amended by  
19 repealing Section 25.

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law.