



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1637

Introduced 2/15/2011, by Rep. Robert Rita

SYNOPSIS AS INTRODUCED:

See Index

Amends the Professional Boxing Act. Changes the short title to the Boxing and Full-contact Martial Arts Act. Provides that all professional and amateur contests, or combination of both, are prohibited unless authorized by the Department, unless one of the exemption applies. Provides that compensation for professional contests shall be determined by the Department and it shall be the promoters that pay the compensation. Requires a person to register as an amateur with the Department before competing in an amateur contest and provides requirements for an applicant to register as an amateur in a full-contact martial arts contest. Increases the civil penalty to \$10,000 from \$5,000 for anyone who violates the licensing provisions of the Act. Provides requirements for the logistics, including required medical personnel to be present, location and length of contests, and required officials to be present for professional or amateur, or combination of both, contests to be held in accordance with the Act. Requires promoters to pay to the Department of Revenue 3% of the first \$500,000 and 4% of additional total gross receipts from the sale, lease, or other exploitation of broadcasting, including, but not limited to, Internet, cable, television, and motion picture rights for that professional or amateur contest in addition to payment of any other taxes or money due. Permits the Department to disclose information and documents related to an examination or investigation of a licensee, registrant, or applicant only to law enforcement officials, other regulatory agencies that have an appropriate regulatory interest as determined by the Secretary, or a party presenting a lawful subpoena to the Department. Makes other changes. Amends the Regulatory Sunset Act to extend the Act from January 1, 2012 to January 1, 2022. Effective immediately.

LRB097 10470 CEL 50722 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Acts repealed on January 1, 2012.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8 Acts are repealed on January 1, 2012: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 10. The Professional Boxing Act is amended by
2 changing the title of the Act and Sections 0.05, 1, 6, 7, 8,
3 10, 10.5, 11, 12, 13, 14, 15, 16, 17.7, 17.9, 17.10, 18, 19,
4 19.1, 19.2, 19.5, 20, and 25.1 and by adding Sections 10.1,
5 11.5, and 24.5 as follows:

6 (225 ILCS 105/Act title)

7 An Act in relation to ~~professional~~ boxing and full-contact
8 martial arts.

9 (225 ILCS 105/0.05)

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

11 Sec. 0.05. Declaration of public policy. Professional
12 boxing and full-contact martial arts contests in the State of
13 Illinois, and amateur boxing and full-contact martial arts
14 contests ~~events~~, are hereby declared to affect the public
15 health, safety, and welfare and to be subject to regulation and
16 control in the public interest. It is further declared to be a
17 matter of public interest and concern that these contests ~~and~~
18 ~~events~~, as defined in this Act, merit and receive the
19 confidence of the public and that only qualified persons be
20 authorized to participate in these contests and events in the
21 State of Illinois. This Act shall be liberally construed to
22 best carry out these objects and purposes.

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

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

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

3 Sec. 1. Short title and definitions.

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

6 (b) As used in this Act:

7 ~~1.~~ "Department" means the Department of Financial and
8 Professional Regulation.

9 ~~2.~~ "Secretary" means the Secretary of Financial and
10 Professional Regulation.

11 ~~3.~~ "Board" means the State of Illinois Athletic
12 ~~Professional Boxing~~ Board appointed by the Secretary.

13 ~~4.~~ "License" means the license issued for promoters,
14 professionals ~~contestants~~, or officials in accordance with
15 this Act.

16 ~~5. (Blank).~~

17 "Professional contest" ~~6. "Contest"~~ means a
18 ~~professional~~ boxing or ~~professional~~ full-contact martial
19 arts competition in which all of the participants competing
20 against one another are professionals ~~match or exhibition~~.

21 ~~7. (Blank).~~

22 ~~8. (Blank).~~

23 ~~9.~~ "Permit" means the authorization from the
24 Department to a promoter to conduct professional or amateur
25 contests or a combination of both ~~contests~~.

1 ~~10.~~ "Promoter" means a person who is licensed and who
2 holds a permit to conduct professional or amateur contests
3 or a combination of both.

4 ~~11.~~ Unless the context indicates otherwise, "person"
5 includes, but is not limited to, an individual,
6 association, organization, business entity, gymnasium, or
7 club.

8 ~~12.~~ (Blank).

9 ~~13.~~ (Blank).

10 ~~14.~~ (Blank).

11 ~~15.~~ "Judge" means a person licensed by the Department
12 who is located at ringside or adjacent to the fighting area
13 during a professional contest and who has the
14 responsibility of scoring the performance of the
15 participants in that professional ~~the~~ contest.

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

20 ~~17.~~ "Amateur" means a person registered by the
21 Department who is not competing for, and has never received
22 or competed for, any purse or other article of value,
23 directly or indirectly, either for participating in any
24 contest or for the expenses of training therefor, other
25 than a non-monetary prize that does not exceed \$50 in
26 value.

1 "Professional" ~~18. "Contestant"~~ means a person
2 licensed by the Department who competes for a money prize,
3 purse, or other type of compensation in a professional
4 contest held in Illinois.

5 ~~19.~~ "Second" means a person licensed by the Department
6 who is present at any professional contest to provide
7 assistance or advice to a professional ~~contestant~~ during
8 the contest.

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

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

17 ~~22.~~ "Timekeeper" means a person licensed by the
18 Department who is the official timer of the length of
19 rounds and the intervals between the rounds.

20 ~~23.~~ "Purse" means the financial guarantee or any other
21 remuneration for which contestants are participating in a
22 professional contest.

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

26 ~~25.~~ "Martial arts" means a discipline or combination of

1 different disciplines that utilizes sparring techniques
2 without the intent to injure, disable, or incapacitate
3 one's opponent, such as, but not limited to, Karate, Kung
4 Fu, Judo, and Tae Kwon Do.

5 ~~26.~~ "Full-contact martial arts" means the use of a
6 singular discipline or a combination of techniques from
7 different disciplines of the martial arts, including,
8 without limitation, full-force grappling, kicking, and
9 striking with the intent to injure, disable, or
10 incapacitate one's opponent.

11 ~~27.~~ "Amateur contest ~~full-contact martial arts event~~"
12 means a boxing or full-contact martial arts competition in
13 ~~match or exhibition~~ which all of the participants competing
14 against one another are amateurs.

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

17 "Address of record" means the designated address
18 recorded by the Department in the applicant's or licensee's
19 application file or license file as maintained by the
20 Department's licensure maintenance unit. It is the duty of
21 the applicant or licensee to inform the Department of any
22 change of address and those changes must be made either
23 through the Department's website or by contacting the
24 Department.

25 "Bout" means one match between 2 contestants.

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

1 (225 ILCS 105/6) (from Ch. 111, par. 5006)

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

3 Sec. 6. Restricted contests and events.

4 (a) All professional and amateur contests or a combination
5 of both in which physical contact is made are prohibited in
6 Illinois unless authorized by the Department pursuant to the
7 requirements and standards stated in this Act and the rules
8 adopted pursuant to this Act. This subsection (a) does not
9 apply to any of the following:

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

13 (2) Amateur boxing contests that are sanctioned by USA
14 Boxing or any other sanctioning organization approved by
15 the Association of Boxing Commissions.

16 (3) Amateur boxing contests conducted by a State,
17 county, or municipal entity.

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

23 Notwithstanding any provision of subsection (a), amateur
24 boxing or full-contact martial arts contests conducted by
25 institutions, including, but not limited to, gyms, clubs, or

1 other organizations that furnish instruction in boxing or
2 full-contact martial arts are not exempt.

3 No other amateur boxing contests shall be permitted unless
4 authorized by the Department.

5 (b) The Department shall have the authority to determine
6 whether a professional or amateur contest is exempt for
7 purposes of this Section. ~~Department authorization is not~~
8 ~~required for amateur full contact martial arts events~~
9 ~~conducted in a manner that provides substantially similar~~
10 ~~protections for the health, safety, and welfare of the~~
11 ~~participants and the public as are required for professional~~
12 ~~events by this Act and the rules adopted by the Department~~
13 ~~under this Act. Those protections shall include, at a minimum,~~
14 ~~onsite medical staff and equipment, trained officials,~~
15 ~~adequate insurance coverage, weight classes, use of~~
16 ~~appropriate safety equipment by participants, adequate and~~
17 ~~safe competition surfaces, and standards regarding striking~~
18 ~~techniques and fouls. Anyone conducting an amateur~~
19 ~~full contact martial arts event shall notify the Department in~~
20 ~~writing of the date, time, and location of that event at least~~
21 ~~20 days prior to the event. Failure to comply with the~~
22 ~~requirements of this Section shall render the event prohibited~~
23 ~~and unauthorized by the Department, and persons involved in the~~
24 ~~event are subject to the procedures and penalties set forth in~~
25 ~~Section 10.5.~~

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

1 (225 ILCS 105/7) (from Ch. 111, par. 5007)

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

3 Sec. 7. In order to conduct a professional contest or,
4 beginning 6 months after the adoption of rules pertaining to an
5 amateur contest, an amateur contest, or a combination of both
6 in this State, a promoter shall obtain a permit issued by the
7 Department in accordance with this Act and the rules and
8 regulations adopted pursuant thereto. This permit shall
9 authorize one or more professional or amateur contests or a
10 combination of both. A permit issued under this Act is not
11 transferable.

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

13 (225 ILCS 105/8) (from Ch. 111, par. 5008)

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

15 Sec. 8. Permits.

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

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

24 (2) the name of the matchmaker;

1 (3) the time and exact location of the professional or
2 amateur contest or a combination of both. It is the
3 responsibility of the promoter to ensure that the building
4 to be used for the event complies with all laws,
5 ordinances, and regulations in the city, town, village, or
6 county where the contest is to be held;

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

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

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

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

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

23 ~~(1) The amount of compensation to be paid to each~~
24 ~~participant.~~

25 (5) proof of adequate medical supervision, as
26 determined by Department rule, to ensure the protection of

1 the health and safety of professionals' or amateurs' while
2 participating in the contest;

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

5 (7) proof ~~(3) Proof~~ of insurance for not less than
6 \$50,000 as further defined by rule for each professional or
7 amateur ~~contestant~~ participating in a professional or
8 amateur contest or a combination of both; insurance.

9 ~~Insurance~~ required under this paragraph (6) subsection
10 shall cover (i) hospital, medication, physician, and other
11 such expenses as would accrue in the treatment of an injury
12 as a result of the professional or amateur contest; ~~and~~
13 (ii) payment to the estate of the professional or amateur
14 ~~contestant~~ in the event of his or her death as a result of
15 his or her participation in the professional or amateur
16 contest; and (iii) accidental death and dismemberment; -

17 ~~(c) All promoters shall provide to the Department, at least~~
18 ~~24 hours prior to commencement of the event, the~~

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

22 (9) organizational or internationally accepted rules,
23 per discipline, for professional or amateur full-contact
24 martial arts contests where the Department does not provide
25 the rules; and

26 (10) any other information that the Department may

1 require to determine whether a permit shall be issued.

2 ~~(d) The contest shall be held in an area where adequate~~
3 ~~neurosurgical facilities are immediately available for skilled~~
4 ~~emergency treatment of an injured contestant. It is the~~
5 ~~responsibility of the promoter to ensure that the building to~~
6 ~~be used for the event complies with all laws, ordinances, and~~
7 ~~regulations in the city, town, or village where the contest is~~
8 ~~to be held.~~

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

19 (c) ~~(e)~~ The Department shall be responsible for assigning
20 the judges, timekeepers, referees, and physicians, ~~and medical~~
21 ~~personnel~~ for a professional contest. Compensation shall be
22 determined by the Department, and it ~~it~~ shall be the
23 responsibility of the promoter to pay ~~cover the cost of~~ the
24 individuals utilized ~~at a contest~~.

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

1 (225 ILCS 105/10) (from Ch. 111, par. 5010)

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

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

9 Announcers may participate in professional or amateur
10 contests without being licensed under this Act. It shall be the
11 responsibility of the promoter to ensure that announcers comply
12 with the Act, and all rules and regulations promulgated
13 pursuant to this Act.

14 A licensed promoter may not act as, and cannot be licensed
15 as, a second, professional ~~contestant~~, referee, timekeeper,
16 judge, or manager. If he or she is so licensed, he or she must
17 relinquish any of these licenses to the Department for
18 cancellation. A person possessing a valid promoter's license
19 may act as a matchmaker.

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

21 (225 ILCS 105/10.1 new)

22 Sec. 10.1. Registration of amateurs. Beginning 6 months
23 after the adoption of rules providing for the registration of
24 amateurs under this Act, it shall be unlawful for any person to
25 compete as an amateur unless he or she is registered and in

1 good standing with the Department or is otherwise exempt from
2 registration under this Act. A person who is required to
3 register shall apply to the Department, in writing, on forms
4 provided by the Department.

5 (225 ILCS 105/10.5)

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

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

8 (a) Any person who practices, offers to practice, attempts
9 to practice, or holds oneself out to practice as a promoter,
10 professional ~~contestant~~, second, referee, judge, manager,
11 matchmaker, or timekeeper without being licensed under this Act
12 shall, in addition to any other penalty provided by law, pay a
13 civil penalty to the Department in an amount not to exceed
14 \$10,000 ~~\$5,000~~ for each offense as determined by the
15 Department. The civil penalty shall be assessed by the
16 Department after a hearing is held in accordance with the
17 provisions set forth in this Act regarding the provision of a
18 hearing for the discipline of a licensee.

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

21 (c) The civil penalty shall be paid within 60 days after
22 the effective date of the order imposing the civil penalty. The
23 order shall constitute a judgment and may be filed and
24 execution had thereon in the same manner as any judgment from
25 any court of record.

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

2 (225 ILCS 105/11) (from Ch. 111, par. 5011)

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

4 Sec. 11. Qualifications for license. The Department shall
5 grant licenses to the following persons if the following
6 qualifications are met:

7 (1) ~~(A)~~ An applicant for licensure as a professional
8 ~~contestant in a contest~~ must: (1) be 18 years old, (2) be
9 of good moral character, (3) file an application stating
10 the applicant's legal ~~correct~~ name (and no assumed or ring
11 name may be used unless such name is registered with the
12 Department along with the applicant's legal ~~correct~~ name),
13 date and place of birth, place of current residence, and a
14 sworn statement that he is not currently in violation of
15 any federal, State or local laws or rules governing boxing
16 or full-contact martial arts, (4) file a certificate from
17 ~~of~~ a physician licensed to practice medicine in all of its
18 branches which attests that the applicant is physically fit
19 and qualified to participate in professional contests, and
20 (5) pay the required fee and meet any other requirements.
21 Applicants over age 35 who have not competed in a
22 professional or amateur contest within the last 36 months
23 may be required to appear before the Department ~~Board~~ to
24 determine their fitness to participate in a professional
25 contest. A picture identification card shall be issued to

1 all professionals ~~contestants~~ licensed by the Department
2 who are residents of Illinois or who are residents of any
3 jurisdiction, state, or country that does not regulate
4 professional boxing or full-contact martial arts. The
5 identification card shall be presented to the Department or
6 its representative upon request at weigh-ins.

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

17 (3) ~~(C)~~ An applicant for licensure as a promoter must:
18 (1) be of good moral character, (2) file an application
19 with the Department stating the applicant's name, date and
20 place of birth, place of current residence along with a
21 certifying statement that he is not currently in violation
22 of any federal, State, or local laws or rules governing
23 boxing or full-contact martial arts, (3) provide proof of a
24 surety bond of no less than \$5,000 to cover financial
25 obligations pursuant to this Act, payable to the Department
26 and conditioned for the payment of the tax imposed by this

1 Act and compliance with this Act and the rules promulgated
2 pursuant to this Act, (4) provide a financial statement,
3 prepared by a certified public accountant, showing liquid
4 working capital of \$10,000 or more, or a \$10,000
5 performance bond guaranteeing payment of all obligations
6 relating to the promotional activities, and (5) pay the
7 required fee and meet any other requirements as determined
8 by rule.

9 (4) All applicants shall submit an application to the
10 Department, in writing, on forms provided by the
11 Department, containing such information as determined by
12 rule.

13 In determining good moral character, the Department may
14 take into consideration any violation of any of the provisions
15 of Section 16 of this Act as to referees, judges, managers,
16 matchmakers, timekeepers, or promoters and any felony
17 conviction of the applicant, but such a conviction shall not
18 operate as a bar to licensure. No license issued under this Act
19 is transferable.

20 The Department may issue temporary licenses as provided by
21 rule.

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

23 (225 ILCS 105/11.5 new)

24 Sec. 11.5. Qualifications for registration. An applicant
25 for registration as an amateur competing in an amateur full

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

11 In determining good moral character, the Department may
12 take into consideration any violation of any of the provisions
13 of Section 16 of this Act. No registration issued under this
14 Act is transferable.

15 This Section does not apply to amateur participants under
16 the age of 18 and younger. Participants under the age of 18 and
17 younger shall meet all other requirements for amateurs in this
18 Act and as established by rule.

19 (225 ILCS 105/12) (from Ch. 111, par. 5012)

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

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

22 (a) The professional or amateur contest or a combination of
23 both shall be held in an area where adequate neurosurgical
24 facilities are immediately available for skilled emergency
25 treatment of an injured professional or amateur.

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

15 (c) The physician may, at any time during the professional
16 or amateur bout ~~contest~~, stop the professional or amateur bout
17 ~~contest~~ to examine a professional or amateur contestant, and
18 may direct the referee to terminate the bout ~~contest~~ when, in
19 the physician's opinion, continuing the bout ~~contest~~ could
20 result in serious injury to the professional or amateur
21 ~~contestant~~. If the professional's or amateur's physical
22 condition so indicates, the physician shall recommend to the
23 Department immediate medical suspension. The physician shall
24 certify to the condition of the professional or amateur
25 ~~contestant~~ in writing, over his signature on forms provided by
26 the Department. Such reports shall be submitted to the

1 Department in a timely manner. ~~The physician shall be paid by~~
2 ~~the promoter a fee fixed by the Department. No contest shall be~~
3 ~~held unless a physician licensed to practice medicine in all of~~
4 ~~its branches is in attendance.~~

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

12 (e) No professional boxing bout ~~contest~~ shall be more than
13 12 rounds in length. The rounds shall not be more than 3
14 minutes each with a one minute interval between them, and no
15 professional boxer shall be allowed to participate in more than
16 one contest within a 7-day period ~~12 rounds within 72~~
17 ~~consecutive hours.~~

18 The number and length of rounds for all other professional
19 or amateur boxing or full-contact martial arts bouts ~~contests~~
20 shall be established by rule.

21 (f) The number and types of officials required for each
22 professional or amateur contest shall be determined by rule. ~~At~~
23 ~~each contest there shall be a referee in attendance who shall~~
24 ~~direct and control the contest. The referee, before each~~
25 ~~contest, shall learn the name of the contestant's chief second~~
26 ~~and shall hold the chief second responsible for the conduct of~~

1 ~~his assistant during the progress of the contest.~~

2 ~~There shall be 2 judges in attendance at all boxing~~
3 ~~contests who shall render a decision at the end of each~~
4 ~~contest. The decision of the judges, taken together with the~~
5 ~~decision of the referee, is final; or, 3 judges shall score the~~
6 ~~contest with the referee not scoring. The method of scoring~~
7 ~~shall be set forth in rules. The number of judges required and~~
8 ~~the manner of scoring for all other contests shall be set by~~
9 ~~rule.~~

10 ~~Judges, referees, or timekeepers for contests shall be~~
11 ~~assigned by the Department.~~

12 (g) The Department or its representative shall have
13 discretion to declare a price, remuneration, or purse or any
14 part of it belonging to the professional contestant withheld if
15 in the judgment of the Department or its representative the
16 professional contestant is not honestly competing.

17 (h) The Department shall have the authority to prevent a
18 professional or amateur contest or a combination of both from
19 being held and shall have the authority to stop a professional
20 or amateur contest or a combination of both for noncompliance
21 with any part of this Act or rules or when, in the judgment of
22 the Department, or its representative, continuation of the
23 event would endanger the health, safety, and welfare of the
24 professionals or amateurs contestants or spectators. The
25 Department's authority to stop a contest on the basis that the
26 professional or amateur contest or a combination of both would

1 endanger the health, safety, and welfare of the professionals
2 or amateurs ~~contestants~~ or spectators shall extend to any
3 professional or amateur contest or a combination of both,
4 regardless of whether that amateur contest is exempted from the
5 prohibition in Section 6 of this Act.

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

7 (225 ILCS 105/13) (from Ch. 111, par. 5013)

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

9 Sec. 13. Tickets; tax. Tickets to professional or amateur
10 contests or a combination of both shall be printed in such form
11 as the Department shall prescribe. A certified inventory of all
12 tickets printed for any professional or amateur contest or a
13 combination of both shall be mailed to the Department by the
14 promoter not less than 7 days before the contest. The total
15 number of tickets printed shall not exceed the total seating
16 capacity of the premises in which the professional or amateur
17 contest or a combination of both is to be held. No tickets of
18 admission to any professional or amateur contest or a
19 combination of both shall be sold except those declared on an
20 official ticket inventory as described in this Section.

21 A promoter who conducts a professional or amateur contest
22 or a combination of both under this Act shall, within 24 hours
23 after a professional or amateur contest or a combination of
24 both: (1) furnish to the Department a written report verified
25 by the promoter or his authorized designee showing the number

1 of tickets sold for the professional or amateur contest or a
2 combination of both or the actual ticket stubs of tickets sold
3 and the amount of the gross proceeds thereof; and (2) pay to
4 the Department a tax of 7% ~~3% of the first \$500,000~~ of gross
5 receipts from the sale of admission tickets, to be collected by
6 the Department of Revenue and placed in the General Revenue
7 Fund.

8 In addition to the payment of any other taxes and money due
9 under this Section, every promoter shall pay to the Department
10 of Revenue 3% of the first \$500,000 and 4% thereafter of the
11 total gross receipts from the sale, lease, or other
12 exploitation of broadcasting, including, but not limited to,
13 Internet, cable, television, and motion picture rights for that
14 professional or amateur contest or exhibition without any
15 deductions for commissions, brokerage fees, distribution fees,
16 advertising, professional contestants' purses, or any other
17 expenses or charges. These fees shall be collected by the
18 Department of Revenue and placed in the General Revenue Fund.

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

20 (225 ILCS 105/14) (from Ch. 111, par. 5014)

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

22 Sec. 14. Failure to report ticket sales and tax. If the
23 permit holder fails to make a report as required by Section 13,
24 or if such report is unsatisfactory, the Department of Revenue
25 may examine or cause to be examined the books and records of

1 any such holder or his associates or any other person as a
2 witness under oath to determine the total amount of tax due
3 under this Act.

4 If it is determined that there has been a default in the
5 payment of a tax, the promoter shall be given 20 days notice of
6 the amount due which shall include the expenses incurred in
7 making the examination.

8 If the promoter does not pay the amount due he shall be
9 disqualified from obtaining a permit under this Act and the
10 Attorney General shall institute suit upon the bond filed
11 pursuant to this Act to recover the tax or penalties imposed by
12 this Act.

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

14 (225 ILCS 105/15) (from Ch. 111, par. 5015)

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

16 Sec. 15. Inspectors. The Secretary ~~Director~~ may appoint
17 inspectors to assist the Department staff in the administration
18 of the Act. Each inspector appointed by the Secretary ~~Director~~
19 shall receive compensation for each day he or she is engaged in
20 the transacting of business of the Department. Each inspector
21 shall carry a card issued by the Department to authorize him or
22 her to act in such capacity. The inspector or inspectors shall
23 supervise each professional contest and, at the Department's
24 discretion, may supervise each amateur contest to ensure that
25 the provisions of the Act are strictly enforced. ~~The inspectors~~

1 ~~shall also be present at the counting of the gross receipts and~~
2 ~~shall immediately deliver to the Department the official box~~
3 ~~office statement as required by Section 13.~~

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

5 (225 ILCS 105/16) (from Ch. 111, par. 5016)

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

7 Sec. 16. Discipline and sanctions.

8 (a) The Department may refuse to issue a permit, ~~or~~
9 license, or registration, refuse to renew, suspend, revoke,
10 reprimand, place on probation, or take such other disciplinary
11 or non-disciplinary action as the Department may deem proper,
12 including the imposition of fines not to exceed \$10,000 ~~\$5,000~~
13 for each violation, with regard to any permit, license, or
14 registration for one or any combination of the following
15 reasons:

16 (1) gambling, betting, or wagering on the result of or
17 a contingency connected with a professional or amateur
18 contest or a combination of both permitting such activity
19 to take place;

20 (2) participating in or permitting a sham or fake
21 professional or amateur contest or a combination of both;

22 (3) holding the professional or amateur contest or a
23 combination of both at any other time or place than is
24 stated on the permit application;

25 (4) permitting any professional or amateur ~~contestant~~

1 other than those stated on the permit application to
2 participate in a professional or amateur contest or a
3 combination of both, except as provided in Section 9;

4 (5) violation or aiding in the violation of any of the
5 provisions of this Act or any rules or regulations
6 promulgated thereto;

7 (6) violation of any federal, State or local laws of
8 the United States or other jurisdiction governing
9 professional or amateur contests or any regulation
10 promulgated pursuant thereto;

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

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

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

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

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

24 (12) permitting a physician making the physical
25 examination to knowingly certify falsely to the physical
26 condition of a professional or amateur contestant;

1 (13) permitting professional or amateur ~~contestants~~ of
2 widely disparate weights or abilities to engage in
3 professional or amateur contests, respectively;

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

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

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

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

16 (18) professional incompetence;

17 (19) failure to file a return, or to pay the tax,
18 penalty or interest shown in a filed return, or to pay any
19 final assessment of tax, penalty or interest, as required
20 by any tax Act administered by the Illinois Department of
21 Revenue, until such time as the requirements of any such
22 tax Act are satisfied;

23 (20) (blank);

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

1 (22) failure to stop a professional or amateur contest
2 or a combination of both when requested to do so by the
3 Department; ~~or~~

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

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

10 (b) The determination by a circuit court that a licensee is
11 subject to involuntary admission or judicial admission as
12 provided in the Mental Health and Developmental Disabilities
13 Code operates as an automatic suspension. The suspension will
14 end only upon a finding by a court that the licensee is no
15 longer subject to involuntary admission or judicial admission,
16 issuance of an order so finding and discharging the licensee,
17 ~~and upon the recommendation of the Board to the Director that~~
18 ~~the licensee be allowed to resume his or her practice.~~

19 (c) In enforcing this Section, the Department Board, upon a
20 showing of a possible violation, may compel any individual
21 licensed to practice under this Act, or who has applied for
22 licensure pursuant to this Act, to submit to a mental or
23 physical examination, or both, as required by and at the
24 expense of the Department. The examining physicians or clinical
25 psychologists shall be those specifically designated by the
26 Department Board. ~~The Board or the~~ Department may order the

1 examining physician or clinical psychologist to present
2 testimony concerning this mental or physical examination of the
3 licensee or applicant. No information shall be excluded by
4 reason of any common law or statutory privilege relating to
5 communications between the licensee or applicant and the
6 examining physician or clinical psychologist. Eye examinations
7 may be provided by a licensed and certified therapeutic
8 optometrist. The individual to be examined may have, at his or
9 her own expense, another physician of his or her choice present
10 during all aspects of the examination. Failure of any
11 individual to submit to a mental or physical examination, when
12 directed, shall be grounds for suspension of a license ~~until~~
13 ~~such time as the individual submits to the examination if the~~
14 ~~Board finds, after notice and hearing, that the refusal to~~
15 ~~submit to the examination was without reasonable cause.~~

16 ~~(d) If the Board finds an individual unable to practice~~
17 ~~because of the reasons set forth in this Section, the Board~~
18 ~~shall require the individual to submit to care, counseling, or~~
19 ~~treatment by physicians or clinical psychologists approved or~~
20 ~~designated by the Board, as a condition, term, or restriction~~
21 ~~for continued, reinstated, or renewed licensure, or in lieu of~~
22 ~~care, counseling, or treatment, the Board may recommend to the~~
23 ~~Department to file a complaint to immediately suspend, revoke,~~
24 ~~or otherwise discipline the license of the individual. Any~~
25 ~~individual whose license was granted pursuant to this Act, or~~
26 ~~continued, reinstated, renewed, disciplined, or supervised,~~

1 ~~subject to such conditions, terms, or restrictions, who shall~~
2 ~~fail to comply with such conditions, terms, or restrictions,~~
3 ~~shall be referred to the Director for a determination as to~~
4 ~~whether the individual shall have his or her license suspended~~
5 ~~immediately, pending a hearing by the Board.~~

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

7 (225 ILCS 105/17.7)

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

9 Sec. 17.7. Restoration of license from discipline
10 ~~suspended or revoked license. At any time after the successful~~
11 completion of a term of indefinite probation, suspension, or
12 revocation of a license, the Department may restore the license
13 to the licensee, unless after an investigation and hearing the
14 Secretary determines that restoration is not in the public
15 interest. No person or entity whose license, certificate, or
16 authority has been revoked as authorized in this Act may apply
17 for restoration of that license, certification, or authority
18 until such time as provided for in the Civil Administrative
19 Code of Illinois. ~~At any time after the suspension or~~
20 ~~revocation of a license, the Department may restore it to the~~
21 ~~licensee upon the written recommendation of the Board, unless~~
22 ~~after an investigation and a hearing the Board determines that~~
23 ~~restoration is not in the public interest.~~

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

1 (225 ILCS 105/17.9)

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

3 Sec. 17.9. Summary suspension of a license or registration.

4 The Secretary ~~Director~~ may summarily suspend a license or
5 registration without a hearing if the Secretary ~~Director~~ finds
6 that evidence in the Secretary's ~~Director's~~ possession
7 indicates that the continuation of practice would constitute an
8 imminent danger to the public, participants, including any
9 professional contest officials, or the individual involved or
10 cause harm to the profession. If the Secretary ~~Director~~
11 summarily suspends the license without a hearing, a hearing
12 must be commenced within 30 days after the suspension has
13 occurred and concluded as expeditiously as practical.

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

15 (225 ILCS 105/17.10)

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

17 Sec. 17.10. Administrative review; venue.

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

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

1 (c) The Department shall not be required to certify any
2 record to the court or file any answer in court or otherwise
3 appear in any court in a judicial review proceeding, unless and
4 until the Department has received from the plaintiff payment of
5 the costs of furnishing and certifying the record, which costs
6 shall be determined by the Department. Failure on the part of
7 the plaintiff to file a receipt in court shall be grounds for
8 dismissal of the action.

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

10 (225 ILCS 105/18) (from Ch. 111, par. 5018)

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

12 Sec. 18. Investigations; notice and hearing. The
13 Department may investigate the actions of any applicant or of
14 any person or persons promoting or participating in a
15 professional or amateur contest or any person holding or
16 claiming to hold a license. The Department shall, before
17 revoking, suspending, placing on probation, reprimanding, or
18 taking any other disciplinary action under this Act, at least
19 30 days before the date set for the hearing, (i) notify the
20 accused in writing of the charges made and the time and place
21 for the hearing on the charges, (ii) direct him or her to file
22 a written answer to the charges with the Department Board under
23 oath within 20 days after the service on him or her of the
24 notice, and (iii) inform the accused that, if he or she fails
25 to answer, default will be taken against him or her or that his

1 or her license may be suspended, revoked, or placed on
2 probationary status or that other disciplinary action may be
3 taken with regard to the license, including limiting the scope,
4 nature, or extent of his or her practice, as the Department may
5 consider proper. At the time and place fixed in the notice, the
6 hearing officer ~~Board~~ shall proceed to hear the charges, and
7 the parties or their counsel shall be accorded ample
8 opportunity to present any pertinent statements, testimony,
9 evidence, and arguments. The hearing officer ~~Board~~ may continue
10 the hearing from time to time. In case the person, after
11 receiving the notice, fails to file an answer, his or her
12 license may, in the discretion of the Department, be suspended,
13 revoked, or placed on probationary status or the Department may
14 take whatever disciplinary action considered proper, including
15 limiting the scope, nature, or extent of the person's practice
16 or the imposition of a fine, without a hearing, if the act or
17 acts charged constitute sufficient grounds for that action
18 under this Act. The written notice may be served by personal
19 delivery or by certified mail to the person's address of record
20 ~~specified by the accused in his or her last notification with~~
21 ~~the Department.~~

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

23 (225 ILCS 105/19) (from Ch. 111, par. 5019)

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

25 Sec. 19. Findings and recommendations. At the conclusion of

1 the hearing, the hearing officer ~~Board~~ shall present to the
2 Secretary ~~Director~~ a written report of its findings,
3 conclusions of law, and recommendations. The report shall
4 contain a finding of whether the accused person violated this
5 Act or its rules or failed to comply with the conditions
6 required in this Act or its rules. The hearing officer ~~Board~~
7 shall specify the nature of any violations or failure to comply
8 and shall make its recommendations to the Secretary ~~Director~~.
9 In making recommendations for any disciplinary actions, the
10 hearing officer ~~Board~~ may take into consideration all facts and
11 circumstances bearing upon the reasonableness of the conduct of
12 the accused and the potential for future harm to the public
13 including, but not limited to, previous discipline of the
14 accused by the Department, intent, degree of harm to the public
15 and likelihood of harm in the future, any restitution made by
16 the accused, and whether the incident or incidents contained in
17 the complaint appear to be isolated or represent a continuing
18 pattern of conduct. In making its recommendations for
19 discipline, the hearing officer ~~Board~~ shall endeavor to ensure
20 that the severity of the discipline recommended is reasonably
21 related to the severity of the violation.

22 The report of findings of fact, conclusions of law, and
23 recommendation of the hearing officer ~~Board~~ shall be the basis
24 for the Department's order refusing to issue, restore, or renew
25 a license, or otherwise disciplining a licensee. If the
26 Secretary ~~Director~~ disagrees with the recommendations of the

1 hearing officer ~~Board~~, the Secretary ~~Director~~ may issue an
2 order in contravention of the hearing officer's ~~Board~~
3 recommendations. ~~The Director shall provide a written report to~~
4 ~~the Board on any disagreement and shall specify the reasons for~~
5 ~~the action in the final order.~~ The finding is not admissible in
6 evidence against the person in a criminal prosecution brought
7 for a violation of this Act, but the hearing and finding are
8 not a bar to a criminal prosecution brought for a violation of
9 this Act.

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

11 (225 ILCS 105/19.1) (from Ch. 111, par. 5019.1)

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

13 Sec. 19.1. Appointment of a hearing officer. The Secretary
14 ~~Director~~ has the authority to appoint any attorney duly
15 licensed to practice law in the State of Illinois to serve as
16 the hearing officer in any action for refusal to issue,
17 restore, or renew a license or discipline of a licensee. The
18 hearing officer has full authority to conduct the hearing. The
19 hearing officer shall report his or her findings of fact,
20 conclusions of law, and recommendations to ~~the Board and the~~
21 Secretary ~~Director~~. ~~The Board shall have 60 days from receipt~~
22 ~~of the report to review the report of the hearing officer and~~
23 ~~present its findings of fact, conclusions of law and~~
24 ~~recommendations to the Director. If the Board fails to present~~
25 ~~its report within the 60 day period, the Director may issue an~~

1 ~~order based on the report of the hearing officer.~~ If the
2 Secretary Director determines that the hearing officer's
3 ~~Board's~~ report is contrary to the manifest weight of the
4 evidence, he may issue an order in contravention of the
5 recommendation. ~~The Director shall promptly provide a written~~
6 ~~report of the Board on any deviation and shall specify the~~
7 ~~reasons for the action in the final order.~~

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

9 (225 ILCS 105/19.2)

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

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

17 The Secretary Director, the designated hearing officer,
18 and ~~every member of the~~ Department Board has the power to
19 administer oaths to witnesses at any hearing that the
20 Department is authorized to conduct and any other oaths
21 authorized in any Act administered by the Department.

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

23 (225 ILCS 105/19.5)

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

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

5 (1) the signature is the genuine signature of the
6 Secretary Director; and

7 (2) the Secretary Director is duly appointed and
8 qualified. ~~;~~ and

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

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

11 (225 ILCS 105/20) (from Ch. 111, par. 5020)

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

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

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

2 (225 ILCS 105/24.5 new)

3 Sec. 24.5. Confidentiality. All information collected by
4 the Department in the course of an examination or investigation
5 of a licensee, registrant, or applicant, including, but not
6 limited to, any complaint against a licensee or registrant
7 filed with the Department and information collected to
8 investigate any such complaint, shall be maintained for the
9 confidential use of the Department and shall not be disclosed.
10 The Department may not disclose such information to anyone
11 other than law enforcement officials, other regulatory
12 agencies that have an appropriate regulatory interest as
13 determined by the Secretary, or a party presenting a lawful
14 subpoena to the Department. Information and documents
15 disclosed to a federal, State, county, or local law enforcement
16 agency shall not be disclosed by the agency for any purpose to
17 any other agency or person. A formal complaint filed against a
18 licensee or registrant by the Department or any order issued by
19 the Department against a licensee, registrant, or applicant
20 shall be a public record, except as otherwise prohibited by
21 law.

22 (225 ILCS 105/25.1)

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

24 Sec. 25.1. Medical Suspension. A licensee or registrant who

1 is determined by the examining physician to be unfit to compete
2 or officiate shall be immediately suspended until it is shown
3 that he or she is fit for further competition or officiating.
4 If the licensee or registrant disagrees with a medical
5 suspension set at the discretion of the ringside physician, he
6 or she may request a hearing to show proof of fitness. The
7 hearing shall be provided at the earliest opportunity after the
8 Department receives a written request from the licensee.

9 If the referee has rendered a decision of technical
10 knockout against a professional or amateur ~~contestant~~ or if the
11 professional or amateur ~~contestant~~ is knocked out other than by
12 a blow to the head, the professional or amateur ~~contestant~~
13 shall be immediately suspended for a period of not less than 30
14 days. In a full-contact martial arts contest, if the
15 professional or amateur ~~contestant~~ has tapped out or has
16 submitted, the referee shall stop the professional or amateur
17 contest and the ringside physician shall determine the length
18 of suspension.

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

22 Prior to reinstatement, any professional or amateur
23 ~~contestant~~ suspended for his or her medical protection shall
24 satisfactorily pass a medical examination upon the direction of
25 the Department. The examining physician may require any
26 necessary medical procedures during the examination.

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

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

4 (730 ILCS 5/5-5-5) (from Ch. 38, par. 1005-5-5)

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

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

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

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

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

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

9 (f) Upon entry of the order, the court shall issue to the
10 person in whose favor the order has been entered a certificate
11 stating that his behavior after conviction has warranted the
12 issuance of the order.

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

16 (h) No application for any license specified in subsection
17 (i) of this Section granted under the authority of this State
18 shall be denied by reason of an eligible offender who has
19 obtained a certificate of relief from disabilities, as defined
20 in Article 5.5 of this Chapter, having been previously
21 convicted of one or more criminal offenses, or by reason of a
22 finding of lack of "good moral character" when the finding is
23 based upon the fact that the applicant has previously been
24 convicted of one or more criminal offenses, unless:

25 (1) there is a direct relationship between one or more
26 of the previous criminal offenses and the specific license

1 sought; or

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

5 In making such a determination, the licensing agency shall
6 consider the following factors:

7 (1) the public policy of this State, as expressed in
8 Article 5.5 of this Chapter, to encourage the licensure and
9 employment of persons previously convicted of one or more
10 criminal offenses;

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

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

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

19 (5) the age of the person at the time of occurrence of
20 the criminal offense or offenses;

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

22 (7) any information produced by the person or produced
23 on his or her behalf in regard to his or her rehabilitation
24 and good conduct, including a certificate of relief from
25 disabilities issued to the applicant, which certificate
26 shall create a presumption of rehabilitation in regard to

1 the offense or offenses specified in the certificate; and

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

5 (i) A certificate of relief from disabilities shall be
6 issued only for a license or certification issued under the
7 following Acts:

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

15 (2) the Illinois Athletic Trainers Practice Act;

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

18 (4) the Boiler and Pressure Vessel Repairer Regulation
19 Act;

20 (5) the ~~Professional~~ Boxing and Full-contact Martial
21 Arts Act ;

22 (6) the Illinois Certified Shorthand Reporters Act of
23 1984;

24 (7) the Illinois Farm Labor Contractor Certification
25 Act;

26 (8) the Interior Design Title Act;

1 (9) the Illinois Professional Land Surveyor Act of
2 1989;

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

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

5 (12) the Private Employment Agency Act;

6 (13) the Professional Counselor and Clinical
7 Professional Counselor Licensing Act;

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

9 (15) the Illinois Roofing Industry Licensing Act;

10 (16) the Professional Engineering Practice Act of
11 1989;

12 (17) the Water Well and Pump Installation Contractor's
13 License Act;

14 (18) the Electrologist Licensing Act;

15 (19) the Auction License Act;

16 (20) Illinois Architecture Practice Act of 1989;

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

18 (22) the Environmental Health Practitioner Licensing
19 Act;

20 (23) the Funeral Directors and Embalmers Licensing
21 Code;

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

23 (25) the Professional Geologist Licensing Act;

24 (26) the Illinois Public Accounting Act; and

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

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

1 (225 ILCS 105/25 rep.)

2 Section 20. The Professional Boxing Act is amended by
3 repealing Section 25.

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.

1	INDEX	
2	Statutes amended in order of appearance	
3	5 ILCS 80/4.22	
4	5 ILCS 80/4.32 new	
5	225 ILCS 105/Act title	
6	225 ILCS 105/0.05	
7	225 ILCS 105/1	from Ch. 111, par. 5001
8	225 ILCS 105/6	from Ch. 111, par. 5006
9	225 ILCS 105/7	from Ch. 111, par. 5007
10	225 ILCS 105/8	from Ch. 111, par. 5008
11	225 ILCS 105/10	from Ch. 111, par. 5010
12	225 ILCS 105/10.1 new	
13	225 ILCS 105/10.5	
14	225 ILCS 105/11	from Ch. 111, par. 5011
15	225 ILCS 105/11.5 new	
16	225 ILCS 105/12	from Ch. 111, par. 5012
17	225 ILCS 105/13	from Ch. 111, par. 5013
18	225 ILCS 105/14	from Ch. 111, par. 5014
19	225 ILCS 105/15	from Ch. 111, par. 5015
20	225 ILCS 105/16	from Ch. 111, par. 5016
21	225 ILCS 105/17.7	
22	225 ILCS 105/17.9	
23	225 ILCS 105/17.10	
24	225 ILCS 105/18	from Ch. 111, par. 5018
25	225 ILCS 105/19	from Ch. 111, par. 5019

- 1 225 ILCS 105/19.1 from Ch. 111, par. 5019.1
- 2 225 ILCS 105/19.2
- 3 225 ILCS 105/19.5
- 4 225 ILCS 105/20 from Ch. 111, par. 5020
- 5 225 ILCS 105/24.5 new
- 6 225 ILCS 105/25.1
- 7 730 ILCS 5/5-5-5 from Ch. 38, par. 1005-5-5
- 8 225 ILCS 105/25 rep.