

1 AN ACT concerning State government.

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

4 Section 5. The Department of Professional Regulation Law of  
5 the Civil Administrative Code of Illinois is amended by adding  
6 Section 2105-207 as follows:

7 (20 ILCS 2105/2105-207 new)

8 Sec. 2105-207. Records of Department actions.

9 (a) Any licensee subject to a licensing Act administered by  
10 the Division of Professional Regulation and who has been  
11 subject to disciplinary action by the Department may file an  
12 application with the Department on forms provided by the  
13 Department, along with the required fee of \$200, to have the  
14 records classified as confidential, not for public release and  
15 considered expunged for reporting purposes if:

16 (1) the application is submitted more than 7 years  
17 after the disciplinary offense occurred;

18 (2) the licensee has had no incidents of discipline  
19 under the licensing Act since the disciplinary offense  
20 identified in the application occurred;

21 (3) the Department has no pending investigations  
22 against the licensee; and

23 (4) the licensee is not currently in a disciplinary

1       status.

2       (b) An application to make disciplinary records  
3 confidential shall only be considered by the Department for an  
4 offense or action relating to:

5           (1) failure to pay taxes, child support, or student  
6 loans;

7           (2) continuing education;

8           (3) failure to renew a license on time;

9           (4) failure to obtain or renew a certificate of  
10 registration or ancillary license;

11           (5) advertising; or

12           (6) any grounds for discipline removed from the  
13 licensing Act.

14       (c) An application shall be submitted to and considered by  
15 the Director of the Division of Professional Regulation upon  
16 submission of an application and the required non-refundable  
17 fee. The Department may establish additional requirements by  
18 rule. The Department is not required to report the removal of  
19 any disciplinary record to any national database. Nothing in  
20 this Section shall prohibit the Department from using a  
21 previous discipline for any regulatory purpose or from  
22 releasing records of a previous discipline upon request from  
23 law enforcement, or other governmental body as permitted by  
24 law. Classification of records as confidential shall result in  
25 removal of records of discipline from records kept pursuant to  
26 Sections 2105-200 and 2105-205 of this Act.

1       (d) None of the provisions of this Section apply to a  
2       person or entity licensed under the Real Estate Appraiser  
3       Licensing Act of 2002 or its successor Acts.

4       Section 10. The Health Care Professional Credentials Data  
5       Collection Act is amended by adding Section 51 as follows:

6       (410 ILCS 517/51 new)

7       Sec. 51. Licensure records. Licensure records designated  
8       confidential and considered expunged for reporting purposes by  
9       the licensee under Section 2105-207 of the Civil Administrative  
10       Code are not reportable under this Act.

11       Section 99. Effective date. This Act takes effect upon  
12       becoming law.