



Sen. Pamela J. Althoff

Filed: 5/5/2015

09900HB3332sam001

LRB099 00381 MLM 35146 a

1 AMENDMENT TO HOUSE BILL 3332

2 AMENDMENT NO. _____. Amend House Bill 3332 as follows:

3 on page 2, line 4, by replacing "8b" with "8b,"; and

4 on page 2, line 5, after "9.4," by inserting "9.5,"; and

5 on page 2, line 6, after "24," by inserting "25,"; and

6 on page 2, by replacing lines 12 through 15 with:

7 "by the Department in the applicant's or licensee's application
8 file or license file as maintained by the Department's
9 licensure maintenance unit. It is the duty of the applicant or
10 licensee to inform the Department of any change"; and

11 on page 3, line 16, by replacing "natural" with "~~natural~~"; and

12 on page 4, line 17, by replacing "Registered" with "Licensed";

1 and

2 on page 4, line 18, by replacing "registered" with "licensed";

3 and

4 on page 9, line 11, by replacing "registered" with "licensed
5 ~~registered~~"; and

6 on page 10, line 9, by replacing "registering" with "obtaining
7 a license ~~registering~~"; and

8 on page 12, line 8, by replacing "license" with "an original
9 license"; and

10 on page 13, line 5, by replacing "certificate or a renewal
11 certificate" with "license or a renewal license ~~certificate or~~
12 ~~a renewal certificate~~"; and

13 on page 13, line 14, by replacing "registrant" with "licensee
14 or registrant"; and

15 on page 13, line 15, by replacing "certificates" with "licenses
16 or certificates"; and

17 on page 14, line 14, by replacing "certificate of registration"
18 with "license ~~certificate of registration~~"; and

1 on page 14, by replacing lines 17 and 18 with the following:
2 "termination date of the prior bond. If a license ~~certificate~~
3 ~~of registration~~ has been cancelled under this Section, the
4 agency"; and

5 on page 18, by replacing lines 21 through 24 with the
6 following:
7 "deem proper, including fines ~~not to exceed \$5,000 for a first~~
8 ~~violation and~~ not to exceed \$10,000 per violation ~~for a second~~
9 ~~or subsequent violation~~, for any one or any combination of
10 the"; and

11 on page 20, line 23, by replacing "registrant ~~licensee~~" with
12 "licensee"; and

13 on page 36, immediately below line 3, by inserting the
14 following:

15 "(225 ILCS 425/9.5)

16 (Section scheduled to be repealed on January 1, 2016)

17 Sec. 9.5. Statute of limitations. No action may be filed
18 against any licensee ~~registrant~~ for violation of the terms of
19 this Act or its rules unless the action is commenced within 5
20 years after the occurrence of the alleged violation. A
21 continuing violation will be deemed to have occurred on the

1 date when the circumstances first existed which gave rise to
2 the alleged continuing violation.

3 (Source: P.A. 89-387, eff. 1-1-96.); and

4 on page 38, line 2, by replacing "registered" with "licensed
5 ~~registered~~"; and

6 on page 38, line 5, by replacing "registered" with "licensed
7 ~~registered~~"; and

8 on page 40, line 20, by replacing "registrations" with
9 "licenses"; and

10 on page 40, line 21, by replacing "registered" with "licensed";
11 and

12 on page 41, by replacing line 11 with the following:

13 "licensees, and all persons whose licenses have been"; and

14 on page 44, line 17, by replacing "registration," with
15 "license,"; and

16 on page 45, line 16, by replacing "certificate of registration"
17 with "license ~~certificate of registration~~"; and

18 on page 50, line 17, by replacing "certificate of registration"

1 with "license ~~certificate of registration~~"; and

2 on page 52, by replacing lines 1 through 14 with the following:

3 "(225 ILCS 425/24)

4 (Section scheduled to be repealed on January 1, 2016)

5 Sec. 24. Restoration of license from discipline
6 ~~certificate of registration~~. At any time after the successful
7 completion of a term of indefinite probation, suspension, or
8 revocation of any license certificate of registration, the
9 Department may restore the license certificate of registration
10 to the licensee, accused person upon the written recommendation
11 of the Board, unless after an investigation and a hearing the
12 Secretary Board determines that restoration is not in the
13 public interest. No person whose license or authority has been
14 revoked as authorized in this Act may apply for restoration of
15 that license or authority until such time as provided for in
16 the Department of Professional Regulation Law of the Civil
17 Administrative Code of Illinois.

18 (Source: P.A. 89-387, eff. 1-1-96.)

19 (225 ILCS 425/25)

20 (Section scheduled to be repealed on January 1, 2016)

21 Sec. 25. Surrender of license certificate of registration.
22 Upon the revocation or suspension of any license, certificate
23 ~~of registration~~ the licensee registrant shall immediately

1 surrender the license ~~certificate of registration~~ to the
2 Department. If the licensee ~~registrant~~ fails to do so, the
3 Department shall have the right to seize the license
4 ~~certificate of registration~~.

5 (Source: P.A. 89-387, eff. 1-1-96.)"; and

6 by replacing line 15 on page 53 through line 17 of page 54 with
7 the following:

8 "(225 ILCS 425/30 new)

9 Sec. 30. Expiration, renewal, and restoration of license.
10 The expiration date and renewal period for each license shall
11 be set by rule. A collection agency whose license has expired
12 may reinstate its license at any time within 5 years after the
13 expiration thereof, by making a renewal application and by
14 paying the required fee.

15 However, any licensed collection agency whose license has
16 expired while the individual licensed or while a shareholder,
17 partner, or member owning 50% or more of the interest in the
18 collection agency whose license has expired while he or she was
19 (i) on active duty with the Armed Forces of the United States
20 or called into service or training by the State militia; or
21 (ii) in training or education under the supervision of the
22 United States preliminary to induction into the military
23 service, may have his or her license renewed, restored, or
24 reinstated without paying any lapsed renewal fee, restoration

1 fee, or reinstatement fee if, within 2 years after termination
2 of the service, training, or education, he or she furnishes the
3 Department with satisfactory evidence of service, training, or
4 education and it has been terminated under honorable
5 conditions.

6 Any collection agency whose license has expired for more
7 than 5 years may have it restored by applying to the
8 Department, paying the required fee, and filing acceptable
9 proof of fitness to have the license restored as set by rule.";

10 and

11 on page 54, line 25, by replacing "unregistered" with
12 "unlicensed"; and

13 on page 55, line 1, by replacing "registration" with "license";

14 and

15 on page 55, by replacing lines 7 through 12 with the following:
16 "terminate the license or deny the application, without
17 hearing. If, after the termination or denial, the entity seeks
18 a license, it shall apply to the Department for restoration or
19 issuance of the license and pay all fees and fines due to the
20 Department. The Department may establish a fee for the
21 processing of an application for restoration of a license"; and

22 on page 55, line 18, by replacing "Unregistered" with

1 "Unlicensed"; and

2 on page 56, by replacing lines 3 through 16 with the following:

3 "(225 ILCS 425/45 new)

4 Sec. 45. Summary suspension of license. The Secretary may
5 summarily suspend the license of a licensed collection agency
6 without a hearing, simultaneously with the institution of
7 proceedings for a hearing provided for in Section 16 of this
8 Act, if the Secretary finds that evidence in the Secretary's
9 possession indicates that the continuation of practice by a
10 licensed collection agency would constitute an imminent danger
11 to the public. In the event that the Secretary summarily
12 suspends the license of a licensed collection agency without a
13 hearing, a hearing must be commenced within 30 days after the
14 suspension has occurred and concluded as expeditiously as
15 practical."; and

16 on page 57, by replacing lines 2 and 3 with the following:

17 "a licensee or applicant, including, but not limited to, any
18 complaint against a licensee filed with the Department and";

19 and

20 on page 57, by replacing lines 15 and 16 with the following:

21 "against the licensee by the Department or any order issued by
22 the Department against a licensee or applicant shall be a".