



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2394

Introduced 2/15/2023, by Rep. Marcus C. Evans, Jr.

SYNOPSIS AS INTRODUCED:

See Index

Amends the Regulatory Sunset Act. Repeals the Illinois Certified Shorthand Reporters Act of 1984 on January 1, 2029 (rather than January 1, 2024). Amends the Illinois Certified Shorthand Reporters Act of 1984. Provides that all applicants and registrants shall: (1) provide a valid address and email address to the Department of Financial and Professional Regulation, which shall serve as the address of record and email address of record, respectively, at the time of application for registration or renewal of a registration; and (2) inform the Department of any change of address of record or email address of record within 14 days after such change either through the Department's website or by contacting the Department's licensure maintenance unit. Provides that every application for an original licensee under this Act shall include the applicant's Social Security Number or individual taxpayer identification number. Provides that the report of findings of fact, conclusions of law, and recommendations of the Board shall be the basis for the Secretary of Financial and Professional Regulation's (rather than the Department's) action regarding a certificate. Provides that within 20 days after service of a notice of report of refusal to issue or renew, the respondent may present to the Secretary (rather than to the Department) a motion in writing for a rehearing. Removes a provision providing that exhibits shall be certified without cost. Repeals a provision concerning a roster. Makes corresponding and other changes. Provisions amending the Regulatory Sunset Act are effective immediately.

LRB103 28365 AMQ 54745 b

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
5 changing Sections 4.34 and 4.39 as follows:

6 (5 ILCS 80/4.34)

7 Sec. 4.34. Acts and Section repealed on January 1, 2024.

8 The following Acts and Section of an Act are repealed on
9 January 1, 2024:

10 The Crematory Regulation Act.

11 The Electrologist Licensing Act.

12 ~~The Illinois Certified Shorthand Reporters Act of~~
13 ~~1984.~~

14 The Illinois Occupational Therapy Practice Act.

15 The Illinois Public Accounting Act.

16 The Private Detective, Private Alarm, Private
17 Security, Fingerprint Vendor, and Locksmith Act of 2004.

18 The Registered Surgical Assistant and Registered
19 Surgical Technologist Title Protection Act.

20 Section 2.5 of the Illinois Plumbing License Law.

21 The Veterinary Medicine and Surgery Practice Act of
22 2004.

23 (Source: P.A. 102-291, eff. 8-6-21.)

1 (5 ILCS 80/4.39)

2 Sec. 4.39. Acts repealed on January 1, 2029 and December
3 31, 2029.

4 (a) The following Act is repealed on January 1, 2029:

5 The Environmental Health Practitioner Licensing Act.

6 The Illinois Certified Shorthand Reporters Act of
7 1984.

8 (b) The following Act is repealed on December 31, 2029:

9 The Structural Pest Control Act.

10 (Source: P.A. 100-716, eff. 8-3-18; 100-796, eff. 8-10-18;
11 101-81, eff. 7-12-19.)

12 Section 10. The Illinois Certified Shorthand Reporters Act
13 of 1984 is amended by changing Sections 4, 5, 6, 8, 10, 12.1,
14 14, 15, 16, 17, 19, 23, 23.1, 23.2, 23.4, 23.6, 23.7, 23.9,
15 23.15, 24, 26, and 26.1 and by adding Section 4.1 as follows:

16 (225 ILCS 415/4) (from Ch. 111, par. 6204)

17 (Section scheduled to be repealed on January 1, 2024)

18 Sec. 4. In this Act:

19 (1) "Department" means the Department of Financial and
20 Professional Regulation.

21 (2) "Secretary" means the Secretary of Financial and
22 Professional Regulation.

23 (3) "Board" means the Certified Shorthand Reporters Board

1 appointed by the Secretary.

2 (4) "The practice of shorthand reporting" means reporting,
3 by the use of any system of manual or mechanical shorthand
4 writing, of Grand Jury proceedings, court proceedings, court
5 related proceedings, pretrial examinations, depositions,
6 motions and related proceedings of like character, or
7 proceedings of an administrative agency when the final
8 decision of the agency with reference thereto is likely to be
9 subject to judicial review under the provisions of the
10 Administrative Review Law.

11 (5) "Shorthand reporter" means a person who is technically
12 qualified and certified under this Act to practice shorthand
13 reporting.

14 (6) "Stenographic notes" means the original notes by
15 manual or mechanical shorthand or shorthand writing taken by a
16 shorthand reporter of a proceeding while in attendance at such
17 proceeding for the purpose of reporting the same.

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

25 (8) "Email address of record" means the designated email
26 address recorded by the Department in the applicant's

1 application file or the licensee's license file, as maintained
2 by the Department's licensure maintenance unit.

3 (Source: P.A. 98-445, eff. 12-31-13.)

4 (225 ILCS 415/4.1 new)

5 Sec. 4.1. Address of record; email address of record.

6 All applicants and registrants shall:

7 (1) provide a valid address and email address to the
8 Department, which shall serve as the address of record and
9 email address of record, respectively, at the time of
10 application for licensure or renewal of a license; and

11 (2) inform the Department of any change of address of
12 record or email address of record within 14 days after
13 such change either through the Department's website or by
14 contacting the Department's licensure maintenance unit.

15 (225 ILCS 415/5) (from Ch. 111, par. 6205)

16 (Section scheduled to be repealed on January 1, 2024)

17 Sec. 5. Title. Every person to whom a valid existing
18 certificate as a certified shorthand reporter has been issued
19 under this Act shall be designated as a Certified Shorthand
20 Reporter and not otherwise, and any such certified shorthand
21 reporter may, in connection with the reporter's ~~his or her~~
22 practice of shorthand reporting, use the abbreviation "C.S.R."
23 or the title "Court Reporter". No person other than the holder
24 of a valid existing certificate under this Act shall use the

1 title or designation of "Certified Shorthand Reporter", "Court
2 Reporter", or "C.S.R.", either directly or indirectly in
3 connection with that person's ~~his or her~~ profession or
4 business.

5 (Source: P.A. 90-49, eff. 7-3-97.)

6 (225 ILCS 415/6) (from Ch. 111, par. 6206)

7 (Section scheduled to be repealed on January 1, 2024)

8 Sec. 6. Restricted certificate. Upon receipt of a written
9 request from the Chief Judge of the reporter's circuit, the
10 Department shall, upon payment of the required fee, issue to
11 any reporter who has been appointed in counties of less than
12 1,000,000 in population, has been examined under the Court
13 Reporters Act, and has achieved an "A" proficiency rating, a
14 restricted certificate by which such official court reporter
15 may then lawfully engage in reporting only court proceedings
16 to which ~~he may be assigned by~~ the Chief Judge of the
17 reporter's ~~his~~ circuit may assign.

18 (Source: P.A. 98-445, eff. 12-31-13.)

19 (225 ILCS 415/8) (from Ch. 111, par. 6208)

20 (Section scheduled to be repealed on January 1, 2024)

21 Sec. 8. Certified Shorthand Reporters Board. The Secretary
22 shall appoint a Certified Shorthand Reporters Board as
23 follows: 7 persons who shall be appointed by and shall serve in
24 an advisory capacity to the Secretary. Six members must be

1 certified shorthand reporters, in good standing, and actively
2 engaged in the practice of shorthand reporting in this State
3 for ten years, and one member must be a member of the public
4 who is not certified under this Act, or a similar Act of
5 another jurisdiction.

6 Members shall serve 4 year terms and until the member's
7 ~~their~~ successors are appointed and qualified. No member shall
8 be reappointed to the Board for a term that would cause the
9 member's ~~his~~ continuous service on the Board to be longer than
10 2 full consecutive terms. Appointments to fill vacancies shall
11 be made in the same manner as original appointments, for the
12 unexpired portion of the vacated term.

13 In making appointments to the Board, the Secretary shall
14 give consideration to recommendations by national and State
15 organizations of the shorthand reporter profession.

16 Four members of the Board shall constitute a quorum. A
17 quorum is required for all Board decisions.

18 The Secretary may remove or suspend any member of the
19 Board for cause at any time before the expiration of the
20 member's ~~his or her~~ term. The Secretary shall be the sole
21 arbiter of cause.

22 The Secretary shall consider the recommendations of the
23 Board on questions involving standards of professional
24 conduct, discipline and qualifications of candidates and
25 certificate holders under this Act.

26 Members of the Board shall be reimbursed for all

1 legitimate, necessary, and authorized expenses incurred in
2 attending the meetings of the Board.

3 Members of the Board have no liability in any action based
4 upon any disciplinary proceedings or other activity performed
5 in good faith as members of the Board.

6 (Source: P.A. 98-445, eff. 12-31-13.)

7 (225 ILCS 415/10) (from Ch. 111, par. 6210)

8 (Section scheduled to be repealed on January 1, 2024)

9 Sec. 10. The Department shall authorize examinations at
10 such time and place as it may designate. The examination shall
11 be of a character to give a fair test of the qualifications of
12 the applicant to practice shorthand reporting.

13 Applicants for examination as certified shorthand
14 reporters shall be required to pay, either to the Department
15 or the designated testing service, a fee covering the cost of
16 providing the examination. Failure to appear for the
17 examination on the scheduled date, at the time and place
18 specified, after the applicant's application for examination
19 has been received and acknowledged by the Department or the
20 designated testing service, shall result in the forfeiture of
21 the examination fee.

22 If an applicant neglects, fails or refuses to take the
23 next available examination offered or fails to pass an
24 examination for certification under this Act, the application
25 shall be denied. If an applicant for examination for

1 certification under this Act fails to pass the examination
2 within 3 years after filing an ~~his~~ application, the
3 application shall be denied. However, such applicant may
4 thereafter make a new application accompanied by the required
5 fee.

6 The Department may employ consultants for the purpose of
7 preparing and conducting examinations.

8 An applicant has one year from the date of notification of
9 successful completion of the examination to apply to the
10 Department for a license. If an applicant fails to apply
11 within one year, the applicant shall be required to take and
12 pass the examination again unless licensed in another
13 jurisdiction of the United States within one year of passing
14 the examination.

15 (Source: P.A. 98-445, eff. 12-31-13.)

16 (225 ILCS 415/12.1)

17 (Section scheduled to be repealed on January 1, 2024)

18 Sec. 12.1. Social Security Number or federal individual
19 taxpayer identification number on license application. In
20 addition to any other information required to be contained in
21 the application, every application for an original license
22 under this Act shall include the applicant's Social Security
23 Number or federal individual taxpayer identification number,
24 which shall be retained in the Department's records pertaining
25 to the license. As soon as practicable, the Department shall

1 assign a customer's identification number to each applicant
2 for a license. Every application for a renewal or restored
3 license shall require the applicant's customer identification
4 number.

5 (Source: P.A. 98-445, eff. 12-31-13.)

6 (225 ILCS 415/14) (from Ch. 111, par. 6214)

7 (Section scheduled to be repealed on January 1, 2024)

8 Sec. 14. Expiration, renewal, and military service. The
9 expiration date and renewal period for each certificate issued
10 under this Act shall be set by rule.

11 Any certified shorthand reporter who has permitted the
12 reporter's ~~his~~ certificate to expire or who has had the
13 reporter's ~~his~~ certificate on inactive status may have the ~~his~~
14 certificate restored by making application to the Department,
15 filing proof acceptable to the Department of the reporter's
16 ~~his~~ fitness to have the ~~his~~ certificate restored and paying
17 the required restoration fee. The Department may consider a
18 certificate expired less than 5 years as prima facie evidence
19 that the applicant is fit. If a certificate has expired or has
20 been placed on inactive status and the applicant has practiced
21 in another jurisdiction during such period, satisfactory proof
22 of fitness may include sworn evidence certifying to active
23 practice in another jurisdiction.

24 If the certified shorthand reporter has not maintained an
25 active practice in another jurisdiction satisfactory to the

1 Department, the Department shall determine, by an evaluation
2 program established by rule, the reporter's ~~his~~ fitness to
3 resume active status and shall, by rule, establish procedures
4 and requirements for restoration.

5 However, any certified shorthand reporter whose
6 certificate expired while ~~he was (1)~~ in Federal Service on
7 active duty with the Armed Forces of the United States, while
8 ~~or the State Militia~~ called into service or training in the
9 State Militia, or while (2) in training or education under the
10 supervision of the United States preliminary to induction into
11 the military service, may have the ~~his~~ certificate renewed or
12 restored without paying any lapsed renewal fees if, within 2
13 years after termination of such service, training or education
14 except under conditions other than honorable, the Department
15 is furnished with satisfactory evidence to the effect that the
16 certificate holder has been so engaged and that the service,
17 training, or education has been terminated ~~he furnished the~~
18 ~~Department with satisfactory evidence to the effect that he~~
19 ~~has been so engaged and that his service, training or~~
20 ~~education has been so terminated.~~

21 (Source: P.A. 98-445, eff. 12-31-13.)

22 (225 ILCS 415/15) (from Ch. 111, par. 6215)

23 (Section scheduled to be repealed on January 1, 2024)

24 Sec. 15. Inactive status. Any certified shorthand reporter
25 who notifies the Department in writing on forms prescribed by

1 the Department, may elect to place the reporter's ~~his~~
2 certificate on an inactive status and shall, subject to rules
3 of the Department, be excused from payment of renewal fees
4 until ~~he notifies~~ the Department has been notified in writing
5 of the certificate holder's ~~his~~ desire to resume active
6 status.

7 Any certified shorthand reporter requesting restoration
8 from inactive status shall be required to pay the current
9 renewal fee and shall be required to restore the reporter's
10 ~~his~~ certificate, as provided in Section 14.

11 Any certified shorthand reporter whose certificate is in
12 an inactive status shall not practice shorthand reporting in
13 the State of Illinois.

14 (Source: P.A. 98-445, eff. 12-31-13.)

15 (225 ILCS 415/16) (from Ch. 111, par. 6216)

16 (Section scheduled to be repealed on January 1, 2024)

17 Sec. 16. Endorsement; licensure without examination. The
18 Department may certify as a certified shorthand reporter,
19 without examination, on payment of the required fee, an
20 applicant who is a certified shorthand reporter registered
21 under the laws of another jurisdiction, if the requirements
22 for certification of certified shorthand reporters in that
23 jurisdiction were, at the date of ~~his~~ certification,
24 substantially equivalent to the requirements in force in this
25 State on that date.

1 Applicants have 3 years from the date of application to
2 complete the application process. If the process has not been
3 completed in 3 years, the application shall be denied, the fee
4 forfeited and the applicant must reapply and meet the
5 requirements in effect at the time of reapplication.

6 (Source: P.A. 98-445, eff. 12-31-13.)

7 (225 ILCS 415/17) (from Ch. 111, par. 6217)

8 (Section scheduled to be repealed on January 1, 2024)

9 Sec. 17. Fees; returned checks.

10 (a) The fees for the administration and enforcement of
11 this Act, including but not limited to, original
12 certification, renewal and restoration of a license issued
13 under this Act, shall be set by rule. The fees shall be
14 nonrefundable.

15 (b) All fees, fines, and penalties collected under this
16 Act shall be deposited into the General Professions Dedicated
17 Fund and shall be appropriated to the Department for the
18 ordinary and contingent expenses of the Department in the
19 administration of this Act.

20 (c) Any person who delivers a check or other payment to the
21 Department that is returned to the Department unpaid by the
22 financial institution upon which it is drawn shall pay to the
23 Department, in addition to the amount already owed to the
24 Department, a fine of \$50. The fines imposed by this Section
25 are in addition to any other discipline provided under this

1 Act prohibiting unlicensed practice or practice on a
2 nonrenewed license. The Department shall notify the person
3 that payment of fees and fines shall be paid to the Department
4 by certified check or money order within 30 calendar days of
5 the notification. If, after the expiration of 30 days from the
6 date of the notification, the person has failed to submit the
7 necessary remittance, the Department shall automatically
8 terminate the license or certificate or deny the application,
9 without hearing. If, after termination or denial, the person
10 seeks a license or certificate, the person ~~he or she~~ shall
11 apply to the Department for restoration or issuance of the
12 license or certificate and pay all fees and fines due to the
13 Department. The Department may establish a fee for the
14 processing of an application for restoration of a license or
15 certificate to pay all expenses of processing this
16 application. The Secretary may waive the fines due under this
17 Section in individual cases where the Secretary finds that the
18 fines would be unreasonable or unnecessarily burdensome.

19 (Source: P.A. 98-445, eff. 12-31-13.)

20 (225 ILCS 415/19) (from Ch. 111, par. 6219)

21 (Section scheduled to be repealed on January 1, 2024)

22 Sec. 19. Advertising. Any person certified under this Act
23 may advertise the availability of professional services in the
24 public media or on the premises where such professional
25 services are rendered as permitted by law, on the condition

1 that such advertising is truthful and not misleading and is in
2 conformity with rules promulgated by the Department.
3 Advertisements shall not include false, fraudulent, deceptive,
4 or misleading material or guarantees of success.
5 Advertisements shall also not include any offers of any gift
6 or item of value to attorneys or the attorneys' ~~their~~ staff or
7 any other persons or entities associated with any litigation.
8 (Source: P.A. 98-445, eff. 12-31-13.)

9 (225 ILCS 415/23) (from Ch. 111, par. 6223)

10 (Section scheduled to be repealed on January 1, 2024)

11 Sec. 23. Grounds for disciplinary action.

12 (a) The Department may refuse to issue or renew, or may
13 revoke, suspend, place on probation, reprimand or take other
14 disciplinary or non-disciplinary action as the Department may
15 deem appropriate, including imposing fines not to exceed
16 \$10,000 for each violation and the assessment of costs as
17 provided for in Section 23.3 of this Act, with regard to any
18 license for any one or combination of the following:

19 (1) Material misstatement in furnishing information to
20 the Department;

21 (2) Violations of this Act, or of the rules
22 promulgated thereunder;

23 (3) Conviction by plea of guilty or nolo contendere,
24 finding of guilt, jury verdict, or entry of judgment or by
25 sentencing of any crime, including, but not limited to,

1 convictions, preceding sentences of supervision,
2 conditional discharge, or first offender probation under
3 the laws of any jurisdiction of the United States: (i)
4 that is a felony or (ii) that is a misdemeanor, an
5 essential element of which is dishonesty, or that is
6 directly related to the practice of the profession;

7 (4) Fraud or any misrepresentation in applying for or
8 procuring a license under this Act or in connection with
9 applying for renewal of a license under this Act;

10 (5) Professional incompetence;

11 (6) Aiding or assisting another person, firm,
12 partnership or corporation in violating any provision of
13 this Act or rules;

14 (7) Failing, within 60 days, to provide information in
15 response to a written request made by the Department;

16 (8) Engaging in dishonorable, unethical or
17 unprofessional conduct of a character likely to deceive,
18 defraud or harm the public;

19 (9) Habitual or excessive use or abuse of drugs
20 defined in law as controlled substances, alcohol, or any
21 other substances that results in the inability to practice
22 with reasonable judgment, skill, or safety;

23 (10) Discipline by another state, unit of government,
24 government agency, the District of Columbia, a territory,
25 or foreign nation, if at least one of the grounds for the
26 discipline is the same or substantially equivalent to

1 those set forth herein;

2 (11) Charging for professional services not rendered,
3 including filing false statements for the collection of
4 fees for which services were not rendered, or giving,
5 directly or indirectly, any gift or anything of value to
6 attorneys or the attorneys' ~~their~~ staff or any other
7 persons or entities associated with any litigation, that
8 exceeds \$100 total per year; for the purposes of this
9 Section, pro bono services, as defined by State law, are
10 permissible in any amount;

11 (12) A finding by the Board that the certificate
12 holder, after having the ~~his~~ certificate placed on
13 probationary status, has violated the terms of probation;

14 (13) Willfully making or filing false records or
15 reports in the practice of shorthand reporting, including
16 but not limited to false records filed with State agencies
17 or departments;

18 (14) Physical illness, including but not limited to,
19 deterioration through the aging process, or loss of motor
20 skill which results in the inability to practice under
21 this Act with reasonable judgment, skill or safety;

22 (15) Solicitation of professional services other than
23 by permitted advertising;

24 (16) Willful failure to take full and accurate
25 stenographic notes of any proceeding;

26 (17) Willful alteration of any stenographic notes

1 taken at any proceeding;

2 (18) Willful failure to accurately transcribe verbatim
3 any stenographic notes taken at any proceeding;

4 (19) Willful alteration of a transcript of
5 stenographic notes taken at any proceeding;

6 (20) Affixing one's signature to any transcript of ~~his~~
7 stenographic notes or certifying to its correctness unless
8 the transcript has been prepared by the stenographer ~~him~~
9 or under the stenographer's ~~his~~ immediate supervision;

10 (21) Willful failure to systematically retain
11 stenographic notes or transcripts on paper or any
12 electronic media for 10 years from the date that the notes
13 or transcripts were taken;

14 (22) Failure to deliver transcripts in a timely manner
15 or in accordance with contractual agreements;

16 (23) Establishing contingent fees as a basis of
17 compensation;

18 (24) Mental illness or disability that results in the
19 inability to practice under this Act with reasonable
20 judgment, skill, or safety;

21 (25) Practicing under a false or assumed name, except
22 as provided by law;

23 (26) Cheating on or attempting to subvert the
24 licensing examination administered under this Act;

25 (27) Allowing one's license under this Act to be used
26 by an unlicensed person in violation of this Act.

1 All fines imposed under this Section shall be paid within
2 60 days after the effective date of the order imposing the fine
3 or in accordance with the terms set forth in the order imposing
4 the fine.

5 (b) The determination by a circuit court that a
6 certificate holder is subject to involuntary admission or
7 judicial admission as provided in the Mental Health and
8 Developmental Disabilities Code, operates as an automatic
9 suspension. Such suspension will end only upon a finding by a
10 court that the patient is no longer subject to involuntary
11 admission or judicial admission, an order by the court so
12 finding and discharging the patient. In any case where a
13 license is suspended under this Section, the licensee may file
14 a petition for restoration and shall include evidence
15 acceptable to the Department that the licensee can resume
16 practice in compliance with acceptable and prevailing
17 standards of the profession.

18 (c) In cases where the Department of Healthcare and Family
19 Services has previously determined a licensee or a potential
20 licensee is more than 30 days delinquent in the payment of
21 child support and has subsequently certified the delinquency
22 to the Department, the Department may refuse to issue or renew
23 or may revoke or suspend that person's license or may take
24 other disciplinary action against that person based solely
25 upon the certification of delinquency made by the Department
26 of Healthcare and Family Services in accordance with item (5)

1 of subsection (a) of Section 2105-15 of the Civil
2 Administrative Code of Illinois.

3 (d) In enforcing this Section, the Department, upon a
4 showing of a possible violation, may compel any individual who
5 is certified under this Act or any individual who has applied
6 for certification under this Act to submit to a mental or
7 physical examination and evaluation, or both, which may
8 include a substance abuse or sexual offender evaluation, at
9 the expense of the Department. The Department shall
10 specifically designate the examining physician licensed to
11 practice medicine in all of its branches or, if applicable,
12 the multidisciplinary team involved in providing the mental or
13 physical examination and evaluation, or both. The
14 multidisciplinary team shall be led by a physician licensed to
15 practice medicine in all of its branches and may consist of one
16 or more or a combination of physicians licensed to practice
17 medicine in all of its branches, licensed chiropractic
18 physicians, licensed clinical psychologists, licensed clinical
19 social workers, licensed clinical professional counselors, and
20 other professional and administrative staff. Any examining
21 physician or member of the multidisciplinary team may require
22 any person ordered to submit to an examination and evaluation
23 pursuant to this Section to submit to any additional
24 supplemental testing deemed necessary to complete any
25 examination or evaluation process, including, but not limited
26 to, blood testing, urinalysis, psychological testing, or

1 neuropsychological testing.

2 The Department may order the examining physician or any
3 member of the multidisciplinary team to provide to the
4 Department any and all records, including business records,
5 that relate to the examination and evaluation, including any
6 supplemental testing performed. The Department may order the
7 examining physician or any member of the multidisciplinary
8 team to present testimony concerning this examination and
9 evaluation of the certified shorthand reporter or applicant,
10 including testimony concerning any supplemental testing or
11 documents relating to the examination and evaluation. No
12 information, report, record, or other documents in any way
13 related to the examination and evaluation shall be excluded by
14 reason of any common law or statutory privilege relating to
15 communication between the licensee or applicant and the
16 examining physician or any member of the multidisciplinary
17 team. No authorization is necessary from the certified
18 shorthand reporter or applicant ordered to undergo an
19 evaluation and examination for the examining physician or any
20 member of the multidisciplinary team to provide information,
21 reports, records, or other documents or to provide any
22 testimony regarding the examination and evaluation. The
23 individual to be examined may have, at that individual's ~~his~~
24 ~~or her~~ own expense, another physician of the individual's ~~his~~
25 ~~or her~~ choice present during all aspects of the examination.

26 Failure of any individual to submit to mental or physical

1 examination and evaluation, or both, when directed, shall
2 result in an automatic suspension, without hearing, until such
3 time as the individual submits to the examination. If the
4 Department finds a certified shorthand reporter unable to
5 practice because of the reasons set forth in this Section, the
6 Department shall require the certified shorthand reporter to
7 submit to care, counseling, or treatment by physicians
8 approved or designated by the Department, as a condition for
9 continued, reinstated, or renewed certification.

10 When the Secretary immediately suspends a certificate
11 under this Section, a hearing upon the person's certificate
12 must be convened by the Department within 15 days after the
13 suspension and completed without appreciable delay. The
14 Department shall have the authority to review the certified
15 shorthand reporter's record of treatment and counseling
16 regarding the impairment, to the extent permitted by
17 applicable federal statutes and regulations safeguarding the
18 confidentiality of medical records.

19 Individuals certified under this Act, affected under this
20 Section, shall be afforded an opportunity to demonstrate to
21 the Department that they can resume practice in compliance
22 with acceptable and prevailing standards under the provisions
23 of the individual's ~~their~~ certification.

24 (e) (Blank).

25 (f) The Department may refuse to issue or may suspend
26 without hearing, as provided for in the Code of Civil

1 Procedure, the license of any person who fails to file a
2 return, to pay the tax, penalty, or interest shown in a filed
3 return, or to pay any final assessment of tax, penalty, or
4 interest as required by any tax Act administered by the
5 Illinois Department of Revenue, until such time as the
6 requirements of any such tax Act are satisfied in accordance
7 with subsection (g) of Section 2105-15 of the Civil
8 Administrative Code of Illinois.

9 (Source: P.A. 100-872, eff. 8-14-18.)

10 (225 ILCS 415/23.1) (from Ch. 111, par. 6224)

11 (Section scheduled to be repealed on January 1, 2024)

12 Sec. 23.1. Injunctive actions; order to cease and desist.

13 (a) If any person violates the provisions of this Act, the
14 Secretary may, in the name of the People of the State of
15 Illinois, through the Attorney General of the State of
16 Illinois or the State's Attorney of the county in which the
17 violation is alleged to have occurred, petition for an order
18 enjoining such violation or for an order enforcing compliance
19 with this Act. Upon the filing of a verified petition in such
20 court, the court may issue a temporary restraining order,
21 without notice or bond, and may preliminarily and permanently
22 enjoin such violation. If it is established that such person
23 has violated or is violating the injunction, the court may
24 punish the offender for contempt of court. Proceedings under
25 this Section shall be in addition to, and not in lieu of, all

1 other remedies and penalties provided by this Act.

2 (b) If any person practices as a certified shorthand
3 reporter or holds oneself ~~himself or herself~~ out as a
4 certified shorthand reporter without being licensed under the
5 provisions of this Act then any certified shorthand reporter,
6 any interested party or any person injured thereby may, in
7 addition to the Secretary, petition for relief as provided in
8 subsection (a).

9 (c) Whenever in the opinion of the Department any person
10 violates any provision of this Act, the Department may issue a
11 rule to show cause why an order to cease and desist should not
12 be entered against that individual. The rule shall clearly set
13 forth the grounds relied upon by the Department and shall
14 provide a period of 7 days from the date of the rule to file an
15 answer to the satisfaction of the Department. Failure to
16 answer to the satisfaction of the Department shall cause an
17 order to cease and desist to be issued forthwith.

18 (Source: P.A. 98-445, eff. 12-31-13.)

19 (225 ILCS 415/23.2) (from Ch. 111, par. 6225)

20 (Section scheduled to be repealed on January 1, 2024)

21 Sec. 23.2. Investigations; notice and hearing. The
22 Department may investigate the actions of any applicant or of
23 any person or persons holding or claiming to hold a
24 certificate. The Department shall, before refusing to issue or
25 renew, or taking disciplinary action against, a certificate,

1 at least 30 days prior to the date set for the hearing, notify
2 in writing the applicant for, or holder of, a certificate of
3 the nature of the charges and the time and place for a hearing
4 on the charges. The Department shall direct the applicant or
5 licensee to file a written answer to the charges with the Board
6 under oath within 20 days after the service of the notice and
7 inform the applicant or licensee that failure to file an
8 answer will result in default being taken against the
9 applicant or licensee. At the time and place fixed in the
10 notice, the Department shall proceed to hear the charges and
11 the parties or the parties' ~~their~~ counsel shall be accorded
12 ample opportunity to present any pertinent statements,
13 testimony, evidence, and arguments. The Department may
14 continue the hearing from time to time. In case the person,
15 after receiving the notice, fails to file an answer, the ~~his or~~
16 ~~her~~ license may, in the discretion of the Department, be
17 revoked, suspended, or placed on probationary status or the
18 Department may take whatever disciplinary action considered
19 proper, including limiting the scope, nature, or extent of the
20 person's practice or the imposition of a fine, without a
21 hearing, if the act or acts charged constitute sufficient
22 grounds for that action under this Act. The written notice and
23 any notice in the subsequent proceeding may be served by
24 regular ~~registered or certified~~ mail to the licensee's address
25 of record or by electronic mail to the licensee's email
26 address of record.

1 (Source: P.A. 98-445, eff. 12-31-13.)

2 (225 ILCS 415/23.4) (from Ch. 111, par. 6227)

3 (Section scheduled to be repealed on January 1, 2024)

4 Sec. 23.4. Subpoenas; oaths. The Department may subpoena
5 and bring before it any person and to take the oral or written
6 testimony or compel the production of any books, papers,
7 records, or any other documents that the Secretary or the
8 Secretary's ~~his or her~~ designee deems relevant or material to
9 an investigation or hearing conducted by the Department with
10 the same fees and mileage and in the same manner as prescribed
11 by law in judicial procedure in civil cases in courts of this
12 State.

13 The Secretary, the designated hearing officer, any member
14 of the Board, or a certified shorthand court reporter may have
15 power to administer oaths at any hearing which the Department
16 conducts. Notwithstanding any other statute or Department rule
17 to the contrary, all requests for testimony and production of
18 documents or records shall be in accordance with this Act.

19 (Source: P.A. 98-445, eff. 12-31-13.)

20 (225 ILCS 415/23.6) (from Ch. 111, par. 6229)

21 (Section scheduled to be repealed on January 1, 2024)

22 Sec. 23.6. Board report. At the conclusion of the hearing
23 the Board shall present to the Secretary a written report of
24 its findings of fact, conclusions of law and recommendations.

1 The report shall contain a finding whether or not the accused
2 person violated this Act or failed to comply with the
3 conditions required in this Act. The Board shall specify the
4 nature of the violation or failure to comply, and shall make
5 its recommendations to the Secretary. The report of findings
6 of fact, conclusions of law, and recommendations of the Board
7 shall be the basis for the Secretary's ~~Department's~~ action
8 regarding a certificate. If the Secretary disagrees in any
9 regard with the report of the Board he may issue an order in
10 contravention thereof. The finding is not admissible in
11 evidence against the person in a criminal prosecution brought
12 for the violation of this Act, but the hearing and findings are
13 not a bar to a criminal prosecution brought for the violation
14 of this Act.

15 (Source: P.A. 98-445, eff. 12-31-13.)

16 (225 ILCS 415/23.7) (from Ch. 111, par. 6230)

17 (Section scheduled to be repealed on January 1, 2024)

18 Sec. 23.7. Motion for rehearing. In any hearing involving
19 the refusal to issue or renew, or the taking of disciplinary
20 action against, a certificate, a copy of the Board's report
21 shall be served upon the respondent by the Department as
22 provided in this Act for the service of the notice of hearing.
23 Within 20 days after such service, the respondent may present
24 to the Secretary ~~Department~~ a motion in writing for a
25 rehearing, which motion shall specify the particular grounds

1 therefor. If no motion for rehearing is filed, then upon the
2 expiration of the time specified for filing such a motion, or
3 if a motion for rehearing is denied, then upon such denial the
4 Secretary may enter an order in accordance with
5 recommendations of the Board except as provided in Section
6 23.6. If the respondent shall order from the reporting
7 service, and pay for a transcript of the record within the time
8 for filing a motion for rehearing, the 20 day period within
9 which such a motion may be filed shall commence upon the
10 delivery of the transcript to the respondent.

11 (Source: P.A. 98-445, eff. 12-31-13.)

12 (225 ILCS 415/23.9) (from Ch. 111, par. 6232)

13 (Section scheduled to be repealed on January 1, 2024)

14 Sec. 23.9. Hearing officers, reports, and review. The
15 Secretary shall have the authority to appoint any attorney
16 duly licensed to practice law in the State of Illinois to serve
17 as the hearing officer in any action involving a refusal to
18 issue or renew, or the taking of disciplinary action against a
19 certificate. The hearing officer shall have full authority to
20 conduct the hearing. The hearing officer shall report the
21 hearing officer's ~~his or her~~ findings of fact, conclusions of
22 law, and recommendations to the Board ~~and the Secretary~~. The
23 Board shall have 60 days from receipt of the report to review
24 the report of the hearing officer and present the Board's
25 ~~their~~ findings of fact, conclusions of law, and

1 recommendations to the Secretary. If the Board fails to
2 present its report within the 60 day period, the Secretary may
3 issue an order based on the report of the hearing officer. If
4 the Secretary disagrees with the report of the Board or
5 hearing officer, he may issue an order in contravention
6 thereof.

7 (Source: P.A. 98-445, eff. 12-31-13.)

8 (225 ILCS 415/23.15) (from Ch. 111, par. 6238)

9 (Section scheduled to be repealed on January 1, 2024)

10 Sec. 23.15. Certification of record; receipt. The
11 Department shall not be required to certify any record to the
12 court or file any answer in court or otherwise appear in any
13 court in a judicial review proceeding, unless and until the
14 Department has received from the plaintiff payment of the
15 costs of furnishing and certifying the record, which costs
16 shall be determined by the Department. ~~Exhibits shall be~~
17 ~~certified without cost.~~ Failure on the part of the plaintiff
18 to file a receipt in court shall be grounds for dismissal of
19 the action.

20 (Source: P.A. 98-445, eff. 12-31-13.)

21 (225 ILCS 415/24) (from Ch. 111, par. 6240)

22 (Section scheduled to be repealed on January 1, 2024)

23 Sec. 24. Administrative Procedure Act. The Illinois
24 Administrative Procedure Act is hereby expressly adopted and

1 incorporated herein as if all of the provisions of that Act
2 were included in this Act, except that the provision of
3 subsection (d) of Section 10-65 of the Illinois Administrative
4 Procedure Act that provides that at hearings the certificate
5 holder has the right to show compliance with all lawful
6 requirements for retention, continuation or renewal of
7 certification is specifically excluded. For the purpose of
8 this Act the notice required under Section 10-25 of the
9 Illinois Administrative Procedure Act is deemed sufficient
10 when mailed to the last known address of record or email
11 address of record.

12 (Source: P.A. 98-445, eff. 12-31-13.)

13 (225 ILCS 415/26) (from Ch. 111, par. 6242)

14 (Section scheduled to be repealed on January 1, 2024)

15 Sec. 26. Every shorthand reporter shall print the
16 reporter's ~~his or her~~ name and license or restricted license
17 number on each transcript reported.

18 (Source: P.A. 87-481; 87-576.)

19 (225 ILCS 415/26.1)

20 (Section scheduled to be repealed on January 1, 2024)

21 Sec. 26.1. Responsibility for notes. It is the licensee's
22 responsibility to preserve the licensee's ~~his or her~~ shorthand
23 notes for a period of no less than 10 years from the date that
24 the notes or transcripts were taken, except as otherwise

1 prescribed by law, through storage of the original paper notes
2 or an electronic copy of either the shorthand notes or the
3 English transcript of the notes on computer disks, cassettes,
4 backup tape systems, optical or laser disk systems, or other
5 retrieval systems available at the time that the notes or
6 transcripts were taken.

7 (Source: P.A. 98-445, eff. 12-31-13.)

8 (225 ILCS 415/18 rep.)

9 Section 15. The Illinois Certified Shorthand Reporters Act
10 of 1984 is amended by repealing Section 18.

11 Section 99. Effective date. This Section and Section 5
12 take effect upon becoming law.

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