



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4426

Introduced 1/16/2024, by Rep. Elizabeth "Lisa" Hernandez

SYNOPSIS AS INTRODUCED:

See Index

Amends the Regulatory Sunset Act. Provides that the Illinois Certified Shorthand Reporters Act of 1984 is repealed on January 1, 2030 (rather than January 1, 2025). 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 the 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 Certified Shorthand Reporters 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. Effective immediately.

LRB103 35695 AWJ 65771 b

1 AN ACT concerning government.

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 4.35 and 4.40 as follows:

6 (5 ILCS 80/4.35)

7 Sec. 4.35. Acts repealed on January 1, 2025. The following
8 Acts are repealed on January 1, 2025:

9 The Genetic Counselor Licensing Act.

10 ~~The Illinois Certified Shorthand Reporters Act of 1984.~~

11 (Source: P.A. 103-563, eff. 11-17-23.)

12 (5 ILCS 80/4.40)

13 Sec. 4.40. Acts repealed on January 1, 2030. The following
14 Acts are repealed on January 1, 2030:

15 The Auction License Act.

16 The Illinois Architecture Practice Act of 1989.

17 The Illinois Certified Shorthand Reporters Act of 1984.

18 The Illinois Professional Land Surveyor Act of 1989.

19 The Orthotics, Prosthetics, and Pedorthics Practice Act.

20 The Perfusionist Practice Act.

21 The Professional Engineering Practice Act of 1989.

22 The Real Estate License Act of 2000.

1 The Structural Engineering Practice Act of 1989.
2 (Source: P.A. 101-269, eff. 8-9-19; 101-310, eff. 8-9-19;
3 101-311, eff. 8-9-19; 101-312, eff. 8-9-19; 101-313, eff.
4 8-9-19; 101-345, eff. 8-9-19; 101-346, eff. 8-9-19; 101-357,
5 eff. 8-9-19; 102-558, eff. 8-20-21.)

6 Section 10. The Illinois Certified Shorthand Reporters Act
7 of 1984 is amended by changing Sections 4, 5, 6, 8, 10, 12.1,
8 14, 15, 16, 17, 19, 23, 23.1, 23.2, 23.4, 23.6, 23.7, 23.9,
9 23.15, 24, 26, and 26.1 and by adding Section 4.1 as follows:

10 (225 ILCS 415/4) (from Ch. 111, par. 6204)

11 (Section scheduled to be repealed on January 1, 2025)

12 Sec. 4. In this Act:

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

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

17 (3) "Board" means the Certified Shorthand Reporters Board
18 appointed by the Secretary.

19 (4) "The practice of shorthand reporting" means reporting,
20 by the use of any system of manual or mechanical shorthand
21 writing, of Grand Jury proceedings, court proceedings, court
22 related proceedings, pretrial examinations, depositions,
23 motions and related proceedings of like character, or
24 proceedings of an administrative agency when the final

1 decision of the agency with reference thereto is likely to be
2 subject to judicial review under the provisions of the
3 Administrative Review Law.

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

7 (6) "Stenographic notes" means the original notes by
8 manual or mechanical shorthand or shorthand writing taken by a
9 shorthand reporter of a proceeding while in attendance at such
10 proceeding for the purpose of reporting the same.

11 (7) "Address of record" means the designated address
12 recorded by the Department in the applicant's or licensee's
13 application file or license file as maintained by the
14 Department's licensure maintenance unit. It is the duty of the
15 applicant or licensee to inform the Department of any change
16 of address and those changes must be made either through the
17 Department's Internet website or by contacting the Department.

18 (8) "Email address of record" means the designated email
19 address recorded by the Department in the applicant's
20 application file or the licensee's license file, as maintained
21 by the Department's licensure maintenance unit.

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

23 (225 ILCS 415/4.1 new)

24 Sec. 4.1. Address of record; email address of record. All
25 applicants and registrants shall:

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

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

9 (225 ILCS 415/5) (from Ch. 111, par. 6205)

10 (Section scheduled to be repealed on January 1, 2025)

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

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

24 (225 ILCS 415/6) (from Ch. 111, par. 6206)

1 (Section scheduled to be repealed on January 1, 2025)

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

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

13 (225 ILCS 415/8) (from Ch. 111, par. 6208)

14 (Section scheduled to be repealed on January 1, 2025)

15 Sec. 8. Certified Shorthand Reporters Board. The Secretary
16 shall appoint a Certified Shorthand Reporters Board as
17 follows: 7 persons who shall be appointed by and shall serve in
18 an advisory capacity to the Secretary. Six members must be
19 certified shorthand reporters, in good standing, and actively
20 engaged in the practice of shorthand reporting in this State
21 for 10 ~~ten~~ years, and one member must be a member of the public
22 who is not certified under this Act, or a similar Act of
23 another jurisdiction.

24 Members shall serve 4 year terms and until the members'
25 ~~their~~ successors are appointed and qualified. No member shall

1 be reappointed to the Board for a term that would cause the
2 member's ~~his~~ continuous service on the Board to be longer than
3 2 full consecutive terms. Appointments to fill vacancies shall
4 be made in the same manner as original appointments, for the
5 unexpired portion of the vacated term.

6 In making appointments to the Board, the Secretary shall
7 give consideration to recommendations by national and State
8 organizations of the shorthand reporter profession.

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

11 The Secretary may remove or suspend any member of the
12 Board for cause at any time before the expiration of the
13 member's ~~his or her~~ term. The Secretary shall be the sole
14 arbiter of cause.

15 The Secretary shall consider the recommendations of the
16 Board on questions involving standards of professional
17 conduct, discipline, and qualifications of candidates and
18 certificate holders under this Act.

19 Members of the Board shall be reimbursed for all
20 legitimate, necessary, and authorized expenses incurred in
21 attending the meetings of the Board.

22 Members of the Board have no liability in any action based
23 upon any disciplinary proceedings or other activity performed
24 in good faith as members of the Board.

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

1 (225 ILCS 415/10) (from Ch. 111, par. 6210)

2 (Section scheduled to be repealed on January 1, 2025)

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

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

16 If an applicant neglects, fails, or refuses to take the
17 next available examination offered or fails to pass an
18 examination for certification under this Act, the application
19 shall be denied. If an applicant for examination for
20 certification under this Act fails to pass the examination
21 within 3 years after filing an ~~his~~ application, the
22 application shall be denied. However, such applicant may
23 thereafter make a new application accompanied by the required
24 fee.

25 The Department may employ consultants for the purpose of
26 preparing and conducting examinations.

1 An applicant has one year from the date of notification of
2 successful completion of the examination to apply to the
3 Department for a license. If an applicant fails to apply
4 within one year, the applicant shall be required to take and
5 pass the examination again unless licensed in another
6 jurisdiction of the United States within one year of passing
7 the examination.

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

9 (225 ILCS 415/12.1)

10 (Section scheduled to be repealed on January 1, 2025)

11 Sec. 12.1. Social Security Number or federal individual
12 taxpayer identification number on license application. In
13 addition to any other information required to be contained in
14 the application, every application for an original license
15 under this Act shall include the applicant's Social Security
16 Number or federal individual taxpayer identification number,
17 which shall be retained in the Department's records pertaining
18 to the license. As soon as practicable, the Department shall
19 assign a customer's identification number to each applicant
20 for a license. Every application for a renewal or restored
21 license shall require the applicant's customer identification
22 number.

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

24 (225 ILCS 415/14) (from Ch. 111, par. 6214)

1 (Section scheduled to be repealed on January 1, 2025)

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

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

18 If the certified shorthand reporter has not maintained an
19 active practice in another jurisdiction satisfactory to the
20 Department, the Department shall determine, by an evaluation
21 program established by rule, the reporter's ~~his~~ fitness to
22 resume active status and shall, by rule, establish procedures
23 and requirements for restoration.

24 However, any certified shorthand reporter whose
25 certificate expired while ~~he was~~ (1) in Federal Service on
26 active duty with the Armed Forces of the United States, while

1 ~~or the State Militia~~ called into service or training in the
2 State Militia, or while ~~(2)~~ in training or education under the
3 supervision of the United States preliminary to induction into
4 the military service, may have the ~~his~~ certificate renewed or
5 restored without paying any lapsed renewal fees if, within 2
6 years after termination of such service, training, or
7 education except under conditions other than honorable, the
8 Department is furnished with satisfactory evidence to the
9 effect that the certificate holder has been so engaged and
10 that the service, training, or education has been terminated
11 ~~he furnished the Department with satisfactory evidence to the~~
12 ~~effect that he has been so engaged and that his service,~~
13 ~~training or education has been so terminated.~~

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

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

16 (Section scheduled to be repealed on January 1, 2025)

17 Sec. 15. Inactive status. Any certified shorthand reporter
18 who notifies the Department in writing on forms prescribed by
19 the Department, may elect to place the reporter's ~~his~~
20 certificate on an inactive status and shall, subject to rules
21 of the Department, be excused from payment of renewal fees
22 until ~~he notifies~~ the Department has been notified in writing
23 of the certificate holder's ~~his~~ desire to resume active
24 status.

25 Any certified shorthand reporter requesting restoration

1 from inactive status shall be required to pay the current
2 renewal fee and shall be required to restore the reporter's
3 ~~his~~ certificate, as provided in Section 14.

4 Any certified shorthand reporter whose certificate is in
5 an inactive status shall not practice shorthand reporting in
6 the State of Illinois.

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

8 (225 ILCS 415/16) (from Ch. 111, par. 6216)

9 (Section scheduled to be repealed on January 1, 2025)

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

19 Applicants have 3 years from the date of application to
20 complete the application process. If the process has not been
21 completed in 3 years, the application shall be denied, the fee
22 forfeited, and the applicant must reapply and meet the
23 requirements in effect at the time of reapplication.

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

1 (225 ILCS 415/17) (from Ch. 111, par. 6217)

2 (Section scheduled to be repealed on January 1, 2025)

3 Sec. 17. Fees; returned checks.

4 (a) The fees for the administration and enforcement of
5 this Act, including, but not limited to, original
6 certification, renewal, and restoration of a license issued
7 under this Act, shall be set by rule. The fees shall be
8 nonrefundable.

9 (b) All fees, fines, and penalties collected under this
10 Act shall be deposited into the General Professions Dedicated
11 Fund and shall be appropriated to the Department for the
12 ordinary and contingent expenses of the Department in the
13 administration of this Act.

14 (c) Any person who delivers a check or other payment to the
15 Department that is returned to the Department unpaid by the
16 financial institution upon which it is drawn shall pay to the
17 Department, in addition to the amount already owed to the
18 Department, a fine of \$50. The fines imposed by this Section
19 are in addition to any other discipline provided under this
20 Act prohibiting unlicensed practice or practice on a
21 nonrenewed license. The Department shall notify the person
22 that payment of fees and fines shall be paid to the Department
23 by certified check or money order within 30 calendar days of
24 the notification. If, after the expiration of 30 days from the
25 date of the notification, the person has failed to submit the
26 necessary remittance, the Department shall automatically

1 terminate the license or certificate or deny the application,
2 without hearing. If, after termination or denial, the person
3 seeks a license or certificate, the person ~~he or she~~ shall
4 apply to the Department for restoration or issuance of the
5 license or certificate and pay all fees and fines due to the
6 Department. The Department may establish a fee for the
7 processing of an application for restoration of a license or
8 certificate to pay all expenses of processing this
9 application. The Secretary may waive the fines due under this
10 Section in individual cases where the Secretary finds that the
11 fines would be unreasonable or unnecessarily burdensome.

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

13 (225 ILCS 415/19) (from Ch. 111, par. 6219)

14 (Section scheduled to be repealed on January 1, 2025)

15 Sec. 19. Advertising. Any person certified under this Act
16 may advertise the availability of professional services in the
17 public media or on the premises where such professional
18 services are rendered as permitted by law, on the condition
19 that such advertising is truthful and not misleading and is in
20 conformity with rules promulgated by the Department.
21 Advertisements shall not include false, fraudulent, deceptive,
22 or misleading material or guarantees of success.
23 Advertisements shall also not include any offers of any gift
24 or item of value to attorneys or the attorneys' ~~their~~ staff or
25 any other persons or entities associated with any litigation.

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

2 (225 ILCS 415/23) (from Ch. 111, par. 6223)

3 (Section scheduled to be repealed on January 1, 2025)

4 Sec. 23. Grounds for disciplinary action.

5 (a) The Department may refuse to issue or renew, or may
6 revoke, suspend, place on probation, reprimand, or take other
7 disciplinary or non-disciplinary action as the Department may
8 deem appropriate, including imposing fines not to exceed
9 \$10,000 for each violation and the assessment of costs as
10 provided for in Section 23.3 of this Act, with regard to any
11 license for any one or combination of the following:

12 (1) Material misstatement in furnishing information to
13 the Department;

14 (2) Violations of this Act, or of the rules
15 promulgated thereunder;

16 (3) Conviction by plea of guilty or nolo contendere,
17 finding of guilt, jury verdict, or entry of judgment or by
18 sentencing of any crime, including, but not limited to,
19 convictions, preceding sentences of supervision,
20 conditional discharge, or first offender probation under
21 the laws of any jurisdiction of the United States: (i)
22 that is a felony or (ii) that is a misdemeanor, an
23 essential element of which is dishonesty, or that is
24 directly related to the practice of the profession;

25 (4) Fraud or any misrepresentation in applying for or

1 procuring a license under this Act or in connection with
2 applying for renewal of a license under this Act;

3 (5) Professional incompetence;

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

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

9 (8) Engaging in dishonorable, unethical, or
10 unprofessional conduct of a character likely to deceive,
11 defraud, or harm the public;

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

16 (10) Discipline by another state, unit of government,
17 government agency, the District of Columbia, a territory,
18 or foreign nation, if at least one of the grounds for the
19 discipline is the same or substantially equivalent to
20 those set forth herein;

21 (11) Charging for professional services not rendered,
22 including filing false statements for the collection of
23 fees for which services were not rendered, or giving,
24 directly or indirectly, any gift or anything of value to
25 attorneys or the attorneys' ~~their~~ staff or any other
26 persons or entities associated with any litigation, that

1 exceeds \$100 total per year; for the purposes of this
2 Section, pro bono services, as defined by State law, are
3 permissible in any amount;

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

7 (13) Willfully making or filing false records or
8 reports in the practice of shorthand reporting, including, l
9 but not limited to, l false records filed with State
10 agencies or departments;

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

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

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

19 (17) Willful alteration of any stenographic notes
20 taken at any proceeding;

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

23 (19) Willful alteration of a transcript of
24 stenographic notes taken at any proceeding;

25 (20) Affixing one's signature to any transcript of ~~his~~
26 stenographic notes or certifying to its correctness unless

1 the transcript has been prepared by the stenographer ~~him~~
2 or under the stenographer's ~~his~~ immediate supervision;

3 (21) Willful failure to systematically retain
4 stenographic notes or transcripts on paper or any
5 electronic media for 10 years from the date that the notes
6 or transcripts were taken;

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

9 (23) Establishing contingent fees as a basis of
10 compensation;

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

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

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

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

20 All fines imposed under this Section shall be paid within
21 60 days after the effective date of the order imposing the fine
22 or in accordance with the terms set forth in the order imposing
23 the fine.

24 (b) The determination by a circuit court that a
25 certificate holder is subject to involuntary admission or
26 judicial admission as provided in the Mental Health and

1 Developmental Disabilities Code, operates as an automatic
2 suspension. Such suspension will end only upon a finding by a
3 court that the patient is no longer subject to involuntary
4 admission or judicial admission, an order by the court so
5 finding and discharging the patient. In any case where a
6 license is suspended under this Section, the licensee may file
7 a petition for restoration and shall include evidence
8 acceptable to the Department that the licensee can resume
9 practice in compliance with acceptable and prevailing
10 standards of the profession.

11 (c) In cases where the Department of Healthcare and Family
12 Services has previously determined a licensee or a potential
13 licensee is more than 30 days delinquent in the payment of
14 child support and has subsequently certified the delinquency
15 to the Department, the Department may refuse to issue or renew
16 or may revoke or suspend that person's license or may take
17 other disciplinary action against that person based solely
18 upon the certification of delinquency made by the Department
19 of Healthcare and Family Services in accordance with item (5)
20 of subsection (a) of Section 2105-15 of the Civil
21 Administrative Code of Illinois.

22 (d) In enforcing this Section, the Department, upon a
23 showing of a possible violation, may compel any individual who
24 is certified under this Act or any individual who has applied
25 for certification under this Act to submit to a mental or
26 physical examination and evaluation, or both, which may

1 include a substance abuse or sexual offender evaluation, at
2 the expense of the Department. The Department shall
3 specifically designate the examining physician licensed to
4 practice medicine in all of its branches or, if applicable,
5 the multidisciplinary team involved in providing the mental or
6 physical examination and evaluation, or both. The
7 multidisciplinary team shall be led by a physician licensed to
8 practice medicine in all of its branches and may consist of one
9 or more or a combination of physicians licensed to practice
10 medicine in all of its branches, licensed chiropractic
11 physicians, licensed clinical psychologists, licensed clinical
12 social workers, licensed clinical professional counselors, and
13 other professional and administrative staff. Any examining
14 physician or member of the multidisciplinary team may require
15 any person ordered to submit to an examination and evaluation
16 pursuant to this Section to submit to any additional
17 supplemental testing deemed necessary to complete any
18 examination or evaluation process, including, but not limited
19 to, blood testing, urinalysis, psychological testing, or
20 neuropsychological testing.

21 The Department may order the examining physician or any
22 member of the multidisciplinary team to provide to the
23 Department any and all records, including business records,
24 that relate to the examination and evaluation, including any
25 supplemental testing performed. The Department may order the
26 examining physician or any member of the multidisciplinary

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

19 Failure of any individual to submit to mental or physical
20 examination and evaluation, or both, when directed, shall
21 result in an automatic suspension, without hearing, until such
22 time as the individual submits to the examination. If the
23 Department finds a certified shorthand reporter unable to
24 practice because of the reasons set forth in this Section, the
25 Department shall require the certified shorthand reporter to
26 submit to care, counseling, or treatment by physicians

1 approved or designated by the Department, as a condition for
2 continued, reinstated, or renewed certification.

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

12 An individual ~~Individuals~~ certified under this Act,
13 affected under this Section, shall be afforded an opportunity
14 to demonstrate to the Department that they can resume practice
15 in compliance with acceptable and prevailing standards under
16 the provisions of the individual's ~~their~~ certification.

17 (e) (Blank).

18 (f) The Department may refuse to issue or may suspend
19 without hearing, as provided for in the Code of Civil
20 Procedure, the license of any person who fails to file a
21 return, to pay the tax, penalty, or interest shown in a filed
22 return, or to pay any final assessment of tax, penalty, or
23 interest as required by any tax Act administered by the
24 Illinois Department of Revenue, until such time as the
25 requirements of any such tax Act are satisfied in accordance
26 with subsection (g) of Section 2105-15 of the Civil

1 Administrative Code of Illinois.

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

3 (225 ILCS 415/23.1) (from Ch. 111, par. 6224)

4 (Section scheduled to be repealed on January 1, 2025)

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

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

20 (b) If any person practices as a certified shorthand
21 reporter or holds oneself ~~himself or herself~~ out as a
22 certified shorthand reporter without being licensed under the
23 provisions of this Act then any certified shorthand reporter,
24 any interested party or any person injured thereby may, in
25 addition to the Secretary, petition for relief as provided in

1 subsection (a).

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

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

12 (225 ILCS 415/23.2) (from Ch. 111, par. 6225)

13 (Section scheduled to be repealed on January 1, 2025)

14 Sec. 23.2. Investigations; notice and hearing. The
15 Department may investigate the actions of any applicant or of
16 any person or persons holding or claiming to hold a
17 certificate. The Department shall, before refusing to issue or
18 renew, or taking disciplinary action against, a certificate,
19 at least 30 days prior to the date set for the hearing, notify
20 in writing the applicant for, or holder of, a certificate of
21 the nature of the charges and the time and place for a hearing
22 on the charges. The Department shall direct the applicant or
23 licensee to file a written answer to the charges with the Board
24 under oath within 20 days after the service of the notice and
25 inform the applicant or licensee that failure to file an

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

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

21 (225 ILCS 415/23.4) (from Ch. 111, par. 6227)

22 (Section scheduled to be repealed on January 1, 2025)

23 Sec. 23.4. Subpoenas; oaths. The Department may subpoena
24 and bring before it any person and to take the oral or written
25 testimony or compel the production of any books, papers,

1 records, or any other documents that the Secretary or the
2 Secretary's ~~his or her~~ designee deems relevant or material to
3 an investigation or hearing conducted by the Department with
4 the same fees and mileage and in the same manner as prescribed
5 by law in judicial procedure in civil cases in courts of this
6 State.

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

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

14 (225 ILCS 415/23.6) (from Ch. 111, par. 6229)

15 (Section scheduled to be repealed on January 1, 2025)

16 Sec. 23.6. Board report. At the conclusion of the hearing
17 the Board shall present to the Secretary a written report of
18 its findings of fact, conclusions of law, and recommendations.
19 The report shall contain a finding whether or not the accused
20 person violated this Act or failed to comply with the
21 conditions required in this Act. The Board shall specify the
22 nature of the violation or failure to comply, and shall make
23 its recommendations to the Secretary. The report of findings
24 of fact, conclusions of law, and recommendations of the Board
25 shall be the basis for the Secretary's ~~Department's~~ action

1 regarding a certificate. If the Secretary disagrees in any
2 regard with the report of the Board, the Secretary ~~he~~ may issue
3 an order in contravention thereof. The finding is not
4 admissible in evidence against the person in a criminal
5 prosecution brought for the violation of this Act, but the
6 hearing and findings are not a bar to a criminal prosecution
7 brought for the violation of this Act.

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

9 (225 ILCS 415/23.7) (from Ch. 111, par. 6230)

10 (Section scheduled to be repealed on January 1, 2025)

11 Sec. 23.7. Motion for rehearing. In any hearing involving
12 the refusal to issue or renew, or the taking of disciplinary
13 action against, a certificate, a copy of the Board's report
14 shall be served upon the respondent by the Department as
15 provided in this Act for the service of the notice of hearing.
16 Within 20 days after such service, the respondent may present
17 to the Secretary ~~Department~~ a motion in writing for a
18 rehearing, which motion shall specify the particular grounds
19 therefor. If no motion for rehearing is filed, then upon the
20 expiration of the time specified for filing such a motion, or
21 if a motion for rehearing is denied, then upon such denial the
22 Secretary may enter an order in accordance with
23 recommendations of the Board except as provided in Section
24 23.6. If the respondent shall order from the reporting
25 service, and pay for a transcript of the record within the time

1 for filing a motion for rehearing, the 20 day period within
2 which such a motion may be filed shall commence upon the
3 delivery of the transcript to the respondent.

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

5 (225 ILCS 415/23.9) (from Ch. 111, par. 6232)

6 (Section scheduled to be repealed on January 1, 2025)

7 Sec. 23.9. Hearing officers, reports, and review. The
8 Secretary shall have the authority to appoint any attorney
9 duly licensed to practice law in the State of Illinois to serve
10 as the hearing officer in any action involving a refusal to
11 issue or renew, or the taking of disciplinary action against a
12 certificate. The hearing officer shall have full authority to
13 conduct the hearing. The hearing officer shall report the
14 hearing officer's ~~his or her~~ findings of fact, conclusions of
15 law, and recommendations to the Board ~~and the Secretary~~. The
16 Board shall have 60 days from receipt of the report to review
17 the report of the hearing officer and present the Board's
18 ~~their~~ findings of fact, conclusions of law, and
19 recommendations to the Secretary. If the Board fails to
20 present its report within the 60 day period, the Secretary may
21 issue an order based on the report of the hearing officer. If
22 the Secretary disagrees with the report of the Board or
23 hearing officer, the Secretary ~~he~~ may issue an order in
24 contravention thereof.

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

1 (225 ILCS 415/23.15) (from Ch. 111, par. 6238)

2 (Section scheduled to be repealed on January 1, 2025)

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

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

14 (225 ILCS 415/24) (from Ch. 111, par. 6240)

15 (Section scheduled to be repealed on January 1, 2025)

16 Sec. 24. Administrative Procedure Act. The Illinois
17 Administrative Procedure Act is hereby expressly adopted and
18 incorporated herein as if all of the provisions of that Act
19 were included in this Act, except that the provision of
20 subsection (d) of Section 10-65 of the Illinois Administrative
21 Procedure Act that provides that at hearings the certificate
22 holder has the right to show compliance with all lawful
23 requirements for retention, continuation, or renewal of
24 certification is specifically excluded. For the purpose of

1 this Act the notice required under Section 10-25 of the
2 Illinois Administrative Procedure Act is deemed sufficient
3 when mailed to the last known address of record or email
4 address of record.

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

6 (225 ILCS 415/26) (from Ch. 111, par. 6242)

7 (Section scheduled to be repealed on January 1, 2025)

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

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

12 (225 ILCS 415/26.1)

13 (Section scheduled to be repealed on January 1, 2025)

14 Sec. 26.1. Responsibility for notes. It is the licensee's
15 responsibility to preserve the licensee's ~~his or her~~ shorthand
16 notes for a period of no less than 10 years from the date that
17 the notes or transcripts were taken, except as otherwise
18 prescribed by law, through storage of the original paper notes
19 or an electronic copy of either the shorthand notes or the
20 English transcript of the notes on computer disks, cassettes,
21 backup tape systems, optical or laser disk systems, or other
22 retrieval systems available at the time that the notes or
23 transcripts were taken.

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

1 (225 ILCS 415/18 rep.)

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

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 80/4.35 | |
| 4 | 5 ILCS 80/4.40 | |
| 5 | 225 ILCS 415/4 | from Ch. 111, par. 6204 |
| 6 | 225 ILCS 415/4.1 new | |
| 7 | 225 ILCS 415/5 | from Ch. 111, par. 6205 |
| 8 | 225 ILCS 415/6 | from Ch. 111, par. 6206 |
| 9 | 225 ILCS 415/8 | from Ch. 111, par. 6208 |
| 10 | 225 ILCS 415/10 | from Ch. 111, par. 6210 |
| 11 | 225 ILCS 415/12.1 | |
| 12 | 225 ILCS 415/14 | from Ch. 111, par. 6214 |
| 13 | 225 ILCS 415/15 | from Ch. 111, par. 6215 |
| 14 | 225 ILCS 415/16 | from Ch. 111, par. 6216 |
| 15 | 225 ILCS 415/17 | from Ch. 111, par. 6217 |
| 16 | 225 ILCS 415/19 | from Ch. 111, par. 6219 |
| 17 | 225 ILCS 415/23 | from Ch. 111, par. 6223 |
| 18 | 225 ILCS 415/23.1 | from Ch. 111, par. 6224 |
| 19 | 225 ILCS 415/23.2 | from Ch. 111, par. 6225 |
| 20 | 225 ILCS 415/23.4 | from Ch. 111, par. 6227 |
| 21 | 225 ILCS 415/23.6 | from Ch. 111, par. 6229 |
| 22 | 225 ILCS 415/23.7 | from Ch. 111, par. 6230 |
| 23 | 225 ILCS 415/23.9 | from Ch. 111, par. 6232 |
| 24 | 225 ILCS 415/23.15 | from Ch. 111, par. 6238 |
| 25 | 225 ILCS 415/24 | from Ch. 111, par. 6240 |

- 1 225 ILCS 415/26 from Ch. 111, par. 6242
- 2 225 ILCS 415/26.1
- 3 225 ILCS 415/18 rep.