



Sen. Mike Porfirio

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10300HB4426sam001

LRB103 35695 JDS 73442 a

1 AMENDMENT TO HOUSE BILL 4426

2 AMENDMENT NO. _____. Amend House Bill 4426 by replacing
3 everything after the enacting clause with the following:

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 Acts repealed on January 1, 2025.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8 Acts are repealed on January 1, 2025: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 Acts repealed on January 1, 2030.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14 Acts are repealed on January 1, 2030: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.

1 The Illinois Architecture Practice Act of 1989.
2 The Illinois Certified Shorthand Reporters Act of 1984.
3 The Illinois Professional Land Surveyor Act of 1989.
4 The Orthotics, Prosthetics, and Pedorthics Practice Act.
5 The Perfusionist Practice Act.
6 The Professional Engineering Practice Act of 1989.
7 The Real Estate License Act of 2000.
8 The Structural Engineering Practice Act of 1989.
9 (Source: P.A. 101-269, eff. 8-9-19; 101-310, eff. 8-9-19;
10 101-311, eff. 8-9-19; 101-312, eff. 8-9-19; 101-313, eff.
11 8-9-19; 101-345, eff. 8-9-19; 101-346, eff. 8-9-19; 101-357,
12 eff. 8-9-19; 102-558, eff. 8-20-21.)

13 Section 10. The Illinois Certified Shorthand Reporters Act
14 of 1984 is amended by changing Sections 3, 4, 5, 6, 8, 9, 10,
15 11, 12.1, 14, 15, 16, 17, 19, 23, 23.1, 23.2, 23.4, 23.6, 23.7,
16 23.9, 23.15, 24, 26, and 26.1 and by adding Section 4.1 as
17 follows:

18 (225 ILCS 415/3) (from Ch. 111, par. 6203)

19 (Section scheduled to be repealed on January 1, 2025)

20 Sec. 3. License required. No person may practice shorthand
21 reporting on a temporary or permanent basis in this State
22 without being certified under this Act. This Act does not
23 prohibit any non-resident practicing shorthand reporter from
24 practicing shorthand reporting in this State as to one single

1 proceeding.

2 No certificate shall be valid for any system of verbatim
3 reporting other than that for which it is issued.

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

5 (225 ILCS 415/4) (from Ch. 111, par. 6204)

6 (Section scheduled to be repealed on January 1, 2025)

7 Sec. 4. In this Act:

8 (1) "Department" means the Department of Financial and
9 Professional Regulation.

10 (2) "Secretary" means the Secretary of Financial and
11 Professional Regulation.

12 (3) "Board" means the Certified Shorthand Reporters Board
13 appointed by the Secretary.

14 (4) "The practice of shorthand reporting" means reporting,
15 by the use of any system of manual or mechanical shorthand
16 writing or by shorthand voice writing reporting, of Grand Jury
17 proceedings, court proceedings, court related proceedings,
18 pretrial examinations, depositions, motions and related
19 proceedings of like character, or proceedings of an
20 administrative agency when the final decision of the agency
21 with reference thereto is likely to be subject to judicial
22 review under the provisions of the Administrative Review Law.

23 (5) "Shorthand reporter" means a natural person who is
24 technically qualified and certified under this Act to practice
25 shorthand reporting.

1 (6) "Stenographic notes" means the original notes by
2 manual or mechanical shorthand, shorthand voice writing, or
3 shorthand writing taken by a shorthand reporter of a
4 proceeding while in attendance at such proceeding for the
5 purpose of reporting the same.

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

13 (8) "Email address of record" means the designated email
14 address recorded by the Department in the applicant's
15 application file or the licensee's license file, as maintained
16 by the Department's licensure maintenance unit.

17 (9) "Voice writing" means the practice of shorthand
18 reporting by a natural person and by means of capturing the
19 spoken word through a closed microphone voice dictation
20 silencer and using computer aided transcription software that
21 is capable of translating the spoken word into text.

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.

12 (a) Every person to whom a valid existing certificate as a
13 certified shorthand reporter has been issued under this Act
14 shall be designated as a Certified Shorthand Reporter and not
15 otherwise, and any such certified shorthand reporter may, in
16 connection with the certified shorthand reporter's ~~his or her~~
17 practice of shorthand reporting, use the abbreviation
18 "C.S.R.", ~~or~~ the title "Court Reporter", the words
19 "stenographer" or "reporter", or the phrase "deposition
20 reporter" in combination with words or phrases related to the
21 practice of shorthand reporting that tend to indicate
22 certification as a shorthand reporter.

23 (b) No person, other than the holder of a valid existing
24 certificate under this Act, shall use the titles or
25 designations authorized under this Section. A person may hold

1 valid certificates both as a certified shorthand reporter and
2 as a certified voice writer reporter under this Act and may use
3 the titles authorized by this Section in connection with the
4 person's profession or business. ~~No person other than the~~
5 ~~holder of a valid existing certificate under this Act shall~~
6 ~~use the title or designation of "Certified Shorthand~~
7 ~~Reporter", "Court Reporter", or "C.S.R.", either directly or~~
8 ~~indirectly in connection with his or her profession or~~
9 ~~business.~~

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

11 (225 ILCS 415/6) (from Ch. 111, par. 6206)

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

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

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

24 (225 ILCS 415/8) (from Ch. 111, par. 6208)

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

2 Sec. 8. Certified Shorthand Reporters Board. The Secretary
3 shall appoint a Certified Shorthand Reporters Board as
4 follows: 7 persons who shall be appointed by and shall serve in
5 an advisory capacity to the Secretary. At least 6 ~~Six~~ members
6 must be certified shorthand reporters, in good standing, and
7 actively engaged in the practice of shorthand reporting in
8 this State for at least 10 ~~ten~~ years who have not been subject
9 to disciplinary action during the 10 years immediately prior
10 to the date of appointment to the Board. One member may be a
11 certified voice writer reporter who is actively engaged in the
12 practice of voice writer reporting, who is in good standing in
13 this State, who, except for the initial appointment, is
14 actively engaged in the practice of voice writer reporting,
15 and who meets the qualifications for certification under this
16 Act. One, ~~and one~~ member must be a member of the public who is
17 not certified under this Act, or a similar Act of another
18 jurisdiction. Members of the Board shall have no liability in
19 any action based upon any disciplinary proceeding or other
20 activity performed in good faith as members of the Board.

21 Members shall serve 4-year ~~4-year~~ terms and until the
22 members' ~~their~~ successors are appointed and qualified. No
23 member shall be reappointed to the Board for a term that would
24 cause the member's ~~his~~ continuous service on the Board to be
25 longer than 2 full consecutive terms. Appointments to fill
26 vacancies shall be made in the same manner as original

1 appointments, for the unexpired portion of the vacated term.

2 In making appointments to the Board, the Secretary shall
3 give consideration to recommendations by national and State
4 organizations of the shorthand reporter profession.

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

7 The Secretary may remove or suspend any member of the
8 Board for cause at any time before the expiration of the
9 member's ~~his or her~~ term. The Secretary shall be the sole
10 arbiter of cause.

11 The Secretary shall consider the recommendations of the
12 Board on questions involving standards of professional
13 conduct, discipline, and qualifications of candidates and
14 certificate holders under this Act.

15 Members of the Board shall be reimbursed for all
16 legitimate, necessary, and authorized expenses incurred in
17 attending the meetings of the Board.

18 Members of the Board have no liability in any action based
19 upon any disciplinary proceedings or other activity performed
20 in good faith as members of the Board.

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

22 (225 ILCS 415/9) (from Ch. 111, par. 6209)

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

24 Sec. 9. Qualifications. Applications for original
25 certificates shall be made to the Department in writing on

1 forms prescribed by the Department and shall be accompanied by
2 the required fee, which shall not be returnable. Any such
3 application shall require such information as in the judgment
4 of the Department will enable the Department to pass on the
5 qualifications of the applicant for certification.

6 In determining competency, the Department shall require
7 proof that the applicant has a good understanding of the
8 English language, including reading, spelling and vocabulary,
9 and that the applicant has sufficient ability to accurately
10 report any of the matters comprising the practice of shorthand
11 reporting as herein defined, by the use of any system of manual
12 or mechanical shorthand or shorthand writing, or voice writing
13 by the use of oral shorthand, and a clear understanding of
14 obligations between a shorthand reporter and the parties to
15 any proceedings reported, as well as the provisions of this
16 Act.

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

18 (225 ILCS 415/10) (from Ch. 111, par. 6210)

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

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

24 Applicants for examination as certified shorthand
25 reporters shall be required to pay, either to the Department

1 or the designated testing service, a fee covering the cost of
2 providing the examination. Failure to appear for the
3 examination on the scheduled date, at the time and place
4 specified, after the applicant's application for examination
5 has been received and acknowledged by the Department or the
6 designated testing service, shall result in the forfeiture of
7 the examination fee.

8 If an applicant neglects, fails, or refuses to take the
9 next available examination offered or fails to pass an
10 examination for certification under this Act, the application
11 shall be denied. If an applicant for examination for
12 certification under this Act fails to pass the examination
13 within 3 years after filing an ~~his~~ application, the
14 application shall be denied. However, such applicant may
15 thereafter make a new application accompanied by the required
16 fee.

17 The Department may employ consultants for the purpose of
18 preparing and conducting examinations.

19 An applicant has one year from the date of notification of
20 successful completion of the examination to apply to the
21 Department for a license. If an applicant fails to apply
22 within one year, the applicant shall be required to take and
23 pass the examination again unless licensed in another
24 jurisdiction of the United States within one year of passing
25 the examination.

26 Applicants may employ any system of verbatim reporting by

1 which a record is preserved, the accuracy of which shall be the
2 personal responsibility of the shorthand reporter, provided,
3 however, no system of direct electronic recording shall be
4 considered a system of verbatim reporting for purposes of this
5 Act or rules adopted under this Act.

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

7 (225 ILCS 415/11) (from Ch. 111, par. 6211)

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

9 Sec. 11. Qualifications; application.

10 (a) A person shall be qualified for certification as a
11 certified shorthand reporter if that person:

12 (1) ~~A. That person~~ has applied in writing in form and
13 substance to the Department; and

14 ~~(1) (Blank);~~

15 (2) is ~~is~~ of good moral character, the determination
16 of which shall take into account but not be totally based
17 upon any felony conviction of the applicant; ~~and~~

18 (3) has ~~Has~~ graduated from a high school or secondary
19 school or its equivalent; and

20 (4) ~~B. That person~~ has successfully completed the
21 examination authorized by the Department.

22 Additional qualifications for the practice of shorthand
23 reporting may be set by the Department by rule.

24 (b) A person shall be qualified for certification as a
25 certified voice writer shorthand reporter if that person:

1 (1) has applied in writing in form and substance to
2 the Department;

3 (2) is of good moral character, the determination of
4 which shall take into account but not totally be based
5 upon any felony conviction of the applicant;

6 (3) has graduated from a high school or secondary
7 school or its equivalent; and

8 (4) has successfully completed the examination
9 authorized by the Department or submits a certification of
10 successful completion of an examination from another
11 jurisdiction that is the equivalent of the examination
12 authorized by the Department.

13 Additional qualifications for the practice of voice writer
14 reporting may be set by the Department by rule.

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, 2025)

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, 2025)

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
14 education except under conditions other than honorable, the
15 Department is furnished with satisfactory evidence to the
16 effect that the certificate holder has been so engaged and
17 that the service, training, or education has been terminated
18 ~~he furnished the Department with satisfactory evidence to the~~
19 ~~effect that he has been so engaged and that his service,~~
20 ~~training or 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, 2025)

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, 2025)

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 or certified
21 voice writer reporter registered under the laws of another
22 jurisdiction, if the requirements for certification of
23 certified shorthand reporters or certified voice writer
24 reporters in that jurisdiction were, at the date of ~~his~~
25 certification, substantially equivalent to the requirements in

1 force in this State on that date.

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

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

8 (225 ILCS 415/17) (from Ch. 111, par. 6217)

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

10 Sec. 17. Fees; returned checks.

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

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

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

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

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

21 (225 ILCS 415/19) (from Ch. 111, par. 6219)

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

23 Sec. 19. Advertising. Any person certified under this Act
24 may advertise the availability of professional services in the
25 public media or on the premises where such professional

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

10 (225 ILCS 415/23) (from Ch. 111, par. 6223)

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

12 Sec. 23. Grounds for disciplinary action.

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

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

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

24 (3) Conviction by plea of guilty or nolo contendere,
25 finding of guilt, jury verdict, or entry of judgment or by

1 sentencing of any crime, including, but not limited to,
2 convictions, preceding sentences of supervision,
3 conditional discharge, or first offender probation under
4 the laws of any jurisdiction of the United States: (i)
5 that is a felony or (ii) that is a misdemeanor, an
6 essential element of which is dishonesty, or that is
7 directly related to the practice of the profession;

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

11 (5) Professional incompetence;

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

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

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

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

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

1 discipline is the same or substantially equivalent to
2 those set forth herein;

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

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

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

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

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

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

1 (17) Willful alteration of any stenographic notes
2 taken at any proceeding;

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

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

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

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

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

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

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

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

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

26 (27) Allowing one's license under this Act to be used

1 by an unlicensed person in violation of this Act.

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

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

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

1 of Healthcare and Family Services in accordance with item (5)
2 of subsection (a) of Section 2105-15 of the Civil
3 Administrative Code of Illinois.

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

1 to, blood testing, urinalysis, psychological testing, or
2 neuropsychological testing.

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

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

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

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

25 (e) (Blank).

26 (f) The Department may refuse to issue or may suspend

1 without hearing, as provided for in the Code of Civil
2 Procedure, the license of any person who fails to file a
3 return, to pay the tax, penalty, or interest shown in a filed
4 return, or to pay any final assessment of tax, penalty, or
5 interest as required by any tax Act administered by the
6 Illinois Department of Revenue, until such time as the
7 requirements of any such tax Act are satisfied in accordance
8 with subsection (g) of Section 2105-15 of the Civil
9 Administrative Code of Illinois.

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

11 (225 ILCS 415/23.1) (from Ch. 111, par. 6224)

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

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

14 (a) If any person violates the provisions of this Act, the
15 Secretary may, in the name of the People of the State of
16 Illinois, through the Attorney General of the State of
17 Illinois or the State's Attorney of the county in which the
18 violation is alleged to have occurred, petition for an order
19 enjoining such violation or for an order enforcing compliance
20 with this Act. Upon the filing of a verified petition in such
21 court, the court may issue a temporary restraining order,
22 without notice or bond, and may preliminarily and permanently
23 enjoin such violation. If it is established that such person
24 has violated or is violating the injunction, the court may
25 punish the offender for contempt of court. Proceedings under

1 this Section shall be in addition to, and not in lieu of, all
2 other remedies and penalties provided by this Act.

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

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

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

20 (225 ILCS 415/23.2) (from Ch. 111, par. 6225)

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

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

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

1 address of record.

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

3 (225 ILCS 415/23.4) (from Ch. 111, par. 6227)

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

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

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

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

21 (225 ILCS 415/23.6) (from Ch. 111, par. 6229)

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

23 Sec. 23.6. Board report. At the conclusion of the hearing
24 the Board shall present to the Secretary a written report of

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

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

17 (225 ILCS 415/23.7) (from Ch. 111, par. 6230)

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

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

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

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

13 (225 ILCS 415/23.9) (from Ch. 111, par. 6232)

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

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

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

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

9 (225 ILCS 415/23.15) (from Ch. 111, par. 6238)

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

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

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

22 (225 ILCS 415/24) (from Ch. 111, par. 6240)

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

24 Sec. 24. Administrative Procedure Act. The Illinois

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

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

14 (225 ILCS 415/26) (from Ch. 111, par. 6242)

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

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

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

20 (225 ILCS 415/26.1)

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

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

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

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

9 (225 ILCS 415/18 rep.)

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

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