



Rep. Bob Morgan

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10300HB5353ham001

LRB103 38026 RTM 71518 a

1 AMENDMENT TO HOUSE BILL 5353

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5353 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Civil Administrative Code of Illinois is  
5 amended by changing Sections 5-10 and 5-715 and by adding  
6 Section 5-717 as follows:

7 (20 ILCS 5/5-10) (was 20 ILCS 5/2.1)

8 Sec. 5-10. "Director". As used in the Civil Administrative  
9 Code of Illinois, unless the context clearly indicates  
10 otherwise, the word "director" means the ~~several~~ directors of  
11 the departments of State government as designated in Section  
12 5-20 of this Law and includes the Secretary of Financial and  
13 Professional Regulation, the Secretary of Innovation and  
14 Technology, the Secretary of Human Services, and the Secretary  
15 of Transportation.

16 (Source: P.A. 100-611, eff. 7-20-18.)

1 (20 ILCS 5/5-715)

2 Sec. 5-715. Expedited licensure for service members and  
3 spouses.

4 (a) In this Section:7

5 "Service ~~service~~ member" means any person who, at the time  
6 of application under this Section, is an active duty member of  
7 the United States Armed Forces or any reserve component of the  
8 United States Armed Forces, the Coast Guard, or the National  
9 Guard of any state, commonwealth, or territory of the United  
10 States or the District of Columbia or whose active duty  
11 service concluded within the preceding 2 years before  
12 application.

13 "Spouse" means a party to a marriage, civil union, or  
14 registered domestic partnership.

15 (a-5) The Department of Financial and Professional  
16 Regulation shall within 180 days after January 1, 2020 (the  
17 effective date of Public Act 101-240) designate one staff  
18 member as the military liaison within the Department of  
19 Financial and Professional Regulation to ensure proper  
20 enactment of the requirements of this Section. The military  
21 liaison's responsibilities shall also include, but are not  
22 limited to: (1) the management of all expedited applications  
23 to ensure processing within 30 days after receipt of a  
24 completed application; (2) the management and oversight of all  
25 military portability licenses issued under Section 5-717; (3)7

1 ~~including~~ notification of federal assistance programs  
2 available to reimburse costs associated with applicable  
3 licensing fees and professional credentials for service  
4 members and their families pursuant to Section 556 of Public  
5 Law 115-91, or any related federal program; (4) ~~(2)~~  
6 coordination with all military installation military and  
7 family support center directors within this State, including  
8 virtual, phone, or in-person periodic meetings with each  
9 military installation military and family support center; and  
10 (5) ~~(3)~~ training by the military liaison to all directors of  
11 each division that issues an occupational or professional  
12 license to ensure proper application of this Section. At the  
13 end of each calendar year, the military liaison shall provide  
14 an annual report documenting the expedited licensure program  
15 for service members and spouses, and shall deliver that report  
16 to the Secretary of Financial and Professional Regulation and  
17 the Lieutenant Governor.

18 (b) Each director of a department that issues an  
19 occupational or professional license is authorized to and  
20 shall issue an expedited license to a service member who meets  
21 the requirements under this Section and Section 2105-135 of  
22 the Department of Professional Regulation Law of the Civil  
23 Administrative Code of Illinois or a spouse of a service  
24 member who meets those requirements. Review and determination  
25 of an application for a license issued by the department shall  
26 be expedited by the department within 30 days after the date on

1 which the department receives all necessary documentation  
2 required for licensure, including any required information  
3 from State and federal agencies. An expedited license shall be  
4 issued by the department to a service member who meets any  
5 ~~service members meeting~~ the application requirements of this  
6 Section or a spouse of a service member who meets those  
7 requirements, regardless of whether the service member or the  
8 service member's spouse currently resides in this State. The  
9 service member or the service member's spouse shall apply to  
10 the department on forms provided by the department. An  
11 application must include proof that:

12 (1) the applicant is a service member or the spouse of  
13 a service member;

14 (2) the applicant holds a valid license in good  
15 standing for the occupation or profession issued by  
16 another state, commonwealth, possession, or territory of  
17 the United States, the District of Columbia, or any  
18 foreign jurisdiction;

19 (2.5) the applicant meets the requirements and  
20 standards for licensure through endorsement, ~~or~~  
21 reciprocity, or portability for the occupation or  
22 profession for which the applicant is applying;

23 (3) the applicant or the applicant's spouse is  
24 assigned to a duty station in this State, has established  
25 legal residence in this State, or will reside in this  
26 State within 6 months after the date of application for

1 licensure;

2 (4) a complete set of the applicant's fingerprints has  
3 been submitted to the Illinois State Police for statewide  
4 and national criminal history checks, if applicable to the  
5 requirements of the department issuing the license; the  
6 applicant shall pay the fee to the Illinois State Police  
7 or to the fingerprint vendor for electronic fingerprint  
8 processing; no temporary occupational or professional  
9 license shall be issued to an applicant if the statewide  
10 or national criminal history check discloses information  
11 that would cause the denial of an application for  
12 licensure under any applicable occupational or  
13 professional licensing Act;

14 (5) the applicant is not ineligible for licensure  
15 pursuant to Section 2105-165 of the Department of  
16 Professional Regulation Law of the Civil Administrative  
17 Code of Illinois;

18 (6) the applicant has submitted an application for  
19 ~~full~~ licensure; and

20 (7) the applicant has paid the required fee; fees  
21 shall not be refundable.

22 (c) (Blank). ~~Each director of a department that issues an~~  
23 ~~occupational or professional license is authorized to and~~  
24 ~~shall issue an expedited license to the spouse of a service~~  
25 ~~member who meets the requirements under this Section. Review~~  
26 ~~and determination of an application for a license shall be~~

1 ~~expedited by the department within 30 days after the date on~~  
2 ~~which the department receives all necessary documentation~~  
3 ~~required for licensure, including information from State and~~  
4 ~~federal agencies. An expedited license shall be issued by the~~  
5 ~~department to any spouse of a service member meeting the~~  
6 ~~application requirements of this Section, regardless of~~  
7 ~~whether the spouse or the service member currently resides in~~  
8 ~~this State. The spouse of a service member shall apply to the~~  
9 ~~department on forms provided by the department. An application~~  
10 ~~must include proof that:~~

11 ~~(1) the applicant is the spouse of a service member;~~

12 ~~(2) the applicant holds a valid license in good~~  
13 ~~standing for the occupation or profession issued by~~  
14 ~~another state, commonwealth, possession, or territory of~~  
15 ~~the United States, the District of Columbia, or any~~  
16 ~~foreign jurisdiction;~~

17 ~~(2.5) the applicant meets the requirements and~~  
18 ~~standards for licensure through endorsement or reciprocity~~  
19 ~~for the occupation or profession for which the applicant~~  
20 ~~is applying;~~

21 ~~(3) the applicant's spouse is assigned to a duty~~  
22 ~~station in this State, has established legal residence in~~  
23 ~~this State, or will reside in this State within 6 months~~  
24 ~~after the date of application for licensure;~~

25 ~~(4) a complete set of the applicant's fingerprints has~~  
26 ~~been submitted to the Illinois State Police for statewide~~

1 ~~and national criminal history checks, if applicable to the~~  
2 ~~requirements of the department issuing the license; the~~  
3 ~~applicant shall pay the fee to the Illinois State Police~~  
4 ~~or to the fingerprint vendor for electronic fingerprint~~  
5 ~~processing; no temporary occupational or professional~~  
6 ~~license shall be issued to an applicant if the statewide~~  
7 ~~or national criminal history check discloses information~~  
8 ~~that would cause the denial of an application for~~  
9 ~~licensure under any applicable occupational or~~  
10 ~~professional licensing Act;~~

11 ~~(5) the applicant is not ineligible for licensure~~  
12 ~~pursuant to Section 2105-165 of the Civil Administrative~~  
13 ~~Code of Illinois;~~

14 ~~(6) the applicant has submitted an application for~~  
15 ~~full licensure; and~~

16 ~~(7) the applicant has paid the required fee; fees~~  
17 ~~shall not be refundable.~~

18 (c-5) If a service member or a service member's ~~his or her~~  
19 spouse relocates from this State, then the service member or  
20 the service member's spouse ~~he or she~~ shall be provided an  
21 opportunity to place the service member's or the service  
22 member's spouse's ~~his or her~~ license in inactive status  
23 through coordination with the military liaison. If the service  
24 member or the service member's ~~his or her~~ spouse returns to  
25 this State, then the service member or the service member's  
26 spouse ~~he or she~~ may reactivate the license in accordance with

1 the statutory provisions regulating the profession and any  
2 applicable administrative rules. The license reactivation  
3 shall be expedited and completed within 30 days after receipt  
4 of a completed application to reactivate the license. A  
5 license reactivation is only applicable when the valid license  
6 for which the first issuance of a license was predicated is  
7 still valid and in good standing. An application to reactivate  
8 a license must include proof that the applicant still holds a  
9 valid license in good standing for the occupation or  
10 profession issued in another State, commonwealth, possession,  
11 or territory of the United States, the District of Columbia,  
12 or any foreign jurisdiction. The ability to reactivate a  
13 license does not apply to a military portability license  
14 issued under Section 5-717.

15 (d) All relevant experience of a service member or a  
16 service member's ~~his or her~~ spouse in the discharge of  
17 official duties, including full-time and part-time experience,  
18 shall be credited in the calculation of any years of practice  
19 in an occupation or profession as may be required under any  
20 applicable occupational or professional licensing Act. All  
21 relevant training provided by the military and completed by a  
22 service member shall be credited to that service member as  
23 meeting any training or education requirement under any  
24 applicable occupational or professional licensing Act,  
25 provided that the training or education is determined by the  
26 department to meet the requirements under any applicable Act



1 and is not otherwise contrary to any other licensure  
2 requirement.

3 (e) A department may adopt any rules necessary for the  
4 implementation and administration of this Section and shall by  
5 rule provide for fees for the administration of this Section.

6 (Source: P.A. 102-384, eff. 1-1-22; 102-538, eff. 8-20-21;  
7 102-813, eff. 5-13-22; 103-408, eff. 7-28-23.)

8 (20 ILCS 5/5-717 new)

9 Sec. 5-717. Military portability licensure for service  
10 members and service members' spouses.

11 (a) In this Section:

12 "Division" the Division of Professional Regulation of the  
13 Department of Financial and Professional Regulation or the  
14 Division of Real Estate of the Department of Financial and  
15 Professional Regulation.

16 "Service member" means any person who, at the time of  
17 application under this Section, is an active duty member of  
18 the United States Armed Forces or any reserve component of the  
19 United States Armed Forces, the Coast Guard, or the National  
20 Guard of any state, commonwealth, or territory of the United  
21 States or the District of Columbia.

22 "Spouse" means a party to a marriage, civil union, or  
23 registered domestic partnership.

24 (b) The Department of Financial and Professional  
25 Regulation is authorized to issue a professional portability

1 license to (1) a service member who is an out-of-state  
2 licensee and is under official United States military orders  
3 to relocate to the State of Illinois or (2) an out-of-state  
4 licensee whose spouse is a service member under official  
5 United States military orders to relocate to the State of  
6 Illinois. The service member or the service member's spouse  
7 need not reside in this State at the time of application.  
8 Notwithstanding any other law to the contrary, the portability  
9 license shall be issued by the Division only if the applicant  
10 fulfills all the requirements of this Section and Section  
11 2105-135 of the Department of Professional Regulation Law of  
12 the Civil Administrative Code of Illinois.

13 (c) The portability license shall be issued after a  
14 complete application is submitted to the Division that  
15 includes proof of the following:

16 (1) The applicant is a service member or the spouse of  
17 a service member.

18 (2) The applicant or applicant's spouse is assigned to  
19 a duty station in this State, has established legal  
20 residence or will reside in this State pursuant to  
21 military relocation orders after the date of application,  
22 and can provide an official copy of those orders.

23 (3) The applicant's license is in good standing and is  
24 not subject to a disciplinary order encumbering the  
25 license in any other state, commonwealth, district, or  
26 territory of the United States or any foreign jurisdiction

1       where the applicant holds a license and practices in the  
2       same profession with the same or similar scope of practice  
3       for which the applicant is applying, and the applicant can  
4       submit official verification of good standing and  
5       disciplinary history from each of those licensing  
6       authorities. For health care professional applicants, the  
7       Division's review of good standing is governed by this  
8       subsection, subsection (h), and all other applicable State  
9       laws and rules.

10       (4) The applicant was actively licensed in the same  
11       profession with the same or similar scope of practice for  
12       which the applicant is applying for at least 2 years  
13       immediately preceding the relocation.

14       (5) A complete set of the applicant's fingerprints has  
15       been submitted to the Illinois State Police for statewide  
16       and national criminal history checks, if applicable to the  
17       requirements of the professional regulatory Act. The  
18       applicant shall pay the fee to the Illinois State Police  
19       or to the vendor for electronic fingerprint processing. No  
20       license shall be issued to an applicant if any review of  
21       criminal history or disclosure would cause the denial of  
22       an application for licensure under the applicable  
23       licensing Act.

24       (6) The applicant has submitted the application for  
25       portability licensure and paid the required, nonrefundable  
26       initial application fee for that profession under its

1 respective Act and rules.

2 (d) Service members or the spouses of service members  
3 granted portability licenses under this Section shall submit  
4 to the jurisdiction of the Division for purposes of the laws  
5 and rules administered, related standards of practice, and  
6 disciplinary authority. A license granted under this Section  
7 is subject to all statutes, rules, and regulations governing  
8 the license. This includes compliance with renewal and  
9 continuing education requirements of the licensing act and  
10 rules adopted during the period of licensure.

11 (e) Notwithstanding any other law, if the Division finds  
12 that the applicant failed to meet the requirements of  
13 subsection (c) or provided inaccurate or misleading  
14 information on the application, the Division may suspend the  
15 license pending further investigation or notice to discipline  
16 the portability license.

17 (f)(1) The duration of the portability license is from  
18 issuance through the next renewal period for that regulated  
19 profession. At the time of the license's renewal, the service  
20 member or the service member's spouse may apply for another  
21 portability license if the military orders continue or are  
22 extended past the renewal date or if new orders are given for  
23 duty in this State. While the portability license is held, the  
24 service member or the service member's spouse may apply for  
25 full licensure by examination, endorsement, or reciprocity  
26 pursuant to the service member's or the service member's

1 spouse's respective professional licensing Act or rules.

2 (2) Once a portability license has expired or is not  
3 renewed, the service member or the service member's spouse  
4 cannot continue practicing in this State until the service  
5 member or the service member's spouse obtains licensure by  
6 examination, endorsement, or reciprocity, which includes  
7 completion and passage of all pre-license education and  
8 examination requirements under the applicable professional  
9 licensing Act and rules.

10 (g) An individual is ineligible to apply under this  
11 Section if:

12 (1) the individual is disqualified under Section  
13 2105-165;

14 (2) the license the individual is seeking is subject  
15 to an interstate compact; or

16 (3) the individual seeks a real estate appraiser  
17 license.

18 (h) All service members and the spouses of service members  
19 who apply under this Section and Section 5-715, who are  
20 licensed in another jurisdiction as health care professionals,  
21 and who are seeking a health care professional license  
22 regulated by the Division and subject to the applicable  
23 licensing Acts shall not be denied an initial or renewal  
24 license:

25 (1) if the applicant has a prior, current, or pending  
26 disciplinary action in another jurisdiction solely based

1       on providing, authorizing, recommending, aiding,  
2       assisting, referring for, or otherwise participating in  
3       health care services that are not unlawful in this State  
4       and consistent with the standards of conduct in Illinois;

5       (2) if the applicant has a prior, current, or pending  
6       disciplinary action in another jurisdiction solely based  
7       on violating another jurisdiction or state's laws  
8       prohibiting the provision of, authorization of,  
9       recommendation of, aiding or assisting in, referring for,  
10       or participation in any health care service if that  
11       service as provided is not unlawful under the laws of this  
12       State and is consistent with the standards of conduct in  
13       Illinois; or

14       (3) based solely upon the applicant providing,  
15       authorizing, recommending, aiding, assisting, referring  
16       for, or otherwise participating in health care services  
17       that are not unlawful in this State and consistent with  
18       the standards of conduct in Illinois.

19       Nothing in this subsection shall be construed as  
20       prohibiting the Division from evaluating the applicant's  
21       conduct and disciplinary history and making a determination  
22       regarding the licensure or authorization to practice.

23       (i) The Department of Financial and Professional  
24       Regulation may adopt rules necessary for the implementation  
25       and administration of this Section.

1           Section 10. The Clinical Social Work and Social Work  
2 Practice Act is amended by changing Section 8 as follows:

3           (225 ILCS 20/8) (from Ch. 111, par. 6358)

4           (Section scheduled to be repealed on January 1, 2028)

5           Sec. 8. Examination.

6           (1) The Department shall authorize examinations of  
7 applicants at such times and places as it may determine. Each  
8 examination shall be of a character to fairly test the  
9 competence and qualifications of the applicants to practice as  
10 a licensed clinical social worker.

11           (2) Applicants for examination shall pay, either to the  
12 Department or to the designated testing service, a fee  
13 covering the cost of determining the applicant's eligibility  
14 and of providing the examination. Failure to appear for the  
15 examination on the scheduled date at the time and place  
16 specified after the applicant's application for examination  
17 has been received and acknowledged by the Department or the  
18 designated testing service shall result in forfeiture of the  
19 examination fee.

20           (3) (Blank).

21           (4) The Department may employ consultants for the purpose  
22 of preparing and conducting examinations.

23           (5) (Blank). ~~An applicant has one year from the date of~~  
24 ~~notification of successful completion of the examination to~~  
25 ~~apply to the Department for a license. If an applicant fails to~~

1 ~~apply within one year, the examination scores shall be void~~  
2 ~~and the applicant shall be required to take and pass the~~  
3 ~~examination again unless licensed in another jurisdiction of~~  
4 ~~the United States within one year of passing the examination.~~

5 (6) (Blank).

6 (7) The Department shall, upon good faith application and  
7 the submission of any required documentation and fees, approve  
8 all examination applications and notify the relevant testing  
9 authorities of the applicant's authorization to take the exam.  
10 Approval to take the examination is not approval of the  
11 application.

12 (Source: P.A. 101-568, eff. 1-1-20; 102-326, eff. 1-1-22.)

13 Section 15. The Marriage and Family Therapy Licensing Act  
14 is amended by changing Section 35 and by adding Sections 42 and  
15 47 as follows:

16 (225 ILCS 55/35) (from Ch. 111, par. 8351-35)

17 (Section scheduled to be repealed on January 1, 2027)

18 Sec. 35. Examinations.

19 (a) The Department shall authorize examinations of  
20 applicants as licensed marriage and family therapists at such  
21 times and places as it may determine. The examination of  
22 applicants shall be of a character to give a fair test of the  
23 qualifications of the applicant to practice marriage and  
24 family therapy.



1 (b) Applicants for examination as marriage and family  
2 therapists shall be required to pay, either to the Department  
3 or the designated testing service, a fee covering the cost of  
4 providing the examination.

5 (c) The Department may employ consultants for the purpose  
6 of preparing and conducting examinations.

7 (d) The Department shall, upon good faith application and  
8 the submission of any required documentation and fees, approve  
9 all examination applications and notify the relevant testing  
10 authorities of the applicant's authorization to take the exam.  
11 Approval to take the examination is not approval of the  
12 application.

13 (Source: P.A. 87-783; 87-1237.)

14 Section 20. The Professional Counselor and Clinical  
15 Professional Counselor Licensing and Practice Act is amended  
16 by changing Section 40 as follows:

17 (225 ILCS 107/40)

18 (Section scheduled to be repealed on January 1, 2028)

19 Sec. 40. Examination; failure or refusal to take  
20 examination.

21 (a) The Department shall authorize examinations of  
22 applicants at such times and places as it may determine. The  
23 examinations shall be of a character to fairly test the  
24 competence and qualifications of the applicants to practice

1 professional counseling or clinical professional counseling.

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

10 (c) If an applicant neglects, fails, or refuses to take an  
11 examination or fails to pass an examination for a license  
12 under this Act within 3 years after filing an application, the  
13 application will be denied. However, the applicant may  
14 thereafter submit a new application accompanied by the  
15 required fee. The applicant shall meet the requirements in  
16 force at the time of making the new application.

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

19 (e) The Department shall, upon good faith application and  
20 the submission of any required documentation and fees, approve  
21 all examination applications and notify the relevant testing  
22 authorities of the applicant's authorization to take the  
23 examination. Approval to take the examination is not approval  
24 of the application.

25 (Source: P.A. 87-1011; 87-1269.)".