

1 AN ACT in relation to the use of social security numbers.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Administrative Procedure Act is
5 amended by changing Section 10-65 as follows:

6 (5 ILCS 100/10-65) (from Ch. 127, par. 1010-65)
7 Sec. 10-65. Licenses.

8 (a) When any licensing is required by law to be preceded
9 by notice and an opportunity for a hearing, the provisions of
10 this Act concerning contested cases shall apply.

11 (b) When a licensee has made timely and sufficient
12 application for the renewal of a license or a new license
13 with reference to any activity of a continuing nature, the
14 existing license shall continue in full force and effect
15 until the final agency decision on the application has been
16 made unless a later date is fixed by order of a reviewing
17 court.

18 (c) An application for the renewal of a license or a new
19 license shall include the applicant's social security number.
20 The applicant's social security number may be used only for
21 the purposes of Title IV-D of the Social Security Act and
22 regulations promulgated under that Act. Each agency shall
23 require the licensee to certify on the application form,
24 under penalty of perjury, that he or she is not more than 30
25 days delinquent in complying with a child support order.
26 Every application shall state that failure to so certify
27 shall result in disciplinary action, and that making a false
28 statement may subject the licensee to contempt of court. The
29 agency shall notify each applicant or licensee who
30 acknowledges a delinquency or who, contrary to his or her
31 certification, is found to be delinquent or who after

1 receiving notice, fails to comply with a subpoena or warrant
2 relating to a paternity or a child support proceeding, that
3 the agency intends to take disciplinary action. Accordingly,
4 the agency shall provide written notice of the facts or
5 conduct upon which the agency will rely to support its
6 proposed action and the applicant or licensee shall be given
7 an opportunity for a hearing in accordance with the
8 provisions of the Act concerning contested cases. Any
9 delinquency in complying with a child support order can be
10 remedied by arranging for payment of past due and current
11 support. Any failure to comply with a subpoena or warrant
12 relating to a paternity or child support proceeding can be
13 remedied by complying with the subpoena or warrant. Upon a
14 final finding of delinquency or failure to comply with a
15 subpoena or warrant, the agency shall suspend, revoke, or
16 refuse to issue or renew the license. In cases in which the
17 Department of Public Aid has previously determined that an
18 applicant or a licensee is more than 30 days delinquent in
19 the payment of child support and has subsequently certified
20 the delinquency to the licensing agency, and in cases in
21 which a court has previously determined that an applicant or
22 licensee has been in violation of the Non-Support Punishment
23 Act for more than 60 days, the licensing agency shall refuse
24 to issue or renew or shall revoke or suspend that person's
25 license based solely upon the certification of delinquency
26 made by the Department of Public Aid or the certification of
27 violation made by the court. Further process, hearings, or
28 redetermination of the delinquency or violation by the
29 licensing agency shall not be required. The licensing
30 agency may issue or renew a license if the licensee has
31 arranged for payment of past and current child support
32 obligations in a manner satisfactory to the Department of
33 Public Aid or the court. The licensing agency may impose
34 conditions, restrictions, or disciplinary action upon that

1 license.

2 (d) Except as provided in subsection (c), no agency
3 shall revoke, suspend, annul, withdraw, amend materially, or
4 refuse to renew any valid license without first giving
5 written notice to the licensee of the facts or conduct upon
6 which the agency will rely to support its proposed action and
7 an opportunity for a hearing in accordance with the
8 provisions of this Act concerning contested cases. At the
9 hearing, the licensee shall have the right to show compliance
10 with all lawful requirements for the retention, continuation,
11 or renewal of the license. If, however, the agency finds
12 that the public interest, safety, or welfare imperatively
13 requires emergency action, and if the agency incorporates a
14 finding to that effect in its order, summary suspension of a
15 license may be ordered pending proceedings for revocation or
16 other action. Those proceedings shall be promptly instituted
17 and determined.

18 (e) Any application for renewal of a license that
19 contains required and relevant information, data, material,
20 or circumstances that were not contained in an application
21 for the existing license shall be subject to the provisions
22 of subsection (a).

23 (Source: P.A. 90-18, eff. 7-1-99; 91-613, eff. 10-1-99.)

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.