



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3331

Introduced 2/18/2025, by Rep. Marcus C. Evans, Jr.

SYNOPSIS AS INTRODUCED:

See Index

Amends the Regulatory Sunset Act. Changes the repeal date of the Professional Geologist Licensing Act from January 1, 2026 to January 1, 2031. Adds provisions concerning the applicant's or licensee's address of record and email address of record; the inclusions of the applicant's Social Security Number or Individual Taxpayer Identification Number on an application; and placing a license on inactive status. Makes changes in provisions concerning exemptions; restrictions and limitations; powers and duties of the Department of Financial and Professional Regulation; the Board of Licensing for Professional Geologists; applications for original license; examinations; qualifications for licensure; endorsement; expiration and renewal of license; returned checks and fines; disciplinary actions; injunctive actions; investigations; findings and recommendations by the Board; rehearings; appointments of hearing officers; surrender of license; violations; and confidentiality. Makes other changes. Provisions amending the Regulatory Sunset Act are effective immediately.

LRB104 09147 AAS 19203 b

1 AN ACT concerning regulation.

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

4 Section 5. The Regulatory Sunset Act is amended by
5 changing Section 4.36 and adding Section 4.43 as follows:

6 (5 ILCS 80/4.36)

7 Sec. 4.36. Acts repealed on January 1, 2026. The following
8 Acts are repealed on January 1, 2026:

9 The Barber, Cosmetology, Esthetics, Hair Braiding, and
10 Nail Technology Act of 1985.

11 The Collection Agency Act.

12 The Hearing Instrument Consumer Protection Act.

13 The Illinois Athletic Trainers Practice Act.

14 The Illinois Dental Practice Act.

15 The Illinois Roofing Industry Licensing Act.

16 The Illinois Physical Therapy Act.

17 ~~The Professional Geologist Licensing Act.~~

18 The Respiratory Care Practice Act.

19 (Source: P.A. 99-26, eff. 7-10-15; 99-204, eff. 7-30-15;
20 99-227, eff. 8-3-15; 99-229, eff. 8-3-15; 99-230, eff. 8-3-15;
21 99-427, eff. 8-21-15; 99-469, eff. 8-26-15; 99-492, eff.
22 12-31-15; 99-642, eff. 7-28-16.)

1 (5 ILCS 80/4.43 new)

2 Sec. 4.43. Act repealed on January 1, 2031. The following
3 Act is repealed on January 1, 2031:

4 The Professional Geologist Licensing Act.

5 Section 15. The Professional Geologist Licensing Act is
6 amended by changing Sections 15, 20, 25, 30, 35, 40, 45, 50,
7 54, 65, 75, 80, 85, 90, 110, 120, 125, 140, 160, and 180 and by
8 adding Sections 18, 41, and 66 as follows:

9 (225 ILCS 745/15)

10 (Section scheduled to be repealed on January 1, 2026)

11 Sec. 15. Definitions. In this Act:

12 "Address of record" means the designated address recorded
13 by the Department in the applicant's application file or the
14 licensee's license file, as maintained by the Department's
15 licensure maintenance unit.

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

20 "Board" means the Board of Licensing for Professional
21 Geologists.

22 "Department" means the Department of Financial and
23 Professional Regulation.

24 "Geologist" means an individual who, by reason of the

1 individual's ~~his or her~~ knowledge of geology, mathematics, and
2 the physical and life sciences, acquired by education and
3 practical experience as defined by this Act, is capable of
4 practicing the science of geology.

5 "Geology" means the science that includes the treatment of
6 the earth and its origin and history including, but not
7 limited to, (i) the investigation of the earth's crust and
8 interior and the solids and fluids, including all surface and
9 underground waters, gases, and other materials that compose
10 the earth as they may relate to geologic processes; (ii) the
11 study of the natural agents, forces, and processes that cause
12 changes in the earth; and (iii) the utilization of this
13 knowledge of the earth and its solids, fluids, and gases, and
14 their collective properties and processes, for the benefit of
15 humankind.

16 "Person" or "individual" means a natural person.

17 "Practice of professional geology" means the performance
18 of, or the offer to perform, the services of a geologist,
19 including consultation, investigation, evaluation, planning,
20 mapping, inspection of geologic work, and other services that
21 require extensive knowledge of geologic laws, formulas,
22 principles, practice, and methods of data interpretation.

23 Any ~~A~~ person shall be construed to practice or offer to
24 practice professional geology, within the meaning and intent
25 of this Act, if the ~~that~~ person (i) by verbal claim, sign,
26 advertisement, letterhead, card, or any other means,

1 represents oneself ~~himself or herself~~ to be a Licensed
2 Professional Geologist or through the use of some title
3 implies that the person ~~he or she~~ is a Licensed Professional
4 Geologist or is licensed under this Act or (ii) holds oneself
5 ~~himself or herself~~ out as able to perform or does perform
6 services or work defined in this Act as the practice of
7 professional geology.

8 Examples of the practice of professional geology include,
9 but are not limited to, the conduct of, or responsible charge
10 for, the following types of activities: (i) mapping, sampling,
11 and analysis of earth materials, interpretation of data, and
12 the preparation of oral or written testimony regarding the
13 probable geological causes of events; (ii) planning, review,
14 and supervision of data gathering activities, interpretation
15 of geological data gathered by direct and indirect means,
16 preparation and interpretation of geological maps,
17 cross-sections, interpretive maps and reports for the purpose
18 of determining regional or site specific geological
19 conditions; (iii) the planning, review, and supervision of
20 data gathering activities and interpretation of data on
21 regional or site specific geological characteristics affecting
22 groundwater; (iv) the interpretation of geological conditions
23 on the surface of the Earth and at depth in the Earth for the
24 purpose of determining whether those conditions correspond to
25 a geologic map of the site or a legally specified geological
26 requirement for the site; and (v) the conducting of

1 environmental property audits.

2 "Licensed Professional Geologist" means an individual who
3 is licensed under this Act to engage in the practice of
4 professional geology in Illinois.

5 "Responsible charge" means the independent control and
6 direction, by use of initiative, skill, and independent
7 judgment, of geological work or the supervision of that work.

8 "Rules" means the rules adopted pursuant to this Act.

9 "Secretary" means the Secretary of Financial and
10 Professional Regulation.

11 "Seal" means the seal in compliance with Section 60 of
12 this Act.

13 (Source: P.A. 99-26, eff. 7-10-15.)

14 (225 ILCS 745/18 new)

15 Sec. 18. Address of record; email address of record. All
16 applicants and licensees shall:

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

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

1 (225 ILCS 745/20)

2 (Section scheduled to be repealed on January 1, 2026)

3 Sec. 20. Exemptions. Nothing in this Act shall be
4 construed to restrict the use of the title "geologist" or
5 similar words by any person engaged in a practice of geology
6 exempted under this Act, provided the person does not hold the
7 person ~~himself or herself~~ out as being a Licensed Professional
8 Geologist or does not practice professional geology in a
9 manner requiring licensure under this Act. Performance of the
10 following activities does not require licensure as a licensed
11 professional geologist under this Act:

12 (a) The practice of professional geology by an
13 employee or a subordinate of a licensee under this Act,
14 provided the work does not include responsible charge of
15 geological work and is performed under the direct
16 supervision of a Licensed Professional Geologist who is
17 responsible for the work.

18 (b) The practice of professional geology by officers
19 and employees of the United States government within the
20 scope of their employment.

21 (c) The practice of professional geology as geologic
22 research to advance basic knowledge for the purpose of
23 offering scientific papers, publications, or other
24 presentations (i) before meetings of scientific societies,
25 (ii) internal to a partnership, corporation,
26 proprietorship, or government agency, or (iii) for

1 publication in scientific journals, or in books.

2 (d) The teaching of geology in schools, colleges, or
3 universities, as defined by rule.

4 (e) The practice of professional geology exclusively
5 in the exploration for or development of energy resources
6 or base, precious and nonprecious minerals, including
7 sand, gravel, and aggregate, that does not require, by
8 law, rule, or ordinance, the submission of reports,
9 documents, or oral or written testimony to public
10 agencies. Public agencies may, by law or by rule, allow
11 required oral or written testimony, reports, permit
12 applications, or other documents based on the science of
13 geology to be submitted to them by persons not licensed
14 under this Act. Unless otherwise required by State or
15 federal law, public agencies may not require that the
16 geology-based aspects of testimony, reports, permits, or
17 other documents so exempted be reviewed by, approved, or
18 otherwise certified by any person who is not a Licensed
19 Professional Geologist. Licensure is not required for the
20 submission and review of reports or documents or the
21 provision of oral or written testimony made under the Well
22 Abandonment Act, the Illinois Oil and Gas Act, the Surface
23 Coal Mining Land Conservation and Reclamation Act, or the
24 Surface-Mined Land Conservation and Reclamation Act.

25 (f) The practice of professional engineering as
26 defined in the Professional Engineering Practice Act of

1 1989.

2 (g) The practice of structural engineering as defined
3 in the Structural Engineering Practice Act of 1989.

4 (h) The practice of architecture as defined in the
5 Illinois Architecture Practice Act of 1989.

6 (i) The practice of land surveying as defined in the
7 Illinois Professional Land Surveyor Act of 1989.

8 (j) The practice of landscape architecture as defined
9 in the Landscape Architecture Registration Act.

10 (k) The practice of professional geology for a period
11 not to exceed 9 months by any person pursuing a course of
12 study leading to a degree in geology from an accredited
13 college or university, as set forth in this Act and as
14 established by rule, provided that (i) such practice
15 constitutes a part of a supervised course of study, (ii)
16 the person is under the supervision of a geologist
17 licensed under this Act or a teacher of geology at an
18 accredited college or university, and (iii) the person is
19 designated by a title that clearly indicates the person's
20 ~~his or her~~ status as a student or trainee.

21 (Source: P.A. 102-284, eff. 8-6-21.)

22 (225 ILCS 745/25)

23 (Section scheduled to be repealed on January 1, 2026)

24 Sec. 25. Restrictions and limitations. No person shall,
25 without a valid license issued by the Department (i) in any

1 manner hold oneself ~~himself or herself~~ out to the public as a
2 Licensed Professional Geologist; (ii) attach the title
3 "Licensed Professional Geologist" to the person's ~~his or her~~
4 name; or (iii) render or offer to render to individuals,
5 corporations, or public agencies services constituting the
6 practice of professional geology.

7 (Source: P.A. 99-26, eff. 7-10-15.)

8 (225 ILCS 745/30)

9 (Section scheduled to be repealed on January 1, 2026)

10 Sec. 30. Powers and duties of the Department. Subject to
11 the provisions of this Act, the Department may:

12 (a) Authorize examinations to ascertain the
13 qualifications and fitness of applicants for licensing as
14 a Licensed Professional Geologist ~~or as a Licensed~~
15 ~~Specialty Geologist, as defined by the Board,~~ and pass
16 upon the qualifications of applicants for licensure by
17 endorsement.

18 (b) Conduct hearings on proceedings to refuse to issue
19 or renew licenses or to revoke, suspend, place on
20 probation, reprimand, or take any other disciplinary or
21 non-disciplinary action against licenses issued under this
22 Act.

23 (c) Formulate rules required for the administration of
24 this Act.

25 (d) Obtain written recommendations from the Board

1 regarding ~~(i)~~ definitions of curriculum content and
2 approval of geological curricula, standards of
3 professional conduct, and formal disciplinary actions and
4 the formulation of rules affecting these matters and ~~(ii)~~
5 ~~when petitioned by the applicant, opinions regarding the~~
6 ~~qualifications of applicants for licensing.~~

7 (e) Issue licenses to applicants who meet the
8 requirements of this Act. ~~Maintain rosters of the names~~
9 ~~and addresses of all licensees, and all persons whose~~
10 ~~licenses have been suspended, revoked, denied renewal, or~~
11 ~~otherwise disciplined within the previous calendar year.~~
12 ~~These rosters shall be available upon written request and~~
13 ~~payment of the required fee.~~

14 (Source: P.A. 99-26, eff. 7-10-15.)

15 (225 ILCS 745/35)

16 (Section scheduled to be repealed on January 1, 2026)

17 Sec. 35. Board of Licensing for Professional Geologists;
18 members; qualifications; duties.

19 (a) The Secretary shall appoint a Board of Licensing for
20 Professional Geologists which shall serve in an advisory
21 capacity to the Secretary. The Board shall be composed of 8
22 persons, 7 of whom shall be voting members appointed by the
23 Secretary, who shall give due consideration to recommendations
24 by members of the profession of geology and of geology
25 organizations within the State. In addition, the State

1 Geologist or the State Geologist's ~~his or her~~ designated
2 representative, shall be an advisory, non-voting member of the
3 Board.

4 (b) Insofar as possible, the geologists appointed to serve
5 on the Board shall be generally representative of the
6 occupational and geographical distribution of geologists
7 within this State.

8 (c) Of the 7 appointed voting members of the Board, 6 shall
9 be geologists and one shall be a member of the general public
10 with no family or business connection with the practice of
11 geology.

12 (d) Each of the appointed geologist members of the Board
13 shall be a Licensed Professional Geologist licensed under this
14 Act with at least 10 years of experience and shall not have
15 been disciplined within the last 10 years under this Act.

16 (e) Voting members shall be appointed to 4-year terms.
17 Partial terms of over 2 years in length shall be considered
18 full terms.

19 (f) Members shall hold office until the expiration of
20 their terms or until their successors have been appointed and
21 have qualified.

22 (g) No voting member of the Board shall serve more than 2
23 consecutive full terms.

24 (h) Vacancies in the membership of the Board shall be
25 filled by appointment for the remainder of the unexpired term.

26 (i) The Secretary may remove or suspend any appointed

1 member of the Board for cause at any time before the expiration
2 of the member's ~~his or her~~ term. The Secretary shall be the
3 sole arbiter of cause.

4 (j) The Board shall annually elect one of its members as
5 chairperson and one of its members as vice-chair.

6 (k) The members of the Board shall be reimbursed for all
7 legitimate and necessary expenses authorized by the Department
8 incurred in attending the meetings of the Board.

9 (l) The Board may make recommendations to the Secretary to
10 establish the examinations and their method of grading.

11 (m) The Board may submit written recommendations to the
12 Secretary concerning formulation of rules and a Code of
13 Professional Conduct and Ethics. The Board may recommend or
14 endorse revisions and amendments to the Code and to the rules
15 from time to time.

16 (n) The Board may make recommendations on matters relating
17 to continuing education of Licensed Professional Geologists,
18 including the number of hours necessary for license renewal,
19 waivers for those unable to meet that requirement, and
20 acceptable course content. These recommendations shall not
21 impose an undue burden on the Department or an unreasonable
22 restriction on those seeking a license renewal.

23 (o) Four voting Board members constitutes a quorum. A
24 quorum is required for all Board decisions.

25 (Source: P.A. 99-26, eff. 7-10-15.)

1 (225 ILCS 745/40)

2 (Section scheduled to be repealed on January 1, 2026)

3 Sec. 40. Application for original license.

4 (a) Applications for original licenses shall be made to
5 the Department on physical or electronic forms prescribed by
6 the Department and accompanied by the required fee, which
7 shall not be refundable. All applications shall contain the
8 information that, in the judgment of the Department, will
9 enable the Department to pass on the qualifications of the
10 applicant for a license to practice as a Licensed Professional
11 Geologist.

12 (b) The Department may require an applicant, at the
13 applicant's expense, to have an evaluation of the applicant's
14 education in a foreign country by a nationally recognized
15 evaluation service approved by the Department in accordance
16 with rules adopted by the Department.

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

23 (Source: P.A. 96-1327, eff. 7-27-10.)

24 (225 ILCS 745/41 new)

25 Sec. 41. Social Security Number or Individual Taxpayer

1 Identification Number on license application. In addition to
2 any other information required to be contained in the
3 application, every application for an original license under
4 this Act shall include the applicant's Social Security Number
5 or Individual Taxpayer Identification Number, which shall be
6 retained in the agency's records pertaining to the license. As
7 soon as practical, the Department shall assign a customer's
8 identification number to each applicant for a license.

9 Every application for a renewal or restored license shall
10 require the applicant's customer identification number.

11 (225 ILCS 745/45)

12 (Section scheduled to be repealed on January 1, 2026)

13 Sec. 45. Examination; failure or refusal to take the
14 examination.

15 (a) The Department shall authorize examinations of
16 applicants for original licensure as a Professional Geologist
17 at such times and places as it may determine. The examination
18 for licensure as a Licensed Professional Geologist shall be a
19 2-part examination, with one part fairly testing an
20 applicant's knowledge of the fundamental theory and concepts
21 of the science of geology, including subjects that are
22 generally taught in geology curricula of accredited colleges
23 and universities, and the other part testing the applicant's
24 knowledge of the practical application and uses of the theory
25 and science of geology. The 2 parts of the examination may be

1 taken at separate times.

2 (b) Applicants for examinations 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 application for examination has
7 been received and acknowledged by the Department or the
8 designated testing service shall result in forfeiture of the
9 examination fee.

10 (c) If the applicant neglects, fails, or refuses to take
11 an examination or fails to pass an examination for a license
12 under this Act within 3 years ~~6 years~~ after filing an
13 application, the application shall be denied. However, the
14 applicant may thereafter submit a new application accompanied
15 by the required fee. The applicant shall meet the requirements
16 in 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 have the authority to adopt or
20 recognize, in part or in whole, examinations prepared,
21 administered, or graded by other organizations that are
22 determined appropriate to measure the qualifications of an
23 applicant for licensure as a Licensed Professional Geologist.

24 (Source: P.A. 96-1327, eff. 7-27-10.)

25 (225 ILCS 745/50)

1 (Section scheduled to be repealed on January 1, 2026)

2 Sec. 50. Qualifications for licensure.

3 (a) The Department may issue a license to practice as a
4 Licensed Professional Geologist to any applicant who meets the
5 following qualifications:

6 (1) The applicant has completed an application ~~form~~
7 and paid the required fees.

8 (2) The applicant is of good ethical character,
9 including compliance with the Code of Professional Conduct
10 and Ethics under this Act, and has not committed any act or
11 offense in any jurisdiction that would constitute the
12 basis for disciplining a Licensed Professional Geologist
13 under this Act.

14 (3) The applicant has earned a degree in geology or a
15 related science, as defined by rule, from an accredited
16 college or university, as established by rule, with a
17 minimum of 30 semester or 45 quarter hours of course
18 credits in geology, of which 24 semester or 36 quarter
19 hours are in upper level courses. The Department may, upon
20 the recommendation of the Board, allow the substitution of
21 appropriate experience as a geologist for prescribed
22 educational requirements as established by rule.

23 (4) The applicant has a documented record of a minimum
24 of 4 years of professional experience, obtained after
25 completion of the education requirements specified in this
26 Section, in geologic or directly related work,

1 demonstrating that the applicant is qualified to assume
2 responsible charge of such work upon licensure as a
3 Licensed Professional Geologist or such specialty of
4 professional geology that the Board may recommend and the
5 Department may recognize. The Department may require
6 evidence acceptable to it that up to 2 years of
7 professional experience have been gained under the
8 supervision of a person licensed under this Act or similar
9 Acts in any other state, or under the supervision of
10 others who, in the opinion of the Department, are
11 qualified to have responsible charge of geological work
12 under this Act.

13 (5) The applicant has passed both parts of the an
14 examination authorized by the Department for practice as a
15 Licensed Professional Geologist.

16 (6) The applicant has complied with all other
17 requirements of this Act and rules established for the
18 implementation of this Act.

19 (b) A license to practice as a Licensed Professional
20 Geologist shall not be denied any applicant because of the
21 applicant's race, religion, creed, national origin, political
22 beliefs or activities, age, sex, sexual orientation, or
23 physical impairment.

24 (c) The Department may establish by rule an intern process
25 to, in part, allow (1) a graduate who has earned a degree in
26 geology from an accredited college or university in accordance

1 with this Act or (2) a student in a degree program at an
2 accredited college or university who has completed the
3 necessary course requirements established in this Section to
4 request to take one or both parts of the examination required
5 by the Department without first submitting a formal
6 application to the Department for licensure as a Licensed
7 Professional Geologist. The Department may set by rule the
8 criteria for the intern process, including, but not limited
9 to, the educational requirements, exam requirements,
10 experience requirements, remediation requirements, and any
11 fees or applications required for the process. The Department
12 may also set by rule provisions concerning disciplinary
13 guidelines and the use of the title "intern" or "trainee" by a
14 graduate or student who has passed the required examination.

15 (Source: P.A. 99-26, eff. 7-10-15.)

16 (225 ILCS 745/54)

17 (Section scheduled to be repealed on January 1, 2026)

18 Sec. 54. Endorsement ~~Previous qualification in other~~
19 ~~jurisdiction.~~ The Department may, ~~upon the recommendation of~~
20 ~~the Board,~~ issue a license by endorsement to any applicant
21 who, upon applying to the Department and remitting the
22 required application fee, meets all of the following
23 qualifications:

24 (1) The applicant holds an active, valid license to
25 practice professional geology in at least one jurisdiction

1 in the United States in which the current requirements for
2 licensure are substantially equivalent to or more
3 stringent than those required by this Act.

4 (2) The applicant is of good ethical character as
5 established by the Department in the Code of Professional
6 Conduct and Ethics under this Act and has not committed
7 any act or offense in any jurisdiction that would
8 constitute the basis for discipline under this Act.

9 (3) The applicant has met any other qualifications
10 recommended to the Department by the Board.

11 An applicant has 3 years from the date of application to
12 complete the application process. If the process has not been
13 completed within this 3 year period, then the application
14 shall be denied, the fee shall be forfeited, and the applicant
15 must re-apply and meet the requirements in effect at the time
16 of re-application.

17 (Source: P.A. 96-1327, eff. 7-27-10.)

18 (225 ILCS 745/65)

19 (Section scheduled to be repealed on January 1, 2026)

20 Sec. 65. Expiration and renewal of license. The expiration
21 date and renewal period for each license shall be set by rule.
22 A Licensed Professional Geologist whose license has expired
23 may reinstate the ~~his or her~~ license or enrollment at any time
24 within 5 years after the expiration thereof, by making a
25 renewal application and by paying the required fee. However,

1 any Licensed Professional Geologist whose license expired
2 while the Licensed Professional Geologist ~~he or she~~ was (i) on
3 active duty with the Armed Forces of the United States or
4 called into service or training by the State militia or (ii) in
5 training or education under the supervision of the United
6 States preliminary to induction into the military service, may
7 have the ~~his or her~~ Licensed Professional Geologist license
8 renewed, reinstated, or restored without paying any lapsed
9 renewal fees if within 2 years after termination of the
10 service, training, or education the Licensed Professional
11 Geologist furnishes to the Department satisfactory evidence of
12 the service, training, or education and that it has been
13 terminated under honorable conditions.

14 Any Licensed Professional Geologist whose license has
15 expired for more than 5 years may have it restored by making
16 application to the Department, paying the required fee, and
17 filing acceptable proof of fitness to have the license
18 restored. The proof may include sworn evidence certifying
19 active practice in another jurisdiction. If the geologist has
20 not practiced for 5 years or more, the Board shall determine by
21 an evaluation program established by rule, whether that
22 individual is fit to resume active status as a Licensed
23 Professional Geologist. The Board may require the geologist to
24 complete a period of evaluated professional experience and may
25 require successful completion of an examination.

26 The Department may refuse to issue or may suspend the

1 license of any person who fails to file a tax return, or to pay
2 the tax, penalty, or interest shown in a filed return, or to
3 pay any final assessment of tax, penalty, or interest, as
4 required by any tax Act administered by the Illinois
5 Department of Revenue, until such time as the requirements of
6 any such tax Act are satisfied.

7 (Source: P.A. 99-26, eff. 7-10-15.)

8 (225 ILCS 745/66 new)

9 Sec. 66. Inactive status. A person licensed under this Act
10 who notifies the Department in writing on forms prescribed by
11 the Department may place the person's license on inactive
12 status and shall be excused from the payment of renewal fees
13 until the Department is notified in writing of the person's
14 desire to resume active status.

15 Any licensed geologist whose license is in inactive status
16 shall not practice professional geology in this State.

17 (225 ILCS 745/75)

18 (Section scheduled to be repealed on January 1, 2026)

19 Sec. 75. Returned checks; fines. Any person who delivers a
20 check or other payment to the Department that is returned to
21 the Department unpaid by the financial institution upon which
22 it is drawn shall pay to the Department, in addition to the
23 amount already owed to the Department, a fine of \$50. The fines
24 imposed by this Section are in addition to any other

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

20 (Source: P.A. 99-26, eff. 7-10-15.)

21 (225 ILCS 745/80)

22 (Section scheduled to be repealed on January 1, 2026)

23 Sec. 80. Disciplinary actions.

24 (a) The Department may refuse to issue or renew, or may
25 revoke, suspend, place on probation, reprimand, or take other

1 disciplinary or non-disciplinary action as the Department may
2 deem appropriate, including fines not to exceed \$10,000 for
3 each violation, with regard to any license for any one or
4 combination of the following:

5 (1) Material misstatement in furnishing information to
6 the Department.

7 (2) Violations of this Act, or of the rules
8 promulgated under this Act.

9 (3) Conviction by plea of guilty or nolo contendere,
10 finding of guilt, jury verdict, or entry of judgment or by
11 sentencing of any crime, including, but not limited to,
12 convictions, preceding sentences of supervision,
13 conditional discharge, or first offender probation, under
14 the laws of any jurisdiction of the United States: (i)
15 that is a felony or (ii) that is a misdemeanor, an
16 essential element of which is dishonesty, or that is
17 directly related to the practice of the profession.

18 (4) Making any misrepresentation for the purpose of
19 obtaining licensure or violating any provision of this Act
20 or the rules promulgated under this Act pertaining to
21 advertising.

22 (5) Professional incompetence.

23 (6) Malpractice.

24 (7) Aiding or assisting another person in violating
25 any provision of this Act or rules promulgated under this
26 Act.

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

3 (9) Engaging in dishonorable, unethical, or
4 unprofessional conduct of a character likely to deceive,
5 defraud, or harm the public.

6 (10) Habitual or excessive use or addiction to
7 alcohol, narcotics, stimulants, or any other chemical
8 agent or drug that results in the inability to practice
9 with reasonable judgment, skill, or safety.

10 (11) Discipline by another state, the District of
11 Columbia, a territory of the United States, or a foreign
12 nation, if at least one of the grounds for the discipline
13 is the same or substantially equivalent to those set forth
14 in this Section.

15 (12) Directly or indirectly giving to or receiving
16 from any person, firm, corporation, partnership, or
17 association any fee, commission, rebate or other form of
18 compensation for professional services not actually or
19 personally rendered.

20 (13) A finding by the Department that the licensee,
21 after having a ~~his or her~~ license placed on probationary
22 status, has violated the terms of probation.

23 (14) Willfully making or filing false records or
24 reports in the person's ~~his or her~~ practice, including but
25 not limited to, false records filed with State agencies or
26 departments.

1 (15) Physical illness, including but not limited to,
2 deterioration through the aging process, or loss of motor
3 skill that results in the inability to practice the
4 profession with reasonable judgment, skill, or safety.

5 (16) Solicitation of professional services other than
6 permitted advertising.

7 (17) Conviction of or cash compromise of a charge or
8 violation of the Illinois Controlled Substances Act
9 regulating narcotics.

10 (18) Failure to (i) file a tax return, (ii) pay the
11 tax, penalty, or interest shown in a filed return, or
12 (iii) pay any final assessment of tax, penalty, or
13 interest, as required by any tax Act administered by the
14 Illinois Department of Revenue, until the requirements of
15 that tax Act are satisfied.

16 (19) Conviction by any court of competent
17 jurisdiction, either within or outside this State, of any
18 violation of any law governing the practice of
19 professional geology, if the Department determines, after
20 investigation, that the person has not been sufficiently
21 rehabilitated to warrant the public trust.

22 (20) Gross, willful, or continued overcharging for
23 professional services, including filing false statements
24 for collection of fees for which services are not
25 rendered.

26 (21) Practicing under a false or, except as provided

1 by law, an assumed name.

2 (22) Fraud or misrepresentation in applying for, or
3 procuring, a license to practice as a Licensed
4 Professional Geologist under this Act or in connection
5 with applying for renewal of a license under this Act.

6 (23) Cheating on or attempting to subvert the
7 licensing examination administered under this Act.

8 (b) The determination by a circuit court that a licensee
9 is subject to involuntary admission or judicial admission as
10 provided in the Mental Health and Developmental Disabilities
11 Code operates as an automatic suspension. The suspension will
12 end only upon a finding by a court that the licensee is no
13 longer subject to the involuntary admission or judicial
14 admission and issues an order so finding and discharging the
15 licensee; and upon the recommendation of the Board to the
16 Secretary that the licensee be allowed to resume the
17 licensee's ~~his or her~~ practice.

18 All fines imposed under this Section shall be paid within
19 60 days after the effective date of the order imposing the fine
20 or in accordance with the terms set forth in the order imposing
21 the fine.

22 (Source: P.A. 99-26, eff. 7-10-15.)

23 (225 ILCS 745/85)

24 (Section scheduled to be repealed on January 1, 2026)

25 Sec. 85. Injunctive action; cease and desist order.

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

15 (b) If any ~~a~~ person practices as a Licensed Professional
16 Geologist or holds oneself ~~himself or herself~~ out as a
17 Licensed Professional Geologist in Illinois, without being
18 licensed to do so under this Act, then any Licensed
19 Professional Geologist, interested party, or any person
20 injured thereby may petition for relief as provided in
21 subsection (a) of this Section.

22 (c) Whenever, in the opinion of the Department, a person
23 violates any provision of this Act, the Department may issue a
24 rule to show cause why an order to cease and desist should not
25 be entered against that person. The rule shall clearly set
26 forth the grounds relied upon by the Department and shall

1 allow at least 7 days from the date of the rule to file an
2 answer satisfactory to the Department. Failure to answer to
3 the satisfaction of the Department shall cause an order to
4 cease and desist to be issued.

5 (Source: P.A. 96-1327, eff. 7-27-10.)

6 (225 ILCS 745/90)

7 (Section scheduled to be repealed on January 1, 2026)

8 Sec. 90. Investigations; notice and hearing. The
9 Department may investigate the actions of any applicant or of
10 any person or persons rendering or offering to render
11 geological services or any person holding or claiming to hold
12 a license as a Licensed Professional Geologist. The Department
13 shall, before revoking, suspending, placing on probation,
14 reprimanding, or taking any other disciplinary action under
15 Section 80 of this Act, at least 30 days before the date set
16 for the hearing, (i) notify the accused in writing of the
17 charges made and the time and place for the hearing on the
18 charges, (ii) direct the accused ~~him or her~~ to file a written
19 answer to the charges with the Board under oath within 20 days
20 after the service on the accused ~~him or her~~ of the notice, and
21 (iii) notify the accused that, if the accused ~~he or she~~ fails
22 to answer, default will be taken against the accused ~~him or~~
23 ~~her~~, and that the ~~his or her~~ license may be suspended, revoked,
24 placed on probationary status, or other disciplinary action
25 taken with regard to the license, including limiting the

1 scope, nature, or extent of the accused's ~~his or her~~ practice,
2 as the Department may consider proper. At the time and place
3 fixed in the notice, the Board shall proceed to hear the
4 charges and the parties or their counsel shall be accorded
5 ample opportunity to present any pertinent statements,
6 testimony, evidence, and arguments. The Board may continue the
7 hearing from time to time. In case the person, after receiving
8 the notice, fails to file an answer, the person's ~~his or her~~
9 license may, in the discretion of the Department, be
10 suspended, revoked, placed on probationary status, or subject
11 to any other disciplinary action the Department considers
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 may
16 be served by personal delivery or by ~~certified~~ mail or by email
17 to the licensee's address of record or email address of
18 record.

19 (Source: P.A. 99-26, eff. 7-10-15.)

20 (225 ILCS 745/110)

21 (Section scheduled to be repealed on January 1, 2026)

22 Sec. 110. Findings and recommendations. At the conclusion
23 of the hearing, the Board shall present to the Secretary a
24 written report of its findings of fact, conclusions of law,
25 and recommendations. The report shall contain a finding

1 whether or not the accused person violated this Act or its
2 rules or failed to comply with the conditions required in this
3 Act or its rules. The Board shall specify the nature of any
4 violations or failure to comply and shall make its
5 recommendations to the Secretary. In making recommendations
6 for any disciplinary actions, the Board may take into
7 consideration all facts and circumstances bearing upon the
8 reasonableness of the conduct of the accused and the potential
9 for future harm to the public, including but not limited to
10 previous discipline of the accused by the Department, intent,
11 degree of harm to the public and likelihood of harm in the
12 future, any restitution made by the accused, and whether the
13 incident or incidents contained in the complaint appear to be
14 isolated or represent a continuing pattern of conduct. In
15 making its recommendations for discipline, the Board shall
16 endeavor to ensure that the severity of the discipline
17 recommended is reasonably related to the severity of the
18 violation.

19 The report of findings of fact, conclusions of law, and
20 recommendation of the Board shall be the basis for the
21 Department's order refusing to issue, restore, or renew a
22 person's license to practice as a Licensed Professional
23 Geologist, or otherwise disciplining a licensee. If the
24 Secretary disagrees with the recommendations of the Board, the
25 Secretary may issue an order in contravention of the Board
26 recommendations. ~~The Secretary shall provide a written report~~

1 ~~to the Board on any disagreement and shall specify the reasons~~
2 ~~for the action in the final order.~~ The finding is not
3 admissible in evidence against the person in a criminal
4 prosecution brought for a violation of this Act, but the
5 hearing and finding are not a bar to a criminal prosecution
6 brought for a violation of this Act.

7 (Source: P.A. 99-26, eff. 7-10-15.)

8 (225 ILCS 745/120)

9 (Section scheduled to be repealed on January 1, 2026)

10 Sec. 120. Secretary; rehearing. Whenever the Secretary
11 believes that justice has not been done in the revocation,
12 suspension, or refusal to issue, restore, or renew a person's
13 license to practice as a Licensed Professional Geologist, or
14 other discipline of an applicant or licensee, the Secretary ~~he~~
15 ~~or she~~ may order a rehearing by the same or other examiners.

16 (Source: P.A. 99-26, eff. 7-10-15.)

17 (225 ILCS 745/125)

18 (Section scheduled to be repealed on January 1, 2026)

19 Sec. 125. Appointment of a hearing officer. The Secretary
20 has the authority to appoint any attorney licensed to practice
21 law in the State of Illinois to serve as the hearing officer in
22 any action for refusal to issue, restore, or renew a person's
23 license to practice as a Licensed Professional Geologist or to
24 discipline a licensee. The hearing officer has full authority

1 to conduct the hearing. Members of the Board may attend each
2 hearing. The hearing officer shall report ~~his or her~~ findings
3 of fact, conclusions of law, and recommendations to the Board
4 and the Secretary. The Board shall have 60 calendar days from
5 receipt of the report to review the report of the hearing
6 officer and present its findings of fact, conclusions of law,
7 and recommendations to the Secretary. If the Board does not
8 present its report within the 60-day period, the Secretary may
9 issue an order based on the report of the hearing officer. If
10 the Secretary disagrees with the recommendation of the Board
11 or of the hearing officer, the Secretary may issue an order in
12 contravention of the recommendation. The Secretary shall
13 promptly provide a written report to the Board on any
14 deviation, and shall specify the reasons for the action in the
15 final order.

16 (Source: P.A. 99-26, eff. 7-10-15.)

17 (225 ILCS 745/140)

18 (Section scheduled to be repealed on January 1, 2026)

19 Sec. 140. Surrender of license. Upon the revocation or
20 suspension of a person's license to practice as a Licensed
21 Professional Geologist, the licensee shall immediately
22 surrender the person's ~~his or her~~ license to the Department
23 and the licensee's name and address shall be added to the list
24 of individuals whose licenses have been revoked, suspended, or
25 denied renewal for cause. If the licensee fails to surrender

1 ~~the his or her~~ license, the Department has the right to seize
2 the license.

3 (Source: P.A. 96-1327, eff. 7-27-10.)

4 (225 ILCS 745/160)

5 (Section scheduled to be repealed on January 1, 2026)

6 Sec. 160. Violations.

7 (a) Using or attempting to use an expired license is a
8 Class A misdemeanor.

9 (b) Each of the following acts is a Class A misdemeanor for
10 the first offense and a Class 4 felony for a second or
11 subsequent offense:

12 (1) A violation of any provision of this Act or its
13 rules, except as noted in subsection (a) of this Section.

14 (2) The making of any willfully ~~wilfully~~ false oath or
15 affirmation in any matter or proceeding where an oath or
16 affirmation is required by this Act.

17 (3) Using or attempting to use an inactive, suspended,
18 or revoked license or the license or seal of another, or
19 impersonating another licensee, or practicing geology as a
20 Licensed Professional Geologist in Illinois while one's
21 license is inactive, suspended, or revoked.

22 (4) The practice, attempt to practice, or offer to
23 practice professional geology in Illinois without a
24 license as a Licensed Professional Geologist. Each day of
25 practicing professional geology or attempting to practice

1 professional geology, and each instance of offering to
2 practice professional geology, without a license as a
3 Licensed Professional Geologist constitutes a separate
4 offense.

5 (5) Advertising or displaying any sign or card or
6 other device that might indicate to the public that the
7 person or entity is entitled to practice as a Licensed
8 Professional Geologist, unless that person holds an active
9 license as a Licensed Professional Geologist in the State
10 of Illinois.

11 (6) Fraud, misrepresentation, or concealment in
12 applying for or procuring a license under this Act, or in
13 connection with applying for the renewal of a license
14 under this Act ~~Obtaining or attempting to obtain a license~~
15 ~~by fraud.~~

16 (7) The inability to practice with reasonable
17 judgment, skill, or safety as a result of habitual or
18 excessive use or addiction to alcohol, narcotics,
19 stimulants, or any other chemical agent or drug.

20 (8) Engaging in dishonorable, unethical, or
21 unprofessional conduct of a nature likely to deceive,
22 defraud, or harm the public.

23 (9) A violation of any provision of this Act or any
24 rules adopted under this Act.

25 (Source: P.A. 96-1327, eff. 7-27-10.)

1 (225 ILCS 745/180)

2 (Section scheduled to be repealed on January 1, 2026)

3 Sec. 180. Confidentiality. All information collected by
4 the Department in the course of an examination or
5 investigation of a licensee or applicant, including, but not
6 limited to, any complaint against a licensee filed with the
7 Department and information collected to investigate any such
8 complaint, shall be maintained for the confidential use of the
9 Department and shall not be disclosed. The Department shall
10 not disclose the information to anyone other than law
11 enforcement officials, regulatory agencies that have an
12 appropriate regulatory interest as determined by the
13 Secretary, or a party presenting a lawful subpoena to the
14 Department. Information and documents disclosed to a federal,
15 State, county, or local law enforcement agency or regulatory
16 agency shall not be disclosed by the agency for any purpose to
17 any other agency or person. A formal complaint filed against a
18 licensee by the Department or any order issued by the
19 Department against a licensee or applicant shall be a public
20 record, except as otherwise prohibited by law.

21 (Source: P.A. 99-26, eff. 7-10-15.)

22 Section 99. Effective date. This Section and Section 5
23 take effect upon becoming law.

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