

Safer Foundation
A Road Back
Certificate of Relief from Disabilities Fact Sheet

Certificate of Relief from Disabilities: Requested from either the Circuit Court or the Illinois Prisoner Review Board; removes the barrier to licensure or certification to the following 27 occupational/professional categories:

- The Animal Welfare Act;
- The Illinois Athletic Trainers Practice Act;
- The Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985;
- The Boiler and Pressure Vessel Repairer Regulation Act;
- The Professional Boxing Act;
- The Illinois Certified Shorthand Reporters Act of 1984;
- The Illinois Farm Labor Contractor Certification Act;
- The Interior Design Title Act;
- The Illinois Professional Land Surveyor Act of 1989;
- The Illinois Landscape Architecture Act of 1989;
- The Marriage and Family Therapy Licensing Act;
- The Private Employment Agency Act;
- The Professional Counselor and Clinical Professional Counselor Licensing Act;
- The Real Estate License Act of 2000;
- The Illinois Roofing Industry Licensing Act
- Professional Engineering Practice Act of 1989,*
- The Water Well and Pump Installation Contractor's Act;*
- Electrologist Licensing Act;*
- The Auction License Act;
- The Illinois Architecture Practice Act of 1989;
- The Dietetic and Nutrition Services Practice Act;
- The Environmental Health Practitioner Licensing Act;
- The Funeral Directors and Embalmers Licensing Code;
- The Land Sales Registration Act of 1999;
- The Professional Geologist Licensing Act;
- The Illinois Public Accounting Act;
- The Structural Engineering Practice Act of 1989.

Eligibility: Restricted to individuals with no more than two non-violent convictions. Not eligible to individuals with a crime of violence, a Class X offense, or an offense under the Crime Victims Compensation Act or Articles 11 or 12 of the criminal Code of 1961. (See reverse.)

How to Apply: Depends on the disposition (outcome) of the offense:

(1) Prisoner Review Board (**PRB**) if the conviction resulted in incarceration or if the conviction was federal or in another state.

Guidelines and application can be found at www.state.il.us/prb or by contacting Colette Knoles at the PRB:

319 East Madison St., Suite A
Springfield, IL 62701
(217) 782-7273

(2) Sentencing **Circuit Court** if the conviction did not result in incarceration. Intent is that an individual can apply through Probation if on an active probation or by filing a notice to file with the Clerk of the Circuit Court if probation is no longer active.

Use: When applying for licensure in the above categories to the:

- *Department of Agriculture* - Animal Welfare Act
- *State Fire Marshall* - Boiler and Pressure Vessel Repairer Act
- *Department of Labor* - IL Farm Labor Contractor Certification Act and Private Employment Agency Act
- *Department of Public Health* - Water Well and Pump Installation Contractor's License Act
- *Illinois Department of Financial and Professional Regulation* – all remaining occupations

Understand:

- A Certificate does not remove, seal, or hide a conviction record.

Certificate of Relief from Disabilities Eligibility

As defined in 730 ILCS 5/5-5.5-5, an “eligible offender” means a person who has been convicted of a crime or of an offense **that is not** a crime of violence as defined in Section 2 of the Crime Victims Compensation Act (see list below), a Class X (see various lists below) or non-probationable offense, or a violation of Article 11 or Article 12 of the Criminal Code of 1961 (see list below), but who has not been convicted more than twice of a felony.

“Felony” means a conviction of felony in this State, or of an offense in any other jurisdiction for which a sentence to a term of imprisonment in excess of one year was authorized.

For the purposes of this article the following rules of construction apply:

- (i) Two or more convictions of felonies charged in separate counts of one indictment or information shall be deemed to be one conviction;
- (ii) Two or more convictions of felonies charged in 2 or more indictments or information, filed in the same court prior to entry of judgment under any of them, shall be deemed to be one conviction; and
- (iii) A plea or a verdict of guilty upon which a sentence of probation, conditional discharge, or supervision has been imposed shall be deemed to be a conviction.

Offenses *Ineligible* for a Certificate of Relief from Disability

Crimes of Violence as defined in the Crime Victims Compensation Act* 740

ILCS 45/2:

Section 9-1: First Degree Murder
Section 9-2: Second Degree Murder
Section 9-3: Involuntary Manslaughter or Reckless Homicide
Section 10-1: Kidnapping
Section 10-2: Aggravated Kidnapping
Section 20-1: Arson
Section 20-1.1 Aggravated Arson

Article 11 of the Criminal Code of 1961:

Sec. 11-6: Indecent solicitation of a child
Sec. 11-6.5: Indecent solicitation of an adult
Sec. 11-7: Adultery
Sec. 11-8: Fornication
Sec. 11-9: Public indecency
Sec. 11-9.1: Sexual exploitation of a child
Sec. 11-9.2: Custodial sexual misconduct
Sec. 11-9.3: Presence within school zone by child sex offenders
Sec. 11-9.4: Approaching, contacting, residing, or communicating with a child by child sex offender
Sec. 11-11: Sexual Relations Within Families

Article 12 of the Criminal Code of 1961:

Sec. 5/12-1: Assault
Sec. 5/12-2: Aggravated assault
Sec. 5/12-2.5: Vehicular Endangerment
Sec. 5/12-3: Battery
Sec. 5/12-3.1: Battery of an Unborn Child
Sec. 5/12-3.2: Domestic Battery
Sec. 5/12-3.3: Aggravated domestic battery
Sec. 5/12-4: Aggravated Battery
Sec. 5/12-4.1: Heinous battery
Sec. 5/12-4.2: Aggravated Battery with a firearm
Sec. 5/12-4.2-5: Aggravated battery with a machine gun or a firearm
Sec. 5/12-4.3: Aggravated battery of a child
Sec. 5/12-4.4: Aggravated battery of an unborn child
Sec. 5/12-4.5: Tampering with food, drugs or cosmetics
Sec. 5/12-4.6: Aggravated Battery of a Senior Citizen
Sec. 5/12-4.7: Drug induced infliction of great bodily harm
Sec. 5/12-4.9: Drug induced infliction of aggravated battery to a child athlete
Sec. 5/12-5: Reckless Conduct
Sec. 5/12-5.1: Criminal housing management
Sec. 5/12-5.2: Injunction
Sec. 5/12-5.5: Common carriers; gross neglect
Sec. 5/12-6: Intimidation

Class X Felonies not listed in any other category:

Attempted First Degree Murder
Contraband, penal institution
Controlled substance, manufacture or delivery
Violation of Cannabis Control Act, more than 5000g
Residential Burglary
Drug induced homicide
Solicitation of murder
For hire solicitation
Forcible felony, if related to organized gang activity
Aggravated vehicular jacking

Sec. 11-12: Bigamy
Sec. 11-13: Marrying a bigamist
Sec. 11-14: Prostitution
Sec. 11-14.1: Solicitation of a sexual act
Sec. 11-15: Soliciting for a prostitute
Sec. 11-15.1: Soliciting for a Juvenile Prostitute
Sec. 11-16: Pandering
Sec. 11-17: Keeping a Place of Prostitution
Sec. 11-17.1: Keeping a Place of Juvenile Prostitution
Sec. 11-18: Patronizing a prostitute
Sec. 11-19: Pimping
Sec. 11-19.1: Juvenile Pimping

Sec. 5/12-6.1: Compelling organization membership of persons
Sec. 5/12-6.2: Aggravated intimidation
Sec. 5/12-6.3: Interfering with the reporting of domestic violence
Sec. 5/12-7: Compelling Confession or Information by Force or Threat
Sec. 5/12-7.1: Hate crime
Sec. 5/12-7.2: Educational intimidation
Sec. 5/12-7.3: Stalking
Sec. 5/12-7.4: Aggravated Stalking
Sec. 5/12-7.5: Cyber stalking
Sec. 5/12-9: Threatening public officials
Sec. 5/12-10: Tattooing Body of Minor
Sec. 5/12-10.1: Piercing the body of a minor
Sec. 5/12-11: Home Invasion
Sec. 5/12-11.1: Vehicular invasion
Sec. 5/12-13: Criminal Sexual Assault
Sec. 5/12-14: Aggravated Criminal Sexual Assault
Sec. 5/12-14.1: Predatory criminal sexual assault of a child
Sec. 5/12-15: Criminal sexual abuse
Sec. 5/12-16: Aggravated Criminal Sexual Abuse
Sec. 5/12-16.2: Criminal Transmission of HIV
Sec. 5/12-19: Abuse and Gross Neglect of a Long Term Care Facility Resident

Sec. 11-19.2: Exploitation of a child
Sec. 11-20.1: Child pornography
Sec. 11-20.1A: Forfeitures
Sec. 11-20.2: Commercial film and photographic print processor; reports
Sec. 11-21: Harmful material
Sec. 11-22: Tie-in sales of obscene publications to distributors
Sec. 11-23: Posting of identifying information on a pornographic Internet site

Sec. 5/12-20: Sale of Body Parts
Sec. 5/12-21: Criminal abuse or neglect of an elderly or disabled person
Sec. 5/12-21.5: Child Abandonment
Sec. 5/12-21.6: Endangering the life or health of a child
Sec. 5/12-30: Violation of an order of protection
Sec. 5/12-31: Inducement to commit Suicide
Sec. 5/12-32: Ritual mutilation
Sec. 5/12-33: Ritualized abuse of a child
Sec. 5/12-34: Female genital mutilation
Sec. 5/12-35: Sexual conduct or sexual contact with an animal

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Certificates of Relief from Disabilities
