

AN ACT concerning regulation.

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

Section 5. The Illinois Roofing Industry Licensing Act is amended by changing Sections 3 and 9 as follows:

(225 ILCS 335/3) (from Ch. 111, par. 7503)

(Section scheduled to be repealed on January 1, 2016)

Sec. 3. Application for license.

(1) To obtain a license, an applicant must indicate if the license is sought for a sole proprietorship, partnership, corporation, business trust, or other legal entity and whether the application is for a limited or unlimited roofing license. If the license is sought for a sole proprietorship, the license shall be issued to the proprietor who shall also be designated as the qualifying party. If the license is sought for a partnership, corporation, business trust, or other legal entity, the license shall be issued in the company name. A company must designate one individual who will serve as a qualifying party. The qualifying party is the individual who must take the examination required under Section 3.5. The company shall submit an application in writing to the Department on a form containing the information prescribed by the Department and accompanied by the fee fixed by the

Department. The application shall include, but shall not be limited to:

(a) the name and address of the person designated as the qualifying party responsible for the practice of professional roofing in Illinois;

(b) the name of the proprietorship and its proprietor, the name of the partnership and its partners, the name of the corporation and its officers and directors, the name of the business trust and its trustees, or the name of such other legal entity and its members;

(c) evidence of compliance with any statutory requirements pertaining to such legal entity, including compliance with any laws pertaining to the use of fictitious names, if a fictitious name is used; if the business is a sole proprietorship and doing business under a name other than that of the individual proprietor, the individual proprietor must list all business names used for that proprietorship.

(1.5) A certificate issued by the Department before the effective date of this amendatory Act of the 91st General Assembly shall be deemed a license for the purposes of this Act.

(2) An applicant for a license must submit satisfactory evidence that:

(a) he or she has obtained public liability and property damage insurance in such amounts and under such

circumstances as may be determined by the Department;

(b) he or she has obtained Workers' Compensation insurance for roofing covering his or her employees or is approved as a self-insurer of Workers' Compensation in accordance with Illinois law;

(c) he or she has an unemployment insurance employer account number issued by the Department of Employment Security, and he or she is not delinquent in the payment of any amount due under the Unemployment Insurance Act ~~he or she has an Illinois Unemployment Insurance employer identification number or has proof of application to the Illinois Department of Labor for such an identification number;~~

(d) he or she has submitted a continuous bond to the Department in the amount of \$10,000 for a limited license and in the amount of \$25,000 for an unlimited license; and

(e) a qualifying party has satisfactorily completed the examination required under Section 3.5.

(3) It is the responsibility of the licensee to provide to the Department notice in writing of any changes in the information required to be provided on the application.

(4) All roofing contractors must designate a qualifying party and otherwise achieve compliance with this Act no later than July 1, 2003 or his or her license will automatically expire on July 1, 2003.

(5) Nothing in this Section shall apply to a seller of

roofing materials or services when the construction, reconstruction, alteration, maintenance, or repair of roofing or waterproofing is to be performed by a person other than the seller or the seller's employees.

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

(Source: P.A. 91-950, eff. 2-9-01.)

(225 ILCS 335/9) (from Ch. 111, par. 7509)

(Section scheduled to be repealed on January 1, 2016)

Sec. 9. Licensure requirement.

(1) It is unlawful for any person to engage in the business or act in the capacity of or hold himself or herself out in any manner as a roofing contractor without having been duly licensed under the provisions of this Act.

(2) No work involving the construction, reconstruction, alteration, maintenance or repair of any kind of roofing or waterproofing may be done except by a roofing contractor licensed under this Act.

(3) Sellers of roofing services may subcontract the provision of those roofing services only to roofing contractors licensed under this Act.

(4) All persons performing roofing services under this Act

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shall be licensed as roofing contractors, except for those persons who are deemed to be employees under Section 10 of the Employee Classification Act of a licensed roofing contractor.

(Source: P.A. 90-55, eff. 1-1-98; 91-950, eff. 2-9-01.)