



Sen. Laura Fine

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10100HB3427sam001

LRB101 05030 CPF 60898 a

1 AMENDMENT TO HOUSE BILL 3427

2 AMENDMENT NO. _____. Amend House Bill 3427 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Residential Hot Water Safety Act.

6 Section 3. Applicability. This Act applies only to a
7 residence or a residential facility.

8 Section 4. Definitions. In this Act:

9 "Residential facility" means a self-contained unit of
10 accommodation used by one or more persons as a home where the
11 person or persons live, either permanently or temporarily,
12 whether or not the unit is owned, rented, or borrowed.

13 "Residential facility" includes, but is not limited to, houses,
14 semi-detached houses, townhomes, mobile homes, apartments,
15 condominiums of any kind or character, duplexes, triplexes,

1 hotels, motels, public or private facilities, or rented
2 accommodations of any kind for residential use that include, at
3 minimum, sleeping quarters and indoor plumbing.

4 Section 5. Water heating safety.

5 (a) Whenever a water heater of any kind or a bathtub
6 spigot, individual shower head, tub and shower combination
7 fixture, sink faucet, or other fixture supplied with hot or
8 tempered water is installed, replaced, or repaired in a
9 residential facility, a temperature actuated mixing valve,
10 automatic compensating valve, automatic temperature control
11 mixing valve, thermostatic mixing valve, a valve conforming
12 with ASSE 1017 or ASSE 1070, a water temperature limiting
13 device, or other device approved in 77 Ill. Adm. Code 890 shall
14 be installed at the water heater or other fixture, on the hot
15 water distribution piping, or at the point of use in a manner
16 that prevents water with a temperature above 120 degrees
17 Fahrenheit from coming into direct contact with a person.
18 Installation may be made at the water heater or other fixture,
19 on the hot water distribution piping, at the point of use, or
20 any combination thereof. Installation may allow for thermal
21 control strategies for opportunistic pathogens and shall be
22 completed in a manner that protects individuals from scalding
23 or burning injuries from water above 120 degrees Fahrenheit
24 coming into direct contact with a person. Tankless water
25 heaters shall be programmed to prevent water with a temperature

1 above 120 degrees Fahrenheit from coming into direct contact
2 with a person in cases where a valve or temperature limiting
3 device is not necessary. This Section does not apply to mop
4 sinks.

5 (b) All temperature control devices supplied under this Act
6 shall comply with the requirements of 77 Ill. Adm. Code 890 and
7 materials used shall conform to the materials listed in 77 Ill.
8 Adm. Code 890.APPENDIX A.

9 Section 10. Enforcement and administration; civil
10 penalties.

11 (a) The Department of Public Health shall administer and
12 enforce the provisions of this Act.

13 (b) Any person or entity that violates this Act shall be
14 subject to the fines and penalties under Sections 29 and 29.5
15 of the Illinois Plumbing License Law.

16 Section 90. The Illinois Plumbing License Law is amended by
17 changing Section 40 as follows:

18 (225 ILCS 320/40) (from Ch. 111, par. 1138)

19 Sec. 40. All persons engaged in plumbing as defined in this
20 Act shall comply with the minimum code of standards for
21 plumbing and the fixtures, materials, design and installation
22 methods of plumbing systems published by the Department and
23 filed with the Secretary of State as required by this Act.

1 All installations of equipment, fixtures, appliances or
2 piping which are used or intended for use entirely for or as a
3 part of a water supply system or sewage disposal system and
4 thereby can affect the public health shall comply with the
5 provisions of the State Plumbing Code for design, materials,
6 installation and maintenance. The installation, repair,
7 maintenance, alteration or extension of building sewers shall
8 be done in accordance with the State Plumbing Code. Any person
9 engaged in any of such work shall upon investigation and
10 determination of non-compliance with the provisions of the
11 State Plumbing Code be subject to the penalties contained in
12 this Act. Such prosecution shall be the responsibility of the
13 State's Attorney or other authority as authorized by this Act.

14 Whenever a water heater of any kind or a bathtub spigot,
15 individual shower head, tub and shower combination fixture,
16 sink faucet, or other fixture supplied with hot or tempered
17 water is installed, replaced, or repaired in a residential
18 facility, a temperature actuated mixing valve, automatic
19 compensating valve, automatic temperature control mixing
20 valve, thermostatic mixing valve, a valve conforming with ASSE
21 1017 or ASSE 1070, a water temperature limiting device, or
22 other device approved in 77 Ill. Adm. Code 890 shall be
23 installed at the water heater or other fixture, on the hot
24 water distribution piping, or at the point of use in a manner
25 that prevents water with a temperature above 120 degrees
26 Fahrenheit from coming into direct contact with a person.

1 Installation may be made at the water heater or other fixture,
2 on the hot water distribution piping, at the point of use, or
3 any combination thereof. Installation may allow for thermal
4 control strategies for opportunistic pathogens and shall be
5 completed in a manner that protects individuals from scalding
6 or burning injuries from water above 120 degrees Fahrenheit
7 coming into direct contact with a person. Tankless water
8 heaters shall be programmed to prevent water with a temperature
9 above 120 degrees Fahrenheit from coming into direct contact
10 with a person in cases where a valve or temperature limiting
11 device is not necessary. This Section does not apply to mop
12 sinks.

13 All temperature control devices supplied under this
14 Section shall comply with the requirements of 77 Ill. Adm. Code
15 890 and materials used shall conform to the materials listed in
16 77 Ill. Adm. Code 890.APPENDIX A.

17 (Source: P.A. 83-878.)".