



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB3997

Introduced 5/22/2020, by Sen. Ram Villivalam

SYNOPSIS AS INTRODUCED:

225 ILCS 317/30
225 ILCS 317/35
225 ILCS 317/50

Amends the Fire Sprinkler Contractor Licensing Act. Provides that any individual who performs inspection and testing of existing fire sprinkler systems and control equipment must possess a photo identification card issued by the State Fire Marshal as proof that the individual is in compliance with the Act. Provides that all inspections and testing of fire sprinkler systems and control equipment must be recorded on an inspection report or testing form. Provides that all fire sprinkler systems, upon completion of inspection and testing, must be affixed with a preprinted label bearing the name of the person performing the inspection and the license number of the licensee performing the inspection. Provides that a copy of the inspection report must be forwarded by the entity performing the inspection to the Office of the State Fire Marshal. Provides that the fees for an inspection form and photo identification card shall be determined by the State Fire Marshal by rule. Provides that the State Fire Marshal has the power and duty to establish a database of all fire sprinkler systems, inspection records, and persons involved in the inspection or testing of existing fire sprinkler systems or control equipment. Effective January 1, 2021.

LRB101 21536 LNS 72353 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 Fire Sprinkler Contractor Licensing Act is
5 amended by changing Sections 30, 35, and 50 as follows:

6 (225 ILCS 317/30)

7 (Text of Section before amendment by P.A. 101-626)

8 Sec. 30. Requirements for the installation, repair,
9 inspection, and testing of fire protection systems.

10 (a) Equipment shall be listed by a nationally recognized
11 testing laboratory, such as Underwriters Laboratories, Inc. or
12 Factory Mutual Laboratories, Inc., or shall comply with
13 nationally accepted standards. The State Fire Marshal shall
14 adopt by rule procedures for determining whether a laboratory
15 is nationally recognized, taking into account the laboratory's
16 facilities, procedures, use of nationally recognized
17 standards, and any other criteria reasonably calculated to
18 reach an informed determination.

19 (b) Equipment shall be installed in accordance with the
20 applicable standards of the National Fire Protection
21 Association and the manufacturer's specifications.

22 (c) The contractor shall furnish the user with operating
23 instructions for all equipment installed, together with a

1 diagram of the final installation.

2 (d) All fire sprinkler systems shall have a backflow
3 prevention device or, in a municipality with a population over
4 500,000, a double detector check assembly installed by a
5 licensed plumber before the fire sprinkler system connection to
6 the water service. Connection to the backflow prevention device
7 or, in a municipality with a population over 500,000, a double
8 detector assembly shall be done in a manner consistent with the
9 Department of Public Health's Plumbing Code.

10 (e) This licensing Act is not intended to require any
11 additional fire inspections at State level.

12 (f) Inspections and testing of existing fire sprinkler
13 systems and control equipment must be performed by a licensee
14 or an individual employed or contracted by a licensee. Any
15 individual who performs inspection and testing duties under
16 this subsection (f) must possess proof of (i) certification by
17 a nationally recognized certification organization at an
18 appropriate level, such as NICET Level II in Inspection and
19 Testing of Water Based Systems or the equivalent, by January 1,
20 2009 or (ii) satisfactory completion of a certified sprinkler
21 fitter apprenticeship program approved by the U.S. Department
22 of Labor. State employees who perform inspections and testing
23 on behalf of State institutions and who meet all other
24 requirements of this subsection (f) need not be licensed under
25 this Act or employed by a licensee under this Act in order to
26 perform inspection and testing duties under this subsection

1 (f). The requirements of this subsection (f) do not apply to
2 individuals performing inspections or testing of fire
3 sprinkler systems on behalf of a municipality, a county, a fire
4 protection district, or the Office of the State Fire Marshal.
5 This subsection (f) does not apply to cursory weekly and
6 monthly inspections of gauges and control valves conducted in
7 accordance with the standards of the National Fire Protection
8 Association.

9 A copy of the inspection report for an inspection performed
10 pursuant to this subsection (f) must be forwarded by the entity
11 performing the inspection to the local fire department or fire
12 protection district in which the sprinkler system is located.
13 The inspection report must include the NICET Level II
14 Inspection and Testing of Water Based Systems certification
15 number or journeymen number of the person performing the
16 inspection.

17 (Source: P.A. 96-256, eff. 1-1-10; 97-112, eff. 7-14-11.)

18 (Text of Section after amendment by P.A. 101-626)

19 Sec. 30. Requirements for the installation, repair,
20 inspection, and testing of fire protection systems.

21 (a) Equipment shall be listed by a nationally recognized
22 testing laboratory, such as Underwriters Laboratories, Inc. or
23 Factory Mutual Laboratories, Inc., or shall comply with
24 nationally accepted standards. The State Fire Marshal shall
25 adopt by rule procedures for determining whether a laboratory

1 is nationally recognized, taking into account the laboratory's
2 facilities, procedures, use of nationally recognized
3 standards, and any other criteria reasonably calculated to
4 reach an informed determination.

5 (b) Equipment shall be installed in accordance with the
6 applicable standards of the National Fire Protection
7 Association and the manufacturer's specifications.

8 (c) The contractor shall furnish the user with operating
9 instructions for all equipment installed, together with a
10 diagram of the final installation.

11 (d) All fire sprinkler systems shall have a backflow
12 prevention device or, in a municipality with a population over
13 500,000, a double detector check assembly installed by a
14 licensed plumber before the fire sprinkler system connection to
15 the water service. Connection to the backflow prevention device
16 or, in a municipality with a population over 500,000, a double
17 detector assembly shall be done in a manner consistent with the
18 Department of Public Health's Plumbing Code.

19 (e) This licensing Act is not intended to require any
20 additional fire inspections at State level.

21 (f) Before January 1, 2022, inspection and testing of
22 existing fire sprinkler systems and control equipment must be
23 performed by a licensee or an individual employed or contracted
24 by a licensee. Any individual who performs inspection and
25 testing duties under this subsection (f) must possess proof of
26 (i) certification by a nationally recognized certification

1 organization at an appropriate level, such as NICET Level II in
2 Inspection and Testing of Water Based Systems or the
3 equivalent, (ii) a valid ASSE 15010 certification in
4 "inspection, testing and maintenance for water-based fire
5 protection systems", or (iii) satisfactory completion of a
6 certified sprinkler fitter apprenticeship program approved by
7 the U.S. Department of Labor. State employees who perform
8 inspections and testing on behalf of State institutions and who
9 meet all other requirements of this subsection (f) need not be
10 licensed under this Act or employed by a licensee under this
11 Act in order to perform inspection and testing duties under
12 this subsection (f). The requirements of this subsection (f) do
13 not apply to individuals performing inspections or testing of
14 fire sprinkler systems on behalf of a municipality, a county, a
15 fire protection district, or the Office of the State Fire
16 Marshal. This subsection (f) does not apply to a stationary
17 engineer, operating engineer, or other individual employed on a
18 full-time basis by the facility owner or owner's representative
19 performing weekly and monthly inspections and tests in
20 accordance with applicable National Fire Protection
21 Association standards.

22 Before January 1, 2022, a copy of the inspection report for
23 an inspection performed pursuant to this subsection (f) must be
24 forwarded by the entity performing the inspection to the local
25 fire department or fire protection district in which the
26 sprinkler system is located. The inspection report must include

1 the NICET Level II Inspection and Testing of Water Based
2 Systems certification number, ASSE 15010 certification number
3 for "inspection, testing and maintenance for water-based fire
4 protection systems", or journeymen number of the person
5 performing the inspection.

6 After December 31, 2021, inspection and testing of existing
7 fire sprinkler systems and control equipment must be performed
8 by a licensee or an individual employed or contracted by a
9 licensee. Any individual who performs inspection and testing
10 duties under this subsection (f) must possess, on his or her
11 person, a photo identification card issued by the State Fire
12 Marshal as proof that the individual is in compliance with this
13 Act and must possess proof of (i) certification by a nationally
14 recognized certification organization at an appropriate level,
15 such as NICET Level III in Inspection and Testing of Water
16 Based Systems or the equivalent, (ii) a valid ASSE 15010
17 certification in "inspection, testing and maintenance for
18 water-based fire protection systems", or (iii) satisfactory
19 completion of a certified sprinkler fitter apprenticeship
20 program approved by the United States Department of Labor. The
21 photo identification card shall be issued by the State Fire
22 Marshal annually at a fee determined by the State Fire Marshal
23 by rule. State employees who perform inspections and testing on
24 behalf of State institutions and who meet all other
25 requirements of this subsection (f) need not be licensed under
26 this Act or employed by a licensee under this Act in order to

1 perform inspection and testing duties under this subsection
2 (f). The requirements of this subsection (f) do not apply to
3 individuals performing inspections or testing of fire
4 sprinkler systems on behalf of a municipality, a county, a fire
5 protection district, or the Office of the State Fire Marshal.
6 This subsection (f) does not apply to a stationary engineer,
7 operating engineer, or other individual employed on a full-time
8 basis by the facility owner or owner's representative
9 performing weekly and monthly inspections and tests in
10 accordance with applicable National Fire Protection
11 Association standards.

12 All inspections and testing of fire sprinkler systems and
13 control equipment must be recorded on an inspection report or
14 testing form that shall include information as recommended by
15 the National Fire Protection Association's NFPA 25. The
16 contents of the inspection report shall be established by the
17 State Fire Marshal by rule and shall include the license number
18 of the licensee performing the inspection and the ASSE 15010
19 certification number for "inspection, testing and maintenance
20 for water-based fire protection systems" or the NICET Level III
21 "inspection and testing of water based systems" certification
22 number or journeymen number of the person performing the
23 inspection.

24 All fire sprinkler systems, upon completion of inspection
25 and testing, must be affixed with a preprinted label bearing
26 the name of the person performing the inspection and the

1 license number of the licensee performing the inspection. The
2 label required under this Section shall include information
3 established by the Office of the State Fire Marshal.

4 After December 31, 2021, a copy of the inspection report
5 for an inspection performed pursuant to this subsection (f)
6 must be forwarded by the entity performing the inspection to
7 (i) the local fire department or fire protection district in
8 which the sprinkler system is located and (ii) the Office of
9 the State Fire Marshal. The inspection report must include the
10 NICET Level III Inspection and Testing of Water Based Systems
11 certification number, ASSE 15010 certification number for
12 "inspection, testing and maintenance for water-based fire
13 protection systems", or journeymen number of the person
14 performing the inspection.

15 (Source: P.A. 101-626, eff. 6-1-20.)

16 (225 ILCS 317/35)

17 Sec. 35. Fees, renewals, continuing education, and
18 required insurance.

19 (a) The fees for an original license, inspection form,
20 photo identification card, and each renewal and for duplicate
21 copies of licenses shall be determined by the State Fire
22 Marshal by rule.

23 (b) Each license must be renewed every 2 years. Each
24 licensee must complete 16 hours of continuing education in the
25 2-year period following his or her renewal or initial licensure

1 after the effective date of this amendatory Act of the 97th
2 General Assembly. Current licensure as a professional engineer
3 or proof of current NICET certification in Level III or IV
4 shall satisfy this requirement for designated certified
5 persons. Continuing education offered through nationally
6 recognized building and fire code organizations and their
7 affiliates; nationally recognized fire sprinkler organizations
8 and their affiliates; institutions of higher education;
9 educational bodies specializing in automatic fire suppression
10 system technology; as well as other entities approved by the
11 State Fire Marshal shall be also acceptable. All continuing
12 education entities seeking to be approved providers of
13 continuing education shall make application to the State Fire
14 Marshal and offer programs that:

15 (1) contribute to the advancement, extension, or
16 enhancement of the professional skills or technical
17 knowledge of the licensee in the practice of fire sprinkler
18 contracting; and

19 (2) are developed and presented by persons with
20 education or experience in the subject manner of the
21 program.

22 (c) Any person who fails to file a renewal application by
23 the date of expiration of a license shall be assessed a late
24 filing charge, which shall be determined by the State Fire
25 Marshal by rule.

26 (d) All fees shall be paid by check or money order. Any fee

1 required by this Act is not refundable in the event that the
2 original application or application for renewal is denied.

3 (e) Every application for an original license shall be
4 accompanied by a certificate of insurance issued by an
5 insurance company authorized to do business in the State of
6 Illinois or by a risk retention or purchasing group formed
7 pursuant to the federal Liability Risk Retention Act of 1986,
8 which provides primary, first dollar public liability coverage
9 of the applicant or licensee for personal injuries for not less
10 than \$500,000 per person or \$1,000,000 per occurrence, and, in
11 addition, for not less than \$1,000,000 per occurrence for
12 property damage. The insurance policy shall be in effect at all
13 times during the license year and a new certificate of
14 insurance shall be filed with the State Fire Marshal within 30
15 days after the renewal of the insurance policy.

16 (Source: P.A. 97-112, eff. 7-14-11.)

17 (225 ILCS 317/50)

18 Sec. 50. Powers and duties of the State Fire Marshal. The
19 State Fire Marshal has all of the following powers and duties:

20 (a) To prescribe and furnish application forms, licenses,
21 and any other forms necessary under this Act.

22 (b) To suspend, revoke, or refuse to issue or renew
23 licenses for cause.

24 (c) To conduct hearings concerning the suspension,
25 revocation, or refusal to issue or renew licenses.

1 (d) To levy and collect fines pursuant to this Act.

2 (e) To promulgate rules and regulations necessary for the
3 administration of this Act.

4 (f) To establish a database of all fire sprinkler systems,
5 inspection records, and persons involved in the inspection or
6 testing of existing fire sprinkler systems or control
7 equipment.

8 (Source: P.A. 92-871, eff. 1-3-03.)

9 Section 95. No acceleration or delay. Where this Act makes
10 changes in a statute that is represented in this Act by text
11 that is not yet or no longer in effect (for example, a Section
12 represented by multiple versions), the use of that text does
13 not accelerate or delay the taking effect of (i) the changes
14 made by this Act or (ii) provisions derived from any other
15 Public Act.

16 Section 99. Effective date. This Act takes effect January
17 1, 2021.