



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB0798

Introduced 2/10/2021, by Rep. Kathleen Willis

SYNOPSIS AS INTRODUCED:

See Index

Amends the Fire Sprinkler Contractor Licensing Act. Provides for licensure of a fire sprinkler inspector, fire pump contractor, and fire pump contractor employee. Provides that beginning January 1, 2025, each fire sprinkler system shall be registered with the Office of the State Fire Marshal. Provides that fire sprinkler systems installed on or after January 1, 2025 shall be registered with the Office within 30 days of being placed in service. Provides that beginning January 1, 2024, any individual who performs inspection or testing of any fire sprinkler system under the Act shall be individually licensed and possess on his or her person a fire sprinkler inspector license including a photo identification issued by the Office. Adds provisions concerning registration and work on an unregistered fire sprinkler system; preparation of fire protection system layout documents; a designated responsible person; photo exemption for a license; reporting inspection and testing activity; and unlicensed practice. Makes changes to provisions concerning licensing requirements for a fire sprinkler contractor license; a designated certified person; requirements for the installation, repair, inspection, and testing of a fire protection system; continuing education requirements; powers and duties of the State Fire Marshal; grounds for disciplinary action; action by the State Fire Marshal; administrative hearing; injunctions; and grandfather clause. Defines terms. Makes other changes. Effective immediately, except that certain provisions take effect on January 1, 2024.

LRB102 10413 SPS 15741 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 5, 10, 12, 15, 20, 30, 35, 40, 45,
6 50, 55, 60, 65, 70, 75, 80, 85, 90, 95, 100, 105, 110, and 120
7 and by adding Sections 11, 14, 16, 17, 18, 19, 21, 22, 31, and
8 62 as follows:

9 (225 ILCS 317/5)

10 Sec. 5. Legislative intent. It is declared that within the
11 State of Illinois ~~there are, and may continue to be, locations~~
12 ~~where~~ the improper installation, ~~or~~ repair, inspection,
13 testing, or maintenance of fire sprinkler systems and
14 associated components creates conditions that may adversely
15 affect the public health and general welfare. Therefore, the
16 purpose of this Act is to protect, promote, and preserve the
17 public health and general welfare by providing for the State
18 administrative control, supervision, licensure, and regulation
19 of persons involved in the service of fire sprinkler systems,
20 ensuring that those who hold themselves out as possessing
21 professional qualifications to engage in service of fire
22 sprinkler systems are qualified to render service, and
23 providing for the high standards of professional conduct by

1 those licensed to service fire sprinkler systems. This Act
2 shall be liberally construed to promote the public interest
3 and to accomplish the purpose stated in this Section.
4 ~~establishment of minimum standards for licensure of fire~~
5 ~~sprinkler installation contractors.~~

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

7 (225 ILCS 317/10)

8 Sec. 10. Definitions. As used in this Act, unless the
9 context otherwise requires:

10 "ASSE" means the American Society of Sanitary Engineering.

11 "Designated certified person" means an individual who has
12 met the qualifications set forth under Section 20 and who is
13 designated by a fire sprinkler contractor to provide
14 supervision, to ensure that fire protection system layout
15 documents are prepared by an individual who meets the
16 requirements under Section 14, and to ensure that each fire
17 sprinkler system is installed, repaired, inspected, tested,
18 and maintained in accordance with the requirements of this
19 Act.

20 "Designated responsible person" means an individual who
21 has met the qualifications set forth under Section 21 and who
22 is designated by a fire pump contractor to provide supervision
23 and to ensure that each fire pump, jockey pump, controller,
24 and piece of associated specialty equipment is installed,
25 repaired, inspected, tested, and maintained in accordance with

1 the requirements of this Act.

2 "Fire protection system layout documents" means layout
3 drawings, catalog information on standard products, and other
4 construction data that provide detail on the location of
5 risers, cross mains, branch lines, sprinklers, piping per
6 applicable standard, and hanger locations. "Fire protection
7 system layout documents" serve as a guide for fabrication and
8 installation of a fire sprinkler system and shall be based
9 upon applicable standards pursuant to Section 30 ~~of this Act.~~

10 "Fire pump contractor" means a person who installs,
11 repairs, inspects, tests, or maintains fire pumps, jockey
12 pumps, controllers, and the associated specialty equipment
13 unique to the fire pump and jockey pump assembly, drivers, and
14 their controllers pursuant to Section 18.

15 "Fire pump contractor license" means a license issued to a
16 qualified fire pump contractor.

17 "Fire pump contractor employee" means an individual
18 employed by a fire pump contractor to inspect, test, or
19 maintain fire pumps, jockey pumps, controllers, and their
20 associated specialty equipment pursuant to Section 19.

21 "Fire pump contractor employee license" means a license
22 issued to a qualified fire pump contractor employee.

23 "Fire sprinkler contractor" means a person who installs,
24 repairs, inspects, tests, or maintains ~~holds himself or~~
25 ~~herself out to be in the business of or contracts with a person~~
26 ~~to install or repair a fire sprinkler system~~ pursuant to

1 Section 16.

2 "Fire sprinkler contractor license" means a license issued
3 to a qualified fire sprinkler contractor.

4 "Fire sprinkler inspector" means an individual qualified
5 to inspect or test fire sprinkler systems pursuant to Section
6 17.

7 "Fire sprinkler inspector license" means a license issued
8 to a qualified fire sprinkler inspector.

9 "Fire sprinkler system" means any water-based automatic
10 fire extinguishing system employing fire sprinklers, including
11 accessory fire pumps and associated piping, fire standpipes,
12 or underground fire main systems starting at the connection to
13 the water service after the approved backflow device is
14 installed under the requirements of the Illinois Plumbing Code
15 and ending at the most remote fire sprinkler. "Fire sprinkler
16 system" includes but is not limited to a fire sprinkler system
17 in a residential, commercial, institutional, educational,
18 public, or private occupancy. "Fire sprinkler system" does not
19 include single sprinkler heads that are in a loop of the
20 potable water system, as referenced in 77 Ill. Adm. Code
21 890.1130 and 890.1200.

22 "Inspection" means the visual examination of a fire
23 sprinkler system or portion thereof to verify that it appears
24 to be in operating condition and is free of physical damage.

25 "Inspect" means to engage in an inspection.

26 "Installation" means the initial placement of the fire

1 sprinkler system or its extension or alteration after initial
2 placement. "Install" means to engage in installation.

3 "Licensee" means a person or business organization
4 licensed in accordance with this Act.

5 "Maintenance" means work performed to keep a fire
6 sprinkler system or portion thereof operable. "Maintenance"
7 does not include repair. "Maintain" means to engage in
8 maintenance.

9 "Manufacturer certified" means trained and certified by a
10 manufacturer of fire pumps, jockey pumps, controllers, or
11 associated specialty components.

12 "NICET" means the National Institute for Certification in
13 Engineering Technologies.

14 "Office" means the Office of the State Fire Marshal.

15 "Officer" means any of the following: (i) if the business
16 is a sole proprietorship, the owner of the business or any
17 individual exercising managerial control; (ii) if the business
18 is a partnership, any partner who has at least 10% ownership
19 interest or any partner who exercises managerial control; or
20 (iii) if the business is a corporation, any officer or
21 director of the corporation or any individual who has at least
22 10% ownership interest in such corporation or who exercises
23 managerial control.

24 "Property owner" means the owner of the property on which
25 the fire sprinkler system is present, which could be an
26 individual, group of individuals, association, trust,

1 partnership, corporation, or person doing business under an
2 assumed name.

3 "Person" means an individual, group of individuals,
4 association, trust, partnership, corporation, limited
5 liability company, firm, business, person doing business under
6 an assumed name, the State of Illinois, or department thereof,
7 any other state-owned and operated institution, or any other
8 public, private, or business entity.

9 "Repair" means any work after the initial installation to
10 restore a fire sprinkler system or portion thereof to sound
11 working condition or fix damage to provide performance as
12 originally planned.

13 "Responsible managing employee" means the individual
14 designated by the fire sprinkler contractor that is not
15 required to have a designated certified person under Section
16 120 to provide supervision, to ensure that fire protection
17 system layout documents are prepared by an individual who
18 meets the requirements under Section 14, and to ensure that
19 each fire sprinkler system is installed, repaired, inspected,
20 tested, and maintained in accordance with the requirements of
21 this Act.

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

23 "Service" means any work on fire sprinkler systems,
24 including, but not limited to, installation, repair,
25 inspection, testing, and maintenance.

26 "Standards" means those standards or codes referenced in

1 this Act or its rules.

2 "Supervision" means either the direction and management by
3 a designated certified person or responsible managing employee
4 of the activities of non-certified personnel in the
5 installation, ~~or~~ repair, inspection, testing, or maintenance
6 of fire sprinkler systems, including the responsibility to
7 ensure that fire protection system layout documents are
8 prepared by an individual who meets the requirements under
9 Section 14, or the direction and management by a designated
10 responsible person of the activities of any employee of a fire
11 pump contractor.

12 "Testing" means the operation of a fire sprinkler system
13 or portion thereof to determine the operational status of a
14 fire sprinkler system or portion thereof or other physical
15 checks to verify that a fire sprinkler system or portion
16 thereof is functioning correctly. "Test" means to engage in
17 testing.

18 (Source: P.A. 94-367, eff. 1-1-06.)

19 (225 ILCS 317/11 new)

20 Sec. 11. Registration and fees; work on an unregistered
21 fire sprinkler system.

22 (a) All fire sprinkler system installations regulated by
23 this Act shall be performed by a licensed fire sprinkler
24 contractor or, to the extent permitted by this Act, a licensed
25 fire pump contractor.

1 (b) Beginning on January 1, 2025, each fire sprinkler
2 system shall be registered with the Office and issued a unique
3 identifying designation. It shall be the responsibility of the
4 property owner to ensure the fire sprinkler system is
5 registered through a licensed fire sprinkler contractor. A
6 property owner may delegate his, her, or its authority to
7 manage the day-to-day operations of the fire sprinkler system
8 to another party but may not delegate his, her, or its
9 responsibilities and duties under this Act or the rules.

10 During, or subsequent to, installation of a fire sprinkler
11 system, the fire sprinkler contractor shall submit the
12 registration and fee as prescribed by the Office.

13 (c) Fire sprinkler systems installed on or after January
14 1, 2025 shall be registered with the Office within 30 days of
15 being placed in service. For the purpose of this Section, a
16 fire sprinkler system is placed in service when initial
17 testing and inspection are complete.

18 Fire sprinkler systems installed before January 1, 2025
19 shall be registered with the Office no later than January 1,
20 2027.

21 (d) Beginning on January 1, 2025, whenever a registered
22 fire sprinkler system is altered or extended in a fashion that
23 causes information required for the registration of a fire
24 sprinkler system to no longer be accurate, the change shall be
25 reported to the Office within 30 days.

26 (e) Beginning on January 1, 2027, no fire sprinkler

1 contractor or fire pump contractor may perform any service on
2 a fire sprinkler system that is unregistered unless the fire
3 sprinkler contractor or fire pump contractor provides notice
4 to the Office, within 15 business days after the day on which
5 service first occurred, of performing service on an
6 unregistered fire sprinkler system.

7 (225 ILCS 317/12)

8 Sec. 12. Licenses; ~~License;~~ enforcement; failure to pay
9 tax. No person shall act as a licensee ~~fire sprinkler~~
10 ~~contractor~~, or advertise or assume to act as such, or use any
11 title implying that such person is engaged in such practice or
12 occupation unless licensed by the Office ~~State Fire Marshal~~.

13 No person ~~firm, association, or corporation~~ shall act as
14 an agency licensed under this Act, or advertise or assume to
15 act as such, or use any title implying that the person ~~firm,~~
16 ~~association, or corporation~~ is engaged in such practice,
17 unless licensed by the Office ~~State Fire Marshal~~.

18 The Office ~~State Fire Marshal~~, in the name of the People
19 and through the Attorney General, the State's Attorney of any
20 county, any resident of the State, or any legal entity within
21 the State may apply for injunctive relief in any court to
22 enjoin any person who has not been issued a license or whose
23 license has been suspended, revoked, or not renewed from
24 practicing a licensed activity, and upon the filing of a
25 verified petition, the court, if satisfied by affidavit or

1 otherwise, that such person is or has been practicing in
2 violation of this Act may enter a temporary restraining order
3 or preliminary injunction, without bond, enjoining the
4 defendant from such further activity. A copy of the verified
5 complaint shall be served upon the defendant and the
6 proceedings shall thereafter be conducted as in other civil
7 cases. If it is established that the defendant has been or is
8 practicing in violation of this Act, the court may enter a
9 judgment perpetually enjoining the defendant from such further
10 activity. In case of violation of any injunctive order or
11 judgment entered under the provisions of this Section, the
12 court may summarily try and, if found in violation of the
13 injunctive order, punish the offender for contempt of court.
14 Such injunctive proceeding shall be in addition to all
15 penalties and other remedies in this Act.

16 The Office ~~State Fire Marshal~~ may refuse to issue a
17 license to, or may suspend the license of, any person who fails
18 to file a return, to pay the tax, penalty, or interest shown in
19 a filed return, or to pay any final assessment of tax, penalty,
20 or interest, as required by any tax Act administered by the
21 Illinois Department of Revenue, until such time as the
22 requirements of any such tax Act are satisfied.

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

24 (225 ILCS 317/14 new)

25 Sec. 14. Fire protection system layout documents. All fire

1 protection system layout documents of fire sprinkler systems
2 shall be prepared by: (1) a professional engineer who is
3 licensed under the Professional Engineering Practice Act of
4 1989, (2) an architect who is licensed under the Illinois
5 Architecture Practice Act of 1989, or (3) a holder of a valid
6 NICET Level III or IV certification in water-based fire
7 protection systems layout who is either licensed under this
8 Act or employed by an organization licensed under this Act.

9 (225 ILCS 317/15)

10 Sec. 15. Licensing requirements.

11 (a) It shall be unlawful for any person ~~or business~~ to
12 engage in, advertise, or hold itself out to be in the business
13 of installing, ~~or~~ repairing, inspecting, testing, maintaining,
14 or servicing fire sprinkler systems in this State ~~after 6~~
15 ~~months after the effective date of this Act,~~ unless such
16 person ~~or business~~ is licensed by the Office ~~State Fire~~
17 ~~Marshal.~~

18 (b) Applications for initial licensure and renewal shall
19 be made to the Office on forms or electronically as prescribed
20 by the Office, and applicants shall pay the license fee. ~~In~~
21 ~~order to obtain a license, a person or business must submit an~~
22 ~~application to the State Fire Marshal, on a form provided by~~
23 ~~the State Fire Marshal containing the information prescribed,~~
24 ~~along with the application fee.~~

25 (c) ~~A business applying for a license must have a~~

1 ~~designated certified person employed at the business location~~
2 ~~and the designated certified person shall be identified on the~~
3 ~~license application.~~

4 ~~(d) A person or business applying for a license must show~~
5 ~~proof of having liability and property damage insurance in~~
6 ~~such amounts and under such circumstances as may be determined~~
7 ~~by the State Fire Marshal. The amount of liability and~~
8 ~~property damage insurance, however, shall not be less than the~~
9 ~~amount specified in Section 35 of this Act.~~

10 ~~(e) A person or business applying for a license must show~~
11 ~~proof of having workers' compensation insurance covering its~~
12 ~~employees or be approved as a self-insurer of workers'~~
13 ~~compensation in accordance with the laws of this State.~~

14 ~~(f) A person or business so licensed shall have a separate~~
15 ~~license for each business location within the State or outside~~
16 ~~the State when the business location is responsible for any~~
17 ~~installation or repair of fire sprinkler systems performed~~
18 ~~within the State.~~

19 ~~(g) When an individual proposes to do business in her or~~
20 ~~his own name, a license, when granted, shall be issued only to~~
21 ~~that individual.~~

22 ~~(h) If the applicant requesting licensure to engage in~~
23 ~~contracting is a business organization, such as a partnership,~~
24 ~~corporation, business trust, or other legal entity, the~~
25 ~~application shall state the name of the partnership and its~~
26 ~~partners, the name of the corporation and its officers and~~

1 ~~directors, the name of the business trust and its trustees, or~~
2 ~~the name of such other legal entity and its members and shall~~
3 ~~furnish evidence of statutory compliance if a fictitious name~~
4 ~~is used. Such application shall also show that the business~~
5 ~~entity employs a designated certified person as required under~~
6 ~~Section 20. The license, when issued upon application of a~~
7 ~~business organization, shall be in the name of the business~~
8 ~~organization and the name of the qualifying designated~~
9 ~~certified person shall be noted thereon.~~

10 (c) ~~(i)~~ No license is required for a person or business
11 that is engaged in the installation of fire sprinkler systems
12 only in single-family ~~single family~~ or multiple-family
13 ~~multiple family~~ residential dwellings up to and including 8
14 family units that do not exceed 2 1/2 stories in height from
15 the lowest grade level.

16 ~~(j)~~ ~~All fire protection system layout documents of fire~~
17 ~~sprinkler systems, as defined in Section 10 of this Act, shall~~
18 ~~be prepared by (i) a professional engineer who is licensed~~
19 ~~under the Professional Engineering Practice Act of 1989, (ii)~~
20 ~~an architect who is licensed under the Illinois Architecture~~
21 ~~Practice Act of 1989, or (iii) a holder of a valid NICET level~~
22 ~~3 or 4 certification in fire protection technology automatic~~
23 ~~sprinkler system layout who is either licensed under this Act~~
24 ~~or employed by an organization licensed under this Act.~~

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

1 (225 ILCS 317/16 new)

2 Sec. 16. Fire sprinkler contractor license.

3 (a) A person applying for or renewing a fire sprinkler
4 contractor license shall have a designated certified person
5 who meets the requirements pursuant to Section 20 or a
6 responsible managing employee pursuant to Section 120 employed
7 at the business location. The designated certified person or
8 responsible managing employee shall be identified on the
9 license application.

10 (b) A person applying for a fire sprinkler contractor
11 license shall show proof of having liability and property
12 damage insurance in such amounts and under such circumstances
13 as may be determined by the Office. The amount of liability and
14 property damage insurance, however, shall not be less than the
15 amount specified in Section 35.

16 (c) A person applying for a fire sprinkler contractor
17 license shall show proof of having workers' compensation
18 insurance covering its employees or be approved as a
19 self-insurer of workers' compensation in accordance with the
20 laws of this State.

21 (d) A fire sprinkler contractor licensee shall have a
22 separate license for each business location within the State
23 or outside the State when the business location is responsible
24 for any installation, repair, inspection, testing,
25 maintenance, or service of fire sprinkler systems performed
26 within the State.

1 (e) When an individual proposes to do business in his or
2 her own name, a license, when granted, shall be issued only to
3 that individual.

4 (f) If the applicant requesting licensure to engage in
5 contracting is a business organization, such as a partnership,
6 corporation, business trust, or other legal entity, the
7 application shall state the name of the partnership and its
8 partners, the name of the corporation and its officers and
9 directors, the name of the business trust and its trustees, or
10 the name of the other legal entity and its members and shall
11 furnish evidence of statutory compliance if a fictitious name
12 is used. Application for a fire sprinkler contractor license
13 shall also show that the business entity employs a designated
14 certified person or responsible managing employee. The
15 license, when issued upon application of a business
16 organization, shall be in the name of the business
17 organization and the name of the qualifying designated
18 certified person or responsible managing employee shall be
19 noted on the license. Changes to the information required in
20 this Section shall be reported to the Office within 30 days
21 after the change.

22 (g) Each fire sprinkler contractor shall be subject to
23 requirements for license renewal and continuing education
24 under Section 35.

1 Sec. 17. Fire sprinkler inspector license; application;
2 minimum qualifications.

3 (a) Any individual who performs inspection or testing of
4 any fire sprinkler system under this Act shall: (i) be
5 employed by a licensed fire sprinkler contractor; and (ii)
6 meet the minimum qualifications of this Section except where
7 the individual is exempted by subsection (c).

8 Beginning January 1, 2024, any individual who performs
9 inspection or testing of any fire sprinkler system under this
10 Act shall be individually licensed and possess on his or her
11 person a fire sprinkler inspector license including a photo
12 identification issued by the Office.

13 A person applying for an initial fire sprinkler inspector
14 license or renewing a fire sprinkler inspector license shall
15 demonstrate to the Office proof of minimum qualifications as
16 required by subsection (b) of this Section, except where the
17 individual is exempted by subsection (c).

18 (b) Any individual who performs inspection or testing of
19 any fire sprinkler system under this Act shall possess proof
20 of:

21 (1) certification by a nationally recognized
22 certification organization at an appropriate level, such
23 as NICET Level II certification in Inspection and Testing
24 of Water-Based Systems or the equivalent; or

25 (2) valid ASSE 15010 certification in inspection,
26 testing and maintenance for water-based fire protection

1 system; or

2 (3) satisfactory completion of a certified sprinkler
3 fitter apprenticeship program approved by the U.S.
4 Department of Labor.

5 (c) The following are exemptions to the licensing
6 requirements of this Section:

7 (1) State employees who perform inspection or testing
8 on behalf of State institutions and who meet the
9 requirements of subsection (b) need not be licensed under
10 this Section or employed by a fire sprinkler contractor
11 under this Act in order to perform inspection or testing
12 duties while engaged in the performance of their official
13 duties.

14 (2) The requirements of this Section do not apply to
15 individuals performing inspection or testing of fire
16 sprinkler systems on behalf of a municipality, a county, a
17 fire department, a fire protection district, or the Office
18 while engaged in the performance of their official duties.

19 (3) The requirements of this Section do not apply to a
20 stationary engineer, operating engineer, or other
21 individual employed on a full-time basis by the facility
22 owner or owner's representative performing weekly and
23 monthly inspections and tests in accordance with
24 applicable standards adopted under the rules.

25 (4) The requirements of this Section do not apply to
26 licensed fire pump contractor employees performing

1 inspection or testing within the scope of the license.

2 (d) Each fire sprinkler inspector shall be subject to the
3 requirements for license renewal and continuing education
4 under Section 35.

5 (225 ILCS 317/18 new)

6 Sec. 18. Fire pump contractor license.

7 (a) A person applying for or renewing a fire pump
8 contractor license shall have a designated responsible person
9 who meets the requirements of Section 21 employed at the
10 business location. The designated responsible person shall be
11 identified on the license application.

12 (b) A person applying for a fire pump contractor license
13 shall show proof of having liability and property damage
14 insurance in such amounts and under such circumstances as may
15 be determined by the Office. The amount of liability and
16 property damage insurance, however, shall not be less than the
17 amount specified in Section 35.

18 (c) A person applying for a fire pump contractor license
19 shall show proof of having workers' compensation insurance
20 covering its employees or be approved as a self-insurer of
21 workers' compensation in accordance with the laws of this
22 State.

23 (d) A fire pump contractor licensee shall have a separate
24 license for each business location within the State or outside
25 the State when the business location is responsible for any

1 installation, repair, inspection, testing, maintenance, or
2 service of fire pumps, jockey pumps, controllers, and the
3 associated specialty equipment unique to the fire pump and
4 jockey pump assembly, drivers, and their controllers performed
5 within the State.

6 (e) When an individual proposes to do business in his or
7 her own name, a license, when granted, shall be issued only to
8 that individual.

9 (f) If the applicant requesting licensure to engage in
10 contracting is a business organization, such as a partnership,
11 corporation, business trust, or other legal entity, the
12 application shall state the name of the partnership and its
13 partners, the name of the corporation and its officers and
14 directors, the name of the business trust and its trustees, or
15 the name of the other legal entity and its members and shall
16 furnish evidence of statutory compliance if a fictitious name
17 is used. The license, when issued upon application of a
18 business organization, shall be in the name of the business
19 organization and the name of the qualifying designated
20 responsible person shall be noted on the license. Application
21 for a fire pump contractor license shall also show that the
22 business entity employs a designated responsible person.
23 Changes to the information required in this Section shall be
24 reported to the Office within 30 days after the change.

25 (g) Each fire pump contractor shall be subject to the
26 requirements for license renewal and continuing education

1 under Section 35.

2 (h) The fire pump contractor license is limited to the
3 installation, repair, inspection, testing (including, but not
4 limited to, acceptance testing and annual testing),
5 maintenance, and service of fire pumps, jockey pumps,
6 controllers, and the associated specialty equipment unique to
7 the fire pump and jockey pump assemblies, both electric and
8 mechanical, but limited to the fire pump, jockey pump, the
9 driver, and the controller. The repair, replacement, or
10 service of other components that are routinely employed in the
11 construction of fire sprinkler systems, but which may also be
12 present in the fire pump and jockey pump assemblies or the room
13 in which the fire pump and jockey pump assemblies are located,
14 are not covered by the fire pump contractor license.

15 (i) Certificates from any manufacturer by whom a fire pump
16 contractor employee is manufacturer certified shall be kept on
17 file by all fire pump contractors.

18 (j) A person, firm, or corporation that manufactures or
19 sells fire pumps, jockey pumps, or controllers only from its
20 place of business and does not install, repair, alter,
21 replace, inspect, test, maintain, or service fire pumps,
22 jockey pumps, controllers or other associated specialty
23 equipment is not required to be licensed.

24 (225 ILCS 317/19 new)

25 Sec. 19. Fire pump contractor employee license;

1 application; minimum qualifications.

2 (a) Any individual who performs inspection or testing of
3 fire pumps, jockey pumps, controllers, and the associated
4 specialty equipment unique to the fire pump and jockey pump
5 assembly, drivers, and their controllers under this Act shall
6 be licensed and possess on his or her person a fire pump
7 contractor employee license, including a photo identification
8 issued by the Office, except where the individual is exempted
9 by subsection (d).

10 (b) An individual applying for an initial fire pump
11 contractor employee license or renewing a fire pump contractor
12 employee license shall demonstrate to the Office proof of the
13 following:

14 (1) current employment by a fire pump contractor;

15 (2) current manufacturer certification for fire pump
16 equipment from at least one manufacturer of fire pumps;

17 (3) current manufacturer certification for controller
18 equipment from at least 2 manufacturers of fire pump
19 controllers; and

20 (4) experience that includes active participation in
21 the safe performance of at least 50 inspections and tests
22 of fire pumps.

23 (c) In order to perform inspection or testing of any fire
24 pumps, jockey pumps, controllers, and the associated specialty
25 equipment unique to the fire pump and jockey pump assembly,
26 drivers, and their controllers, a fire pump contractor

1 employee shall be employed by a fire pump contractor. When a
2 fire pump contractor employee is no longer employed by a fire
3 pump contractor, the license shall be invalid.

4 (d) The following are exemptions to the licensing
5 requirements of this Section:

6 (1) A licensed fire sprinkler inspector performing
7 work for a fire sprinkler contractor is not required to be
8 licensed under this Section.

9 (2) Employees of a person, firm, or corporation that
10 manufactures or sells fire pumps, jockey pumps, or
11 controllers only from its place of business and does not
12 install, repair, alter, replace, inspect, test, maintain,
13 or service fire pumps, jockey pumps, controllers, or other
14 associated specialty equipment are not required to be
15 licensed.

16 (e) Each fire pump contractor employee shall be subject to
17 the requirements for license renewal and continuing education
18 under Section 35.

19 (225 ILCS 317/20)

20 Sec. 20. Designated certified person requirements; change
21 of a designated certified person.

22 (a) A designated certified person shall ~~must~~ either be a
23 current Illinois licensed professional engineer pursuant to
24 the Professional Engineering Practice Act of 1989 or hold a
25 valid NICET Level III ~~level 3~~ or higher certification in

1 water-based fire protection systems layout ~~"fire protection~~
2 ~~technology, automatic sprinkler system layout"~~.

3 (b) At least one member of every firm, association, or
4 partnership and at least one ~~corporate~~ officer of every
5 corporation engaged in the installation, ~~and~~ repair,
6 inspection, testing, or maintenance of fire sprinkler systems
7 shall ~~must~~ be a designated certified person.

8 (c) A designated certified person shall ~~must~~ be employed
9 by the fire sprinkler contractor licensee at each ~~a~~ business
10 location with a valid license.

11 (d) A designated certified person shall ~~must~~ perform his
12 or her normal duties at a business location with a valid
13 license.

14 (e) A designated certified person may only be the
15 designated certified person for one business location and one
16 business entity.

17 (f) A designated certified person shall ~~must~~ be directly
18 involved in supervision. The designated certified person does
19 not, however, have to be at the site of the installation, ~~or~~
20 repair, inspection, testing, or maintenance of the fire
21 sprinkler system at all times.

22 (g) A designated certified person shall provide an
23 affirmative statement acknowledging his or her role as the
24 designated certified person for the fire sprinkler contractor.

25 (h) When a fire sprinkler contractor is without a
26 designated certified person, the fire sprinkler contractor

1 shall notify the Office in writing within 30 days and shall
2 employ a designated certified person no later than 180 days
3 from the time the position of designated certified person
4 becomes vacant. Failing to fill the vacant position shall
5 cause the fire sprinkler contractor license to expire without
6 further operation of law.

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

8 (225 ILCS 317/21 new)

9 Sec. 21. Designated responsible person requirements;
10 change of a designated responsible person.

11 (a) A designated responsible person shall demonstrate to
12 the Office proof of the following:

13 (1) current manufacturer certification for fire pump
14 equipment from at least one manufacturer of fire pumps;

15 (2) current manufacturer certification for controller
16 equipment from at least 3 manufacturers of fire pump
17 controllers; and

18 (3) experience that includes active participation in
19 the safe performance of at least 75 inspections and tests
20 of fire pumps.

21 (b) At least one member of every firm, association, or
22 partnership and at least one officer of every corporation
23 engaged in the installation, repair, inspection, testing, or
24 maintenance of fire pumps, jockey pumps, and associated
25 specialty equipment shall be a designated responsible person.

1 (c) A designated responsible person shall be employed by
2 the fire pump contractor at each business location with a
3 valid license.

4 (d) A designated responsible person shall perform his or
5 her normal duties at a business location with a valid license.

6 (e) A designated responsible person may only be the
7 designated responsible person for one business location and
8 one business entity.

9 (f) A designated responsible person shall be directly
10 involved in supervision. The designated responsible person
11 does not, however, have to be at the site of the installation,
12 repair, inspection, testing, or maintenance of the fire pumps,
13 jockey pumps, and associated specialty equipment at all times.

14 (g) A designated responsible person shall provide an
15 affirmative statement acknowledging his or her role as the
16 designated responsible person for the fire pump contractor.

17 (h) When a fire pump contractor is without a designated
18 responsible person, the fire pump contractor shall notify the
19 Office in writing within 30 days and shall employ a designated
20 responsible person no later than 180 days from the time the
21 position of designated responsible person becomes vacant.
22 Failing to fill the vacant position shall cause the fire pump
23 contractor license to expire without further operation of law.

24 (225 ILCS 317/22 new)

25 Sec. 22. Licenses; photo exemption. An applicant who is 21

1 years of age or older seeking a religious exemption to the
2 requirement under this Act that all licenses contain the
3 licensees' photo shall furnish with his or her application an
4 approved copy of United States Department of the Treasury
5 Internal Revenue Service Form 4029. Regardless of age, an
6 applicant seeking a religious exemption to this photo
7 requirement shall submit fingerprints in a form and manner
8 prescribed by the Office with his or her application in lieu of
9 a photo.

10 (225 ILCS 317/30)

11 Sec. 30. Requirements for the installation, repair,
12 inspection, ~~and~~ testing, maintenance, and service of fire
13 protection systems.

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

23 (b) Equipment shall be installed, repaired, inspected,
24 tested, and maintained in accordance with the applicable
25 standards as adopted in the rules ~~of the National Fire~~

1 ~~Protection Association~~ and the manufacturer's specifications.

2 (c) The contractor shall furnish the user with operating
3 instructions for all equipment installed, together with
4 as-built plans ~~a diagram~~ of the final installation.

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

13 (e) (Blank). ~~This licensing Act is not intended to require~~
14 ~~any additional fire inspections at State level.~~

15 (f) Inspections Before January 1, 2022, ~~inspection~~ and
16 testing of ~~existing~~ fire sprinkler systems and control
17 equipment shall ~~must~~ be performed by an individual qualified
18 under Section 17 or, to the extent permitted by this Act, an
19 individual qualified under Section 19 ~~a licensee or an~~
20 ~~individual employed or contracted by a licensee.~~ A copy of the
21 inspection report for an inspection or testing of a fire
22 sprinkler system shall be sent to the local fire jurisdiction
23 as provided by subsection (a) of Section 31. ~~Any individual~~
24 ~~who performs inspection and testing duties under this~~
25 ~~subsection (f) must possess proof of (i) certification by a~~
26 ~~nationally recognized certification organization at an~~

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

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

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

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

1 ~~fire protection district, or the Office of the State Fire~~
2 ~~Marshal. This subsection (f) does not apply to a stationary~~
3 ~~engineer, operating engineer, or other individual employed on~~
4 ~~a full-time basis by the facility owner or owner's~~
5 ~~representative performing weekly and monthly inspections and~~
6 ~~tests in accordance with applicable National Fire Protection~~
7 ~~Association standards.~~

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

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

19 (225 ILCS 317/31 new)

20 Sec. 31. Reporting inspection and testing activity.

21 (a) A copy of the inspection report for an inspection or
22 testing of a fire sprinkler system shall be forwarded by the
23 entity performing the inspection or testing to the local fire
24 department or fire protection district in which the fire
25 sprinkler system is located within 20 business days after the

1 inspection or testing or within the time frame required by the
2 local fire department or fire protection district, whichever
3 is less.

4 The inspection or testing report shall include: (1) the
5 name and license number of the individual or individuals who
6 performed the inspection or testing; and (2) the name and
7 license number of the fire sprinkler contractor or fire pump
8 contractor by whom the individual or individuals are employed.

9 (b) Beginning on January 1, 2023, each fire sprinkler
10 contractor or fire pump contractor shall submit an activity
11 report of inspection and testing activities conducted by the
12 fire sprinkler contractor and its employees or by the fire
13 pump contractor and its employees to the Office on a periodic
14 basis as determined by the Office. Specific requirements of
15 the report shall be determined by the Office but shall
16 include: (1) the fire sprinkler system or fire sprinkler
17 systems on which inspection or testing occurred; and (2) the
18 name and license number of the individual or individuals who
19 performed the inspection or testing.

20 (225 ILCS 317/35)

21 Sec. 35. Fees, renewals, continuing education, and
22 required insurance.

23 (a) The fees for an initial ~~original~~ license and each
24 renewal and for duplicate copies of licenses shall be
25 determined by the Office ~~State Fire Marshal~~ by rule.

1 (b) Each license shall ~~must~~ be renewed every 2 years. Each
2 licensee shall ~~must~~ complete at least 16 hours of continuing
3 education in the 2-year period following the licensee's ~~his or~~
4 ~~her~~ renewal or initial licensure, with at least 8 hours of
5 continuing education completed during each year of the current
6 license ~~after the effective date of this amendatory Act of the~~
7 ~~97th General Assembly.~~

8 To satisfy the continuing education requirement for fire
9 sprinkler contractors, continuing education shall be completed
10 by the designated certified person or responsible managing
11 employee on behalf of the fire sprinkler contractor licensee.
12 To satisfy the continuing education requirement for fire pump
13 contractors, continuing education shall be completed by the
14 designated responsible person on behalf of the fire pump
15 contractor licensee. Current licensure as a professional
16 engineer or proof of current NICET ~~certification in~~ Level III
17 or IV certification in water-based fire protection systems
18 layout shall satisfy the continuing education ~~this~~ requirement
19 for designated certified persons.

20 Continuing education offered through nationally recognized
21 building and fire code organizations and their affiliates;
22 nationally recognized fire sprinkler organizations and their
23 affiliates; institutions of higher education; educational
24 bodies specializing in automatic fire suppression system
25 technology; as well as other entities approved by the Office
26 ~~State Fire Marshal~~ shall be also acceptable. All continuing

1 education entities seeking to be approved providers of
2 continuing education shall make application to the Office
3 ~~State Fire Marshal~~ and offer programs that:

4 (1) contribute to the advancement, extension, or
5 enhancement of the professional skills or technical
6 knowledge of the licensee in the practice of fire
7 sprinkler contracting; and

8 (2) are developed and presented by persons with
9 education or experience in the subject manner of the
10 program.

11 (c) Any person who fails to file a renewal application by
12 the date of expiration of a license shall be assessed a late
13 filing fee charge, which shall be determined by the Office
14 ~~State Fire Marshal~~ by rule.

15 (d) ~~All fees shall be paid by check or money order.~~ Any fee
16 required by this Act is not refundable in the event that the
17 initial original application or application for renewal is
18 denied.

19 (e) Every application for an initial original license or
20 renewal of a fire sprinkler contractor license or fire pump
21 contractor license shall be accompanied by a certificate of
22 insurance issued by an insurance company authorized to do
23 business in the State of Illinois or by a risk retention or
24 purchasing group formed pursuant to the federal Liability Risk
25 Retention Act of 1986, which provides primary, first dollar
26 public liability coverage of the applicant or licensee for

1 personal injuries for not less than \$500,000 per person or
2 \$1,000,000 per occurrence, and, in addition, for not less than
3 \$1,000,000 per occurrence for property damage. The insurance
4 policy shall be in effect at all times during the license year
5 and a new certificate of insurance shall be filed with the
6 Office ~~State Fire Marshal~~ within 30 days after the renewal of
7 the insurance policy.

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

9 (225 ILCS 317/40)

10 Sec. 40. Deposit of fines and fees; appropriation. All
11 administrative civil fines and fees collected pursuant to the
12 Act shall be deposited into the Fire Prevention Fund, a
13 special fund in the State treasury. ~~The General Assembly shall~~
14 ~~appropriate the amount annually collected as administrative~~
15 ~~civil fines and fees to the State Fire Marshal for the purposes~~
16 ~~of administering this Act.~~

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

18 (225 ILCS 317/45)

19 Sec. 45. Home rule. A home rule unit may not regulate the
20 service ~~installation and repair~~ of fire sprinkler systems in a
21 manner less restrictive than the regulation by the State on
22 the service ~~installation and repair~~ of fire sprinkler systems
23 under this Act. This Section is a limitation under subsection
24 (i) of Section 6 of Article VII of the Illinois Constitution on

1 the concurrent exercise by home rule units of powers and
2 functions exercised by the State.

3 The changes made to this Section by this amendatory Act of
4 the 102nd General Assembly are intended to be a restatement
5 and clarification of existing law.

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

7 (225 ILCS 317/50)

8 Sec. 50. Powers and duties of the Office ~~State Fire~~
9 ~~Marshal~~. The Office ~~State Fire Marshal~~ has all of the
10 following powers and duties:

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

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

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

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

18 (e) To adopt ~~promulgate~~ rules ~~and regulations~~ and
19 incorporate standards necessary for the administration of this
20 Act and to enforce the rules and standards adopted under the
21 Act or its rules.

22 (f) To investigate applications, complaints, and
23 allegations of violations associated with this Act.

24 (g) To establish a database of all fire sprinkler systems
25 and persons involved in the inspection or testing of fire

1 sprinkler systems.

2 (h) To establish fee schedules for licenses and
3 registrations.

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

5 (225 ILCS 317/55)

6 Sec. 55. Rules; public hearing. Subject to the requirement
7 for public hearings as provided in this Section, the Office
8 ~~State Fire Marshal~~ shall ~~promulgate,~~ publish, and adopt, and
9 may, from time to time, amend such rules as may be necessary
10 for the proper enforcement of this Act, to protect the health
11 and safety of the public. The Office ~~State Fire Marshal~~ shall
12 hold a public hearing prior to the adoption or amendment of
13 rules required under this Act. The Office ~~State Fire Marshal~~
14 may, when necessary, utilize the services of any other State
15 agency to assist in carrying out the purposes of this Act.

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

17 (225 ILCS 317/60)

18 Sec. 60. Grounds for disciplinary action. The following
19 constitute grounds for disciplinary action by the Office ~~State~~
20 ~~Fire Marshal~~:

21 (1) Violation of any provision of this Act or rules or
22 standards adopted under this Act or its rules ~~or of any rule~~
23 ~~adopted pursuant thereto.~~

24 (2) Violation of the applicable building, fire, or life

1 safety codes or laws of this State or any municipality or
2 county thereof.

3 (3) Diversion of funds or property received for
4 prosecution or completion of a specified construction project
5 or operation when, as a result of the diversion, the
6 contractor is, or will be, unable to fulfill the terms of his
7 or her ~~her or his~~ obligation or contract.

8 (4) Any final disciplinary ~~Disciplinary~~ action by any
9 municipality or county of this State, which action shall be
10 reviewed by the Office ~~State Fire Marshal~~ before the Office
11 takes ~~taking~~ any disciplinary action.

12 (5) Failure to supervise the installation, repair,
13 inspection, testing, maintenance, or service of the fire
14 sprinkler ~~protection~~ system performed ~~covered by the~~
15 ~~installation permit signed~~ by the contractor.

16 (6) Rendering a fire sprinkler ~~protection~~ system,
17 standpipe system, or underground water supply main connecting
18 to the system inoperative except when the fire sprinkler
19 ~~protection~~ system, standpipe system, or underground water
20 supply main is being inspected, serviced, tested, or repaired
21 or pursuant to court order.

22 (7) Improperly installing, maintaining, servicing,
23 repairing, testing, or inspecting a fire sprinkler ~~protection~~
24 system, standpipe system, or underground water supply main
25 connecting to the system based upon applicable standards of
26 this Act or as adopted by rule.

1 (8) Failing to provide proof of insurance to the Office
2 ~~State Fire Marshal~~ or failing to maintain in force the
3 insurance coverage required by this Act.

4 (9) Failing to obtain, retain, or maintain one or more of
5 the qualifications for a designated certified person,
6 responsible managing employee, or designated responsible
7 person as specified in this Act.

8 (10) Making a material misstatement or misrepresentation
9 or committing a fraud in obtaining or attempting to obtain a
10 license.

11 (11) Failing to notify the Office ~~State Fire Marshal~~, in
12 writing, within 30 days after a change of residence address,
13 principal business address, ~~or~~ name, designated certified
14 person, responsible managing employee, or designated
15 responsible person.

16 (12) Failure to supply within a reasonable time, upon
17 request from the Office ~~State Fire Marshal~~ or its authorized
18 representative, true information regarding material used, work
19 performed, or other information essential to the
20 administration of this Act.

21 (13) Aiding or assisting ~~abetting~~ a person to violate any
22 ~~a~~ provision of this Act or its rules, or conspiring with any
23 person to violate any ~~a~~ provision of this Act or its rules, ~~or~~
24 ~~allowing a license to be used by another person~~.

25 (14) Discipline by another U.S. jurisdiction if at least
26 one of the grounds for the discipline is the same or

1 substantially equivalent to those set forth in this Section.

2 (15) Improperly advertising services for installing,
3 maintaining, servicing, repairing, testing, or inspecting a
4 fire sprinkler system.

5 (16) Making a material misstatement or misrepresentation
6 or committing fraud in the installation, repair, inspection,
7 testing, maintenance, or service of a fire sprinkler system,
8 standpipe system, or underground water supply main connecting
9 to the system.

10 (17) Conviction by plea of guilty or nolo contendere,
11 finding of guilt, jury verdict, or entry of judgment or by
12 sentencing of any crime, including, but not limited to,
13 convictions, preceding sentences of supervision, conditional
14 discharge, or first offender probation, under the laws of any
15 jurisdiction of the United States that is a felony or
16 misdemeanor, an essential element of which is dishonesty, or
17 that is directly related to the business practices or the
18 installation, repair, inspection, testing, maintenance, or
19 service of a fire sprinkler system, standpipe system, or
20 underground water supply main connecting to the system.

21 (18) Directly or indirectly willfully receiving
22 compensation for any professional service related to the
23 license, not properly or actually rendered, including
24 inspections.

25 (19) Permitting the use of a license issued under this Act
26 to enable an unlicensed person or agency to operate as a

1 licensee.

2 (20) Failing to provide notice of service on an
3 unregistered system occurring on or after January 1, 2027 to
4 the Office within 15 business days after the day on which
5 service first occurred.

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

7 (225 ILCS 317/62 new)

8 Sec. 62. Unlicensed practice; violation; civil penalty.

9 (a) Any person, entity, or business that offers fire
10 sprinkler contractor or fire pump contractor services under
11 this Act without being licensed or exempt under this Act
12 shall, in addition to any other penalty provided by law, pay a
13 civil penalty, which shall be deposited into the Fire
14 Prevention Fund, in an amount not to exceed \$10,000 for each
15 offense, as determined by the Office. The civil penalty shall
16 be assessed by the Office after a hearing is held in accordance
17 with the provisions of this Act regarding the provision of a
18 hearing for the discipline of a licensee.

19 (b) Use of the title fire sprinkler inspector is limited
20 to those individuals licensed under this Act. Any person who
21 practices, offers to practice, attempts to practice, or holds
22 himself or herself out to practice as a fire sprinkler
23 inspector without being licensed or exempt under this Act
24 shall, in addition to any other penalty provided by law, pay a
25 civil penalty, which shall be deposited into the Fire

1 Prevention Fund, in an amount not to exceed \$10,000 for each
2 offense, as determined by the Office. The civil penalty shall
3 be assessed by the Office after a hearing is held in accordance
4 with the provisions in this Act regarding the provision of a
5 hearing for the discipline of a licensee.

6 (c) The Office may investigate any actual, alleged, or
7 suspected unlicensed activity.

8 (d) The civil penalty shall be paid within 60 days after
9 the effective date of the order imposing the civil penalty.
10 The order shall constitute a final judgment and may be filed
11 and execution had thereon in the same manner as any judgment
12 from any court of record.

13 (225 ILCS 317/65)

14 Sec. 65. Notice; administrative action; suspension,
15 revocation, or refusal to renew a license.

16 (a) Whenever the Office ~~State Fire Marshal~~ determines that
17 there are reasonable grounds to believe that a licensee has
18 violated a provision of this Act or the rules or standards
19 adopted under this Act or its rules, the Office ~~State Fire~~
20 ~~Marshal~~ shall give notice of the alleged violation ~~to the~~
21 ~~person whom the license was issued~~. The notice shall (i) be
22 in writing and (ii) include a statement of the alleged
23 violation which necessitates issuance of the notice; ~~(iii)~~
24 ~~contain an outline of remedial action that, if taken, will~~
25 ~~effect compliance with the provisions of this Act and the~~

1 ~~rules adopted under this Act; (iv) prescribe a reasonable~~
2 ~~time, as determined by the State Fire Marshal, for the~~
3 ~~performance of any action required by the notice; and (v) be~~
4 ~~served upon the licensee.~~ The notice shall be deemed to have
5 been properly served upon the person when a copy of the notice
6 has been sent by registered or certified mail to the person's
7 ~~his or her~~ last known address as furnished to the Office State
8 ~~Fire Marshal~~ or when the person ~~he or she~~ has been served the
9 notice by any other method authorized by law.

10 (b) If the person to whom the notice is served does not
11 abate the violation ~~comply with the terms of the notice within~~
12 ~~the time limitations specified in the notice,~~ the Office State
13 ~~Fire Marshal~~ may proceed with action, including civil and
14 administrative fines, penalties, suspension, revocation, and
15 refusal to suspend, revoke, or refuse to issue or renew a
16 license as provided in this Act Section.

17 (c) (Blank). ~~Other requirements of this Act~~
18 ~~notwithstanding, when the State Fire Marshal determines that~~
19 ~~reasonable grounds exist to indicate that a violation of this~~
20 ~~Act has been committed and the violation is the third separate~~
21 ~~violation by that person in an 18-month period, the notice~~
22 ~~requirement of subsection (a) of this Section is waived and~~
23 ~~the State Fire Marshal may proceed immediately with action to~~
24 ~~suspend, revoke, or refuse to issue a license.~~

25 (d) In any proceeding to administratively fine, penalize,
26 suspend, revoke, or refuse to issue or renew a license, the

1 ~~Office State Fire Marshal~~ shall first serve or cause to be
2 served upon the person licensee a written notice of the
3 ~~Office's State Fire Marshal's~~ intent to take action. The
4 notice shall specify the way in which the person has failed to
5 comply with this Act or any other rules or standards of the
6 ~~Office State Fire Marshal~~. The notice shall be deemed to have
7 been properly served upon the person when a copy of the notice
8 has been sent by registered or certified mail to the person's
9 last known address as furnished to the State Fire Marshal or
10 when the person has been served the notice by any other method
11 authorized by law.

12 (e) In the case of revocation or suspension, the notice
13 shall require the person to remove or abate the violation or
14 objectionable condition specified in the notice within 10 ~~5~~
15 days. The ~~Office State Fire Marshal~~ may specify a longer
16 period of time as it deems necessary. If the person fails to
17 comply with the terms and conditions of the revocation or
18 suspension notice within the time specified by the ~~Office~~
19 ~~State Fire Marshal~~, the ~~Office State Fire Marshal~~ may
20 summarily revoke or suspend the license.

21 (f) ~~If In the case of refusal to issue a license, if~~ the
22 person has violated or fails to comply with the Act or rules or
23 standards adopted promulgated under this the Act or its rules,
24 the ~~Office State Fire Marshal~~ may refuse to issue or renew a
25 license.

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

1 (225 ILCS 317/70)

2 Sec. 70. Administrative hearing. The Office ~~State Fire~~
3 ~~Marshal~~ shall give written notice by certified or registered
4 mail to an applicant, or licensee, or person of the Office's
5 ~~State Fire Marshal's~~ intent to suspend, revoke, or refuse to
6 issue or renew a license or to assess a fine. Such person has a
7 right to a hearing before the Office ~~State Fire Marshal~~. A
8 written notice of a request for a hearing shall be served on
9 the Office ~~State Fire Marshal~~ within 10 days of notice of the
10 refusal, suspension, or revocation of a license or imposition
11 of a fine. The hearing shall be conducted by the Office ~~State~~
12 ~~Fire Marshal~~ or a hearing officer designated in writing by the
13 Office ~~State Fire Marshal~~. A stenographic record shall be made
14 of the hearing and the cost of the hearing shall be borne by
15 the Office ~~State Fire Marshal~~. A transcript of the hearing
16 shall be made only upon request of the applicant, or licensee,
17 or person and shall be transcribed at the cost of that person.

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

19 (225 ILCS 317/75)

20 Sec. 75. Subpoena powers; administration of oath. The
21 Office ~~State Fire Marshal~~ or hearing officer may compel by
22 subpoena or subpoena duces tecum the attendance and testimony
23 of witnesses and the production of books and papers. All
24 subpoenas issued by the Office ~~State Fire Marshal~~ or hearing

1 officer may be served as provided for in a civil action. The
2 fees of witnesses for attendance and travel shall be the same
3 as the fees for witnesses before the circuit court and shall be
4 paid by the party at whose request the subpoena is issued. If
5 such subpoena is issued at the request of the Office ~~State Fire~~
6 ~~Marshal~~, the witness fee shall be paid as an administrative
7 expense.

8 In the case of refusal of a witness to attend or testify or
9 to produce books or papers concerning any matter upon which he
10 or she might be lawfully examined, the circuit court of the
11 county where the hearing is held, upon application of any
12 party to the proceeding, may compel obedience by a proceeding
13 for contempt.

14 The Office ~~State Fire Marshal~~ or hearing officer has the
15 authority to administer oaths to witnesses.

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

17 (225 ILCS 317/80)

18 Sec. 80. Deposition of witnesses; testimony at hearing
19 recorded. In the event of the inability of any party or the
20 Office ~~State Fire Marshal~~ to procure the attendance of
21 witnesses to give testimony or produce books and papers, the
22 party or the Office ~~State Fire Marshal~~ may take the deposition
23 of witnesses in accordance with the laws of this State. All
24 testimony taken at a hearing shall be reduced to writing and
25 all such testimony and other evidence introduced at the

1 hearing shall be a part of the record of the hearing.

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

3 (225 ILCS 317/85)

4 Sec. 85. Certification of record. The Office ~~State Fire~~
5 ~~Marshal~~ is not required to certify any record or file any
6 answer or otherwise appear in any proceeding for judicial
7 review unless the party filing the complaint deposits with the
8 clerk of the court the sum of one dollar per page representing
9 the costs of the certification. Failure on the part of the
10 plaintiff to make the deposit shall be grounds for dismissal
11 of the action.

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

13 (225 ILCS 317/90)

14 Sec. 90. Injunction. Unlicensed, faulty, or noncompliant
15 ~~Faulty~~ fire sprinkler installation, ~~and~~ repair, inspection,
16 testing, maintenance, and service is declared a violation of
17 this Act and inimical to the public health, welfare, and
18 safety and a deceptive business practice. If any person
19 violates the provisions of this Act, the Office may, in the
20 name of the People of the State of Illinois, through the
21 Attorney General, petition, in a circuit court of competent
22 jurisdiction, for an order enjoining such violation or for an
23 order enforcing compliance with this Act. Upon the filing of a
24 verified petition in such court, the court may issue a

1 temporary restraining order, without notice or bond, and may
2 preliminarily and permanently enjoin such violation, and if it
3 is established that such person has violated or is violating
4 the injunction the court may punish the offender for contempt
5 of court. Proceedings under this Section shall be in addition
6 to, and not in lieu of, all other remedies and penalties
7 provided by this Act ~~The State Fire Marshal, in the name of the~~
8 ~~People of the State, through the Attorney General or the~~
9 ~~State's Attorney of the county in which the violation occurs~~
10 ~~may, in addition to other remedies herein provided, bring an~~
11 ~~action for an injunction to restrain such violation or enjoin~~
12 ~~the future performance of the person who committed the~~
13 ~~violation until compliance with the provisions of this Act has~~
14 ~~been obtained.~~

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

16 (225 ILCS 317/95)

17 Sec. 95. Penalty. Any person who violates this Act or any
18 rule adopted by the Office ~~State Fire Marshal~~, or who violates
19 any determination or order of the Office ~~State Fire Marshal~~
20 under this Act shall be guilty of a Class A misdemeanor and
21 shall be fined a sum not less than \$100.

22 Each day's violation constitutes a separate offense. The
23 State's Attorney of the county in which the violation occurred
24 or the Attorney General shall bring such actions in the name of
25 the people of the State of Illinois.

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

2 (225 ILCS 317/100)

3 Sec. 100. Administrative civil fines. The Office ~~State~~
4 ~~Fire Marshal~~ is empowered to assess administrative civil fines
5 against a licensee for violations of this Act or its rules.
6 These fines shall not be greater than \$1,000 for each offense.
7 These fines shall be in addition to, or in lieu of, license
8 suspensions and revocations. Rules to implement this Section
9 shall be adopted by the Office ~~State Fire Marshal~~ ~~within 6~~
10 ~~months after the effective date of this Act.~~

11 The hearing officer shall, upon determination that a
12 violation of the Act or rules has occurred, determine the
13 amount of these fines. Any fine assessed and not paid within 60
14 days after receiving notice of the fine from the Office ~~State~~
15 ~~Fire Marshal~~ may be submitted to the Attorney General's office
16 for collection. Failure to pay a fine shall also be grounds for
17 immediate suspension or revocation of a license issued under
18 this Act.

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

20 (225 ILCS 317/105)

21 Sec. 105. Judicial review of final administrative
22 decision. The Administrative Review Law and the rules adopted
23 under the Administrative Review Law apply to and govern all
24 proceedings for judicial review of final administrative

1 decisions of the Office ~~State Fire Marshal~~ under this Act.
2 Such judicial review shall be had in the circuit court of the
3 county in which the cause of the action arose. The term
4 "administrative decision" is defined in Section 3-101 of the
5 Code of Civil Procedure.

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

7 (225 ILCS 317/110)

8 Sec. 110. Illinois Administrative Procedure Act. The
9 provisions of the Illinois Administrative Procedure Act are
10 hereby expressly adopted and shall apply to all administrative
11 rules and procedures of the Office ~~State Fire Marshal~~ under
12 this Act, except that, in the case of conflict between the
13 Illinois Administrative Procedure Act and this Act, the
14 provisions of this Act shall control, and except that Section
15 5-35 of the Illinois Administrative Procedure Act relating to
16 procedures for rule-making does not apply to the adoption of
17 any rule required by federal law in connection with which the
18 Office ~~State Fire Marshal~~ is precluded by law from exercising
19 any discretion.

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

21 (225 ILCS 317/120)

22 Sec. 120. Grandfather clause. Any person or business that,
23 as of January 3, 2003 was ~~the effective date of this Act,~~ is
24 installing or repairing fire sprinkler systems in the State of

1 Illinois and had ~~has~~ a minimum of 3 years of experience in
2 installing or repairing fire sprinkler systems before January
3 3, 2003 is exempt from having a designated certified person as
4 required in Section 20. A fire sprinkler contractor that is
5 exempt from having a designated certified person shall have a
6 responsible managing employee.

7 However, beginning July 1, 2021, no person or business
8 organization shall be issued an initial fire sprinkler
9 contractor license using such exemption.

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

11 (225 ILCS 317/25 rep.)

12 Section 10. The Fire Sprinkler Contractor Licensing Act is
13 amended by repealing Section 25.

14 Section 99. Effective date. This Act takes effect upon
15 becoming law, except that the provisions adding Sections 18,
16 19, and 21 to the Fire Sprinkler Contractor Licensing Act take
17 effect January 1, 2024.

1 INDEX

2 Statutes amended in order of appearance

- 3 225 ILCS 317/5
- 4 225 ILCS 317/10
- 5 225 ILCS 317/11 new
- 6 225 ILCS 317/12
- 7 225 ILCS 317/14 new
- 8 225 ILCS 317/15
- 9 225 ILCS 317/16 new
- 10 225 ILCS 317/17 new
- 11 225 ILCS 317/18 new
- 12 225 ILCS 317/19 new
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- 20 225 ILCS 317/45
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- 24 225 ILCS 317/62 new
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- 1 225 ILCS 317/70
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- 9 225 ILCS 317/110
- 10 225 ILCS 317/120
- 11 225 ILCS 317/25 rep.