

HB1351



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB1351

Introduced 1/31/2023, by Rep. Dan Ugaste

SYNOPSIS AS INTRODUCED:

225 ILCS 441/5-5

Amends the Home Inspector License Act. In provisions concerning exemptions to licensing requirements, provides that licensing requirements do not apply to any person holding a professional degree from a program accredited by the National Architectural Accrediting Board or the Canadian Architectural Certification Board.

LRB103 05087 AMQ 50101 b

A BILL FOR

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 Home Inspector License Act is amended by
5 changing Section 5-5 as follows:

6 (225 ILCS 441/5-5)

7 (Section scheduled to be repealed on January 1, 2027)

8 Sec. 5-5. Necessity of license; use of title; exemptions.

9 (a) It is unlawful for any person, including any entity,
10 to act or assume to act as a home inspector, to engage in the
11 business of home inspection, to develop a home inspection
12 report, to practice as a home inspector, or to advertise or
13 hold oneself out to be a home inspector without a home
14 inspector license issued under this Act. A person who violates
15 this subsection is guilty of a Class A misdemeanor for the
16 first offense and a Class 4 felony for the second and any
17 subsequent offenses.

18 (b) It is unlawful for any person, other than a person who
19 holds a valid home inspector license issued pursuant to this
20 Act, to use the title "home inspector" or any other title,
21 designation, or abbreviation likely to create the impression
22 that the person is licensed as a home inspector pursuant to
23 this Act. A person who violates this subsection is guilty of a

1 Class A misdemeanor.

2 (c) The licensing requirements of this Article do not
3 apply to:

4 (1) any person who is employed as a code enforcement
5 official by the State of Illinois or any unit of local
6 government, while acting within the scope of that
7 government employment;

8 (2) any person licensed in this State by any other law
9 who is engaging in the profession or occupation for which
10 the person is licensed; ~~or~~

11 (3) any person engaged by the owner or lessor of
12 residential real property for the purpose of preparing a
13 bid or estimate as to the work necessary or the costs
14 associated with performing home construction, home
15 remodeling, or home repair work on the residential real
16 property, provided such person does not advertise or hold
17 oneself out as engaged in business as a home inspector;
18 or-

19 (4) any person holding a professional degree from a
20 program accredited by the National Architectural
21 Accrediting Board or the Canadian Architectural
22 Certification Board.

23 (d) The licensing of home inspector entities required
24 under this Act does not apply to an entity whose ownership
25 structure is one licensed home inspector operating a sole
26 proprietorship, a single member limited liability company, or

1 a single shareholder corporation, and that home inspector is
2 the only licensed home inspector performing inspections on the
3 entity's behalf. The licensed home inspector who is the sole
4 proprietor, sole shareholder, or single member of the company
5 or entity shall comply with all other provisions of this Act.

6 (Source: P.A. 102-20, eff. 1-1-22.)