



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2778

Introduced 2/16/2023, by Rep. Natalie A. Manley

SYNOPSIS AS INTRODUCED:

New Act
5 ILCS 80/4.38
30 ILCS 105/5.990 new

Creates the Safety in Professional Steel Erection Licensure Act. Defines terms. Provides that the Department of Financial and Professional Regulation shall license all steel erectors in the State. Provides that no individual shall perform unlicensed steel erection. Provides that the Department shall adopt rules necessary to carry out and enforce the Act. Provides that individuals or entities performing unlicensed steel erection work in this State shall be fined \$5,000 for the first offense and \$10,000 for each subsequent offense. Provides that the Department shall coordinate with the Department of Transportation, when appropriate, for purposes of enforcement and regulation of the Act. Provides that to assist with costs associated with implementation, the Department is authorized to charge a reasonable fee for licensure, not to exceed \$125 per license. Creates the Steel Erectors Licensure Fund. Makes corresponding changes in the State Finance Act. Amends the Regulatory Sunset Act. Repeals the Safety in Professional Steel Erection Licensure Act on January 1, 2028. Effective immediately.

LRB103 28610 AMQ 54991 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 1. Short title. This Act may be cited as the Safety
5 in Professional Steel Erection Licensure Act.

6 Section 5. Legislative purpose. As a key component of the
7 construction industry, steel erection remains one of the most
8 hazardous occupations in America. Highly skilled workers build
9 structural frameworks for bridges and high rise buildings,
10 from metal signs to towering skyscrapers, by manipulating
11 heavy chunks of metal into place with precision accuracy and
12 safety protocols at all times. Despite its dangers, steel
13 erection is essential for erecting stable structures that
14 support our cities' infrastructures year after year. The State
15 acknowledges the imperative safety need for having skilled,
16 trained, and licensed individuals erecting steel.

17 Section 10. Definitions. As used in this Act:

18 "Department" means the Department of Financial and
19 Professional Regulation.

20 "Licensed steel erector" means an individual who performs
21 steel erection and is licensed under this Act.

22 "Steel erection" means hoisting, laying out, placing,

1 connecting, welding, burning, guying, bracing, bolting,
2 plumbing, and rigging of structural steel, steel joists, and
3 metal buildings; installing metal decking, curtain walls,
4 window walls, siding systems, miscellaneous metals, ornamental
5 iron, and similar materials; moving point-to-point while
6 performing these activities; and as further defined in 29 CFR
7 1926.750.

8 Section 15. Licensure. The Department shall license all
9 steel erectors in the State. No individual shall perform
10 unlicensed steel erection. Individuals performing steel
11 erection work without a license granted under this Act shall
12 be subject to the penalties provided in Section 25 of this Act.

13 Section 20. Rules. The Department shall adopt rules
14 necessary to carry out and enforce this Act.

15 Section 25. Penalties. Individuals or entities performing
16 unlicensed steel erection work in the State shall be fined
17 \$5,000 for the first offense and \$10,000 for each subsequent
18 offense. For purposes of this Section, offenses are considered
19 to be determined daily and each unlicensed steel erector is
20 subject to the penalty as is the entity that knowingly employs
21 unlicensed steel erectors. The Department shall provide
22 additional penalties through rules, which shall include
23 licensure violations of offending businesses.

1 The Department shall adopt protocols on how to report and
2 document violations.

3 Section 30. Department coordination. The Department shall
4 coordinate with the Department of Transportation, when
5 appropriate, for purposes of enforcement and regulation of
6 this Act.

7 Section 35. Fees. Individuals seeking licensure by the
8 Department shall follow the process and protocols set forth by
9 administrative rule. To assist with costs associated with
10 implementation, the Department is authorized to charge a
11 reasonable fee for licensure, not to exceed \$125 per license.
12 All fees collected for the purposes of this Act shall be
13 deposited into the Steel Erectors Licensure Fund.

14 Section 40. The Steel Erectors Licensure Fund; uses. The
15 Steel Erectors Licensure Fund is hereby created as a special
16 fund in the State treasury. All moneys deposited into the fund
17 shall be used to implement and enforce this Act.

18 Section 45. The Regulatory Sunset Act is amended by
19 changing Section 4.38 as follows:

20 (5 ILCS 80/4.38)

21 Sec. 4.38. Acts repealed on January 1, 2028. The following

1 Acts are repealed on January 1, 2028:

2 The Acupuncture Practice Act.

3 The Behavior Analyst Licensing Act.

4 The Clinical Social Work and Social Work Practice Act.

5 The Dietitian Nutritionist Practice Act.

6 The Elevator Safety and Regulation Act.

7 The Fire Equipment Distributor and Employee Regulation Act
8 of 2011.

9 The Funeral Directors and Embalmers Licensing Code.

10 The Home Medical Equipment and Services Provider License
11 Act.

12 The Illinois Petroleum Education and Marketing Act.

13 The Illinois Speech-Language Pathology and Audiology
14 Practice Act.

15 The Interpreter for the Deaf Licensure Act of 2007.

16 The Music Therapy Licensing and Practice Act.

17 The Naprapathic Practice Act.

18 The Nurse Practice Act.

19 The Nursing Home Administrators Licensing and Disciplinary
20 Act.

21 The Pharmacy Practice Act.

22 The Physician Assistant Practice Act of 1987.

23 The Podiatric Medical Practice Act of 1987.

24 The Professional Counselor and Clinical Professional
25 Counselor Licensing and Practice Act.

26 The Safety in Professional Steel Erection Licensure Act.

1 The Wholesale Drug Distribution Licensing Act.
2 (Source: P.A. 102-715, eff. 4-29-22; 102-878, eff. 5-13-22;
3 102-879, eff. 5-13-22; 102-880, eff. 5-13-22; 102-881, eff.
4 5-13-22; 102-882, eff. 5-13-22; 102-945, eff. 5-27-22;
5 102-953, eff. 5-27-22; 102-993, eff. 5-27-22; revised
6 7-27-22.)

7 Section 50. The State Finance Act is amended by adding
8 Section 5.990 as follows:

9 (30 ILCS 105/5.990 new)

10 Sec. 5.990. The Steel Erectors Licensure Fund.

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.