

1 AMENDMENT TO SENATE BILL 852

2 AMENDMENT NO. _____. Amend Senate Bill 852 by replacing
3 the title with the following:

4 "AN ACT concerning local government."; and

5 by replacing everything after the enacting clause with the
6 following:

7 "Section 5. The Illinois Plumbing License Law is amended
8 by changing Sections 13.1, 18, 37, and 42 as follows:

9 (225 ILCS 320/13.1)

10 Sec. 13.1. Plumbing contractors; registration;
11 applications.

12 (1) On and after May 1, 2002, all persons or
13 corporations desiring to engage in the business of plumbing
14 contractor, other than any entity that maintains an audited
15 net worth of shareholders' equity equal to or exceeding
16 \$100,000,000, shall register in accordance with the
17 provisions of this Act.

18 (2) Application for registration shall be filed with the
19 Department each year, on or before the last day of September
20 ~~April~~, in writing and on forms prepared and furnished by the
21 Department. All plumbing contractor registrations expire on

1 the last day of ~~September~~ April of each year.

2 (3) Applications shall contain the name, address, and
3 telephone number of the person and the plumbing license of
4 (i) the individual, if a sole proprietorship; (ii) the
5 partner, if a partnership; or (iii) an officer, if a
6 corporation. The application shall contain the business
7 name, address, and telephone number, a current copy of the
8 plumbing license, and any other information the Department
9 may require by rule.

10 (4) Applicants shall submit an original certificate of
11 insurance documenting that the contractor carries general
12 liability insurance with a minimum of \$100,000 per
13 occurrence, ~~bodily--injury--insurance--with~~ a minimum of
14 \$300,000 aggregate for bodily injury per-occurrence, property
15 damage insurance with a minimum of \$50,000 or a minimum of
16 \$300,000 combined single limit, and workers compensation
17 insurance with a minimum \$500,000 employer's liability. No
18 registration may be issued in the absence of this
19 certificate. Certificates must be in force at all times for
20 registration to remain valid.

21 (5) Applicants shall submit, on a form provided by the
22 Department, an indemnification bond in the amount of \$20,000
23 or a letter of credit in the same amount for work performed
24 in accordance with this Act and the rules promulgated under
25 this Act.

26 (6) All employees of a registered plumbing contractor
27 who engage in plumbing work shall be licensed plumbers or
28 apprentice plumbers in accordance with this Act.

29 (7) Plumbing contractors shall submit an annual
30 registration fee in an amount to be established by rule.

31 (8) The Department shall be notified in advance of any
32 changes in the business structure, name, or location or of
33 the addition or deletion of the owner or officer who is the
34 licensed plumber listed on the application. Failure to

1 notify the Department of this information is grounds for
2 suspension or revocation of the plumbing contractor's
3 registration.

4 (9) In the event that the plumber's license on the
5 application for registration of a plumbing contractor is a
6 license issued by the City of Chicago, it shall be the
7 responsibility of the applicant to forward a copy of the
8 plumber's license to the Department, noting the name of the
9 registered plumbing contractor, when it is renewed.

10 (Source: P.A. 92-338, eff. 8-10-01.)

11 (225 ILCS 320/18) (from Ch. 111, par. 1117)

12 Sec. 18. Local regulation; Department standards.

13 (1) It is hereby declared to be the policy of this State
14 that each city, town, village, township or county with a
15 water supply system or sewage disposal system or both should
16 so soon after the enactment of this Act as practicable, with
17 the advice of the State Department of Public Health, provide
18 by ordinance, bylaws or rules and regulations for the
19 materials, construction, alteration, and inspection of all
20 plumbing placed in or in connection with any building in any
21 such city, town, village, township, or county and to provide
22 for and appoint a competent Plumbing Inspector or more as
23 required. The Department may by rule establish voluntary
24 standards for the content and conduct of local plumbing
25 regulation and inspection programs and may evaluate and
26 certify local programs that are in compliance with the
27 voluntary standards. The Department may by rule establish
28 voluntary education, training, and experience standards for
29 Plumbing Inspectors and may certify Plumbing Inspectors who
30 are in compliance with the voluntary standards. Nothing
31 contained in this Act shall prohibit any city, town, village,
32 township or county from providing for a Plumbing Inspector or
33 from requiring permits for the installation and repair of

1 plumbing and collecting a fee therefor, but a city, town,
2 village, township, or county that requires a permit for
3 installation and repair of plumbing may not issue that permit
4 without verification that the applicant has a valid plumbing
5 license or that the applicant is the owner occupant of a
6 single family residence that is the subject of the permit.
7 For the purpose of this Section, the term "occupant" has the
8 same meaning as in subsection (2) of Section 3 of this Act.

9 No person shall be appointed as a Plumbing Inspector who is
10 not a licensed plumber under this Act, including persons
11 employed as Plumbing Inspectors in home rule units.

12 (2) The Department of Public Health shall conduct
13 inquiry in any city, town, village, township, or county or at
14 any other place in the State when reasonably necessary in the
15 judgment of the Director of the Department of Public Health
16 to safeguard the health of any person or persons in this
17 State, on account of piping or appurtenant appliances within
18 any building, or outside, when such piping and appliances are
19 for the use of plumbing as defined in this Act and for the
20 use of carrying sewage or waste within or from any building.

21 The Department of Public Health may conduct such
22 inquiries in any city, town, village, township or county in
23 this State by directing the Plumbing Inspector thereof to aid
24 in or conduct such inquiry or investigation in behalf of the
25 Department of Public Health or the Department of Public
26 Health may designate some other person or persons to conduct
27 such investigation.

28 (Source: P.A. 90-714, eff. 8-7-98.)

29 (225 ILCS 320/37) (from Ch. 111, par. 1135)

30 Sec. 37. Each governmental unit which is authorized to
31 adopt and has adopted any ordinance or resolution regulating
32 plumbing may provide for its administration and enforcement
33 by requiring permits for any plumbing system installation,

1 the inspection of plumbing system installations by inspectors
 2 who are licensed as plumbers in accordance with the Illinois
 3 Plumbing License Law, and the issue of certificates of
 4 approval or compliance which shall be evidence that a
 5 plumbing system has been installed in compliance with the
 6 Code of standards so adopted.

7 In any municipality in a county with a population over
 8 500,000, a letter of intent shall be included with all
 9 plumbing permit applications. The letter shall be written on
 10 the licensed plumber of record's personal stationary and
 11 shall include the license holder's signature and corporate
 12 seal. A home rule unit in a county with a population over
 13 500,000 may not regulate the information required to be
 14 included with an application for a plumbing permit in a
 15 manner less restrictive than this Section. This Section is a
 16 limitation under subsection (i) of Section 6 of Article VII
 17 of the Illinois Constitution on the concurrent exercise by
 18 home rule units of powers and functions exercised by the
 19 State.

20 A governmental unit authorized to adopt regulations may,
 21 by ordinance or resolution, prescribe reasonable fees for the
 22 issue of permits for installation work, the issue of
 23 certificates of compliance or approval, and for the
 24 inspection of plumbing installations.

25 (Source: P.A. 79-1000.)

26 (225 ILCS 320/42)

27 Sec. 42. Home rule. Pursuant to paragraph (h) of Section
 28 6 of Article VII of the Illinois Constitution of 1970 the
 29 power to regulate the licensing of plumbers, to promulgate
 30 ~~the promulgation of~~ a minimum plumbing code of standards, and
 31 ~~the power~~ to regulate the registration of irrigation
 32 contractors and plumbing contractors shall, except as may
 33 otherwise be provided within and pursuant to the provisions

1 of Section 16 and Section 16.1 of this Act, be exercised by
2 the State and may not be exercised by any unit of local
3 government, including home rule units.

4 (Source: P.A. 91-678, eff. 1-26-00.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law."