



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB0561

Introduced 1/27/2005, by Rep. Robert Rita

#### SYNOPSIS AS INTRODUCED:

5 ILCS 80/4.16  
5 ILCS 80/4.26 new  
225 ILCS 335/5 from Ch. 111, par. 7505  
225 ILCS 335/7 from Ch. 111, par. 7507  
225 ILCS 335/11.5

Amends the Regulatory Sunset Act to extend the repeal of the Illinois Roofing Industry Licensing Act to January 1, 2016. Amends the Illinois Roofing Industry Licensing Act. Provides that every roofing contractor shall affix the licensee's name, as it appears on the license (now, just requires the contractor to affix the licensee's name), on all commercial vehicles (rather than just vehicles) used as part of his or her business as a roofing contractor. Removes provisions concerning fees for applicants for initial certification who apply for licensure during the second half of the biennial period, fees for any change of the license that requires the issuance of a new license, and the maximum amount of the biennial renewal fee. Changes the number of members of the Roofing Advisory Board from 8 to 7. Removes a provision requiring one of the licensed roofing contractors on the Board to be a representative of an association predominately representing retailers. Effective immediately.

LRB094 06817 RAS 36920 b

FISCAL NOTE ACT  
MAY APPLY

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 Regulatory Sunset Act is amended by changing  
5 Section 4.16 and by adding Section 4.26 as follows:

6 (5 ILCS 80/4.16)

7 Sec. 4.16. Acts repealed January 1, 2006. The following  
8 Acts are repealed January 1, 2006:

9 The Respiratory Care Practice Act.

10 The Hearing Instrument Consumer Protection Act.

11 The Illinois Dental Practice Act.

12 The Professional Geologist Licensing Act.

13 The Illinois Athletic Trainers Practice Act.

14 The Barber, Cosmetology, Esthetics, and Nail Technology  
15 Act of 1985.

16 The Collection Agency Act.

17 ~~The Illinois Roofing Industry Licensing Act.~~

18 The Illinois Physical Therapy Act.

19 (Source: P.A. 89-33, eff. 1-1-96; 89-72, eff. 12-31-95; 89-80,  
20 eff. 6-30-95; 89-116, eff. 7-7-95; 89-366, eff. 7-1-96; 89-387,  
21 eff. 8-20-95; 89-626, eff. 8-9-96.)

22 (5 ILCS 80/4.26 new)

23 Sec. 4.26. Act repealed on January 1, 2016. The following  
24 Act is repealed on January 1, 2016:

25 The Illinois Roofing Industry Licensing Act.

26 Section 10. The Illinois Roofing Industry Licensing Act is  
27 amended by changing Sections 5, 7, and 11.5 as follows:

28 (225 ILCS 335/5) (from Ch. 111, par. 7505)

29 (Section scheduled to be repealed on January 1, 2006)

1           Sec. 5. Display of license number; advertising.

2           (a) Each State licensed roofing contractor shall affix the  
3 license number of his or her license to all of his or her  
4 contracts and bids. In addition, the official issuing building  
5 permits shall affix the roofing contractor license number to  
6 each application for a building permit and on each building  
7 permit issued and recorded.

8           (b) In addition, every roofing contractor shall affix the  
9 roofing contractor license number and the licensee's name, as  
10 it appears on the license, on all commercial vehicles used as  
11 part of his or her business as a roofing contractor.

12           (c) Every holder of a license shall display it in a  
13 conspicuous place in his or her principal office, place of  
14 business, or place of employment.

15           (d) No person licensed under this Act may advertise  
16 services regulated by this Act unless that person includes in  
17 the advertisement his or her license number. Nothing contained  
18 in this subsection requires the publisher of advertising for  
19 roofing contractor services to investigate or verify the  
20 accuracy of the license number provided by the licensee.

21           (e) A person who advertises services regulated by this Act  
22 who knowingly (i) fails to display the license number in any  
23 manner required by this Section, (ii) fails to provide a  
24 publisher with the correct license number as required by  
25 subsection (d), or (iii) provides a publisher with a false  
26 license number or a license number of another person, or a  
27 person who knowingly allows his or her license number to be  
28 displayed or used by another person to circumvent any  
29 provisions of this Section, is guilty of a Class A misdemeanor  
30 with a fine of \$1,000, and, in addition, is subject to the  
31 administrative enforcement provisions of this Act. Each day  
32 that an advertisement runs or each day that a person knowingly  
33 allows his or her license to be displayed or used in violation  
34 of this Section constitutes a separate offense.

35           (Source: P.A. 89-387, eff. 1-1-96; 90-55, eff. 1-1-98.)

1 (225 ILCS 335/7) (from Ch. 111, par. 7507)

2 (Section scheduled to be repealed on January 1, 2006)

3 Sec. 7. Fees.

4 (1) The initial application fee for a certificate shall be  
5 fixed by the Department by rule.

6 (2) All other fees not set forth herein shall be fixed by  
7 rule.

8 (3) (Blank). ~~If an applicant for initial certification~~  
9 ~~applies for licensure during the second half of the biennial~~  
10 ~~period, he shall only be required to pay one half of the amount~~  
11 ~~fixed by the Department for initial application.~~

12 (4) (Blank). ~~Any change of the license that requires the~~  
13 ~~issuance of a new license shall be completed on a form required~~  
14 ~~by the Department, accompanied by a \$10 handling fee.~~

15 (5) (Blank). ~~The biennial renewal fee shall be fixed by the~~  
16 ~~Department in an amount not to exceed one half of the fee~~  
17 ~~required by subsection (1).~~

18 (6) All fees and fines collected under this Act shall be  
19 deposited into the General Professions Dedicated Fund.

20 (Source: P.A. 89-387, eff. 1-1-96.)

21 (225 ILCS 335/11.5)

22 (Section scheduled to be repealed on January 1, 2006)

23 Sec. 11.5. The Roofing Advisory Board is created and shall  
24 consist of 7 ~~8~~ persons, one of whom is a knowledgeable public  
25 member and 6 ~~7~~ of whom have been issued licenses as roofing  
26 contractors by the Department. One of the 6 ~~7~~ licensed roofing  
27 contractors on the Board shall represent a statewide  
28 association representing home builders ~~and another of the 7~~  
29 ~~licensed roofing contractors shall represent an association~~  
30 ~~predominately representing retailers.~~ The public member shall  
31 not be licensed under this Act or any other Act the Department  
32 administers. Each member shall be appointed by the Director.  
33 Members shall be appointed who reasonably represent the  
34 different geographic areas of the State. A quorum of the Board  
35 shall consist of the majority of Board members appointed.

1           Members of the Roofing Advisory Board shall be immune from  
2           suit in any action based upon any disciplinary proceedings or  
3           other acts performed in good faith as members of the Roofing  
4           Advisory Board, unless the conduct that gave rise to the suit  
5           was willful and wanton misconduct.

6           The persons appointed shall hold office for 4 years and  
7           until a successor is appointed and qualified. The initial terms  
8           shall begin July 1, 1997. Of the members of the Board first  
9           appointed, 2 shall be appointed to serve for 2 years, 2 shall  
10          be appointed to serve for 3 years, and 3 shall be appointed to  
11          serve for 4 years. No member shall serve more than 2 complete 4  
12          year terms.

13          Within 90 days of a vacancy occurring, the Director shall  
14          fill the vacancy for the unexpired portion of the term with an  
15          appointee who meets the same qualifications as the person whose  
16          position has become vacant. The Board shall meet annually to  
17          elect one member as chairman and one member as vice-chairman.  
18          No officer shall be elected more than twice in succession to  
19          the same office. The members of the Board shall receive  
20          reimbursement for actual, necessary, and authorized expenses  
21          incurred in attending the meetings of the Board.

22          (Source: P.A. 91-950, eff. 2-9-01.)

23          Section 99. Effective date. This Act takes effect upon  
24          becoming law.