



Sen. A. J. Wilhelmi

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09500SB2654sam002

LRB095 05383 RCE 49298 a

1 AMENDMENT TO SENATE BILL 2654

2 AMENDMENT NO. _____. Amend Senate Bill 2654 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Capital Development Board Act is amended by
5 adding Section 10.09-1 as follows:

6 (20 ILCS 3105/10.09-1 new)

7 Sec. 10.09-1. Local government adoption of building code;
8 enforcement.

9 (a) A local government that does not have an adopted model
10 minimum building code shall adopt such a building code based
11 on:

12 (1) The most recently published editions of the
13 following codes developed by the International Code
14 Council:

15 (A) International Building Code.

16 (B) International Fire Code.

1 (C) International Mechanical Code.

2 (D) International Fuel Gas Code.

3 (E) International Existing Building Code.

4 (F) International Property Maintenance Code.

5 (2) NFPA 70 National Electrical Code.

6 (3) State building codes and State agency rules, such
7 as the Illinois Plumbing Code and the Illinois
8 Accessibility Code, as well as the 2000 edition of NFPA 101
9 Life Safety Code where adopted, or such other nationally
10 recognized model code as approved by the Capital
11 Development Board.

12 Additions, insertions, deletions, and changes allowed by
13 the code shall be determined by the local government.

14 (b) A person performing building code enforcement must be
15 qualified by the State of Illinois or certified by a nationally
16 recognized building official certification organization with
17 significant office presence in Illinois. The Illinois State
18 Board of Education rules for plan reviewers and building
19 inspectors shall be adapted by the Capital Development Board to
20 provide the requirements of this subsection. Local governments
21 may establish agreements with other governmental entities or
22 qualified third party providers within the State to issue
23 permits and enforce building codes in a consistent manner and
24 as required by this Section.

25 (c) Buildings constructed under the requirements of this
26 Section must be inspected in accordance with the codes in

1 effect on the date of the issuance of the original building
2 permit.

3 (d) New residential construction is exempt from this
4 Section and is defined as any original construction of a
5 single-family home or a dwelling containing 2 or fewer
6 apartments, condominiums, or town houses in accordance with the
7 Illinois Residential Building Code Act.

8 (e) As used in this Section, "local government" means a
9 city, village, incorporated town, county, or fire protection
10 district.

11 (f) This Section applies beginning July 1, 2010.

12 Section 10. The Illinois Residential Building Code Act is
13 amended by changing Sections 10 and 15 as follows:

14 (815 ILCS 670/10)

15 Sec. 10. Definitions. In this Act:

16 "2006 International Residential Code" means the 2006
17 edition of the International Residential Code for One and Two
18 Family Dwellings published by the International Code Council,
19 without amendment or appendices ~~as now or hereafter amended by~~
20 ~~the Council.~~

21 "New residential construction" means any original
22 construction of a single-family home or a dwelling containing 2
23 or fewer apartments, condominiums, or town houses.

24 "Residential building code" means an ordinance,

1 resolution, law, housing or building code, or zoning ordinance
2 that establishes, for residential building contractors,
3 construction-related activities applicable to single-family or
4 2-family residential structures.

5 "Residential building contractor" means any individual,
6 corporation, or partnership that constructs a fixed building or
7 structure for sale or use by another as a residence or that,
8 for a price, commission, fee, wage, or other compensation,
9 undertakes or offers to undertake the construction of any
10 building or structure to be used by another as a residence, if
11 the individual, corporation, or partnership reasonably expects
12 to earn a financial profit from that activity.

13 (Source: P.A. 93-778, eff. 1-1-05.)

14 (815 ILCS 670/15)

15 Sec. 15. Adoption of building code. A contract to build a
16 home (1) in any municipality in this State that does not have a
17 residential building code in effect or (2) in any portion of a
18 county that is not located within a municipality and does not
19 have a residential building code in effect must adopt as part
20 of the construction contract the applicability of a residential
21 building code that is agreed to by the home builder and the
22 home purchaser as provided in this Section. The home builder
23 and the home purchaser may agree to adopt any municipal
24 residential building code or county residential building code
25 that is in effect on the first day of construction in any

1 county or municipality that is within 100 miles of the location
2 of the new home. If the home builder and the home purchaser
3 fail to agree to a residential building code or if no
4 residential building code is stated in the contract, the
5 plumbing code promulgated by the Illinois Department of Public
6 Health under Section 35 of the Illinois Plumbing License Law,
7 the NFPA 70 National Electric Code as adopted by the American
8 National Standards Institute, and the 2006 International
9 Residential Code shall, by law, be adopted as part of the
10 construction contract.

11 (Source: P.A. 93-778, eff. 1-1-05.)".