



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB0138

Introduced 1/30/2009, by Sen. Terry Link

SYNOPSIS AS INTRODUCED:

20 ILCS 3105/10.09-1 new

Amends the Capital Development Board Act. Requires local governments without building codes to adopt building codes based on specified model codes. Requires that persons performing building inspection services under the Act must be qualified by the State, certified by a certification organization, or have filed verification of inspection experience with the Board. Permits a local government to out-source building inspection. Defines a local government as a municipality, county, or fire protection district. Exempts municipalities over 500,000 population, and applies beginning July 1, 2011, except that a local government must provide notice to the Board of its adopted building code within 60 days after the bill's effective date.

LRB096 02894 JAM 12908 b

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

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) Except in municipalities with a population over
10 500,000, a local government that does not have an adopted model
11 minimum building code shall adopt such a building code based on
12 all of the following:

13 (1) The 2006 or later editions of the following codes
14 developed by the International Code Council:

15 (A) International Building Code,

16 (B) International Mechanical Code,

17 (C) International Existing Building Code, and

18 (D) International Property Maintenance Code.

19 (2) The 2008 edition of the National Electrical Code
20 NFPA 70.

21 (3) Additions, insertions, deletions, and changes that
22 enhance the level of safety provided by the model codes, as
23 determined by the local government.

1 (b) A person performing building code enforcement in
2 accordance with this Act must be qualified by the State of
3 Illinois, certified by a nationally recognized building
4 official certification organization, or have filed
5 verification of inspection experience with the Capital
6 Development Board. Any individual so qualified under this
7 subsection to offer inspection services shall verify to the
8 Capital Development Board his or her status at the time of
9 qualification or certification, renewable biennially.

10 Local governments may establish agreements with other
11 governmental entities within the State to issue permits and
12 enforce building codes in a consistent manner and as required
13 by this Section. Local governments may hire third-party
14 providers that are qualified in accordance with this Section to
15 provide inspection services.

16 (c) Buildings constructed under the requirements of this
17 Section must be inspected in accordance with the codes in
18 effect on the date of the issuance of the original building
19 permit.

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

25 (e) As used in this Section, "local government" means a
26 city, village, incorporated town, county, or fire protection

1 district.

2 (f) Each local government, other than a municipality over
3 500,000 population, shall provide notice of its adopted
4 building code to the Capital Development Board, Division of
5 Building Regulations, within 60 days after the effective date
6 of this amendatory Act of the 96th General Assembly. The notice
7 shall be electronic wherever possible and contain the division
8 of government, the name of contact, and date of and codes
9 modified or adopted.

10 (g) All other statutorily authorized codes and regulations
11 administered by Illinois State agencies are exempt from this
12 Section. These include but are not limited to: the Illinois
13 Plumbing Code, the Illinois Environmental Barriers Act, the
14 International Energy Conservation Code for Commercial
15 Construction, and Administrative Rules adopted by the Office of
16 the State Fire Marshal.

17 (h) Subsections (a), (b), (c), and (g) apply beginning July
18 1, 2011.