

SB1339



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB1339

Introduced 2/10/2009, by Sen. Deanna Demuzio

SYNOPSIS AS INTRODUCED:

225 ILCS 335/3.5

Amends the Illinois Roofing Industry Licensing Act. Removes a provision that exempts a person who has a certain type of license from the examination requirement, so long as (1) the license continues to be valid and is renewed before expiration and (2) the person is not newly designated as a qualifying party after July 1, 2003. Effective immediately.

LRB096 10741 ASK 20927 b

A BILL FOR

1 AN ACT concerning professional regulation.

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

4 Section 5. The Illinois Roofing Industry Licensing Act is
5 amended by changing Section 3.5 as follows:

6 (225 ILCS 335/3.5)

7 (Section scheduled to be repealed on January 1, 2016)

8 Sec. 3.5. Examination.

9 (a) The Department shall authorize examinations for
10 applicants for initial licenses at the time and place it may
11 designate. The examinations shall be of a character to fairly
12 test the competence and qualifications of applicants to act as
13 roofing contractors. Each applicant for limited licenses shall
14 designate a qualifying party who shall take an examination, the
15 technical portion of which shall cover residential roofing
16 practices. Each applicant for an unlimited license shall
17 designate a qualifying party who shall take an examination, the
18 technical portion of which shall cover residential,
19 commercial, and industrial roofing practices.

20 (b) An applicant for a limited license or an unlimited
21 license or a qualifying party designated by an applicant for a
22 limited license or unlimited license shall pay, either to the
23 Department or the designated testing service, a fee established

1 by the Department to cover the cost of providing the
2 examination. Failure of the individual scheduled to appear for
3 the examination on the scheduled date at the time and place
4 specified after his or her application for examination has been
5 received and acknowledged by the Department or the designated
6 testing service shall result in forfeiture of the examination
7 fee.

8 ~~(c) A person who has a license as described in subsection~~
9 ~~(1.5) of Section 3 is exempt from the examination requirement~~
10 ~~of this Section, so long as (1) the license continues to be~~
11 ~~valid and is renewed before expiration and (2) the person is~~
12 ~~not newly designated as a qualifying party after July 1, 2003.~~

13 The qualifying party for an applicant for a new license must
14 have passed an examination authorized by the Department before
15 the Department may issue a license.

16 (d) The application for a license as a corporation,
17 business trust, or other legal entity submitted by a sole
18 proprietor who is currently licensed under this Act and exempt
19 from the examination requirement of this Section shall not be
20 considered an application for initial licensure for the
21 purposes of this subsection (d) if the sole proprietor is named
22 in the application as the qualifying party and is the sole
23 owner of the legal entity. Upon issuance of a license to the
24 new legal entity, the sole proprietorship license is
25 terminated.

26 The application for initial licensure as a partnership,

1 corporation, business trust, or other legal entity submitted by
2 a currently licensed partnership, corporation, business trust,
3 or other legal entity shall not be considered an application
4 for initial licensure for the purposes of this subsection (d)
5 if the entity's current qualifying party is exempt from the
6 examination requirement of this Section, that qualifying party
7 is named as the new legal entity's qualifying party, and the
8 majority of ownership in the new legal entity remains the same
9 as the currently licensed entity. Upon issuance of a license to
10 the new legal entity under this subsection (d), the former
11 license issued to the applicant is terminated.

12 (e) An applicant has 3 years after the date of his or her
13 application to complete the application process. If the process
14 has not been completed within 3 years, the application shall be
15 denied, the fee shall be forfeited, and the applicant must
16 reapply and meet the requirements in effect at the time of
17 reapplication.

18 (Source: P.A. 95-303, eff. 1-1-08.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.