



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB0038

Introduced 1/27/2011, by Sen. Susan Garrett

SYNOPSIS AS INTRODUCED:

225 ILCS 320/2	from Ch. 111, par. 1102
225 ILCS 320/35	from Ch. 111, par. 1133

Amends the Illinois Plumbing License Law. Provides that "plumbing" includes rainwater harvesting distribution systems, but does not include any rainwater harvesting distribution system or rainwater harvesting collection system unless otherwise required by the Illinois Plumbing Code. Requires the Illinois Department of Public Health to adopt and publish a minimum code of standards for rainwater harvesting collection systems and rainwater harvesting distribution systems by January 1, 2012. Requires rainwater harvesting collection systems and rainwater harvesting distribution systems to be (A) used only for non-potable uses and (B) constructed in accordance with the Illinois Plumbing Code. Defines "rainwater harvesting collection system" and "rainwater harvesting distribution system". Effective immediately.

LRB097 02674 CEL 42693 b

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 Plumbing License Law is amended by
5 changing Sections 2 and 35 as follows:

6 (225 ILCS 320/2) (from Ch. 111, par. 1102)

7 Sec. 2. When used in this Act:

8 "Agent" means a person designated by a sponsor as
9 responsible for supervision of an apprentice plumber and who is
10 also an Illinois licensed plumber.

11 "Apprentice plumber" means any licensed person who is
12 learning and performing plumbing under the supervision of a
13 sponsor or his agent in accordance with the provisions of this
14 Act.

15 "Approved apprenticeship program" means an apprenticeship
16 program approved by the U.S. Department of Labor's Bureau of
17 Apprenticeship and Training and the Department under rules.

18 "Board" means the Illinois State Board of Plumbing
19 Examiners.

20 "Building drain" means that part of the lowest horizontal
21 piping of a drainage system that receives the discharge from
22 soil, waste, and other drainage pipes inside the walls of a
23 building and conveys it to 5 feet beyond the foundation walls

1 where it is connected to the building sewer.

2 "Building sewer" means that part of the horizontal piping
3 of a drainage system that extends from the end of the building
4 drain, receives the discharge of the building drain and conveys
5 it to a public sewer or private sewage disposal system.

6 "Department" means the Illinois Department of Public
7 Health.

8 "Director" means the Director of the Illinois Department of
9 Public Health.

10 "Governmental unit" means a city, village, incorporated
11 town, county, or sanitary or water district.

12 "Irrigation contractor" means a person who installs or
13 supervises the installation of lawn sprinkler systems subject
14 to Section 2.5 of this Act, other than a licensed plumber or a
15 licensed apprentice plumber.

16 "Irrigation employee" means a person who is employed by a
17 registered irrigation contractor or a licensed plumber, and who
18 designs, repairs, alters, maintains, or installs lawn
19 sprinkler systems that are subject to Section 2.5 of this Law.

20 "Lawn sprinkler system" means any underground irrigation
21 system of lawn, shrubbery and other vegetation from any potable
22 water sources; and from any water sources, whether or not
23 potable. "Lawn sprinkler system" includes without limitation
24 the water supply piping, valves, control systems, low voltage
25 wiring, sprinkler heads or other irrigation outlets, and
26 moisture or rainfall sensing equipment, but does not include

1 the backflow prevention device. "Lawn sprinkler system" does
2 not include an irrigation system used primarily for
3 agricultural purposes.

4 "Person" means any natural person, firm, corporation,
5 partnership, or association.

6 "Plumber" means any licensed person authorized to perform
7 plumbing as defined in this Act, but does not include retired
8 plumbers as defined in this Act.

9 "Plumbing" means the actual installation, repair,
10 maintenance, alteration or extension of a plumbing system by
11 any person.

12 "Plumbing" includes all piping, fixtures, appurtenances
13 and appliances for a supply of water for all purposes,
14 including without limitation lawn sprinkler systems and
15 backflow prevention devices connected to lawn sprinkler
16 systems, from the source of a private water supply on the
17 premises or from the main in the street, alley or at the curb
18 to, within and about any building or buildings where a person
19 or persons live, work or assemble.

20 "Plumbing" includes rainwater harvesting distribution
21 systems. Rainwater harvesting distribution systems shall be
22 for non-potable use only. "Plumbing" does not include any
23 rainwater harvesting distribution system or rainwater
24 harvesting collection system unless otherwise required by the
25 Illinois Plumbing Code. Rainwater harvesting distribution
26 systems shall be constructed in accordance with the Illinois

1 Plumbing Code.

2 "Plumbing" includes all piping, from discharge of pumping
3 units to and including pressure tanks in water supply systems.

4 "Plumbing" includes all piping, fixtures, appurtenances,
5 and appliances for a building drain and a sanitary drainage and
6 related ventilation system of any building or buildings where a
7 person or persons live, work or assemble from the point of
8 connection of such building drain to the building sewer or
9 private sewage disposal system 5 feet beyond the foundation
10 walls.

11 "Plumbing" does not mean or include the trade of
12 drain-laying, the trade of drilling water wells which
13 constitute the sources of private water supplies, and of making
14 connections between such wells and pumping units in the water
15 supply systems of buildings served by such private water
16 supplies, or the business of installing water softening
17 equipment and of maintaining and servicing the same, or the
18 business of manufacturing or selling plumbing fixtures,
19 appliances, equipment or hardware, or to the installation and
20 servicing of electrical equipment sold by a not-for-profit
21 corporation providing electrification on a cooperative basis,
22 that either on or before January 1, 1971, is or has been
23 financed in whole or in part under the federal Rural
24 Electrification Act of 1936 and the Acts amendatory thereof and
25 supplementary thereto, to its members for use on farms owned by
26 individuals or operated by individuals, nor does it mean or

1 include minor repairs which do not require changes in the
2 piping to or from plumbing fixtures or involve the removal,
3 replacement, installation or re-installation of any pipe or
4 plumbing fixtures. Plumbing does not include the installation,
5 repair, maintenance, alteration or extension of building
6 sewers, or the installation, repair, or maintenance of
7 rainwater harvesting collection systems unless otherwise
8 required by the Illinois Plumbing Code.

9 "Plumbing contractor" means any person who performs
10 plumbing, as defined in this Act, for another person. "Plumbing
11 contractor" shall not include licensed plumbers and licensed
12 apprentice plumbers who either are employed by persons engaged
13 in the plumbing business or are employed by another person for
14 the performance of plumbing solely for that other person,
15 including, but not limited to, a hospital, university, or
16 business maintenance staff.

17 "Plumbing fixtures" means installed receptacles, devices
18 or appliances that are supplied with water or that receive or
19 discharge liquids or liquid borne wastes, with or without
20 discharge into the drainage system with which they may be
21 directly or indirectly connected.

22 "Plumbing system" means the water service, water supply and
23 distribution pipes; plumbing fixtures and traps; soil, waste
24 and vent pipes; building drains; including their respective
25 connections, devices and appurtenances.

26 "Plumbing system" does not include building sewers as

1 defined in this Act.

2 "Rainwater harvesting collection system" is a system for
3 the capture, diversion, and storage of rainwater and consists
4 of one or more cisterns, pipe, fittings, and appurtenances
5 required for or used to harvest rainwater for non-potable
6 purposes. These systems must be constructed in accordance with
7 the Illinois Plumbing Code.

8 "Rainwater harvesting distribution system" is a system for
9 the distribution of rainwater collected by an approved
10 rainwater harvesting collection system. This system consists
11 of pumps, pipe, fittings, or other plumbing appurtenances and
12 must be constructed in accordance with the Illinois Plumbing
13 Code.

14 "Retired plumber" means any licensed plumber in good
15 standing who meets the requirements of this Act and the
16 requirements prescribed by Department rule to be licensed as a
17 retired plumber and voluntarily surrenders his plumber's
18 license to the Department, in exchange for a retired plumber's
19 license. Retired plumbers cannot perform plumbing as defined in
20 this Act, cannot sponsor or supervise apprentice plumbers, and
21 cannot inspect plumbing under this Act. A retired plumber
22 cannot fulfill the requirements of subsection (3) of Section 3
23 of this Act.

24 "Supervision" with respect to first and second year
25 licensed apprentice plumbers means that such apprentices must
26 perform all designing and planning of plumbing systems and all

1 plumbing as defined in this Act under the direct personal
2 supervision of the sponsor or his or her agent who must also be
3 an Illinois licensed plumber, except for maintenance and repair
4 work on existing plumbing systems done by second year
5 apprentice plumbers; provided that before performing any
6 maintenance and repair work without such supervision, such
7 apprentice has received the minimum number of hours of annual
8 classroom instruction recommended by the United States
9 Department of Labor's Bureau of Apprenticeship and Training for
10 apprentice plumbers in a Bureau of Apprenticeship and Training
11 approved plumber apprenticeship program or its equivalent.
12 "Supervision" with respect to all other apprentice plumbers
13 means that, except for maintenance and repair work on existing
14 plumbing systems, any plumbing done by such apprentices must be
15 inspected daily, after initial rough-in and after completion by
16 the sponsor or his or her agent who is also an Illinois
17 licensed plumber. In addition, all repair and maintenance work
18 done by a licensed apprentice plumber on an existing plumbing
19 system must be approved by the sponsor or his or her agent who
20 is also an Illinois licensed plumber.

21 "Sponsor" is an Illinois licensed plumber or an approved
22 apprenticeship program that has accepted an individual as an
23 Illinois licensed apprentice plumber for education and
24 training in the field of plumbing and whose name and license
25 number or apprenticeship program number shall appear on the
26 individual's application for an apprentice plumber's license.

1 "Sponsored" means that each Illinois licensed apprentice
2 plumber has been accepted by an Illinois licensed plumber or an
3 approved apprenticeship program for apprenticeship training.

4 "Telecommunications carrier" means a telecommunications
5 carrier as defined in the Public Utilities Act.

6 (Source: P.A. 94-101, eff. 1-1-08.)

7 (225 ILCS 320/35) (from Ch. 111, par. 1133)

8 Sec. 35. The Department shall promulgate and publish and
9 may from time to time amend a minimum code of standards for
10 plumbing and the fixtures, materials, design and installation
11 methods of plumbing systems based upon the findings of the
12 sciences of pneumatics and hydraulics, after consideration of
13 the recommendations of the Plumbing Code Advisory Council. The
14 Department may promulgate and publish rules in the State's
15 minimum code of standards for the minimum number of plumbing
16 fixtures required for the comfort and convenience of workers
17 and the public not inconsistent with, but not limited to, the
18 requirements of the federal Americans With Disabilities Act,
19 the Equitable Restrooms Act, and the U.S. Department of Labor,
20 Office of Safety and Health Administration. The Department
21 shall adopt and publish a minimum code of standards for
22 rainwater harvesting collection systems and rainwater
23 harvesting distribution systems by January 1, 2012. The minimum
24 code of standards for plumbing and any amendments thereto shall
25 be filed with the Secretary of State as a public record. In

1 preparing plumbing code standards and amendments thereto the
2 Department may give consideration to the recommendations
3 contained in nationally recognized plumbing codes and
4 recommendations of nationally recognized material and
5 equipment testing laboratories. The plumbing code promulgated
6 by the Department under authority of this Act shall remain in
7 effect as the minimum code authorized by this Act until the
8 Department promulgates a new code under authority of this Act.
9 At least 20 days' notice of a public hearing shall be given by
10 the Department in a manner which the Department considers
11 adequate to bring the hearing to the attention of persons
12 interested in plumbing code standards. Notice of any public
13 hearing shall be given by the Department to those who file a
14 request for a notice of hearings.

15 (Source: P.A. 87-885.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.