



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB1217

by Rep. Robert Rita

SYNOPSIS AS INTRODUCED:

5 ILCS 80/4.24
5 ILCS 80/4.34 new
225 ILCS 320/2.5

Amends the Regulatory Sunset Act. Extends the repeal of a provision of the Illinois Plumbing License Law from January 1, 2014 to January 1, 2024. Amends the Illinois Plumbing License Law. Makes changes to the requirements for how many licensed plumbers irrigation contractors shall employ to install or be responsible for the installation of every lawn sprinkler system installed. Effective immediately.

LRB098 06891 MGM 36948 b

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 4.24 and by adding Section 4.34 as follows:

6 (5 ILCS 80/4.24)

7 Sec. 4.24. Acts ~~and Section~~ repealed on January 1, 2014.

8 The following Acts ~~and Section of an Act~~ are repealed on
9 January 1, 2014:

10 The Electrologist Licensing Act.

11 The Illinois Certified Shorthand Reporters Act of 1984.

12 The Illinois Occupational Therapy Practice Act.

13 The Illinois Public Accounting Act.

14 The Private Detective, Private Alarm, Private Security,
15 Fingerprint Vendor, and Locksmith Act of 2004.

16 The Registered Surgical Assistant and Registered Surgical
17 Technologist Title Protection Act.

18 ~~Section 2.5 of the Illinois Plumbing License Law.~~

19 The Veterinary Medicine and Surgery Practice Act of 2004.

20 (Source: P.A. 97-1139, eff. 12-28-12.)

21 (5 ILCS 80/4.34 new)

22 Sec. 4.34. Section repealed on January 1, 2024. The

1 following Section of an Act is repealed on January 1, 2024:

2 Section 2.5 of the Illinois Plumbing License Law.

3 Section 10. The Illinois Plumbing License Law is amended by
4 changing Section 2.5 as follows:

5 (225 ILCS 320/2.5)

6 (Section scheduled to be repealed on January 1, 2014)

7 Sec. 2.5. Irrigation contractors; lawn sprinkler systems.

8 (a) Every irrigation contractor doing business in this
9 State shall annually register with the Department. Every
10 irrigation contractor shall provide to the Department his or
11 her business name and address, telephone number, name of
12 principal, FEIN number, and an original certificate of
13 insurance documenting that the irrigation contractor carries
14 general liability insurance with a minimum of \$100,000 per
15 occurrence, bodily injury insurance with a minimum of \$300,000
16 per occurrence, property damage insurance with a minimum of
17 \$50,000, and worker's compensation insurance with a minimum of
18 \$500,000. No registration may be issued in the absence of the
19 certificate of insurance. The certificate must be in force at
20 all times for registration to remain valid.

21 On a form provided by the Department, every irrigation
22 contractor must provide to the Department an indemnification
23 bond in the amount of \$20,000 or an irrevocable letter of
24 credit from a financial institution guaranteeing that funds

1 shall be available only to the Department and shall be released
2 upon written notification by the Department in the same amount
3 for any work on lawn sprinkler systems performed by the
4 registered irrigation contractor. The letter of credit shall be
5 printed on the letterhead of the issuing financial institution,
6 be signed by an officer of the same financial institution, name
7 the Department as the sole beneficiary, and expire on February
8 28 of each year.

9 Every irrigation contractor doing business in this State
10 shall also register with the Department each and every employee
11 who installs or supervises the installation of lawn sprinkler
12 systems. The registration shall include the employee's name,
13 home address, and telephone number. The Department may provide
14 by rule for the administration of registrations under this
15 subsection. The annual registration fee shall be set by the
16 Department pursuant to Section 30 of this Act. Each registered
17 irrigation contractor must provide proof that he or she employs
18 at least one irrigation employee who has completed and passed
19 an approved class in the design and installation of lawn
20 sprinkler systems.

21 (b) A licensed plumber or licensed apprentice plumber may
22 install a lawn sprinkler system connected to any water source
23 without registration under this Section.

24 (c) A licensed plumber shall inspect every sprinkler system
25 installed by an irrigation contractor to ensure the provisions
26 of this Section have been met and that the system works

1 mechanically. A licensed plumber shall make the physical
2 connection between a lawn sprinkler system and the backflow
3 prevention device.

4 Upon the installation of every lawn sprinkler system in
5 this State from the effective date of this amendatory Act of
6 the 91st General Assembly forward, a licensed plumber shall
7 affix to the backflow prevention device a tag certifying that
8 the installation of that system has been completed in
9 compliance with the minimum code of plumbing standards
10 promulgated under this Act. The Department shall provide by
11 rule for the registration of every lawn sprinkler system
12 installed after the effective date of this amendatory Act of
13 the 91st General Assembly, including the means by which the
14 Department shall be able to identify by registration number the
15 identity of the responsible irrigation contractor and by
16 license number the identity of the responsible licensed
17 plumber. No lawn sprinkler system installed after the effective
18 date of this amendatory Act of the 91st General Assembly may be
19 operated without the certification tag required under this
20 Section.

21 The registered irrigation contractor and the licensed
22 plumber whose identifying information is contained on the
23 certification tag shall both be subject to the penalty
24 provisions of this Act for violations for improper installation
25 of a lawn sprinkler system installed after the effective date
26 of this amendatory Act of the 91st General Assembly.

1 (d) An irrigation contractor who has registered with the
2 Department 5 ~~7~~ or fewer persons who are authorized to install
3 or supervise the installation of lawn sprinkler systems shall
4 either employ or contract with at least one licensed plumber
5 who shall install or be responsible for the installation of
6 every lawn sprinkler system installed after the effective date
7 of this amendatory Act of the 98th General Assembly ~~this~~
8 ~~amendatory Act of the 91st General Assembly~~. The licensed
9 plumber shall inspect the risers and sprinkler heads before
10 backfilling.

11 An irrigation contractor who has registered with the
12 Department 6 ~~8~~ to 10 ~~12~~ persons who are authorized to install
13 or supervise the installation of lawn sprinkler systems shall
14 either employ or contract with at least 2 licensed plumbers who
15 shall install or be responsible for the installation of every
16 lawn sprinkler system installed after the effective date of
17 this amendatory Act of the 98th General Assembly ~~this~~
18 ~~amendatory Act of the 91st General Assembly~~. A licensed plumber
19 shall inspect the risers and sprinkler heads before
20 backfilling.

21 An irrigation contractor who has registered with the
22 Department 11 ~~13~~ to 15 ~~20~~ persons who are authorized to install
23 or supervise the installation of lawn sprinkler systems shall
24 either employ or contract with at least 3 licensed plumbers who
25 shall install or be responsible for the installation of every
26 lawn sprinkler system installed after the effective date of

1 this amendatory Act of the 98th General Assembly ~~this~~
2 ~~amendatory Act of the 91st General Assembly~~. A licensed plumber
3 shall inspect the risers and sprinkler heads before
4 backfilling.

5 An irrigation contractor who has registered with the
6 Department 16 21 to 20 28 persons who are authorized to install
7 or supervise the installation of lawn sprinkler systems shall
8 either employ or contract with at least 4 licensed plumbers who
9 shall install or be responsible for the installation of every
10 lawn sprinkler system installed after the effective date of
11 this amendatory Act of the 98th General Assembly ~~this~~
12 ~~amendatory Act of the 91st General Assembly~~. A licensed plumber
13 shall inspect the risers and sprinkler heads before
14 backfilling.

15 An irrigation contractor who has registered with the
16 Department 21 29 to 25 35 persons who are authorized to install
17 or supervise the installation of lawn sprinkler systems shall
18 either employ or contract with at least 5 licensed plumbers who
19 shall install or be responsible for the installation of every
20 lawn sprinkler system installed after the effective date of
21 this amendatory Act of the 98th General Assembly ~~this~~
22 ~~amendatory Act of the 91st General Assembly~~. A licensed plumber
23 shall inspect the risers and sprinkler heads before
24 backfilling.

25 An irrigation contractor who has registered with the
26 Department 26 36 or more persons who are authorized to install

1 or supervise the installation of lawn sprinkler systems shall
2 either employ or contract with at least 6 licensed plumbers who
3 shall install or be responsible for the installation of every
4 lawn sprinkler system installed after the effective date of
5 this amendatory Act of the 98th General Assembly ~~this~~
6 ~~amendatory Act of the 91st General Assembly~~. A licensed plumber
7 shall inspect the risers and sprinkler heads before
8 backfilling.

9 The Department may provide by rule for the temporary waiver
10 process for registered irrigation contractors who are unable to
11 comply with the requirements of this subsection. When a
12 temporary waiver is granted, it shall not be for a duration of
13 more than 3 consecutive months. Upon the expiration of a
14 temporary waiver issued by the Department, the registered
15 irrigation contractor shall demonstrate that justifiable
16 reasons exist why he or she is still unable to comply with the
17 requirements of this subsection, despite good faith efforts to
18 comply with the requirements. In no case shall a temporary
19 waiver be granted for an irrigation contractor for more than a
20 total of 6 months in a two-year period. In no case shall an
21 irrigation contractor be relieved of the requirement that a
22 licensed plumber shall inspect every sprinkler system
23 installed by an irrigation contractor to ensure the provisions
24 of this Section have been met and that the system works
25 mechanically and make the physical connection between a
26 sprinkler system and the backflow prevention device.

1 (e) No person shall attach to a lawn sprinkler system any
2 fixture intended to supply water for human consumption.

3 No person shall attach to a lawn sprinkler system any
4 fixture other than the backflow prevention device, sprinkler
5 heads, valves, and other parts integral to the operation of the
6 system, unless the fixture is clearly marked as being for
7 non-potable uses only.

8 (f) A college, university, trade school, vocational
9 school, or association that has established a program providing
10 a course of instruction in lawn sprinkler design and
11 installation may submit a letter to the Department requesting
12 approval of its program or course of instruction.

13 The request for approval shall include information on the
14 curriculum offered by the program and the qualifications of the
15 organization. The course shall consist of a minimum of 2 days
16 of classroom education and an exam and shall include a
17 provision for continuing education.

18 The Department shall evaluate the curriculum and
19 organization before making a determination to approve or deny a
20 request for approval.

21 In addition to providing to the Department the names of
22 licensed plumbers who are employed by or contract with an
23 irrigation contractor, an irrigation contractor must also
24 provide to the Department the names of employees who have
25 successfully completed an approved course on the installation
26 of lawn sprinkler systems and proof that the course was

1 successfully completed and that continuing education is also
2 being completed.

3 (g) All automatically operated lawn sprinkler systems
4 shall have furnished and installed technology that inhibits or
5 interrupts operation of the landscape irrigation system during
6 periods of sufficient moisture or rainfall. The technology must
7 be adjustable either by the end user or the irrigation
8 contractor.

9 This subsection (g) does not apply to systems operating on
10 golf courses or agricultural lands.

11 The requirements of this subsection (g) apply to all
12 landscape irrigation systems installed after January 1, 2009.

13 (Source: P.A. 94-101, eff. 1-1-08; 95-421, eff. 1-1-09.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.