

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 Illinois Roofing Industry Licensing Act is  
5 amended by changing Sections 3 and 9 as follows:

6 (225 ILCS 335/3) (from Ch. 111, par. 7503)

7 (Section scheduled to be repealed on January 1, 2016)

8 Sec. 3. Application for license.

9 (1) To obtain a license, an applicant must indicate if the  
10 license is sought for a sole proprietorship, partnership,  
11 corporation, business trust, or other legal entity and whether  
12 the application is for a limited or unlimited roofing license.  
13 If the license is sought for a sole proprietorship, the license  
14 shall be issued to the proprietor who shall also be designated  
15 as the qualifying party. If the license is sought for a  
16 partnership, corporation, business trust, or other legal  
17 entity, the license shall be issued in the company name. A  
18 company must designate one individual who will serve as a  
19 qualifying party. The qualifying party is the individual who  
20 must take the examination required under Section 3.5. The  
21 company shall submit an application in writing to the  
22 Department on a form containing the information prescribed by  
23 the Department and accompanied by the fee fixed by the

1 Department. The application shall include, but shall not be  
2 limited to:

3 (a) the name and address of the person designated as  
4 the qualifying party responsible for the practice of  
5 professional roofing in Illinois;

6 (b) the name of the proprietorship and its proprietor,  
7 the name of the partnership and its partners, the name of  
8 the corporation and its officers and directors, the name of  
9 the business trust and its trustees, or the name of such  
10 other legal entity and its members;

11 (c) evidence of compliance with any statutory  
12 requirements pertaining to such legal entity, including  
13 compliance with any laws pertaining to the use of  
14 fictitious names, if a fictitious name is used; if the  
15 business is a sole proprietorship and doing business under  
16 a name other than that of the individual proprietor, the  
17 individual proprietor must list all business names used for  
18 that proprietorship.

19 (1.5) A certificate issued by the Department before the  
20 effective date of this amendatory Act of the 91st General  
21 Assembly shall be deemed a license for the purposes of this  
22 Act.

23 (2) An applicant for a license must submit satisfactory  
24 evidence that:

25 (a) he or she has obtained public liability and  
26 property damage insurance in such amounts and under such

1 circumstances as may be determined by the Department;

2 (b) he or she has obtained Workers' Compensation  
3 insurance for roofing covering his or her employees or is  
4 approved as a self-insurer of Workers' Compensation in  
5 accordance with Illinois law;

6 (c) he or she has an unemployment insurance employer  
7 account number issued by the Department of Employment  
8 Security, and he or she is not delinquent in the payment of  
9 any amount due under the Unemployment Insurance Act ~~he or~~  
10 ~~she has an Illinois Unemployment Insurance employer~~  
11 ~~identification number or has proof of application to the~~  
12 ~~Illinois Department of Labor for such an identification~~  
13 ~~number;~~

14 (d) he or she has submitted a continuous bond to the  
15 Department in the amount of \$10,000 for a limited license  
16 and in the amount of \$25,000 for an unlimited license; and

17 (e) a qualifying party has satisfactorily completed  
18 the examination required under Section 3.5.

19 (3) It is the responsibility of the licensee to provide to  
20 the Department notice in writing of any changes in the  
21 information required to be provided on the application.

22 (4) All roofing contractors must designate a qualifying  
23 party and otherwise achieve compliance with this Act no later  
24 than July 1, 2003 or his or her license will automatically  
25 expire on July 1, 2003.

26 (5) Nothing in this Section shall apply to a seller of

1 roofing materials or services when the construction,  
2 reconstruction, alteration, maintenance, or repair of roofing  
3 or waterproofing is to be performed by a person other than the  
4 seller or the seller's employees.

5 (6) Applicants have 3 years from the date of application to  
6 complete the application process. If the application has not  
7 been completed within 3 years, the application shall be denied,  
8 the fee shall be forfeited and the applicant must reapply and  
9 meet the requirements in effect at the time of reapplication.

10 (Source: P.A. 91-950, eff. 2-9-01.)

11 (225 ILCS 335/9) (from Ch. 111, par. 7509)

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

13 Sec. 9. Licensure requirement.

14 (1) It is unlawful for any person to engage in the business  
15 or act in the capacity of or hold himself or herself out in any  
16 manner as a roofing contractor without having been duly  
17 licensed under the provisions of this Act.

18 (2) No work involving the construction, reconstruction,  
19 alteration, maintenance or repair of any kind of roofing or  
20 waterproofing may be done except by a roofing contractor  
21 licensed under this Act.

22 (3) Sellers of roofing services may subcontract the  
23 provision of those roofing services only to roofing contractors  
24 licensed under this Act.

25 (4) All persons performing roofing services under this Act

1 shall be licensed as roofing contractors, except for those  
2 persons who are deemed to be employees under Section 10 of the  
3 Employee Classification Act of a licensed roofing contractor.

4 (Source: P.A. 90-55, eff. 1-1-98; 91-950, eff. 2-9-01.)