



Sen. Iris Y. Martinez

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09800SB2999sam001

LRB098 17853 ZMM 55809 a

1 AMENDMENT TO SENATE BILL 2999

2 AMENDMENT NO. _____. Amend Senate Bill 2999 by replacing
3 everything after the enacting clause with the following:

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7 (Section scheduled to be repealed on January 1, 2016)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

1 entity, the license shall be issued in the company name. A
2 company must designate one individual who will serve as a
3 qualifying party. The qualifying party is the individual who
4 must take the examination required under Section 3.5. The
5 company shall submit an application in writing to the
6 Department on a form containing the information prescribed by
7 the Department and accompanied by the fee fixed by the
8 Department. The application shall include, but shall not be
9 limited to:

10 (a) the name and address of the person designated as
11 the qualifying party responsible for the practice of
12 professional roofing in Illinois;

13 (b) the name of the proprietorship and its proprietor,
14 the name of the partnership and its partners, the name of
15 the corporation and its officers and directors, the name of
16 the business trust and its trustees, or the name of such
17 other legal entity and its members;

18 (c) evidence of compliance with any statutory
19 requirements pertaining to such legal entity, including
20 compliance with any laws pertaining to the use of
21 fictitious names, if a fictitious name is used; if the
22 business is a sole proprietorship and doing business under
23 a name other than that of the individual proprietor, the
24 individual proprietor must list all business names used for
25 that proprietorship.

26 (1.5) A certificate issued by the Department before the

1 effective date of this amendatory Act of the 91st General
2 Assembly shall be deemed a license for the purposes of this
3 Act.

4 (2) An applicant for a license must submit satisfactory
5 evidence that:

6 (a) he or she has obtained public liability and
7 property damage insurance in such amounts and under such
8 circumstances as may be determined by the Department;

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

13 (c) he or she has an unemployment insurance employer
14 account number issued by the Department of Employment
15 Security, and he or she is not delinquent in the payment of
16 any amount due under the Unemployment Insurance Act ~~he or~~
17 ~~she has an Illinois Unemployment Insurance employer~~
18 ~~identification number or has proof of application to the~~
19 ~~Illinois Department of Labor for such an identification~~
20 ~~number;~~

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

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

26 (3) It is the responsibility of the licensee to provide to

1 the Department notice in writing of any changes in the
2 information required to be provided on the application.

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

7 (5) Nothing in this Section shall apply to a seller of
8 roofing materials or services when the construction,
9 reconstruction, alteration, maintenance, or repair of roofing
10 or waterproofing is to be performed by a person other than the
11 seller or the seller's employees.

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

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

18 (225 ILCS 335/9) (from Ch. 111, par. 7509)

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

20 Sec. 9. Licensure requirement.

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

25 (2) No work involving the construction, reconstruction,

1 alteration, maintenance or repair of any kind of roofing or
2 waterproofing may be done except by a roofing contractor
3 licensed under this Act.

4 (3) Sellers of roofing services may subcontract the
5 provision of those roofing services only to roofing contractors
6 licensed under this Act.

7 (4) All persons performing work on a roofing project shall
8 be licensed as a roofing contractor, except for those persons
9 who are deemed to be employees under Section 10 of the Employee
10 Classification Act of a licensed roofing contractor.

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