



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB5913

by Rep. John D'Amico

SYNOPSIS AS INTRODUCED:

225 ILCS 320/3	from Ch. 111, par. 1103
225 ILCS 320/8	from Ch. 111, par. 1107
225 ILCS 320/10	from Ch. 111, par. 1109

Amends the Illinois Plumbing License Law. Requires a licensed plumber to provide proof of completing 4 hours of continuing education to renew his or her annual license. Provides that sponsors of continuing education shall meet the criteria provided by the Board of Plumbing Examiners and the Plumbing Code advisory council. Provides that continuing education courses shall provide instruction in plumbing, which is supervised directly by an Illinois licensed plumber only. Provides qualifying criteria for plumbing instructors. Provides that the Director of Public Health shall approve an application for a plumber's license examination if the applicant has submitted evidence that he or she has successfully completed an approved course of instruction in plumbing supervised directly by an Illinois licensed plumber in colleges, universities, or trade schools.

LRB099 20382 SMS 44866 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 Illinois Plumbing License Law is amended by
5 changing Sections 3, 8, and 10 as follows:

6 (225 ILCS 320/3) (from Ch. 111, par. 1103)

7 Sec. 3. (1) All planning and designing of plumbing systems
8 and all plumbing shall be performed only by plumbers licensed
9 under the provisions of this Act hereinafter called "licensed
10 plumbers" and "licensed apprentice plumbers". The inspection
11 of plumbing and plumbing systems shall be done only by the
12 sponsor or his or her agent who shall be an Illinois licensed
13 plumber. Nothing herein contained shall prohibit licensed
14 plumbers or licensed apprentice plumbers under supervision
15 from planning, designing, inspecting, installing, repairing,
16 maintaining, altering or extending building sewers in
17 accordance with this Act. No person who holds a license or
18 certificate of registration under the Illinois Architecture
19 Practice Act of 1989, or the Structural Engineering Practice
20 Act of 1989, or the Professional Engineering Practice Act of
21 1989 shall be prevented from planning and designing plumbing
22 systems. Each licensed plumber shall, as a condition of each
23 annual license renewal after the first license, provide proof

1 of completion of 4 hours of continuing education. Sponsors of
2 continuing education shall meet the criteria provided by the
3 Board of Plumbing Examiners and Plumbing Code advisory council.
4 Continuing education courses shall provide instruction in
5 plumbing, which is supervised directly by an Illinois licensed
6 plumber only.

7 (2) Nothing herein contained shall prohibit the owner
8 occupant or lessee occupant of a single family residence, or
9 the owner of a single family residence under construction for
10 his or her occupancy, from planning, installing, altering or
11 repairing the plumbing system of such residence, provided that
12 (i) such plumbing shall comply with the minimum standards for
13 plumbing contained in the Illinois State Plumbing Code, and
14 shall be subject to inspection by the Department or the local
15 governmental unit if it retains a licensed plumber as an
16 inspector; and (ii) such owner, owner occupant or lessee
17 occupant shall not employ other than a plumber licensed
18 pursuant to this Act to assist him or her.

19 For purposes of this subsection, a person shall be
20 considered an "occupant" if and only if he or she has taken
21 possession of and is living in the premises as his or her bona
22 fide sole and exclusive residence, or, in the case of an owner
23 of a single family residence under construction for his or her
24 occupancy, he or she expects to take possession of and live in
25 the premises as his or her bona fide sole and exclusive
26 residence, and he or she has a current intention to live in

1 such premises as his or her bona fide sole and exclusive
2 residence for a period of not less than 6 months after the
3 completion of the plumbing work performed pursuant to the
4 authorization of this subsection, or, in the case of an owner
5 of a single family residence under construction for his or her
6 occupancy, for a period of not less than 6 months after the
7 completion of construction of the residence. Failure to possess
8 and live in the premises as a sole and exclusive residence for
9 a period of 6 months or more shall create a rebuttable
10 presumption of a lack of such intention.

11 (3) The employees of a firm, association, partnership or
12 corporation who engage in plumbing shall be licensed plumbers
13 or licensed apprentice plumbers. At least one member of every
14 firm, association or partnership engaged in plumbing work, and
15 at least one corporate officer of every corporation engaged in
16 plumbing work, as the case may be, shall be a licensed plumber.
17 A retired plumber cannot fulfill the requirements of this
18 subsection (3). Plumbing contractors are also required to be
19 registered pursuant to the provisions of this Act.

20 Notwithstanding the provisions of this subsection (3), it
21 shall be lawful for an irrigation contractor registered under
22 Section 2.5 of this Act to employ or contract with one or more
23 licensed plumbers in connection with work on lawn sprinkler
24 systems pursuant to Section 2.5 of this Act.

25 (4) (a) A licensed apprentice plumber shall plan, design
26 and install plumbing only under the supervision of the

1 sponsor or his or her agent who is also an Illinois
2 licensed plumber.

3 (b) An applicant for licensing as an apprentice plumber
4 shall be at least 16 years of age and apply on the
5 application form provided by the Department. Such
6 application shall verify that the applicant is sponsored by
7 an Illinois licensed plumber or an approved apprenticeship
8 program and shall contain the name and license number of
9 the licensed plumber or program sponsor.

10 (c) No licensed plumber shall sponsor more than 2
11 licensed apprentice plumbers at the same time. If 2
12 licensed apprentice plumbers are sponsored by a plumber at
13 the same time, one of the apprentices must have, at a
14 minimum, 2 years experience as a licensed apprentice. No
15 licensed plumber sponsor or his or her agent may supervise
16 2 licensed apprentices with less than 2 years experience at
17 the same time. The sponsor or agent shall supervise and be
18 responsible for the plumbing performed by a licensed
19 apprentice.

20 (d) No agent shall supervise more than 2 licensed
21 apprentices at the same time.

22 (e) No licensed plumber may, in any capacity, supervise
23 more than 2 licensed apprentice plumbers at the same time.

24 (f) No approved apprenticeship program may sponsor
25 more licensed apprentices than 2 times the number of
26 licensed plumbers available to supervise those licensed

1 apprentices.

2 (g) No approved apprenticeship program may sponsor
3 more licensed apprentices with less than 2 years experience
4 than it has licensed plumbers available to supervise those
5 licensed apprentices.

6 (h) No individual shall work as an apprentice plumber
7 unless he or she is properly licensed under this Act. The
8 Department shall issue an apprentice plumber's license to
9 each approved applicant.

10 (i) No licensed apprentice plumber shall serve more
11 than a 6 year licensed apprenticeship period. If, upon
12 completion of a 6 year licensed apprenticeship period, such
13 licensed apprentice plumber does not apply for the
14 examination for a plumber's license and successfully pass
15 the examination for a plumber's license, his or her
16 apprentice plumber's license shall not be renewed.

17 Nothing contained in P.A. 83-878, entitled "An Act in
18 relation to professions", approved September 26, 1983, was
19 intended by the General Assembly nor should it be construed to
20 require the employees of a governmental unit or privately owned
21 municipal water supplier who operate, maintain or repair a
22 water or sewer plant facility which is owned or operated by
23 such governmental unit or privately owned municipal water
24 supplier to be licensed plumbers under this Act. In addition,
25 nothing contained in P.A. 83-878 was intended by the General
26 Assembly nor should it be construed to permit persons other

1 than licensed plumbers to perform the installation, repair,
2 maintenance or replacement of plumbing fixtures, such as toilet
3 facilities, floor drains, showers and lavatories, and the
4 piping attendant to those fixtures, within such facility or in
5 the construction of a new facility.

6 Nothing contained in P.A. 83-878, entitled "An Act in
7 relation to professions", approved September 26, 1983, was
8 intended by the General Assembly nor should it be construed to
9 require the employees of a governmental unit or privately owned
10 municipal water supplier who install, repair or maintain water
11 service lines from water mains in the street, alley or curb
12 line to private property lines and who install, repair or
13 maintain water meters to be licensed plumbers under this Act if
14 such work was customarily performed prior to the effective date
15 of such Act by employees of such governmental unit or privately
16 owned municipal water supplier who were not licensed plumbers.
17 Any such work which was customarily performed prior to the
18 effective date of such Act by persons who were licensed
19 plumbers or subcontracted to persons who were licensed plumbers
20 must continue to be performed by persons who are licensed
21 plumbers or subcontracted to persons who are licensed plumbers.
22 When necessary under this Act, the Department shall make the
23 determination whether or not persons who are licensed plumbers
24 customarily performed such work.

25 (Source: P.A. 91-91, eff. 1-1-00; 91-678, eff. 1-26-00; 92-338,
26 eff. 8-10-01.)

1 (225 ILCS 320/8) (from Ch. 111, par. 1107)

2 Sec. 8. The Director shall:

3 (1) Prepare forms for application for examination for a
4 plumber's license.

5 (2) Prepare and issue licenses as provided in this Act.

6 (3) With the aid of the Board prescribe rules and
7 regulations for examination of applicants for plumber's
8 licenses.

9 (4) With the aid of the Board prepare and give uniform and
10 comprehensive examinations to applicants for a plumber's
11 license which shall test their knowledge and qualifications in
12 the planning and design of plumbing systems, their knowledge,
13 qualifications, and manual skills in plumbing, and their
14 knowledge of the State's minimum code of standards relating to
15 fixtures, materials, design and installation methods of
16 plumbing systems, promulgated pursuant to this Act.

17 (5) Issue a plumber's license and license renewal to every
18 applicant who has passed the examination and who has paid the
19 required license and renewal fee.

20 (6) Prescribe rules for hearings to deny, suspend, revoke
21 or reinstate licenses as provided in this Act.

22 (7) Maintain a current record showing (a) the names and
23 addresses of registered plumbing contractors, licensed
24 plumbers, licensed apprentice plumbers, and licensed retired
25 plumbers, (b) the dates of issuance of licenses, (c) the date

1 and substance of the charges set forth in any hearing for
2 denial, suspension or revocation of any license, (d) the date
3 and substance of the final order issued upon each such hearing,
4 and (e) the date and substance of all petitions for
5 reinstatement of license and final orders on such petitions.

6 (8) Prescribe, in consultation with the Board, uniform and
7 reasonable rules defining what constitutes an approved course
8 of instruction in plumbing, in colleges, universities, or trade
9 schools, and approve or disapprove the courses of instruction
10 offered by such colleges, universities, or trade schools by
11 reference to their compliance or noncompliance with such rules.
12 Such rules shall be designed to assure that an approved course
13 of instruction will adequately teach the design, planning,
14 installation, replacement, extension, alteration and repair of
15 plumbing.

16 Each instructor participating in a program of instruction
17 in plumbing shall be:

18 (a) an Illinois licensed plumber;

19 (b) an individual who possesses a provisional career and
20 technical educator endorsement on an educator license, issued
21 by the State Board of Education pursuant to Section 21B-20 of
22 the School Code in a field related to plumbing, such as
23 hydraulics, pneumatics, or water chemistry; or

24 (c) a representative of an industry or a manufacturing
25 business related to plumbing, including, but not limited to,
26 the copper industry, plastic pipe industry, or cast iron

1 industry. Courses that are taught by industry representatives
2 shall be educational and shall not be sales oriented. Industry
3 representatives shall be assisted by an Illinois licensed
4 plumber during the presentation of a course of instruction.

5 The instructor shall provide verification of the license or
6 certificate. A copy of the instructor's educator license will
7 establish verification.

8 (Source: P.A. 92-338, eff. 8-10-01.)

9 (225 ILCS 320/10) (from Ch. 111, par. 1109)

10 Sec. 10. (1) An applicant for a plumber's license shall
11 file a written application in the office of the Department on
12 the form designated by the Department at least 30 days before
13 the date set by the Department for the examination.

14 (2) The Director shall promptly approve the application for
15 examination if:

16 (a) the required application fee has been paid, and

17 (b) the applicant has submitted evidence that he or she
18 is a citizen of the United States or has declared his or
19 her intention to become a citizen, and

20 (c) the applicant has submitted evidence that he or she
21 has completed at least a 2 year course of study in a high
22 school, or an equivalent course of study, and

23 (d) the applicant has been employed as an Illinois
24 licensed apprentice plumber under supervision in
25 accordance with this Act for at least 4 years preceding the

1 date of application and has submitted evidence that he or
2 she has worked at the plumbing trade in accordance with
3 this Act for the 4 year Illinois licensed apprentice
4 plumber apprenticeship period, or

5 (e) the applicant has submitted evidence that he or she
6 has successfully completed an approved course of
7 instruction in plumbing supervised directly by an Illinois
8 licensed plumber in colleges, universities, or trade
9 schools.

10 (3) If the application for examination is approved, the
11 Department shall promptly notify the applicant in writing of
12 such approval and of the place and time of the examination. If
13 the application is disapproved, the Department shall promptly
14 notify the applicant in writing of such disapproval, stating
15 the reasons for disapproval.

16 (4) If an applicant neglects, fails or refuses to take an
17 examination for license under this Act, the application is
18 denied. However, such applicant may submit a new application
19 for examination, accompanied by the required application fee.
20 Application fees for examination for a plumber's license are
21 not refundable.

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