SB2982 Enrolled

1 AN ACT concerning regulation.

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2 Be it enacted by the People of the State of Illinois, 3 represented in the General Assembly:

Section 5. The Illinois Roofing Industry Licensing Act is
amended by changing Sections 2 and 11 as follows:

6 (225 ILCS 335/2) (from Ch. 111, par. 7502)

(Section scheduled to be repealed on January 1, 2026)

8 Sec. 2. Definitions. As used in this Act, unless the 9 context otherwise requires:

10 (a) "Licensure" means the act of obtaining or holding a11 license issued by the Department as provided in this Act.

12 (b) "Department" means the Department of Financial and13 Professional Regulation.

14 (c) "Secretary" means the Secretary of Financial and 15 Professional Regulation.

16 (d) "Person" means any individual, partnership, 17 corporation, business trust, limited liability company, or 18 other legal entity.

(e) "Roofing contractor" is one who has the experience, knowledge and skill to construct, reconstruct, alter, maintain and repair roofs and use materials and items used in the construction, reconstruction, alteration, maintenance and repair of all kinds of roofing and waterproofing as related to SB2982 Enrolled - 2 - LRB099 19638 SMS 44035 b

roofing, all in such manner to comply with all plans, specifications, codes, laws, and regulations applicable thereto, but does not include such contractor's employees to the extent the requirements of Section 3 of this Act apply and extend to such employees.

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(f) "Board" means the Roofing Advisory Board.

7 (g) "Qualifying party" means the individual filing as a 8 sole proprietor, partner of a partnership, officer of a 9 corporation, trustee of a business trust, or party of another 10 legal entity, who is legally qualified to act for the business 11 organization in all matters connected with its roofing 12 contracting business, has the authority to supervise roofing 13 installation operations, and is actively engaged in day to day 14 activities of the business organization.

15 "Qualifying party" does not apply to a seller of roofing 16 materials or services when the construction, reconstruction, 17 alteration, maintenance, or repair of roofing or waterproofing 18 is to be performed by a person other than the seller or the 19 seller's employees.

(h) "Limited roofing license" means a license made
available to contractors whose roofing business is limited to
roofing residential properties consisting of 8 units or less.

(i) "Unlimited roofing license" means a license made available to contractors whose roofing business is unlimited in nature and includes roofing on residential, commercial, and industrial properties. SB2982 Enrolled - 3 - LRB099 19638 SMS 44035 b

(j) "Seller of services or materials" means a business
 entity primarily engaged in the sale of tangible personal
 property at retail.

4 (k) "Building permit" means a permit issued by a unit of
5 local government for work performed within the local
6 government's jurisdiction that requires a license under this
7 Act.

8 (1) "Address of record" means the designated address 9 recorded by the Department in the applicant's or licensee's 10 application file or license file as maintained by the 11 Department's licensure maintenance unit. It is the duty of the 12 applicant or licensee to inform the Department of any change of 13 address, and those changes must be made either through the 14 Department's website or by contacting the Department.

15 <u>(m) "Roof repair" means reconstruction or renewal of any</u> 16 <u>part of an existing roof for the purposes of its maintenance.</u> 17 (Source: P.A. 99-469, eff. 8-26-15.)

18 (225 ILCS 335/11) (from Ch. 111, par. 7511)

19 (Section scheduled to be repealed on January 1, 2026)

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Sec. 11. Application of Act.

(1) Nothing in this Act limits the power of a municipality, city, county, or incorporated area to regulate the quality and character of work performed by roofing contractors through a system of permits, fees, and inspections which are designed to secure compliance with and aid in the implementation of State SB2982 Enrolled - 4 - LRB099 19638 SMS 44035 b

1 and local building laws or to enforce other local laws for the 2 protection of the public health and safety.

3 (2) Nothing in this Act shall be construed to require a 4 seller of roofing materials or services to be licensed as a 5 roofing contractor when the construction, reconstruction, 6 alteration, maintenance or repair of roofing or waterproofing 7 is to be performed by a person other than the seller or the 8 seller's employees.

9 (3) Nothing in this Act shall be construed to require a 10 person who performs roofing or waterproofing work to his or her 11 own property, or for no consideration, to be licensed as a 12 roofing contractor.

13 (4) Nothing in this Act shall be construed to require a 14 person who performs roof repair roofing or waterproofing work 15 to his or her employer's property to be licensed as a roofing 16 contractor, where there exists an employer-employee 17 relationship. Nothing in this Act shall be construed to apply to the installation of plastics, glass or fiberglass to 18 greenhouses and related horticultural structures, or to the 19 20 repair or construction of farm buildings.

(5) Nothing in this Act limits the power of a municipality, city, county, or incorporated area to collect occupational license and inspection fees for engaging in roofing contracting.

25 (6) Nothing in this Act limits the power of the 26 municipalities, cities, counties, or incorporated areas to SB2982 Enrolled - 5 - LRB099 19638 SMS 44035 b

adopt any system of permits requiring submission to and approval by the municipality, city, county, or incorporated area of plans and specifications for work to be performed by roofing contractors before commencement of the work.

5 (7) Any official authorized to issue building or other 6 related permits shall ascertain that the applicant contractor 7 is duly licensed before issuing the permit. The evidence shall 8 consist only of the exhibition to him or her of current 9 evidence of licensure.

10 (8) This Act applies to any roofing contractor performing 11 work for the State or any municipality, city, county, or 12 incorporated area. Officers of the State or any municipality, 13 city, county or incorporated area are required to determine 14 compliance with this Act before awarding any contracts for 15 construction, improvement, remodeling, or repair.

16 (9) If an incomplete contract exists at the time of death 17 of a licensee, the contract may be completed by any person even though not licensed. Such person shall notify the Department 18 19 within 30 days after the death of the contractor of his or her 20 name and address. For the purposes of this subsection, an incomplete contract is one which has been awarded to, or 21 22 entered into by, the licensee before his or her death or on 23 which he or she was the low bidder and the contract is subsequently awarded to him or her regardless of whether any 24 25 actual work has commenced under the contract before his or her 26 death.

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1 (10) The State or any municipality, city, county, or 2 incorporated area may require that bids submitted for roofing 3 construction, improvement, remodeling, or repair of public 4 buildings be accompanied by evidence that that bidder holds an 5 appropriate license issued pursuant to this Act.

6 (11) (Blank).

7 (12) Nothing in this Act shall prevent a municipality, 8 city, county, or incorporated area from making laws or 9 ordinances that are more stringent than those contained in this 10 Act.

11 (Source: P.A. 99-469, eff. 8-26-15.)