

AN ACT concerning regulation.

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

Section 5. The Illinois Plumbing License Law is amended by changing Sections 3, 8, and 10 as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

apprentices.

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

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

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

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

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

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

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

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

Sec. 8. The Director shall:

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

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

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

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

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

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

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

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

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

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

(a) an Illinois licensed plumber;

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) 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.

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

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

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