

1 AN ACT concerning State government.

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

4 Section 5. The Capital Development Board Act is amended by  
5 changing Sections 3, 4.03, 4.04, 6, 7, 9.02, 9.07, 10.02,  
6 10.03, 10.05, 10.09-1, and 12 as follows:

7 (20 ILCS 3105/3) (from Ch. 127, par. 773)

8 Sec. 3. As used in this Act, unless the context otherwise  
9 requires:

10 "Board" means the Capital Development Board.

11 "State agency" means and includes each officer,  
12 department, board, commission, institution, body politic and  
13 corporate of the State ~~including the Illinois Building~~  
14 ~~Authority, school districts,~~ and any other person expending or  
15 encumbering State or federal funds by virtue of an  
16 appropriation or other authorization by the General Assembly or  
17 federal authorization or grant. Except as otherwise expressly  
18 authorized by the General Assembly, the term does not include  
19 the Department of Transportation, the Department of Natural  
20 Resources, or Environmental Protection Agency, except as  
21 respects buildings used by the Department or Agency for its  
22 officers, employees, or equipment, or any of them, and for  
23 capital improvements related to such buildings. Nor does the

1 term include the Illinois Housing Development Authority, the  
2 Illinois Finance Authority or the St. Louis Metropolitan Area  
3 Airport Authority.

4 ~~"School District" means any school district or special~~  
5 ~~charter district as defined in Section 1-3 of "The School~~  
6 ~~Code", approved March 18, 1961, as amended, or any~~  
7 ~~administrative district, or governing board, of a joint~~  
8 ~~agreement organized under Section 10-22.31 of the School Code.~~  
9 (Source: P.A. 93-205, eff. 1-1-04.)

10 (20 ILCS 3105/4.03) (from Ch. 127, par. 774.03)

11 Sec. 4.03. To conduct research on improvements in choice  
12 and use of materials, energy systems, ~~including solar energy~~  
13 ~~systems~~, and in construction methods for reducing construction  
14 costs and operating and maintenance costs of the facilities  
15 described in Section 4.01.

16 (Source: P.A. 80-430.)

17 (20 ILCS 3105/4.04) (from Ch. 127, par. 774.04)

18 Sec. 4.04. To review and recommend periodic revisions in  
19 established building and construction codes to promote public  
20 safety, energy efficiency and economy, ~~including the use of~~  
21 ~~solar energy~~, and reduce construction costs and operating and  
22 maintenance costs of the facilities described in Section 4.01.

23 (Source: P.A. 80-430.)

1 (20 ILCS 3105/6) (from Ch. 127, par. 776)

2 Sec. 6. Members of the Board shall serve without  
3 compensation but shall be reimbursed for their reasonable  
4 expenses necessarily incurred in the performance of their  
5 duties and the exercise of their powers under this Act. Each  
6 member shall give bond, before entering upon the duties of his  
7 or her office, in the penal sum of \$100,000 by inclusion in the  
8 blanket bond or bonds or the self-insurance program provided  
9 for in Section 14.1 and 14.2 of the Official Bond Act. The bond  
10 shall be conditioned upon the faithful performance of his or  
11 her duties. Each member shall, before entering upon the duties  
12 of his or her office, take and subscribe the constitutional  
13 oath of office, which shall be filed in the office of the  
14 Secretary of State. ~~Each member shall before entering upon the~~  
15 ~~duties of his office, take and subscribe the constitutional~~  
16 ~~eath of office and give bond in the penal sum of \$100,000~~  
17 ~~conditioned upon the faithful performance of his duties. The~~  
18 ~~eath and bond shall be filed in the office of the Secretary of~~  
19 ~~State.~~

20 (Source: P.A. 77-1995.)

21 (20 ILCS 3105/7) (from Ch. 127, par. 777)

22 Sec. 7. The Board shall meet at such times and places as is  
23 provided for by the Board or, in the absence of such a  
24 provision, on call of the chairman as prescribed by Board rules  
25 ~~after at least 5 day's written notice to the members and the~~

1 ~~request of 2 or more members.~~ Four members of the Board shall  
2 constitute a quorum. No vacancy in the membership shall impair  
3 the right of a quorum of the members to exercise all of the  
4 rights and powers, and to perform all of the duties, of the  
5 Board.

6 (Source: P.A. 77-1995.)

7 (20 ILCS 3105/9.02) (from Ch. 127, par. 779.02)

8 Sec. 9.02. To enter into contracts on behalf of the State  
9 of Illinois to effectuate the purposes of this Act, subject to  
10 the Illinois Procurement Code ~~Purchasing Act~~.

11 (Source: P.A. 77-1995.)

12 (20 ILCS 3105/9.07) (from Ch. 127, par. 779.07)

13 Sec. 9.07. To accept assignment of contracts entered into  
14 by other State agencies for construction services on projects  
15 over which the Board shall have jurisdiction, whether or not  
16 such contracts shall have been awarded in accordance with the  
17 terms of the Illinois Procurement Code ~~Purchasing Act~~.

18 (Source: P.A. 77-1995.)

19 (20 ILCS 3105/10.02) (from Ch. 127, par. 780.02)

20 Sec. 10.02. To prepare, or cause to be prepared, general  
21 plans, drawings and estimates, ~~including the life cycle cost~~  
22 ~~estimate of energy systems,~~ for public buildings and  
23 improvements to be erected for any State agency.

1 (Source: P.A. 80-430.)

2 (20 ILCS 3105/10.03) (from Ch. 127, par. 780.03)

3 Sec. 10.03. To prepare, or cause to be prepared, such  
4 plans, specifications and other documents as are necessary to  
5 the taking and acceptance of bids and letting of construction  
6 contracts and to advertise for bids for such projects, as  
7 required in The Illinois Procurement Code ~~Purchasing Act~~.

8 (Source: P.A. 81-945.)

9 (20 ILCS 3105/10.05) (from Ch. 127, par. 780.05)

10 Sec. 10.05. To inspect, or cause to be inspected, ~~all~~  
11 materials to be incorporated into any building constructed or  
12 repaired by or under the supervision of the Board.

13 (Source: P.A. 77-1995.)

14 (20 ILCS 3105/10.09-1)

15 Sec. 10.09-1. Certification of Inspection ~~Adoption of~~  
16 ~~building code; enforcement.~~

17 (a) After July 1, 2011, no person may occupy a newly  
18 constructed commercial building in a non-building code  
19 jurisdiction until:

20 (1) The property owner or his or her agent has first  
21 contracted for the inspection of the building by an  
22 inspector who meets the qualifications established by the  
23 Board; and

1           (2) The qualified inspector files a certification of  
2 inspection with the municipality or county having such  
3 jurisdiction over the property indicating that the  
4 building meets compliance with the building codes adopted  
5 by the Board for non-building code jurisdictions based on  
6 the following:

7           (A) The current edition or most recent preceding  
8 ~~2006 or later~~ editions of the following codes developed  
9 by the International Code Council:

10           (i) International Building Code;

11           (ii) International Existing Building Code; and

12           ~~(iii) International Property Maintenance Code.~~

13           (B) The current edition or most recent preceding  
14 ~~2008 or later~~ edition of the National Electrical Code  
15 NFPA 70.

16           (b) This Section does not apply to any area in a  
17 municipality or county having jurisdiction that has registered  
18 its adopted building code with the Board as required by Section  
19 55 of the Illinois Building Commission Act.

20           (c) The qualification requirements of this Section do not  
21 apply to building enforcement personnel employed by  
22 jurisdictions as defined in subsection (b).

23           (d) For purposes of this Section:

24           "Commercial building" means any building other than a  
25 single-family home or a dwelling containing 2 or fewer  
26 apartments, condominiums, or townhomes or a farm building as

1 exempted from Section 3 of the Illinois Architecture Practice  
2 Act.

3 "Newly constructed commercial building" means any  
4 commercial building for which original construction has  
5 commenced on or after July 1, 2011.

6 "Non-building code jurisdiction" means any area of the  
7 State not subject to a building code imposed by either a county  
8 or municipality.

9 "Qualified inspector" means an individual qualified by the  
10 State of Illinois, certified by a nationally recognized  
11 building official certification organization, qualified by an  
12 apprentice program certified by the Bureau of Apprentice  
13 Training, or who has filed verification of inspection  
14 experience according to rules adopted by the Board for the  
15 purposes of conducting inspections in non-building code  
16 jurisdictions.

17 (e) New residential construction is exempt from this  
18 Section and is defined as any original construction of a  
19 single-family home or a dwelling containing 2 or fewer  
20 apartments, condominiums, or townhomes in accordance with the  
21 Illinois Residential Building Code Act.

22 (f) Local governments may establish agreements with other  
23 governmental entities within the State to issue permits and  
24 enforce building codes and may hire third-party providers that  
25 are qualified in accordance with this Section to provide  
26 inspection services.

1           (g) This Section does not regulate any other statutorily  
2 authorized code or regulation administered by State agencies.  
3 These include without limitation the Illinois Plumbing Code,  
4 the Illinois Environmental Barriers Act, the International  
5 Energy Conservation Code, and administrative rules adopted by  
6 the Office of the State Fire Marshal.

7           (h) This Section applies beginning July 1, 2011.  
8 (Source: P.A. 96-704, eff. 1-1-10.)

9           (20 ILCS 3105/12) (from Ch. 127, par. 782)

10           Sec. 12. Nothing in this Act shall be construed to include  
11 the power to abrogate those powers vested in the boards of the  
12 local public community college districts and the Illinois  
13 Community College Board by the Public Community College Act,  
14 the Board of Trustees of the University of Illinois, The Board  
15 of Trustees of Southern Illinois University, the Board of  
16 Trustees of Chicago State University, the Board of Trustees of  
17 Eastern Illinois University, the Board of Trustees of Governors  
18 State University, the Board of Trustees of Illinois State  
19 University, the Board of Trustees of Northeastern Illinois  
20 University, the Board of Trustees of Northern Illinois  
21 University, and the Board of Trustees of Western Illinois  
22 University, hereinafter referred to as Governing Boards. In the  
23 exercise of the powers conferred by law upon the Board and in  
24 the exercise of the powers vested in such Governing Boards, it  
25 is hereby provided that (i) the Board and any such Governing



1 Board may contract with each other and other parties as to the  
2 design and construction of any project to be constructed for or  
3 upon the property of such Governing Board or any institution  
4 under its jurisdiction; (ii) in connection with any such  
5 project, compliance with the provisions of the Illinois  
6 Procurement Code ~~Purchasing Act~~ by either the Board or such  
7 Governing Board shall be deemed to be compliance by the other;  
8 (iii) funds appropriated to any such Governing Board may be  
9 expended for any project constructed by the Board for such  
10 Governing Board; (iv) in connection with any such project the  
11 architects and engineers retained for the project and the plans  
12 and specifications for the project must be approved by both the  
13 Governing Board and the Board before undertaking either design  
14 or construction of the project, as the case may be.

15 (Source: P.A. 89-4, eff. 1-1-96.)

16 (20 ILCS 3105/9.01a rep.)

17 (20 ILCS 3105/9.01b rep.)

18 (20 ILCS 3105/9.01c rep.)

19 (20 ILCS 3105/9.09 rep.)

20 (20 ILCS 3105/10.02a rep.)

21 (20 ILCS 3105/10.02b rep.)

22 (20 ILCS 3105/18 rep.)

23 Section 10. The Capital Development Board Act is amended by  
24 repealing Sections 9.01a, 9.01b, 9.01c, 9.09, 10.02a, 10.02b,  
25 and 18.

1           Section 99. Effective date. This Act takes effect January  
2    1, 2020.

## 1 INDEX

## 2 Statutes amended in order of appearance

3	20 ILCS 3105/3	from Ch. 127, par. 773
4	20 ILCS 3105/4.03	from Ch. 127, par. 774.03
5	20 ILCS 3105/4.04	from Ch. 127, par. 774.04
6	20 ILCS 3105/6	from Ch. 127, par. 776
7	20 ILCS 3105/7	from Ch. 127, par. 777
8	20 ILCS 3105/9.02	from Ch. 127, par. 779.02
9	20 ILCS 3105/9.07	from Ch. 127, par. 779.07
10	20 ILCS 3105/10.02	from Ch. 127, par. 780.02
11	20 ILCS 3105/10.03	from Ch. 127, par. 780.03
12	20 ILCS 3105/10.05	from Ch. 127, par. 780.05
13	20 ILCS 3105/10.09-1	
14	20 ILCS 3105/12	from Ch. 127, par. 782
15	20 ILCS 3105/9.01a rep.	
16	20 ILCS 3105/9.01b rep.	
17	20 ILCS 3105/9.01c rep.	
18	20 ILCS 3105/9.09 rep.	
19	20 ILCS 3105/10.02a rep.	
20	20 ILCS 3105/10.02b rep.	
21	20 ILCS 3105/18 rep.	