



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**  
**HB4411**

Introduced 02/03/04, by Angelo Saviano

**SYNOPSIS AS INTRODUCED:**

225 ILCS 320/13.1  
225 ILCS 320/18 from Ch. 111, par. 1117  
225 ILCS 320/37 from Ch. 111, par. 1135  
225 ILCS 320/42

Amends the Illinois Plumbing License Law. Provides that, in any municipality in a county with a population over 500,000, a letter of intent shall be included with all plumbing permit applications and that the letter shall be written on the licensed plumber of record's personal stationary and shall include the license holder's signature and corporate seal. Preempts home rule. Provides that persons who advertise plumbing services shall, at their place of business, display the registration of at least one member of the business who is registered as a plumbing contractor (rather than the licensed plumber's license). Provides that an application for registration as a plumbing contractor shall be filed on or before the last day of September (rather than the last day of April) and that all plumbing contractor's registrations expire on the last day of September (rather than the last day of April) of each year. Provides that a city, village, or county that requires a permit for the installation and repair of plumbing may issue that permit upon verification that the applicant is the owner occupant of a single family residence that is the subject of the permit. Makes changes concerning the amount of general liability and workers compensation insurance coverage that a contractor must carry. Effective immediately.

LRB093 17739 AMC 43418 b

HOME RULE NOTE  
ACT MAY APPLY

**A BILL FOR**

1 AN ACT concerning professional 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 Section 13.1, 18, 37, and 42 as follows:

6 (225 ILCS 320/13.1)

7 Sec. 13.1. Plumbing contractors; registration;  
8 applications.

9 (1) On and after May 1, 2002, all persons or corporations  
10 desiring to engage in the business of plumbing contractor,  
11 other than any entity that maintains an audited net worth of  
12 shareholders' equity equal to or exceeding \$100,000,000, shall  
13 register in accordance with the provisions of this Act.

14 (2) Application for registration shall be filed with the  
15 Department each year, on or before the last day of September  
16 ~~April~~, in writing and on forms prepared and furnished by the  
17 Department. All plumbing contractor registrations expire on  
18 the last day of September ~~April~~ of each year.

19 (3) Applications shall contain the name, address, and  
20 telephone number of the person and the plumbing license of (i)  
21 the individual, if a sole proprietorship; (ii) the partner, if  
22 a partnership; or (iii) an officer, if a corporation. The  
23 application shall contain the business name, address, and  
24 telephone number, a current copy of the plumbing license, and  
25 any other information the Department may require by rule.

26 (4) Applicants shall submit an original certificate of  
27 insurance documenting that the contractor carries general  
28 liability insurance with a minimum of \$100,000 per occurrence,  
29 ~~bodily injury insurance with~~ a minimum of \$300,000 aggregate  
30 for bodily injury per occurrence, property damage insurance  
31 with a minimum of \$50,000 or a minimum of \$300,000 combined  
32 single limit, and workers compensation insurance with a minimum

1 \$500,000 employer's liability. No registration may be issued in  
2 the absence of this certificate. Certificates must be in force  
3 at all times for registration to remain valid.

4 (5) Applicants shall submit, on a form provided by the  
5 Department, an indemnification bond in the amount of \$20,000 or  
6 a letter of credit in the same amount for work performed in  
7 accordance with this Act and the rules promulgated under this  
8 Act.

9 (6) All employees of a registered plumbing contractor who  
10 engage in plumbing work shall be licensed plumbers or  
11 apprentice plumbers in accordance with this Act.

12 (7) Plumbing contractors shall submit an annual  
13 registration fee in an amount to be established by rule.

14 (8) The Department shall be notified in advance of any  
15 changes in the business structure, name, or location or of the  
16 addition or deletion of the owner or officer who is the  
17 licensed plumber listed on the application. Failure to notify  
18 the Department of this information is grounds for suspension or  
19 revocation of the plumbing contractor's registration.

20 (9) In the event that the plumber's license on the  
21 application for registration of a plumbing contractor is a  
22 license issued by the City of Chicago, it shall be the  
23 responsibility of the applicant to forward a copy of the  
24 plumber's license to the Department, noting the name of the  
25 registered plumbing contractor, when it is renewed.

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

27 (225 ILCS 320/18) (from Ch. 111, par. 1117)

28 Sec. 18. Local regulation; Department standards.

29 (1) It is hereby declared to be the policy of this State  
30 that each city, town, village, township or county with a water  
31 supply system or sewage disposal system or both should so soon  
32 after the enactment of this Act as practicable, with the advice  
33 of the State Department of Public Health, provide by ordinance,  
34 bylaws or rules and regulations for the materials,  
35 construction, alteration, and inspection of all plumbing

1 placed in or in connection with any building in any such city,  
2 town, village, township, or county and to provide for and  
3 appoint a competent Plumbing Inspector or more as required. The  
4 Department may by rule establish voluntary standards for the  
5 content and conduct of local plumbing regulation and inspection  
6 programs and may evaluate and certify local programs that are  
7 in compliance with the voluntary standards. The Department may  
8 by rule establish voluntary education, training, and  
9 experience standards for Plumbing Inspectors and may certify  
10 Plumbing Inspectors who are in compliance with the voluntary  
11 standards. Nothing contained in this Act shall prohibit any  
12 city, town, village, township or county from providing for a  
13 Plumbing Inspector or from requiring permits for the  
14 installation and repair of plumbing and collecting a fee  
15 therefor, but a city, town, village, township, or county that  
16 requires a permit for installation and repair of plumbing may  
17 not issue that permit without verification that the applicant  
18 has a valid plumbing license or that the applicant is the owner  
19 occupant of a single family residence that is the subject of  
20 the permit. For the purpose of this Section, the term  
21 "occupant" has the same meaning as in subsection (2) of Section  
22 3 of this Act. No person shall be appointed as a Plumbing  
23 Inspector who is not a licensed plumber under this Act,  
24 including persons employed as Plumbing Inspectors in home rule  
25 units.

26 (2) The Department of Public Health shall conduct inquiry  
27 in any city, town, village, township, or county or at any other  
28 place in the State when reasonably necessary in the judgment of  
29 the Director of the Department of Public Health to safeguard  
30 the health of any person or persons in this State, on account  
31 of piping or appurtenant appliances within any building, or  
32 outside, when such piping and appliances are for the use of  
33 plumbing as defined in this Act and for the use of carrying  
34 sewage or waste within or from any building.

35 The Department of Public Health may conduct such inquiries  
36 in any city, town, village, township or county in this State by

1 directing the Plumbing Inspector thereof to aid in or conduct  
2 such inquiry or investigation in behalf of the Department of  
3 Public Health or the Department of Public Health may designate  
4 some other person or persons to conduct such investigation.

5 (Source: P.A. 90-714, eff. 8-7-98.)

6 (225 ILCS 320/37) (from Ch. 111, par. 1135)

7 Sec. 37. Each governmental unit which is authorized to  
8 adopt and has adopted any ordinance or resolution regulating  
9 plumbing may provide for its administration and enforcement by  
10 requiring permits for any plumbing system installation, the  
11 inspection of plumbing system installations by inspectors who  
12 are licensed as plumbers in accordance with the Illinois  
13 Plumbing License Law, and the issue of certificates of approval  
14 or compliance which shall be evidence that a plumbing system  
15 has been installed in compliance with the Code of standards so  
16 adopted.

17 In any municipality in a county with a population over  
18 500,000, a letter of intent shall be included with all plumbing  
19 permit applications. The letter shall be written on the  
20 licensed plumber of record's personal stationary and shall  
21 include the license holder's signature and corporate seal. A  
22 home rule unit in a county with a population over 500,000 may  
23 not regulate the information required to be included with an  
24 application for a plumbing permit in a manner less restrictive  
25 than this Section. This Section is a limitation under  
26 subsection (i) of Section 6 of Article VII of the Illinois  
27 Constitution on the concurrent exercise by home rule units of  
28 powers and functions exercised by the State.

29 A governmental unit authorized to adopt regulations may, by  
30 ordinance or resolution, prescribe reasonable fees for the  
31 issue of permits for installation work, the issue of  
32 certificates of compliance or approval, and for the inspection  
33 of plumbing installations.

34 (Source: P.A. 79-1000.)

1 (225 ILCS 320/42)

2 Sec. 42. Home rule. Pursuant to paragraph (h) of Section 6  
3 of Article VII of the Illinois Constitution of 1970 the power  
4 to regulate the licensing of plumbers, to promulgate ~~the~~  
5 ~~promulgation of~~ a minimum plumbing code of standards, and ~~the~~  
6 ~~power~~ to regulate the registration of irrigation contractors  
7 and plumbing contractors shall, except as may otherwise be  
8 provided within and pursuant to the provisions of Section 16  
9 and Section 16.1 of this Act, be exercised by the State and may  
10 not be exercised by any unit of local government, including  
11 home rule units.

12 (Source: P.A. 91-678, eff. 1-26-00.)

13 Section 99. Effective date. This Act takes effect upon  
14 becoming law.