

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 Department of Professional Regulation Law of
5 the Civil Administrative Code of Illinois is amended by
6 changing Section 2105-75 as follows:

7 (20 ILCS 2105/2105-75) (was 20 ILCS 2105/61f)

8 Sec. 2105-75. Design professionals designated ~~Dedicated~~
9 employees. There are established within the Department certain
10 design professionals designated ~~dedicated~~ employees. These
11 employees shall be devoted primarily ~~exclusively~~ to the
12 administration and enforcement of the Illinois Architecture
13 Practice Act, the Illinois Professional Land Surveyor Act of
14 1989, the Professional Engineering Practice Act of 1989, and
15 the Structural Engineering Practice Act of 1989. The design
16 professionals designated ~~dedicated~~ employees that the Director
17 shall employ, in conformity with the Personnel Code, shall
18 include but not be limited to ~~at a minimum shall consist of~~ one
19 full-time Design Licensing Manager ~~Coordinator~~, one full-time
20 Assistant Licensing Manager ~~Coordinator~~, 4 full-time licensing
21 clerks, one full-time attorney, and 2 full-time investigators.
22 These employees shall work primarily ~~exclusively~~ in the
23 licensing and enforcement of the design profession Acts set
24 forth in this Section and may ~~shall not~~ be used, when
25 available, for ~~for the licensing and enforcement of any other~~
26 ~~Act or~~ other duties in the Department subject to the
27 authorization of the Department.

28 (Source: P.A. 91-91, eff. 7-9-99; 91-239, eff. 1-1-00; 91-357,
29 eff. 7-29-99; 92-16, eff. 6-28-01.)

30 Section 10. The Illinois Architecture Practice Act of 1989
31 is amended by changing Sections 3, 4, 13, and 36 as follows:

1 (225 ILCS 305/3) (from Ch. 111, par. 1303)

2 (Section scheduled to be repealed on January 1, 2010)

3 Sec. 3. Application of Act. Nothing in this Act shall be
4 deemed or construed to prevent the practice of structural
5 engineering as defined in the Structural Engineering Practice
6 Act of 1989, the practice of professional engineering as
7 defined in the Professional Engineering Practice Act of 1989,
8 or the preparation of documents used to prescribe work to be
9 done inside buildings for non-loadbearing interior
10 construction, furnishings, fixtures and equipment, or the
11 offering or preparation of environmental analysis, feasibility
12 studies, programming or construction management services by
13 persons other than those licensed in accordance with this Act,
14 the Structural Engineering Practice Act of 1989 or the
15 Professional Engineering Practice Act of 1989.

16 Nothing contained in this Act shall prevent the draftsmen,
17 students, project representatives and other employees of those
18 lawfully practicing as licensed architects under the
19 provisions of this Act, from acting under the direct
20 supervision and control of their employers, or to prevent the
21 employment of project representatives for enlargement or
22 alteration of buildings or any parts thereof, or prevent such
23 project representatives from acting under the direct
24 supervision and control of the licensed architect by whom the
25 construction documents including drawings and specifications
26 of any such building, enlargement or alteration were prepared.

27 Nothing in this Act or any other Act shall prevent a
28 licensed ~~registered~~ architect from practicing interior design
29 services. Nothing in this Act shall be construed as requiring
30 the services of an interior designer for the interior designing
31 of a single family residence.

32 The involvement of a licensed architect is not required for
33 the following ~~This Act does not apply to any of the following:~~

34 (A) The building, remodeling or repairing of any
35 building or other structure outside of the corporate limits

1 of any city or village, where such building or structure is
2 to be, or is used for farm purposes, or for the purposes of
3 outbuildings or auxiliary buildings in connection with
4 such farm premises.

5 (B) The construction, remodeling or repairing of a
6 detached single family residence on a single lot.

7 (C) The construction, remodeling or repairing of a
8 two-family residence of wood frame construction on a single
9 lot, not more than two stories and basement in height.

10 (D) Interior design services for buildings which do not
11 involve life safety or structural changes.

12 However, when an ordinance of a unit of local government
13 requires the involvement of a licensed architect for any
14 buildings included in the preceding paragraphs (A) through (D),
15 the requirements of this Act shall apply. All ~~all~~ buildings not
16 included in the preceding paragraphs (A) through (D), including
17 multi-family buildings and buildings previously exempt from
18 the involvement of a licensed architect under those paragraphs
19 but subsequently non-exempt due to a change in occupancy or
20 use, are subject to the requirements of this Act. Interior
21 alterations which result in life safety or structural changes
22 of the building are subject to the requirements of this Act.

23 (Source: P.A. 91-91, eff. 1-1-00; 91-133, eff. 1-1-00; 92-16,
24 eff. 6-28-01.)

25 (225 ILCS 305/4) (from Ch. 111, par. 1304)

26 (Section scheduled to be repealed on January 1, 2010)

27 Sec. 4. Definitions. In this Act:

28 (a) "Department" means the Department of Professional
29 Regulation.

30 (b) "Director" means the Director of Professional
31 Regulation.

32 (c) "Board" means the Illinois Architecture Licensing
33 Board appointed by the Director.

34 (d) "Public health" as related to the practice of
35 architecture means the state of the well-being of the body or

1 mind of the building user.

2 (e) "Public safety" as related to the practice of
3 architecture means the state of being reasonably free from risk
4 of danger, damage, or injury.

5 (f) "Public welfare" as related to the practice of
6 architecture means the well-being of the building user
7 resulting from the state of a physical environment that
8 accommodates human activity.

9 (Source: P.A. 86-702.)

10 (225 ILCS 305/13) (from Ch. 111, par. 1313)

11 (Section scheduled to be repealed on January 1, 2010)

12 Sec. 13. Qualifications of applicants. Any person who is of
13 good moral character may take an examination for licensure if
14 he or she is a graduate with a first professional degree in
15 architecture from a program accredited by the National
16 Architectural Accrediting Board and has completed such
17 diversified professional training, including academic
18 training, as is required by rules of the Department. Until
19 January 1, 2010, in ~~in~~ lieu of the requirement of graduation
20 with a first professional degree in architecture from a program
21 accredited by the National Architectural Accrediting Board,
22 the Department may admit an applicant who is a graduate with a
23 pre-professional 4 year baccalaureate degree accepted for
24 direct entry into a first professional master of architecture
25 degree program, and who has completed such additional
26 diversified professional training, including academic
27 training, as is required by rules of the Department. The
28 Department may adopt, as its own rules relating to diversified
29 professional training, those guidelines published from time to
30 time by the National Council of Architectural Registration
31 Boards.

32 Good moral character means such character as will enable a
33 person to discharge the fiduciary duties of an architect to
34 that person's client and to the public in a manner which
35 protects health, safety and welfare. Evidence of inability to

1 discharge such duties may include the commission of an offense
2 justifying discipline under Section 19. In addition, the
3 Department may take into consideration whether the applicant
4 has engaged in conduct or actions that would constitute grounds
5 for discipline under this Act.

6 (Source: P.A. 91-133, eff. 1-1-00.)

7 (225 ILCS 305/36) (from Ch. 111, par. 1336)

8 (Section scheduled to be repealed on January 1, 2010)

9 Sec. 36. Violations. Each of the following Acts constitutes
10 a Class A misdemeanor for the first offense and a Class 4
11 felony for a second or subsequent offense:

12 (a) the practice, attempt to practice or offer to
13 practice architecture, or the advertising or putting out of
14 any sign or card or other device which might indicate to
15 the public that the person is entitled to practice
16 architecture, without a license as a licensed architect, or
17 registration as a professional design firm issued by the
18 Department. Each day of practicing architecture or
19 attempting to practice architecture, and each instance of
20 offering to practice architecture, without a license as a
21 licensed architect or registration as a professional
22 design firm constitutes a separate offense;

23 (b) the making of any wilfully false oath or
24 affirmation in any matter or proceeding where an oath or
25 affirmation is required by this Act;

26 (c) the affixing of a licensed architect's seal to any
27 construction documents which have not been prepared by that
28 architect or under the architect's direct supervision and
29 control;

30 (d) the violation of any provision of this Act or its
31 rules;

32 (e) using or attempting to use an expired, inactive,
33 suspended, or revoked license, or the certificate or seal
34 of another, or impersonating another licensee;

35 (f) obtaining or attempting to obtain a license or

1 registration by fraud; or

2 (g) If any person, sole proprietorship, professional
3 service corporation, limited liability company,
4 corporation or partnership, or other entity practices
5 architecture or advertises or displays any sign or card or
6 other device that might indicate to the public that the
7 person or entity is entitled to practice as an architect or
8 use the title "architect" or any of its derivations unless
9 the person or other entity holds an active license as an
10 architect or registration as a professional design firm in
11 the State; then, in addition to any other penalty provided
12 by law any person or other entity who violates this
13 subsection (g) shall forfeit and pay to the Design
14 Professionals Administration and Investigation Fund a
15 civil penalty in an amount determined by the Department of
16 not more than \$5,000 for each offense.

17 An unlicensed person who has completed the education
18 requirements, is actively participating in the diversified
19 professional training, and maintains in good standing a
20 training record as required for licensure by this Act may use
21 the title "architectural intern", but may not engage in the
22 practice of architecture.

23 (Source: P.A. 88-428.)