

1 AN ACT concerning regulation.

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

4 Section 1. Short title. This Act may be cited as the
5 Electricians Licensing Act.

6 Section 5. Purpose and policy. The General Assembly finds
7 that the use of improper electrical materials and the improper
8 installation of electrical materials, including but not
9 limited to wiring, affects the safety, health, and well-being
10 of the public. The use of improper electrical materials and the
11 improper installation of electrical materials can result in
12 disastrous or deadly consequences to the public's safety and
13 health and the destruction or damage of property. In fulfilling
14 its responsibility to safeguard the safety and health of
15 persons and their property, the General Assembly finds that it
16 is necessary to establish certain minimum standards regarding
17 the use of electrical materials and to further establish
18 certain minimum standards regarding the knowledge, skills, and
19 experience of persons who plan, inspect, install, alter,
20 extend, and repair electrical materials and systems. This Act
21 provides for the licensing of electricians and electrical
22 contractors and for the adoption of a Minimum Electrical Code
23 by the Office of the State Fire Marshal. This Act is therefore
24 declared to be essential to the public interest.

25 Section 10. Definitions. As used in this Act:

26 "Apprentice" means a natural person enrolled in an
27 apprenticeship program approved by the United States
28 Department of Labor Bureau of Apprenticeship and Training who
29 installs, alters, or repairs electrical wiring, apparatus, and
30 equipment for electric heat, light, or power within or on a
31 building, residence, structure, or real property under the

1 supervision of a licensed electrician.

2 "Approved apprenticeship program" means an apprenticeship
3 program approved by the United States Department of Labor
4 Bureau of Apprenticeship and Training.

5 "Board" means the Illinois State Board of Electrical
6 Examiners.

7 "Electrical contractor" means a natural or legal person or
8 any association thereof operating a business that undertakes or
9 offers to undertake to plan for, lay out, supervise, or install
10 or to make additions, alterations, or repairs in the
11 installation of electrical wiring, apparatus, and equipment
12 for electric light, heat, or power within or on a building,
13 residence, structure, or real property with or without
14 compensation and who is licensed to engage in electrical
15 contracting as an electrical contractor by the Office of the
16 State Fire Marshal. An electrical contractor's license does not
17 of itself qualify its holder to perform the electrical work
18 authorized by holding any class of electrician's license.

19 "Electrical work" means the installation, alteration, or
20 repair of electrical wiring, apparatus, and equipment for
21 electric heat, light, or power within or on a building,
22 residence, structure, or real property and the planning, laying
23 out, or supervision of the installation, alteration, or repair
24 of electrical wiring, apparatus, and equipment for electric
25 heat, light, or power within or on a building, residence,
26 structure, or real property.

27 "Farm" means land or a building, including but not limited
28 to barns, livestock facilities, residences, grain storage
29 facilities, and machine sheds, appurtenant to land that is used
30 for production agriculture or for a purpose accessory to
31 production agriculture.

32 "Fire Marshal" means the State Fire Marshal.

33 "Governmental unit" means the State, a school district, or
34 a community college district or a unit of local government as
35 defined in Article VII of the Illinois Constitution.

36 "Journeyman electrician" means a natural person having the

1 necessary qualifications, training, experience, and technical
2 knowledge to install, alter, and repair electrical wiring,
3 apparatus, and equipment for electric light, heat, or power
4 within or on a building, residence, structure, or real property
5 who is licensed as a journeyman electrician by the Office of
6 the State Fire Marshal.

7 "Maintenance worker" means a natural person who is a
8 regular, bona fide employee or agent of a property owner,
9 property lessor, property management company, or firm that is
10 not in the electrical business, but has possession or control
11 over the property where the routine maintenance of electrical
12 systems is being performed.

13 "Office" means the Office of the State Fire Marshal.

14 "Owner" means a natural person who physically performs
15 electrical work on:

16 (i) premises owned by the person and in which the
17 person actually resides as a single-family residence; or

18 (ii) premises owned by the person and in which the
19 person will reside as a single-family residence upon
20 completion of construction.

21 "Person" means any natural or legal person or any
22 association thereof.

23 "Production agriculture" has the same meaning as defined in
24 Section 3-35 of the Service Use Tax Act.

25 "Residential electrical work" means the installation,
26 alteration, or repair of electrical wiring, apparatus, or
27 equipment and the planning, laying out, or supervision of the
28 installation, alteration, or repair of electrical wiring,
29 apparatus, and equipment for electrical heat, light, or power
30 in a single-family detached residential dwelling or a
31 multi-family residential dwelling not exceeding 8 units per
32 building.

33 "Residential electrician" means a natural person having
34 the necessary qualifications, training, experience, and
35 technical knowledge to install, alter, or repair electrical
36 wiring, apparatus, and equipment for electrical heat, light, or

1 power in a single-family detached residential dwelling or a
2 multi-family residential dwelling not exceeding 8 units per
3 building and who is licensed as a residential electrician by
4 the Office of the State Fire Marshal.

5 "Routine maintenance of electrical systems" means the
6 routine and periodic servicing of electrical systems,
7 including cleaning, inspecting, and making adjustments to
8 ensure the proper operation and the removal or replacement of
9 component parts. "Routine maintenance of electrical systems"
10 does not include the installation of complete electrical
11 systems.

12 "Supervision" means that any new electrical work done by a
13 registered apprentice electrician must be inspected at least
14 once after initial rough-in and once upon completion by an
15 Illinois licensed electrician. In addition, all renovation,
16 alteration, repair, extension, and modification work done by a
17 registered apprentice electrician on an existing electrical
18 system must be approved by an Illinois licensed electrician.

19 Section 15. Board of Electrical Examiners.

20 (a) There is created the Illinois State Board of Electrical
21 Examiners which shall exercise its duties provided in this Act
22 under the supervision of the Office of the State Fire Marshal.
23 The Board shall consist of 15 members appointed by the
24 Governor. The Board shall be composed of 3 licensed journeyman
25 electricians, one licensed residential electrician, 2 licensed
26 electrical contractors who are members of the National
27 Electrical Contractors Association, one licensed electrical
28 contractor who is a member of the Independent Electrical
29 Contractors, one licensed electrical contractor who is a member
30 of the Associated Builders and Contractors, one licensed
31 electrical engineer, one electrical inspector who holds a
32 journeyman electrician's license, one representative of a
33 public utility, the State Fire Marshal or his or her designee,
34 one representative of the Home Builders Association of
35 Illinois, one representative of a municipal association, and a

1 licensed real estate professional. In making the appointments
2 to the Board, the Governor shall consider the recommendations
3 of individuals, firms, or organizations involved in electrical
4 wiring installation in this State. The Governor shall also take
5 into consideration the minority representation in the
6 population when making appointments to the Board. Members of
7 the Board shall serve 4-year terms and until their successors
8 are appointed and qualified. The initial appointments,
9 however, shall be as follows: 4 members for terms of 2 years, 4
10 members for 3 years, and 4 members for 4 years. The State Fire
11 Marshal's service on the Board shall be continuous. For the
12 initial appointments of the licensed electrical contractors,
13 licensed journeyman electricians, licensed residential
14 electrician, and electrical inspector prior to the Board
15 developing the rules for examination of license applicants, the
16 Governor may appoint individuals whose qualifications are
17 similar to those outlined in Section 25. Following the
18 expiration of those terms, the Governor may reappoint those
19 individuals or others only if such individuals are licensed
20 under this Act.

21 (b) The Board shall aid the Fire Marshal and the Office by:

22 (1) recommending provisions for the Minimum Electrical
23 Code and subsequent amendments to be adopted by the Office
24 for all electrical work based on the standards prescribed
25 in Section 85;

26 (2) recommending subject matter for examinations and
27 the continuing education requirements as provided in this
28 Act based on the Minimum Electrical Code;

29 (3) recommending standards, rules, guidelines, and
30 procedures to approve or disapprove a course of instruction
31 in electrical work at a college, university, or trade
32 school to qualify for a license issued by the Office under
33 this Act. Such standards, rules, guidelines, and
34 procedures shall be designed to ensure that an approved
35 course of instruction adequately provides the practical
36 and theoretical education and training in the

1 installation, alteration, and repair of electrical wiring,
2 apparatus, and equipment for electric heat, light, or power
3 within or on a building, residence, structure, or real
4 property based on the standards prescribed in Section 85;

5 (4) developing, in conjunction with the Illinois
6 Community College Board, the Illinois Board of Higher
7 Education, and the Department of Commerce and Economic
8 Opportunity, courses of instruction to meet the
9 qualifications specified in this Act and that encourage the
10 employment of minorities and females as licensed
11 electricians and licensed electrical contractors;

12 (5) suggesting rules to govern examinations and
13 hearings to deny, suspend, revoke, or reinstate licenses
14 and assess fines as provided for in this Act;

15 (6) submitting recommendations to the Fire Marshal
16 from time to time for the efficient administration of this
17 Act; and

18 (7) performing other duties prescribed in this Act.

19 (c) Board members shall receive no compensation but shall
20 be reimbursed for expenses incurred in connection with their
21 duties as Board members. The Office shall provide staff and
22 administrative support services to the Board.

23 Section 20. Powers and duties of the Fire Marshal. The Fire
24 Marshal shall take all actions necessary under this Act to
25 carry out the duties and responsibilities of the Office under
26 this Act. The Fire Marshal, with the assistance of the Board,
27 shall:

28 (a) adopt rules and regulations for examination of
29 applicants for journeyman and residential licenses;

30 (b) prepare and give uniform examinations to
31 applicants for journeyman and residential licenses that
32 shall test their knowledge and qualifications in the
33 planning and design of electrical systems, their
34 knowledge, qualifications, and manual skills in electrical
35 installations, and their knowledge of materials and

1 methods used in electrical work according to the Minimum
2 Electrical Code adopted by the Office;

3 (c) prepare and issue electrical contractor,
4 journeyman electrician, and residential electrician
5 licenses and license renewals to applicants who have met
6 the requirements for licensure and complied with all the
7 prerequisites to licensure;

8 (d) provide for the registration of apprentices;

9 (e) adopt rules for the extension of a person's
10 temporary license based on demonstrated undue hardship or
11 other special circumstances;

12 (f) adopt rules for hearings to deny, suspend, revoke,
13 or reinstate licenses and assess fines as provided for in
14 this Act;

15 (g) maintain a current record showing (i) the names and
16 addresses of licensed electrical contractors, journeyman
17 electricians, and residential electricians; (ii) the dates
18 of issuance of licenses; (iii) the date and substance for
19 the charges set forth in any hearing for denial,
20 suspension, or revocation of any license; (iv) the date and
21 substance of the final order issued upon a hearing; and (v)
22 the date and substance of all petitions for reinstatement
23 of license and final orders on petitions;

24 (h) establish and collect fees for the examination,
25 issuance, and renewal of licenses;

26 (i) adopt rules for and provide for the inspection of
27 new electrical installations in construction, remodeling,
28 replacement, or repair work, where required by this Act;

29 (j) establish and collect fees for the handling and
30 inspection of new electrical installations;

31 (k) adopt standards, rules, guidelines, and procedures
32 to approve or disapprove a course of instruction in
33 electrical work at a college, university, or trade school
34 to qualify for a license issued by the Office under this
35 Act, and approve or disapprove such courses of instruction
36 by reference to compliance or noncompliance with such

1 standards, rules, guidelines, or procedures. Such
2 standards, rules, guidelines, or procedures shall be
3 designed to ensure that an approved course of instruction
4 adequately provides the practical and theoretical
5 education and training in the installation, alteration,
6 and repair of electrical wiring, apparatus, and equipment
7 for electric heat, light, or power within or on a building,
8 residence, structure, or real property based on the
9 standards prescribed in Section 85;

10 (l) work with the Board, the Illinois Community College
11 Board, the Illinois Board of Higher Education, and the
12 Department of Commerce and Economic Opportunity to develop
13 courses of instruction to meet the qualifications
14 specified in this Act and that encourage the employment of
15 minorities and females as licensed electricians and
16 licensed electrical contractors;

17 (m) cause investigations to be made when the Office has
18 reasonable grounds for believing that a violation of any
19 provision of this Act or rules adopted pursuant to this Act
20 has occurred or is occurring;

21 (n) conduct inspections during regular working hours,
22 the purpose of which shall be reduced to writing, to
23 determine satisfactory compliance with this Act and rules
24 adopted pursuant to this Act, after consent of the person,
25 licensee, or registrant has been obtained or after an order
26 for such inspection has been issued by the court;

27 (o) assess administrative fines, which shall be
28 established by the Office by rule against a licensee for
29 violation of any provision of this Act or rules adopted
30 pursuant to this Act;

31 (p) adopt, publish, and from time to time, amend the
32 Minimum Electrical Code for all electrical work based on
33 the standards prescribed in Section 85 after consideration
34 of the recommendations of the Illinois State Board of
35 Electrical Examiners;

36 (q) adopt any rules necessary for the administration

1 and enforcement of this Act; and

2 (r) perform other duties prescribed in this Act.

3 Section 25. License and registration.

4 (a) On or after July 1, 2008, except as otherwise provided
5 by this Act, no person shall perform electrical work unless the
6 person is:

7 (1) licensed by the Office as a journeyman or
8 residential electrician;

9 (2) an apprentice registered with the Office; or

10 (3) licensed as an electrical contractor.

11 (b) Journeyman electrician. An applicant for a journeyman
12 electrician's license shall meet one of the following
13 conditions: (i) the completion of an approved apprenticeship
14 program, (ii) the successful completion of a course of
15 instruction in electrical work, under the rules adopted by the
16 Office for the enforcement of this Act, at a college,
17 university, or trade school, or (iii) the completion of at
18 least 8,000 hours of verifiable experience performing
19 electrical work obtained over a period of not less than 4
20 years, as provided under the rules adopted by the Office for
21 the enforcement of this Act.

22 A person practicing as an electrician on the effective date
23 of this Act with 8,000 hours of verifiable experience
24 performing electrical work obtained over a period of not less
25 than 4 years, as provided under the rules adopted by the Office
26 for the enforcement of this Act, who files a license
27 application with the Office on or before July 1, 2008 and meets
28 all the other requirements of this Act shall be granted a
29 temporary journeyman electrician's license without
30 examination. The temporary journeyman electrician's license
31 shall be valid for 2 years from the date of issuance. The
32 Office shall require an annual fee. As a condition of renewal,
33 the licensee shall pass the examination specified in Section 30
34 for all journeyman electrician applicants but shall not be
35 required to meet the specified continuing education

1 requirements while holding a temporary journeyman
2 electrician's license. Nothing shall prevent the holder of a
3 temporary license from taking the required examination prior to
4 the expiration of the temporary license. A journeyman
5 electrician holding a temporary license may petition the Office
6 for an extension of a one-year period in the event he or she
7 can demonstrate undue hardship or other special circumstances.

8 (c) Registered apprentice. On or after July 1, 2008, a
9 person who is enrolled in an approved apprenticeship program
10 may perform electrical work only under the supervision of a
11 licensed electrician. All apprentices shall be registered with
12 the Office. The Office shall provide the apprentice with a
13 verification of his or her registration.

14 (d) Residential electrician. An applicant for a
15 residential electrician's license shall meet one of the
16 following conditions: (i) the completion of an approved
17 apprenticeship program in residential wiring for a
18 single-family detached residential dwelling or multi-family
19 residential dwelling or its equivalent, (ii) the successful
20 completion of a course of instruction in electrical work, under
21 the rules adopted by the Office for the enforcement of this
22 Act, at a college, university, or trade school, or (iii) the
23 completion of at least 6,000 hours of verifiable experience
24 performing residential electrical work obtained over a period
25 of not less than 3 years, as provided under the rules adopted
26 by the Office for the enforcement of this Act.

27 A person practicing as an electrician on the effective date
28 of this Act with at least 6,000 hours of verifiable experience
29 performing residential electrical work obtained over a period
30 of not less than 3 years, as provided under the rules adopted
31 by the Office for the enforcement of this Act, and having the
32 necessary qualifications, training, and technical knowledge,
33 as provided under the rules adopted for the enforcement of this
34 Act, involving residential electrical work, who files a license
35 application with the Office on or before July 1, 2008 and meets
36 all the other requirements of this Act shall be granted a

1 temporary residential electrician's license without
2 examination. The temporary residential electrician's license
3 shall be valid for 2 years from the date of issuance. The
4 Office shall require an annual fee. As a condition of renewal,
5 the licensee shall pass the exam specified in Section 30 for
6 all residential electrician applicants but shall not be
7 required to meet the specified continuing education
8 requirements while holding a temporary residential
9 electrician's license. Nothing shall prevent the holder of a
10 temporary license from taking the required examination prior to
11 the expiration of the temporary license. A residential
12 electrician holding a temporary license may petition the Office
13 for an extension of a one-year period in the event he or she
14 can demonstrate undue hardship or other special circumstances.

15 (e) Contractors.

16 (1) On or after July 1, 2008, except as otherwise
17 provided by law, no person shall operate as an electrical
18 contractor without employing a licensed journeyman
19 electrician with 6 years of experience performing
20 electrical work, who shall be responsible for the
21 performance of all electrical work in accordance with this
22 Act. All employees of the electrical contractor performing
23 electrical work shall be licensed journeyman electricians,
24 licensed residential electricians, or apprentices
25 registered with the Office. A residential electrician
26 employed by such an electrical contractor may not perform
27 any non-residential electrical work. This paragraph (1)
28 shall not apply to electrical contractors performing only
29 residential electrical work.

30 (2) On or after July 1, 2008, except as otherwise
31 provided by law, no person performing only residential
32 electrical work shall operate as an electrical contractor
33 without employing a licensed residential electrician with
34 4 years of experience performing residential electrical
35 work, who shall be responsible for the performance of all
36 electrical work in accordance with this Act. All employees

1 of an electrical contractor performing only residential
2 electrical work shall be licensed journeyman electricians,
3 licensed residential electricians, or apprentices
4 registered with the Office.

5 (3) The application for an electrical contractor's
6 license shall include a verified statement that the
7 designated responsible electrician is a full-time employee
8 of the applicant. For the purposes of this Section, a
9 full-time employee of a applicant for an electrical
10 contractor's license is an individual who is not employed
11 in any capacity as a licensed electrician by any other
12 electrical contractor.

13 (4) An electrical contractor in business on the
14 effective date of this Act who files a license application
15 with the Office on or before July 1, 2008 and meets all the
16 other requirements of this Act shall be granted a temporary
17 electrical contractor's license pursuant to other
18 provisions of this Act, which shall be valid for 2 years
19 from the date of issuance. The Office shall require an
20 annual fee. Thereafter, an electrical contractor shall
21 comply with all of the requirements of this Act. An
22 electrical contractor holding a temporary license may
23 petition the Office for an extension of a one-year period
24 in the event he or she can demonstrate undue hardship or
25 other special circumstances. An electrical contractor
26 holding a temporary license must employ a licensed
27 journeyman electrician or, in the case of an electrical
28 contractor performing only residential electrical work, a
29 licensed residential electrician who shall be responsible
30 for the performance of all electrical work in accordance
31 with this Act.

32 (5) An electrical contractor giving bond to the State
33 in an amount to be determined by the Office and meeting all
34 other requirements of this Act shall be issued a licensed
35 by the Office. The bond shall be filed with the Office and
36 shall be in lieu of all other license bonds to any

1 political subdivision. The bond shall be written by any
2 corporate entity licensed to do business in the State of
3 Illinois.

4 (6) Each licensed electrical contractor shall have and
5 maintain in effect insurance. Specific insurance
6 requirements and minimum limits per occurrence shall be
7 determined by the Office in consultation with the Board.
8 The insurance shall be written by an insurer licensed to do
9 business in the State of Illinois and each licensed
10 electrical contractor shall maintain on file with the
11 Office a certificate evidencing insurance that provides
12 that the insurance shall not be cancelled without the
13 insurer first giving 15 days written notice to the Office
14 of the cancellation.

15 (7) A licensed electrical contractor shall notify the
16 Office when the licensed electrician required to conduct or
17 supervise the work of the electrical contractor is
18 unavailable due to death or incapacitation. The licensed
19 electrical contractor may request that the Office issue a
20 temporary license to persons certified by the licensed
21 electrical contractor to have an acceptable combination of
22 documented experience and education to conduct or
23 supervise electrical work or residential electrical work.
24 The Office shall adopt rules for issuing a temporary
25 license under such circumstances. Any person certified by a
26 licensed electrical contractor to have an acceptable
27 combination of documented experience and education to
28 conduct or supervise electrical work or residential
29 electrical work shall immediately seek a temporary license
30 from the Office and shall pay such fee as the Office shall
31 determine. Each temporary license shall state, on its face,
32 that it is valid (i) for a period of 30 days from the date
33 of issuance and (ii) while employed by the licensed
34 electrical contractor that certified that the individual
35 was qualified. The temporary license shall be renewable as
36 long as the shortage of license holders shall continue.

1 (f) The Office shall adopt rules for determining whether an
2 applicant's work experience meets the requirements for
3 licensure under this Act.

4 Section 30. Examination; continuing education.

5 (a) In addition to other requirements imposed by this Act
6 and except as otherwise provided in this Act, as a precondition
7 to the issuance of an electrician's license, each applicant
8 must pass a written examination given by the Office for the
9 type of license sought to insure the competence of each license
10 applicant. No person failing an examination for a license
11 classification may retake the examination for that
12 classification for 3 months from the date of failure of the
13 examination.

14 (b) As a condition of renewal, the Office shall require
15 each licensee to complete a minimum number of hours of
16 continuing education. The continuing education requirement
17 shall not exceed 8 hours of classroom instruction during a
18 12-month period. The Office shall adopt rules on the curricula
19 for the continuing education requirement. A licensee shall
20 provide to the Office evidence of completing the continuing
21 education requirement. The Office shall approve any continuing
22 education programs and by rule any means for verification of
23 the continuing education requirement.

24 Section 40. Expiration of license; fees.

25 (a) Unless otherwise specified in this Act, all licenses
26 issued under this Act shall expire every year in a manner as
27 provided by the Office. Application, renewal, and all other
28 fees provided for in this Act shall be adopted by the Office by
29 rule.

30 (b) Any licensee failing to renew his or her license for 2
31 years or more after its expiration shall retake the required
32 examination specified in Section 30 before he or she is issued
33 a new license.

34 (c) The Office shall reinstate a license that expires while

1 a licensee is in active military service of the United States
2 upon application to the Office by the licensee within 2 years
3 after termination of the military service, payment of the
4 annual license fee, and submission of evidence of the military
5 service. The license shall be reinstated without examination or
6 completion of the continuing education requirement specified
7 in Section 30 and without payment of the lapsed renewal fee.

8 (d) All fees and fines collected under this Act shall be
9 deposited into the Electricians Licensing Dedicated Fund,
10 which is hereby created as a special fund in the State
11 treasury. The Office and Board may utilize moneys in this fund
12 for the administration of this Act.

13 Section 45. Grounds for discipline. The Office may by order
14 deny, suspend, revoke, or refuse to renew a license, or may
15 censure a licensee if it finds that it is in the public
16 interest to do so and that the applicant or licensee:

17 (1) has filed an application for a license that
18 contains any statement that, in light of the circumstances
19 under which it is made, is false or misleading with respect
20 to any material fact;

21 (2) has engaged in any fraudulent, deceptive, or
22 dishonest practice;

23 (3) has been convicted within the past 5 years of a
24 misdemeanor involving a violation of this Act; or

25 (4) has violated or failed to comply with this Act or
26 its rules or any order issued under this Act. A violation
27 need not be willful.

28 The Office may adopt rules further specifying the grounds
29 for suspension, revocation, and refusal to renew a license and
30 establishing standards of conduct for licensees.

31 Section 50. Denial, revocation, or suspension of license;
32 assessment of a civil administrative fine.

33 (a) The Fire Marshal, after notice and opportunity for
34 hearing to the applicant or license holder, may deny, suspend,

1 or revoke a license or assess a civil administrative fine for
2 cause. For the purposes of this Section, "cause" means a
3 violation of any provision of this Act or any rule adopted
4 pursuant to this Act.

5 (b) Notice shall be provided by certified mail or by
6 personal service setting forth the particular reasons for the
7 proposed action and fixing a date, not less than 15 days from
8 the date of the mailing or service, within which time the
9 applicant or license holder must request in writing a hearing.
10 Failure to serve upon the Office a request for hearing in
11 writing within the time provided in the notice shall constitute
12 a waiver of the person's right to an administrative hearing.

13 (c) The hearing shall be conducted by the Fire Marshal or
14 by an individual designated in writing by the Fire Marshal as
15 an administrative law judge to conduct the hearing. The Fire
16 Marshal or administrative law judge shall give written notice
17 of the time and place of the hearing, by certified mail or
18 personal service, to the applicant or license holder at least
19 10 days prior to the hearing. On the basis of the hearing, or
20 upon default of the applicant or license holder, the Fire
21 Marshal shall make a determination specifying his or her
22 findings and conclusions. A copy of the determination shall be
23 sent by certified mail or served personally upon the applicant,
24 license holder, or registrant. The decision of the Fire Marshal
25 shall be final on issues of fact and final in all respects
26 unless judicial review is sought as provided in this Act.

27 (d) The procedure governing hearings authorized by this
28 Section shall be in accordance with rules adopted by the
29 Office. A full and complete record shall be kept of all
30 proceedings, including the notice of hearing, complaint, and
31 all other documents in the nature of pleadings, written motions
32 filed in the proceedings, and the report and orders of the Fire
33 Marshal and administrative law judge.

34 (e) The Office at its expense shall provide a court
35 reporter to take testimony. Technical error in the proceedings
36 before the Fire Marshal or administrative law judge or their

1 failure to observe the technical rules of evidence shall not be
2 grounds for the reversal of any administrative decision, unless
3 it appears to the court that such error or failure materially
4 affects the rights of any party and results in substantial
5 injustice to them.

6 (f) The Fire Marshal or administrative law judge may compel
7 the attendance of witnesses and the production of books,
8 papers, records, or memoranda.

9 (g) The Office shall not be required to certify any record
10 to the court or file any answer in court or otherwise appear in
11 any court in a judicial review proceeding, unless there is
12 filed in the court with the complaint a receipt from the Office
13 acknowledging payment of the costs of furnishing and certifying
14 the record. Such costs shall be paid by the party requesting a
15 copy of the record. Failure on the part of the person
16 requesting a copy of the record to pay the costs shall be
17 grounds for dismissal of the action.

18 Section 55. Nonpayment of taxes. The Office may refuse to
19 issue or may suspend the license of any person who fails (i) to
20 file a federal or State tax return, (ii) to pay the tax,
21 penalty, or interest shown in a filed return, or (iii) to pay
22 any final assessment of tax, penalty, or interest, as required
23 by any tax Act administered by the Illinois Office of Revenue,
24 until the time the requirements of the tax Act are satisfied.

25 Section 65. Reciprocity. The Office may grant a license,
26 without examination, of the same grade and class to an
27 electrician who has been licensed by any other state that
28 provides for the licensing of electricians in a similar manner.
29 The license may be granted for one year upon payment by the
30 applicant of the required fee and upon the Office being
31 furnished with proof that the qualifications of the applicant
32 are equal to the qualifications of Section 25 of this Act. The
33 licensee may renew a license issued pursuant to this Section if
34 the licensee meets all the requirements for renewal of a

1 license under this Act.

2 Section 70. Exemptions.

3 (a) Employees of, or independent contractors performing
4 work for, any electric utility or electric utility affiliate,
5 independent electric power generator, public utility as
6 defined in Section 3-105 of the Public Utilities Act,
7 generating station or generating unit of an electric utility as
8 described in Section 16-102 of the Public Utilities Act,
9 communications or railway utility, electric system owned and
10 operated by a municipal corporation or governmental unit
11 (notwithstanding any other provision of this Act), electric
12 cooperative as defined in Section 3.4 of the Electric Supplier
13 Act, telephone or telecommunications cooperative as defined in
14 Section 13-212 of the Public Utilities Act, or a
15 telecommunications carrier as defined in Section 13-202 of the
16 Public Utilities Act or its affiliate or co-generation
17 facilities shall be exempt from the provisions of this Act
18 while performing work on installations, materials, or
19 equipment that are owned or leased, operated, serviced, or
20 maintained by the electric utility or electric utility
21 affiliate, independent electric power generator, public
22 utility, generating station or generating unit of an electric
23 utility, communications or railway utility, electric system
24 owned and operated by a municipal corporation or governmental
25 unit, electric cooperative, telephone or telecommunications
26 cooperative, or telecommunications carrier or its affiliate or
27 co-generation facilities in the exercise of its utility or
28 telephone function, and that (i) are used exclusively for the
29 generation, transformation, distribution, transmission, or
30 metering of electric current, or the operation of railway
31 signals, traffic signals, or street lights, or the transmission
32 of intelligence and do not have as a principal function the
33 consumption or use of electric current by or for the benefit of
34 any person other than the electric utility or electric utility
35 affiliate, independent electric power generator, public

1 utility, generating station or generating unit of an electric
2 utility, communications or railway utility, electric system
3 owned and operated by a municipal corporation or governmental
4 unit, electric, telephone, or telecommunications cooperative,
5 or telecommunications carrier or its affiliate or their end
6 users and (ii) are generally accessible only to employees of
7 the electric utility or electric utility affiliate,
8 independent electric power generator, public utility,
9 generating station or generating unit of an electric utility,
10 communications or railway utility, electric system owned and
11 operated by a municipal corporation or governmental unit,
12 electric, telephone, or telecommunications cooperative, or
13 telecommunications carrier or its affiliate or persons acting
14 under its control or direction. Persons performing work
15 subcontracted out to an electrical contractor or other
16 contractors, however, shall be in compliance with the
17 requirements of this Act.

18 (b) Contractors employing pipefitters, sprinkler fitters,
19 licensed plumbers, or sheet metal workers performing
20 modification, service, maintenance, retro fit, or warranty
21 work in plumbing, heating, sprinkler fitting, irrigation,
22 ventilation, air conditioning, refrigeration (HVACR) systems,
23 instrumentation, control work, or stress relieving shall be
24 exempt from this Act. For the installation or replacement of
25 equipment in the HVACR industry, modifications to the external
26 power wiring to the equipment is exempt. The installation of
27 wiring for irrigation when being installed by a registered or
28 licensed irrigation worker shall be exempt from this Act.
29 Persons performing work subcontracted out to an electrical
30 contractor or other contractors, however, shall be in
31 compliance with the requirements of this Act.

32 (c) Employees of contractors performing construction or
33 maintenance work on any transmission or distribution lines
34 owned, leased, operated and maintained by the utilities
35 described in subsection (a) shall be exempt from the provisions
36 and licensing requirements of this Act, and employees of

1 contractors performing construction or maintenance work on any
2 transmission lines owned, leased, operated, and maintained by
3 an independent transmission company, system, or entity
4 approved by the Federal Energy Regulatory Commission and the
5 Illinois Commerce Commission shall be exempt from this Act.

6 (d) Employees of contractors performing construction or
7 maintenance work on highway lighting or street lighting owned,
8 leased, operated, and maintained by governmental units and
9 their departments and political subdivisions shall be exempt
10 from this Act.

11 (e) Employees of contractors performing construction or
12 maintenance work on traffic signals owned, leased, operated,
13 and maintained by a governmental unit and its departments and
14 political subdivisions shall be exempt from this Act, provided
15 that these employees are Traffic Signal Level II certified
16 under the International Municipal Sign Association (IMSA).

17 (f) An owner shall not be required to hold a license under
18 this Act. Nevertheless, electrical work performed by an owner
19 shall comply with the minimum standards contained in the
20 National Electrical Code and any additional standards or
21 requirements established by a political subdivision and shall
22 be subject to inspection by the Office. Unless otherwise
23 specified in this Act, an owner shall not employ anyone other
24 than an electrician licensed under this Act to assist him or
25 her.

26 (g) Any city, village, or incorporated town having a
27 population of 500,000 or more may, by an ordinance containing
28 provisions substantially the same as those in this Act and
29 specifying educational or experience requirements equivalent
30 to those prescribed in the Act, provide for a board of
31 electrical examiners to conduct examinations for, and to issue,
32 suspend, or revoke, electricians' licenses within the city,
33 village, or incorporated town. Upon the enactment of such an
34 ordinance, the provisions of this Act shall not apply within
35 that municipality except as otherwise provided in this Act. Any
36 person licensed as an electrician under the local ordinance, or

1 licensed by the Office under this Act, shall meet the
2 requirements to perform electrical work anywhere in this State.

3 (h) Nothing in this Act shall be construed to prevent an
4 owner or operator of a farm or his or her employees from
5 installing, making additions to, altering, maintaining, or
6 repairing wiring, apparatus, or equipment for electric light,
7 heat, or power on the farm that he or she owns or operates.

8 (i) Employees of a manufacturing corporation that engage in
9 activities normally requiring licensure under this Act shall be
10 exempt when such activities are pursuant to the operation or
11 maintenance of its existing business and facilities. Persons
12 performing work subcontracted out to an electrical contractor
13 or other contractor, however, shall be in compliance with the
14 requirements of this Act.

15 (j) The minor repair of existing electrical systems does
16 not require licensure under this Act. For the purposes of this
17 subsection, "minor repair" means repairs to existing
18 electrical systems that do not require a permit to be issued
19 under any local ordinance.

20 (k) The provisions of this Act shall not apply to the
21 installation, replacement, service, or repair of household
22 products, including but not limited to audio and video
23 equipment, appliances, fans, garbage disposals, and garage
24 door openers by a business entity that may be engaged in the
25 retail sale of consumer products.

26 (l) Any person, firm, or company licensed under and
27 performing work in accordance with the Elevator Safety and
28 Regulation Act shall be exempt from this Act.

29 (m) Employees of a governmental unit that engage in
30 activities normally requiring licensure under this Act shall be
31 exempt when such activities are pursuant to their normal duties
32 in the operation or maintenance of its existing facilities.
33 Unless otherwise specified in this Act, a governmental unit
34 that is involved in new construction that results in the
35 expansion of its facilities must utilize licensed electricians
36 for any associated electrical work.

1 (n) Electrical engineers licensed under the Professional
2 Engineering Practice Act of 1989 practicing in accordance with
3 that Act shall be exempt from this Act.

4 (o) Architects licensed under the Illinois Architecture
5 Practice Act of 1989 practicing in accordance with that Act
6 shall be exempt from this Act.

7 (p) Any person, firm, corporation, or other legal entity
8 laying out, installing, maintaining, altering, or repairing
9 alarm, security, or communication systems and practicing in
10 accordance with the Private Detective, Private Alarm, Private
11 Security, and Locksmith Act of 2004 shall be exempt from this
12 Act.

13 (q) Nothing in this Act shall require or be construed to
14 apply to the registration or licensure of any community antenna
15 television system franchised pursuant to Illinois law, nor any
16 agent or employee of any such community antenna television
17 system in relation to the installation, alteration, removal,
18 repair, servicing, or maintenance of any community antenna
19 television system or equipment.

20 (r) Nothing in this Act shall prohibit a factory-authorized
21 representative from installing, altering, maintaining, or
22 servicing a medical equipment device. This exemption shall not
23 include work providing electrical feeds into the power
24 distribution unit or installation of conduits and raceways.
25 This exemption shall cover only those factory engineers or
26 third-party service companies with equivalent training who are
27 qualified to perform such service. For the purposes of this
28 Act, "medical equipment device" includes any "medical device"
29 as defined in the Medical Device Amendments of 1976, as
30 amended, and as interpreted by the Food and Drug Administration
31 of the United States Office of Health and Human Services or its
32 successor.

33 (s) Nothing in this Act shall require that a maintenance
34 worker performing routine maintenance of electrical systems be
35 licensed.

36 (t) The installation, alteration, maintenance, or

1 servicing of listed landscape lighting systems and equipment
2 shall be exempt from this Act, except any permanent wired
3 connections exceeding 30 volts.

4 (u) The provisions of this Act shall not apply to the
5 installation, alteration, replacement, service, or repair of
6 temporary outdoor decorative lighting that is connected by plug
7 into a permanent power source.

8 (v) Temporary electrical work for a transient event,
9 including but not limited to a carnival, circus, fair,
10 exhibition, stage production, motion picture production,
11 musical production, and theatrical production, shall be exempt
12 from this Act if the temporary electrical work is dismantled at
13 the conclusion of the event and is in compliance with all other
14 applicable State laws and ordinances and regulations of any
15 political subdivision.

16 Section 80. Display of license. Persons who advertise
17 electrical wiring services shall, at their place of business,
18 display the electrician's license of at least one member of the
19 firm, partnership or officer of the corporation and shall
20 maintain a register listing the names and license numbers of
21 all licensed electricians and all registered apprentices
22 currently employed by them. When advertising electrical wiring
23 services, the license number shall be included in all forms of
24 written or printed advertising and included with the electrical
25 wiring identification of vehicles. The Office may, by rule or
26 regulation, require additional information concerning licensed
27 electricians and registered apprentices to be maintained in the
28 register.

29 Section 85. Safety standards. All electrical work and
30 electrical wiring, apparatus, and equipment for electric
31 light, heat, or power within or on a building, residence,
32 structure, or real property shall comply with the Minimum
33 Electrical Code and all applicable rules adopted by the Office.
34 The Minimum Electrical Code and all applicable rules adopted by

1 the Office with respect to this Act shall be based on the most
2 recently published edition of the National Electrical Code as
3 adopted by the National Fire Protection Association, Inc. and
4 approved by the American National Standards Institute, and the
5 National Electrical Safety Code as published by the Institute
6 of Electrical and Electronics Engineers, Inc. and approved by
7 the American National Standards Institute.

8 Nothing in this Act shall prohibit any political
9 subdivision from making and enforcing more stringent
10 requirements than those set forth in this Act and all licensed
11 electricians working within the jurisdiction of that political
12 subdivision shall comply with those requirements. Nothing in
13 this Act, however, shall be construed to give a political
14 subdivision the authority to apply its standards or
15 requirements to electrical work performed on a farm.

16 Section 90. Inspections.

17 (a) Except where any political subdivision has by ordinance
18 provided for electrical inspection similar to that provided in
19 this Act, every new electrical installation on and after July
20 1, 2008 in any construction, remodeling, replacement, or repair
21 shall be inspected by the Office for compliance with accepted
22 standards of construction for safety to life and property.

23 (b) No such inspections shall be required for electrical
24 work performed by persons exempt from licensure under Section
25 70 of this Act, except that inspections shall be required for
26 work performed under subsection (f) of Section 70.

27 (c) The Office may appoint or employ inspectors to be
28 employed on a full-time or part-time basis. All inspectors for
29 the Office shall hold a license as a journeyman electrician or
30 be certified to conduct electrical inspections by a nationally
31 recognized inspector certification program under the rules
32 adopted by the Office for the enforcement of this Act. In areas
33 of this State where a sufficient number of licensed journeyman
34 electricians or individuals certified to conduct electrical
35 inspections by a nationally recognized inspector certification

1 program under the rules adopted by the Office for the
2 enforcement of this Act are not available to the Office to
3 perform inspections under this Act, the Office may designate
4 other persons whom it determines to be suitably qualified by
5 training or experience.

6 Section 95. Procedures for inspection.

7 (a) At or before commencement of any installation required
8 to be inspected by the Office, the electrical contractor or
9 owner making the installation shall submit to the Office a
10 request for inspection, as provided under the rules adopted by
11 the Office for the enforcement of this Act, together with the
12 fees required for the installation. The Office, in consultation
13 with the Board, shall adopt rules regarding the time period for
14 conducting the requested inspections.

15 (b) The fees required are a handling fee and an inspection
16 fee. The handling fee shall be set by the Office in an amount
17 sufficient to pay the cost of bringing and handling the form
18 requesting an inspection. The inspection fee shall be set by
19 the Office in an amount sufficient to pay the actual costs of
20 the inspection and the Office's costs in administering the
21 inspection.

22 (c) If the inspector finds that the installation is not in
23 compliance with accepted standards of construction for safety
24 to life and property as required by this Act, the inspector
25 shall, by written order, condemn the installation or the
26 noncomplying portion of the installation, or order service to
27 the installation disconnected, and shall send a copy of the
28 order to the Office. If the installation or the noncomplying
29 part will seriously and proximately endanger human life and
30 property, the order of the inspector, when approved by the
31 inspector's superior, shall require immediate condemnation or
32 disconnection. In all other cases, the order of the inspector
33 shall permit a reasonable opportunity for the installation to
34 be brought into compliance with accepted standards of
35 construction for safety to life and property prior to the

1 effective time established for condemnation or disconnection.

2 (d) Copies of each condemnation or disconnection order
3 shall be served personally or by mail upon the property owner,
4 the electrical contractor or electrician making the
5 installation, and other persons as the Office by rule may
6 direct. An aggrieved party may appeal any condemnation or
7 disconnection order by filing with the Office a notice of
8 appeal within 10 days after (i) service upon the aggrieved
9 party of the condemnation or disconnection order, if this
10 service is required or (ii) filing of the order with the
11 Office, whichever is later. The Office shall adopt rules
12 providing procedures for the conduct of appeals, including
13 provisions for the stay of enforcement of the order of the
14 inspector pending an appeal when justified by the
15 circumstances.

16 (e) The inspectors of the Office shall have the authority
17 to enter any building or premises at any reasonable working
18 hour in the discharge of their duties, and they shall have the
19 authority, when necessary, to order the removal of any existing
20 obstructions such as laths, plastering, boarding, or
21 partitions that may prevent a proper inspection of the
22 electrical installation.

23 (f) No electrical installation subject to inspection by the
24 Office shall be newly connected or reconnected for use until
25 there is filed, with the electrical utility supplying power, a
26 certificate of the property owner or licensed electrician
27 directing the work that inspection has been requested and that
28 the conditions of the installation are safe for energization.
29 In all cases where an order of condemnation or disconnection
30 has been issued against the installation or any part of the
31 installation, prior to connection or reconnection, there shall
32 also first be filed with the electrical utility supplying the
33 power a copy of an order of the inspector or the Office
34 dismissing the prior order of condemnation or disconnection or
35 approving the installation as being in compliance with accepted
36 standards of construction for safety to life and property. With

1 respect to transient projects covered by this Act, this
2 certificate shall also contain a certification that the request
3 for inspection has been or will be filed with the Office so as
4 to be received by it at least 5 days prior to the date and time
5 energization of the installation by the utility is to occur,
6 and that the request for inspection states the date and time.
7 It shall be the responsibility of the Office to have inspection
8 of the transient project occur prior to the date and time at
9 which the request states energization is to occur.

10 (g) Any political subdivision may make provision for
11 inspection of electrical installations within its
12 jurisdiction, in which case it shall keep on file with the
13 Office copies of its current inspection ordinances and codes.
14 Any political subdivision may require any person holding a
15 license from the Office to pay any license, registration fee,
16 or permit fees. Any political subdivision may provide by
17 ordinance a requirement that each person doing electrical work
18 within the jurisdiction of the political subdivision have on
19 file with the political subdivision a copy of the current
20 license issued by the Office or other evidence of the license
21 as may be provided by the Office. Each electrical inspector of
22 any political subdivision shall hold a license as a journeyman
23 electrician or be certified to conduct electrical inspections
24 by a nationally recognized inspector certification program
25 under the rules adopted by the Office for the enforcement of
26 this Act. The political subdivision may appoint or employ
27 inspectors to be employed on a full-time or part-time basis. An
28 electrical inspector employed by a political subdivision and
29 engaged in the regulation and inspection of electrical wiring
30 activities regulated under this Act on July 1, 2008 shall be
31 permitted to conduct electrical inspections for 2 years from
32 the application date. Thereafter, the inspector must meet all
33 of the requirements of this Act.

34 Section 100. Violations.

35 (a) Any person violating any provision of this Act or its

1 rules shall be guilty of a Class B misdemeanor and fined a
2 minimum of \$100 for the first offense. A second or subsequent
3 violation of this Act shall be a Class A misdemeanor with a
4 minimum fine of \$200. Each day a violation continues
5 constitutes a separate offense. The State's Attorney of the
6 County in which the violation occurred or the Attorney General
7 may prosecute these actions in the name of the People of the
8 State of Illinois. The court may enjoin the use of electricity
9 installed in violation of this Act or its rules until it has
10 been corrected to comply with the National Electrical Code.

11 (b) If it is established that the defendant, contrary to
12 this Act, has been engaging, is engaging, or is about to engage
13 in electrical work without having been issued a license, or has
14 been engaging or is about to engage in electrical work after
15 his or her license has been suspended or revoked or after his
16 or her license has not been renewed, the Office may levy a
17 penalty not to exceed \$5,000 per offense. This penalty shall be
18 assessed by the Office after a hearing is held in accordance
19 with the provisions set forth in Section 50 of this Act.

20 Section 110. Administrative Procedure Act; application.
21 The provisions of the Illinois Administrative Procedure Act are
22 expressly adopted and shall apply to all administrative rules
23 and procedures of the Office of the State Marshal under this
24 Act, except that Section 5-50 of the Illinois Administrative
25 Procedure Act relating to procedures for rulemaking does not
26 apply to the adoption of any rule required by federal law in
27 connection with which the Office is precluded by law from
28 exercising any discretion.

29 Section 115. Review under Administrative Review Law. All
30 final administrative decisions of the Fire Marshal under this
31 Act shall be subject to judicial review under the
32 Administrative Review Law and its rules.

33 Section 120. Home rule. A home rule unit may not regulate

1 electricians and electrical contractors in a manner less
2 restrictive than the regulation by the State of electricians
3 and electrical contractors. This Section is a limitation under
4 subsection (i) of Section 6 of Article VII of the Illinois
5 Constitution on the concurrent exercise by home rule units of
6 powers and functions exercised by the State.

7 Section 900. The Regulatory Sunset Act is amended by
8 changing Section 4.25 as follows:

9 (5 ILCS 80/4.25)

10 Sec. 4.25. Act repealed on January 1, 2015; Act repealed on
11 July 1, 2015.

12 (a) The following Act is repealed on January 1, 2015:

13 The Genetic Counselor Licensing Act.

14 (b) The following Act is repealed on July 1, 2015:

15 The Electricians Licensing Act.

16 (Source: P.A. 93-1041, eff. 9-29-04.)

17 Section 905. The State Finance Act is amended by adding
18 Section 5.640 as follows:

19 (30 ILCS 105/5.640 new)

20 Sec. 5.640. The Electricians Licensing Dedicated Fund.