



Executive Committee

Filed: 3/12/2008

09500HB5307ham001

LRB095 18667 RAS 47847 a

1 AMENDMENT TO HOUSE BILL 5307

2 AMENDMENT NO. _____. Amend House Bill 5307 on page 1, line
3 5, by replacing "Section 4.5" with "Sections 4.5 and 5"; and

4 on page 2, immediately below line 10, by inserting the
5 following:

6 "Notwithstanding any other rulemaking authority that may
7 exist, neither the Governor nor any agency or agency head under
8 the jurisdiction of the Governor has any authority to make or
9 promulgate rules to implement or enforce the provisions of this
10 amendatory Act of the 95th General Assembly. If, however, the
11 Governor believes that rules are necessary to implement or
12 enforce the provisions of this amendatory Act of the 95th
13 General Assembly, the Governor may suggest rules to the General
14 Assembly by filing them with the Clerk of the House and the
15 Secretary of the Senate and by requesting that the General
16 Assembly authorize such rulemaking by law, enact those
17 suggested rules into law, or take any other appropriate action

1 in the General Assembly's discretion. Nothing contained in this
2 amendatory Act of the 95th General Assembly shall be
3 interpreted to grant rulemaking authority under any other
4 Illinois statute where such authority is not otherwise
5 explicitly given. For the purposes of this amendatory Act of
6 the 95th General Assembly, "rules" is given the meaning
7 contained in Section 1-70 of the Illinois Administrative
8 Procedure Act, and "agency" and "agency head" are given the
9 meanings contained in Sections 1-20 and 1-25 of the Illinois
10 Administrative Procedure Act to the extent that such
11 definitions apply to agencies or agency heads under the
12 jurisdiction of the Governor."; and

13 on page 2, immediately below line 11, by inserting the
14 following:

15 "(225 ILCS 335/5) (from Ch. 111, par. 7505)

16 (Section scheduled to be repealed on January 1, 2016)

17 Sec. 5. Display of license number; advertising.

18 (a) Each State licensed roofing contractor shall affix the
19 license number of his or her license to all of his or her
20 contracts and bids. In addition, the official issuing building
21 permits shall affix the roofing contractor license number to
22 each application for a building permit and on each building
23 permit issued and recorded.

24 (a-5) If a general contractor applies for a building permit

1 with a unit of local government and knowingly submits a roofing
2 license number that is not that of the roofing contractor who
3 will be the subcontractor for the project for which the general
4 contractor has requested the permit, the general contractor
5 shall be fined \$5,000, if the application was for a residential
6 building permit, and \$10,000, if the application was for a
7 commercial building permit. Those units of local government
8 responsible for the issuance of building permits shall be
9 responsible for the enforcement of this subsection (a-5).
10 Notwithstanding any other rulemaking authority that may exist,
11 neither the Governor nor any agency or agency head under the
12 jurisdiction of the Governor has any authority to make or
13 promulgate rules to implement or enforce the provisions of this
14 amendatory Act of the 95th General Assembly. If, however, the
15 Governor believes that rules are necessary to implement or
16 enforce the provisions of this amendatory Act of the 95th
17 General Assembly, the Governor may suggest rules to the General
18 Assembly by filing them with the Clerk of the House and the
19 Secretary of the Senate and by requesting that the General
20 Assembly authorize such rulemaking by law, enact those
21 suggested rules into law, or take any other appropriate action
22 in the General Assembly's discretion. Nothing contained in this
23 amendatory Act of the 95th General Assembly shall be
24 interpreted to grant rulemaking authority under any other
25 Illinois statute where such authority is not otherwise
26 explicitly given. For the purposes of this amendatory Act of

1 the 95th General Assembly, "rules" is given the meaning
2 contained in Section 1-70 of the Illinois Administrative
3 Procedure Act, and "agency" and "agency head" are given the
4 meanings contained in Sections 1-20 and 1-25 of the Illinois
5 Administrative Procedure Act to the extent that such
6 definitions apply to agencies or agency heads under the
7 jurisdiction of the Governor.

8 (b) In addition, every roofing contractor shall affix the
9 roofing contractor license number and the licensee's name, as
10 it appears on the license, on all commercial vehicles used as
11 part of his or her business as a roofing contractor.

12 (c) Every holder of a license shall display it in a
13 conspicuous place in his or her principal office, place of
14 business, or place of employment.

15 (d) No person licensed under this Act may advertise
16 services regulated by this Act unless that person includes in
17 the advertisement his or her license number. Nothing contained
18 in this subsection requires the publisher of advertising for
19 roofing contractor services to investigate or verify the
20 accuracy of the license number provided by the licensee.

21 (e) A person who advertises services regulated by this Act
22 who knowingly (i) fails to display the license number in any
23 manner required by this Section, (ii) fails to provide a
24 publisher with the correct license number as required by
25 subsection (d), or (iii) provides a publisher with a false
26 license number or a license number of another person, or a

1 person who knowingly allows his or her license number to be
2 displayed or used by another person to circumvent any
3 provisions of this Section, is guilty of a Class A misdemeanor
4 with a fine of \$1,000, and, in addition, is subject to the
5 administrative enforcement provisions of this Act. Each day
6 that an advertisement runs or each day that a person knowingly
7 allows his or her license to be displayed or used in violation
8 of this Section constitutes a separate offense.

9 (Source: P.A. 94-254, eff. 7-19-05.)"