



Sen. Terry Link

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LRB095 05383 JAM 50695 a

1 AMENDMENT TO SENATE BILL 2654

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2654 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Capital Development Board Act is amended by  
5 adding Section 10.09-1 as follows:

6 (20 ILCS 3105/10.09-1 new)

7 Sec. 10.09-1. Local government adoption of building code;  
8 enforcement.

9 (a) A local government that does not have an adopted model  
10 minimum building code shall adopt such a building code based on  
11 all of the following:

12 (1) The 2006 editions of the following codes developed  
13 by the International Code Council:

14 (A) International Building Code.

15 (B) International Fire Code.

16 (C) International Mechanical Code.

1           (D) International Fuel Gas Code.

2           (E) International Existing Building Code.

3           (F) International Property Maintenance Code.

4           (2) The 2005 edition NFPA 70 National Electrical Code.

5           (3) State building codes and State agency rules, such  
6           as the Illinois Plumbing Code and the Illinois  
7           Accessibility Code, as well as the 2000 edition of NFPA 101  
8           Life Safety Code where adopted, or such other nationally  
9           recognized model code as approved by the Capital  
10          Development Board.

11          Additions, insertions, deletions, and changes allowed by  
12          the code shall be determined by the local government.

13          (b) A person performing building code enforcement must be  
14          qualified by the State of Illinois or certified by a nationally  
15          recognized building official certification organization with  
16          significant office presence in Illinois. The Illinois State  
17          Board of Education rules for plan reviewers and building  
18          inspectors shall be adapted by the Capital Development Board to  
19          provide the requirements of this subsection. Local governments  
20          may establish agreements with other governmental entities or  
21          qualified third party providers within the State to issue  
22          permits and enforce building codes in a consistent manner and  
23          as required by this Section.

24          (c) Buildings constructed under the requirements of this  
25          Section must be inspected in accordance with the codes in  
26          effect on the date of the issuance of the original building

1 permit.

2 (d) New residential construction is exempt from this  
3 Section and is defined as any original construction of a  
4 single-family home or a dwelling containing 2 or fewer  
5 apartments, condominiums, or town houses in accordance with the  
6 Illinois Residential Building Code Act.

7 (e) As used in this Section, "local government" means a  
8 city, village, incorporated town, county, or fire protection  
9 district.

10 (f) This Section applies beginning July 1, 2010.

11 Section 10. The Illinois Residential Building Code Act is  
12 amended by changing Sections 10 and 15 as follows:

13 (815 ILCS 670/10)

14 Sec. 10. Definitions. In this Act:

15 "2006 International Residential Code" means the 2006  
16 edition of the International Residential Code for One and Two  
17 Family Dwellings published by the International Code Council,  
18 ~~as now or hereafter amended by the Council.~~

19 "New residential construction" means any original  
20 construction of a single-family home or a dwelling containing 2  
21 or fewer apartments, condominiums, or town houses.

22 "Residential building code" means an ordinance,  
23 resolution, law, housing or building code, or zoning ordinance  
24 that establishes, for residential building contractors,

1 construction-related activities applicable to single-family or  
2 2-family residential structures.

3 "Residential building contractor" means any individual,  
4 corporation, or partnership that constructs a fixed building or  
5 structure for sale or use by another as a residence or that,  
6 for a price, commission, fee, wage, or other compensation,  
7 undertakes or offers to undertake the construction of any  
8 building or structure to be used by another as a residence, if  
9 the individual, corporation, or partnership reasonably expects  
10 to earn a financial profit from that activity.

11 (Source: P.A. 93-778, eff. 1-1-05.)

12 (815 ILCS 670/15)

13 Sec. 15. Adoption of building code. A contract to build a  
14 home (1) in any municipality in this State that does not have a  
15 residential building code in effect or (2) in any portion of a  
16 county that is not located within a municipality and does not  
17 have a residential building code in effect must adopt as part  
18 of the construction contract the applicability of a residential  
19 building code that is agreed to by the home builder and the  
20 home purchaser as provided in this Section. The home builder  
21 and the home purchaser may agree to adopt any municipal  
22 residential building code or county residential building code  
23 that is in effect on the first day of construction in any  
24 county or municipality that is within 100 miles of the location  
25 of the new home. If the home builder and the home purchaser

1 fail to agree to a residential building code or if no  
2 residential building code is stated in the contract, the  
3 plumbing code promulgated by the Illinois Department of Public  
4 Health under Section 35 of the Illinois Plumbing License Law,  
5 the 2005 edition NFPA 70 National Electric Code as adopted by  
6 the American National Standards Institute, and the 2006  
7 International Residential Code shall, by law, be adopted as  
8 part of the construction contract.

9 (Source: P.A. 93-778, eff. 1-1-05.)".