

HB5747



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5747

Introduced 2/9/2010, by Rep. Patrick J. Verschoore

SYNOPSIS AS INTRODUCED:

225 ILCS 320/3

from Ch. 111, par. 1103

Amends the Illinois Plumbing License Law. Provides that nothing contained in P.A. 83-878, entitled "An Act in relation to professions", approved September 26, 1983, applies to a rural water company as defined in the Property Tax Code. Effective immediately.

LRB096 17843 ASK 33211 b

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 3 as follows:

6 (225 ILCS 320/3) (from Ch. 111, par. 1103)

7 Sec. 3. (1) All planning and designing of plumbing systems
8 and all plumbing shall be performed only by plumbers licensed
9 under the provisions of this Act hereinafter called "licensed
10 plumbers" and "licensed apprentice plumbers". The inspection
11 of plumbing and plumbing systems shall be done only by the
12 sponsor or his or her agent who shall be an Illinois licensed
13 plumber. Nothing herein contained shall prohibit licensed
14 plumbers or licensed apprentice plumbers under supervision
15 from planning, designing, inspecting, installing, repairing,
16 maintaining, altering or extending building sewers in
17 accordance with this Act. No person who holds a license or
18 certificate of registration under the Illinois Architecture
19 Practice Act of 1989, or the Structural Engineering Practice
20 Act of 1989, or the Professional Engineering Practice Act of
21 1989 shall be prevented from planning and designing plumbing
22 systems.

23 (2) Nothing herein contained shall prohibit the owner

1 occupant or lessee occupant of a single family residence, or
2 the owner of a single family residence under construction for
3 his or her occupancy, from planning, installing, altering or
4 repairing the plumbing system of such residence, provided that
5 (i) such plumbing shall comply with the minimum standards for
6 plumbing contained in the Illinois State Plumbing Code, and
7 shall be subject to inspection by the Department or the local
8 governmental unit if it retains a licensed plumber as an
9 inspector; and (ii) such owner, owner occupant or lessee
10 occupant shall not employ other than a plumber licensed
11 pursuant to this Act to assist him or her.

12 For purposes of this subsection, a person shall be
13 considered an "occupant" if and only if he or she has taken
14 possession of and is living in the premises as his or her bona
15 fide sole and exclusive residence, or, in the case of an owner
16 of a single family residence under construction for his or her
17 occupancy, he or she expects to take possession of and live in
18 the premises as his or her bona fide sole and exclusive
19 residence, and he or she has a current intention to live in
20 such premises as his or her bona fide sole and exclusive
21 residence for a period of not less than 6 months after the
22 completion of the plumbing work performed pursuant to the
23 authorization of this subsection, or, in the case of an owner
24 of a single family residence under construction for his or her
25 occupancy, for a period of not less than 6 months after the
26 completion of construction of the residence. Failure to possess

1 and live in the premises as a sole and exclusive residence for
2 a period of 6 months or more shall create a rebuttable
3 presumption of a lack of such intention.

4 (3) The employees of a firm, association, partnership or
5 corporation who engage in plumbing shall be licensed plumbers
6 or licensed apprentice plumbers. At least one member of every
7 firm, association or partnership engaged in plumbing work, and
8 at least one corporate officer of every corporation engaged in
9 plumbing work, as the case may be, shall be a licensed plumber.
10 A retired plumber cannot fulfill the requirements of this
11 subsection (3). Plumbing contractors are also required to be
12 registered pursuant to the provisions of this Act.

13 Notwithstanding the provisions of this subsection (3), it
14 shall be lawful for an irrigation contractor registered under
15 Section 2.5 of this Act to employ or contract with one or more
16 licensed plumbers in connection with work on lawn sprinkler
17 systems pursuant to Section 2.5 of this Act.

18 (4) (a) A licensed apprentice plumber shall plan, design
19 and install plumbing only under the supervision of the
20 sponsor or his or her agent who is also an Illinois
21 licensed plumber.

22 (b) An applicant for licensing as an apprentice plumber
23 shall be at least 16 years of age and apply on the
24 application form provided by the Department. Such
25 application shall verify that the applicant is sponsored by
26 an Illinois licensed plumber or an approved apprenticeship

1 program and shall contain the name and license number of
2 the licensed plumber or program sponsor.

3 (c) No licensed plumber shall sponsor more than 2
4 licensed apprentice plumbers at the same time. If 2
5 licensed apprentice plumbers are sponsored by a plumber at
6 the same time, one of the apprentices must have, at a
7 minimum, 2 years experience as a licensed apprentice. No
8 licensed plumber sponsor or his or her agent may supervise
9 2 licensed apprentices with less than 2 years experience at
10 the same time. The sponsor or agent shall supervise and be
11 responsible for the plumbing performed by a licensed
12 apprentice.

13 (d) No agent shall supervise more than 2 licensed
14 apprentices at the same time.

15 (e) No licensed plumber may, in any capacity, supervise
16 more than 2 licensed apprentice plumbers at the same time.

17 (f) No approved apprenticeship program may sponsor
18 more licensed apprentices than 2 times the number of
19 licensed plumbers available to supervise those licensed
20 apprentices.

21 (g) No approved apprenticeship program may sponsor
22 more licensed apprentices with less than 2 years experience
23 than it has licensed plumbers available to supervise those
24 licensed apprentices.

25 (h) No individual shall work as an apprentice plumber
26 unless he or she is properly licensed under this Act. The

1 Department shall issue an apprentice plumber's license to
2 each approved applicant.

3 (i) No licensed apprentice plumber shall serve more
4 than a 6 year licensed apprenticeship period. If, upon
5 completion of a 6 year licensed apprenticeship period, such
6 licensed apprentice plumber does not apply for the
7 examination for a plumber's license and successfully pass
8 the examination for a plumber's license, his or her
9 apprentice plumber's license shall not be renewed.

10 Nothing contained in P.A. 83-878, entitled "An Act in
11 relation to professions", approved September 26, 1983, was
12 intended by the General Assembly nor should it be construed to
13 require the employees of a governmental unit or privately owned
14 municipal water supplier who operate, maintain or repair a
15 water or sewer plant facility which is owned or operated by
16 such governmental unit or privately owned municipal water
17 supplier to be licensed plumbers under this Act. In addition,
18 nothing contained in P.A. 83-878 was intended by the General
19 Assembly nor should it be construed to permit persons other
20 than licensed plumbers to perform the installation, repair,
21 maintenance or replacement of plumbing fixtures, such as toilet
22 facilities, floor drains, showers and lavatories, and the
23 piping attendant to those fixtures, within such facility or in
24 the construction of a new facility.

25 Nothing contained in P.A. 83-878, entitled "An Act in
26 relation to professions", approved September 26, 1983, was

1 intended by the General Assembly nor should it be construed to
2 require the employees of a governmental unit or privately owned
3 municipal water supplier who install, repair or maintain water
4 service lines from water mains in the street, alley or curb
5 line to private property lines and who install, repair or
6 maintain water meters to be licensed plumbers under this Act if
7 such work was customarily performed prior to the effective date
8 of such Act by employees of such governmental unit or privately
9 owned municipal water supplier who were not licensed plumbers.
10 Any such work which was customarily performed prior to the
11 effective date of such Act by persons who were licensed
12 plumbers or subcontracted to persons who were licensed plumbers
13 must continue to be performed by persons who are licensed
14 plumbers or subcontracted to persons who are licensed plumbers.
15 When necessary under this Act, the Department shall make the
16 determination whether or not persons who are licensed plumbers
17 customarily performed such work.

18 Nothing contained in P.A. 83-878, entitled "An Act in
19 relation to professions", approved September 26, 1983, applies
20 to a rural water company as defined in the Property Tax Code.

21 (Source: P.A. 91-91, eff. 1-1-00; 91-678, eff. 1-26-00; 92-338,
22 eff. 8-10-01.)

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.