

1 AN ACT concerning State government.

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

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. Adoption of building code; enforcement.

8 (a) After July 1, 2011, no person may occupy a newly  
9 constructed commercial building in a non-building code  
10 jurisdiction until:

11 (1) The property owner or his or her agent has first  
12 contracted for the inspection of the building by an  
13 inspector who meets the qualifications established by the  
14 Board; and

15 (2) The qualified inspector files a certification of  
16 inspection with the municipality or county having such  
17 jurisdiction over the property indicating that the  
18 building meets compliance with the building codes adopted  
19 by the Board for non-building code jurisdictions based on  
20 the following:

21 (A) The 2006 or later editions of the following  
22 codes developed by the International Code Council:

23 (i) International Building Code;

1                   (ii) International Existing Building Code; and

2                   (iii) International Property Maintenance Code.

3                   (B) The 2008 or later edition of the National  
4                   Electrical Code NFPA 70.

5           (b) This Section does not apply to any area in a  
6           municipality or county having jurisdiction that has registered  
7           its adopted building code with the Board as required by Section  
8           55 of the Illinois Building Commission Act.

9           (c) The qualification requirements of this Section do not  
10           apply to building enforcement personnel employed by  
11           jurisdictions as defined in subsection (b).

12           (d) For purposes of this Section:

13           "Commercial building" means any building other than a  
14           single-family home or a dwelling containing 2 or fewer  
15           apartments, condominiums, or townhomes or a farm building as  
16           exempted from Section 3 of the Illinois Architecture Practice  
17           Act.

18           "Newly constructed commercial building" means any  
19           commercial building for which original construction has  
20           commenced on or after July 1, 2011.

21           "Non-building code jurisdiction" means any area of the  
22           State not subject to a building code imposed by either a county  
23           or municipality.

24           "Qualified inspector" means an individual qualified by the  
25           State of Illinois, certified by a nationally recognized  
26           building official certification organization, qualified by an

1 apprentice program certified by the Bureau of Apprentice  
2 Training, or who has filed verification of inspection  
3 experience according to rules adopted by the Board for the  
4 purposes of conducting inspections in non-building code  
5 jurisdictions.

6 (e) New residential construction is exempt from this  
7 Section and is defined as any original construction of a  
8 single-family home or a dwelling containing 2 or fewer  
9 apartments, condominiums, or townhomes in accordance with the  
10 Illinois Residential Building Code Act.

11 (f) Local governments may establish agreements with other  
12 governmental entities within the State to issue permits and  
13 enforce building codes and may hire third-party providers that  
14 are qualified in accordance with this Section to provide  
15 inspection services.

16 (g) This Section does not regulate any other statutorily  
17 authorized code or regulation administered by State agencies.  
18 These include without limitation the Illinois Plumbing Code,  
19 the Illinois Environmental Barriers Act, the International  
20 Energy Conservation Code, and administrative rules adopted by  
21 the Office of the State Fire Marshal.

22 (h) This Section applies beginning July 1, 2011.

23 Section 10. The Illinois Building Commission Act is amended  
24 by changing Section 55 as follows:

1 (20 ILCS 3918/55)

2 Sec. 55. Identification of local building codes. Beginning  
3 on the effective date of this amendatory Act of the 92nd  
4 General Assembly, a municipality with a population of less than  
5 1,000,000 or a county adopting a new building code or amending  
6 an existing building code must, at least 30 days before  
7 adopting the code or amendment, provide an identification of  
8 the code, by title and edition, or the amendment to the  
9 Commission. The Commission must identify the proposed code, by  
10 the title and edition, or the amendment to the public on the  
11 Internet through the State of Illinois World Wide Web site.

12 A municipality with a population of less than 1,000,000 or  
13 county shall provide notice of the title and editions of any  
14 adopted building codes to the Capital Development Board,  
15 Division of Building Codes and Regulations, prior to July 1,  
16 2011. The notice shall be electronic whenever possible and also  
17 contain the division of government, the name of contact, and  
18 the date of the adoption of the codes.

19 The Commission may adopt any rules necessary to implement  
20 this Section.

21 For the purposes of this Section, "building code" means any  
22 municipal or county ordinance or resolution regulating the  
23 construction and maintenance of all structures within the  
24 municipality or county ordinance, resolution, law, housing or  
25 building code, or zoning ordinance that establishes  
26 construction related activities applicable to structures in a

1 ~~municipality or county, as the case may be.~~

2 (Source: P.A. 92-489, eff. 7-1-02.)