



Rep. Robert Rita

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LRB097 07339 CEL 52933 a

1 AMENDMENT TO HOUSE BILL 1279

2 AMENDMENT NO. _____. Amend House Bill 1279 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Fire Sprinkler Contractor Licensing Act is
5 amended by changing Sections 15, 30, and 35 as follows:

6 (225 ILCS 317/15)

7 Sec. 15. Licensing requirements.

8 (a) It shall be unlawful for any person or business to
9 engage in, advertise, or hold itself out to be in the business
10 of installing or repairing fire sprinkler systems in this State
11 after 6 months after the effective date of this Act, unless
12 such person or business is licensed by the State Fire Marshal.
13 ~~This license must be renewed every year.~~

14 (b) In order to obtain a license, a person or business must
15 submit an application to the State Fire Marshal, on a form
16 provided by the State Fire Marshal containing the information

1 prescribed, along with the application fee.

2 (c) A business applying for a license must have a
3 designated certified person employed at the business location
4 and the designated certified person shall be identified on the
5 license application.

6 (d) A person or business applying for a license must show
7 proof of having liability and property damage insurance in such
8 amounts and under such circumstances as may be determined by
9 the State Fire Marshal. The amount of liability and property
10 damage insurance, however, shall not be less than the amount
11 specified in Section 35 of this Act.

12 (e) A person or business applying for a license must show
13 proof of having workers' compensation insurance covering its
14 employees or be approved as a self-insurer of workers'
15 compensation in accordance with the laws of this State.

16 (f) A person or business so licensed shall have a separate
17 license for each business location within the State or outside
18 the State when the business location is responsible for any
19 installation or repair of fire sprinkler systems performed
20 within the State.

21 (g) When an individual proposes to do business in her or
22 his own name, a license, when granted, shall be issued only to
23 that individual.

24 (h) If the applicant requesting licensure to engage in
25 contracting is a business organization, such as a partnership,
26 corporation, business trust, or other legal entity, the

1 application shall state the name of the partnership and its
2 partners, the name of the corporation and its officers and
3 directors, the name of the business trust and its trustees, or
4 the name of such other legal entity and its members and shall
5 furnish evidence of statutory compliance if a fictitious name
6 is used. Such application shall also show that the business
7 entity employs a designated certified person as required under
8 Section 20. The license, when issued upon application of a
9 business organization, shall be in the name of the business
10 organization and the name of the qualifying designated
11 certified person shall be noted thereon.

12 (i) No license is required for a person or business that is
13 engaged in the installation of fire sprinkler systems only in
14 single family or multiple family residential dwellings up to
15 and including 8 family units that do not exceed 2 1/2 stories
16 in height from the lowest grade level.

17 (j) All fire protection system layout documents of fire
18 sprinkler systems, as defined in Section 10 of this Act, shall
19 be prepared by (i) a professional engineer who is licensed
20 under the Professional Engineering Practice Act of 1989, (ii)
21 an architect who is licensed under the Illinois Architecture
22 Practice Act of 1989, or (iii) a holder of a valid NICET level
23 3 or 4 certification in fire protection technology automatic
24 sprinkler system layout who is either licensed under this Act
25 or employed by an organization licensed under this Act.

26 (Source: P.A. 94-367, eff. 1-1-06.)

1 (225 ILCS 317/30)

2 Sec. 30. Requirements for the installation, repair,
3 inspection, and testing of fire protection systems.

4 (a) Equipment shall be listed by a nationally recognized
5 testing laboratory, such as Underwriters Laboratories, Inc. or
6 Factory Mutual Laboratories, Inc., or shall comply with
7 nationally accepted standards. The State Fire Marshal shall
8 adopt by rule procedures for determining whether a laboratory
9 is nationally recognized, taking into account the laboratory's
10 facilities, procedures, use of nationally recognized
11 standards, and any other criteria reasonably calculated to
12 reach an informed determination.

13 (b) Equipment shall be installed in accordance with the
14 applicable standards of the National Fire Protection
15 Association and the manufacturer's specifications.

16 (c) The contractor shall furnish the user with operating
17 instructions for all equipment installed, together with a
18 diagram of the final installation.

19 (d) All fire sprinkler systems shall have a backflow
20 prevention device or, in a municipality with a population over
21 500,000, a double detector check assembly installed by a
22 licensed plumber before the fire sprinkler system connection to
23 the water service. Connection to the backflow prevention device
24 or, in a municipality with a population over 500,000, a double
25 detector assembly shall be done in a manner consistent with the

1 Department of Public Health's Plumbing Code.

2 (e) This licensing Act is not intended to require any
3 additional fire inspections at State level.

4 (f) Inspections and testing of existing fire sprinkler
5 systems and control equipment must be performed by a licensee
6 or an individual employed or contracted by a licensee. Any
7 individual who performs inspection and testing duties under
8 this subsection (f) must possess proof of (i) certification by
9 a nationally recognized certification organization at an
10 appropriate level, such as NICET Level II in Inspection and
11 Testing of Water Based Systems or the equivalent, by January 1,
12 2009 or (ii) satisfactory completion of a certified sprinkler
13 fitter apprenticeship program approved by the U.S. Department
14 of Labor. State employees who perform inspections and testing
15 on behalf of State institutions and who meet all other
16 requirements of this subsection (f) need not be licensed under
17 this Act or employed by a licensee under this Act in order to
18 perform inspection and testing duties under this subsection
19 (f). The requirements of this subsection (f) do not apply to
20 individuals performing inspections or testing of fire
21 sprinkler systems on behalf of a municipality, a county, a fire
22 protection district, or the Office of the State Fire Marshal.
23 This subsection (f) does not apply to cursory weekly and
24 monthly inspections of gauges and control valves conducted in
25 accordance with the standards of the National Fire Protection
26 Association.

1 A copy of the inspection report for an inspection performed
2 pursuant to this subsection (f) must be forwarded by the entity
3 performing the inspection to the local fire department or fire
4 protection district in which the sprinkler system is located.
5 The inspection report must include the NICET Level II
6 Inspection and Testing of Water Based Systems certification
7 number or journeymen number of the person performing the
8 inspection.

9 (Source: P.A. 95-305, eff. 8-20-07; 96-256, eff. 1-1-10.)

10 (225 ILCS 317/35)

11 Sec. 35. Fees, renewals, continuing education, and
12 required insurance.

13 (a) The fees for an original license and each renewal and
14 for duplicate copies of licenses shall be determined by the
15 State Fire Marshal by rule.

16 (b) Each license must be renewed every 2 years. Each
17 licensee must complete 16 hours of continuing education in the
18 2-year period following his or her renewal or initial licensure
19 after the effective date of this amendatory Act of the 97th
20 General Assembly. Current licensure as a professional engineer
21 or proof of current NICET certification in Level III or IV
22 shall satisfy this requirement for designated certified
23 persons. Continuing education offered through nationally
24 recognized building and fire code organizations and their
25 affiliates; nationally recognized fire sprinkler organizations

1 and their affiliates; institutions of higher education;
2 educational bodies specializing in automatic fire suppression
3 system technology; as well as other entities approved by the
4 State Fire Marshal shall be also acceptable. All continuing
5 education entities seeking to be approved providers of
6 continuing education shall make application to the State Fire
7 Marshal and offer programs that:

8 (1) contribute to the advancement, extension, or
9 enhancement of the professional skills or technical
10 knowledge of the licensee in the practice of fire sprinkler
11 contracting; and

12 (2) are developed and presented by persons with
13 education or experience in the subject manner of the
14 program.

15 (c) Any person who fails to file a renewal application by
16 the date of expiration of a license shall be assessed a late
17 filing charge, which shall be determined by the State Fire
18 Marshal by rule.

19 (d) ~~(e)~~ All fees shall be paid by check or money order. Any
20 fee required by this Act is not refundable in the event that
21 the original application or application for renewal is denied.

22 (e) ~~(d)~~ Every application for an original license shall be
23 accompanied by a certificate of insurance issued by an
24 insurance company authorized to do business in the State of
25 Illinois or by a risk retention or purchasing group formed
26 pursuant to the federal Liability Risk Retention Act of 1986,

1 which provides primary, first dollar public liability coverage
2 of the applicant or licensee for personal injuries for not less
3 than \$500,000 per person or \$1,000,000 per occurrence, and, in
4 addition, for not less than \$1,000,000 per occurrence for
5 property damage. The insurance policy shall be in effect at all
6 times during the license year and a new certificate of
7 insurance shall be filed with the State Fire Marshal within 30
8 days after the renewal of the insurance policy.

9 (Source: P.A. 92-871, eff. 1-3-03.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law."