



Rep. Robert Rita

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09800HB1217ham001

LRB098 06891 MGM 43560 a

1 AMENDMENT TO HOUSE BILL 1217

2 AMENDMENT NO. _____. Amend House Bill 1217 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Regulatory Sunset Act is amended by
5 changing Section 4.24 and by adding Section 4.34 as follows:

6 (5 ILCS 80/4.24)

7 Sec. 4.24. Acts ~~and Section~~ repealed on January 1, 2014.
8 The following Acts ~~and Section of an Act~~ are repealed on
9 January 1, 2014:

10 The Electrologist Licensing Act.

11 The Illinois Certified Shorthand Reporters Act of 1984.

12 The Illinois Occupational Therapy Practice Act.

13 The Illinois Public Accounting Act.

14 The Private Detective, Private Alarm, Private Security,
15 Fingerprint Vendor, and Locksmith Act of 2004.

16 The Registered Surgical Assistant and Registered Surgical

1 Technologist Title Protection Act.

2 ~~Section 2.5 of the Illinois Plumbing License Law.~~

3 The Veterinary Medicine and Surgery Practice Act of 2004.

4 (Source: P.A. 97-1139, eff. 12-28-12.)

5 (5 ILCS 80/4.34 new)

6 Sec. 4.34. Section repealed on January 1, 2024. The
7 following Section of an Act is repealed on January 1, 2024:

8 Section 2.5 of the Illinois Plumbing License Law.

9 Section 10. The Illinois Plumbing License Law is amended by
10 changing Sections 2 and 2.5 as follows:

11 (225 ILCS 320/2) (from Ch. 111, par. 1102)

12 Sec. 2. When used in this Act:

13 "Agent" means a person designated by a sponsor as
14 responsible for supervision of an apprentice plumber and who is
15 also an Illinois licensed plumber.

16 "Apprentice plumber" means any licensed person who is
17 learning and performing plumbing under the supervision of a
18 sponsor or his agent in accordance with the provisions of this
19 Act.

20 "Approved apprenticeship program" means an apprenticeship
21 program approved by the U.S. Department of Labor's Bureau of
22 Apprenticeship and Training and the Department under rules.

23 "Board" means the Illinois State Board of Plumbing

1 Examiners.

2 "Building drain" means that part of the lowest horizontal
3 piping of a drainage system that receives the discharge from
4 soil, waste, and other drainage pipes inside the walls of a
5 building and conveys it to 5 feet beyond the foundation walls
6 where it is connected to the building sewer.

7 "Building sewer" means that part of the horizontal piping
8 of a drainage system that extends from the end of the building
9 drain, receives the discharge of the building drain and conveys
10 it to a public sewer or private sewage disposal system.

11 "Department" means the Illinois Department of Public
12 Health.

13 "Director" means the Director of the Illinois Department of
14 Public Health.

15 "Governmental unit" means a city, village, incorporated
16 town, county, or sanitary or water district.

17 "Irrigation contractor" means a person who installs or
18 supervises the installation of lawn sprinkler systems subject
19 to Section 2.5 of this Act, other than a licensed plumber or a
20 licensed apprentice plumber.

21 "Irrigation employee" means a person who is employed or
22 seeks to be employed by a registered irrigation contractor or a
23 licensed plumber, and who designs, repairs, alters, maintains,
24 or installs lawn sprinkler systems that are subject to Section
25 2.5 of this Law.

26 "Lawn sprinkler system" means any underground irrigation

1 system of lawn, shrubbery and other vegetation from any potable
2 water sources; and from any water sources, whether or not
3 potable. "Lawn sprinkler system" includes without limitation
4 the water supply piping, valves, control systems, low voltage
5 wiring, sprinkler heads or other irrigation outlets, and
6 moisture or rainfall sensing equipment, but does not include
7 the backflow prevention device. "Lawn sprinkler system" does
8 not include an irrigation system used primarily for
9 agricultural purposes.

10 "Person" means any natural person, firm, corporation,
11 partnership, or association.

12 "Plumber" means any licensed person authorized to perform
13 plumbing as defined in this Act, but does not include retired
14 plumbers as defined in this Act.

15 "Plumbing" means the actual installation, repair,
16 maintenance, alteration or extension of a plumbing system by
17 any person.

18 "Plumbing" includes all piping, fixtures, appurtenances
19 and appliances for a supply of water for all purposes,
20 including without limitation lawn sprinkler systems and
21 backflow prevention devices connected to lawn sprinkler
22 systems, from the source of a private water supply on the
23 premises or from the main in the street, alley or at the curb
24 to, within and about any building or buildings where a person
25 or persons live, work or assemble.

26 "Plumbing" includes all piping, from discharge of pumping

1 units to and including pressure tanks in water supply systems.

2 "Plumbing" includes all piping, fixtures, appurtenances,
3 and appliances for a building drain and a sanitary drainage and
4 related ventilation system of any building or buildings where a
5 person or persons live, work or assemble from the point of
6 connection of such building drain to the building sewer or
7 private sewage disposal system 5 feet beyond the foundation
8 walls.

9 "Plumbing" does not mean or include the trade of
10 drain-laying, the trade of drilling water wells which
11 constitute the sources of private water supplies, and of making
12 connections between such wells and pumping units in the water
13 supply systems of buildings served by such private water
14 supplies, or the business of installing water softening
15 equipment and of maintaining and servicing the same, or the
16 business of manufacturing or selling plumbing fixtures,
17 appliances, equipment or hardware, or to the installation and
18 servicing of electrical equipment sold by a not-for-profit
19 corporation providing electrification on a cooperative basis,
20 that either on or before January 1, 1971, is or has been
21 financed in whole or in part under the federal Rural
22 Electrification Act of 1936 and the Acts amendatory thereof and
23 supplementary thereto, to its members for use on farms owned by
24 individuals or operated by individuals, nor does it mean or
25 include minor repairs which do not require changes in the
26 piping to or from plumbing fixtures or involve the removal,

1 replacement, installation or re-installation of any pipe or
2 plumbing fixtures. Plumbing does not include the installation,
3 repair, maintenance, alteration or extension of building
4 sewers.

5 "Plumbing contractor" means any person who performs
6 plumbing, as defined in this Act, for another person. "Plumbing
7 contractor" shall not include licensed plumbers and licensed
8 apprentice plumbers who either are employed by persons engaged
9 in the plumbing business or are employed by another person for
10 the performance of plumbing solely for that other person,
11 including, but not limited to, a hospital, university, or
12 business maintenance staff.

13 "Plumbing fixtures" means installed receptacles, devices
14 or appliances that are supplied with water or that receive or
15 discharge liquids or liquid borne wastes, with or without
16 discharge into the drainage system with which they may be
17 directly or indirectly connected.

18 "Plumbing system" means the water service, water supply and
19 distribution pipes; plumbing fixtures and traps; soil, waste
20 and vent pipes; building drains; including their respective
21 connections, devices and appurtenances.

22 "Plumbing system" does not include building sewers as
23 defined in this Act.

24 "Retired plumber" means any licensed plumber in good
25 standing who meets the requirements of this Act and the
26 requirements prescribed by Department rule to be licensed as a

1 retired plumber and voluntarily surrenders his plumber's
2 license to the Department, in exchange for a retired plumber's
3 license. Retired plumbers cannot perform plumbing as defined in
4 this Act, cannot sponsor or supervise apprentice plumbers, and
5 cannot inspect plumbing under this Act. A retired plumber
6 cannot fulfill the requirements of subsection (3) of Section 3
7 of this Act.

8 "Supervision" with respect to first and second year
9 licensed apprentice plumbers means that such apprentices must
10 perform all designing and planning of plumbing systems and all
11 plumbing as defined in this Act under the direct personal
12 supervision of the sponsor or his or her agent who must also be
13 an Illinois licensed plumber, except for maintenance and repair
14 work on existing plumbing systems done by second year
15 apprentice plumbers; provided that before performing any
16 maintenance and repair work without such supervision, such
17 apprentice has received the minimum number of hours of annual
18 classroom instruction recommended by the United States
19 Department of Labor's Bureau of Apprenticeship and Training for
20 apprentice plumbers in a Bureau of Apprenticeship and Training
21 approved plumber apprenticeship program or its equivalent.

22 "Supervision" with respect to all other apprentice plumbers
23 means that, except for maintenance and repair work on existing
24 plumbing systems, any plumbing done by such apprentices must be
25 inspected daily, after initial rough-in and after completion by
26 the sponsor or his or her agent who is also an Illinois

1 licensed plumber. In addition, all repair and maintenance work
2 done by a licensed apprentice plumber on an existing plumbing
3 system must be approved by the sponsor or his or her agent who
4 is also an Illinois licensed plumber.

5 "Sponsor" is an Illinois licensed plumber or an approved
6 apprenticeship program that has accepted an individual as an
7 Illinois licensed apprentice plumber for education and
8 training in the field of plumbing and whose name and license
9 number or apprenticeship program number shall appear on the
10 individual's application for an apprentice plumber's license.

11 "Sponsored" means that each Illinois licensed apprentice
12 plumber has been accepted by an Illinois licensed plumber or an
13 approved apprenticeship program for apprenticeship training.

14 "Telecommunications carrier" means a telecommunications
15 carrier as defined in the Public Utilities Act.

16 (Source: P.A. 94-101, eff. 1-1-08.)

17 (225 ILCS 320/2.5)

18 (Section scheduled to be repealed on January 1, 2014)

19 Sec. 2.5. Irrigation contractors; lawn sprinkler systems.

20 (a) Every irrigation contractor doing business in this
21 State shall annually register with the Department. Every
22 irrigation contractor shall provide to the Department his or
23 her business name and address, telephone number, name of
24 principal, FEIN number, and an original certificate of
25 insurance documenting that the irrigation contractor carries

1 general liability insurance with a minimum of \$100,000 per
2 occurrence, bodily injury insurance with a minimum of \$300,000
3 per occurrence, property damage insurance with a minimum of
4 \$50,000, and worker's compensation insurance with a minimum of
5 \$500,000. No registration may be issued in the absence of the
6 certificate of insurance. The certificate must be in force at
7 all times for registration to remain valid.

8 On a form provided by the Department, every irrigation
9 contractor must provide to the Department an indemnification
10 bond in the amount of \$20,000 or an irrevocable letter of
11 credit from a financial institution guaranteeing that funds
12 shall be available only to the Department and shall be released
13 upon written notification by the Department in the same amount
14 for any work on lawn sprinkler systems performed by the
15 registered irrigation contractor. The letter of credit shall be
16 printed on the letterhead of the issuing financial institution,
17 be signed by an officer of the same financial institution, name
18 the Department as the sole beneficiary, and expire on February
19 28 of each year.

20 Every irrigation contractor doing business in this State
21 shall also register with the Department each and every employee
22 who installs or supervises the installation of lawn sprinkler
23 systems. The registration shall include the employee's name,
24 home address, and telephone number. The Department may provide
25 by rule for the administration of registrations under this
26 subsection. The annual registration fee shall be set by the

1 Department pursuant to Section 30 of this Act. Each registered
2 irrigation contractor must provide proof that he or she employs
3 at least one irrigation employee who has completed and passed
4 an approved class in the design and installation of lawn
5 sprinkler systems. Nothing in this Act shall prohibit a bona
6 fide labor organization from registering a person as an
7 irrigation employee with the Department.

8 (b) A licensed plumber or licensed apprentice plumber may
9 install a lawn sprinkler system connected to any water source
10 without registration under this Section.

11 (c) A licensed plumber shall inspect every sprinkler system
12 installed by an irrigation contractor to ensure the provisions
13 of this Section have been met and that the system works
14 mechanically. A licensed plumber shall make the physical
15 connection between a lawn sprinkler system and the backflow
16 prevention device.

17 Upon the installation of every lawn sprinkler system in
18 this State from the effective date of this amendatory Act of
19 the 91st General Assembly forward, a licensed plumber shall
20 affix to the backflow prevention device a tag certifying that
21 the installation of that system has been completed in
22 compliance with the minimum code of plumbing standards
23 promulgated under this Act. The Department shall provide by
24 rule for the registration of every lawn sprinkler system
25 installed after the effective date of this amendatory Act of
26 the 91st General Assembly, including the means by which the

1 Department shall be able to identify by registration number the
2 identity of the responsible irrigation contractor and by
3 license number the identity of the responsible licensed
4 plumber. No lawn sprinkler system installed after the effective
5 date of this amendatory Act of the 91st General Assembly may be
6 operated without the certification tag required under this
7 Section.

8 The registered irrigation contractor and the licensed
9 plumber whose identifying information is contained on the
10 certification tag shall both be subject to the penalty
11 provisions of this Act for violations for improper installation
12 of a lawn sprinkler system installed after the effective date
13 of this amendatory Act of the 91st General Assembly.

14 (d) An irrigation contractor who has registered with the
15 Department 5 ~~7~~ or fewer persons who are authorized to install
16 or supervise the installation of lawn sprinkler systems shall
17 either employ or contract with at least one licensed plumber
18 who shall install or be responsible for the installation of
19 every lawn sprinkler system installed after the effective date
20 of this amendatory Act of the 98th General Assembly ~~this~~
21 ~~amendatory Act of the 91st General Assembly~~. The licensed
22 plumber shall inspect the risers and sprinkler heads before
23 backfilling.

24 An irrigation contractor who has registered with the
25 Department 6 ~~8~~ to 10 ~~12~~ persons who are authorized to install
26 or supervise the installation of lawn sprinkler systems shall

1 either employ or contract with at least 2 licensed plumbers who
2 shall install or be responsible for the installation of every
3 lawn sprinkler system installed after the effective date of
4 this amendatory Act of the 98th General Assembly ~~this~~
5 ~~amendatory Act of the 91st General Assembly~~. A licensed plumber
6 shall inspect the risers and sprinkler heads before
7 backfilling.

8 An irrigation contractor who has registered with the
9 Department 11 ~~13~~ to 15 ~~20~~ persons who are authorized to install
10 or supervise the installation of lawn sprinkler systems shall
11 either employ or contract with at least 3 licensed plumbers who
12 shall install or be responsible for the installation of every
13 lawn sprinkler system installed after the effective date of
14 this amendatory Act of the 98th General Assembly ~~this~~
15 ~~amendatory Act of the 91st General Assembly~~. A licensed plumber
16 shall inspect the risers and sprinkler heads before
17 backfilling.

18 An irrigation contractor who has registered with the
19 Department 16 ~~21~~ to 20 ~~28~~ persons who are authorized to install
20 or supervise the installation of lawn sprinkler systems shall
21 either employ or contract with at least 4 licensed plumbers who
22 shall install or be responsible for the installation of every
23 lawn sprinkler system installed after the effective date of
24 this amendatory Act of the 98th General Assembly ~~this~~
25 ~~amendatory Act of the 91st General Assembly~~. A licensed plumber
26 shall inspect the risers and sprinkler heads before

1 backfilling.

2 An irrigation contractor who has registered with the
3 Department 21 ~~29~~ to 25 ~~35~~ persons who are authorized to install
4 or supervise the installation of lawn sprinkler systems shall
5 either employ or contract with at least 5 licensed plumbers who
6 shall install or be responsible for the installation of every
7 lawn sprinkler system installed after the effective date of
8 this amendatory Act of the 98th General Assembly ~~this~~
9 ~~amendatory Act of the 91st General Assembly~~. A licensed plumber
10 shall inspect the risers and sprinkler heads before
11 backfilling.

12 An irrigation contractor who has registered with the
13 Department 26 ~~36~~ or more persons who are authorized to install
14 or supervise the installation of lawn sprinkler systems shall
15 either employ or contract with at least 6 licensed plumbers who
16 shall install or be responsible for the installation of every
17 lawn sprinkler system installed after the effective date of
18 this amendatory Act of the 98th General Assembly ~~this~~
19 ~~amendatory Act of the 91st General Assembly~~. A licensed plumber
20 shall inspect the risers and sprinkler heads before
21 backfilling.

22 The Department may provide by rule for the temporary waiver
23 process for registered irrigation contractors who are unable to
24 comply with the requirements of this subsection. When a
25 temporary waiver is granted, it shall not be for a duration of
26 more than 3 consecutive months. Upon the expiration of a

1 temporary waiver issued by the Department, the registered
2 irrigation contractor shall demonstrate that justifiable
3 reasons exist why he or she is still unable to comply with the
4 requirements of this subsection, despite good faith efforts to
5 comply with the requirements. In no case shall a temporary
6 waiver be granted for an irrigation contractor for more than a
7 total of 6 months in a two-year period. In no case shall an
8 irrigation contractor be relieved of the requirement that a
9 licensed plumber shall inspect every sprinkler system
10 installed by an irrigation contractor to ensure the provisions
11 of this Section have been met and that the system works
12 mechanically and make the physical connection between a
13 sprinkler system and the backflow prevention device.

14 (e) No person shall attach to a lawn sprinkler system any
15 fixture intended to supply water for human consumption.

16 No person shall attach to a lawn sprinkler system any
17 fixture other than the backflow prevention device, sprinkler
18 heads, valves, and other parts integral to the operation of the
19 system, unless the fixture is clearly marked as being for
20 non-potable uses only.

21 (f) A college, university, trade school, vocational
22 school, or association that has established a program providing
23 a course of instruction in lawn sprinkler design and
24 installation may submit a letter to the Department requesting
25 approval of its program or course of instruction.

26 The request for approval shall include information on the

1 curriculum offered by the program and the qualifications of the
2 organization. The course shall consist of a minimum of 2 days
3 of classroom education and an exam and shall include a
4 provision for continuing education.

5 The Department shall evaluate the curriculum and
6 organization before making a determination to approve or deny a
7 request for approval.

8 In addition to providing to the Department the names of
9 licensed plumbers who are employed by or contract with an
10 irrigation contractor, an irrigation contractor must also
11 provide to the Department the names of employees who have
12 successfully completed an approved course on the installation
13 of lawn sprinkler systems and proof that the course was
14 successfully completed and that continuing education is also
15 being completed.

16 (g) All automatically operated lawn sprinkler systems
17 shall have furnished and installed technology that inhibits or
18 interrupts operation of the landscape irrigation system during
19 periods of sufficient moisture or rainfall. The technology must
20 be adjustable either by the end user or the irrigation
21 contractor.

22 This subsection (g) does not apply to systems operating on
23 golf courses or agricultural lands.

24 The requirements of this subsection (g) apply to all
25 landscape irrigation systems installed after January 1, 2009.

26 (Source: P.A. 94-101, eff. 1-1-08; 95-421, eff. 1-1-09.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.".