



Rep. Marcus C. Evans, Jr.

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10400HB3396ham001

LRB104 10777 AAS 22716 a

1 AMENDMENT TO HOUSE BILL 3396

2 AMENDMENT NO. _____. Amend House Bill 3396 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Regulatory Sunset Act is amended by
5 changing Section 4.36 and adding Section 4.41 as follows:

6 (5 ILCS 80/4.36)

7 Sec. 4.36. Acts repealed on January 1, 2026. The following
8 Acts are repealed on January 1, 2026:

9 The Barber, Cosmetology, Esthetics, Hair Braiding, and
10 Nail Technology Act of 1985.

11 The Collection Agency Act.

12 The Hearing Instrument Consumer Protection Act.

13 The Illinois Athletic Trainers Practice Act.

14 The Illinois Dental Practice Act.

15 ~~The Illinois Roofing Industry Licensing Act.~~

16 The Illinois Physical Therapy Act.

1 The Professional Geologist Licensing Act.

2 The Respiratory Care Practice Act.

3 (Source: P.A. 99-26, eff. 7-10-15; 99-204, eff. 7-30-15;
4 99-227, eff. 8-3-15; 99-229, eff. 8-3-15; 99-230, eff. 8-3-15;
5 99-427, eff. 8-21-15; 99-469, eff. 8-26-15; 99-492, eff.
6 12-31-15; 99-642, eff. 7-28-16.)

7 (5 ILCS 80/4.41 new)

8 Sec. 4.41. Act repealed on January 1, 2031. The following
9 Act is repealed on January 1, 2031:

10 The Illinois Roofing Industry Licensing Act.

11 Section 10. The Illinois Roofing Industry Licensing Act is
12 amended by changing Sections 1, 2, 2.1, 3, 3.5, 4.5, 5.1, 5.5,
13 6, 7.1, 9, 9.1, 9.4, 9.7, 9.8, 10a, 11, 11.5, and 11.8 and by
14 adding Sections 2.05, 4.6, and 11.5a as follows:

15 (225 ILCS 335/1) (from Ch. 111, par. 7501)

16 (Section scheduled to be repealed on January 1, 2026)

17 Sec. 1. Legislative purpose. It is hereby declared to be
18 the public policy of this State that, in order to safeguard the
19 life, health, property, and public welfare of its citizens,
20 the business of roofing construction, reconstruction,
21 alteration, maintenance and repair is a matter affecting the
22 public interest, and any person desiring to obtain a license
23 to engage in the business as herein defined shall be required

1 to establish the person's ~~his or her~~ qualifications to be
2 licensed as herein provided.

3 (Source: P.A. 90-55, eff. 1-1-98.)

4 (225 ILCS 335/2) (from Ch. 111, par. 7502)

5 (Section scheduled to be repealed on January 1, 2026)

6 Sec. 2. Definitions. As used in this Act, unless the
7 context otherwise requires:

8 (a) "Licensure" means the act of obtaining or holding a
9 license issued by the Department as provided in this Act.

10 (b) "Department" means the Department of Financial and
11 Professional Regulation.

12 (c) "Secretary" means the Secretary of Financial and
13 Professional Regulation or his or her designee.

14 (d) "Person" means any individual, partnership,
15 corporation, business trust, professional limited liability
16 company, limited liability company, or other legal entity.

17 (e) "Roofing contractor" is one who has the experience,
18 knowledge, and skill to construct, reconstruct, alter,
19 maintain, and repair roofs and use materials and items used in
20 the construction, reconstruction, alteration, maintenance, and
21 repair of all kinds of roofing and waterproofing as related to
22 roofing over an occupiable space, all in such manner to comply
23 with all plans, specifications, codes, laws, and regulations
24 applicable thereto, but does not include such contractor's
25 employees to the extent the requirements of Section 3 of this

1 Act apply and extend to such employees. "Roofing contractor"
2 includes a corporation, professional limited liability
3 company, limited liability company, limited partnership,
4 partnership, business trust, or sole proprietorship.

5 (f) "Board" means the Roofing Advisory Board.

6 (g) "Qualifying party" means the individual designated by
7 a roofing contracting business who is filing for licensure as
8 a sole proprietor, partner of a partnership, officer of a
9 corporation, trustee of a business trust, or manager of a
10 professional limited liability company or limited liability
11 company. ~~party of another legal entity,~~

12 "Qualifying party" means a person who, prior to and upon
13 the roofing contractor's licensure, ~~who~~ is legally qualified
14 to act for the business organization in all matters connected
15 with its roofing contracting business, has the authority to
16 supervise roofing installation operations, and is actively
17 engaged in day to day activities of the business organization.

18 "Qualifying party" does not apply to a seller of roofing
19 services ~~materials~~ or roofing materials ~~services~~ when the
20 construction, reconstruction, alteration, maintenance, or
21 repair of roofing or waterproofing is to be performed by a
22 person other than the seller or the seller's employees.

23 (h) "Limited roofing license" means a license made
24 available to contractors whose roofing business is limited to
25 roofing residential properties consisting of 8 units or less.

26 (i) "Unlimited roofing license" means a license made

1 available to contractors whose roofing business is unlimited
2 in nature and includes roofing on residential, commercial, and
3 industrial properties.

4 (j) "Seller of roofing ~~services or~~ materials" means a
5 business entity primarily engaged in the sale of tangible
6 personal property at retail.

7 (k) "Building permit" means a permit issued by a unit of
8 local government for work performed within the local
9 government's jurisdiction that requires a license under this
10 Act.

11 (l) "Address of record" means the designated street
12 address recorded by the Department in the applicant's or
13 licensee's application file or license file as maintained by
14 the Department's licensure maintenance unit. ~~It is the duty of~~
15 ~~the applicant or licensee to inform the Department of any~~
16 ~~change of address, and those changes must be made either~~
17 ~~through the Department's website or by contacting the~~
18 ~~Department.~~

19 (m) "Email address of record" means the designated email
20 address recorded by the Department in the applicant's
21 application file or the licensee's license file as maintained
22 by the Department's licensure maintenance unit.

23 (n) "Roof repair" means reconstruction or renewal of any
24 portion of an existing roof for the purpose of correcting
25 damage or restoring the roof to pre-damage condition, ~~part of~~
26 ~~an existing roof for the purpose of its maintenance but~~

1 excludes circumstances when a torch technique is used by a
2 licensed roofing contractor. "Roof repair" includes the use
3 of:

4 (1) new material that is compatible with existing
5 materials that are to remain in a specific roof section;
6 and

7 (2) new material that is at least as fire resistive as
8 the material being replaced.

9 (o) "Roofing work" or "Professional roofing services"
10 means the construction, reconstruction, alteration, and
11 maintenance of a roof on residential, commercial, or
12 industrial property and the use of materials and items in the
13 construction, reconstruction, alternation, and maintenance of
14 roofing and waterproofing of roofs, all in a manner that
15 complies with plans, specifications, codes, laws, rules,
16 regulations, and current roofing industry standards for
17 workmanlike performance applicable to the construction,
18 reconstruction, alteration, and maintenance of roofs on such
19 properties.

20 (p) "Seller of roofing services" means a business or
21 governmental entity that subcontracts professional roofing
22 services to a licensed roofing contractor that serves as the
23 subcontractor for a roofing project. "Seller of roofing
24 services" includes a general contractor, real estate
25 developer, or builder.

26 (q) "General contractor", "real estate developer", or

1 "builder" means the person responsible for overseeing a
2 building or construction project that includes a roof system.

3 (r) "Public member" means a consumer who is not a
4 qualifying party or employee of a licensed roofing contractor.

5 For purposes of board membership, the public member shall have
6 no connection or financial interest in the roofing or general
7 contracting industries.

8 (s) "Subcontractor" means any person that is a licensed
9 roofing contractor that has a direct contract with a seller of
10 roofing services or a governmental entity to perform a portion
11 of roofing work under a building or construction contract for
12 a project that includes a roof system.

13 (t) "Roof system" means the components of a roof that
14 include, but are not limited to, covering, framing,
15 insulation, sheathing, ventilation, sealing, waterproofing,
16 weatherproofing, related architectural sheet metal work, and
17 roof coatings.

18 (u) "Roof section" means a separation or division of a
19 roof area by existing expansion joints, parapet walls,
20 flashing (excluding valley), difference of elevation
21 (excluding hips and ridges), roof type, or legal description.

22 "Roof section" does not include the roof area required for a
23 proper tie-off with an existing system.

24 (v) "Roof recover" means installing an additional roof
25 covering over a prepared existing roof covering without
26 removing the existing roof covering. "Roof recover" does not

1 include the following situations:

2 (1) if the existing roof covering is water soaked or
3 has deteriorated to the point that the existing roof or
4 roof covering is not adequate as a base for additional
5 roofing;

6 (2) if the existing roof covering is slate or tile; or

7 (3) if the existing roof has 2 or more applications of
8 roof covering unless the Department has received and
9 accepted a structural condition report, prepared by an
10 Illinois licensed architect or structural engineer,
11 confirming that the existing structure can support an
12 additional layer of roof covering.

13 (w) "Roof replacement" means removing the existing roof
14 covering, repairing any damaged substrate, and installing a
15 new roof covering. The new roof shall be installed in
16 accordance with the applicable provisions of the Illinois
17 Energy Conservation Code.

18 (Source: P.A. 99-469, eff. 8-26-15; 100-545, eff. 11-8-17.)

19 (225 ILCS 335/2.05 new)

20 Sec. 2.05. Address of record; email address of record. All
21 applicants and licensees shall:

22 (1) provide a valid address and email address to the
23 Department, which shall serve as the address of record and
24 email address of record, respectively, at the time of
25 application for licensure or renewal of a license; and

1 (2) inform the Department of any change of address of
2 record or email address of record within 14 days after the
3 change, either through the Department's website or by
4 contacting the Department's licensure maintenance unit.

5 (225 ILCS 335/2.1) (from Ch. 111, par. 7502.1)

6 (Section scheduled to be repealed on January 1, 2026)

7 Sec. 2.1. Administration of Act; rules and forms.

8 (a) The Department shall exercise the powers and duties
9 prescribed by the Civil Administrative Code of Illinois for
10 the administration of licensing Acts and shall exercise such
11 other powers and duties necessary for effectuating the
12 purposes of this Act.

13 (b) The Secretary may adopt rules consistent with the
14 provisions of this Act for the administration and enforcement
15 of this Act and for the payment of fees connected with this Act
16 and may prescribe forms that shall be issued in connection
17 with this Act. The rules may include, but not be limited to,
18 the standards and criteria for licensure and professional
19 conduct and discipline and the standards and criteria used
20 when determining fitness to practice. The Department may
21 consult with the Board in adopting rules.

22 (c) The Department may, at any time, seek the advice and
23 the expert knowledge of the Board and any member of the Board
24 on any matter relating to the administration of this Act.

25 (d) (Blank).

1 (Source: P.A. 99-469, eff. 8-26-15.)

2 (225 ILCS 335/3) (from Ch. 111, par. 7503)

3 (Section scheduled to be repealed on January 1, 2026)

4 Sec. 3. Application for roofing contractor license.

5 (1) To obtain a license, an applicant must indicate if the
6 license is sought for a sole proprietorship, partnership,
7 corporation, professional limited liability company, limited
8 liability company, business trust, or other legal entity and
9 whether the application is for a limited or unlimited roofing
10 license. If the license is sought for a sole proprietorship,
11 the license shall be issued to the sole proprietor who shall
12 also be designated as the qualifying party. If the license is
13 sought for a partnership, corporation, professional limited
14 liability company, limited liability company, business trust,
15 or other legal entity, the license shall be issued in the
16 company name. At the time of application for licensure under
17 the Act, a ~~A~~ company shall ~~must~~ designate one individual who
18 will serve as a qualifying party. The qualifying party is the
19 individual who must take the examination required under
20 Section 3.5 on behalf of the company, and actively participate
21 in the day to day operations of the company's business
22 following the issuance of licensure. The company shall submit
23 an application in writing to the Department on a form
24 containing the information prescribed by the Department and
25 accompanied by the fee fixed by the Department. The

1 application shall include, but shall not be limited to:

2 (a) the name and address of the individual person
3 designated as the qualifying party responsible for the
4 practice of professional roofing in Illinois;

5 (b) the name of the sole proprietorship and its sole
6 proprietor, the name of the partnership and its partners,
7 the name of the corporation and its officers,
8 shareholders, and directors, the name of the business
9 trust and its trustees, or the name of such other legal
10 entity and its members and managers;

11 (c) evidence of compliance with any statutory
12 requirements pertaining to such legal entity, including
13 compliance with the Assumed Business Name Act; and

14 (d) a signed irrevocable uniform consent to service of
15 process form provided by the Department.

16 (1.5) (Blank).

17 (2) An applicant for a roofing contractor license must
18 submit satisfactory evidence that:

19 (a) the applicant ~~he or she~~ has obtained public
20 liability and property damage insurance in such amounts
21 and under such circumstances as may be determined by the
22 Department;

23 (b) the applicant ~~he or she~~ has obtained Workers'
24 Compensation insurance for roofing covering the
25 applicant's ~~his or her~~ employees or is approved as a
26 self-insurer of Workers' Compensation in accordance with

1 Illinois law;

2 (c) the applicant ~~he or she~~ has an unemployment
3 insurance employer account number issued by the Department
4 of Employment Security, and the applicant ~~he or she~~ is not
5 delinquent in the payment of any amount due under the
6 Unemployment Insurance Act;

7 (d) the applicant ~~he or she~~ has submitted a continuous
8 bond to the Department in the amount of \$10,000 for a
9 limited license and in the amount of \$25,000 for an
10 unlimited license; and

11 (e) the ~~a~~ qualifying party has satisfactorily
12 completed the examination required under Section 3.5.

13 (3) It is the ongoing responsibility of the licensee to
14 provide to the Department notice in writing of any and all
15 changes in the information required to be provided on the
16 application, including, but not limited to, a change in the
17 licensee's assumed name, if applicable.

18 (3.5) The qualifying party shall be an employee who
19 receives compensation from and is under the supervision and
20 control of the licensed roofing contractor business employer
21 that regularly deducts the payroll tax under the Federal
22 Insurance Contributions Act, deducts withholding tax, and
23 provides workers' compensation as prescribed by law. The
24 qualifying party shall not receive a Form 1099 from the
25 licensed roofing contractor business.

26 (4) (Blank).

1 (5) Nothing in this Section shall apply to a seller of
2 roofing services ~~materials~~ or roofing materials ~~services~~ when
3 the construction, reconstruction, alteration, maintenance, or
4 repair of roofing or waterproofing is to be performed by a
5 subcontractor or a person other than the seller or the
6 seller's employees.

7 (6) Applicants have 3 years from the date of application
8 to complete the application process. If the application has
9 not been completed within 3 years, the application shall be
10 denied, the fee shall be forfeited and the applicant must
11 reapply and meet the requirements in effect at the time of
12 reapplication.

13 (Source: P.A. 98-838, eff. 1-1-15; 99-469, eff. 8-26-15.)

14 (225 ILCS 335/3.5)

15 (Section scheduled to be repealed on January 1, 2026)

16 Sec. 3.5. Examinations.

17 (a) The Department shall authorize examinations for
18 applicants for initial licensure at the time and place it may
19 designate. The examinations shall be of a character to fairly
20 test the competence and qualifications of applicants to act as
21 roofing contractors. Each applicant for limited licenses shall
22 designate a qualifying party who shall take an examination,
23 the technical portion of which shall cover current residential
24 roofing practices. Each applicant for an unlimited license
25 shall designate a qualifying party who shall take an

1 examination, the technical portion of which shall cover
2 current residential, commercial, and industrial roofing
3 practices. Both examinations shall cover Illinois
4 jurisprudence as it relates to roofing practice.

5 (b) An applicant for a limited license or an unlimited
6 license or a qualifying party designated by an applicant for a
7 limited license or unlimited license shall pay, either to the
8 Department or the designated testing service, a fee
9 established by the Department to cover the cost of providing
10 the examination. Failure to appear for the examination on the
11 scheduled date at the time and place specified, after the
12 applicant's application for examination has been received and
13 acknowledged by the Department or the designated testing
14 service, shall result in forfeiture of the examination fee.

15 (c) The qualifying party for an applicant for a new
16 license must have passed an examination authorized by the
17 Department before the Department may issue a license.

18 (d) The application for a license as a corporation,
19 business trust, or other legal entity submitted by a sole
20 proprietor who is currently licensed under this Act and exempt
21 from the examination requirement of this Section shall not be
22 considered an application for initial licensure for the
23 purposes of this subsection (d) if the sole proprietor is
24 named in the application as the qualifying party and is the
25 sole owner of the legal entity. Upon issuance of a license to
26 the new legal entity, the sole proprietorship license is

1 terminated.

2 The application for initial licensure as a partnership,
3 corporation, professional limited liability company, limited
4 liability company, business trust, or other legal entity
5 submitted by a currently licensed partnership, corporation,
6 professional limited liability company, limited liability
7 company, business trust, or other legal entity shall not be
8 considered an application for initial licensure for the
9 purposes of this subsection (d) if the entity's current
10 qualifying party is exempt from the examination requirement of
11 this Section, that qualifying party is named as the new legal
12 entity's qualifying party, and the majority of ownership in
13 the new legal entity remains the same as the currently
14 licensed entity. Upon issuance of a license to the new legal
15 entity under this subsection (d), the former license issued to
16 the applicant is terminated.

17 (e) A roofing contractor applicant and a qualifying party
18 ~~An applicant~~ have ~~has~~ 3 years after the date of application to
19 complete the application process. If the process has not been
20 completed within 3 years, the application shall be denied, the
21 fee shall be forfeited, and the applicant must reapply and
22 meet the requirements in effect at the time of reapplication.

23 (Source: P.A. 99-469, eff. 8-26-15.)

24 (225 ILCS 335/4.5)

25 (Section scheduled to be repealed on January 1, 2026)

1 Sec. 4.5. Duties and responsibilities of qualifying party;
2 acceptance ~~replacement~~; grounds for discipline.

3 (a) While named as and engaged as ~~or named as~~ a qualifying
4 party for a roofing contractor licensee, no person may be the
5 named qualifying party for any other licensee. However, the
6 person may act in the capacity of the qualifying party for one
7 additional roofing contractor licensee of the same type of
8 licensure only if one of the following conditions exists:

9 (1) the person has ~~there is~~ a common ownership or
10 management interest of at least 25% of each licensed
11 entity for which the person acts as a qualifying party; or

12 (2) the same person acts as a qualifying party for one
13 licensed entity and its licensed subsidiary.

14 "Subsidiary" as used in this Section means a corporation ,
15 professional limited liability company, or limited liability
16 company of which at least 25% is owned or managed by another
17 roofing contractor licensee.

18 (b) At all times a licensed roofing contractor shall have
19 one corresponding qualifying party actively engaged in the day
20 to day activities of the roofing contractor's business, except
21 for a change in qualifying party as set forth in Section 4.6
22 and the rules adopted under this Act ~~Upon the loss of a~~
23 ~~qualifying party who is not replaced, the qualifying party or~~
24 ~~the licensee, or both, shall notify the Department of the name~~
25 ~~and address of the newly designated qualifying party. The~~
26 ~~newly designated qualifying party must take and pass the~~

1 ~~examination prescribed in Section 3.5 of this Act. These~~
2 ~~requirements shall be met in a timely manner as established by~~
3 ~~rule of the Department.~~

4 (c) A qualifying party that is accepted by the Department
5 shall be issued an appropriate credential and shall have and
6 exercise the authority to act for the licensed entity in all
7 matters connected with its roofing contracting business and to
8 supervise roofing installation operations. This authority
9 shall not be deemed to be a license for purposes of this Act.
10 Upon acceptance, the qualifying party shall act on behalf of
11 the licensed roofing contractor entity only, except as
12 provided for in subsection (a).

13 (d) Designation of a qualifying party by an applicant
14 under this Section and Section 3 is subject to acceptance by
15 the Department. The Department may refuse to accept a
16 qualifying party (i) for failure to qualify as required under
17 this Act and the rules adopted under this Act or (ii) after
18 making a determination that the designated qualifying party
19 has a history of acting illegally, fraudulently,
20 incompetently, or with gross negligence in the roofing or
21 construction business.

22 The qualifying party who has been accepted by the
23 Department shall maintain the qualifying party's duties and
24 responsibilities to the licensed roofing contractor as
25 follows:

26 (1) The qualifying party may have a common ownership

1 or management interest in the licensed roofing contractor
2 entity, and, on behalf of the licensed entity, may serve
3 as an estimator, salesperson, project manager,
4 superintendent, or in a similar capacity as defined by
5 rule;

6 (2) The qualifying party may delegate the qualifying
7 party's supervising authority over the persons performing
8 the onsite roofing work only to another employee of the
9 licensed roofing contractor;

10 (3) While engaged as a qualifying party for a licensed
11 roofing contractor, the qualifying party shall not accept
12 other employment that would conflict with the individual's
13 duties as a qualifying party or conflict with the
14 individual's ability to supervise adequately the work
15 performed by the licensed roofing contractor;

16 (4) The qualifying party shall not act on behalf of an
17 unlicensed entity or a subcontractor that is not the
18 qualifying party's licensee; and

19 (5) The qualifying party shall not use the qualifying
20 party's credential for the benefit of an unlicensed person
21 or a roofing contractor that has not designated the
22 individual to qualify the contractor for licensure in
23 accordance with this Act, unless the licensed roofing
24 contractor affiliated with the qualifying party is a
25 subcontractor or seller of roofing services pursuant to a
26 bonafide contract for roofing contracting services.

1 (e) The Department may, at any time after giving
2 appropriate notice and the opportunity for a hearing, suspend
3 or revoke its acceptance of a qualifying party designated by a
4 roofing contractor licensee and impose other discipline,
5 including, but not limited to, fines not to exceed \$15,000 per
6 violation for any act or failure to act that gives rise to any
7 ground for disciplinary action against that roofing contractor
8 licensee under this Act and the rules adopted under this Act.
9 If the Department suspends or revokes its acceptance of a
10 qualifying party, the license of the roofing contractor
11 licensee shall be deemed to be suspended until a new
12 qualifying party has been designated by the roofing contractor
13 licensee and accepted by the Department.

14 If acceptance of a qualifying party is suspended or
15 revoked for action or inaction that constitutes a violation of
16 this Act or the rules adopted under this Act, the Department
17 may in addition take such other disciplinary or
18 non-disciplinary action as it may deem proper against the
19 licensee or qualifying party, including imposing a fine on the
20 qualifying party, not to exceed \$15,000~~\$10,000~~ for each
21 violation.

22 All administrative decisions of the Department under this
23 subsection (e) are subject to judicial review pursuant to
24 Section 9.7 of this Act. An order taking action against a
25 qualifying party shall be deemed a final administrative
26 decision of the Department for purposes of Section 9.7 of this

1 Act.

2 (Source: P.A. 99-469, eff. 8-26-15.)

3 (225 ILCS 335/4.6 new)

4 Sec. 4.6. Qualifying party termination; succession;
5 inoperative status.

6 (a) The licensed roofing contractor shall provide
7 information as requested by the Department, which shall
8 include, but not be limited to, the name and contact
9 information of the qualifying party.

10 (b) A qualifying party shall at all times maintain a
11 valid, active credential only on behalf of the qualifying
12 party's corresponding licensed roofing contractor.

13 (c) In the event a qualifying party is terminated or has an
14 active status as the qualifying party of the licensed roofing
15 contractor terminated, both the licensee and the qualifying
16 party shall notify the Department of this disassociation in
17 writing, by regular mail or email, within 30 business days
18 after the date of disassociation. If such notice is not given
19 in a timely manner, the license will be placed on inoperative
20 status.

21 (d) Upon the termination, loss, or disassociation of the
22 qualifying party, the licensed roofing contractor, if it has
23 so informed the Department of the disassociation, shall notify
24 the Department of the name and address of the newly designated
25 qualifying party within 60 days after the date the licensee

1 notifies the Department of the date of disassociation. If such
2 notice is not given in a timely manner, the license will be
3 placed on inoperative status.

4 (e) The Department shall determine the newly designated
5 qualifying party's fitness to have the roofing contracting
6 license requalified, including, but not limited to, the
7 application qualifications to sit for the examination.

8 (f) Within 7 months after approval by the Department, the
9 newly designated qualifying party must take and pass the
10 examination prescribed in Section 3.5 of this Act to requalify
11 the roofing contracting license.

12 (g) If a licensed roofing contractor fails to requalify
13 through the newly designated qualifying party within the time
14 prescribed by the Department by rule, the license is
15 automatically placed in inoperative status at the end of the
16 time period until the licensee requalifies through another
17 newly designated qualifying party. The requirements in this
18 Section shall be met in a timely manner as established by rule
19 of the Department.

20 (h) The license of any roofing contractor whose
21 association with a qualifying party has terminated shall
22 automatically become inoperative immediately upon such
23 termination. An inoperative licensee under this Act shall not
24 perform any roofing contracting services while the license is
25 in inoperative status, unless the licensee meets all of the
26 criteria outlined in this Section.

1 (225 ILCS 335/5.1)

2 (Section scheduled to be repealed on January 1, 2026)

3 Sec. 5.1. Commercial vehicles. Any entity offering
4 services regulated by the Roofing Industry Licensing Act shall
5 affix the roofing contractor license number and the licensee's
6 name, as it appears on the license, on all commercial vehicles
7 used in offering such services. An entity in violation of this
8 Section shall be subject to a civil penalty of no less than
9 \$250 and no more than \$1,000 ~~civil penalty~~. This Section may be
10 enforced by the Department, the Attorney General, or local
11 code enforcement officials employed by units of local
12 government as it relates to roofing work being performed
13 within the boundaries of their jurisdiction. For purposes of
14 this Section, "code enforcement official" means an officer or
15 other designated authority charged with the administration,
16 interpretation, and enforcement of codes on behalf of a
17 municipality or county. If the alleged violation has been
18 corrected prior to or on the date of the hearing scheduled to
19 adjudicate the alleged violation, the violation shall be
20 dismissed.

21 (Source: P.A. 99-469, eff. 8-26-15.)

22 (225 ILCS 335/5.5)

23 (Section scheduled to be repealed on January 1, 2026)

24 Sec. 5.5. Contracts.

1 (a) A licensed roofing contractor, when signing a contract
2 for professional roofing services, must include in the
3 contract provide a land-based phone number, and a street
4 address other than a post office box, and an email address at
5 which the roofing contractor may be contacted.

6 (b) Prior to engaging in any roofing work, a roofing
7 contractor shall provide a written contract to the property
8 owner, signed by both the roofing contractor or the roofing
9 contractor's designee and the property owner, stating at least
10 the following terms:

11 (1) the scope of roofing services and materials to be
12 provided;

13 (2) the approximate dates of service;

14 (3) for roof repair, the approximate costs of the
15 services based on damages known at the time the contract
16 is entered;

17 (4) the licensed roofing contractor's contact
18 information, including a street address other than a post
19 office box, email address, phone number, and any other
20 contact information available for the roofing contractor;

21 (5) identification of the roofing contractor's surety
22 and liability coverage insurer and the insurer's contact
23 information, if applicable;

24 (6) the roofing contractor's policy regarding
25 cancellation of the contract and refund of any deposit,
26 including a rescission clause allowing the property owner

1 to rescind the contract and obtain a full refund of any
2 deposit within 72 hours after entering the contract and a
3 written statement that the property owner may rescind a
4 roofing contract; and

5 (7) a written statement that if the property owner
6 plans to use the proceeds of a property and casualty
7 insurance policy issued to pay for the roofing work, the
8 roofing contractor cannot pay, waive, rebate, or promise
9 to pay, waive, or rebate all or part of any insurance
10 deductible applicable to the insurance claim for payment
11 for roofing work on the covered property.

12 (c) In addition to the contract terms required in
13 subsection (b) of this Section, a licensed roofing contractor
14 shall include, on the face of the contract, in bold-faced
15 type, a statement indicating that the roofing contractor shall
16 hold in trust any payment from the property owner until the
17 roofing contractor has delivered roofing materials at the
18 property site or has performed a majority of the roofing work
19 on the property.

20 (d) The roofing contractor for a roofing project shall
21 keep a fully executed copy of the contract for professional
22 roofing services available for inspection by the Department.

23 (e) In awarding a contract for professional roofing
24 services, if the property owner is the State or any
25 municipality, city, county, incorporated area, or school
26 district, the property owner shall conduct a bonafide bidding

1 process in which all of the bids are submitted by roofing
2 contractors holding verified active licenses issued by the
3 Department.

4 (Source: P.A. 99-469, eff. 8-26-15.)

5 (225 ILCS 335/6) (from Ch. 111, par. 7506)

6 (Section scheduled to be repealed on January 1, 2026)

7 Sec. 6. Expiration and renewal; inactive status;
8 restoration.

9 (a) The expiration date and renewal period for each
10 certificate of registration issued under this Act shall be set
11 by the Department by rule.

12 (b) A licensee who has permitted the licensee's license
13 ~~his or her~~ license to expire or whose license is on inactive
14 status may have the ~~his or her~~ license restored by making
15 application to the Department in the form and manner
16 prescribed by the Department.

17 (c) A licensee who notifies the Department in writing on
18 forms prescribed by the Department may elect to place the ~~his~~
19 ~~or her~~ license on inactive status and shall, subject to rules
20 of the Department, be excused from payment of renewal fees
21 until the licensee ~~he or she~~ notifies the Department in
22 writing of the licensee's ~~his or her~~ desire to resume active
23 status.

24 (d) A licensee whose license expired while the licensee's
25 qualifying party ~~he or she~~ was (1) on active duty with the

1 Armed Forces of the United States or the State Militia called
2 into service or training or (2) in training or education under
3 the supervision of the United States preliminary to induction
4 into the military service, may have the ~~his or her~~ license
5 renewed or restored without paying any lapsed renewal fees if,
6 within 2 years after termination of such service, training, or
7 education, except under conditions other than honorable, the
8 qualifying party ~~he or she~~ furnishes the Department with
9 satisfactory evidence to the effect that the qualifying party
10 ~~he or she~~ has been so engaged and that the qualifying party's
11 ~~his or her~~ service, training, or education has been so
12 terminated.

13 (e) A roofing contractor whose license is expired or on
14 inactive status shall not practice under this Act in the State
15 of Illinois.

16 (Source: P.A. 99-469, eff. 8-26-15.)

17 (225 ILCS 335/7.1)

18 (Section scheduled to be repealed on January 1, 2026)

19 Sec. 7.1. Applicant convictions.

20 (a) When reviewing a conviction by plea of guilty or nolo
21 contendere, finding of guilt, jury verdict, or entry of
22 judgment or by sentencing of an initial applicant, the
23 Department may only deny a license or refuse to accept a
24 designated qualifying party based upon consideration of
25 mitigating factors provided in subsection (c) of this Section

1 for a felony directly related to the practice of roofing
2 contracting.

3 (b) The following crimes or similar offenses in any other
4 jurisdiction are hereby deemed directly related to the
5 practice of roofing contracting:

6 (1) first degree murder;

7 (2) second degree murder;

8 (3) drug induced homicide;

9 (4) unlawful restraint;

10 (5) aggravated unlawful restraint;

11 (6) forcible detention;

12 (7) involuntary servitude;

13 (8) involuntary sexual servitude of a minor;

14 (9) predatory criminal sexual assault of a child;

15 (10) aggravated criminal sexual assault;

16 (11) criminal sexual assault;

17 (12) criminal sexual abuse;

18 (13) aggravated kidnaping;

19 (14) aggravated robbery;

20 (15) armed robbery;

21 (16) kidnapping;

22 (17) aggravated battery;

23 (18) aggravated vehicular hijacking;

24 (19) home invasion;

25 (20) terrorism;

26 (21) causing a catastrophe;

- 1 (22) possession of a deadly substance;
- 2 (23) making a terrorist threat;
- 3 (24) material support for terrorism;
- 4 (25) hindering prosecution of terrorism;
- 5 (26) armed violence;
- 6 (27) any felony based on consumer fraud or deceptive
7 business practices under the Consumer Fraud and Deceptive
8 Business Practices Act;
- 9 (28) any felony requiring registration as a sex
10 offender under the Sex Offender Registration Act;
- 11 (29) attempt of any the offenses set forth in
12 paragraphs (1) through (28) of this subsection (b); and
- 13 (30) convictions set forth in subsection (e) of
14 Section 5 or Section 9.8 of this Act.
- 15 (c) The Department shall consider any mitigating factors
16 contained in the record, when determining the appropriate
17 disciplinary sanction, if any, to be imposed. In addition to
18 those set forth in Section 2105-130 of the Department of
19 Professional Regulation Law of the Civil Administrative Code
20 of Illinois, mitigating factors shall include the following:
- 21 (1) the bearing, if any, the criminal offense or
22 offenses for which the person was previously convicted
23 will have on the person's ~~his or her~~ fitness or ability to
24 perform one or more such duties and responsibilities;
- 25 (2) the time that has elapsed since the criminal
26 conviction; and

1 (3) the age of the person at the time of the criminal
2 conviction.

3 (d) The Department shall issue an annual report by January
4 31, 2027 ~~2018~~ and by January 31 each year thereafter,
5 indicating the following:

6 (1) the number of initial applicants for a license
7 under this Act within the preceding calendar year;

8 (2) the number of initial applicants for a license
9 under this Act within the previous calendar year who had a
10 conviction;

11 (3) the number of applicants with a conviction who
12 were granted a license under this Act within the previous
13 year;

14 (4) the number of applicants denied a license under
15 this Act within the preceding calendar year; and

16 (5) the number of applicants denied a license under
17 this Act solely on the basis of a conviction within the
18 preceding calendar year.

19 (e) Nothing in this Section shall prevent the Department
20 taking disciplinary or non-disciplinary action against a
21 license as set forth in Section 9.1 of this Act.

22 (Source: P.A. 99-876, eff. 1-1-17.)

23 (225 ILCS 335/9) (from Ch. 111, par. 7509)

24 (Section scheduled to be repealed on January 1, 2026)

25 Sec. 9. Licensure requirement.

1 (1) It is unlawful for any person to engage in the business
2 of providing professional roofing services or act in the
3 capacity of or hold himself, herself, or itself out in any
4 manner as a roofing contractor or a qualifying party without
5 having been duly licensed or accepted by the Department under
6 the provisions of this Act.

7 (2) No work involving the construction, reconstruction,
8 alteration, maintenance, or repair of any kind of roofing or
9 waterproofing may be done except by a roofing contractor or a
10 qualifying party licensed or credentialed under this Act.

11 (3) Sellers of roofing services may subcontract the
12 provision of those roofing services only to roofing
13 contractors licensed under this Act. Subcontractors that are
14 licensed roofing contractors shall have at all times updated
15 assumed business names disclosed to the Department, if
16 applicable.

17 (4) All persons performing roofing services under this Act
18 shall be licensed as roofing contractors, except for
19 qualifying parties and those persons who are deemed to be
20 employees under Section 10 of the Employee Classification Act
21 of a licensed roofing contractor.

22 (Source: P.A. 98-838, eff. 1-1-15; 99-469, eff. 8-26-15.)

23 (225 ILCS 335/9.1) (from Ch. 111, par. 7509.1)

24 (Section scheduled to be repealed on January 1, 2026)

25 Sec. 9.1. Grounds for disciplinary action.

1 (1) The Department may refuse to issue, to accept, or to
2 renew, or may revoke, suspend, place on probation, reprimand
3 or take other disciplinary or non-disciplinary action as the
4 Department may deem proper, including fines not to exceed
5 \$15,000 ~~\$10,000~~ for each violation, with regard to any license
6 or credential for any one or combination of the following:

7 (a) violation of this Act or its rules;

8 (b) for licensees, conviction or plea of guilty or
9 nolo contendere, finding of guilt, jury verdict, or entry
10 of judgment or sentencing of any crime, including, but not
11 limited to, convictions, preceding sentences of
12 supervision, conditional discharge, or first offender
13 probation, under the laws of any jurisdiction of the
14 United States that is (i) a felony or (ii) a misdemeanor,
15 an essential element of which is dishonesty or that is
16 directly related to the practice of the profession and,
17 for initial applicants, convictions set forth in Section
18 7.1 of this Act;

19 (c) fraud or any misrepresentation in applying for or
20 procuring a license under this Act, or in connection with
21 applying for renewal of a license under this Act;

22 (d) professional incompetence or gross negligence in
23 the practice of roofing contracting, prima facie evidence
24 of which may be a conviction or judgment in any court of
25 competent jurisdiction against an applicant or licensee
26 and that relates ~~relating~~ to the practice of roofing

1 contracting or the construction of a roof or repair
2 thereof that results in leakage within 90 days after the
3 completion of such work;

4 (e) (blank);

5 (f) aiding or assisting another person in violating
6 any provision of this Act or its rules;

7 (g) failing, within 60 days, to provide information in
8 response to a written request made by the Department;

9 (h) engaging in dishonorable, unethical, or
10 unprofessional conduct of a character likely to deceive,
11 defraud, or harm the public;

12 (i) habitual or excessive use or abuse of controlled
13 substances, as defined by the Illinois Controlled
14 Substances Act, alcohol, or any other substance that
15 results in the inability to practice with reasonable
16 judgment, skill, or safety;

17 (j) discipline by another state, unit of government,
18 or government agency, the District of Columbia, a
19 territory, or a foreign country ~~nation~~, if at least one of
20 the grounds for the discipline is the same or
21 substantially equivalent to those set forth in this
22 Section. This includes any adverse action taken by a State
23 or federal agency that prohibits a roofing contractor or
24 qualifying party from providing services to the agency's
25 participants;

26 (k) directly or indirectly giving to or receiving from

1 any person, firm, corporation, partnership, or association
2 any fee, commission, rebate, or other form of compensation
3 for any professional services not actually or personally
4 rendered;

5 (l) a finding by the Department that any ~~the~~ licensee
6 or individual with a qualifying party credential under
7 this Act, after having the individual's ~~his or her~~ license
8 or credential disciplined, has violated the terms of the
9 discipline;

10 (m) a finding by any court of competent jurisdiction,
11 either within or without this State, of any violation of
12 any law governing the practice of roofing contracting, if
13 the Department determines, after investigation, that such
14 person has not been sufficiently rehabilitated to warrant
15 the public trust;

16 (n) willfully making or filing false records or
17 reports in the practice of roofing contracting, including,
18 but not limited to, false records filed with the State
19 agencies or departments;

20 (o) practicing, attempting to practice, or advertising
21 under a name other than the full name as shown on the
22 license or credential or any other legally authorized
23 name;

24 (p) gross and willful overcharging for professional
25 services including filing false statements for collection
26 of fees or monies for which services are not rendered;

1 (q) (blank);

2 (r) (blank);

3 (s) failure to continue to meet the requirements of
4 this Act shall be deemed a violation;

5 (t) physical or mental disability, including
6 deterioration through the aging process or loss of
7 abilities and skills that result in an inability to
8 practice the profession with reasonable judgment, skill,
9 or safety;

10 (u) material misstatement in furnishing information to
11 the Department or to any other State agency;

12 (v) (blank);

13 (w) advertising in any manner that is false,
14 misleading, or deceptive;

15 (x) taking undue advantage of a customer, which
16 results in the perpetration of a fraud;

17 (y) performing any act or practice that is a violation
18 of the Consumer Fraud and Deceptive Business Practices
19 Act;

20 (z) engaging in the practice of roofing contracting,
21 as defined in this Act, with a suspended, revoked, ~~or~~
22 cancelled, non-renewed, or otherwise inoperative license
23 or credential;

24 (aa) treating any person differently to the person's
25 detriment because of race, color, creed, gender, age,
26 religion, or national origin;

1 (bb) knowingly making any false statement, oral,
2 written, or otherwise, of a character likely to influence,
3 persuade, or induce others in the course of obtaining or
4 performing roofing contracting services;

5 (cc) violation of any final administrative action of
6 the Secretary;

7 (dd) allowing the use of the ~~his or her~~ roofing
8 license or qualifying party credential by an unlicensed
9 roofing contractor for the purposes of providing roofing
10 or waterproofing services; or

11 (ee) (blank);

12 (ff) cheating or attempting to subvert a licensing
13 examination administered under this Act; or

14 (gg) use of a license or credential to permit or
15 enable an unlicensed person to provide roofing contractor
16 services.

17 (2) The determination by a circuit court that a license or
18 credential holder is subject to involuntary admission or
19 judicial admission, as provided in the Mental Health and
20 Developmental Disabilities Code, operates as an automatic
21 suspension. Such suspension will end only upon a finding by a
22 court that the patient is no longer subject to involuntary
23 admission or judicial admission, an order by the court so
24 finding and discharging the patient, and the recommendation of
25 the Board to the Director of the Division of Professional
26 Regulation that the license or credential holder be allowed to

1 resume the license or credential holder's ~~his or her~~ practice.

2 (3) The Department may refuse to issue or take
3 disciplinary action concerning the license or credential of
4 any person who fails to file a return, to pay the tax, penalty,
5 or interest shown in a filed return, or to pay any final
6 assessment of tax, penalty, or interest as required by any tax
7 Act administered by the Department of Revenue, until such time
8 as the requirements of any such tax Act are satisfied as
9 determined by the Department of Revenue.

10 (4) In enforcing this Section, the Department, upon a
11 showing of a possible violation, may compel any individual who
12 is licensed or credentialed under this Act or any individual
13 who has applied for licensure or a credential to submit to a
14 mental or physical examination or evaluation, or both, which
15 may include a substance abuse or sexual offender evaluation,
16 at the expense of the Department. The Department shall
17 specifically designate the examining physician licensed to
18 practice medicine in all of its branches or, if applicable,
19 the multidisciplinary team involved in providing the mental or
20 physical examination and evaluation. The multidisciplinary
21 team shall be led by a physician licensed to practice medicine
22 in all of its branches and may consist of one or more or a
23 combination of physicians licensed to practice medicine in all
24 of its branches, licensed chiropractic physicians, licensed
25 clinical psychologists, licensed clinical social workers,
26 licensed clinical professional counselors, and other

1 professional and administrative staff. Any examining physician
2 or member of the multidisciplinary team may require any person
3 ordered to submit to an examination and evaluation pursuant to
4 this Section to submit to any additional supplemental testing
5 deemed necessary to complete any examination or evaluation
6 process, including, but not limited to, blood testing,
7 urinalysis, psychological testing, or neuropsychological
8 testing.

9 (5) The Department may order the examining physician or
10 any member of the multidisciplinary team to provide to the
11 Department any and all records, including business records,
12 that relate to the examination and evaluation, including any
13 supplemental testing performed. The Department may order the
14 examining physician or any member of the multidisciplinary
15 team to present testimony concerning this examination and
16 evaluation of the licensee or applicant, including testimony
17 concerning any supplemental testing or documents relating to
18 the examination and evaluation. No information, report,
19 record, or other documents in any way related to the
20 examination and evaluation shall be excluded by reason of any
21 common law or statutory privilege relating to communication
22 between the licensee or applicant and the examining physician
23 or any member of the multidisciplinary team. No authorization
24 is necessary from the licensee, qualifying party, or applicant
25 ordered to undergo an evaluation and examination for the
26 examining physician or any member of the multidisciplinary

1 team to provide information, reports, records, or other
2 documents or to provide any testimony regarding the
3 examination and evaluation. The individual to be examined may
4 have, at the individual's ~~his or her~~ own expense, another
5 physician of the individual's ~~his or her~~ choice present during
6 all aspects of the examination.

7 (6) Failure of any individual to submit to mental or
8 physical examination or evaluation, or both, when directed,
9 shall result in an automatic suspension without hearing until
10 such time as the individual submits to the examination. If the
11 Department finds a licensee or qualifying party unable to
12 practice because of the reasons set forth in this Section, the
13 Department shall require the licensee or qualifying party to
14 submit to care, counseling, or treatment by physicians
15 approved or designated by the Department as a condition for
16 continued, reinstated, or renewed licensure.

17 (7) When the Secretary immediately suspends a license or
18 credential under this Section, a hearing upon such person's
19 license or credential must be convened by the Department
20 within 15 days after the suspension and completed without
21 appreciable delay. The Department shall have the authority to
22 review the licensee's or qualifying party's record of
23 treatment and counseling regarding the impairment to the
24 extent permitted by applicable federal statutes and
25 regulations safeguarding the confidentiality of medical
26 records.

1 (8) Licensees and qualifying parties affected under this
2 Section shall be afforded an opportunity to demonstrate to the
3 Department that they can resume practice in compliance with
4 acceptable and prevailing standards under the provisions of
5 their license.

6 (9) (Blank).

7 (10) In cases where the Department of Healthcare and
8 Family Services has previously determined a licensee,
9 qualifying party, ~~or~~ a potential licensee, or potential
10 qualifying party is more than 30 days delinquent in the
11 payment of child support and has subsequently certified the
12 delinquency to the Department, the Department may refuse to
13 issue or renew or may revoke or suspend that person's license
14 or credential or may take other disciplinary action against
15 that person based solely upon the certification of delinquency
16 made by the Department of Healthcare and Family Services in
17 accordance with paragraph (5) of subsection (a) of Section
18 2105-15 of the Department of Professional Regulation Law of
19 the Civil Administrative Code of Illinois.

20 ~~The changes to this Act made by this amendatory Act of 1997~~
21 ~~apply only to disciplinary actions relating to events~~
22 ~~occurring after the effective date of this amendatory Act of~~
23 ~~1997.~~

24 (Source: P.A. 99-469, eff. 8-26-15; 99-876, eff. 1-1-17;
25 100-872, eff. 8-14-18.)

1 (225 ILCS 335/9.4) (from Ch. 111, par. 7509.4)

2 (Section scheduled to be repealed on January 1, 2026)

3 Sec. 9.4. Subpoenas; oaths. The Department has power to
4 subpoena and bring before it any person in this State and to
5 take the oral or written testimony, or to compel the
6 production of any books, papers, records, documents, exhibits,
7 or other materials that the Secretary or the Secretary's ~~his~~
8 ~~or her~~ designee deems relevant or material to an investigation
9 or hearing conducted by the Department, with the same fees and
10 mileage and in the same manner as prescribed by law in judicial
11 proceedings in civil cases in courts of this State.

12 The Secretary, the designated hearing officer, any member
13 of the Board, or a certified shorthand court reporter may
14 administer oaths to witnesses at any hearing that the
15 Department conducts. Notwithstanding any other statute or
16 Department rule to the contrary, all requests for testimony or
17 production of documents or records shall be in accordance with
18 this Act.

19 (Source: P.A. 99-469, eff. 8-26-15.)

20 (225 ILCS 335/9.7) (from Ch. 111, par. 7509.7)

21 (Section scheduled to be repealed on January 1, 2026)

22 Sec. 9.7. Final administrative decisions. All final
23 administrative decisions of the Department are subject to
24 judicial review pursuant to the Administrative Review Law and
25 all rules adopted pursuant thereto. The term "administrative

1 decision" is defined as in Section 3-101 of the Code of Civil
2 Procedure. Proceedings for judicial review shall be commenced
3 in the circuit court of the county in which the party applying
4 for review resides, except that, if the party is not a resident
5 of this State, the venue shall be Sangamon County.

6 (Source: P.A. 99-469, eff. 8-26-15.)

7 (225 ILCS 335/9.8) (from Ch. 111, par. 7509.8)

8 (Section scheduled to be repealed on January 1, 2026)

9 Sec. 9.8. Criminal penalties. Any person who is found to
10 have violated any provision of this Act is guilty of a Class A
11 misdemeanor for the first offense and such violation may
12 result in a sentence in accordance with subsection (a) of
13 Section 5-4.5-55 of the Unified Code of Corrections and a fine
14 not to exceed \$2,500. On conviction of a second or subsequent
15 offense, the violator is guilty of a Class 4 felony, which may
16 result in a sentence in accordance with subsection (a) of
17 Section 5-4.5-45 of the Unified Code of Corrections and a fine
18 of \$25,000. Each day of violation constitutes a separate
19 offense. Fines for any and all criminal penalties imposed
20 shall be payable to the Department.

21 (Source: P.A. 99-469, eff. 8-26-15.)

22 (225 ILCS 335/10a)

23 (Section scheduled to be repealed on January 1, 2026)

24 Sec. 10a. Unlicensed practice; violation; civil penalty.

1 (a) In addition to any other penalty provided by law, any
2 person who practices, offers to practice, attempts to
3 practice, or holds himself or herself out to practice roofing
4 without being licensed under this Act shall, in addition to
5 any other penalty provided by law, pay a civil penalty to the
6 Department in an amount not to exceed \$15,000 ~~\$10,000~~ for each
7 offense as determined by the Department. The civil penalty
8 shall be assessed by the Department after a hearing is held in
9 accordance with the provisions set forth in this Act regarding
10 the provision of a hearing for the discipline of a licensee.

11 (b) The Department has the authority and power to
12 investigate any and all unlicensed activity.

13 (c) The civil penalty shall be paid within 60 days after
14 the effective date of the order imposing the civil penalty.
15 The order shall constitute a judgment and may be filed and
16 execution had thereon in the same manner as any judgment from
17 any court of record.

18 (Source: P.A. 99-469, eff. 8-26-15.)

19 (225 ILCS 335/11) (from Ch. 111, par. 7511)

20 (Section scheduled to be repealed on January 1, 2026)

21 Sec. 11. Application of Act.

22 (1) Nothing in this Act limits the power of a
23 municipality, city, county, ~~or~~ incorporated area, or school
24 district to regulate the quality and character of work
25 performed by roofing contractors through a system of permits,

1 fees, and inspections which are designed to secure compliance
2 with and aid in the implementation of State and local building
3 laws or to enforce other local laws for the protection of the
4 public health and safety.

5 (2) Nothing in this Act shall be construed to require a
6 seller of roofing services ~~materials~~ or a seller of roofing
7 materials ~~services~~ to be licensed as a roofing contractor when
8 the construction, reconstruction, alteration, maintenance or
9 repair of roofing or waterproofing is to be performed by a
10 person other than the seller or the seller's employees.

11 (3) Nothing in this Act shall be construed to require a
12 person who performs roofing or waterproofing work to the
13 person's ~~his or her~~ own property, or for no consideration, to
14 be licensed as a roofing contractor.

15 (3.5) Nothing in this Act shall be construed to require an
16 employee who performs roofing or waterproofing work to an ~~his~~
17 ~~or her~~ employer's residential property, where there exists an
18 employee-employer relationship or for no consideration, to be
19 licensed as a roofing contractor.

20 (4) Nothing in this Act shall be construed to require a
21 person who performs roof repair or waterproofing work to an
22 ~~his or her~~ employer's commercial or industrial property to be
23 licensed as a roofing contractor, where there exists an
24 employer-employee relationship. Nothing in this Act shall be
25 construed to apply to the installation of plastics, glass or
26 fiberglass to greenhouses and related horticultural

1 structures, or to the repair or construction of farm
2 buildings.

3 (5) Nothing in this Act limits the power of a
4 municipality, city, county, ~~or~~ incorporated area, or school
5 district to collect occupational license and inspection fees
6 for engaging in roofing contracting.

7 (6) Nothing in this Act limits the power of the
8 municipalities, cities, counties, ~~or~~ incorporated areas, or
9 school districts to adopt any system of permits requiring
10 submission to and approval by the municipality, city, county,
11 or incorporated area of plans and specifications for work to
12 be performed by roofing contractors before commencement of the
13 work.

14 (7) Any official authorized to issue building or other
15 related permits shall ascertain that the applicant contractor
16 is duly licensed before issuing the permit. The evidence shall
17 consist only of the exhibition to him or her of current
18 evidence of licensure.

19 (8) This Act applies to any roofing contractor performing
20 work for the State or any municipality, city, county, ~~or~~
21 incorporated area, or school district. Officers of the State
22 or any municipality, city, county, ~~or~~ incorporated area, or
23 school district are required to determine compliance with this
24 Act before awarding any contracts for construction,
25 improvement, remodeling, or repair.

26 (9) If an incomplete contract exists at the time of death

1 of a qualifying party or the dissolution of a roofing
2 contractor licensee, the contract may be completed by any
3 person even though not licensed or credentialed. Such person
4 shall notify the Department within 30 days after the death of
5 the qualifying party or the dissolution of the roofing
6 contractor of the person's ~~his or her~~ name and address. For ~~the~~
7 purposes of this subsection (9), an incomplete contract is one
8 which has been awarded to, or entered into by, the licensee
9 before the dissolution or the ~~his or her~~ death of the
10 qualifying party or on which the licensee ~~he or she~~ was the low
11 bidder and the contract is subsequently awarded to the roofing
12 contractor ~~him or her~~ regardless of whether any actual work
13 has commenced under the contract before the dissolution or the
14 ~~his or her~~ death of the qualifying party.

15 (10) The State or any municipality, city, county, ~~or~~
16 incorporated area, or school district may require that bids
17 submitted for roofing construction, improvement, remodeling,
18 or repair of public buildings be accompanied by evidence that
19 that bidder holds an appropriate license issued pursuant to
20 this Act.

21 (11) (Blank).

22 (12) Nothing in this Act shall prevent a municipality,
23 city, county, ~~or~~ incorporated area, or school district from
24 making laws or ordinances that are more stringent than those
25 contained in this Act.

26 (Source: P.A. 99-469, eff. 8-26-15; 100-545, eff. 11-8-17.)

1 (225 ILCS 335/11.5)

2 (Section scheduled to be repealed on January 1, 2026)

3 Sec. 11.5. Roofing Advisory Board. There is created within
4 the Department a Roofing Advisory Board to be composed of
5 persons: ~~The Roofing Advisory Board is created and shall~~
6 ~~consist of 8 persons~~

7 (a) Nine members, one of whom is a ~~knowledgeable~~ public
8 member and 5 ~~7~~ of whom are each (i) designated as the
9 qualifying party of a licensed roofing contractor or (ii)
10 legally qualified to act for the business entity ~~organization~~
11 on behalf of the licensed roofing contractor ~~licensee~~ in all
12 matters connected with its roofing contracting business,
13 exercise ~~have~~ the authority to supervise roofing installation
14 operations, and actively engaged in day-to-day activities of
15 the business entity ~~organization~~ for a licensed roofing
16 contractor. One shall represent ~~One of the 7 nonpublic~~
17 ~~members on the Board shall represent~~ a statewide association
18 representing home builders, another shall represent ~~and~~
19 ~~another of the 7 nonpublic members shall represent~~ an
20 association predominately representing retailers, and another
21 shall represent the employees of licensed roofing contractors.

22 The public member shall not represent any association or
23 be licensed or credentialed under this Act.

24 (b) Each member shall be appointed by the Secretary. The
25 membership of the Board should represent racial, ethnic, and

1 cultural diversity and reasonably reflect representation from
2 the various geographic areas of the State. ~~Five members of the~~
3 ~~Board shall constitute a quorum. A quorum is required for all~~
4 ~~Board decisions.~~

5 (c) Members of the Board shall be immune from suit in any
6 action based upon any disciplinary proceedings or other acts
7 performed in good faith as members of the Board, unless the
8 conduct that gave rise to the suit was willful and wanton
9 misconduct.

10 (d) Terms for each member of the Board shall be for 4
11 years. A member shall serve until the member's successor is
12 qualified and appointed. Partial terms over 2 years in length
13 shall be considered as full terms. A member may be reappointed
14 for a successive term, but no member shall serve more than 2
15 full terms. For any such reappointment, the second term shall
16 begin the day after the end of the first full term. ~~The persons~~
17 ~~appointed shall hold office for 4 years and until a successor~~
18 ~~is appointed and qualified. No member shall serve more than 2~~
19 ~~complete 4 year terms.~~

20 (e) The Secretary may terminate or refuse the appointment
21 of ~~shall have the authority to remove or suspend~~ any member of
22 the Board for cause ~~at any time before the expiration of his or~~
23 ~~her term.~~ The Secretary shall be the sole arbiter of cause.

24 (f) The Secretary shall fill a vacancy for the unexpired
25 portion of the term with an appointee who meets the same
26 qualifications as the person whose position has become vacant.

1 ~~The Board shall meet annually to elect one member as chairman~~
2 ~~and one member as vice chairman. No officer shall be elected~~
3 ~~more than twice in succession to the same office.~~

4 (g) The members of the Board shall be reimbursed ~~receive~~
5 ~~reimbursement~~ for all legitimate ~~actual~~, necessary, and
6 authorized expenses incurred in attending the meetings of the
7 Board.

8 (Source: P.A. 99-469, eff. 8-26-15.)

9 (225 ILCS 335/11.5a new)

10 Sec. 11.5a. Roofing Advisory Board; powers and duties.

11 (a) The Board shall meet at least once per year or as
12 otherwise called by the Secretary.

13 (b) Five members of the Board currently appointed shall
14 constitute a quorum. A vacancy in the membership of the Board
15 shall not impair the right of a quorum to exercise all the
16 rights and perform all the duties of the Board.

17 (c) Each member, in exercising the member's duties on
18 behalf of the Board, shall not engage in any self-interest,
19 including, but not limited to, conduct contrary to an
20 appropriate regulatory interest as determined by the
21 Department.

22 (d) The Board shall annually elect a chairperson and a
23 vice chairperson who shall be qualifying parties credentialed
24 under this Act. No officer shall be elected more than twice in
25 succession to the same office unless there are extenuating

1 circumstances.

2 (e) The Board shall elect a successor chairperson or vice
3 chairperson in the event such officer position becomes vacant,
4 and such successor shall serve the remainder of the vacating
5 officer's term.

6 (f) Without limiting the power of the Department to
7 conduct investigations, the Board may recommend to the
8 Secretary that one or more credentialed qualifying parties be
9 selected by the Secretary to conduct or assist in any
10 investigation pursuant to this Act. Each such credentialed
11 qualifying party may receive remuneration as determined by the
12 Secretary.

13 (225 ILCS 335/11.8)

14 (Section scheduled to be repealed on January 1, 2026)

15 Sec. 11.8. Surrender of license. Upon the revocation or
16 suspension of any license, the licensee shall immediately
17 surrender the license or licenses or credential or credentials
18 to the Department. If the licensee or qualifying party fails
19 to do so, the Department shall have the right to seize the
20 license or credential.

21 (Source: P.A. 99-469, eff. 8-26-15.)

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