



Sen. Terry Link

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1 AMENDMENT TO SENATE BILL 2654

2 AMENDMENT NO. _____. Amend Senate Bill 2654, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Capital Development Board Act is amended by
6 adding Section 10.09-1 as follows:

7 (20 ILCS 3105/10.09-1 new)

8 Sec. 10.09-1. Local government adoption of building code;
9 enforcement.

10 (a) A local government that does not have an adopted model
11 minimum building code shall adopt such a building code based on
12 all of the following:

13 (1) The 2006 editions of the following codes developed
14 by the International Code Council:

15 (A) International Building Code.

16 (B) International Fire Code.

1 (C) International Mechanical Code.

2 (D) International Fuel Gas Code.

3 (E) International Existing Building Code.

4 (F) International Property Maintenance Code.

5 (2) The 2005 edition NFPA 70 National Electrical Code.

6 (3) State building codes and State agency rules, such
7 as the Illinois Plumbing Code and the Illinois
8 Accessibility Code, as well as the 2000 edition of NFPA 101
9 Life Safety Code where adopted.

10 (4) The International Energy Conservation Code for
11 Commercial Construction.

12 Additions, insertions, deletions, and changes allowed by
13 the code shall be determined by the local government.

14 (b) A person performing building code enforcement in
15 accordance with this Act must be qualified by the State of
16 Illinois or certified by a nationally recognized building
17 official certification organization with significant office
18 presence in Illinois. The Illinois State Board of Education
19 rules for plan reviewers and building inspectors shall be
20 adapted by the Capital Development Board to provide the
21 requirements of this subsection. Local governments may
22 establish agreements with other governmental entities within
23 the State to issue permits and enforce building codes in a
24 consistent manner and as required by this Section. Local
25 governments may hire third party providers that are qualified
26 in accordance with this Section to provide inspection services.

1 (c) Buildings constructed under the requirements of this
2 Section must be inspected in accordance with the codes in
3 effect on the date of the issuance of the original building
4 permit.

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

10 (e) As used in this Section, "local government" means a
11 city, village, incorporated town, county, or fire protection
12 district.

13 (f) This Section applies beginning July 1, 2010.

14 Section 10. The Illinois Residential Building Code Act is
15 amended by changing Sections 10 and 15 as follows:

16 (815 ILCS 670/10)

17 Sec. 10. Definitions. In this Act:

18 "2006 International Residential Code" means the 2006
19 edition of the International Residential Code for One and Two
20 Family Dwellings published by the International Code Council,
21 ~~as now or hereafter amended by the Council.~~

22 "New residential construction" means any original
23 construction of a single-family home or a dwelling containing 2
24 or fewer apartments, condominiums, or town houses.

1 "Residential building code" means an ordinance,
2 resolution, law, housing or building code, or zoning ordinance
3 that establishes, for residential building contractors,
4 construction-related activities applicable to single-family or
5 2-family residential structures.

6 "Residential building contractor" means any individual,
7 corporation, or partnership that constructs a fixed building or
8 structure for sale or use by another as a residence or that,
9 for a price, commission, fee, wage, or other compensation,
10 undertakes or offers to undertake the construction of any
11 building or structure to be used by another as a residence, if
12 the individual, corporation, or partnership reasonably expects
13 to earn a financial profit from that activity.

14 (Source: P.A. 93-778, eff. 1-1-05.)

15 (815 ILCS 670/15)

16 Sec. 15. Adoption of building code. A contract to build a
17 home (1) in any municipality in this State that does not have a
18 residential building code in effect or (2) in any portion of a
19 county that is not located within a municipality and does not
20 have a residential building code in effect must adopt as part
21 of the construction contract the applicability of a residential
22 building code that is agreed to by the home builder and the
23 home purchaser as provided in this Section. The home builder
24 and the home purchaser may agree to adopt any municipal
25 residential building code or county residential building code

1 that is in effect on the first day of construction in any
2 county or municipality that is within 100 miles of the location
3 of the new home. If the home builder and the home purchaser
4 fail to agree to a residential building code or if no
5 residential building code is stated in the contract, the
6 plumbing code promulgated by the Illinois Department of Public
7 Health under Section 35 of the Illinois Plumbing License Law,
8 the 2005 edition NFPA 70 National Electric Code as adopted by
9 the American National Standards Institute, and the 2006
10 International Residential Code shall, by law, be adopted as
11 part of the construction contract.

12 (Source: P.A. 93-778, eff. 1-1-05.)".