

1 AN ACT concerning business.

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

4 Section 5. The Illinois Residential Building Code Act is
5 amended by changing Sections 10 and 15 as follows:

6 (815 ILCS 670/10)

7 Sec. 10. Definitions. In this Act:

8 "International Residential Code" means the International
9 Residential Code for One and Two Family Dwellings published by
10 the International Code Council, as now or hereafter amended by
11 the Council.

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

15 "Residential building code" means an ordinance,
16 resolution, law, housing or building code developed and adopted
17 by a recognized model code organization, or zoning ordinance
18 that establishes, for residential building contractors,
19 construction-related activities applicable to single-family or
20 2-family residential structures.

21 "Residential building contractor" means any individual,
22 corporation, or partnership that constructs a fixed building or
23 structure for sale or use by another as a residence or that,

1 for a price, commission, fee, wage, or other compensation,
2 undertakes or offers to undertake the construction of any
3 building or structure to be used by another as a residence, if
4 the individual, corporation, or partnership reasonably expects
5 to earn a financial profit from that activity.

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

7 (815 ILCS 670/15)

8 Sec. 15. Adoption of building code. A contract to build a
9 home (1) in any municipality in this State that does not have a
10 residential building code in effect or (2) in any portion of a
11 county that is not located within a municipality and does not
12 have a residential building code in effect must adopt as part
13 of the construction contract the applicability of a residential
14 building code that is agreed to by the home builder and the
15 home purchaser as provided in this Section. The home builder
16 and the home purchaser may agree to adopt any extant municipal
17 residential building code or county residential building code
18 that is in effect on the first day of construction in any
19 county or municipality within the State of Illinois ~~that is~~
20 ~~within 100 miles of the location of the new home~~. If the home
21 builder and the home purchaser fail to agree to a residential
22 building code or if no residential building code is stated in
23 the contract, the plumbing code promulgated by the Illinois
24 Department of Public Health under Section 35 of the Illinois
25 Plumbing License Law, the National Electric Code as adopted by

1 the American National Standards Institute, and the
2 International Residential Code shall, by law, be adopted as
3 part of the construction contract.

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

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.