



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB4665

by Rep. Emily McAsey

SYNOPSIS AS INTRODUCED:

815 ILCS 670/10
815 ILCS 670/15
815 ILCS 670/20

Amends the Illinois Residential Building Code Act. Provides that a contract to build a home must contain, in addition to the adoption of a referenced building code, a provision requiring that a radon mitigation system be included in the construction. Effective immediately.

LRB097 19079 JLS 64318 b

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning residential construction.

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, 15, and 20 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 "Radon mitigation system" means components and measures
13 designed to permanently reduce or eliminate indoor radon
14 concentrations according to procedures described in 32
15 Illinois Administrative code Part 422.

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

19 "Residential building code" means an ordinance,
20 resolution, law, housing or building code, or zoning ordinance
21 that establishes, for residential building contractors,
22 construction-related activities applicable to single-family or
23 2-family residential structures.

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

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

10 (815 ILCS 670/15)

11 Sec. 15. Adoption of building code. A contract to build a
12 home (1) in any municipality in this State that does not have a
13 residential building code in effect or (2) in any portion of a
14 county that is not located within a municipality and does not
15 have a residential building code in effect must adopt as part
16 of the construction contract the applicability of a residential
17 building code that is agreed to by the home builder and the
18 home purchaser as provided in this Section and must contain a
19 provision requiring that a radon mitigation system be included
20 in the construction. The home builder and the home purchaser
21 may agree to adopt any municipal residential building code or
22 county residential building code that is in effect on the first
23 day of construction in any county or municipality that is
24 within 100 miles of the location of the new home. If the home
25 builder and the home purchaser fail to agree to a residential

1 building code or if no residential building code is stated in
2 the contract, the plumbing code promulgated by the Illinois
3 Department of Public Health under Section 35 of the Illinois
4 Plumbing License Law, the National Electric Code as adopted by
5 the American National Standards Institute, and the
6 International Residential Code shall, by law, be adopted as
7 part of the construction contract.

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

9 (815 ILCS 670/20)

10 Sec. 20. Homes constructed for resale. If a builder
11 constructs a home for resale, the builder must certify to the
12 buyer that the builder has constructed the home in compliance
13 with a code and contract as authorized and required under
14 Section 15 and must identify that code.

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

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.