

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 1. Short title. This Act may be cited as the Home  
5 Repair and Construction Task Force Act.

6 Section 5. Findings. The General Assembly finds as follows:

7 (1) In November, 2013, several tornadoes devastated  
8 parts of many Illinois towns, including Brookport, Coal  
9 City/Braidwood, Gifford, New Minden, Pekin, and  
10 Washington. In previous years, Illinois has suffered  
11 natural disasters, such as the flooding that destroyed  
12 parts of southern Illinois in 1993. Storms, tornadoes, and  
13 flooding have affected numerous parts of the State nearly  
14 every year.

15 (2) Often, after natural disasters such as storms or  
16 flooding, contractors from outside the local area where the  
17 disaster occurred come into the area and solicit business.  
18 In some cases, the contractors engage in high pressure  
19 sales tactics and collect large down payments from  
20 homeowners anxious to repair their homes after a disaster,  
21 and then fail to complete the work in a workmanlike manner  
22 or leave the area without even beginning the work.  
23 Homeowners are unable to reach the contractors either

1 because the contractors provided a false physical address  
2 or telephone number or because the contractors are  
3 unresponsive to calls and letters.

4 (3) Each year, the Attorney General's office receives a  
5 significant number of consumer complaints about home  
6 repair and construction, and such complaints rank among the  
7 top 10 consumer complaint types that office receives  
8 annually. These complaints often involve allegations of  
9 poor workmanship, failure to complete the contracted for  
10 work, or failure to begin the contracted for work. These  
11 complaints often arise after natural disasters, but the  
12 Attorney General's office also receives numerous  
13 complaints every year about routine home repair and  
14 construction outside of a natural disaster.

15 (4) The Attorney General wishes to explore whether  
16 Illinois residents would benefit from legislation that  
17 requires home repair and construction contractors to  
18 obtain a license from the Department of Financial and  
19 Professional Regulation before offering home repair and  
20 construction services in Illinois and, if so, whether  
21 potential licensees and all their agents should be required  
22 to pass a proficiency test and meet certain qualifications  
23 as a condition of obtaining a license.

24 Section 10. Definition. As used in this Act, "home repair  
25 and construction" means the building of a new structure

1 primarily designed or used as a residence or the fixing,  
2 replacing, altering, converting, modernizing, improving, or  
3 making of an addition to any real property primarily designed  
4 or used as a residence other than maintenance, service, or  
5 repairs under \$500. "Home repair and construction" includes the  
6 construction, installation, replacement, or improvement of  
7 driveways, swimming pools, porches, kitchens, bathrooms,  
8 basements, chimneys, chimney liners, garages, fences, fallout  
9 shelters, central air conditioning, central heating, boilers,  
10 furnaces, electrical wiring, sewers, plumbing fixtures, storm  
11 doors, windows, roofs, and awnings and other improvements to  
12 structures within the residence or upon the land adjacent to  
13 the residence. "Home repair and construction" does not include  
14 the sale, installation, cleaning, or repair of carpets; the  
15 repair, installation, replacement, or connection of any home  
16 appliance, including, but not limited to, disposals,  
17 refrigerators, ranges, garage door openers, televisions or  
18 television antennas, washing machines, telephones, hot water  
19 heaters, satellite dishes, or other appliances when the person  
20 replacing, installing, repairing, or connecting the home  
21 appliance is an employee or agent of the merchant that sold the  
22 home appliance or sold new products of the same type; or  
23 landscaping.

24 Section 15. Home Repair and Construction Task Force;  
25 members.

1           (a) There is created the Home Repair and Construction Task  
2 Force consisting of the following members:

3           (1) one member of the Senate appointed by the President  
4 of the Senate;

5           (2) one member of the Senate appointed by the Minority  
6 Leader of the Senate;

7           (3) one member of the House of Representatives  
8 appointed by the Speaker of the House of Representatives;

9           (4) one member of the House of Representatives  
10 appointed by the Minority Leader of the House of  
11 Representatives;

12           (5) one member appointed by the Governor;

13           (6) one member representing the Department of  
14 Financial and Professional Regulation appointed by the  
15 Secretary of Financial and Professional Regulation;

16           (7) one member representing consumers' interests  
17 appointed by the Attorney General;

18           (8) two members representing the home repair industry  
19 appointed by the Attorney General;

20           (9) three members representing the home builder  
21 industry appointed by the Attorney General;

22           (10) one member representing the retail merchants that  
23 subcontract with home repair industry and construction  
24 industry members appointed by the Attorney General;

25           (11) one member representing the homeowners insurance  
26 industry appointed by the Attorney General;

1           (12) three members representing unions with members in  
2           the home repair and construction industries appointed by  
3           the Attorney General;

4           (13) one member representing the interests of Illinois  
5           municipalities appointed by the Attorney General;

6           (14) one member representing the interests of Illinois  
7           counties appointed by the Attorney General;

8           (15) one member appointed by the City of Chicago  
9           Commissioner of Business Affairs and Consumer Protection;

10          (16) one member representing Illinois building  
11          officials appointed by the Attorney General; and

12          (17) one member appointed by the Attorney General, who  
13          shall be designated the chairperson by the Attorney  
14          General.

15          (b) All appointments to the Task Force shall be made within  
16          60 days after the effective date of this Act.

17          (c) Vacancies in the Task Force shall be filled by the  
18          initial appointing authority within 30 days after the vacancy  
19          occurs.

20          (d) The members of the Task Force shall serve without  
21          compensation.

22          (e) The Task Force may consult with experts and shall  
23          receive the cooperation of those State agencies it deems  
24          appropriate to assist the Task Force in carrying out its  
25          duties.

26          (f) The Task Force shall meet initially at the call of the

1 Attorney General no later than 90 days after the effective date  
2 of this Act, and shall thereafter meet at the call of the  
3 chairperson.

4 (g) The Attorney General shall provide administrative and  
5 other support to the Task Force.

6 Section 20. Duties. The Task Force shall:

7 (1) discuss whether the residents of Illinois would  
8 benefit from legislation requiring home repair and  
9 construction service providers to obtain a license from the  
10 Department of Financial and Professional Regulation before  
11 offering these services in Illinois;

12 (2) if it is determined that licensure is required,  
13 determine:

14 (A) the requirements applicants must meet to  
15 qualify for a license;

16 (B) grounds for denial or revocation of a license;  
17 and

18 (C) any other considerations relevant to a  
19 licensing requirement; and

20 (3) make recommendations to the General Assembly.

21 Section 25. Report. No later than November 1, 2015, the  
22 Task Force shall summarize its findings and recommendations in  
23 a report to the General Assembly and shall file the report as  
24 provided in Section 3.1 of the General Assembly Organization

1 Act. Upon filing its report, the Task Force is dissolved.

2 Section 30. Repealer. This Act is repealed on January 1,  
3 2016.

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