

1 AMENDMENT TO HOUSE BILL 2148

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2148 as follows:

3 on page 1, by replacing line 5 with "by changing Sections 1,  
4 2, 3, 8, 20, 29.5, and 30 and by adding"; and

5 on page 2, line 1, before "plumbing", by inserting  
6 "registration of"; and

7 on page 5, line 9, by replacing "licensed" with "registered";  
8 and

9 on page 8, line 24, by replacing "may" with "may to"; and

10 on page 11, line 31, by replacing "licensed" with  
11 "registered"; and

12 on page 12, by replacing lines 18 through 33 with the  
13 following:

14 "Sec. 13.1. Plumbing contractors; registration;  
15 applications.

16 (1) After May 1, 2002 all persons or corporations  
17 desiring to engage in the business of plumbing contractor  
18 shall register in accordance with the provisions of this  
19 Act.

20 (2) Application for registration shall be filed with  
21 the Department each year, on the day before the first day

1 of the month of May, in writing and on forms prepared and  
2 furnished by the Department. All plumbing contractor  
3 registrations expire on the last day of April of each  
4 year.

5 (3) Applications shall contain the name, address,  
6 and telephone number of the person and the plumbing  
7 license of (i) the individual, if a sole proprietorship;  
8 (ii) the partner, if a partnership; or (iii) an officer,  
9 if a corporation. The application shall contain the  
10 business name, address, and telephone number, a current  
11 copy of the plumbing license, and any other information  
12 the Department may require by rule.

13 (4) Applicants shall submit an original certificate  
14 of insurance documenting that the contractor carries  
15 general liability insurance with a minimum of \$100,000  
16 per occurrence, bodily injury insurance with a minimum of  
17 \$300,000 per occurrence, property damage insurance with a  
18 minimum of \$50,000, and workers compensation insurance  
19 with a minimum \$500,000. No registration may be issued  
20 in the absence of this certificate. Certificates must be  
21 in force at all times for registration to remain valid.

22 (5) Applicants shall submit, on a form provided by  
23 the Department, an indemnification bond in the amount of  
24 \$20,000 or a letter of credit in the same amount for work  
25 performed in accordance with this Act and the rules  
26 promulgated under this Act.

27 (6) At least one owner or officer of every  
28 registered plumbing contractor shall be licensed as a  
29 plumber in accordance with this Act. All employees of a  
30 licensed plumbing contractor who engage in plumbing work  
31 shall be licensed plumbers or apprentice plumbers in  
32 accordance with this Act.

33 (7) Plumbing contractors shall submit an annual  
34 registration fee in an amount to be established by rule.

1           (8) Plumbing contractor registration shall be  
 2           renewed annually upon submission, 30 days prior to  
 3           expiration of the current license, of the registration  
 4           fee, registration application, indemnification bond, and  
 5           the certificate of insurance.

6           (9) The Department shall be notified in advance of  
 7           any changes in the business structure, name, or location  
 8           or of the addition or deletion of the owner or officer  
 9           who is the licensed plumber listed on the application.  
 10          Failure to notify the Department of this information is  
 11          grounds for suspension or revocation of the plumbing  
 12          contractor's registration.

13          (10) In the event that the plumber's license on the  
 14          application for registration of a plumbing contractor is  
 15          a license issued by City of Chicago, it shall be the  
 16          responsibility of the applicant to forward a copy of the  
 17          plumber's license to the Department, noting the name of  
 18          the registered plumbing contractor, when it is renewed.";

19          and

20          on page 13, by deleting lines 1 through 33; and

21          on page 14, by deleting lines 1 through 34; and

22          on page 15, by deleting lines 1 through 34; and

23          on page 16, by deleting lines 1 through 20; and

24          on page 16, line 23, after "license", by inserting "or  
 25          registration"; and

26          on page 16, line 25, after "licensee", by inserting "or  
 27          registrant"; and

28          on page 16, line 26, after "license", by inserting "or  
 29          registration"; and

30          on page 16, line 30, after "licensee", by inserting "or

1 registrant"; and

2 on page 16 line 32, by replacing "licensed" with  
3 "registered"; and

4 on page 17, line 3, after "licensee", by inserting "or  
5 registrant"; and

6 on page 17, line 5, after "licensee", by inserting "or  
7 registrant"; and

8 on page 17, after line 8, by inserting the following:

9 "(f) That the owner or officer of a registered  
10 plumbing contractor failed to maintain a valid plumbing  
11 license.

12 (g) That the registered plumbing contractor used a  
13 plumbing license without the permission of the  
14 licensee."; and

15 on page 17, after line 20, by inserting the following:

16 "(225 ILCS 320/29.5)  
17 Sec. 29.5. Unlicensed and unregistered practice;  
18 violation; civil penalty.

19 (a) A person who practices, offers to practice, attempts  
20 to practice, or holds himself or herself out to practice as a  
21 plumber or plumbing contractor without being licensed or  
22 registered under this Act, or as an irrigation contractor  
23 without being registered under this Act, shall, in addition  
24 to any other penalty provided by law, pay a civil penalty to  
25 the Department in an amount not to exceed \$5,000 for each  
26 offense as determined by the Department. The civil penalty  
27 shall be assessed by the Department after a hearing is held  
28 in accordance with the provisions set forth in this Act  
29 regarding the provision of a hearing for the discipline of a  
30 licensee or registrant.

31 (b) The Department has the authority and power to

1 investigate any person who practices, offers to practice,  
2 attempts to practice, or holds himself or herself out to  
3 practice as a plumber or plumbing contractor without being  
4 licensed or registered under this Act, or as an irrigation  
5 contractor without being registered under this Act.

6 (c) The civil penalty shall be paid within 60 days after  
7 the effective date of the order imposing the civil penalty.  
8 The order shall constitute a judgment and may be filed and  
9 execution had on the judgment in the same manner as a  
10 judgment from a court of record. All fines and penalties  
11 collected by the Department under this Section of the Act and  
12 accrued interest shall be deposited into the Plumbing  
13 Licensure and Program Fund for use by the Department in  
14 performing activities relating to the administration and  
15 enforcement of this Act.

16 (Source: P.A. 90-714, eff. 8-7-98; 91-678, eff. 1-26-00.)

17 (225 ILCS 320/30) (from Ch. 111, par. 1129)

18 Sec. 30. (1) The Department shall, by rule, establish a  
19 schedule of fees for examination, registration, and licensure  
20 and registration sufficient to offset a portion of the costs  
21 of administration and enforcement of this Act.

22 (2) The Department may, by rule, establish a schedule of  
23 fees for the publication and mailing of the Illinois State  
24 Plumbing Code.

25 (Source: P.A. 91-678, eff. 1-26-00.)".