

AN ACT concerning business.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(5) one member appointed by the Governor;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 20. Duties. The Task Force shall:

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

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

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

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

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

(3) make recommendations to the General Assembly.

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

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

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

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