

1 AN ACT concerning the regulation of professions.

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

4 Section 5. The Illinois Plumbing License Law is amended
5 by changing Sections 1, 2, 3, 8, 20, and 29.5 and by adding
6 Section 13.1 as follows:

7 (225 ILCS 320/1) (from Ch. 111, par. 1101)

8 Sec. 1. Purpose. It has been established by scientific
9 evidence that improper plumbing can result in the
10 introduction of pathogenic organisms into the potable water
11 supply, result in the escape of toxic gases into the
12 environment, and result in potentially lethal disease and
13 epidemic. It is further found that minimum numbers of
14 plumbing facilities and fixtures are necessary for the
15 comfort and convenience of workers and persons in public
16 places.

17 Consistent with its duty to safeguard the health of the
18 people of this State, the General Assembly therefore declares
19 that the regulation of plumbing and the plumbing trade is
20 necessary for the protection of the public health,
21 convenience, and welfare. The General Assembly therefore
22 declares that individuals who plan, inspect, install, alter,
23 extend, repair and maintain plumbing systems shall be
24 individuals of proven skill. Further, the General Assembly
25 declares that a guide for the minimum control and number of
26 plumbing materials and fixtures, the design of plumbing
27 systems, and the construction and installation methods of
28 plumbing systems is essential for the protection of public
29 health and convenience. In order to insure plumbing skill and
30 to authoritatively establish what shall be good plumbing
31 practice, this Act provides for the licensing of plumbers and

1 registration of plumbing contractors and for the promulgation
2 of a Minimum Plumbing Code of standards by the Department.⁷
3 This Act is therefore declared to be essential to the public
4 interest.

5 (Source: P.A. 87-885.)

6 (225 ILCS 320/2) (from Ch. 111, par. 1102)

7 Sec. 2. When used in this Act:

8 "Agent" means a person designated by a sponsor as
9 responsible for supervision of an apprentice plumber and who
10 is also an Illinois licensed plumber.

11 "Apprentice plumber" means any licensed person who is
12 learning and performing plumbing under the supervision of a
13 sponsor or his agent in accordance with the provisions of
14 this Act.

15 "Approved apprenticeship program" means an apprenticeship
16 program approved by the U.S. Department of Labor's Bureau of
17 Apprenticeship and Training and the Department under rules.

18 "Board" means the Illinois State Board of Plumbing
19 Examiners.

20 "Building drain" means that part of the lowest horizontal
21 piping of a drainage system that receives the discharge from
22 soil, waste, and other drainage pipes inside the walls of a
23 building and conveys it to 5 feet beyond the foundation walls
24 where it is connected to the building sewer.

25 "Building sewer" means that part of the horizontal piping
26 of a drainage system that extends from the end of the
27 building drain, receives the discharge of the building drain
28 and conveys it to a public sewer or private sewage disposal
29 system.

30 "Department" means the Illinois Department of Public
31 Health.

32 "Director" means the Director of the Illinois Department
33 of Public Health.

1 "Governmental unit" means a city, village, incorporated
2 town, county, or sanitary or water district.

3 "Irrigation contractor" means a person who installs or
4 supervises the installation of lawn sprinkler systems subject
5 to Section 2.5 of this Act, other than a licensed plumber or
6 a licensed apprentice plumber.

7 "Lawn sprinkler system" means any underground irrigation
8 system of lawn, shrubbery and other vegetation from any
9 potable water sources; and from any water sources, whether or
10 not potable, in: (i) any county with a population of
11 3,000,000 or more; (ii) any county with a population of
12 275,000 or more which is contiguous in whole or in part to a
13 county with a population of 3,000,000 or more; and (iii) any
14 county with a population of 37,000 or more but less than
15 150,000 which is contiguous to 2 or more counties with
16 respective populations in excess of 275,000. "Lawn sprinkler
17 system" includes without limitation the water supply piping,
18 valves, and sprinkler heads or other irrigation outlets, but
19 does not include the backflow prevention device. "Lawn
20 sprinkler system" does not include an irrigation system used
21 primarily for agricultural purposes.

22 "Person" means any natural person, firm, corporation,
23 partnership, or association.

24 "Plumber" means any licensed person authorized to perform
25 plumbing as defined in this Act, but does not include retired
26 plumbers as defined in this Act.

27 "Plumbing" means the actual installation, repair,
28 maintenance, alteration or extension of a plumbing system by
29 any person.

30 "Plumbing" includes all piping, fixtures, appurtenances
31 and appliances for a supply of water for all purposes,
32 including without limitation lawn sprinkler systems and
33 backflow prevention devices connected to lawn sprinkler
34 systems, from the source of a private water supply on the

1 premises or from the main in the street, alley or at the curb
2 to, within and about any building or buildings where a person
3 or persons live, work or assemble.

4 "Plumbing" includes all piping, from discharge of pumping
5 units to and including pressure tanks in water supply
6 systems.

7 "Plumbing" includes all piping, fixtures, appurtenances,
8 and appliances for a building drain and a sanitary drainage
9 and related ventilation system of any building or buildings
10 where a person or persons live, work or assemble from the
11 point of connection of such building drain to the building
12 sewer or private sewage disposal system 5 feet beyond the
13 foundation walls.

14 "Plumbing" does not mean or include the trade of
15 drain-laying, the trade of drilling water wells which
16 constitute the sources of private water supplies, and of
17 making connections between such wells and pumping units in
18 the water supply systems of buildings served by such private
19 water supplies, or the business of installing water softening
20 equipment and of maintaining and servicing the same, or the
21 business of manufacturing or selling plumbing fixtures,
22 appliances, equipment or hardware, or to the installation and
23 servicing of electrical equipment sold by a not-for-profit
24 corporation providing electrification on a cooperative basis,
25 that either on or before January 1, 1971, is or has been
26 financed in whole or in part under the federal Rural
27 Electrification Act of 1936 and the Acts amendatory thereof
28 and supplementary thereto, to its members for use on farms
29 owned by individuals or operated by individuals, nor does it
30 mean or include minor repairs which do not require changes in
31 the piping to or from plumbing fixtures or involve the
32 removal, replacement, installation or re-installation of any
33 pipe or plumbing fixtures. Plumbing does not include the
34 installation, repair, maintenance, alteration or extension of

1 building sewers.

2 "Plumbing contractor" means any person who performs
3 plumbing, as defined in this Act, for another person.

4 "Plumbing contractor" shall not include licensed plumbers and
5 licensed apprentice plumbers who either are employed by
6 persons engaged in the plumbing business or are employed by
7 another person for the performance of plumbing solely for
8 that other person, including, but not limited to, a hospital,
9 university, or business maintenance staff.

10 "Plumbing fixtures" means installed receptacles, devices
11 or appliances that are supplied with water or that receive or
12 discharge liquids or liquid borne wastes, with or without
13 discharge into the drainage system with which they may be
14 directly or indirectly connected.

15 "Plumbing system" means the water service, water supply
16 and distribution pipes; plumbing fixtures and traps; soil,
17 waste and vent pipes; building drains; including their
18 respective connections, devices and appurtenances.

19 "Plumbing system" does not include building sewers as
20 defined in this Act.

21 "Retired plumber" means any licensed plumber in good
22 standing who meets the requirements of this Act and the
23 requirements prescribed by Department rule to be licensed as
24 a retired plumber and voluntarily surrenders his plumber's
25 license to the Department, in exchange for a retired
26 plumber's license. Retired plumbers cannot perform plumbing
27 as defined in this Act, cannot sponsor or supervise
28 apprentice plumbers, and cannot inspect plumbing under this
29 Act. A retired plumber cannot fulfill the requirements of
30 subsection (3) of Section 3 of this Act.

31 "Supervision" with respect to first and second year
32 licensed apprentice plumbers means that such apprentices must
33 perform all designing and planning of plumbing systems and
34 all plumbing as defined in this Act under the direct personal

1 supervision of the sponsor or his or her agent who must also
2 be an Illinois licensed plumber, except for maintenance and
3 repair work on existing plumbing systems done by second year
4 apprentice plumbers; provided that before performing any
5 maintenance and repair work without such supervision, such
6 apprentice has received the minimum number of hours of annual
7 classroom instruction recommended by the United States
8 Department of Labor's Bureau of Apprenticeship and Training
9 for apprentice plumbers in a Bureau of Apprenticeship and
10 Training approved plumber apprenticeship program or its
11 equivalent. "Supervision" with respect to all other
12 apprentice plumbers means that, except for maintenance and
13 repair work on existing plumbing systems, any plumbing done
14 by such apprentices must be inspected daily, after initial
15 rough-in and after completion by the sponsor or his or her
16 agent who is also an Illinois licensed plumber. In addition,
17 all repair and maintenance work done by a licensed apprentice
18 plumber on an existing plumbing system must be approved by
19 the sponsor or his or her agent who is also an Illinois
20 licensed plumber.

21 "Sponsor" is an Illinois licensed plumber or an approved
22 apprenticeship program that has accepted an individual as an
23 Illinois licensed apprentice plumber for education and
24 training in the field of plumbing and whose name and license
25 number or apprenticeship program number shall appear on the
26 individual's application for an apprentice plumber's license.

27 "Sponsored" means that each Illinois licensed apprentice
28 plumber has been accepted by an Illinois licensed plumber or
29 an approved apprenticeship program for apprenticeship
30 training.

31 "Telecommunications carrier" means a telecommunications
32 carrier as defined in the Public Utilities Act.

33 (Source: P.A. 91-184, eff. 1-1-00; 91-678, eff. 1-26-00.)

1 (225 ILCS 320/3) (from Ch. 111, par. 1103)

2 Sec. 3. (1) All planning and designing of plumbing
3 systems and all plumbing shall be performed only by plumbers
4 licensed under the provisions of this Act hereinafter called
5 "licensed plumbers" and "licensed apprentice plumbers". The
6 inspection of plumbing and plumbing systems shall be done
7 only by the sponsor or his or her agent who shall be an
8 Illinois licensed plumber. Nothing herein contained shall
9 prohibit licensed plumbers or licensed apprentice plumbers
10 under supervision from planning, designing, inspecting,
11 installing, repairing, maintaining, altering or extending
12 building sewers in accordance with this Act. No person who
13 holds a license or certificate of registration under the
14 Illinois Architecture Practice Act of 1989, or the Structural
15 Engineering Practice Act of 1989, or the Professional
16 Engineering Practice Act of 1989 shall be prevented from
17 planning and designing plumbing systems.

18 (2) Nothing herein contained shall prohibit the owner
19 occupant or lessee occupant of a single family residence, or
20 the owner of a single family residence under construction for
21 his or her occupancy, from planning, installing, altering or
22 repairing the plumbing system of such residence, provided
23 that (i) such plumbing shall comply with the minimum
24 standards for plumbing contained in the Illinois State
25 Plumbing Code, and shall be subject to inspection by the
26 Department or the local governmental unit if it retains a
27 licensed plumber as an inspector; and (ii) such owner, owner
28 occupant or lessee occupant shall not employ other than a
29 plumber licensed pursuant to this Act to assist him or her.

30 For purposes of this subsection, a person shall be
31 considered an "occupant" if and only if he or she has taken
32 possession of and is living in the premises as his or her
33 bona fide sole and exclusive residence, or, in the case of
34 an owner of a single family residence under construction for

1 his or her occupancy, he or she expects to take possession of
2 and live in the premises as his or her bona fide sole and
3 exclusive residence, and he or she has a current intention to
4 live in such premises as his or her bona fide sole and
5 exclusive residence for a period of not less than 6 months
6 after the completion of the plumbing work performed pursuant
7 to the authorization of this subsection, or, in the case of
8 an owner of a single family residence under construction for
9 his or her occupancy, for a period of not less than 6 months
10 after the completion of construction of the residence.
11 Failure to possess and live in the premises as a sole and
12 exclusive residence for a period of 6 months or more shall
13 create a rebuttable presumption of a lack of such intention.

14 (3) The employees of a firm, association, partnership or
15 corporation who engage in plumbing shall be licensed plumbers
16 or licensed apprentice plumbers. At least one member of every
17 firm, association or partnership engaged in plumbing work,
18 and at least one corporate officer of every corporation
19 engaged in plumbing work, as the case may be, shall be a
20 licensed plumber. A retired plumber cannot fulfill the
21 requirements of this subsection (3). Plumbing contractors
22 are also required to be registered pursuant to the provisions
23 of this Act.

24 Notwithstanding the provisions of this subsection (3), it
25 shall be lawful for an irrigation contractor registered under
26 Section 2.5 of this Act to employ or contract with one or
27 more licensed plumbers in connection with work on lawn
28 sprinkler systems pursuant to Section 2.5 of this Act.

29 (4) (a) A licensed apprentice plumber shall plan, design
30 and install plumbing only under the supervision of the
31 sponsor or his or her agent who is also an Illinois
32 licensed plumber.

33 (b) An applicant for licensing as an apprentice
34 plumber shall be at least 16 years of age and apply on

1 the application form provided by the Department. Such
2 application shall verify that the applicant is sponsored
3 by an Illinois licensed plumber or an approved
4 apprenticeship program and shall contain the name and
5 license number of the licensed plumber or program
6 sponsor.

7 (c) No licensed plumber shall sponsor more than 2
8 licensed apprentice plumbers at the same time. If 2
9 licensed apprentice plumbers are sponsored by a plumber
10 at the same time, one of the apprentices must have, at a
11 minimum, 2 years experience as a licensed apprentice. No
12 licensed plumber sponsor or his or her agent may
13 supervise 2 licensed apprentices with less than 2 years
14 experience at the same time. The sponsor or agent shall
15 supervise and be responsible for the plumbing performed
16 by a licensed apprentice.

17 (d) No agent shall supervise more than 2 licensed
18 apprentices at the same time.

19 (e) No licensed plumber may, in any capacity,
20 supervise more than 2 licensed apprentice plumbers at the
21 same time.

22 (f) No approved apprenticeship program may sponsor
23 more licensed apprentices than 2 times the number of
24 licensed plumbers available to supervise those licensed
25 apprentices.

26 (g) No approved apprenticeship program may sponsor
27 more licensed apprentices with less than 2 years
28 experience than it has licensed plumbers available to
29 supervise those licensed apprentices.

30 (h) No individual shall work as an apprentice
31 plumber unless he or she is properly licensed under this
32 Act. The Department shall issue an apprentice plumber's
33 license to each approved applicant.

34 (i) No licensed apprentice plumber shall serve more

1 than a 6 year licensed apprenticeship period. If, upon
2 completion of a 6 year licensed apprenticeship period,
3 such licensed apprentice plumber does not apply for the
4 examination for a plumber's license and successfully pass
5 the examination for a plumber's license, his or her
6 apprentice plumber's license shall not be renewed.

7 Nothing contained in P.A. 83-878, entitled "An Act in
8 relation to professions", approved September 26, 1983, was
9 intended by the General Assembly nor should it be construed
10 to require the employees of a governmental unit or privately
11 owned municipal water supplier who operate, maintain or
12 repair a water or sewer plant facility which is owned or
13 operated by such governmental unit or privately owned
14 municipal water supplier to be licensed plumbers under this
15 Act. In addition, nothing contained in P.A. 83-878 was
16 intended by the General Assembly nor should it be construed
17 to permit persons other than licensed plumbers to perform the
18 installation, repair, maintenance or replacement of plumbing
19 fixtures, such as toilet facilities, floor drains, showers
20 and lavatories, and the piping attendant to those fixtures,
21 within such facility or in the construction of a new
22 facility.

23 Nothing contained in P.A. 83-878, entitled "An Act in
24 relation to professions", approved September 26, 1983, was
25 intended by the General Assembly nor should it be construed
26 to require the employees of a governmental unit or privately
27 owned municipal water supplier who install, repair or
28 maintain water service lines from water mains in the street,
29 alley or curb line to private property lines and who install,
30 repair or maintain water meters to be licensed plumbers under
31 this Act if such work was customarily performed prior to the
32 effective date of such Act by employees of such governmental
33 unit or privately owned municipal water supplier who were not
34 licensed plumbers. Any such work which was customarily

1 performed prior to the effective date of such Act by persons
2 who were licensed plumbers or subcontracted to persons who
3 were licensed plumbers must continue to be performed by
4 persons who are licensed plumbers or subcontracted to persons
5 who are licensed plumbers. When necessary under this Act,
6 the Department shall make the determination whether or not
7 persons who are licensed plumbers customarily performed such
8 work.

9 (Source: P.A. 91-91, eff. 1-1-00; 91-678, eff. 1-26-00.)

10 (225 ILCS 320/8) (from Ch. 111, par. 1107)

11 Sec. 8. The Director shall:

12 (1) Prepare forms for application for examination for a
13 plumber's license.

14 (2) Prepare and issue licenses as provided in this Act.

15 (3) With the aid of the Board prescribe rules and
16 regulations for examination of applicants for plumber's
17 licenses.

18 (4) With the aid of the Board prepare and give uniform
19 and comprehensive examinations to applicants for a plumber's
20 license which shall test their knowledge and qualifications
21 in the planning and design of plumbing systems, their
22 knowledge, qualifications, and manual skills in plumbing, and
23 their knowledge of the State's minimum code of standards
24 relating to fixtures, materials, design and installation
25 methods of plumbing systems, promulgated pursuant to this
26 Act.

27 (5) Issue a plumber's license and license renewal to
28 every applicant who has passed the examination and who has
29 paid the required license and renewal fee.

30 (6) Prescribe rules for hearings to deny, suspend,
31 revoke or reinstate licenses as provided in this Act.

32 (7) Maintain a current record showing (a) the names and
33 addresses of registered plumbing contractors, licensed

1 plumbers, licensed apprentice plumbers, and licensed retired
 2 plumbers, (b) the dates of issuance of licenses, (c) the date
 3 and substance of the charges set forth in any hearing for
 4 denial, suspension or revocation of any license, (d) the date
 5 and substance of the final order issued upon each such
 6 hearing, and (e) the date and substance of all petitions for
 7 reinstatement of license and final orders on such petitions.

8 (8) Prescribe, in consultation with the Board, uniform
 9 and reasonable rules defining what constitutes an approved
 10 course of instruction in plumbing, in colleges, universities,
 11 or trade schools, and approve or disapprove the courses of
 12 instruction offered by such colleges, universities, or trade
 13 schools by reference to their compliance or noncompliance
 14 with such rules. Such rules shall be designed to assure that
 15 an approved course of instruction will adequately teach the
 16 design, planning, installation, replacement, extension,
 17 alteration and repair of plumbing.

18 (Source: P.A. 89-665, eff. 8-14-96.)

19 (225 ILCS 320/13.1 new)

20 Sec. 13.1. Plumbing contractors; registration;
 21 applications.

22 (1) On and after May 1, 2002, all persons or
 23 corporations desiring to engage in the business of
 24 plumbing contractor, other than any entity that maintains
 25 an audited net worth of shareholders' equity equal to or
 26 exceeding \$100,000,000, shall register in accordance with
 27 the provisions of this Act.

28 (2) Application for registration shall be filed
 29 with the Department each year, on or before the last day
 30 of April, in writing and on forms prepared and furnished
 31 by the Department. All plumbing contractor registrations
 32 expire on the last day of April of each year.

33 (3) Applications shall contain the name, address,

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

8 (4) Applicants shall submit an original certificate
9 of insurance documenting that the contractor carries
10 general liability insurance with a minimum of \$100,000
11 per occurrence, bodily injury insurance with a minimum of
12 \$300,000 per occurrence, property damage insurance with a
13 minimum of \$50,000, and workers compensation insurance
14 with a minimum \$500,000. No registration may be issued
15 in the absence of this certificate. Certificates must be
16 in force at all times for registration to remain valid.

17 (5) Applicants shall submit, on a form provided by
18 the Department, an indemnification bond in the amount of
19 \$20,000 or a letter of credit in the same amount for work
20 performed in accordance with this Act and the rules
21 promulgated under this Act.

22 (6) All employees of a registered plumbing
23 contractor who engage in plumbing work shall be licensed
24 plumbers or apprentice plumbers in accordance with this
25 Act.

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

28 (8) The Department shall be notified in advance of
29 any changes in the business structure, name, or location
30 or of the addition or deletion of the owner or officer
31 who is the licensed plumber listed on the application.
32 Failure to notify the Department of this information is
33 grounds for suspension or revocation of the plumbing
34 contractor's registration.

1 (9) In the event that the plumber's license on the
 2 application for registration of a plumbing contractor is
 3 a license issued by the City of Chicago, it shall be the
 4 responsibility of the applicant to forward a copy of the
 5 plumber's license to the Department, noting the name of
 6 the registered plumbing contractor, when it is renewed.

7 (225 ILCS 320/20) (from Ch. 111, par. 1119)

8 Sec. 20. Grounds for discipline. (1) The Director may
 9 deny, revoke or suspend a license or registration when
 10 findings show one or more of the following:

11 (a) That the licensee or registrant obtained or
 12 conspired with others to obtain a license or registration
 13 by inducing the issuance thereof in consideration of the
 14 payment of money or delivery of any other thing of value
 15 or by and through misrepresentation of facts.

16 (b) That the licensee or registrant willfully
 17 violated any law of this State or any rule, regulation or
 18 code promulgated thereunder regulating plumbing, licensed
 19 or registered plumbing contractors, licensed plumbers,
 20 licensed apprentice plumbers, licensed retired plumbers,
 21 water well pump installations and private sewage disposal
 22 systems.

23 (c) That the licensee or registrant has been
 24 guilty of negligence or incompetence in the performance
 25 of plumbing.

26 (d) That the licensee or registrant has loaned or
 27 in any manner transferred his or her license to another
 28 person.

29 (e) That the sponsor or his or her agent has failed
 30 to properly supervise a licensed apprentice plumber.

31 (f) That the owner or officer of a registered
 32 plumbing contractor failed to maintain a valid plumbing
 33 license.

1 (g) That the registered plumbing contractor used a
2 plumbing license without the permission of the licensee.

3 (2) If a license is suspended or revoked, the license
4 shall be surrendered to the Department but, if suspended, it
5 shall be returned to the licensee upon the termination of the
6 suspension period.

7 The Department may refuse to issue or may suspend the
8 license of any person who fails to file a return, or to pay
9 the tax, penalty or interest shown in a filed return, or to
10 pay any final assessment of tax, penalty or interest, as
11 required by any tax Act administered by the Illinois
12 Department of Revenue, until such time as the requirements of
13 any such tax Act are satisfied.

14 (Source: P.A. 87-885.)

15 (225 ILCS 320/29.5)

16 Sec. 29.5. Unlicensed and unregistered practice;
17 violation; civil penalty.

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

30 (b) The Department has the authority and power to
31 investigate any person who practices, offers to practice,
32 attempts to practice, or holds himself or herself out to
33 practice as a plumber or plumbing contractor without being

1 licensed or registered under this Act, or as an irrigation
2 contractor without being registered under this Act.

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

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

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