

**104TH GENERAL ASSEMBLY****State of Illinois****2025 and 2026****HB1809**

Introduced 1/28/2025, by Rep. Katie Stuart

SYNOPSIS AS INTRODUCED:

20 ILCS 3105/10.09-1
20 ILCS 3105/10.18
20 ILCS 3105/10.20 new
110 ILCS 805/2-13 new

Amends the Capital Development Board Act. Provides that the Capital Development Board shall establish uniform statewide minimum qualification requirements for code inspectors and shall maintain a statewide registry and certification program for qualified inspectors to demonstrate their compliance with the minimum qualification requirements. Provides that any municipal building code or county building code must ensure that all code inspectors meet at least the minimum certification requirements required by the Board for non-building code jurisdictions. Limits home rule powers. Amends the Public Community College Act. Provides that the Illinois Community College Board shall create a specific listing in its directory of programs for courses and programs that prepare students to become code inspectors. Provides that the State Board shall conduct a survey of all community colleges in the State to determine the current and historical enrollment in currently existing building code-related courses.

LRB104 10472 HLH 20547 b

1 AN ACT concerning State government.

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

4 Section 5. The Capital Development Board Act is amended by
5 changing Sections 10.09-1 and 10.18 and by adding Section
6 10.20 as follows:

7 (20 ILCS 3105/10.09-1)

8 Sec. 10.09-1. Certification of inspection.

9 (a) No person may occupy a newly constructed commercial
10 building or a substantially improved commercial building in a
11 non-building code jurisdiction until:

12 (1) The property owner or property owner's agent has
13 first contracted for the inspection of the building by an
14 inspector who meets the qualifications established by the
15 Board; and

16 (2) The qualified inspector files a certification of
17 inspection with the municipality or county having such
18 jurisdiction over the property indicating that the
19 building complies with all of the following:

20 (A) to the extent they do not conflict with the
21 codes and rules listed in subparagraphs (C) through
22 (F), the current edition or most recent preceding
23 edition of the following codes published by the

International Code Council:

(i) the International Building Code, including

Appendix G and excluding Chapters 11, 13, and 29;

(ii) the International Existing Building Code;

(B) to the extent it does not conflict with the codes and rules listed in subparagraphs (C) through (F), the current edition or most recent preceding edition of the National Electrical Code published by the National Fire Protection Association;

(C) either:

(i) The Energy Efficient Building Code adopted

under Section 15 of the Energy Efficient Building

Act; or

(ii) The Illinois Stretch Energy Code adopted

under Section 55 of the Energy Efficient Building

Act;

(D) the Illinois Accessibility Code adopted under Section 4 of the Environmental Barriers Act;

(E) the Illinois Plumbing Code adopted under

Section 35 of the Illinois Plumbing License Law; and

(F) the rules adopted in accordance with Section 9

of the Fire Investigation Act.

Once a building permit is

uirements that are in effect on January 1 of the calendar year when the building permit was applied for, or, where a building permit is not required, on January 1 of the calendar

1 year when construction begins, shall be the only requirements
2 that apply for the duration of the building permit or
3 construction.

4 (b) (Blank).

5 (c) Before January 1, 2027, the ~~The~~ qualification
6 requirements of this Section do not apply to building
7 enforcement personnel employed by a municipality or county who
8 are acting in their official capacity. On and after January 1,
9 2027, the qualification requirements of this Section shall
10 apply to building enforcement personnel employed by a
11 municipality or county who are acting in their official
12 capacity. This subsection is a limitation under subsection (i)
13 of Section 6 of Article VII of the Illinois Constitution on the
14 concurrent exercise by home rule units of powers and functions
15 exercised by the State.

16 (d) For purposes of this Section:

17 "Commercial building" means any building other than: (i) a
18 single-family home or a dwelling containing 2 or fewer
19 apartments, condominiums, or townhouses; or (ii) a farm
20 building as exempted from Section 3 of the Illinois
21 Architecture Practice Act of 1989.

22 "Newly constructed commercial building" means any
23 commercial building for which original construction has
24 commenced on or after July 1, 2011.

25 "Non-building code jurisdiction" means any area of the
26 State in a municipality or county having jurisdiction that:

1 (i) has not adopted a building code; or (ii) is required to but
2 has not identified its adopted building code to the Board
3 under Section 10.18 of the Capital Development Board Act.

4 "Qualified inspector" means an individual certified as a
5 commercial building inspector by the International Code
6 Council or an equivalent nationally recognized building
7 inspector certification organization, qualified as a
8 construction and building inspector by successful completion
9 of an apprentice program certified by the United States
10 Department of Labor, or who has filed verification of
11 inspection experience according to rules adopted by the Board
12 for the purposes of conducting inspections in non-building
13 code jurisdictions.

14 "Substantial damage" means damage of any origin sustained
15 by a structure whereby the cost of restoring the structure to
16 its before-damaged condition would equal or exceed 50% of the
17 market value of the structure before damage occurred.

18 "Substantially improved commercial building" means, for
19 work commenced on or after January 1, 2025, any commercial
20 building that has undergone any repair, reconstruction,
21 rehabilitation, alteration, addition, or other improvement,
22 the cost of which equals or exceeds 50% of the market value of
23 the structure before the improvement or repair is started. If
24 a commercial building has sustained substantial damage, any
25 repairs are considered substantial improvement regardless of
26 the actual repair work performed. "Substantially improved

1 commercial building" does not include: (i) any project for
2 improvement of a structure to correct existing violations of
3 State or local health, sanitary, or safety code specifications
4 which have been identified by the local code enforcement
5 official and which are the minimum necessary to assure safe
6 living conditions or (ii) any alteration of a historic
7 structure, provided that the alteration will not preclude the
8 structure's continued designation as a historic structure.

9 (e) Except as provided in Section 15 of the Illinois
10 Residential Building Code Act, new residential construction is
11 exempt from this Section and is defined as any original
12 construction of a single-family home or a dwelling containing
13 2 or fewer apartments, condominiums, or townhouses.

14 (f) Local governments may establish agreements with other
15 governmental entities within the State to issue permits and
16 enforce building codes and may hire third-party providers that
17 are qualified in accordance with this Section to provide
18 inspection services.

19 (g) This Section does not limit the applicability of any
20 other statutorily authorized code or regulation administered
21 by State agencies. These include, without limitation, the
22 codes and regulations listed in subparagraphs (C) through (F)
23 of paragraph (2) of subsection (a).

24 (h) The changes to this Section made by Public Act 103-510
25 ~~this amendatory Act of the 103rd General Assembly~~ shall apply
26 beginning on January 1, 2025.

1 (Source: P.A. 102-558, eff. 8-20-21; 103-510, eff. 1-1-24;
2 revised 7-24-24.)

3 (20 ILCS 3105/10.18)

4 Sec. 10.18. Identification of local building codes.

5 (a) Any municipality or county adopting a new building
6 code edition must, at least 30 days before the effective date
7 of the building code, identify the model code being adopted,
8 by title and edition, and any local amendments to the Board in
9 writing.

10 (b) No later than 180 days after the effective date of this
11 amendatory Act of the 103rd General Assembly, any municipality
12 or county that has adopted and is enforcing a building code
13 must identify the adopted model code, by title and edition,
14 and any local amendments, to the Board in writing.

15 (c) For each municipality and county subject to this
16 Section, the Board must identify the adopted model code or
17 codes, by title and edition, note if any local amendments were
18 adopted, and identify the date when this information was
19 reported to the Board on the Board's public website.

20 (d) For the purposes of this Section, "building code"
21 means a model code adopted with or without local amendments to
22 regulate the construction or rehabilitation of structures
23 within the municipality or county. "Building code" does not
24 include any zoning ordinance adopted under Division 13 of
25 Article 11 of the Illinois Municipal Code or Division 5-12 of

1 Article 5 of the Counties Code.

2 (e) Beginning January 1, 2025, any municipal building code
3 or county building code must:

4 (1) regulate the structural design of new buildings,
5 other than residential buildings, in a manner that is at
6 least as stringent as the baseline building code;

7 (2) regulate the structural design of rehabilitation
8 work in existing buildings, other than residential
9 buildings, in a manner that is at least as stringent as the
10 baseline existing building code; and

11 (3) regulate the structural design of residential
12 buildings in a manner that is at least as stringent as the
13 baseline residential code.

14 On and after January 1, 2027, any municipal building code
15 or county building code must ensure that all code inspectors
16 meet at least the minimum certification requirements required
17 by the Board for non-building code jurisdictions.

18 In this subsection:

19 "Baseline building code" means the edition of the
20 International Building Code, including Appendix G, first
21 published by the International Code Council during the current
22 year or preceding 9 calendar years with the least restrictive
23 provisions for structural design.

24 "Baseline existing building code" means the edition of the
25 International Existing Building Code first published by the
26 International Code Council during the current year or

1 preceding 9 calendar years with the least restrictive
2 provisions for structural design.

3 "Baseline residential code" means the edition of the
4 International Residential Code for One- and Two-Family
5 Dwellings first published by the International Code Council
6 during the current year or preceding 9 calendar years with the
7 least restrictive provisions for structural design.

8 "Residential building" means a single-family home or a
9 dwelling containing 2 or fewer apartments, condominiums, or
10 townhouses.

11 "Structural design" means the capacity of a newly
12 constructed structure or altered or repaired existing
13 structure, including its foundation, to withstand forces,
14 including, but not limited to, dead loads, live loads, snow
15 loads, wind loads, soil loads and hydrostatic pressure, rain
16 loads, and earthquake loads, and to resist flood damage.

17 This subsection is a limitation under subsection (i) of
18 Section 6 of Article VII of the Illinois Constitution on the
19 concurrent exercise by home rule units of powers and functions
20 exercised by the State.

21 (f) On an annual basis, the Board shall send written
22 notification to the corporate authorities of each municipality
23 and county subject to this Section of their obligations under
24 this Section.

25 (Source: P.A. 103-510, eff. 1-1-24.)

1 (20 ILCS 3105/10.20 new)

2 Sec. 10.20. Minimum qualifications; code inspectors.

3 (a) The Board shall establish uniform statewide minimum
4 qualification requirements for code inspectors and shall
5 maintain a statewide registry and certification program for
6 qualified inspectors to demonstrate their compliance with the
7 minimum qualification requirements.

8 (b) The qualification requirements shall, at a minimum,
9 require an inspector to (i) be certified as a commercial
10 building inspector by the International Code Council or an
11 equivalent nationally recognized building inspector
12 certification organization, (ii) be qualified as a
13 construction and building inspector by successful completion
14 of an apprentice program certified by the United States
15 Department of Labor, or (iii) file a verification of
16 inspection experience according to rules adopted by the Board
17 for the purposes of conducting inspections.

18 (c) The Board shall adopt rules to implement this Section
19 no later than January 1, 2027.

20 Section 10. The Public Community College Act is amended by
21 adding Section 2-13 as follows:

22 (110 ILCS 805/2-13 new)

23 Sec. 2-13. Code inspectors.

24 (a) The State Board shall create a specific listing in its

1 directory of programs for courses and programs that prepare
2 students to become code inspectors.

3 (b) The State Board shall conduct a survey of all
4 community colleges in the State to determine the current and
5 historical enrollment in currently existing building
6 code-related courses, the potential enrollment in those
7 courses in community college districts that do not have those
8 programs, the cost of the program to each community college
9 that conducts such a program, and the anticipated cost of
10 starting such a program for community colleges that do not
11 have such a program. This survey must be completed no later
12 than January 1, 2027.

13 (c) The State Board shall use the data collected in
14 subsection (b) to identify areas where new or expanded course
15 offerings for building code inspection and enforcement would
16 be most advantageous, prioritizing areas of the State where is
17 there is no such course offered by a community college within
18 100 miles. The State Board shall work with community college
19 districts in those areas to create course offerings that
20 prepare students to become code inspectors.