



Rep. Katie Stuart

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10400HB2987ham003

LRB104 09137 RPS 25578 a

1 AMENDMENT TO HOUSE BILL 2987

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2987 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the  
5 Warehouse Tornado Preparedness Act.

6 Section 5. Definitions. In this Act:

7 "Warehouse" means an establishment as defined by any of  
8 the following North American Industry Classification System  
9 (NAICS) codes, however such establishment is denominated:

- 10 (1) 493 for Warehousing and Storage;  
11 (2) 423 for Merchant Wholesalers, Durable Goods;  
12 (3) 424 for Merchant Wholesalers, Nondurable Goods;  
13 (4) 454110 for Electronic Shopping and Mail-Order  
14 Houses; or

15 (5) 492110 for Couriers and Express Delivery Services.

16 "Warehouse worker" means any person who spends a majority

1 of the person's working hours working within a warehouse,  
2 regardless of that person's status as an employee or  
3 independent contractor or the existence or non-existence of  
4 any employment relationship between the operator or owner of  
5 the warehouse. "Warehouse worker" does not include a person  
6 who, due to the person's employment or any other reason,  
7 enters a warehouse irregularly, infrequently, or only for a  
8 short period of time.

9 Section 10. Tornado safety plan required. All operators of  
10 a warehouse within this State shall prepare a tornado safety  
11 plan for each warehouse they operate within 120 days after the  
12 effective date of this Act for each existing warehouse or, for  
13 warehouses opened on or after 120 days after the effective  
14 date of this Act, no later than 7 days after the warehouse  
15 becomes operational. Each plan shall be specific to the  
16 warehouse it was prepared for and must be reviewed and updated  
17 at least once per year or upon any significant change to the  
18 operations of the warehouse that affects the applicability or  
19 accuracy of the information in the plan. The operator of the  
20 warehouse should coordinate with the warehouse's local  
21 emergency services and disaster agency and fire department or  
22 fire protection district to create plans that, when  
23 implemented, will be consistent with the local jurisdiction's  
24 response activities. Copies of the plan and all updates made  
25 to the plan must be filed with the fire department or fire

1 protection district in the jurisdiction in which the warehouse  
2 is located and the local emergency services and disaster  
3 agency in the jurisdiction in which the warehouse is located.  
4 The plan must, at a minimum, contain the following  
5 information:

6 (1) A floor plan of the warehouse with emergency  
7 exits, assembly points, shelter areas, and orienting  
8 landmarks clearly displayed.

9 (2) A written description of the actions that  
10 employees and supervisors are required to perform in the  
11 event of a tornado warning or other severe weather event.

12 (3) A list of all emergency equipment stored in the  
13 warehouse and the equipment's location and instructions on  
14 the use of the equipment.

15 (4) A written description of the actions that  
16 employees and supervisors are required to perform in the  
17 aftermath of a tornado or other severe weather event,  
18 including basic first aid procedures and guidelines for  
19 communications with other warehouse workers and first  
20 responders.

21 Section 15. Inclement weather risk reduction. Warehouse  
22 facilities constructed after the effective date of this Act  
23 must provide the means, through modification, installation, or  
24 demonstration via rational analysis, to meet a life-safety  
25 performance level for tornado loading that is equivalent to,

1 or exceeds, the life-safety performance level for the most  
2 onerous of other building code-prescribed extreme  
3 environmental loading events, such as hurricane, wind,  
4 earthquake, fire, and flood. The evaluation may incorporate  
5 statistical analyses of published data sets for extreme load  
6 intensity versus probability of exceedance, such as ASCE/SEI  
7 7-22 Appendix G; occupancy load; facility location; and  
8 building construction type and may follow non-prescriptive  
9 performance-based methods to achieve the desired level. In  
10 lieu of this risk-targeted approach, the evaluating design  
11 professional may elect to follow prescriptive methods as  
12 outlined in the Federal Emergency Management Agency standard  
13 P-431, Tornado Protection: Selecting Refuge Areas in Buildings  
14 and the Best Available Refuge Area Checklist to ensure that  
15 shelter areas designated in tornado safety plans are qualified  
16 as the best available refuge areas.

17 Section 90. The Illinois Municipal Code is amended by  
18 changing Section 11-31.1-1 and by adding Section 11-31.1-1.5  
19 as follows:

20 (65 ILCS 5/11-31.1-1) (from Ch. 24, par. 11-31.1-1)

21 Sec. 11-31.1-1. Definitions. As used in this Division,  
22 unless the context requires otherwise:

23 (a) "Code" means any municipal ordinance, law, housing or  
24 building code or zoning ordinance that establishes

1 construction, plumbing, heating, electrical, fire prevention,  
2 sanitation or other health and safety standards that are  
3 applicable to structures in a municipality or any municipal  
4 ordinance that requires, after notice, the cutting of weeds,  
5 the removal of garbage and debris, the removal of inoperable  
6 motor vehicles, or the abatement of nuisances from private  
7 property;

8 (b) "Building inspector" means (i) a full-time ~~full-time~~  
9 state, county, or municipal employee whose duties include the  
10 inspection or examination of structures or property in a  
11 municipality to determine if zoning or other code violations  
12 exist or (ii) a third party contracting with the municipality  
13 whose duties include the inspection or examination of  
14 structures or property in a municipality to determine if  
15 zoning or other code violations exist;

16 (c) "Property owner" means the legal or beneficial owner  
17 of a structure;

18 (d) "Hearing officer" means a municipal employee or an  
19 officer or agent of a municipality, other than a building  
20 inspector or law enforcement officer, whose duty it is to:

21 (1) preside at an administrative hearing called to  
22 determine whether or not a code violation exists;

23 (2) hear testimony and accept evidence from the  
24 building inspector, the building owner and all interested  
25 parties relevant to the existence of a code violation;

26 (3) preserve and authenticate the transcript and

1 record of the hearing and all exhibits and evidence  
2 introduced at the hearing;

3 (4) issue and sign a written finding, decision and  
4 order stating whether a code violation exists.

5 (Source: P.A. 91-162, eff. 7-16-99.)

6 (65 ILCS 5/11-31.1-1.5 new)

7 Sec. 11-31.1-1.5. Building inspector requirements. A  
8 building inspector who performs inspections or evaluations  
9 under this Division must hold certification from the  
10 International Code Council in the area in which the inspector  
11 is inspecting or evaluating. The municipality must keep on  
12 file a copy of the certifications of the persons doing  
13 inspections or evaluations on its behalf. An inspector hired  
14 by a municipality may have a grace period of one year from the  
15 date of hire to acquire the certification required under this  
16 Section.

17 Section 99. Effective date. This Act takes effect upon  
18 becoming law, except that Section 90 takes effect on January  
19 1, 2027."