



Sen. Laura Ellman

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10400SB0643sam001

LRB104 06921 TRT 38147 a

1 AMENDMENT TO SENATE BILL 643

2 AMENDMENT NO. _____. Amend Senate Bill 643 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Counties Code is amended by adding
5 Division 48 as follows:

6 (55 ILCS 5/Art. 5 Div. 48 heading new)

7 DIVISION 48. BUILDING INSPECTIONS

8 (55 ILCS 5/5-48001 new)

9 Sec. 5-48001. Findings and purpose.

10 (a) The General Assembly finds and declares that:

11 (1) Uncertain and lengthy building permit review and
12 inspection timelines add costs, delay community
13 investment, and make it harder to deliver housing across
14 the State.

15 (2) Ensuring predictable, efficient, and transparent
16 review processes is a matter of statewide concern

1 affecting housing supply, public safety, and economic
2 competitiveness.

3 (3) Several states, including Florida, Arizona,
4 Tennessee, Texas, and New Hampshire, have adopted
5 third-party plan review and inspection systems that
6 accelerate development timelines while maintaining safety
7 and code compliance.

8 (4) By setting statewide expectations and offering
9 qualified third-party review options when local deadlines
10 are exceeded, Illinois can reduce avoidable delays and
11 help advance needed housing and commercial development in
12 communities large and small.

13 (b) It is the purpose of this Division to create a
14 statewide third-party plan review and inspection framework, to
15 establish uniform county deadlines, and to ensure that all
16 applicants may obtain timely approvals necessary to advance
17 construction while maintaining public safety and building-code
18 standards.

19 (55 ILCS 5/5-48002 new)

20 Sec. 5-48002. Definitions. As used in this Act:

21 "Business day" means any day other than a Saturday,
22 Sunday, or State-recognized or county-recognized holiday.

23 "Complete application" means a building permit application
24 that includes all forms, fees, documents, site plans, and
25 other materials required by local ordinance.

1 "Qualified third-party inspector" means a person who:

2 (1) is a licensed architect or engineer; and

3 (2) holds a current and active certification issued by
4 the International Code Council, the National Fire
5 Protection Association, or the International Association
6 of Plumbing and Mechanical Officials, or one of their
7 successor organizations; and

8 (3) demonstrates an understanding of local codes and
9 amendments thereto.

10 "Qualified third-party plan reviewer" means a person who:

11 (1) is a licensed architect or engineer under the laws
12 of this State;

13 (2) holds a current and active certification issued by
14 the International Code Council, the National Fire
15 Protection Association, the Independent Alliance of the
16 Electrical Industry, or the International Association of
17 Plumbing and Mechanical Officials, or one of their
18 successor organizations; and

19 (3) demonstrates an understanding of local codes and
20 amendments of local codes.

21 "Single-trade permit" means any construction project on
22 the property of a one-family or 2-family residential building
23 that requires a permit or approval pursuant to a building code
24 that is limited to a single construction discipline, including
25 erecting, installing, enlarging, altering, repairing,
26 removing, converting, or replacing:

1 (1) a heating, ventilation, and air conditioning
2 system;

3 (2) a heat pump system;

4 (3) a water heater or water-treatment appliance;

5 (4) a solar photovoltaic system, a solar thermal
6 system, an energy storage system, or a combination system;

7 (5) an electric vehicle charging station and related
8 equipment;

9 (6) roofing;

10 (7) exterior openings;

11 (8) stucco, plaster, or siding; or

12 (9) fencing.

13 (55 ILCS 5/5-48005 new)

14 Sec. 5-48005. Applicability. This Division applies to all
15 counties, including home-rule units.

16 (55 ILCS 5/5-48010 new)

17 Sec. 5-48010. County plan review timelines.

18 (a) A county shall complete its initial plan review within
19 30 business days after receipt of a complete application for a
20 one-family residential project, a 2-family residential
21 project, or any multifamily, mixed-use, or commercial project.

22 (b) For single-trade permits, a county shall complete its
23 permit review within 3 business days after receipt of a
24 complete application for an installation or addition to, or

1 repair, alteration, or remodeling of a one-family or 2-family
2 residential project.

3 (c) A county shall issue written comments or approval
4 within the applicable deadline.

5 (d) For any subsequent review cycle after the applicant
6 submits revisions responding to comments, the county shall
7 complete its review within 10 business days of receipt of
8 revisions.

9 (e) Failure to meet any deadline under this Section
10 triggers the applicant's right to use a qualified third-party
11 plan reviewer under Section 5-48020.

12 (55 ILCS 5/5-48015 new)

13 Sec. 5-48015. Inspection timelines.

14 (a) A county shall conduct any required inspection within
15 5 business days after receipt of a request.

16 (b) Failure to conduct the inspection within the required
17 period triggers the applicant's right to use a qualified
18 third-party inspector under Section 5-48025.

19 (55 ILCS 5/5-48020 new)

20 Sec. 5-48020. Use of qualified third-party plan reviewers
21 upon missed deadline.

22 (a) If a county fails to complete its plan review within
23 the deadlines established under Section 5-48010, then the
24 applicant may retain a qualified third-party plan reviewer.

1 (b) A county shall accept any plan review submitted by a
2 qualified third-party plan reviewer as meeting the county's
3 requirements if the review demonstrates compliance with the
4 applicable building codes. However, if the county completes
5 its plan review before receiving a compliant plan review from
6 a qualified third-party reviewer, the county may rely on its
7 own plan review.

8 (c) A county shall issue the permit within 2 business days
9 after receiving a compliant third-party plan review.

10 (d) A county may not require a second review, impose
11 additional comments, or delay issuance once a qualified review
12 has been submitted. This includes requiring changes to
13 approved permit drawings during construction. Once a permit
14 has been approved, inspectors shall not request design changes
15 or additional requirements beyond what is reflected in the
16 approved plan, except as permitted under Section 5-48030.

17 (55 ILCS 5/5-48025 new)

18 Sec. 5-48025. Use of qualified third-party inspectors upon
19 missed deadline.

20 (a) If a county fails to conduct a required inspection
21 within 5 business days, then the applicant may retain a
22 qualified third-party inspector.

23 (b) A county shall accept inspection reports submitted
24 under this Section as satisfying local inspection requirements
25 if the report demonstrates compliance with the building code.

1 (c) A county shall issue any required approval,
2 certificate, or authorization within one business day after
3 receiving a compliant inspection report.

4 (55 ILCS 5/5-48030 new)

5 Sec. 5-48030. County audit authority.

6 (a) A county retains full authority to audit any qualified
7 third-party plan review or inspection for compliance with
8 applicable codes. Nothing in this Division limits a county's
9 authority to issue stop-work orders, withhold certificates of
10 occupancy, or pursue enforcement actions if the county audit
11 authority makes a written finding of material noncompliance
12 with the Division, detailing each case of material
13 noncompliance.

14 (b) An audit may not delay issuance of a permit or
15 authorization submitted under Section 5-48020 or 5-48025.

16 (c) If a county identifies material noncompliance, then it
17 may pursue enforcement actions available under its code
18 authority and report the findings to the Department of
19 Financial and Professional Regulation or the applicable
20 credentialing organization.

21 (d) A county may require reasonable documentation
22 demonstrating that a qualified third-party plan reviewer or
23 qualified third-party inspector meets the qualification
24 requirements of this Division, including proof that the
25 qualified third-party plan reviewer's or qualified third-party

1 inspector's licensure or certification is current and active.

2 (e) Nothing in this Division shall be construed to
3 transfer liability for code compliance or construction defects
4 from the owner, design professional, or contractor.

5 (55 ILCS 5/5-48035 new)

6 Sec. 5-48035. Fees; fee parity.

7 (a) In the absence of a county plan review or county
8 inspection, a county may not charge plan review or inspection
9 fees for any portion of the review process or inspection
10 process performed by a qualified third-party plan reviewer or
11 qualified third-party inspector.

12 (b) Fees charged by a qualified third-party plan reviewer
13 may not exceed the county's standard fees for the same
14 service.

15 (c) A county shall reduce its fees proportionally when an
16 applicant uses a qualified third-party plan reviewer or
17 qualified third-party inspector for only one portion of the
18 process.

19 (d) An applicant who retains a qualified third-party plan
20 reviewer or a qualified third-party inspector is solely liable
21 for costs incurred for the indicated services. A county is not
22 liable for fees of a qualified third-party plan reviewer or
23 qualified third-party inspector.

24 (55 ILCS 5/5-48040 new)

1 Sec. 5-48040. Conflicts of interest.

2 (a) A qualified third-party plan reviewer may not review
3 plans if:

4 (1) the qualified third-party plan reviewer, an
5 employee of the qualified third-party plan reviewer, or
6 qualified third-party plan reviewer's employer was
7 involved in making the plans; or

8 (2) the plans are for work to be performed on property
9 owned by the qualified third-party plan reviewer, an
10 employee of the qualified third-party plan reviewer, or
11 qualified third-party plan reviewer's employer.

12 (b) A qualified third-party inspector may not inspect work
13 if the qualified third-party inspector, an employee of the
14 qualified third-party inspector, or qualified third-party
15 inspector's employer:

16 (1) performed any of the work;

17 (2) planned any of the work; or

18 (3) is the owner of the property on which the work was
19 performed.

20 (c) A qualified third-party plan reviewer or qualified
21 third-party inspector shall disclose any potential conflict of
22 interest to the applicant and the county before accepting an
23 engagement.

24 (55 ILCS 5/5-48045 new)

25 Sec. 5-48045. County immunity. Nothing in this Division

1 shall be construed to:

2 (1) find a county liable for contracts or agreements
3 between an applicant and a third-party plan review or
4 third-party inspector for unfulfilled or delayed
5 third-party plan reviews or inspections.

6 (2) grant an applicant the right to obtain relief
7 against a local public entity or public employee if a
8 third-party plan reviewer or inspector fails to conduct a
9 required plan review or inspection.

10 (55 ILCS 5/5-48050 new)

11 Sec. 5-48050. Home rule preemption. A home rule unit may
12 not regulate plan reviews or building inspections in a manner
13 inconsistent with this Division. This Division is a limitation
14 under subsection (i) of Section 6 of Article VII of the
15 Illinois Constitution on the concurrent exercise by home rule
16 units of powers and functions exercised by the State.

17 (55 ILCS 5/5-48097 new)

18 Sec. 5-48097. Severability. The provisions of this
19 Division are severable under Section 1.31 of the Statute on
20 Statutes.

21 Section 10. The Illinois Municipal Code is amended by
22 adding Division 31.2 as follows:

1 (65 ILCS 5/Art. 11 Div. 31.2 heading new)

2 DIVISION 31.2. BUILDING INSPECTIONS

3 (65 ILCS 5/11-31.2-1 new)

4 Sec. 11-31.2-1. Findings and purpose.

5 (a) The General Assembly finds and declares that:

6 (1) Uncertain and lengthy building permit review and
7 inspection timelines add costs, delay community
8 investment, and make it harder to deliver housing across
9 the State.

10 (2) Ensuring predictable, efficient, and transparent
11 review processes is a matter of statewide concern
12 affecting housing supply, public safety, and economic
13 competitiveness.

14 (3) Several states, including Florida, Arizona,
15 Tennessee, Texas, and New Hampshire, have adopted
16 third-party plan review and inspection systems that
17 accelerate development timelines while maintaining safety
18 and code compliance.

19 (4) By setting statewide expectations and offering
20 qualified third-party review options when local deadlines
21 are exceeded, Illinois can reduce avoidable delays and
22 help advance needed housing and commercial development in
23 communities large and small.

24 (b) It is the purpose of this Division to create a
25 statewide third-party plan review and inspection framework, to

1 establish uniform municipal deadlines, and to ensure that all
2 applicants may obtain timely approvals necessary to advance
3 construction while maintaining public safety and building-code
4 standards.

5 (65 ILCS 5/11-31.2-2 new)

6 Sec. 11-31.2-2. Definitions. As used in this Act:

7 "Business day" means any day other than a Saturday,
8 Sunday, or State-recognized or municipally-recognized holiday.

9 "Complete application" means a building permit application
10 that includes all forms, fees, documents, site plans, and
11 other materials required by local ordinance.

12 "Qualified third-party inspector" means a person who:

13 (1) is a licensed architect or engineer; and

14 (2) holds a current and active certification issued by
15 the International Code Council, the National Fire
16 Protection Association, or the International Association
17 of Plumbing and Mechanical Officials, or one of their
18 successor organizations; and

19 (3) demonstrates an understanding of local codes and
20 the local codes amendments.

21 "Qualified third-party plan reviewer" means a person who:

22 (1) is a licensed architect or engineer under the laws
23 of this State;

24 (2) holds a current and active certification issued by
25 the International Code Council, the National Fire

1 Protection Association, the Independent Alliance of the
2 Electrical Industry, or the International Association of
3 Plumbing and Mechanical Officials, or one of their
4 successor organizations; and

5 (3) demonstrates an understanding of local codes and
6 the local codes amendments.

7 "Single-trade permit" means any construction project on
8 the property of a one-family or 2-family residential building
9 that requires a permit or approval pursuant to a building code
10 that is limited to a single construction discipline including
11 erecting, installing, enlarging, altering, repairing,
12 removing, converting, or replacing:

13 (1) a heating, ventilation, and air conditioning
14 system;

15 (2) a heat pump system;

16 (3) a water heater or water-treatment appliance;

17 (4) a solar photovoltaic system, a solar thermal
18 system, an energy storage system, or a combination system;

19 (5) an electric vehicle charging station and related
20 equipment;

21 (6) roofing;

22 (7) exterior openings;

23 (8) stucco, plaster, or siding; or

24 (9) fencing.

1 Sec. 11-31.2-5. Applicability. This Division applies to
2 all municipalities, including home-rule units.

3 (65 ILCS 5/11-31.2-10 new)

4 Sec. 11-31.2-10. Municipal plan review timelines.

5 (a) A municipality shall complete its initial plan review
6 within 30 business days after receipt of a complete
7 application for a one-family residential project, a 2-family
8 residential project, or any multifamily, mixed-use, or
9 commercial project.

10 (b) For single-trade permits, a municipality shall
11 complete its permit review within 3 business days after
12 receipt of a complete application for an installation or
13 addition to, or repair, alteration, or remodeling of a
14 one-family or 2-family residential project.

15 (c) A municipality shall issue written comments or
16 approval within the applicable deadline.

17 (d) For any subsequent review cycle after the applicant
18 submits revisions responding to comments, the municipality
19 shall complete review within 10 business days of receipt of
20 revisions.

21 (e) Failure to meet any deadline under this Section
22 triggers the applicant's right to use a qualified third-party
23 plan reviewer under Section 11-31.2-20.

24 (65 ILCS 5/11-31.2-15 new)

1 Sec. 11-31.2-15. Inspection timelines.

2 (a) A municipality shall conduct any required inspection
3 within 5 business days after receipt of a request.

4 (b) Failure to conduct the inspection within the required
5 period triggers the applicant's right to use a qualified
6 third-party inspector under Section 11-31.2-25.

7 (65 ILCS 5/11-31.2-20 new)

8 Sec. 11-31.2-20. Use of qualified third-party plan
9 reviewers upon missed deadline.

10 (a) If a municipality fails to complete its plan review
11 within the deadlines established under Section 11-31.2-10,
12 then the applicant may retain a qualified third-party plan
13 reviewer.

14 (b) A municipality shall accept any plan review submitted
15 by a qualified third-party plan reviewer as meeting the
16 municipality's requirements if the review demonstrates
17 compliance with the applicable building codes. However, if the
18 municipality completes its plan review before receiving a
19 compliant plan review from a qualified third-party reviewer,
20 the municipality may rely on its own plan review.

21 (c) A municipality shall issue the permit within 2
22 business days after receiving a compliant third-party plan
23 review.

24 (d) A municipality may not require a second review, impose
25 additional comments, or delay issuance once a compliant review

1 has been submitted. This includes requiring changes to
2 approved permit drawings during construction. Once a permit
3 has been approved, inspectors shall not request design changes
4 or additional requirements beyond what is reflected in the
5 approved plan, except as permitted under Section 11-31.2-30.

6 (65 ILCS 5/11-31.2-25 new)

7 Sec. 11-31.2-25. Use of qualified third-party inspectors
8 upon missed deadline.

9 (a) If a municipality fails to conduct a required
10 inspection within 5 business days, then the applicant may
11 retain a qualified third-party inspector.

12 (b) Municipalities shall accept inspection reports
13 submitted under this Section as satisfying local inspection
14 requirements if the report demonstrates compliance with the
15 building code.

16 (c) A municipality shall issue any required approval,
17 certificate, or authorization within one business day after
18 receiving a compliant inspection report.

19 (65 ILCS 5/11-31.2-30 new)

20 Sec. 11-31.2-30. Municipal audit authority.

21 (a) A municipality retains full authority to audit any
22 third-party plan review or inspection for compliance with
23 applicable codes. Nothing in this Division limits a
24 municipality's authority to issue stop-work orders, withhold

1 certificates of occupancy, or pursue enforcement actions if
2 the municipal authority makes a written finding of material
3 noncompliance with the Division, detailing each case of
4 material noncompliance.

5 (b) An audit may not delay issuance of a permit or
6 authorization submitted under Section 11-31.2-20 or
7 11-31.2-25.

8 (c) If a municipality identifies material noncompliance,
9 then it may pursue enforcement actions available under its
10 code authority and report the findings to the Department of
11 Financial and Professional Regulation or applicable
12 credentialing organization.

13 (d) A municipality may require reasonable documentation
14 demonstrating that a qualified third-party plan reviewer or
15 qualified third-party inspector meets the qualification
16 requirements of this Division, including proof that the
17 qualified third-party plan reviewer's or qualified third-party
18 inspector's licensure or certification is current and active.

19 (e) Nothing in this Division shall be construed to
20 transfer liability for code compliance or construction defects
21 from the owner, design professional, or contractor.

22 (65 ILCS 5/11-31.2-35 new)

23 Sec. 11-31.2-35. Fees; fee parity.

24 (a) In the absence of a municipal plan review or municipal
25 inspection, a municipality may not charge plan review or

1 inspection fees for any portion of the review process or
2 inspection process performed by a qualified third-party plan
3 reviewer or qualified third-party inspector.

4 (b) Fees charged by a qualified third-party plan reviewer
5 may not exceed the municipality's standard fees for the same
6 service.

7 (c) A municipality shall reduce its fees proportionally
8 when an applicant uses a qualified third-party plan reviewer
9 or a qualified third-party inspector for only one portion of
10 the process.

11 (d) An applicant who retains a qualified third-party plan
12 reviewer or a qualified third-party inspector is solely liable
13 for costs incurred for the indicated services. A municipality
14 is not liable for fees of a qualified third-party plan
15 reviewer or qualified third-party inspector.

16 (65 ILCS 5/11-31.2-40 new)

17 Sec. 11-31.2-40. Conflicts of interest.

18 (a) A qualified third-party plan reviewer may not review
19 plans if:

20 (1) the qualified third-party plan reviewer, an
21 employee of the qualified third-party plan reviewer, or
22 qualified third-party plan reviewer's employer was
23 involved in making the plans; or

24 (2) the plans are for work to be performed on property
25 owned by the qualified third-party plan reviewer, an

1 employee of the qualified third-party plan reviewer, or
2 qualified third-party plan reviewer's employer.

3 (b) A qualified third-party inspector may not inspect work
4 if the qualified third-party inspector, an employee of the
5 qualified third-party inspector, or qualified third-party
6 inspector's employer:

7 (1) performed any of the work;

8 (2) planned any of the work; or

9 (3) is the owner of the property on which the work was
10 performed.

11 (c) A qualified third-party plan reviewer or qualified
12 third-party inspector shall disclose any potential conflict of
13 interest to the applicant and the municipality before
14 accepting an engagement.

15 (65 ILCS 5/11-31.2-45 new)

16 Sec. 11-31.2-45. Municipal immunity. Nothing in this
17 Division shall be construed to:

18 (1) find a municipality liable for contracts or
19 agreements between an applicant and a third-party plan
20 reviewer or third-party inspector for unfulfilled or
21 delayed third-party plan reviews or inspections; or

22 (2) grant an applicant the right to obtain relief
23 against a local public entity or public employee if a
24 third-party plan reviewer or inspector fails to conduct a
25 required plan review or inspection.

1 (65 ILCS 5/11-31.2-50 new)

2 Sec. 11-31.2-50. Home rule preemption. A home rule unit
3 may not regulate plan reviews or building inspections in a
4 manner inconsistent with this Division. This Division is a
5 limitation under subsection (i) of Section 6 of Article VII of
6 the Illinois Constitution on the concurrent exercise by home
7 rule units of powers and functions exercised by the State.

8 (65 ILCS 5/11-31.2-97 new)

9 Sec. 11-31.2-97. Severability. The provisions of this
10 Division are severable under Section 1.31 of the Statute on
11 Statutes."