

1 AN ACT concerning regulation.

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

4 Section 5. The Regulatory Sunset Act is amended by
5 changing Section 4.36 and adding Section 4.41 as follows:

6 (5 ILCS 80/4.36)

7 Sec. 4.36. Acts repealed on January 1, 2026. The following
8 Acts are repealed on January 1, 2026:

9 The Barber, Cosmetology, Esthetics, Hair Braiding, and
10 Nail Technology Act of 1985.

11 The Collection Agency Act.

12 The Hearing Instrument Consumer Protection Act.

13 The Illinois Athletic Trainers Practice Act.

14 The Illinois Dental Practice Act.

15 ~~The Illinois Roofing Industry Licensing Act.~~

16 The Illinois Physical Therapy Act.

17 The Professional Geologist Licensing Act.

18 The Respiratory Care Practice Act.

19 (Source: P.A. 99-26, eff. 7-10-15; 99-204, eff. 7-30-15;
20 99-227, eff. 8-3-15; 99-229, eff. 8-3-15; 99-230, eff. 8-3-15;
21 99-427, eff. 8-21-15; 99-469, eff. 8-26-15; 99-492, eff.
22 12-31-15; 99-642, eff. 7-28-16.)

(5 ILCS 80/4.41 new)

Sec. 4.41. Act repealed on January 1, 2031. The following Act is repealed on January 1, 2031:

The Illinois Roofing Industry Licensing Act.

Section 10. The Illinois Roofing Industry Licensing Act is amended by changing Sections 1, 2, 2.1, 3, 3.5, 4.5, 5.1, 5.5, 6, 7.1, 9, 9.1, 9.4, 9.7, 9.8, 10a, 11, 11.5, and 11.8 and by adding Sections 2.05, 4.6, and 11.5a as follows:

(225 ILCS 335/1) (from Ch. 111, par. 7501)

(Section scheduled to be repealed on January 1, 2026)

Sec. 1. Legislative purpose. It is hereby declared to be the public policy of this State that, in order to safeguard the life, health, property, and public welfare of its citizens, the business of roofing construction, reconstruction, alteration, maintenance and repair is a matter affecting the public interest, and any person desiring to obtain a license to engage in the business as herein defined shall be required to establish the person's ~~his or her~~ qualifications to be licensed as herein provided.

(Source: P.A. 90-55, eff. 1-1-98.)

(225 ILCS 335/2) (from Ch. 111, par. 7502)

(Section scheduled to be repealed on January 1, 2026)

Sec. 2. Definitions. As used in this Act, unless the

1 context otherwise requires:

2 (a) "Licensure" means the act of obtaining or holding a
3 license issued by the Department as provided in this Act.

4 (b) "Department" means the Department of Financial and
5 Professional Regulation.

6 (c) "Secretary" means the Secretary of Financial and
7 Professional Regulation or his or her designee.

8 (d) "Person" means any individual, partnership,
9 corporation, business trust, professional limited liability
10 company, limited liability company, or other legal entity.

11 (e) "Roofing contractor" is one who has the experience,
12 knowledge, and skill to construct, reconstruct, alter,
13 maintain, and repair roofs and use materials and items used in
14 the construction, reconstruction, alteration, maintenance, and
15 repair of all kinds of roofing and waterproofing as related to
16 roofing over an occupiable space, all in such manner to comply
17 with all plans, specifications, codes, laws, and regulations
18 applicable thereto, but does not include such contractor's
19 employees to the extent the requirements of Section 3 of this
20 Act apply and extend to such employees. "Roofing contractor"
21 includes a corporation, professional limited liability
22 company, limited liability company, limited partnership,
23 partnership, business trust, or sole proprietorship.

24 (f) "Board" means the Roofing Advisory Board.

25 (g) "Qualifying party" means the individual designated by
26 a roofing contracting business who is filing for licensure as

1 a sole proprietor, partner of a partnership, officer of a
2 corporation, trustee of a business trust, or manager of a
3 professional limited liability company or limited liability
4 company. ~~party of another legal entity,~~

5 "Qualifying party" means a person who, prior to and upon
6 the roofing contractor's licensure, ~~who~~ is legally qualified
7 to act for the business organization in all matters connected
8 with its roofing contracting business, has the authority to
9 supervise roofing installation operations, and is actively
10 engaged in day to day activities of the business organization.

11 "Qualifying party" does not apply to a seller of roofing
12 services ~~materials~~ or roofing materials ~~services~~ when the
13 construction, reconstruction, alteration, maintenance, or
14 repair of roofing or waterproofing is to be performed by a
15 person other than the seller or the seller's employees.

16 (h) "Limited roofing license" means a license made
17 available to contractors whose roofing business is limited to
18 roofing residential properties consisting of 8 units or less.

19 (i) "Unlimited roofing license" means a license made
20 available to contractors whose roofing business is unlimited
21 in nature and includes roofing on residential, commercial, and
22 industrial properties.

23 (j) "Seller of roofing ~~services or~~ materials" means a
24 business entity primarily engaged in the sale of tangible
25 personal property at retail.

26 (k) "Building permit" means a permit issued by a unit of

1 local government for work performed within the local
2 government's jurisdiction that requires a license under this
3 Act.

4 (l) "Address of record" means the designated street
5 address recorded by the Department in the applicant's or
6 licensee's application file or license file as maintained by
7 the Department's licensure maintenance unit. ~~It is the duty of~~
8 ~~the applicant or licensee to inform the Department of any~~
9 ~~change of address, and those changes must be made either~~
10 ~~through the Department's website or by contacting the~~
11 ~~Department.~~

12 (m) "Email address of record" means the designated email
13 address recorded by the Department in the applicant's
14 application file or the licensee's license file as maintained
15 by the Department's licensure maintenance unit.

16 (n) "Roof repair" means reconstruction or renewal of any
17 portion of an existing roof for the purpose of correcting
18 damage or restoring the roof to pre-damage condition, ~~part of~~
19 ~~an existing roof for the purpose of its maintenance~~ but
20 excludes circumstances when a torch technique is used by a
21 licensed roofing contractor. "Roof repair" includes the use
22 of:

23 (1) new material that is compatible with existing
24 materials that are to remain in a specific roof section;
25 and

26 (2) new material that is at least as fire resistive as

1 the material being replaced.

2 (o) "Roofing work" or "Professional roofing services"
3 means the construction, reconstruction, alteration, and
4 maintenance of a roof on residential, commercial, or
5 industrial property and the use of materials and items in the
6 construction, reconstruction, alteration, and maintenance of
7 roofing and waterproofing of roofs, all in a manner that
8 complies with plans, specifications, codes, laws, rules,
9 regulations, and current roofing industry standards for
10 workmanlike performance applicable to the construction,
11 reconstruction, alteration, and maintenance of roofs on such
12 properties.

13 (p) "Seller of roofing services" means a business or
14 governmental entity that subcontracts professional roofing
15 services to a licensed roofing contractor that serves as the
16 subcontractor for a roofing project. "Seller of roofing
17 services" includes a general contractor, real estate
18 developer, or builder.

19 (q) "General contractor", "real estate developer", or
20 "builder" means the person responsible for overseeing a
21 building or construction project that includes a roof system.

22 (r) "Public member" means a consumer who is not a
23 qualifying party or employee of a licensed roofing contractor.
24 For purposes of board membership, the public member shall have
25 no connection or financial interest in the roofing or general
26 contracting industries.

1 (s) "Subcontractor" means any person that is a licensed
2 roofing contractor that has a direct contract with a seller of
3 roofing services or a governmental entity to perform a portion
4 of roofing work under a building or construction contract for
5 a project that includes a roof system.

6 (t) "Roof system" means the components of a roof that
7 include, but are not limited to, covering, framing,
8 insulation, sheathing, ventilation, sealing, waterproofing,
9 weatherproofing, related architectural sheet metal work, and
10 roof coatings.

11 (u) "Roof section" means a separation or division of a
12 roof area by existing expansion joints, parapet walls,
13 flashing (excluding valley), difference of elevation
14 (excluding hips and ridges), roof type, or legal description.
15 "Roof section" does not include the roof area required for a
16 proper tie-off with an existing system.

17 (v) "Roof recover" means installing an additional roof
18 covering over a prepared existing roof covering without
19 removing the existing roof covering. "Roof recover" does not
20 include the following situations:

21 (1) if the existing roof covering is water soaked or
22 has deteriorated to the point that the existing roof or
23 roof covering is not adequate as a base for additional
24 roofing;

25 (2) if the existing roof covering is slate or tile; or

26 (3) if the existing roof has 2 or more applications of

1 roof covering unless the Department has received and
2 accepted a structural condition report, prepared by an
3 Illinois licensed architect or structural engineer,
4 confirming that the existing structure can support an
5 additional layer of roof covering.

6 (w) "Roof replacement" means removing the existing roof
7 covering, repairing any damaged substrate, and installing a
8 new roof covering. The new roof shall be installed in
9 accordance with the applicable provisions of the Illinois
10 Energy Conservation Code.

11 (Source: P.A. 99-469, eff. 8-26-15; 100-545, eff. 11-8-17.)

12 (225 ILCS 335/2.05 new)

13 Sec. 2.05. Address of record; email address of record. All
14 applicants and licensees shall:

15 (1) provide a valid address and email address to the
16 Department, which shall serve as the address of record and
17 email address of record, respectively, at the time of
18 application for licensure or renewal of a license; and

19 (2) inform the Department of any change of address of
20 record or email address of record within 14 days after the
21 change, either through the Department's website or by
22 contacting the Department's licensure maintenance unit.

23 (225 ILCS 335/2.1) (from Ch. 111, par. 7502.1)

24 (Section scheduled to be repealed on January 1, 2026)

1 Sec. 2.1. Administration of Act; rules and forms.

2 (a) The Department shall exercise the powers and duties
3 prescribed by the Civil Administrative Code of Illinois for
4 the administration of licensing Acts and shall exercise such
5 other powers and duties necessary for effectuating the
6 purposes of this Act.

7 (b) The Secretary may adopt rules consistent with the
8 provisions of this Act for the administration and enforcement
9 of this Act and for the payment of fees connected with this Act
10 and may prescribe forms that shall be issued in connection
11 with this Act. The rules may include, but not be limited to,
12 the standards and criteria for licensure and professional
13 conduct and discipline and the standards and criteria used
14 when determining fitness to practice. The Department may
15 consult with the Board in adopting rules.

16 (c) The Department may, at any time, seek the advice and
17 the expert knowledge of the Board and any member of the Board
18 on any matter relating to the administration of this Act.

19 (d) (Blank).

20 (Source: P.A. 99-469, eff. 8-26-15.)

21 (225 ILCS 335/3) (from Ch. 111, par. 7503)

22 (Section scheduled to be repealed on January 1, 2026)

23 Sec. 3. Application for roofing contractor license.

24 (1) To obtain a license, an applicant must indicate if the
25 license is sought for a sole proprietorship, partnership,

1 corporation, professional limited liability company, limited
2 liability company, business trust, or other legal entity and
3 whether the application is for a limited or unlimited roofing
4 license. If the license is sought for a sole proprietorship,
5 the license shall be issued to the sole proprietor who shall
6 also be designated as the qualifying party. If the license is
7 sought for a partnership, corporation, professional limited
8 liability company, limited liability company, business trust,
9 or other legal entity, the license shall be issued in the
10 company name. At the time of application for licensure under
11 the Act, a ~~A~~ company shall ~~must~~ designate one individual who
12 will serve as a qualifying party. The qualifying party is the
13 individual who must take the examination required under
14 Section 3.5 on behalf of the company, and actively participate
15 in the day to day operations of the company's business
16 following the issuance of licensure. The company shall submit
17 an application in writing to the Department on a form
18 containing the information prescribed by the Department and
19 accompanied by the fee fixed by the Department. The
20 application shall include, but shall not be limited to:

21 (a) the name and address of the individual ~~person~~
22 designated as the qualifying party responsible for the
23 practice of professional roofing in Illinois;

24 (b) the name of the sole proprietorship and its sole
25 proprietor, the name of the partnership and its partners,
26 the name of the corporation and its officers,

1 shareholders, and directors, the name of the business
2 trust and its trustees, or the name of such other legal
3 entity and its members and managers;

4 (c) evidence of compliance with any statutory
5 requirements pertaining to such legal entity, including
6 compliance with the Assumed Business Name Act; and

7 (d) a signed irrevocable uniform consent to service of
8 process form provided by the Department.

9 (1.5) (Blank).

10 (2) An applicant for a roofing contractor license must
11 submit satisfactory evidence that:

12 (a) the applicant ~~he or she~~ has obtained public
13 liability and property damage insurance in such amounts
14 and under such circumstances as may be determined by the
15 Department;

16 (b) the applicant ~~he or she~~ has obtained Workers'
17 Compensation insurance for roofing covering the
18 applicant's ~~his or her~~ employees or is approved as a
19 self-insurer of Workers' Compensation in accordance with
20 Illinois law;

21 (c) the applicant ~~he or she~~ has an unemployment
22 insurance employer account number issued by the Department
23 of Employment Security, and the applicant ~~he or she~~ is not
24 delinquent in the payment of any amount due under the
25 Unemployment Insurance Act;

26 (d) the applicant ~~he or she~~ has submitted a continuous

1 bond to the Department in the amount of \$10,000 for a
2 limited license and in the amount of \$25,000 for an
3 unlimited license; and

4 (e) the ~~a~~ qualifying party has satisfactorily
5 completed the examination required under Section 3.5.

6 (3) It is the ongoing responsibility of the licensee to
7 provide to the Department notice in writing of any and all
8 changes in the information required to be provided on the
9 application, including, but not limited to, a change in the
10 licensee's assumed name, if applicable.

11 (3.5) The qualifying party shall be an employee who
12 receives compensation from and is under the supervision and
13 control of the licensed roofing contractor business employer
14 that regularly deducts the payroll tax under the Federal
15 Insurance Contributions Act, deducts withholding tax, and
16 provides workers' compensation as prescribed by law. The
17 qualifying party shall not receive a Form 1099 from the
18 licensed roofing contractor business.

19 (4) (Blank).

20 (5) Nothing in this Section shall apply to a seller of
21 roofing services ~~materials~~ or roofing materials ~~services~~ when
22 the construction, reconstruction, alteration, maintenance, or
23 repair of roofing or waterproofing is to be performed by a
24 subcontractor or a person other than the seller or the
25 seller's employees.

26 (6) Applicants have 3 years from the date of application

1 to complete the application process. If the application has
2 not been completed within 3 years, the application shall be
3 denied, the fee shall be forfeited and the applicant must
4 reapply and meet the requirements in effect at the time of
5 reapplication.

6 (Source: P.A. 98-838, eff. 1-1-15; 99-469, eff. 8-26-15.)

7 (225 ILCS 335/3.5)

8 (Section scheduled to be repealed on January 1, 2026)

9 Sec. 3.5. Examinations.

10 (a) The Department shall authorize examinations for
11 applicants for initial licensure at the time and place it may
12 designate. The examinations shall be of a character to fairly
13 test the competence and qualifications of applicants to act as
14 roofing contractors. Each applicant for limited licenses shall
15 designate a qualifying party who shall take an examination,
16 the technical portion of which shall cover current residential
17 roofing practices. Each applicant for an unlimited license
18 shall designate a qualifying party who shall take an
19 examination, the technical portion of which shall cover
20 current residential, commercial, and industrial roofing
21 practices. Both examinations shall cover Illinois
22 jurisprudence as it relates to roofing practice.

23 (b) An applicant for a limited license or an unlimited
24 license or a qualifying party designated by an applicant for a
25 limited license or unlimited license shall pay, either to the

1 Department or the designated testing service, a fee
2 established by the Department to cover the cost of providing
3 the examination. Failure to appear for the examination on the
4 scheduled date at the time and place specified, after the
5 applicant's application for examination has been received and
6 acknowledged by the Department or the designated testing
7 service, shall result in forfeiture of the examination fee.

8 (c) The qualifying party for an applicant for a new
9 license must have passed an examination authorized by the
10 Department before the Department may issue a license.

11 (d) The application for a license as a corporation,
12 business trust, or other legal entity submitted by a sole
13 proprietor who is currently licensed under this Act and exempt
14 from the examination requirement of this Section shall not be
15 considered an application for initial licensure for the
16 purposes of this subsection (d) if the sole proprietor is
17 named in the application as the qualifying party and is the
18 sole owner of the legal entity. Upon issuance of a license to
19 the new legal entity, the sole proprietorship license is
20 terminated.

21 The application for initial licensure as a partnership,
22 corporation, professional limited liability company, limited
23 liability company, business trust, or other legal entity
24 submitted by a currently licensed partnership, corporation,
25 professional limited liability company, limited liability
26 company, business trust, or other legal entity shall not be

1 considered an application for initial licensure for the
2 purposes of this subsection (d) if the entity's current
3 qualifying party is exempt from the examination requirement of
4 this Section, that qualifying party is named as the new legal
5 entity's qualifying party, and the majority of ownership in
6 the new legal entity remains the same as the currently
7 licensed entity. Upon issuance of a license to the new legal
8 entity under this subsection (d), the former license issued to
9 the applicant is terminated.

10 (e) A roofing contractor applicant and a qualifying party
11 ~~An~~ applicant have ~~has~~ 3 years after the date of application to
12 complete the application process. If the process has not been
13 completed within 3 years, the application shall be denied, the
14 fee shall be forfeited, and the applicant must reapply and
15 meet the requirements in effect at the time of reapplication.

16 (Source: P.A. 99-469, eff. 8-26-15.)

17 (225 ILCS 335/4.5)

18 (Section scheduled to be repealed on January 1, 2026)

19 Sec. 4.5. Duties and responsibilities of qualifying party;
20 acceptance ~~replacement~~; grounds for discipline.

21 (a) While named as and engaged as ~~or named as~~ a qualifying
22 party for a roofing contractor licensee, no person may be the
23 named qualifying party for any other licensee. However, the
24 person may act in the capacity of the qualifying party for one
25 additional roofing contractor licensee of the same type of

1 licensure only if one of the following conditions exists:

2 (1) the person has ~~there is~~ a common ownership or
3 management interest of at least 25% of each licensed
4 entity for which the person acts as a qualifying party; or

5 (2) the same person acts as a qualifying party for one
6 licensed entity and its licensed subsidiary.

7 "Subsidiary" as used in this Section means a corporation,
8 professional limited liability company, or limited liability
9 company of which at least 25% is owned or managed by another
10 roofing contractor licensee.

11 (b) At all times a licensed roofing contractor shall have
12 one corresponding qualifying party actively engaged in the day
13 to day activities of the roofing contractor's business, except
14 for a change in qualifying party as set forth in Section 4.6
15 and the rules adopted under this Act ~~Upon the loss of a~~
16 ~~qualifying party who is not replaced, the qualifying party or~~
17 ~~the licensee, or both, shall notify the Department of the name~~
18 ~~and address of the newly designated qualifying party. The~~
19 ~~newly designated qualifying party must take and pass the~~
20 ~~examination prescribed in Section 3.5 of this Act. These~~
21 ~~requirements shall be met in a timely manner as established by~~
22 ~~rule of the Department.~~

23 (c) A qualifying party that is accepted by the Department
24 shall be issued an appropriate credential and shall have and
25 exercise the authority to act for the licensed entity in all
26 matters connected with its roofing contracting business and to

1 supervise roofing installation operations. This authority
2 shall not be deemed to be a license for purposes of this Act.
3 Upon acceptance, the qualifying party shall act on behalf of
4 the licensed roofing contractor entity only, except as
5 provided for in subsection (a).

6 (d) Designation of a qualifying party by an applicant
7 under this Section and Section 3 is subject to acceptance by
8 the Department. The Department may refuse to accept a
9 qualifying party (i) for failure to qualify as required under
10 this Act and the rules adopted under this Act or (ii) after
11 making a determination that the designated qualifying party
12 has a history of acting illegally, fraudulently,
13 incompetently, or with gross negligence in the roofing or
14 construction business.

15 The qualifying party who has been accepted by the
16 Department shall maintain the qualifying party's duties and
17 responsibilities to the licensed roofing contractor as
18 follows:

19 (1) The qualifying party may have a common ownership
20 or management interest in the licensed roofing contractor
21 entity, and, on behalf of the licensed entity, may serve
22 as an estimator, salesperson, project manager,
23 superintendent, or in a similar capacity as defined by
24 rule;

25 (2) The qualifying party may delegate the qualifying
26 party's supervising authority over the persons performing

1 the onsite roofing work only to another employee of the
2 licensed roofing contractor;

3 (3) While engaged as a qualifying party for a licensed
4 roofing contractor, the qualifying party shall not accept
5 other employment that would conflict with the individual's
6 duties as a qualifying party or conflict with the
7 individual's ability to supervise adequately the work
8 performed by the licensed roofing contractor;

9 (4) The qualifying party shall not act on behalf of an
10 unlicensed entity or a subcontractor that is not the
11 qualifying party's licensee; and

12 (5) The qualifying party shall not use the qualifying
13 party's credential for the benefit of an unlicensed person
14 or a roofing contractor that has not designated the
15 individual to qualify the contractor for licensure in
16 accordance with this Act, unless the licensed roofing
17 contractor affiliated with the qualifying party is a
18 subcontractor or seller of roofing services pursuant to a
19 bonafide contract for roofing contracting services.

20 (e) The Department may, at any time after giving
21 appropriate notice and the opportunity for a hearing, suspend
22 or revoke its acceptance of a qualifying party designated by a
23 roofing contractor licensee and impose other discipline,
24 including, but not limited to, fines not to exceed \$15,000 per
25 violation for any act or failure to act that gives rise to any
26 ground for disciplinary action against that roofing contractor

1 licensee under this Act and the rules adopted under this Act.
2 If the Department suspends or revokes its acceptance of a
3 qualifying party, the license of the roofing contractor
4 licensee shall be deemed to be suspended until a new
5 qualifying party has been designated by the roofing contractor
6 licensee and accepted by the Department.

7 If acceptance of a qualifying party is suspended or
8 revoked for action or inaction that constitutes a violation of
9 this Act or the rules adopted under this Act, the Department
10 may in addition take such other disciplinary or
11 non-disciplinary action as it may deem proper against the
12 licensee or qualifying party, including imposing a fine on the
13 qualifying party, not to exceed \$15,000~~\$10,000~~ for each
14 violation.

15 All administrative decisions of the Department under this
16 subsection (e) are subject to judicial review pursuant to
17 Section 9.7 of this Act. An order taking action against a
18 qualifying party shall be deemed a final administrative
19 decision of the Department for purposes of Section 9.7 of this
20 Act.

21 (Source: P.A. 99-469, eff. 8-26-15.)

22 (225 ILCS 335/4.6 new)

23 Sec. 4.6. Qualifying party termination; succession;
24 inoperative status.

25 (a) The licensed roofing contractor shall provide

1 information as requested by the Department, which shall
2 include, but not be limited to, the name and contact
3 information of the qualifying party.

4 (b) A qualifying party shall at all times maintain a
5 valid, active credential only on behalf of the qualifying
6 party's corresponding licensed roofing contractor.

7 (c) In the event a qualifying party is terminated or has an
8 active status as the qualifying party of the licensed roofing
9 contractor terminated, both the licensee and the qualifying
10 party shall notify the Department of this disassociation in
11 writing, by regular mail or email, within 30 business days
12 after the date of disassociation. If such notice is not given
13 in a timely manner, the license will be placed on inoperative
14 status.

15 (d) Upon the termination, loss, or disassociation of the
16 qualifying party, the licensed roofing contractor, if it has
17 so informed the Department of the disassociation, shall notify
18 the Department of the name and address of the newly designated
19 qualifying party within 60 days after the date the licensee
20 notifies the Department of the date of disassociation. If such
21 notice is not given in a timely manner, the license will be
22 placed on inoperative status.

23 (e) The Department shall determine the newly designated
24 qualifying party's fitness to have the roofing contracting
25 license requalified, including, but not limited to, the
26 application qualifications to sit for the examination.

1 (f) Within 7 months after approval by the Department, the
2 newly designated qualifying party must take and pass the
3 examination prescribed in Section 3.5 of this Act to requalify
4 the roofing contracting license.

5 (g) If a licensed roofing contractor fails to requalify
6 through the newly designated qualifying party within the time
7 prescribed by the Department by rule, the license is
8 automatically placed in inoperative status at the end of the
9 time period until the licensee requalifies through another
10 newly designated qualifying party. The requirements in this
11 Section shall be met in a timely manner as established by rule
12 of the Department.

13 (h) The license of any roofing contractor whose
14 association with a qualifying party has terminated shall
15 automatically become inoperative immediately upon such
16 termination. An inoperative licensee under this Act shall not
17 perform any roofing contracting services while the license is
18 in inoperative status, unless the licensee meets all of the
19 criteria outlined in this Section.

20 (225 ILCS 335/5.1)

21 (Section scheduled to be repealed on January 1, 2026)

22 Sec. 5.1. Commercial vehicles. Any entity offering
23 services regulated by the Roofing Industry Licensing Act shall
24 affix the roofing contractor license number and the licensee's
25 name, as it appears on the license, on all commercial vehicles

1 used in offering such services. An entity in violation of this
2 Section shall be subject to a civil penalty of no less than
3 \$250 and no more than \$1,000 ~~civil penalty~~. This Section may be
4 enforced by the Department, the Attorney General, or local
5 code enforcement officials employed by units of local
6 government as it relates to roofing work being performed
7 within the boundaries of their jurisdiction. For purposes of
8 this Section, "code enforcement official" means an officer or
9 other designated authority charged with the administration,
10 interpretation, and enforcement of codes on behalf of a
11 municipality or county. If the alleged violation has been
12 corrected prior to or on the date of the hearing scheduled to
13 adjudicate the alleged violation, the violation shall be
14 dismissed.

15 (Source: P.A. 99-469, eff. 8-26-15.)

16 (225 ILCS 335/5.5)

17 (Section scheduled to be repealed on January 1, 2026)

18 Sec. 5.5. Contracts.

19 (a) A licensed roofing contractor, when signing a contract
20 for professional roofing services, must include in the
21 contract ~~provide a land-based phone number, and~~ a street
22 address other than a post office box, and an email address at
23 which the roofing contractor may be contacted.

24 (b) Prior to engaging in any roofing work, a roofing
25 contractor shall provide a written contract to the property

1 owner, signed by both the roofing contractor or the roofing
2 contractor's designee and the property owner, stating at least
3 the following terms:

4 (1) the scope of roofing services and materials to be
5 provided;

6 (2) the approximate dates of service;

7 (3) for roof repair, the approximate costs of the
8 services based on damages known at the time the contract
9 is entered;

10 (4) the licensed roofing contractor's contact
11 information, including a street address other than a post
12 office box, email address, phone number, and any other
13 contact information available for the roofing contractor;

14 (5) identification of the roofing contractor's surety
15 and liability coverage insurer and the insurer's contact
16 information, if applicable;

17 (6) the roofing contractor's policy regarding
18 cancellation of the contract and refund of any deposit,
19 including a rescission clause allowing the property owner
20 to rescind the contract and obtain a full refund of any
21 deposit within 72 hours after entering the contract and a
22 written statement that the property owner may rescind a
23 roofing contract; and

24 (7) a written statement that if the property owner
25 plans to use the proceeds of a property and casualty
26 insurance policy issued to pay for the roofing work, the

1 roofing contractor cannot pay, waive, rebate, or promise
2 to pay, waive, or rebate all or part of any insurance
3 deductible applicable to the insurance claim for payment
4 for roofing work on the covered property.

5 (c) In addition to the contract terms required in
6 subsection (b) of this Section, a licensed roofing contractor
7 shall include, on the face of the contract, in bold-faced
8 type, a statement indicating that the roofing contractor shall
9 hold in trust any payment from the property owner until the
10 roofing contractor has delivered roofing materials at the
11 property site or has performed a majority of the roofing work
12 on the property.

13 (d) The roofing contractor for a roofing project shall
14 keep a fully executed copy of the contract for professional
15 roofing services available for inspection by the Department.

16 (e) In awarding a contract for professional roofing
17 services, if the property owner is the State or any
18 municipality, city, county, incorporated area, or school
19 district, the property owner shall conduct a bonafide bidding
20 process in which all of the bids are submitted by roofing
21 contractors holding verified active licenses issued by the
22 Department.

23 (Source: P.A. 99-469, eff. 8-26-15.)

24 (225 ILCS 335/6) (from Ch. 111, par. 7506)

25 (Section scheduled to be repealed on January 1, 2026)

1 Sec. 6. Expiration and renewal; inactive status;
2 restoration.

3 (a) The expiration date and renewal period for each
4 certificate of registration issued under this Act shall be set
5 by the Department by rule.

6 (b) A licensee who has permitted the licensee's ~~his or her~~
7 license to expire or whose license is on inactive status may
8 have the ~~his or her~~ license restored by making application to
9 the Department in the form and manner prescribed by the
10 Department.

11 (c) A licensee who notifies the Department in writing on
12 forms prescribed by the Department may elect to place the ~~his~~
13 ~~or her~~ license on inactive status and shall, subject to rules
14 of the Department, be excused from payment of renewal fees
15 until the licensee ~~he or she~~ notifies the Department in
16 writing of the licensee's ~~his or her~~ desire to resume active
17 status.

18 (d) A licensee whose license expired while the licensee's
19 qualifying party ~~he or she~~ was (1) on active duty with the
20 Armed Forces of the United States or the State Militia called
21 into service or training or (2) in training or education under
22 the supervision of the United States preliminary to induction
23 into the military service, may have the ~~his or her~~ license
24 renewed or restored without paying any lapsed renewal fees if,
25 within 2 years after termination of such service, training, or
26 education, except under conditions other than honorable, the

1 qualifying party ~~he or she~~ furnishes the Department with
2 satisfactory evidence to the effect that the qualifying party
3 ~~he or she~~ has been so engaged and that the qualifying party's
4 ~~his or her~~ service, training, or education has been so
5 terminated.

6 (e) A roofing contractor whose license is expired or on
7 inactive status shall not practice under this Act in the State
8 of Illinois.

9 (Source: P.A. 99-469, eff. 8-26-15.)

10 (225 ILCS 335/7.1)

11 (Section scheduled to be repealed on January 1, 2026)

12 Sec. 7.1. Applicant convictions.

13 (a) When reviewing a conviction by plea of guilty or nolo
14 contendere, finding of guilt, jury verdict, or entry of
15 judgment or by sentencing of an initial applicant, the
16 Department may only deny a license or refuse to accept a
17 designated qualifying party based upon consideration of
18 mitigating factors provided in subsection (c) of this Section
19 for a felony directly related to the practice of roofing
20 contracting.

21 (b) The following crimes or similar offenses in any other
22 jurisdiction are hereby deemed directly related to the
23 practice of roofing contracting:

24 (1) first degree murder;

25 (2) second degree murder;

- 1 (3) drug induced homicide;
- 2 (4) unlawful restraint;
- 3 (5) aggravated unlawful restraint;
- 4 (6) forcible detention;
- 5 (7) involuntary servitude;
- 6 (8) involuntary sexual servitude of a minor;
- 7 (9) predatory criminal sexual assault of a child;
- 8 (10) aggravated criminal sexual assault;
- 9 (11) criminal sexual assault;
- 10 (12) criminal sexual abuse;
- 11 (13) aggravated kidnaping;
- 12 (14) aggravated robbery;
- 13 (15) armed robbery;
- 14 (16) kidnapping;
- 15 (17) aggravated battery;
- 16 (18) aggravated vehicular hijacking;
- 17 (19) home invasion;
- 18 (20) terrorism;
- 19 (21) causing a catastrophe;
- 20 (22) possession of a deadly substance;
- 21 (23) making a terrorist threat;
- 22 (24) material support for terrorism;
- 23 (25) hindering prosecution of terrorism;
- 24 (26) armed violence;
- 25 (27) any felony based on consumer fraud or deceptive
- 26 business practices under the Consumer Fraud and Deceptive

1 Business Practices Act;

2 (28) any felony requiring registration as a sex
3 offender under the Sex Offender Registration Act;

4 (29) attempt of any the offenses set forth in
5 paragraphs (1) through (28) of this subsection (b); and

6 (30) convictions set forth in subsection (e) of
7 Section 5 or Section 9.8 of this Act.

8 (c) The Department shall consider any mitigating factors
9 contained in the record, when determining the appropriate
10 disciplinary sanction, if any, to be imposed. In addition to
11 those set forth in Section 2105-130 of the Department of
12 Professional Regulation Law of the Civil Administrative Code
13 of Illinois, mitigating factors shall include the following:

14 (1) the bearing, if any, the criminal offense or
15 offenses for which the person was previously convicted
16 will have on the person's ~~his or her~~ fitness or ability to
17 perform one or more such duties and responsibilities;

18 (2) the time that has elapsed since the criminal
19 conviction; and

20 (3) the age of the person at the time of the criminal
21 conviction.

22 (d) The Department shall issue an annual report by January
23 31, 2027 ~~2018~~ and by January 31 each year thereafter,
24 indicating the following:

25 (1) the number of initial applicants for a license
26 under this Act within the preceding calendar year;

1 (2) the number of initial applicants for a license
2 under this Act within the previous calendar year who had a
3 conviction;

4 (3) the number of applicants with a conviction who
5 were granted a license under this Act within the previous
6 year;

7 (4) the number of applicants denied a license under
8 this Act within the preceding calendar year; and

9 (5) the number of applicants denied a license under
10 this Act solely on the basis of a conviction within the
11 preceding calendar year.

12 (e) Nothing in this Section shall prevent the Department
13 taking disciplinary or non-disciplinary action against a
14 license as set forth in Section 9.1 of this Act.

15 (Source: P.A. 99-876, eff. 1-1-17.)

16 (225 ILCS 335/9) (from Ch. 111, par. 7509)

17 (Section scheduled to be repealed on January 1, 2026)

18 Sec. 9. Licensure requirement.

19 (1) It is unlawful for any person to engage in the business
20 of providing professional roofing services or act in the
21 capacity of or hold himself, herself, or itself out in any
22 manner as a roofing contractor or a qualifying party without
23 having been duly licensed or accepted by the Department under
24 the provisions of this Act.

25 (2) No work involving the construction, reconstruction,

1 alteration, maintenance, or repair of any kind of roofing or
2 waterproofing may be done except by a roofing contractor or a
3 qualifying party licensed or credentialed under this Act.

4 (3) Sellers of roofing services may subcontract the
5 provision of those roofing services only to roofing
6 contractors licensed under this Act. Subcontractors that are
7 licensed roofing contractors shall have at all times updated
8 assumed business names disclosed to the Department, if
9 applicable.

10 (4) All persons performing roofing services under this Act
11 shall be licensed as roofing contractors, except for
12 qualifying parties and those persons who are deemed to be
13 employees under Section 10 of the Employee Classification Act
14 of a licensed roofing contractor.

15 (Source: P.A. 98-838, eff. 1-1-15; 99-469, eff. 8-26-15.)

16 (225 ILCS 335/9.1) (from Ch. 111, par. 7509.1)

17 (Section scheduled to be repealed on January 1, 2026)

18 Sec. 9.1. Grounds for disciplinary action.

19 (1) The Department may refuse to issue, to accept, or to
20 renew, or may revoke, suspend, place on probation, reprimand
21 or take other disciplinary or non-disciplinary action as the
22 Department may deem proper, including fines not to exceed
23 \$15,000 ~~\$10,000~~ for each violation, with regard to any license
24 or credential for any one or combination of the following:

25 (a) violation of this Act or its rules;

1 (b) for licensees, conviction or plea of guilty or
2 nolo contendere, finding of guilt, jury verdict, or entry
3 of judgment or sentencing of any crime, including, but not
4 limited to, convictions, preceding sentences of
5 supervision, conditional discharge, or first offender
6 probation, under the laws of any jurisdiction of the
7 United States that is (i) a felony or (ii) a misdemeanor,
8 an essential element of which is dishonesty or that is
9 directly related to the practice of the profession and,
10 for initial applicants, convictions set forth in Section
11 7.1 of this Act;

12 (c) fraud or any misrepresentation in applying for or
13 procuring a license under this Act, or in connection with
14 applying for renewal of a license under this Act;

15 (d) professional incompetence or gross negligence in
16 the practice of roofing contracting, prima facie evidence
17 of which may be a conviction or judgment in any court of
18 competent jurisdiction against an applicant or licensee
19 and that relates ~~relating~~ to the practice of roofing
20 contracting or the construction of a roof or repair
21 thereof that results in leakage within 90 days after the
22 completion of such work;

23 (e) (blank);

24 (f) aiding or assisting another person in violating
25 any provision of this Act or its rules;

26 (g) failing, within 60 days, to provide information in

1 response to a written request made by the Department;

2 (h) engaging in dishonorable, unethical, or
3 unprofessional conduct of a character likely to deceive,
4 defraud, or harm the public;

5 (i) habitual or excessive use or abuse of controlled
6 substances, as defined by the Illinois Controlled
7 Substances Act, alcohol, or any other substance that
8 results in the inability to practice with reasonable
9 judgment, skill, or safety;

10 (j) discipline by another state, unit of government,
11 or government agency, the District of Columbia, a
12 territory, or a foreign country ~~nation~~, if at least one of
13 the grounds for the discipline is the same or
14 substantially equivalent to those set forth in this
15 Section. This includes any adverse action taken by a State
16 or federal agency that prohibits a roofing contractor or
17 qualifying party from providing services to the agency's
18 participants;

19 (k) directly or indirectly giving to or receiving from
20 any person, firm, corporation, partnership, or association
21 any fee, commission, rebate, or other form of compensation
22 for any professional services not actually or personally
23 rendered;

24 (l) a finding by the Department that any ~~the~~ licensee
25 or individual with a qualifying party credential under
26 this Act, after having the individual's ~~his or her~~ license

1 or credential disciplined, has violated the terms of the
2 discipline;

3 (m) a finding by any court of competent jurisdiction,
4 either within or without this State, of any violation of
5 any law governing the practice of roofing contracting, if
6 the Department determines, after investigation, that such
7 person has not been sufficiently rehabilitated to warrant
8 the public trust;

9 (n) willfully making or filing false records or
10 reports in the practice of roofing contracting, including,
11 but not limited to, false records filed with the State
12 agencies or departments;

13 (o) practicing, attempting to practice, or advertising
14 under a name other than the full name as shown on the
15 license or credential or any other legally authorized
16 name;

17 (p) gross and willful overcharging for professional
18 services including filing false statements for collection
19 of fees or monies for which services are not rendered;

20 (q) (blank);

21 (r) (blank);

22 (s) failure to continue to meet the requirements of
23 this Act shall be deemed a violation;

24 (t) physical or mental disability, including
25 deterioration through the aging process or loss of
26 abilities and skills that result in an inability to

1 practice the profession with reasonable judgment, skill,
2 or safety;

3 (u) material misstatement in furnishing information to
4 the Department or to any other State agency;

5 (v) (blank);

6 (w) advertising in any manner that is false,
7 misleading, or deceptive;

8 (x) taking undue advantage of a customer, which
9 results in the perpetration of a fraud;

10 (y) performing any act or practice that is a violation
11 of the Consumer Fraud and Deceptive Business Practices
12 Act;

13 (z) engaging in the practice of roofing contracting,
14 as defined in this Act, with a suspended, revoked, ~~or~~
15 cancelled, non-renewed, or otherwise inoperative license
16 or credential;

17 (aa) treating any person differently to the person's
18 detriment because of race, color, creed, gender, age,
19 religion, or national origin;

20 (bb) knowingly making any false statement, oral,
21 written, or otherwise, of a character likely to influence,
22 persuade, or induce others in the course of obtaining or
23 performing roofing contracting services;

24 (cc) violation of any final administrative action of
25 the Secretary;

26 (dd) allowing the use of the ~~his or her~~ roofing

1 license or qualifying party credential by an unlicensed
2 roofing contractor for the purposes of providing roofing
3 or waterproofing services; or

4 (ee) (blank);

5 (ff) cheating or attempting to subvert a licensing
6 examination administered under this Act; or

7 (gg) use of a license or credential to permit or
8 enable an unlicensed person to provide roofing contractor
9 services.

10 (2) The determination by a circuit court that a license or
11 credential holder is subject to involuntary admission or
12 judicial admission, as provided in the Mental Health and
13 Developmental Disabilities Code, operates as an automatic
14 suspension. Such suspension will end only upon a finding by a
15 court that the patient is no longer subject to involuntary
16 admission or judicial admission, an order by the court so
17 finding and discharging the patient, and the recommendation of
18 the Board to the Director of the Division of Professional
19 Regulation that the license or credential holder be allowed to
20 resume the license or credential holder's ~~his or her~~ practice.

21 (3) The Department may refuse to issue or take
22 disciplinary action concerning the license or credential of
23 any person who fails to file a return, to pay the tax, penalty,
24 or interest shown in a filed return, or to pay any final
25 assessment of tax, penalty, or interest as required by any tax
26 Act administered by the Department of Revenue, until such time

1 as the requirements of any such tax Act are satisfied as
2 determined by the Department of Revenue.

3 (4) In enforcing this Section, the Department, upon a
4 showing of a possible violation, may compel any individual who
5 is licensed or credentialed under this Act or any individual
6 who has applied for licensure or a credential to submit to a
7 mental or physical examination or evaluation, or both, which
8 may include a substance abuse or sexual offender evaluation,
9 at the expense of the Department. The Department shall
10 specifically designate the examining physician licensed to
11 practice medicine in all of its branches or, if applicable,
12 the multidisciplinary team involved in providing the mental or
13 physical examination and evaluation. The multidisciplinary
14 team shall be led by a physician licensed to practice medicine
15 in all of its branches and may consist of one or more or a
16 combination of physicians licensed to practice medicine in all
17 of its branches, licensed chiropractic physicians, licensed
18 clinical psychologists, licensed clinical social workers,
19 licensed clinical professional counselors, and other
20 professional and administrative staff. Any examining physician
21 or member of the multidisciplinary team may require any person
22 ordered to submit to an examination and evaluation pursuant to
23 this Section to submit to any additional supplemental testing
24 deemed necessary to complete any examination or evaluation
25 process, including, but not limited to, blood testing,
26 urinalysis, psychological testing, or neuropsychological

1 testing.

2 (5) The Department may order the examining physician or
3 any member of the multidisciplinary team to provide to the
4 Department any and all records, including business records,
5 that relate to the examination and evaluation, including any
6 supplemental testing performed. The Department may order the
7 examining physician or any member of the multidisciplinary
8 team to present testimony concerning this examination and
9 evaluation of the licensee or applicant, including testimony
10 concerning any supplemental testing or documents relating to
11 the examination and evaluation. No information, report,
12 record, or other documents in any way related to the
13 examination and evaluation shall be excluded by reason of any
14 common law or statutory privilege relating to communication
15 between the licensee or applicant and the examining physician
16 or any member of the multidisciplinary team. No authorization
17 is necessary from the licensee, qualifying party, or applicant
18 ordered to undergo an evaluation and examination for the
19 examining physician or any member of the multidisciplinary
20 team to provide information, reports, records, or other
21 documents or to provide any testimony regarding the
22 examination and evaluation. The individual to be examined may
23 have, at the individual's ~~his or her~~ own expense, another
24 physician of the individual's ~~his or her~~ choice present during
25 all aspects of the examination.

26 (6) Failure of any individual to submit to mental or

1 physical examination or evaluation, or both, when directed,
2 shall result in an automatic suspension without hearing until
3 such time as the individual submits to the examination. If the
4 Department finds a licensee or qualifying party unable to
5 practice because of the reasons set forth in this Section, the
6 Department shall require the licensee or qualifying party to
7 submit to care, counseling, or treatment by physicians
8 approved or designated by the Department as a condition for
9 continued, reinstated, or renewed licensure.

10 (7) When the Secretary immediately suspends a license or
11 credential under this Section, a hearing upon such person's
12 license or credential must be convened by the Department
13 within 15 days after the suspension and completed without
14 appreciable delay. The Department shall have the authority to
15 review the licensee's or qualifying party's record of
16 treatment and counseling regarding the impairment to the
17 extent permitted by applicable federal statutes and
18 regulations safeguarding the confidentiality of medical
19 records.

20 (8) Licensees and qualifying parties affected under this
21 Section shall be afforded an opportunity to demonstrate to the
22 Department that they can resume practice in compliance with
23 acceptable and prevailing standards under the provisions of
24 their license.

25 (9) (Blank).

26 (10) In cases where the Department of Healthcare and

1 Family Services has previously determined a licensee,
2 qualifying party, ~~or~~ a potential licensee, or potential
3 qualifying party is more than 30 days delinquent in the
4 payment of child support and has subsequently certified the
5 delinquency to the Department, the Department may refuse to
6 issue or renew or may revoke or suspend that person's license
7 or credential or may take other disciplinary action against
8 that person based solely upon the certification of delinquency
9 made by the Department of Healthcare and Family Services in
10 accordance with paragraph (5) of subsection (a) of Section
11 2105-15 of the Department of Professional Regulation Law of
12 the Civil Administrative Code of Illinois.

13 ~~The changes to this Act made by this amendatory Act of 1997~~
14 ~~apply only to disciplinary actions relating to events~~
15 ~~occurring after the effective date of this amendatory Act of~~
16 ~~1997.~~

17 (Source: P.A. 99-469, eff. 8-26-15; 99-876, eff. 1-1-17;
18 100-872, eff. 8-14-18.)

19 (225 ILCS 335/9.4) (from Ch. 111, par. 7509.4)

20 (Section scheduled to be repealed on January 1, 2026)

21 Sec. 9.4. Subpoenas; oaths. The Department has power to
22 subpoena and bring before it any person in this State and to
23 take the oral or written testimony, or to compel the
24 production of any books, papers, records, documents, exhibits,
25 or other materials that the Secretary or the Secretary's ~~his~~

1 ~~or her~~ designee deems relevant or material to an investigation
2 or hearing conducted by the Department, with the same fees and
3 mileage and in the same manner as prescribed by law in judicial
4 proceedings in civil cases in courts of this State.

5 The Secretary, the designated hearing officer, any member
6 of the Board, or a certified shorthand court reporter may
7 administer oaths to witnesses at any hearing that the
8 Department conducts. Notwithstanding any other statute or
9 Department rule to the contrary, all requests for testimony or
10 production of documents or records shall be in accordance with
11 this Act.

12 (Source: P.A. 99-469, eff. 8-26-15.)

13 (225 ILCS 335/9.7) (from Ch. 111, par. 7509.7)

14 (Section scheduled to be repealed on January 1, 2026)

15 Sec. 9.7. Final administrative decisions. All final
16 administrative decisions of the Department are subject to
17 judicial review pursuant to the Administrative Review Law and
18 all rules adopted pursuant thereto. The term "administrative
19 decision" is defined as in Section 3-101 of the Code of Civil
20 Procedure. Proceedings for judicial review shall be commenced
21 in the circuit court of the county in which the party applying
22 for review resides, except that, if the party is not a resident
23 of this State, the venue shall be Sangamon County.

24 (Source: P.A. 99-469, eff. 8-26-15.)

(225 ILCS 335/9.8) (from Ch. 111, par. 7509.8)

(Section scheduled to be repealed on January 1, 2026)

Sec. 9.8. Criminal penalties. Any person who is found to have violated any provision of this Act is guilty of a Class A misdemeanor for the first offense and such violation may result in a sentence in accordance with subsection (a) of Section 5-4.5-55 of the Unified Code of Corrections and a fine not to exceed \$2,500. On conviction of a second or subsequent offense, the violator is guilty of a Class 4 felony, which may result in a sentence in accordance with subsection (a) of Section 5-4.5-45 of the Unified Code of Corrections and a fine of \$25,000. Each day of violation constitutes a separate offense. Fines for any and all criminal penalties imposed shall be payable to the Department.

(Source: P.A. 99-469, eff. 8-26-15.)

(225 ILCS 335/10a)

(Section scheduled to be repealed on January 1, 2026)

Sec. 10a. Unlicensed practice; violation; civil penalty.

(a) In addition to any other penalty provided by law, any person who practices, offers to practice, attempts to practice, or holds himself or herself out to practice roofing without being licensed under this Act shall, in addition to any other penalty provided by law, pay a civil penalty to the Department in an amount not to exceed \$15,000 ~~\$10,000~~ for each offense as determined by the Department. The civil penalty

1 shall be assessed by the Department after a hearing is held in
2 accordance with the provisions set forth in this Act regarding
3 the provision of a hearing for the discipline of a licensee.

4 (b) The Department has the authority and power to
5 investigate any and all unlicensed activity.

6 (c) The civil penalty shall be paid within 60 days after
7 the effective date of the order imposing the civil penalty.
8 The order shall constitute a judgment and may be filed and
9 execution had thereon in the same manner as any judgment from
10 any court of record.

11 (Source: P.A. 99-469, eff. 8-26-15.)

12 (225 ILCS 335/11) (from Ch. 111, par. 7511)

13 (Section scheduled to be repealed on January 1, 2026)

14 Sec. 11. Application of Act.

15 (1) Nothing in this Act limits the power of a
16 municipality, city, county, ~~or~~ incorporated area, or school
17 district to regulate the quality and character of work
18 performed by roofing contractors through a system of permits,
19 fees, and inspections which are designed to secure compliance
20 with and aid in the implementation of State and local building
21 laws or to enforce other local laws for the protection of the
22 public health and safety.

23 (2) Nothing in this Act shall be construed to require a
24 seller of roofing services ~~materials~~ or a seller of roofing
25 materials ~~services~~ to be licensed as a roofing contractor when

1 the construction, reconstruction, alteration, maintenance or
2 repair of roofing or waterproofing is to be performed by a
3 person other than the seller or the seller's employees.

4 (3) Nothing in this Act shall be construed to require a
5 person who performs roofing or waterproofing work to the
6 person's ~~his or her~~ own property, or for no consideration, to
7 be licensed as a roofing contractor.

8 (3.5) Nothing in this Act shall be construed to require an
9 employee who performs roofing or waterproofing work to an ~~his~~
10 ~~or her~~ employer's residential property, where there exists an
11 employee-employer relationship or for no consideration, to be
12 licensed as a roofing contractor.

13 (4) Nothing in this Act shall be construed to require a
14 person who performs roof repair or waterproofing work to an
15 ~~his or her~~ employer's commercial or industrial property to be
16 licensed as a roofing contractor, where there exists an
17 employer-employee relationship. Nothing in this Act shall be
18 construed to apply to the installation of plastics, glass or
19 fiberglass to greenhouses and related horticultural
20 structures, or to the repair or construction of farm
21 buildings.

22 (5) Nothing in this Act limits the power of a
23 municipality, city, county, ~~or~~ incorporated area, or school
24 district to collect occupational license and inspection fees
25 for engaging in roofing contracting.

26 (6) Nothing in this Act limits the power of the

1 municipalities, cities, counties, ~~or~~ incorporated areas, or
2 school districts to adopt any system of permits requiring
3 submission to and approval by the municipality, city, county,
4 or incorporated area of plans and specifications for work to
5 be performed by roofing contractors before commencement of the
6 work.

7 (7) Any official authorized to issue building or other
8 related permits shall ascertain that the applicant contractor
9 is duly licensed before issuing the permit. The evidence shall
10 consist only of the exhibition to him or her of current
11 evidence of licensure.

12 (8) This Act applies to any roofing contractor performing
13 work for the State or any municipality, city, county, ~~or~~
14 incorporated area, or school district. Officers of the State
15 or any municipality, city, county, ~~or~~ incorporated area, or
16 school district are required to determine compliance with this
17 Act before awarding any contracts for construction,
18 improvement, remodeling, or repair.

19 (9) If an incomplete contract exists at the time of death
20 of a qualifying party or the dissolution of a roofing
21 contractor licensee, the contract may be completed by any
22 person even though not licensed or credentialed. Such person
23 shall notify the Department within 30 days after the death of
24 the qualifying party or the dissolution of the roofing
25 contractor of the person's ~~his or her~~ name and address. For ~~the~~
26 purposes of this subsection (9), an incomplete contract is one

1 which has been awarded to, or entered into by, the licensee
2 before the dissolution or the ~~his or her~~ death of the
3 qualifying party or on which the licensee ~~he or she~~ was the low
4 bidder and the contract is subsequently awarded to the roofing
5 contractor ~~him or her~~ regardless of whether any actual work
6 has commenced under the contract before the dissolution or the
7 ~~his or her~~ death of the qualifying party.

8 (10) The State or any municipality, city, county, ~~or~~
9 incorporated area, or school district may require that bids
10 submitted for roofing construction, improvement, remodeling,
11 or repair of public buildings be accompanied by evidence that
12 that bidder holds an appropriate license issued pursuant to
13 this Act.

14 (11) (Blank).

15 (12) Nothing in this Act shall prevent a municipality,
16 city, county, ~~or~~ incorporated area, or school district from
17 making laws or ordinances that are more stringent than those
18 contained in this Act.

19 (13) Nothing in this Act shall be construed to prevent or
20 limit the practice of professional engineering as defined in
21 the Professional Engineering Practice Act of 1989 or the
22 practice of structural engineering as defined in the
23 Structural Engineering Practice Act of 1989.

24 (Source: P.A. 99-469, eff. 8-26-15; 100-545, eff. 11-8-17.)

25 (225 ILCS 335/11.5)

1 (Section scheduled to be repealed on January 1, 2026)

2 Sec. 11.5. Roofing Advisory Board. There is created within
3 the Department a Roofing Advisory Board to be composed of
4 persons: ~~The Roofing Advisory Board is created and shall~~
5 ~~consist of 8 persons~~

6 (a) Nine members, one of whom is a ~~knowledgeable~~ public
7 member and 5 ~~7~~ of whom are each (i) designated as the
8 qualifying party of a licensed roofing contractor or (ii)
9 legally qualified to act for the business entity ~~organization~~
10 on behalf of the licensed roofing contractor ~~licensee~~ in all
11 matters connected with its roofing contracting business,
12 exercise ~~have~~ the authority to supervise roofing installation
13 operations, and actively engaged in day-to-day activities of
14 the business entity ~~organization~~ for a licensed roofing
15 contractor. One shall represent ~~One of the 7 nonpublic~~
16 ~~members on the Board shall represent~~ a statewide association
17 representing home builders, another shall represent ~~and~~
18 ~~another of the 7 nonpublic members shall represent~~ an
19 association predominately representing retailers, and another
20 shall represent the employees of licensed roofing contractors.

21 The public member shall not represent any association or
22 be licensed or credentialed under this Act.

23 (b) Each member shall be appointed by the Secretary. The
24 membership of the Board should represent racial, ethnic, and
25 cultural diversity and reasonably reflect representation from
26 the various geographic areas of the State. ~~Five members of the~~

1 ~~Board shall constitute a quorum. A quorum is required for all~~
2 ~~Board decisions.~~

3 (c) Members of the Board shall be immune from suit in any
4 action based upon any disciplinary proceedings or other acts
5 performed in good faith as members of the Board, unless the
6 conduct that gave rise to the suit was willful and wanton
7 misconduct.

8 (d) Terms for each member of the Board shall be for 4
9 years. A member shall serve until the member's successor is
10 qualified and appointed. Partial terms over 2 years in length
11 shall be considered as full terms. A member may be reappointed
12 for a successive term, but no member shall serve more than 2
13 full terms. For any such reappointment, the second term shall
14 begin the day after the end of the first full term. ~~The persons~~
15 ~~appointed shall hold office for 4 years and until a successor~~
16 ~~is appointed and qualified. No member shall serve more than 2~~
17 ~~complete 4 year terms.~~

18 (e) The Secretary may terminate or refuse the appointment
19 of ~~shall have the authority to remove or suspend~~ any member of
20 the Board for cause ~~at any time before the expiration of his or~~
21 ~~her term.~~ The Secretary shall be the sole arbiter of cause.

22 (f) The Secretary shall fill a vacancy for the unexpired
23 portion of the term with an appointee who meets the same
24 qualifications as the person whose position has become vacant.
25 ~~The Board shall meet annually to elect one member as chairman~~
26 ~~and one member as vice chairman. No officer shall be elected~~

1 ~~more than twice in succession to the same office.~~

2 (g) The members of the Board shall be reimbursed ~~receive~~
3 ~~reimbursement~~ for all legitimate ~~actual~~, necessary, and
4 authorized expenses incurred in attending the meetings of the
5 Board.

6 (Source: P.A. 99-469, eff. 8-26-15.)

7 (225 ILCS 335/11.5a new)

8 Sec. 11.5a. Roofing Advisory Board; powers and duties.

9 (a) The Board shall meet at least once per year or as
10 otherwise called by the Secretary.

11 (b) Five members of the Board currently appointed shall
12 constitute a quorum. A vacancy in the membership of the Board
13 shall not impair the right of a quorum to exercise all the
14 rights and perform all the duties of the Board.

15 (c) Each member, in exercising the member's duties on
16 behalf of the Board, shall not engage in any self-interest,
17 including, but not limited to, conduct contrary to an
18 appropriate regulatory interest as determined by the
19 Department.

20 (d) The Board shall annually elect a chairperson and a
21 vice chairperson who shall be qualifying parties credentialed
22 under this Act. No officer shall be elected more than twice in
23 succession to the same office unless there are extenuating
24 circumstances.

25 (e) The Board shall elect a successor chairperson or vice

1 chairperson in the event such officer position becomes vacant,
2 and such successor shall serve the remainder of the vacating
3 officer's term.

4 (f) Without limiting the power of the Department to
5 conduct investigations, the Board may recommend to the
6 Secretary that one or more credentialed qualifying parties be
7 selected by the Secretary to conduct or assist in any
8 investigation pursuant to this Act. Each such credentialed
9 qualifying party may receive remuneration as determined by the
10 Secretary.

11 (225 ILCS 335/11.8)

12 (Section scheduled to be repealed on January 1, 2026)

13 Sec. 11.8. Surrender of license. Upon the revocation or
14 suspension of any license, the licensee shall immediately
15 surrender the license or licenses or credential or credentials
16 to the Department. If the licensee or qualifying party fails
17 to do so, the Department shall have the right to seize the
18 license or credential.

19 (Source: P.A. 99-469, eff. 8-26-15.)

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