



Sen. Terry Link

**Filed: 5/18/2004**

09300HB1004sam002

LRB093 05702 AMC 51288 a

1 AMENDMENT TO HOUSE BILL 1004

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1004 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the  
5 Electricians Licensing Act.

6 Section 5. Purpose and policy. It has been established by  
7 documented evidence that improper electrical wiring can  
8 adversely affect the well being of the public. Improper  
9 electrical wiring can cause fires due to short circuits and  
10 overloading of protection devices. Faulty wiring is  
11 potentially lethal and can cause widespread fires with  
12 disastrous consequences to persons and property. To protect the  
13 health of the public, it is essential that electrical wiring be  
14 installed by persons who have proven their skill in installing  
15 electrical wiring.

16 Consistent with its duty to safeguard the health of the  
17 people of this State, the General Assembly declares that  
18 individuals who plan, inspect, install, alter, extend, repair,  
19 and maintain electrical wiring systems shall be individuals of  
20 proven skill. Further, the General Assembly declares that a  
21 guide for minimum control of electrical materials and  
22 equipment, the design of electrical systems, and the  
23 construction and installation methods of electrical systems is  
24 essential for the protection of public health. In order to

1 insure proper electrical wiring practice, this Act provides for  
2 the licensing of electricians and electrical contractors and  
3 for the adoption of the National Electrical Code as standards  
4 by the Department. This Act is therefore declared to be  
5 essential to the public interest.

6 Section 10. Definitions. As used in this Act:

7 "Approved apprenticeship program" means an apprenticeship  
8 program approved by the United States Department of Labor  
9 Bureau of Apprenticeship and Training.

10 "Board" means the Illinois State Board of Electrical  
11 Examiners.

12 "Department" means the Illinois Department of Labor.

13 "Director" means the Director of the Illinois Department of  
14 Labor.

15 "Electrical contractor" means a person, firm, or  
16 corporation operating a business that undertakes or offers to  
17 undertake to plan for, lay out, supervise, or install or to  
18 make additions, alterations, maintenance, or repairs in the  
19 installation of wiring, apparatus, and equipment for electric  
20 light, heat, or power with or without compensation and who is  
21 licensed as an electrical contractor by the Department of  
22 Labor. An electrical contractor's license does not of itself  
23 qualify its holder to perform the electrical work authorized by  
24 holding any class of electrician's license.

25 "Electrical work" means the wiring, installation,  
26 maintenance, and repair of electrical wiring, apparatus, and  
27 equipment and the planning, laying out, and supervision of the  
28 installation, maintenance, and repair of such wiring,  
29 apparatus, and equipment for electric heat, light, or power.

30 "Governmental unit" means the State, a school district,  
31 community college district, or unit of local government as  
32 defined in Article VII of the Illinois Constitution.

33 "Journeyman electrician" means a person having the

1 necessary qualifications, training, experience, and technical  
2 knowledge to wire for, install, maintain, and repair electrical  
3 wiring, apparatus, and equipment for electric light, heat, or  
4 power who is licensed as a journeyman electrician by the  
5 Department of Labor.

6 "Master electrician" means a person having the necessary  
7 qualifications, training, experience, and technical knowledge  
8 to install, maintain, and repair and to properly plan, lay out,  
9 and supervise the installation of wiring, apparatus, and  
10 equipment for electric light, heat, or power who is licensed as  
11 a master electrician by the Department of Labor.

12 "Owner" means a natural person who physically performs  
13 electrical work on premises the person owns and actually  
14 occupies as a single family residence or owns and will occupy  
15 as a single family residence upon completion of construction.

16 "Registered apprentice" means a person registered with the  
17 Department of Labor, who is learning the trade under the  
18 supervision of a licensed electrician.

19 "Residential electrician" means a person having the  
20 necessary qualifications, training, experience, and technical  
21 knowledge involving the construction, wiring, alteration,  
22 maintenance, or repair of a single-family detached residential  
23 dwelling or a multi-family dwelling not exceeding 8 units per  
24 building and who is licensed as a residential electrician by  
25 the Department of Labor.

26 "Supervision" means that any new electrical work done by a  
27 registered apprentice electrician must be inspected at least  
28 once after initial rough-in and once upon completion by an  
29 Illinois licensed electrician. In addition, all renovation,  
30 alteration, repair, extension, modification, and maintenance  
31 work done by a registered apprentice electrician on an existing  
32 electrical system must be approved by an Illinois licensed  
33 electrician.

1           Section 15. Board of Electrical Examiners. There is created  
2 the Illinois State Board of Electrical Examiners which shall  
3 exercise its duties provided in this Act under the supervision  
4 of the Department of Labor. The Board shall consist of 11  
5 members appointed by the Director of Labor. The Board shall be  
6 composed of 3 licensed master electricians, 3 licensed  
7 electrical contractors who are members of the National  
8 Electrical Contractors Association, one licensed electrical  
9 engineer, one electrical inspector who holds a master or  
10 journeyman electrician's license, one representative of a  
11 public utility, the State Fire Marshal or his or her designee,  
12 and a licensed real estate professional. In making the  
13 appointments to the Board, the Director shall consider the  
14 recommendations of individuals, firms, or organizations  
15 involved in electrical wiring installation in this State. The  
16 Director shall also take into consideration the minority  
17 representation in the population when making appointments to  
18 the Board. Members of the Board shall serve 4 year terms and  
19 until their successors are appointed and qualified. The initial  
20 appointments, however, shall be as follows: 3 members for terms  
21 of 2 years, 3 members for 3 years, and 4 members for 4 years.  
22 The State Fire Marshal's service on the Board shall be  
23 continuous. For the initial appointments of the licensed  
24 electrical contractors, licensed master electricians, and  
25 electrical inspector prior to the Board developing the rules  
26 for examination of license applicants, the Director may appoint  
27 individuals whose qualifications are similar to those outlined  
28 in subsection (a) of Section 25. Following the expiration of  
29 those terms, the Director may reappoint those individuals or  
30 others only if such individuals are licensed under this Act.  
31 Board members shall receive no compensation but shall be  
32 reimbursed for expenses incurred in connection with their  
33 duties as Board members.

1           Section 20. Powers and duties of the Director. The Director  
2 shall take all actions necessary under this Act to carry out  
3 the duties and responsibilities of the Department under this  
4 Act. The Director, with the assistance of the Board, shall:

5           (a) prepare and issue licenses and provide for  
6 registration as provided in this Act;

7           (b) prescribe rules and regulations for examination of  
8 applicants for master, journeyman, and residential  
9 licenses;

10          (c) prepare and give uniform examinations to  
11 applicants for master, journeyman, and residential  
12 licenses that shall test their knowledge and  
13 qualifications in the planning and design of electrical  
14 systems, their knowledge, qualifications, and manual  
15 skills in electrical installations, and their knowledge of  
16 the National Electrical Code relating to materials,  
17 design, and installation of methods of electrical systems;

18          (d) issue electrical contractor and master,  
19 journeyman, and residential licenses and license renewals  
20 to applicants who have met the requirements for licensure  
21 and complied with all the prerequisites to licensure;

22          (e) prescribe rules for hearings to deny, suspend,  
23 revoke, or reinstate licenses as provided in this Act;

24          (f) maintain a current record showing (i) the names and  
25 addresses of licensed electrical contractors, master,  
26 journeyman, and residential electricians, and registered  
27 apprentices; (ii) the dates of issuance of licenses; (iii)  
28 the date and substance for the charges set forth in any  
29 hearing for denial, suspension, or revocation of any  
30 license; (iv) the date and substance of the final order  
31 issued upon a hearing; and (v) the date and substance of  
32 all petitions for reinstatement of license and final orders  
33 on petitions;

34          (g) establish and collect fees for the examination,

1 issuance, and renewal of licenses;

2 (h) provide for the inspection of new electrical  
3 installations in construction, remodeling, replacement,  
4 maintenance, and repair work, where required by this Act;

5 (i) establish and collect fees for the handling and  
6 inspection of new electrical installations; and

7 (j) formulate and publish rules necessary or  
8 appropriate to carrying out the provisions of this Act.

9 Section 25. License and registration.

10 (a) Master electrician. On or after July 1, 2005, except as  
11 otherwise provided by law, no person shall plan, install,  
12 repair, maintain, lay out, or supervise the installation of  
13 wiring, apparatus, or equipment for electrical light, heat, or  
14 power unless:

15 (1) the person is licensed by the Department as a  
16 master electrician; or

17 (2) the work is for a licensed electrical contractor  
18 and the person is the licensed electrical contractor or an  
19 employee, partner, or officer of the licensed electrical  
20 contractor, or the work is performed for the person's  
21 employer on electrical equipment, apparatus, or facilities  
22 owned or leased by the employer that is located within the  
23 limits of property owned or leased, operated, and  
24 maintained by the employer.

25 An applicant for a master electrician's license shall (i)  
26 have a Bachelor of Science degree from an accredited electrical  
27 engineering program and have had at least one year's  
28 job-related experience, acceptable to the Board; (ii) have had  
29 at least 5 years experience, acceptable to the Board, in  
30 planning for, laying out, supervising, and installing wiring,  
31 apparatus, or equipment for electrical light, heat, and power;  
32 or (iii) have had at least 6 years experience, acceptable to  
33 the Board, with an electrical contracting company in planning,

1 estimating, laying out, and supervising, under the supervision  
2 of a licensed master electrician or licensed electrical  
3 contractor, the installation of electrical work for electric  
4 light, heat, or power.

5 (b) Journeyman electrician. On or after July 1, 2005,  
6 except as otherwise provided by law, no person shall wire for,  
7 install, maintain, or repair electrical wiring, apparatus, or  
8 equipment for electric light, heat, or power, unless the person  
9 is licensed by the Department as a journeyman electrician  
10 employed by a licensed electrical contractor. Nothing in this  
11 subsection (b), however, shall prohibit a master electrician  
12 from performing the work of a journeyman electrician.

13 An applicant for a journeyman electrician's license shall  
14 have had at least 5 years of experience, acceptable to the  
15 Board, in wiring for, installing, and repairing electrical  
16 wiring, apparatus, or equipment. The Department may by rule  
17 provide for the allowance of one year of experience credit for  
18 successful completion of a 2 year post high school electrical  
19 course approved by the Board.

20 (c) Registered apprentice. On or after July 1, 2005, a  
21 person who is enrolled in an approved apprenticeship program  
22 may perform electrical work only under the supervision of a  
23 licensed electrician. All apprentices shall be registered with  
24 the Department.

25 (d) Residential electrician. On or after July 1, 2005,  
26 except as otherwise provided by law, no person shall construct,  
27 wire, alter, maintain, or repair a single-family detached  
28 residential dwelling or multi-family dwelling not exceeding 8  
29 units per building unless the person is licensed by the  
30 Department as a residential electrician employed by a licensed  
31 electrical contractor. Nothing in this subsection (d),  
32 however, shall prohibit a master electrician or journeyman  
33 electrician from performing the work of a residential  
34 electrician.

1           An applicant for a residential electrician's license shall  
2 have had at least 4 years of experience, acceptable to the  
3 Board, in having the necessary qualifications, training, and  
4 technical knowledge involving the construction, wiring,  
5 alteration, or repair of a single-family detached residential  
6 dwelling or multi-family dwelling. The Department may by rule  
7 provide for the allowance of one year of experience credit for  
8 successful completion of a 2 year post high school electrical  
9 course approved by the Board.

10           (e) Contractors. On or after July 1, 2005, except as  
11 otherwise provided by law, no person other than an employee of  
12 a licensed electrical contractor as defined in this Act shall  
13 undertake or offer to undertake to plan for, lay out,  
14 supervise, or install or to make additions, alterations, or  
15 repairs in the installation of, or to maintain, wiring  
16 apparatus and equipment for electrical light, heat, or power  
17 with or without compensation unless the person obtains an  
18 electrical contractor's license. An electrical contractor's  
19 license shall be issued by the Department upon the contractor's  
20 giving bond to the State in an amount to be determined by the  
21 Department. The bond shall be filed with the Department and  
22 shall be in lieu of all other license bonds to any political  
23 subdivision. The bond shall be written by a corporate surety  
24 licensed to do business in the State of Illinois.

25           Each licensed electrical contractor shall have and  
26 maintain in effect insurance. Specific insurance requirements  
27 and minimum limits per occurrence shall be determined by the  
28 Department in consultation with the Board. The insurance shall  
29 be written by an insurer licensed to do business in the State  
30 of Illinois and each licensed electrical contractor shall  
31 maintain on file with the Department a certificate evidencing  
32 insurance that provides that the insurance shall not be  
33 cancelled without the insurer first giving 15 days written  
34 notice to the Department of the cancellation.



1           On or after July 1, 2005, no contractor shall engage in the  
2 business of electrical contracting unless he or she is or has  
3 in his or her employ a licensed master electrician, who shall  
4 be responsible for the performance of all electrical work in  
5 accordance with the requirements of this Act. The application  
6 for an electrical contractor's license must include a verified  
7 statement that the designated responsible master electrician  
8 is a full time employee of the individual, partnership, or  
9 corporation applying for an electrical contractor's license.  
10 For purposes of this Section, a full time employee of a  
11 licensed electrical contractor is an individual who is not  
12 employed in any capacity as a licensed electrician by any other  
13 electrical contractor.

14           (f) The Department shall prepare guidelines as to what work  
15 experience qualifies in determining whether an applicant meets  
16 the requirements for licensure under the Act. The Board has  
17 discretion in determining whether any particular applicant's  
18 experience shall count toward the experience necessary for  
19 licensure under this Act.

20           Section 30. Examination. In addition to other requirements  
21 imposed by this Act and except as otherwise provided in this  
22 Act, as a precondition to issuance of an electrician's license,  
23 each applicant must pass a written examination given by the  
24 Department for the type of license sought to insure the  
25 competence of each applicant for license. No person failing an  
26 examination may retake it for 6 months, but may, within 6  
27 months, take an examination for a lesser grade of license. Any  
28 licensee failing to renew his or her license for 2 years or  
29 more after its expiration shall be required to retake the  
30 examination before he or she is issued a new license. As a  
31 condition of renewal, the Department shall require each  
32 licensee to complete a minimum number of hours of continuing  
33 education. The continuing education shall not exceed 16 hours

1 of classroom instruction during a 24-month period. The  
2 Department shall establish by rule the curricula for the  
3 continuing education requirement. A licensee shall provide to  
4 the Department evidence of completing the continuing education  
5 requirement. The Department shall approve any continuing  
6 education programs and by rule any means for verification of  
7 the continuing education requirement.

8 Section 35. Military exemption. The Department shall  
9 reinstate a license that expires while a licensee is in active  
10 Military Service of the United States upon application to the  
11 Department by the licensee within 2 years after termination of  
12 the military service, payment of the annual license fee, and  
13 submission of evidence of the military service. The license  
14 shall be reinstated without examination and without payment of  
15 the lapsed renewal fee.

16 Section 40. Expiration of license; fees.

17 (a) All licenses issued under this Act shall expire every 2  
18 years in a manner as provided by the Department. Application,  
19 renewal, and all other fees provided for in this Act shall be  
20 established by the Department by rule.

21 (b) All fees and fines collected under this Act shall be  
22 deposited into the Electricians Licensing Dedicated Fund,  
23 which is hereby created as a special fund the State treasury.  
24 The Department and Board may utilize moneys in this fund for  
25 the administration of this Act.

26 Section 45. Grounds for discipline. The Department may by  
27 order deny, suspend, revoke, or refuse to renew a license, or  
28 may censure a licensee if it finds that it is in the public  
29 interest to do so and that the applicant or licensee:

30  
31 (a) has filed an application for a license that contains

1 any statement that, in light of the circumstances under which  
2 it is made, is false or misleading with respect to any material  
3 fact;

4 (b) has engaged in any fraudulent, deceptive, or dishonest  
5 practice;

6 (c) has been convicted within the past 5 years of a  
7 misdemeanor involving a violation of this Act; or

8 (d) has violated or failed to comply with this Act or its  
9 rules or any order issued under this Act. A violation need not  
10 be willful.

11 The Department may adopt rules further specifying the  
12 grounds for suspension, revocation, and refusal to renew a  
13 license and establishing standards of conduct for licensees.

14 Section 50. Hearing procedure.

15 (a) The Board, may upon its own motion, investigate the  
16 actions of any person holding or claiming to hold a license if  
17 there is reason to believe such person has engaged or is  
18 engaging in activity that constitutes grounds for discipline  
19 under Section 45 of this Act.

20 (b) The Board shall, at least 10 days prior to the date set  
21 for the hearing and before refusing to issue or renew, suspend,  
22 or revoke any license, notify the applicant or holder of the  
23 license, in writing, of any charges made, and shall afford him  
24 or her an opportunity to be heard in person or by counsel. The  
25 notice may be served by personal delivery to the accused person  
26 or by registered mail to the last place of business specified  
27 by the accused person in the notification to the Agency.

28 (c) At the time and place fixed in the notice, the Board  
29 shall proceed to the hearing of the charges and both the  
30 accused person and the complainant shall be accorded ample  
31 opportunity to present, in person or by counsel, any statement,  
32 testimony, evidence, or argument that may be pertinent to the  
33 charges or to any defense against the charges. The Board may

1 continue the hearing from time to time. If the Board is not  
2 sitting at the time and place to which the hearing has been  
3 continued, the Department may continue the hearing for a period  
4 not to exceed 30 days, and all parties in interest shall be  
5 given notice in writing of the date and hour to which the  
6 hearing has been continued and the place at which it is to be  
7 held.

8 Section 55. Nonpayment of taxes. The Department may refuse  
9 to issue or may suspend the license of any person who fails (i)  
10 to file a federal or State tax return, (ii) to pay the tax,  
11 penalty, or interest shown in a filed return, or (iii) to pay  
12 any final assessment of tax, penalty, or interest, as required  
13 by any tax Act administered by the Illinois Department of  
14 Revenue, until the time the requirements of the tax Act are  
15 satisfied.

16 Section 60. Continuation of business by estates. Upon the  
17 death of a master electrician who is an electrical contractor,  
18 the Department may permit the decedent's representative to  
19 carry on the business of the decedent for a period not in  
20 excess of one year, for the purpose of completing work under  
21 contract or otherwise to comply with this Act. The decedent's  
22 representative may petition the Board for an extension of the  
23 one-year period in the event he or she can demonstrate undue  
24 hardship or other special circumstances. The extension may be  
25 granted at the recommendation of the Board, subject to  
26 Department approval. The representative shall give any bond as  
27 the Department may require conditioned upon the faithful and  
28 lawful performance of the work. The bond shall be for the  
29 benefit of persons injured or suffering financial loss by  
30 reason of failure of performance. The bond shall be written by  
31 a corporate surety licensed to do business in the State of  
32 Illinois. The decedent's representative shall also comply with

1 all public liability and property damage insurance  
2 requirements imposed by this Act upon a licensed electrical  
3 contractor.

4 Section 65. Reciprocity. The Department may grant a  
5 license, without examination, of the same grade and class to an  
6 electrician who has been licensed by any other state that  
7 provides for the licensing of electricians in a similar manner.  
8 The license may be granted for at least 2 years, upon payment  
9 by the applicant of the required fee and upon the Department  
10 being furnished with proof that the qualifications of the  
11 applicant are equal to the qualifications of Section 25 of this  
12 Act.

13 Section 70. Exemptions.

14 (a) Employees of, or independent contractors performing  
15 work for, any electric utility or electric utility affiliate,  
16 independent electric power generator, public utility as  
17 defined in Section 3-105 of the Public Utilities Act,  
18 generating station or generating unit of an electric utility as  
19 described in Section 16-102 of the Public Utilities Act,  
20 communications or railway utility, electric system owned and  
21 operated by a municipal corporation or governmental unit  
22 (notwithstanding any other provision of this Act), electric  
23 cooperative as defined in Section 3.4 of the Electric Supplier  
24 Act, telephone or telecommunications cooperative as defined in  
25 Section 13-212 of the Public Utilities Act, or a  
26 telecommunications carrier as defined in Section 13-202 of the  
27 Public Utilities Act or its affiliate or co-generation  
28 facilities shall not be required to hold a license while  
29 performing work on installations, materials, or equipment that  
30 are owned or leased, operated, serviced, or maintained by the  
31 electric utility or electric utility affiliate, independent  
32 electric power generator, public utility, generating station

1 or generating unit of an electric utility, communications or  
2 railway utility, electric system owned and operated by a  
3 municipal corporation or governmental unit, electric  
4 cooperative, telephone or telecommunications cooperative, or  
5 telecommunications carrier or its affiliate or co-generation  
6 facilities in the exercise of its utility or telephone  
7 function, and that (i) are used exclusively for the generation,  
8 transformation, distribution, transmission, or metering of  
9 electric current, or the operation of railway signals, traffic  
10 signals, or street lights, or the transmission of intelligence  
11 and do not have as a principal function the consumption or use  
12 of electric current by or for the benefit of any person other  
13 than the electric utility or electric utility affiliate,  
14 independent electric power generator, public utility,  
15 generating station or generating unit of an electric utility,  
16 communications or railway utility, electric system owned and  
17 operated by a municipal corporation or governmental unit,  
18 electric, telephone, or telecommunications cooperative, or  
19 telecommunications carrier or its affiliate or their end users  
20 and (ii) are generally accessible only to employees of the  
21 electric utility or electric utility affiliate, independent  
22 electric power generator, public utility, generating station  
23 or generating unit of an electric utility, communications or  
24 railway utility, electric system owned and operated by a  
25 municipal corporation or governmental unit, electric,  
26 telephone, or telecommunications cooperative, or  
27 telecommunications carrier or its affiliate or persons acting  
28 under its control or direction. Persons performing work  
29 subcontracted out to an electrical contractor or other  
30 contractors, however, shall be in compliance with the licensure  
31 requirements of this Act.

32 (b) Contractors employing pipefitters, sprinkler fitters,  
33 licensed plumbers, or sheet metal workers performing  
34 modification, service, maintenance, retro fit, or warranty

1 work in plumbing, heating, sprinkler fitting, irrigation,  
2 ventilation, air conditioning, refrigeration (HVACR) systems,  
3 instrumentation, control work, or stress relieving is exempt  
4 from this Act. For the installation or replacement of equipment  
5 in the HVACR industry, modifications to the external power  
6 wiring to the equipment is exempt. The installation of wiring  
7 for irrigation when being installed by a registered or licensed  
8 irrigation worker shall be exempt from this Act. Persons  
9 performing work subcontracted out to an electrical contractor  
10 or other contractors, however, shall be in compliance with the  
11 licensure requirements of this Act.

12 (c) Employees of contractors performing construction or  
13 maintenance work on any transmission or distribution lines  
14 owned, leased, operated and maintained by the utilities  
15 described in subsection (a) shall be exempt from the provisions  
16 and licensing requirements of this Act, and employees of  
17 contractors performing construction or maintenance work on any  
18 transmission lines owned, leased, operated, and maintained by  
19 an independent transmission company, system, or entity  
20 approved by the Federal Energy Regulatory Commission and the  
21 Illinois Commerce Commission shall be exempt from this Act.

22 (d) Employees of contractors performing construction or  
23 maintenance work on highway lighting or street lighting owned,  
24 leased, operated, and maintained by governmental units and  
25 their departments and political subdivisions shall be exempt  
26 from this Act.

27 (e) Employees of contractors performing construction or  
28 maintenance work on traffic signals owned, leased, operated,  
29 and maintained by a governmental unit and its departments and  
30 political subdivisions shall be exempt from this Act, provided  
31 that these employees are Traffic Signal Level II certified  
32 under the International Municipal Sign Association (IMSA).

33 (f) An owner shall not be required to hold a license under  
34 this Act. Nevertheless, electrical work performed by an owner

1 shall comply with the minimum standards contained in the  
2 National Electrical Code and shall be subject to inspection by  
3 the Department. An owner shall not employ anyone other than an  
4 electrician licensed under this Act to assist him or her.

5 (g) Any city, village, or incorporated town having a  
6 population of 500,000 or more may, by an ordinance containing  
7 provisions substantially the same as those in this Act and  
8 specifying educational or experience requirements equivalent  
9 to those prescribed in the Act, provide for a board of  
10 electrical examiners to conduct examinations for, and to issue,  
11 suspend, or revoke, electricians' licenses within the city,  
12 village, or incorporated town. Upon the enactment of such an  
13 ordinance, the provisions of this Act shall not apply within  
14 that municipality except as otherwise provided in this Act. Any  
15 person licensed as an electrician under the local ordinance, or  
16 licensed by the Department under this Act, shall meet the  
17 requirements to perform electrical work anywhere in this State.

18 (h) Nothing in this Act shall be construed to prevent an  
19 owner or operator of a farm or his or her employees from  
20 installing, making additions to, altering, maintaining, or  
21 repairing wiring, apparatus, or equipment for electric light,  
22 heat, or power on the farm that he or she owns or operates. For  
23 purposes of this subsection, "farm" means land or a building  
24 appurtenant to land that is used for an agricultural purpose or  
25 for a purpose accessory to an agriculture purpose.

26 (i) Employees of a manufacturing corporation that engage in  
27 activities normally requiring licensure under this Act shall be  
28 exempt when such activities are pursuant to the operation or  
29 maintenance of its existing business and facilities. Persons  
30 performing work subcontracted out to an electrical contractor  
31 or other contractor, however, shall be in compliance with the  
32 licensure requirements of this Act.

33 (j) The minor repair of existing electrical systems does  
34 not require licensure under this Act. For the purposes of this



1 subsection, "minor repair" means repairs to existing  
2 electrical systems that do not require a permit to be issued  
3 under any local ordinance.

4 (k) The provisions of this Act shall not apply to the  
5 installation, replacement, service, or repair of household  
6 products, including but not limited to audio and video  
7 equipment, appliances, fans, garbage disposals, and garage  
8 door openers by a business entity that may be engaged in the  
9 retail sale of consumer products.

10 (l) Any person, firm, or company licensed under and  
11 performing work in accordance with the Elevator Safety and  
12 Regulation Act shall be exempt from this Act.

13 (m) Employees of a governmental unit that engage in  
14 activities normally requiring licensure under this Act are  
15 exempt when such activities are incidental to the operation or  
16 maintenance of its existing facilities. Unless otherwise  
17 specified in this Act, a governmental unit that is involved in  
18 new construction that results in the expansion of its  
19 facilities must utilize licensed electricians for any  
20 associated electrical work.

21 (n) Electrical engineers licensed under the Professional  
22 Engineering Practice Act of 1989 practicing in accordance with  
23 that Act shall be exempt from this Act.

24 (o) Architects licensed under the Illinois Architecture  
25 Practice Act of 1989 practicing in accordance with that Act  
26 shall be exempt from this Act.

27 (p) Any person, firm, corporation, or other legal entity  
28 laying out, installing, maintaining, or repairing alarm,  
29 security, or communication systems and practicing in  
30 accordance with the Private Detective, Private Alarm, Private  
31 Security, and Locksmith Act of 2004 shall be exempt from this  
32 Act.

33 Section 80. Display of license. Persons who advertise

1 electrical wiring services shall, at their place of business,  
2 display the master electrician's license of at least one member  
3 of the firm, partnership or officer of the corporation and  
4 shall maintain a register listing the names and license numbers  
5 of all licensed electricians and all registered apprentices  
6 currently employed by them. When advertising electrical wiring  
7 services, the license number shall be included in all forms of  
8 written or printed advertising and included with the electrical  
9 wiring identification of vehicles. The Department may, by rule  
10 or regulation, require additional information concerning  
11 licensed electricians and registered apprentices to be  
12 maintained in the register.

13 Section 85. Safety standards. All electrical wiring,  
14 apparatus, and equipment for electric light, heat, or power  
15 shall comply with all applicable rules of the Department of  
16 Labor and shall be installed in conformity with accepted  
17 standards of construction for safety to life and property. For  
18 the purposes of this Act, the regulations and safety standards  
19 stated at the time the work is designed in the then most  
20 recently published edition of the National Electrical Code as  
21 adopted by the National Fire Protection Association, Inc. and  
22 approved by the American National Standards Institute, and the  
23 National Electrical Safety Code as published by the Institute  
24 of Electrical and Electronics Engineers, Inc. and approved by  
25 the American National Standards Institute, shall be prima facie  
26 evidence of accepted standards of construction for safety to  
27 life and property.

28 Nothing in this Act shall prohibit any political  
29 subdivision from making and enforcing more stringent  
30 requirements than those set forth in this Act and all licensed  
31 electricians working within the jurisdiction of that political  
32 subdivision shall comply with those requirements. Nothing in  
33 this Act, however, shall be construed to give a political

1 subdivision the authority to apply its standards or  
2 requirements to electrical work performed on a farm. For the  
3 purposes of this Section, "farm" means land or a building  
4 appurtenant to land that is used for an agricultural purpose or  
5 for a purpose accessory to an agricultural purpose.

6 Section 90. Inspections.

7 (a) Except where any political subdivision has by ordinance  
8 provided for electrical inspection similar to that provided in  
9 this Act, every new electrical installation on and after July  
10 1, 2005 in any construction, remodeling, replacement, or repair  
11 shall be inspected by the Department for compliance with  
12 accepted standards of construction for safety to life and  
13 property.

14 (b) No such inspections shall be required for electrical  
15 work performed by persons exempt from licensure under Section  
16 70 of this Act, except that inspections shall be required for  
17 work performed under subsection (f) of Section 70.

18 (c) All inspectors for the Department shall hold licenses  
19 as master or journeyman electricians under this Act, except  
20 that in areas of this State where a sufficient number of master  
21 or journeyman electricians are not available to the Department  
22 to perform inspections under this Act, the Department may  
23 designate other persons whom it determines to be suitably  
24 qualified by training or experience.

25 Section 95. Procedures for inspection.

26 (a) At or before commencement of any installation required  
27 to be inspected by the Department, the electrical contractor or  
28 owner making the installation shall submit to the Department a  
29 request for inspection, in a form prescribed by the Department,  
30 together with the fees required for the installation.

31 (b) The fees required are a handling fee and an inspection  
32 fee. The handling fee shall be set by the Department in an

1 amount sufficient to pay the cost of bringing and handling the  
2 form requesting an inspection. The inspection fee shall be set  
3 by the Department in an amount sufficient to pay the actual  
4 costs of the inspection and the Department's costs in  
5 administering the inspection.

6 (c) If the inspector finds that the installation is not in  
7 compliance with accepted standards of construction for safety  
8 to life and property as required by this Act, the inspector  
9 shall, by written order, condemn the installation or the  
10 noncomplying portion of the installation, or order service to  
11 the installation disconnected, and shall send a copy of the  
12 order to the Department. If the installation or the  
13 noncomplying part will seriously and proximately endanger  
14 human life and property, the order of the inspector, when  
15 approved by the inspector's superior, shall require immediate  
16 condemnation or disconnection. In all other cases, the order of  
17 the inspector shall permit a reasonable opportunity for the  
18 installation to be brought into compliance with accepted  
19 standards of construction for safety to life and property prior  
20 to the effective time established for condemnation or  
21 disconnection.

22 (d) Copies of each condemnation or disconnection order  
23 shall be served personally or by mail upon the property owner,  
24 the electrical contractor or electrician making the  
25 installation, and other persons as the Department by rule may  
26 direct. An aggrieved party may appeal any condemnation or  
27 disconnection order by filing with the Department a notice of  
28 appeal within 10 days after (i) service upon the aggrieved  
29 party of the condemnation or disconnection order, if this  
30 service is required or (ii) filing of the order with the  
31 Department, whichever is later. The Department shall adopt  
32 rules providing procedures for the conduct of appeals,  
33 including provisions for the stay of enforcement of the order  
34 of the inspector pending an appeal when justified by the

1 circumstances.

2 (e) The inspectors of the Department shall have the  
3 authority to enter any building or premises at any reasonable  
4 hour in the discharge of their duties, and they shall have the  
5 authority, when necessary, to order the removal of any existing  
6 obstructions such as laths, plastering, boarding, or  
7 partitions that may prevent a proper inspection of the  
8 electrical installation.

9 (f) No electrical installation subject to inspection by the  
10 Department shall be newly connected or reconnected for use  
11 until there is filed, with the electrical utility supplying  
12 power, a certificate of the property owner or licensed  
13 electrician directing the work that inspection has been  
14 requested and that the conditions of the installation are safe  
15 for energization. In all cases where an order of condemnation  
16 or disconnection has been issued against the installation or  
17 any part of the installation, prior to connection or  
18 reconnection, there shall also first be filed with the  
19 electrical utility supplying the power a copy of an order of  
20 the inspector or the Department dismissing the prior order of  
21 condemnation or disconnection or approving the installation as  
22 being in compliance with accepted standards of construction for  
23 safety to life and property. With respect to transient  
24 projects, this certificate shall also contain a certification  
25 that the request for inspection has been or will be filed with  
26 the Department so as to be received by it at least 5 days prior  
27 to the date and time energization of the installation by the  
28 utility is to occur, and that the request for inspection states  
29 the date and time. It shall be the responsibility of the  
30 Department to have inspection of the transient project occur  
31 prior to the date and time at which the request states  
32 energization is to occur.

33 (g) Any political subdivision may make provision for  
34 inspection of electrical installations within its

1 jurisdiction, in which case it shall keep on file with the  
2 Department copies of its current inspection ordinances and  
3 codes. Any political subdivision may require any individual,  
4 partnership, corporation, or other business association  
5 holding a license from the Department to pay any license,  
6 registration fee, or permit fees. Any political subdivision may  
7 provide by ordinance a requirement that each individual,  
8 partnership, corporation, or other business association doing  
9 electrical work within the jurisdiction of the political  
10 subdivision have on file with the political subdivision a copy  
11 of the current license issued by the Department or other  
12 evidence of the license as may be provided by the Department.  
13 Each electrical inspector of any political subdivision shall  
14 hold a license as a master or journeyman electrician under this  
15 Act. An electrical inspector employed by a political  
16 subdivision and engaged in the regulation and inspection of  
17 electrical wiring activities regulated under this Act on July  
18 1, 2005 shall be permitted to conduct electrical inspections  
19 for 2 years from the application date. Thereafter, the  
20 inspector must meet all of the requirements of this Act.

21 Section 100. Violations.

22 (a) Any person violating any provision of this Act or its  
23 rules shall be guilty of a Class B misdemeanor and fined a  
24 minimum of \$100 for the first offense. A second or subsequent  
25 violation of this Act shall be a Class A misdemeanor with a  
26 minimum fine of \$200. Each day a violation continues  
27 constitutes a separate offense. The State's Attorney of the  
28 County in which the violation occurred or the Attorney General  
29 may prosecute these actions in the name of the People of the  
30 State of Illinois. The court may enjoin the use of electricity  
31 installed in violation of this Act or its rules until it has  
32 been corrected to comply with the National Electrical Code.

33 (b) If it is established that the defendant, contrary to

1 this Act, has been engaging, is engaging, or is about to engage  
2 in electrical work without having been issued a license, or has  
3 been engaging or is about to engage in electrical work after  
4 his or her license has been suspended or revoked or after his  
5 or her license has not been renewed, the Department may levy a  
6 penalty not to exceed \$5,000 per offense. This penalty shall be  
7 assessed by the Department after a hearing is held in  
8 accordance with the provisions set forth in Section 50 of this  
9 Act.

10 Section 105. Electricians practicing before this Act.  
11 Electrical contractors who are in business on the effective  
12 date of this Act and who file a license application with the  
13 Department on or before July 1, 2005 shall be granted a license  
14 without examination, which shall be valid for 2 years from the  
15 date of issuance. Thereafter, electrical contractors shall  
16 comply with all of the requirements of this Act. These licenses  
17 shall be subject to renewal as provided in this Act. The  
18 Department may by rule require the licensee to take an  
19 examination for renewal. Any licensee failing to renew his or  
20 her license for 2 years or more after its expiration shall be  
21 required to retake the examination before he or she is issued a  
22 new license.

23 Persons who have a minimum of 5 years experience in  
24 performing electrical work as defined in this Act on the  
25 effective date of this Act and who file a license application  
26 with the Department on or before July 1, 2005 shall be granted  
27 a license without examination, which shall be valid for 2 years  
28 from the date of issuance. The category of initial licensure  
29 shall be determined by the Department. These licenses shall be  
30 subject to renewal as provided in this Act. The Department may  
31 by rule require the licensee to take an examination for  
32 renewal. Any licensee failing to renew his or her license for 2  
33 years or more after its expiration shall be required to retake

1 the examination before he or she is issued a new license.

2 Section 110. Administrative Procedure Act; application.  
3 The provisions of the Illinois Administrative Procedure Act are  
4 expressly adopted and shall apply to all administrative rules  
5 and procedures of the Department of Labor under this Act,  
6 except that Section 5 of the Illinois Administrative Procedure  
7 Act relating to procedures for rulemaking does not apply to the  
8 adoption of any rule required by federal law in connection with  
9 which the Department is precluded by law from exercising any  
10 discretion.

11 Section 115. Review under Administrative Review Law. All  
12 final administrative decisions of the Director under this Act  
13 shall be subject to judicial review under the Administrative  
14 Review Law and its rules.

15 Section 120. Home rule. A home rule unit may not regulate  
16 electricians and electrical contractors in a manner less  
17 restrictive than the regulation by the State of electricians  
18 and electrical contractors. This Section is a limitation under  
19 subsection (i) of Section 6 of Article VII of the Illinois  
20 Constitution on the concurrent exercise by home rule units of  
21 powers and functions exercised by the State.

22 Section 900. The Regulatory Sunset Act is amended by adding  
23 Section 4.25 as follows:

24 (5 ILCS 80/4.25 new)

25 Sec. 4.25. Act repealed on January 1, 2015. The following  
26 Act is repealed on January 1, 2015:

27 The Electricians Licensing Act.

28 Section 905. The State Finance Act is amended by adding



1 Section 5.625 as follows:

2 (30 ILCS 105/5.625 new)

3 Sec. 5.625. The Electricians Licensing Dedicated Fund.

4 Section 999. Effective date. This Act takes effect upon  
5 becoming law.".