



Sen. Terry Link

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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 Department of Public Health.

13 "Director" means the Director of Public Health.

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

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

29 "Farm" means land or a building, including but not limited
30 to barns, livestock facilities, residences, grain storage
31 facilities, and machine sheds, appurtenant to land that is used
32 for production agriculture or for a purpose accessory to
33 production agriculture.

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

4 "Journeyman electrician" means a person having the
5 necessary qualifications, training, experience, and technical
6 knowledge to wire for, install, maintain, and repair electrical
7 wiring, apparatus, and equipment for electric light, heat, or
8 power who is licensed as a journeyman electrician by the
9 Department.

10 "Maintenance worker" means a person who is a regular, bona
11 fide employee or agent of a property owner, property lessor,
12 property management company, or firm that is not in the
13 electrical business, but has jurisdiction over the property
14 where the routine maintenance of electrical systems is being
15 performed.

16 "Master electrician" means a person having the necessary
17 qualifications, training, experience, and technical knowledge
18 to install, maintain, and repair and to properly plan, lay out,
19 and supervise the installation of wiring, apparatus, and
20 equipment for electric light, heat, or power who is licensed as
21 a master electrician by the Department.

22 "Owner" means a natural person who physically performs
23 electrical work on premises the person owns and actually
24 occupies as a single family residence or owns and will occupy
25 as a single family residence upon completion of construction.

26 "Production agriculture" has the same meaning as defined in
27 Section 3-35 of the Service Use Tax Act.

28 "Registered apprentice" means a person registered with the
29 Department who is learning the trade through an apprenticeship
30 program approve by the United States Department of Labor Bureau
31 of Apprenticeship and Training under the supervision of a
32 licensed electrician.

33 "Residential electrician" means a person having the
34 necessary qualifications, training, experience, and technical

1 knowledge involving the construction, wiring, alteration,
2 maintenance, or repair of a single-family detached residential
3 dwelling or a multi-family residential dwelling not exceeding 8
4 units per building and who is licensed as a residential
5 electrician by the Department.

6 "Routine maintenance of electrical systems" means the
7 routine and periodic servicing of electrical systems,
8 including cleaning, inspecting, and making adjustments to
9 ensure the proper operation and the removal or replacement of
10 component parts. "Routine maintenance of electrical systems"
11 does not include the installation of complete electrical
12 systems.

13 "Supervision" means that any new electrical work done by a
14 registered apprentice electrician must be inspected at least
15 once after initial rough-in and once upon completion by an
16 Illinois licensed electrician. In addition, all renovation,
17 alteration, repair, extension, modification, and maintenance
18 work done by a registered apprentice electrician on an existing
19 electrical system must be approved by an Illinois licensed
20 electrician.

21 Section 15. Board of Electrical Examiners. There is created
22 the Illinois State Board of Electrical Examiners which shall
23 exercise its duties provided in this Act under the supervision
24 of the Department of Public Health. The Board shall consist of
25 11 members appointed by the Director of Public Health. The
26 Board shall be composed of 3 licensed master electricians, 2
27 licensed electrical contractors who are members of the National
28 Electrical Contractors Association, one licensed electrical
29 contractor who is not a member of the National Electrical
30 Contractors Association, one licensed electrical engineer, one
31 electrical inspector who holds a master or journeyman
32 electrician's license, one representative of a public utility,
33 the State Fire Marshal or his or her designee, and a licensed

1 real estate professional. In making the appointments to the
2 Board, the Director shall consider the recommendations of
3 individuals, firms, or organizations involved in electrical
4 wiring installation in this State. The Director shall also take
5 into consideration the minority representation in the
6 population when making appointments to the Board. Members of
7 the Board shall serve 4 year terms and until their successors
8 are appointed and qualified. The initial appointments,
9 however, shall be as follows: 3 members for terms of 2 years, 3
10 members for 3 years, and 4 members for 4 years. The State Fire
11 Marshal's service on the Board shall be continuous. For the
12 initial appointments of the licensed electrical contractors,
13 licensed master electricians, and electrical inspector prior
14 to the Board developing the rules for examination of license
15 applicants, the Director may appoint individuals whose
16 qualifications are similar to those outlined in Section 25.
17 Following the expiration of those terms, the Director may
18 reappoint those individuals or others only if such individuals
19 are licensed under this Act. Board members shall receive no
20 compensation but shall be reimbursed for expenses incurred in
21 connection with their duties as Board members.

22 Section 20. Powers and duties of the Director. The Director
23 shall take all actions necessary under this Act to carry out
24 the duties and responsibilities of the Department under this
25 Act. The Director, with the assistance of the Board, shall:

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

28 (b) prescribe rules and regulations for examination of
29 applicants for master, journeyman, and residential
30 licenses;

31 (c) prepare and give uniform examinations to
32 applicants for master, journeyman, and residential
33 licenses that shall test their knowledge and

1 qualifications in the planning and design of electrical
2 systems, their knowledge, qualifications, and manual
3 skills in electrical installations, and their knowledge of
4 materials and methods used in electrical work according to
5 the standards prescribed in Section 85;

6 (d) issue electrical contractor and master,
7 journeyman, and residential licenses and license renewals
8 to applicants who have met the requirements for licensure
9 and complied with all the prerequisites to licensure;

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

12 (f) maintain a current record showing (i) the names and
13 addresses of licensed electrical contractors, master,
14 journeyman, and residential electricians, and registered
15 apprentices; (ii) the dates of issuance of licenses; (iii)
16 the date and substance for the charges set forth in any
17 hearing for denial, suspension, or revocation of any
18 license; (iv) the date and substance of the final order
19 issued upon a hearing; and (v) the date and substance of
20 all petitions for reinstatement of license and final orders
21 on petitions;

22 (g) establish and collect fees for the examination,
23 issuance, and renewal of licenses;

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

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

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

31 Section 25. License and registration.

32 (a) On or after January 1, 2006, except as otherwise
33 provided by this Act, no person shall perform electrical work

1 unless the person is:

2 (1) licensed by the Department as a master, journeyman,
3 or residential electrician;

4 (2) registered with the Department as a person in an
5 approved apprenticeship program and performing electrical
6 work under the supervision of a licensed electrician; or

7 (3) licensed as an electrical contractor.

8 (b) Master electrician. An applicant for a master
9 electrician's license shall have (i) a Bachelor of Science
10 degree from an accredited electrical engineering program and
11 had at least one year of job-related experience, acceptable to
12 the Board, performing electrical work under the supervision
13 under a licensed electrician; (ii) completed an approved
14 apprenticeship program and have at least one year of experience
15 as a licensed journeyman electrician; or (iii) at least 6 years
16 of experience, acceptable to the Board, with an electrical
17 contracting company in planning, estimating, laying out, and
18 supervising electrical work, under the supervision of a
19 licensed electrician. The Board shall determine if
20 unsupervised work experience prior to January 1, 2006 counts
21 towards the licensing requirements.

22 A person practicing as an electrician on the effective date
23 of this Act with 6 years of experience performing electrical
24 work, acceptable to the Board, who files a license application
25 with the Department on or before January 1, 2006 and meets all
26 the other requirements of this Act shall be granted a temporary
27 master electrician's license without examination. The
28 temporary master electrician's license shall be valid for 2
29 years from the date of issuance. As a condition of renewal, the
30 licensee shall pass the examination specified in Section 30 for
31 all master electrician applicants but shall not be required to
32 meet the specified continuing education requirements while
33 holding a temporary master electrician's license. Nothing
34 shall prevent the holder of a temporary license from taking the

1 required examination prior to the expiration of the temporary
2 license. A temporary master electrician may petition the Board
3 for an extension of a one-year period in the event he or she
4 can demonstrate undue hardship or other special circumstances.

5 (c) Journeyman electrician. An applicant for a journeyman
6 electrician's license shall have (i) completed an approved
7 apprenticeship program under the supervision of a licensed
8 electrician or (ii) at least 5 years of experience, acceptable
9 to the Board, performing electrical work under the supervision
10 of a licensed electrician. The Department may by rule provide
11 for the allowance of one year of experience credit for
12 successful completion of a 2 year post high school electrical
13 course approved by the Board. The Board shall determine if
14 unsupervised work experience prior to January 1, 2006 counts
15 towards the licensing requirements.

16 A person practicing as an electrician on the effective date
17 of this Act with 5 years of experience performing electrical
18 work, acceptable to the Board, who files a license application
19 with the Department on or before January 1, 2006 and meets all
20 the other requirements of this Act shall be granted a temporary
21 journeyman electrician's license without examination. The
22 temporary journeyman electrician's license shall be valid for 2
23 years from the date of issuance. As a condition of renewal, the
24 licensee shall pass the examination specified in Section 30 for
25 all journeyman electrician applicants but shall not be required
26 to meet the specified continuing education requirements while
27 holding a temporary journeyman electrician's license. Nothing
28 shall prevent the holder of a temporary license from taking the
29 required examination prior to the expiration of the temporary
30 license. A temporary master electrician may petition the Board
31 for an extension of a one-year period in the event he or she
32 can demonstrate undue hardship or other special circumstances.

33 (d) Registered apprentice. On or after January 1, 2006, a
34 person who is enrolled in an approved apprenticeship program

1 may perform electrical work only under the supervision of a
2 licensed electrician. All apprentices shall be registered with
3 the Department. The Department shall provide the apprentice
4 with a verification of his or her registration.

5 (e) Residential electrician. An applicant for a
6 residential electrician's license shall have (i) completed an
7 approved apprenticeship program in residential wiring for a
8 single-family detached residential dwelling or multi-family
9 residential dwelling or its equivalent or (ii) at least 4 years
10 of experience, acceptable to the Board, performing electrical
11 work under the supervision of a licensed electrician and the
12 necessary qualifications, training, and technical knowledge
13 involving the construction, wiring, alteration, or repair of a
14 single-family detached residential dwelling or multi-family
15 residential dwelling. The Department may by rule provide for
16 the allowance of one year of experience credit for successful
17 completion of a 2 year post high school electrical course
18 approved by the Board. The Board shall determine if
19 unsupervised work experience prior to January 1, 2006 counts
20 towards the licensing requirements.

21 A person practicing as an electrician on the effective date
22 of this Act with 4 years of experience performing electrical
23 work, acceptable to the Board, and having the necessary
24 qualifications, training, and technical knowledge, acceptable
25 to the Board, involving the construction, wiring, alteration,
26 or repair of a single-family detached residential dwelling or
27 multi-family residential dwelling, who files a license
28 application with the Department on or before January 1, 2006
29 and meets all the other requirements of this Act shall be
30 granted a temporary residential electrician's license without
31 examination. The temporary residential electrician's license
32 shall be valid for 2 years from the date of issuance. As a
33 condition of renewal, the licensee shall pass the exam
34 specified in Section 30 for all residential electrician

1 applicants but shall not be required to meet the specified
2 continuing education requirements while holding a temporary
3 residential electrician's license. Nothing shall prevent the
4 holder of a temporary license from taking the required
5 examination prior to the expiration of the temporary license. A
6 temporary residential electrician may petition the Board for an
7 extension of a one-year period in the event he or she can
8 demonstrate undue hardship or other special circumstances.

9 (e) Contractors. On or after January 1, 2006, except as
10 otherwise provided by law, no person, firm, corporation, or
11 other legal entity shall operate as an electrical contractor
12 without employing a licensed master electrician, who shall be
13 responsible for the performance of all electrical work in
14 accordance with this Act. The application for an electrical
15 contractor's license shall include a verified statement that
16 the designated responsible master electrician is a full-time
17 employee of the applicant. For the purposes of this Section, a
18 full-time employee of a applicant for an electrical
19 contractor's license is an individual who is not employed in
20 any capacity as a licensed electrician by any other electrical
21 contractor. The Department shall establish by rule conditions
22 under which a contractor may petition the Department to perform
23 electrical work under this subsection with the supervision of a
24 licensed journeyman or residential electrician.

25 An electrical contractor in business on the effective date
26 of this Act who files a license application with the Department
27 on or before January 1, 2006 and meets all the other
28 requirements of this Act shall be granted a temporary
29 electrical contractors license pursuant to other provisions of
30 this Act, which shall be valid for 2 years from the date of
31 issuance. Thereafter, an electrical contractor shall comply
32 with all of the requirements of this Act. An electrical
33 contractor with a temporary license may petition the Board for
34 an extension of a one-year period in the event he or she can

1 demonstrate undue hardship or other special circumstances.

2 An electrical contractor giving bond to the State in an
3 amount to be determined by the Department and meeting all other
4 requirements of this Act shall be issued a license by the
5 Department. The bond shall be filed with the Department and
6 shall be in lieu of all other license bonds to any political
7 subdivision. The bond shall be written by a corporate surety
8 licensed to do business in the State of Illinois.

9 Each licensed electrical contractor shall have and
10 maintain in effect insurance. Specific insurance requirements
11 and minimum limits per occurrence shall be determined by the
12 Department in consultation with the Board. The insurance shall
13 be written by an insurer licensed to do business in the State
14 of Illinois and each licensed electrical contractor shall
15 maintain on file with the Department a certificate evidencing
16 insurance that provides that the insurance shall not be
17 cancelled without the insurer first giving 15 days written
18 notice to the Department of the cancellation.

19 (f) The Department shall prepare guidelines as to what work
20 experience qualifies in determining whether an applicant meets
21 the requirements for licensure under the Act. The Department
22 may establish by rule the number of work hours required for one
23 year of work experience to qualify in determining whether an
24 applicant meets the requirements for licensure under the Act.
25 The Board has discretion in determining whether any particular
26 applicant's experience shall count toward the experience
27 necessary for licensure under this Act.

28 Section 30. Examination. In addition to other requirements
29 imposed by this Act and except as otherwise provided in this
30 Act, as a precondition to issuance of an electrician's license,
31 each applicant must pass a written examination given by the
32 Department for the type of license sought to insure the
33 competence of each license applicant. The examination shall

1 test the applicant's knowledge of materials and methods used in
2 electrical work according to the standards prescribed in
3 Section 85. No person failing an examination for a license
4 classification 2 times within a period of 2 years may retake
5 the examination for one year from the date of failure of the
6 second examination, but may, within 6 months, take an
7 examination for a lesser grade of license. Any licensee failing
8 to renew his or her license for 2 years or more after its
9 expiration shall be required to retake the examination before
10 he or she is issued a new license. As a condition of renewal,
11 the Department shall require each licensee to complete a
12 minimum number of hours of continuing education. The continuing
13 education requirement shall not exceed 16 hours of classroom
14 instruction during a 24-month period. The Department shall
15 establish by rule the curricula for the continuing education
16 requirement. A licensee shall provide to the Department
17 evidence of completing the continuing education requirement.
18 The curricula shall include updates to the codes specified in
19 Section 85. The Department shall approve any continuing
20 education programs and by rule any means for verification of
21 the continuing education requirement.

22 Section 40. Expiration of license; fees.

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

27 (b) Any licensee failing to renew his or her license for 2
28 years or more after its expiration shall be required to retake
29 the required examination specified in Section 30 before he or
30 she is issued a new license.

31 (c) The Department shall reinstate a license that expires
32 while a licensee is in active military service of the United
33 States upon application to the Department by the licensee

1 within 2 years after termination of the military service,
2 payment of the annual license fee, and submission of evidence
3 of the military service. The license shall be reinstated
4 without examination and without payment of the lapsed renewal
5 fee.

6 (d) All fees and fines collected under this Act shall be
7 deposited into the Electricians Licensing Dedicated Fund,
8 which is hereby created as a special fund the State treasury.
9 The Department and Board may utilize moneys in this fund for
10 the administration of this Act.

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

15
16 (a) has filed an application for a license that contains
17 any statement that, in light of the circumstances under which
18 it is made, is false or misleading with respect to any material
19 fact;

20 (b) has engaged in any fraudulent, deceptive, or dishonest
21 practice;

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

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

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

30 Section 50. Hearing procedure.

31 (a) The Board, may upon its own motion, investigate the
32 actions of any person holding or claiming to hold a license if

1 there is reason to believe such person has engaged or is
2 engaging in activity that constitutes grounds for discipline
3 under Section 45 of this Act.

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

12 (c) At the time and place fixed in the notice, the Board
13 shall proceed to the hearing of the charges and both the
14 accused person and the complainant shall be accorded ample
15 opportunity to present, in person or by counsel, any statement,
16 testimony, evidence, or argument that may be pertinent to the
17 charges or to any defense against the charges. The Board may
18 continue the hearing from time to time. If the Board is not
19 sitting at the time and place to which the hearing has been
20 continued, the Department may continue the hearing for a period
21 not to exceed 30 days, and all parties in interest shall be
22 given notice in writing of the date and hour to which the
23 hearing has been continued and the place at which it is to be
24 held.

25 Section 55. Nonpayment of taxes. The Department may refuse
26 to issue or may suspend the license of any person who fails (i)
27 to file a federal or State tax return, (ii) to pay the tax,
28 penalty, or interest shown in a filed return, or (iii) to pay
29 any final assessment of tax, penalty, or interest, as required
30 by any tax Act administered by the Illinois Department of
31 Revenue, until the time the requirements of the tax Act are
32 satisfied.

1 Section 60. Continuation of business by estates. Upon the
2 death of a master electrician who is an electrical contractor,
3 the Department may permit the decedent's representative to
4 carry on the business of the decedent for a period not in
5 excess of one year, for the purpose of completing work under
6 contract or otherwise to comply with this Act. The decedent's
7 representative may petition the Board for an extension of the
8 one-year period in the event he or she can demonstrate undue
9 hardship or other special circumstances. The extension may be
10 granted at the recommendation of the Board, subject to
11 Department approval. The representative shall give any bond as
12 the Department may require conditioned upon the faithful and
13 lawful performance of the work. The bond shall be for the
14 benefit of persons injured or suffering financial loss by
15 reason of failure of performance. The bond shall be written by
16 a corporate surety licensed to do business in the State of
17 Illinois. The decedent's representative shall also comply with
18 all public liability and property damage insurance
19 requirements imposed by this Act upon a licensed electrical
20 contractor.

21 Section 65. Reciprocity. The Department may grant a
22 license, without examination, of the same grade and class to an
23 electrician who has been licensed by any other state that
24 provides for the licensing of electricians in a similar manner.
25 The license may be granted for at least 2 years, upon payment
26 by the applicant of the required fee and upon the Department
27 being furnished with proof that the qualifications of the
28 applicant are equal to the qualifications of Section 25 of this
29 Act.

30 Section 70. Exemptions.

31 (a) Employees of, or independent contractors performing
32 work for, any electric utility or electric utility affiliate,

1 independent electric power generator, public utility as
2 defined in Section 3-105 of the Public Utilities Act,
3 generating station or generating unit of an electric utility as
4 described in Section 16-102 of the Public Utilities Act,
5 communications or railway utility, electric system owned and
6 operated by a municipal corporation or governmental unit
7 (notwithstanding any other provision of this Act), electric
8 cooperative as defined in Section 3.4 of the Electric Supplier
9 Act, telephone or telecommunications cooperative as defined in
10 Section 13-212 of the Public Utilities Act, or a
11 telecommunications carrier as defined in Section 13-202 of the
12 Public Utilities Act or its affiliate or co-generation
13 facilities shall not be required to hold a license while
14 performing work on installations, materials, or equipment that
15 are owned or leased, operated, serviced, or maintained by the
16 electric utility or electric utility affiliate, independent
17 electric power generator, public utility, generating station
18 or generating unit of an electric utility, communications or
19 railway utility, electric system owned and operated by a
20 municipal corporation or governmental unit, electric
21 cooperative, telephone or telecommunications cooperative, or
22 telecommunications carrier or its affiliate or co-generation
23 facilities in the exercise of its utility or telephone
24 function, and that (i) are used exclusively for the generation,
25 transformation, distribution, transmission, or metering of
26 electric current, or the operation of railway signals, traffic
27 signals, or street lights, or the transmission of intelligence
28 and do not have as a principal function the consumption or use
29 of electric current by or for the benefit of any person other
30 than the electric utility or electric utility affiliate,
31 independent electric power generator, public utility,
32 generating station or generating unit of an electric utility,
33 communications or railway utility, electric system owned and
34 operated by a municipal corporation or governmental unit,

1 electric, telephone, or telecommunications cooperative, or
2 telecommunications carrier or its affiliate or their end users
3 and (ii) are generally accessible only to employees of the
4 electric utility or electric utility affiliate, independent
5 electric power generator, public utility, generating station
6 or generating unit of an electric utility, communications or
7 railway utility, electric system owned and operated by a
8 municipal corporation or governmental unit, electric,
9 telephone, or telecommunications cooperative, or
10 telecommunications carrier or its affiliate or persons acting
11 under its control or direction. Persons performing work
12 subcontracted out to an electrical contractor or other
13 contractors, however, shall be in compliance with the licensure
14 requirements of this Act.

15 (b) Contractors employing pipefitters, sprinkler fitters,
16 licensed plumbers, or sheet metal workers performing
17 modification, service, maintenance, retro fit, or warranty
18 work in plumbing, heating, sprinkler fitting, irrigation,
19 ventilation, air conditioning, refrigeration (HVACR) systems,
20 instrumentation, control work, or stress relieving is exempt
21 from this Act. For the installation or replacement of equipment
22 in the HVACR industry, modifications to the external power
23 wiring to the equipment is exempt. The installation of wiring
24 for irrigation when being installed by a registered or licensed
25 irrigation worker shall be exempt from this Act. Persons
26 performing work subcontracted out to an electrical contractor
27 or other contractors, however, shall be in compliance with the
28 licensure requirements of this Act.

29 (c) Employees of contractors performing construction or
30 maintenance work on any transmission or distribution lines
31 owned, leased, operated and maintained by the utilities
32 described in subsection (a) shall be exempt from the provisions
33 and licensing requirements of this Act, and employees of
34 contractors performing construction or maintenance work on any

1 transmission lines owned, leased, operated, and maintained by
2 an independent transmission company, system, or entity
3 approved by the Federal Energy Regulatory Commission and the
4 Illinois Commerce Commission shall be exempt from this Act.

5 (d) Employees of contractors performing construction or
6 maintenance work on highway lighting or street lighting owned,
7 leased, operated, and maintained by governmental units and
8 their departments and political subdivisions shall be exempt
9 from this Act.

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

16 (f) An owner shall not be required to hold a license under
17 this Act. Nevertheless, electrical work performed by an owner
18 shall comply with the minimum standards contained in the
19 National Electrical Code and any additional standards or
20 requirements established by a political subdivision and shall
21 be subject to inspection by the Department. Unless otherwise
22 specified in this Act, an owner shall not employ anyone other
23 than an electrician licensed under this Act to assist him or
24 her.

25 (g) Any city, village, or incorporated town having a
26 population of 500,000 or more may, by an ordinance containing
27 provisions substantially the same as those in this Act and
28 specifying educational or experience requirements equivalent
29 to those prescribed in the Act, provide for a board of
30 electrical examiners to conduct examinations for, and to issue,
31 suspend, or revoke, electricians' licenses within the city,
32 village, or incorporated town. Upon the enactment of such an
33 ordinance, the provisions of this Act shall not apply within
34 that municipality except as otherwise provided in this Act. Any

1 person licensed as an electrician under the local ordinance, or
2 licensed by the Department under this Act, shall meet the
3 requirements to perform electrical work anywhere in this State.

4 (h) Nothing in this Act shall be construed to prevent an
5 owner or operator of a farm or his or her employees from
6 installing, making additions to, altering, maintaining, or
7 repairing wiring, apparatus, or equipment for electric light,
8 heat, or power on the farm that he or she owns or operates.

9 (i) Employees of a manufacturing corporation that engage in
10 activities normally requiring licensure under this Act shall be
11 exempt when such activities are pursuant to the operation or
12 maintenance of its existing business and facilities. Persons
13 performing work subcontracted out to an electrical contractor
14 or other contractor, however, shall be in compliance with the
15 licensure requirements of this Act.

16 (j) The minor repair of existing electrical systems does
17 not require licensure under this Act. For the purposes of this
18 subsection, "minor repair" means repairs to existing
19 electrical systems that do not require a permit to be issued
20 under any local ordinance.

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

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

30 (m) Employees of a governmental unit that engage in
31 activities normally requiring licensure under this Act are
32 exempt when such activities are pursuant to their normal duties
33 in the operation or maintenance of its existing facilities.
34 Unless otherwise specified in this Act, a governmental unit

1 that is involved in new construction that results in the
2 expansion of its facilities must utilize licensed electricians
3 for any associated electrical work.

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

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

10 (p) Any person, firm, corporation, or other legal entity
11 laying out, installing, maintaining, or repairing alarm,
12 security, or communication systems and practicing in
13 accordance with the Private Detective, Private Alarm, Private
14 Security, and Locksmith Act of 2004 shall be exempt from this
15 Act.

16 (q) Nothing in this Act shall require or be construed to
17 apply to the registration or licensure of any community antenna
18 television system franchised pursuant to Illinois law, nor any
19 agent or employee of any such community antenna television
20 system in relation to the installation, removal, repair,
21 servicing, or maintenance of any community antenna television
22 system or equipment.

23 (r) Nothing in this Act shall prohibit a factory-authorized
24 representative from installing, maintaining, or servicing a
25 medical equipment device. This exemption shall not include work
26 providing electrical feeds into the power distribution unit or
27 installation of conduits and raceways. This exemption shall
28 cover only those factory engineers or third-party service
29 companies with equivalent training who are qualified to perform
30 such service. For the purposes of this Act, "medical equipment
31 device" includes any "medical device" as defined in the Medical
32 Device Amendments of 1976, as amended, and as interpreted by
33 the Food and Drug Administration of the United States
34 Department of Health and Human Services or its successor.

1 (s) Nothing in this Act shall require that a maintenance
2 worker performing routine maintenance of electrical systems be
3 licensed.

4 Section 80. Display of license. Persons who advertise
5 electrical wiring services shall, at their place of business,
6 display the master electrician's license of at least one member
7 of the firm, partnership or officer of the corporation and
8 shall maintain a register listing the names and license numbers
9 of all licensed electricians and all registered apprentices
10 currently employed by them. When advertising electrical wiring
11 services, the license number shall be included in all forms of
12 written or printed advertising and included with the electrical
13 wiring identification of vehicles. The Department may, by rule
14 or regulation, require additional information concerning
15 licensed electricians and registered apprentices to be
16 maintained in the register.

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

32 Nothing in this Act shall prohibit any political

1 subdivision from making and enforcing more stringent
2 requirements than those set forth in this Act and all licensed
3 electricians working within the jurisdiction of that political
4 subdivision shall comply with those requirements. Nothing in
5 this Act, however, shall be construed to give a political
6 subdivision the authority to apply its standards or
7 requirements to electrical work performed on a farm.

8 Section 90. Inspections.

9 (a) Except where any political subdivision has by ordinance
10 provided for electrical inspection similar to that provided in
11 this Act, every new electrical installation on and after
12 January 1, 2006 in any construction, remodeling, replacement,
13 or repair shall be inspected by the Department for compliance
14 with accepted standards of construction for safety to life and
15 property.

16 (b) No such inspections shall be required for electrical
17 work performed by persons exempt from licensure under Section
18 70 of this Act, except that inspections shall be required for
19 work performed under subsection (f) of Section 70.

20 (c) The Department may appoint or employ inspectors to be
21 employed on a full-time or part-time basis. All inspectors for
22 the Department shall hold a license as a master electrician or
23 journeyman electrician or be certified to conduct electrical
24 inspections by a nationally recognized inspector certification
25 program approved by the Board. In areas of this State where a
26 sufficient number of licensed master electricians, licensed
27 journeyman electricians, or individuals certified to conduct
28 electrical inspections by a nationally recognized inspector
29 certification program approved by the Board are not available
30 to the Department to perform inspections under this Act, the
31 Department may designate other persons whom it determines to be
32 suitably qualified by training or experience.

1 Section 95. Procedures for inspection.

2 (a) At or before commencement of any installation required
3 to be inspected by the Department, the electrical contractor or
4 owner making the installation shall submit to the Department a
5 request for inspection, in a form prescribed by the Department,
6 together with the fees required for the installation.

7 (b) The fees required are a handling fee and an inspection
8 fee. The handling fee shall be set by the Department in an
9 amount sufficient to pay the cost of bringing and handling the
10 form requesting an inspection. The inspection fee shall be set
11 by the Department in an amount sufficient to pay the actual
12 costs of the inspection and the Department's costs in
13 administering the inspection.

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

30 (d) Copies of each condemnation or disconnection order
31 shall be served personally or by mail upon the property owner,
32 the electrical contractor or electrician making the
33 installation, and other persons as the Department by rule may
34 direct. An aggrieved party may appeal any condemnation or

1 disconnection order by filing with the Department a notice of
2 appeal within 10 days after (i) service upon the aggrieved
3 party of the condemnation or disconnection order, if this
4 service is required or (ii) filing of the order with the
5 Department, whichever is later. The Department shall adopt
6 rules providing procedures for the conduct of appeals,
7 including provisions for the stay of enforcement of the order
8 of the inspector pending an appeal when justified by the
9 circumstances.

10 (e) The inspectors of the Department shall have the
11 authority to enter any building or premises at any reasonable
12 working hour in the discharge of their duties, and they shall
13 have the authority, when necessary, to order the removal of any
14 existing obstructions such as laths, plastering, boarding, or
15 partitions that may prevent a proper inspection of the
16 electrical installation.

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

1 to the date and time energization of the installation by the
2 utility is to occur, and that the request for inspection states
3 the date and time. It shall be the responsibility of the
4 Department to have inspection of the transient project occur
5 prior to the date and time at which the request states
6 energization is to occur.

7 (g) Any political subdivision may make provision for
8 inspection of electrical installations within its
9 jurisdiction, in which case it shall keep on file with the
10 Department copies of its current inspection ordinances and
11 codes. Any political subdivision may require any individual,
12 partnership, corporation, or other business association
13 holding a license from the Department to pay any license,
14 registration fee, or permit fees. Any political subdivision may
15 provide by ordinance a requirement that each individual,
16 partnership, corporation, or other business association doing
17 electrical work within the jurisdiction of the political
18 subdivision have on file with the political subdivision a copy
19 of the current license issued by the Department or other
20 evidence of the license as may be provided by the Department.
21 Each electrical inspector of any political subdivision shall
22 hold a license as a master electrician or journeyman
23 electrician or be certified to conduct electrical inspections
24 by a nationally recognized inspector certification program
25 approved by the Board. An electrical inspector employed by a
26 political subdivision and engaged in the regulation and
27 inspection of electrical wiring activities regulated under
28 this Act on January 1, 2006 shall be permitted to conduct
29 electrical inspections for 2 years from the application date.
30 Thereafter, the inspector must meet all of the requirements of
31 this Act.

32 Section 100. Violations.

33 (a) Any person violating any provision of this Act or its

1 rules shall be guilty of a Class B misdemeanor and fined a
2 minimum of \$100 for the first offense. A second or subsequent
3 violation of this Act shall be a Class A misdemeanor with a
4 minimum fine of \$200. Each day a violation continues
5 constitutes a separate offense. The State's Attorney of the
6 County in which the violation occurred or the Attorney General
7 may prosecute these actions in the name of the People of the
8 State of Illinois. The court may enjoin the use of electricity
9 installed in violation of this Act or its rules until it has
10 been corrected to comply with the National Electrical Code.

11 (b) If it is established that the defendant, contrary to
12 this Act, has been engaging, is engaging, or is about to engage
13 in electrical work without having been issued a license, or has
14 been engaging or is about to engage in electrical work after
15 his or her license has been suspended or revoked or after his
16 or her license has not been renewed, the Department may levy a
17 penalty not to exceed \$5,000 per offense. This penalty shall be
18 assessed by the Department after a hearing is held in
19 accordance with the provisions set forth in Section 50 of this
20 Act.

21 Section 110. Administrative Procedure Act; application.
22 The provisions of the Illinois Administrative Procedure Act are
23 expressly adopted and shall apply to all administrative rules
24 and procedures of the Department of Public Health under this
25 Act, except that Section 5 of the Illinois Administrative
26 Procedure Act relating to procedures for rulemaking does not
27 apply to the adoption of any rule required by federal law in
28 connection with which the Department is precluded by law from
29 exercising any discretion.

30 Section 115. Review under Administrative Review Law. All
31 final administrative decisions of the Director under this Act
32 shall be subject to judicial review under the Administrative

1 Review Law and its rules.

2 Section 120. Home rule. A home rule unit may not regulate
3 electricians and electrical contractors in a manner less
4 restrictive than the regulation by the State of electricians
5 and electrical contractors. This Section is a limitation under
6 subsection (i) of Section 6 of Article VII of the Illinois
7 Constitution on the concurrent exercise by home rule units of
8 powers and functions exercised by the State.

9 Section 900. The Regulatory Sunset Act is amended by adding
10 Section 4.25 as follows:

11 (5 ILCS 80/4.25 new)

12 Sec. 4.25. Act repealed on January 1, 2015. The following
13 Act is repealed on January 1, 2015:

14 The Electricians Licensing Act.

15 Section 905. The State Finance Act is amended by adding
16 Section 5.625 as follows:

17 (30 ILCS 105/5.625 new)

18 Sec. 5.625. The Electricians Licensing Dedicated Fund.

19 Section 999. Effective date. This Act takes effect upon
20 becoming law.".