



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**  
**SB2174**

Introduced 1/14/2004, by Denny Jacobs

**SYNOPSIS AS INTRODUCED:**

20 ILCS 3918/10  
20 ILCS 3918/15  
20 ILCS 3918/20  
20 ILCS 3918/25  
20 ILCS 3918/30  
20 ILCS 3918/35

Amends the Illinois Building Commission Act. Provides that the Commission shall consist of 15 Board members (now 11), the additional member to be legislators appointed by the legislative leaders. Provides guidelines for the creation of subcommittees and the selection of subcommittee members. Provides for the Commission to appoint an Executive Director from a list of persons nominated by the governor. Makes other various changes.

LRB093 15174 RAS 40770 b

1 AN ACT concerning boards and commissions.

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

4 Section 5. The Illinois Building Commission Act is amended  
5 by changing Sections 10, 15, 20, 25, 30, and 35 as follows:

6 (20 ILCS 3918/10)

7 Sec. 10. Creation. An advisory commission, to be known as  
8 the Illinois Building Commission, is created. The Commission  
9 shall consist of 15 Board ~~14~~ members, including: a fire  
10 official, a building official, an architect, a professional  
11 engineer, a structural engineer, a commercial contractor  
12 representative, a residential construction industry  
13 representative, a mechanical and specialty contractor  
14 representative, a labor representative, a disability advocate,  
15 and a member of the public. Eleven members of the Commission  
16 shall be appointed by the Governor, with the advice and consent  
17 of the Senate. The President of the Senate, the Minority leader  
18 of the Senate, the Speaker of the House of Representatives, and  
19 the Minority Leader of the House of Representatives shall each  
20 appoint one legislative member to serve on the Commission.

21 From nominations received from the Governor, the members of  
22 the Commission shall appoint an Executive Director who shall be  
23 a person knowledgeable in the area of design and construction  
24 requirements.

25 (Source: P.A. 90-269, eff. 1-1-98.)

26 (20 ILCS 3918/15)

27 Sec. 15. Terms and reimbursement. The fire official,  
28 architect, structural engineer, commercial contractor  
29 representative, labor representative, and member of the public  
30 shall serve initial terms of 2 years. The building official,  
31 professional engineer, residential construction industry

1 representative, mechanical and specialty contractor  
2 representative, and disability advocate shall serve initial  
3 terms of 3 years. Each subsequent term shall be for 3 years.  
4 Legislators shall serve terms of 2 years. Board Members may be  
5 appointed for more than one term. A chairman of the Commission  
6 shall be elected annually ~~each year~~ by the members of the  
7 Commission. Commission Board members shall be reimbursed for  
8 travel expenses. ~~and shall receive a per diem for each day that~~  
9 ~~the Commission or a subcommittee on which the member serves~~  
10 ~~meets.~~ Reimbursement shall be consistent with the rules of the  
11 Governor's Travel Control Board.

12 (Source: P.A. 90-269, eff. 1-1-98.)

13 (20 ILCS 3918/20)

14 Sec. 20. Subcommittees. The Commission may create  
15 subcommittees and appoint members and non-members to those  
16 subcommittees as determined necessary by the Commission.  
17 Subcommittee members shall be appointed by the Executive  
18 Committee with the approval of the full Commission. A member of  
19 the Commission shall be designated as an ex-officio member of  
20 each designated subcommittee. All subcommittee recommendations  
21 are subject to full Commission approval. ~~The Commission shall~~  
22 ~~create and appoint members and non-members to the following~~  
23 ~~subcommittees: the planning subcommittee, the building and~~  
24 ~~fire protection subcommittee, the building envelope~~  
25 ~~subcommittee, the structural systems subcommittee, the~~  
26 ~~building services subcommittee, and the accessibility~~  
27 ~~subcommittee. There shall be at least 5 members but not more~~  
28 ~~than 9 members on each subcommittee. The subcommittees shall~~  
29 ~~advise the Commission on any item before the Commission that~~  
30 ~~deals with the area of expertise of the subcommittee. The~~  
31 ~~Commission may create any other subcommittee that it deems~~  
32 ~~necessary.~~

33 (Source: P.A. 90-269, eff. 1-1-98.)

34 (20 ILCS 3918/25)

1           Sec. 25. Forum; dispute resolution. The Commission shall  
2 provide an ongoing forum for continuing dialogue regarding the  
3 purpose and duties of the Commission. The Commission shall also  
4 serve as a forum to recommend ~~suggest~~ resolution of conflicts  
5 between State agencies, or between a State agency and another  
6 entity that consents to the resolution forum, concerning State  
7 building requirements. As used in this Section, for dispute  
8 resolution arising out of Section 8 or 8.5 of the Hospital  
9 Licensing Act, "building requirements" includes the  
10 application of building codes for new and existing construction  
11 and related Department rules and standards under the Hospital  
12 Licensing Act, including without limitation rules and  
13 standards for (i) design and construction, (ii) engineering and  
14 maintenance of the physical plant, site, equipment, and systems  
15 (heating, cooling, electrical, ventilation, plumbing, water,  
16 sewer, and solid waste disposal), and (iii) fire and safety.

17           If the recommended ~~suggested~~ resolution of a conflict  
18 between the Department of Public Health and a health care  
19 provider is to (i) accept an equivalency determined by the Fire  
20 Safety Evaluation System, (ii) waive State rules or standards,  
21 or (iii) seek a waiver of federal rules or standards, the  
22 Commission may take steps it deems reasonably necessary to  
23 facilitate the recommended ~~suggested~~ resolution, including  
24 preparing a waiver request and directing the Department of  
25 Public Health to recommend the request to the appropriate  
26 federal agency.

27           (Source: P.A. 92-803, eff. 8-16-02.)

28           (20 ILCS 3918/30)

29           Sec. 30. State building requirements review; compliance  
30 alternatives. The Commission shall review proposed State  
31 building requirement amendments and proposed legislation for  
32 conflicting requirements to current State law or current  
33 building requirements and make recommendations concerning  
34 those amendments or laws to the proper authority. The  
35 Commission shall (i) recommend ~~suggest~~ a standard form for

1 requesting compliance alternatives and modifications of State  
2 building requirements; (ii) forward compliance alternatives  
3 requests to the appropriate State agency for action; and (iii)  
4 recommend ~~suggest~~ procedures and formats for appeals of State  
5 agency decisions.

6 (Source: P.A. 90-269, eff. 1-1-98.)

7 (20 ILCS 3918/35)

8 Sec. 35. Administration and enforcement of State building  
9 requirements. The Commission shall also recommend ~~suggest~~ a  
10 long-term plan to improve administration and enforcement of  
11 State building requirements statewide. The plan shall include  
12 (i) recommendations for ways the Department of Commerce and  
13 Economic Opportunity ~~Community Affairs~~ could create a  
14 consolidated clearinghouse on all information concerning  
15 existing State building requirements, (ii) recommendations for  
16 a consistent format for State building requirements, (iii)  
17 recommendations for a system or procedure for updating existing  
18 State building requirements that shall include a procedure for  
19 input from the public, (iv) recommendations for a system or  
20 procedure for the review, approval, and appeal of building  
21 plans, and (v) recommendations for a system or procedure to  
22 enforce the State building requirements. ~~The Commission shall~~  
23 ~~submit its suggestions for creating the consolidated~~  
24 ~~clearinghouse to the Department of Commerce and Community~~  
25 ~~Affairs as soon as practical after the effective date of this~~  
26 ~~Act.~~

27 (Source: P.A. 90-269, eff. 1-1-98.)