



Rep. Carol A. Sente

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1 AMENDMENT TO SENATE BILL 38

2 AMENDMENT NO. _____. Amend Senate Bill 38 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Plumbing License Law is amended by
5 changing Sections 2 and 35 as follows:

6 (225 ILCS 320/2) (from Ch. 111, par. 1102)

7 Sec. 2. When used in this Act:

8 "Agent" means a person designated by a sponsor as
9 responsible for supervision of an apprentice plumber and who is
10 also an Illinois licensed plumber.

11 "Apprentice plumber" means any licensed person who is
12 learning and performing plumbing under the supervision of a
13 sponsor or his agent in accordance with the provisions of this
14 Act.

15 "Approved apprenticeship program" means an apprenticeship
16 program approved by the U.S. Department of Labor's Bureau of

1 Apprenticeship and Training and the Department under rules.

2 "Board" means the Illinois State Board of Plumbing
3 Examiners.

4 "Building drain" means that part of the lowest horizontal
5 piping of a drainage system that receives the discharge from
6 soil, waste, and other drainage pipes inside the walls of a
7 building and conveys it to 5 feet beyond the foundation walls
8 where it is connected to the building sewer.

9 "Building sewer" means that part of the horizontal piping
10 of a drainage system that extends from the end of the building
11 drain, receives the discharge of the building drain and conveys
12 it to a public sewer or private sewage disposal system.

13 "Department" means the Illinois Department of Public
14 Health.

15 "Director" means the Director of the Illinois Department of
16 Public Health.

17 "Governmental unit" means a city, village, incorporated
18 town, county, or sanitary or water district.

19 "Greywater" means water that has been used for domestic,
20 commercial, or industrial purposes and that does not contain
21 human or food waste and has not yet been treated.

22 "Irrigation contractor" means a person who installs or
23 supervises the installation of lawn sprinkler systems subject
24 to Section 2.5 of this Act, other than a licensed plumber or a
25 licensed apprentice plumber.

26 "Irrigation employee" means a person who is employed by a

1 registered irrigation contractor or a licensed plumber, and who
2 designs, repairs, alters, maintains, or installs lawn
3 sprinkler systems that are subject to Section 2.5 of this Law.

4 "Lawn sprinkler system" means any underground irrigation
5 system of lawn, shrubbery and other vegetation from any potable
6 water sources; and from any water sources, whether or not
7 potable. "Lawn sprinkler system" includes without limitation
8 the water supply piping, valves, control systems, low voltage
9 wiring, sprinkler heads or other irrigation outlets, and
10 moisture or rainfall sensing equipment, but does not include
11 the backflow prevention device. "Lawn sprinkler system" does
12 not include an irrigation system used primarily for
13 agricultural purposes.

14 "Person" means any natural person, firm, corporation,
15 partnership, or association.

16 "Plumber" means any licensed person authorized to perform
17 plumbing as defined in this Act, but does not include retired
18 plumbers as defined in this Act.

19 "Plumbing" means the actual installation, repair,
20 maintenance, alteration or extension of a plumbing system by
21 any person.

22 "Plumbing" includes all piping, fixtures, appurtenances
23 and appliances for a supply of water for all purposes,
24 including without limitation lawn sprinkler systems and
25 backflow prevention devices connected to lawn sprinkler
26 systems, from the source of a private water supply on the

1 premises or from the main in the street, alley or at the curb
2 to, within and about any building or buildings where a person
3 or persons live, work or assemble.

4 "Plumbing" includes all piping, from discharge of pumping
5 units to and including pressure tanks in water supply systems.

6 "Plumbing" includes all piping, fixtures, appurtenances,
7 and appliances for a building drain and a sanitary drainage and
8 related ventilation system of any building or buildings where a
9 person or persons live, work or assemble from the point of
10 connection of such building drain to the building sewer or
11 private sewage disposal system 5 feet beyond the foundation
12 walls.

13 "Plumbing" does not mean or include the trade of
14 drain-laying, the trade of drilling water wells which
15 constitute the sources of private water supplies, and of making
16 connections between such wells and pumping units in the water
17 supply systems of buildings served by such private water
18 supplies, or the business of installing water softening
19 equipment and of maintaining and servicing the same, or the
20 business of manufacturing or selling plumbing fixtures,
21 appliances, equipment or hardware, or to the installation and
22 servicing of electrical equipment sold by a not-for-profit
23 corporation providing electrification on a cooperative basis,
24 that either on or before January 1, 1971, is or has been
25 financed in whole or in part under the federal Rural
26 Electrification Act of 1936 and the Acts amendatory thereof and

1 supplementary thereto, to its members for use on farms owned by
2 individuals or operated by individuals, nor does it mean or
3 include minor repairs which do not require changes in the
4 piping to or from plumbing fixtures or involve the removal,
5 replacement, installation or re-installation of any pipe or
6 plumbing fixtures. Plumbing does not include the installation,
7 repair, maintenance, alteration or extension of building
8 sewers.

9 "Plumbing contractor" means any person who performs
10 plumbing, as defined in this Act, for another person. "Plumbing
11 contractor" shall not include licensed plumbers and licensed
12 apprentice plumbers who either are employed by persons engaged
13 in the plumbing business or are employed by another person for
14 the performance of plumbing solely for that other person,
15 including, but not limited to, a hospital, university, or
16 business maintenance staff.

17 "Plumbing fixtures" means installed receptacles, devices
18 or appliances that are supplied with water or that receive or
19 discharge liquids or liquid borne wastes, with or without
20 discharge into the drainage system with which they may be
21 directly or indirectly connected.

22 "Plumbing system" means the water service, water supply and
23 distribution pipes; plumbing fixtures and traps; soil, waste
24 and vent pipes; building drains; including their respective
25 connections, devices and appurtenances.

26 "Plumbing system" does not include building sewers as

1 defined in this Act.

2 "Rainwater" means any form of natural precipitation.

3 "Raw water" means any untreated water that does not contain
4 human or food waste.

5 "Retired plumber" means any licensed plumber in good
6 standing who meets the requirements of this Act and the
7 requirements prescribed by Department rule to be licensed as a
8 retired plumber and voluntarily surrenders his plumber's
9 license to the Department, in exchange for a retired plumber's
10 license. Retired plumbers cannot perform plumbing as defined in
11 this Act, cannot sponsor or supervise apprentice plumbers, and
12 cannot inspect plumbing under this Act. A retired plumber
13 cannot fulfill the requirements of subsection (3) of Section 3
14 of this Act.

15 "Supervision" with respect to first and second year
16 licensed apprentice plumbers means that such apprentices must
17 perform all designing and planning of plumbing systems and all
18 plumbing as defined in this Act under the direct personal
19 supervision of the sponsor or his or her agent who must also be
20 an Illinois licensed plumber, except for maintenance and repair
21 work on existing plumbing systems done by second year
22 apprentice plumbers; provided that before performing any
23 maintenance and repair work without such supervision, such
24 apprentice has received the minimum number of hours of annual
25 classroom instruction recommended by the United States
26 Department of Labor's Bureau of Apprenticeship and Training for

1 apprentice plumbers in a Bureau of Apprenticeship and Training
2 approved plumber apprenticeship program or its equivalent.
3 "Supervision" with respect to all other apprentice plumbers
4 means that, except for maintenance and repair work on existing
5 plumbing systems, any plumbing done by such apprentices must be
6 inspected daily, after initial rough-in and after completion by
7 the sponsor or his or her agent who is also an Illinois
8 licensed plumber. In addition, all repair and maintenance work
9 done by a licensed apprentice plumber on an existing plumbing
10 system must be approved by the sponsor or his or her agent who
11 is also an Illinois licensed plumber.

12 "Sponsor" is an Illinois licensed plumber or an approved
13 apprenticeship program that has accepted an individual as an
14 Illinois licensed apprentice plumber for education and
15 training in the field of plumbing and whose name and license
16 number or apprenticeship program number shall appear on the
17 individual's application for an apprentice plumber's license.

18 "Sponsored" means that each Illinois licensed apprentice
19 plumber has been accepted by an Illinois licensed plumber or an
20 approved apprenticeship program for apprenticeship training.

21 "Telecommunications carrier" means a telecommunications
22 carrier as defined in the Public Utilities Act.

23 (Source: P.A. 94-101, eff. 1-1-08.)

24 (225 ILCS 320/35) (from Ch. 111, par. 1133)

25 Sec. 35. The Department shall promulgate and publish and

1 may from time to time amend a minimum code of standards for
2 plumbing and the fixtures, materials, design and installation
3 methods of plumbing systems based upon the findings of the
4 sciences of pneumatics and hydraulics, after consideration of
5 the recommendations of the Plumbing Code Advisory Council. The
6 Department may promulgate and publish rules in the State's
7 minimum code of standards for the minimum number of plumbing
8 fixtures required for the comfort and convenience of workers
9 and the public not inconsistent with, but not limited to, the
10 requirements of the federal Americans With Disabilities Act,
11 the Equitable Restrooms Act, and the U.S. Department of Labor,
12 Office of Safety and Health Administration. Rainwater, raw
13 water, greywater, and any other type of water used in
14 correlation with a plumbing system, for the purpose of
15 conserving potable water, may be connected to and used in a
16 plumbing system when connected by a licensed plumber within the
17 guidelines of this Act. The connection and piping downstream of
18 the connection, and only the rainwater, raw water, and
19 greywater, and any other water, used in correlation with a
20 plumbing system, for the purpose of conserving potable water
21 downstream of the connection, shall be considered plumbing. The
22 Department shall adopt and publish a minimum code of standards
23 for the safe handling and use of rainwater, raw water,
24 greywater, and any other type of water used in correlation with
25 a plumbing system or water sources in a plumbing system, by
26 June 1, 2012. The minimum code of standards for plumbing and

1 any amendments thereto shall be filed with the Secretary of
2 State as a public record. In preparing plumbing code standards
3 and amendments thereto the Department may give consideration to
4 the recommendations contained in nationally recognized
5 plumbing codes and recommendations of nationally recognized
6 material and equipment testing laboratories. The plumbing code
7 promulgated by the Department under authority of this Act shall
8 remain in effect as the minimum code authorized by this Act
9 until the Department promulgates a new code under authority of
10 this Act. At least 20 days' notice of a public hearing shall be
11 given by the Department in a manner which the Department
12 considers adequate to bring the hearing to the attention of
13 persons interested in plumbing code standards. Notice of any
14 public hearing shall be given by the Department to those who
15 file a request for a notice of hearings.

16 (Source: P.A. 87-885.)

17 Section 99. Effective date. This Act takes effect upon
18 becoming law."