



Pat Quinn, Governor  
LaMar Hasbrouck, MD, MPH, Director

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## **MEMORANDUM**

TO: Illinois Units of Local Government

FROM: Justin DeWitt, P.E., LEED AP  
Chief of General Engineering – Illinois Department of Public Health

DATE: April 9, 2013

RE: Regulation of Plumbers, Irrigation Contractors and Plumbing  
Contractors (Public Act 97-365)

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Pursuant to Section 42 of the Plumbing Licensing Law (225 ILCS 320/42) (“law”) no unit of local government may exercise the powers vested in the Illinois Department of Public Health (“Department”) except as provided for in Sections 16 and 16.1 of the law.

*Sec. 42. Home rule. Pursuant to paragraph (h) of Section 6 of Article VII of the Illinois Constitution of 1970 the power to regulate the licensing of plumbers, to promulgate a minimum plumbing code of standards, and to regulate the registration of irrigation contractors and plumbing contractors shall, except as may otherwise be provided within and pursuant to the provisions of Section 16 and Section 16.1 of this Act, be exercised by the State and may not be exercised by any unit of local government, including home rule units. (Source: P.A. 97-365, eff. 1-1-12.)*

The Department herewith provides notice that any unit of local government, except as noted above, that requires the registration, licensing or bonding of licensed plumbers, registered plumbing contractors or irrigation contractors or that is otherwise regulating these entities, does so in violation of the law. This pre-emption in no way affects the activities of units of local government pursuant to Sections 36 and 37 of the law, which are authorized to conduct such activities prescribed therein, by the Department.

The Department appreciates your cooperation in this matter. If you have any questions, contact the Plumbing Program at 217-524-0791.