



1

Overview

- Governing Act & Administrative Rules
- ISPE's legislative priorities
- Legislative Process
- Administrative Process (JCAR)
- Specific Legislation

2

PE Act & Administrative Rules

- Illinois Professional Engineering Practice Act of 1989 (225 ILCS 325)
 - Sunsets every 10 years
 - Establishes the laws by which Professional Engineers in Illinois are governed
- Administrative Code Title 68: Professions and Occupations Chapter VII: Department of Financial and Professional Regulation Subchapter b: Professions and Occupations Part 1380 the Professional Engineering Practice Act of 1989
 - How the Act is administered and enforced by IDFP

3

PE Act

Key Definition of Engineering:

- (o) "Professional engineering practice" means the consultation on, conception, investigation, evaluation, planning, and design of, and selection of materials to be used in, administration of construction contracts for, or site observation of, an engineering system or facility, where such consultation, conception, investigation, evaluation, planning, design, selection, administration, or observation requires extensive knowledge of engineering laws, formulae, materials, practice, and construction methods. A person shall be construed to practice or offer to practice professional engineering, within the meaning and intent of this Act, who practices, or who, by verbal claim, sign, advertisement, letterhead, card, or any other way, is represented to be a professional engineer, or through the use of the initials "P.E." or the title "engineer" or any of its derivations or some other title implies licensure as a professional engineer, or holds himself or herself out as able to perform any service which is recognized as professional engineering practice.

4

Administrative Rules

- Administrative Code Title 68: Professions and Occupations Chapter VII: Department of Financial and Professional Regulation Subchapter b: Professions and Occupations Part 1380 the Professional Engineering Practice Act of 1989
- Rules include specific interpretations of education, experience, seal, professional conduct and continuing education requirements.

5

Practice Act v. Title Act

- Practice Act
 - Defines the specific type a work that a licensee can perform along with the corresponding responsibilities and liabilities. Requires a combination of formal education, experience and competency exams.
 - Ex: Engineers, Architects, Surveyors.
- Title Act
 - Less stringent requirements with fewer responsibilities and liabilities.
 - Example: beauticians, landscape architects, registered interior designers

6

ISPE Priorities

- Review and track 5000-6000 bills and amendments annually.
- What we look for:
 - Threats to licensure
 - Procurement
 - Promotion of the profession/STEM
 - Health, safety, & welfare

7

ISPE As An Advocate

- How we impact legislation
 - Member Engagement (advocacy alerts and/or lobby days)
 - Subject Matter Expertise (our strongest asset)
- Things to Consider:
 - Who is behind the bill?
 - Why are they pushing this bill?
 - What is their relationship to the legislator?
- Coalitions can enhance our impact

8

How a Bill Becomes a Law

- Bill is drafted by Legislative Reference Bureau
- Bill sponsor introduces the bill
- Bill is assigned to a committee
 - Easiest place to amend or kill a bill
- Bill is read a second time on the floor
- Bill is read a third time on the floor and voted on by full chamber

9

How a Bill Becomes a Law II

- Starts process over in opposite chamber
- Originating chamber concurs to any amendments added in opposite chamber
- Bill goes to Governor for final action
- If vetoed, the legislature has the option to override the veto
- Deadlines established by each chamber for each of these steps

10

Administrative Rules Process

- Regulated by the bi-partisan Joint Committee on Administrative Rules.
- Agency introduces new or amended rules (First Notice)
- Interested parties have 60 days to submit comment
- Agency then has 60 days to review comments and make any changes
- Changes are posted a second time (Second Notice)
- JCAR members determine whether or not the rules should be adopted.

11

HB 3894 Corporations State Contracts

- HB 3894 was introduced by State Representative Camille Lilly on Feb. 17. The bill requires corporations who do business with the state to report yearly the number and percentage of women and minorities who are either owners or employees of their suppliers.
- March 8, the bill passed out of committee 5-3. However, the bill received so much opposition from business and professional groups that it was amended later in the month to create a Task Force to study state procurement opportunities for women, minorities and members of the LGBTQ+ community.

12

HB 3894 Corporations State Contracts

- Amendment adopted and the bill passed 65-36 on March 24
- Sen. Adriane Johnson sponsored the bill in Senate, but it died in committee
- ISPE opposed
 - Highly onerous
 - Gives non corporations an advantage
 - Nearly impossible to comply with
 - How did we defeat it?

NSPE-ILLINOIS SOCIETY OF PROFESSIONAL ENGINEERS

13

HB 2878 Procurement – Mined Land

- Introduced Feb. 16 and sponsored by Representative Jay Hoffman the bill set parameters hiring practices for abandoned mine reclamation projects
- Passed committee in early March unanimously and passed the House 107-5 March 23
- Did normal bill things until May 9 when an amendment was introduced to eliminate all of the language in the bill
- Scheduled adjournment for the year was May 19

NSPE-ILLINOIS SOCIETY OF PROFESSIONAL ENGINEERS

14

HB 2878 Procurement – Mined Land

- Friday night May 19 Senate Amendment 3 introduced and adopted:
 - Expands Public Private Partnerships to Local Governments
 - Establishes CDB Review process of Single Prime Design Build
 - Sets parameters for the use of software packages for state agencies
 - Requires all corporations receiving state contracts to annually provide lists of all professional service suppliers, including the percentage of women and minorities who are owners or employees of each supplier
- ISPE Opposed
 - Almost no other business/professional groups weighed in

NSPE-ILLINOIS SOCIETY OF PROFESSIONAL ENGINEERS

15

HB 2878 Procurement – Mined Land

- Passed the Senate Friday May 19, 53-0-2
- Session extended another week because budget is not passed.
- Wednesday May 24, all Senate Amendments to HB 2878 are concurred 11-0
- Thursday May 25, House concurs 77-9-1
- Vetoed by the Governor due to other concerns. Expected to be re-visited during fall veto session.

NSPE-ILLINOIS SOCIETY OF PROFESSIONAL ENGINEERS

16

SB 1570 – Municipal Design Build

- Sponsored by Sen. Kimberly Lightford, this bill expanded Design-Build Authority to Municipalities. A single step is allowed if the project is less than \$12 million.
- Sen. Lightford at our request added an amendment outlining the process in which members of the design team could be replaced.
- The bill passed the senate 42-11.
- It was further amended in the House to include school districts.
- The House passed their amended version unanimously, and the Senate concurred with the House changes. It was signed into law Aug. 4 as PA 103-0491.

NSPE-ILLINOIS SOCIETY OF PROFESSIONAL ENGINEERS

17

SB 2424 – Land Acquisition

- Sponsored by Sen. Ram Villivalam, the bill brought land acquisition for projects under the QBS Act.
- This was a joint initiative by ACEC and ISPE.
- The bill was amended in the Senate to clarify that it only applies to IDOT and the Tollway.
- SB 2424 passed the Senate and the House unanimously and signed into law Aug. 4 as PA 103-0511.

NSPE-ILLINOIS SOCIETY OF PROFESSIONAL ENGINEERS

18