



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004
HB4366

Introduced 02/03/04, by Ralph C. Capparelli

SYNOPSIS AS INTRODUCED:

225 ILCS 227/35

Amends the Fireworks Displayer Licensing Act. Makes a technical change in a Section concerning the licensure requirements and fees.

LRB093 18186 RXD 43881 b

1 AN ACT in relation to fireworks.

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

4 Section 5. The Pyrotechnic Operator Licensing Act is
5 amended by changing Section 35 as follows:

6 (225 ILCS 227/35)

7 Sec. 35. Licensure requirements and fees.

8 (a) Each application for a license to practice under this
9 Act must ~~shall~~ be in writing and signed by the applicant on
10 forms provided by the Office. The Office must ~~shall~~ have the
11 testing procedures for licensing as a lead pyrotechnic operator
12 developed by October 1, 2004.

13 (b) After April 1, 2005, all pyrotechnic displays, both
14 indoor and outdoor, must comply with the requirements set forth
15 in this Act.

16 (c) After April 1, 2005, no individual may act as a lead
17 operator in a pyrotechnic display without first applying for
18 and obtaining a lead pyrotechnic operator's license from the
19 Office. The Office shall establish separate licenses for lead
20 pyrotechnic operators for indoor and outdoor pyrotechnic
21 displays. Applicants for a license must:

22 (1) Pay the fees set by the Office.

23 (2) Have the requisite training or continuing
24 education as established in the Office's rules.

25 (3) Pass the examination presented by the Office.

26 (d) A person is qualified to receive a license under this
27 Act if the person meets all of the following minimum
28 requirements:

29 (1) Is at least 21 years of age.

30 (2) Has not willfully violated any provisions of this
31 Act.

32 (3) Has not made any material misstatement or

1 knowingly withheld information in connection with any
2 original or renewal application.

3 (4) Has not been declared incompetent by any
4 competent court by reasons of mental or physical defect or
5 disease unless a court has since declared the person
6 competent.

7 (5) Does not have an addiction to or dependency on
8 alcohol or drugs that is likely to endanger the public at a
9 pyrotechnic display.

10 (6) Has not been convicted in any jurisdiction of any
11 felony within the prior 5 years.

12 (7) Is not a fugitive from justice.

13 (e) A person is qualified to assist a lead operator if the
14 person meets all of the following minimum requirements:

15 (1) Is at least 18 years of age.

16 (2) Has not willfully violated any provision of this
17 Act.

18 (3) Has not been declared incompetent by any
19 competent court by reasons of mental or physical defect or
20 disease unless a court has since declared the person
21 competent.

22 (4) Does not have an addiction to or dependency on
23 alcohol or drugs that is likely to endanger the public at a
24 pyrotechnic display.

25 (5) Has not been convicted in any jurisdiction of any
26 felony within the prior 5 years.

27 (6) Is not a fugitive from justice.

28 (Source: P.A. 93-263, eff. 7-22-03.)