



Sen. John G. Mulroe

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09800SB0852sam001

LRB098 05078 HEP 59497 a

1 AMENDMENT TO SENATE BILL 852

2 AMENDMENT NO. _____. Amend Senate Bill 852 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Smoke Free Illinois Act is amended by
5 changing Section 45 as follows:

6 (410 ILCS 82/45)

7 Sec. 45. Violations.

8 (a) A person, corporation, partnership, association or
9 other entity who violates Section 15 or 20 of this Act shall be
10 fined pursuant to this Section. Each day that a violation
11 occurs is a separate violation.

12 (b) A person who smokes in an area where smoking is
13 prohibited under Section 15 of this Act shall be fined in an
14 amount that is \$100 for a first offense and \$250 for each
15 subsequent offense. A person who owns, operates, or otherwise
16 controls a public place or place of employment that violates

1 Section 15 or 20 of this Act shall be fined (i) \$250 for the
2 first violation, (ii) \$500 for the second violation within one
3 year after the first violation, and (iii) \$2,500 for each
4 additional violation within one year after the first violation.

5 (c) A fine imposed under this Section shall be allocated as
6 follows:

7 (1) one-half of the fine shall be distributed to the
8 Department; and

9 (2) one-half of the fine shall be distributed to the
10 enforcing agency.

11 (d) Rulemaking authority to implement this amendatory Act
12 of the 95th General Assembly, if any, is conditioned on the
13 rules being adopted in accordance with all provisions of the
14 Illinois Administrative Procedure Act and all rules and
15 procedures of the Joint Committee on Administrative Rules; any
16 purported rule not so adopted, for whatever reason, is
17 unauthorized.

18 (Source: P.A. 95-17, eff. 1-1-08; 95-1029, eff. 2-4-09.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law."