

1 AN ACT concerning safety.

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

4 Section 5. The Smoke Detector Act is amended by changing
5 Section 4 and by adding Section 3.1 as follows:

6 (425 ILCS 60/3.1 new)

7 Sec. 3.1. Non-approved smoke detectors banned. Beginning
8 December 31, 2027, it is unlawful for any person to sell, offer
9 for sale, or give as a gift within the State of Illinois any
10 smoke detector that does not meet the requirements of
11 subsection (e) of Section 3 of this Act. Nothing in this
12 Section shall prohibit any person from manufacturing within
13 the State and distributing, selling, offering for sale, or
14 giving as a gift outside the State any smoke detector that does
15 not meet the requirements of subsection (e) of Section 3 of
16 this Act. As used in this Section, "person" means an
17 individual, natural person, public or private corporation,
18 government, partnership, unincorporated association, or other
19 entity.

20 (425 ILCS 60/4) (from Ch. 127 1/2, par. 804)

21 Sec. 4. (a) Except as provided in subsection (c), willful
22 failure to install or maintain in operating condition any

1 smoke detector required by this Act shall be a Class B
2 misdemeanor.

3 (b) Except as provided in subsection (c), tampering with,
4 removing, destroying, disconnecting or removing the batteries
5 from any installed smoke detector, except in the course of
6 inspection, maintenance or replacement of the detector, shall
7 be a Class A misdemeanor in the case of a first conviction, and
8 a Class 4 felony in the case of a second or subsequent
9 conviction.

10 (c) A party in violation of the battery requirements of
11 subsection (e) of Section 3 of this Act shall be provided with
12 90 days' warning with which to rectify that violation. If that
13 party fails to rectify the violation within that 90-day
14 period, he or she may be assessed a fine of up to \$100, and may
15 be fined \$100 every 30 days thereafter until either the
16 violation is rectified or the cumulative amount of fines
17 assessed reaches \$1,500. The provisions of subsection (a) and
18 (b) of this Section shall apply only after the penalty
19 provided under this subsection (c) has been exhausted to the
20 extent that a violating party has reached the \$1,500
21 cumulative fine threshold and has failed to rectify the
22 violation.

23 If the alleged violation has been corrected prior to or on
24 the date of the hearing scheduled to adjudicate the alleged
25 violation, then the violation shall be dismissed.

26 (d) A person who violates Section 3.1 of this Act is guilty

1 of a petty offense and is subject to a fine of at least \$500
2 and not more than \$1,000.

3 (Source: P.A. 100-200, eff. 1-1-23; 100-863, eff. 8-14-18.)