



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

SB1250

Introduced 2/3/2023, by Sen. Doris Turner

#### SYNOPSIS AS INTRODUCED:

20 ILCS 2905/5 new

Amends the State Fire Marshal Act. Defines "fire-resistant material" and "fire-resistant material applicator". Provides that it is unlawful for a person to engage in business as a fire-resistant material applicator in this State without being certified by the Office of the State Fire Marshal. Establishes a civil penalty of up to \$250 for each violation of this prohibition. Requires the Office to regulate fire-resistant material applicators by developing and implementing a certification and certification renewal process, developing training requirements, and adopting necessary rules. Allows the Office to charge a certification fee and a certification renewal fee. Provides that registration as a fire-resistant material applicator must be renewed annually. Requires the Office to develop a list of grounds for revoking certification as a fire-resistant material applicator. Permits the Office to investigate allegations of actions that constitute grounds for revocation and may revoke certification if, in the Office's determination, a violation has occurred. Effective immediately.

LRB103 29821 CPF 56229 b

1 AN ACT concerning State government.

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

4 Section 5. The State Fire Marshal Act is amended by adding  
5 Section 5 as follows:

6 (20 ILCS 2905/5 new)

7 Sec. 5. Fire-resistant material applicator certification.

8 (a) In this Section:

9 "Fire-resistant material" means a cementitious or fibrous  
10 material that is applied onto a substance to provide  
11 fire-resistant protection to the substance.

12 "Fire-resistant material applicator" means an individual  
13 in the business of applying fire-resistant material.

14 (b) It is unlawful for a person to engage in business as a  
15 fire-resistant material applicator in this State without being  
16 certified by the Office as provided in this Section and  
17 without being otherwise in compliance with this Act. A person  
18 who violates this Section shall be assessed a civil penalty by  
19 the Office of up to \$250 for each violation. Each day's  
20 violation constitutes a separate offense. The Attorney General  
21 or the State's Attorney of the county in which the violation  
22 occurs may bring an action in the name of the People of the  
23 State of Illinois or may, in addition to other remedies

1 provided in this Act, bring an action for an injunction to  
2 restrain a violation of this subsection.

3 (c) The Office:

4 (1) shall develop and implement a certification and  
5 certification renewal process for fire-resistant material  
6 applicators and a registry of persons certified as  
7 fire-resistant material applicators under this Section;

8 (2) shall develop requirements for training to apply  
9 fire-resistant material according to fire-resistant  
10 material manufacturer specifications for persons seeking  
11 certification as a fire-resistant material applicator;

12 (3) may charge a certification fee and a certification  
13 renewal fee for persons seeking certification under this  
14 Section; and

15 (4) shall adopt rules necessary to implement and  
16 administer this Section.

17 (d) A person seeking certification as a fire-resistant  
18 material applicator shall, in the judgment of the Office,  
19 successfully complete the training requirements to apply  
20 fire-resistant material developed under paragraph (2) of  
21 subsection (c).

22 If a person satisfactorily completes the training, the  
23 Office shall issue the person a certificate indicating that he  
24 or she is certified to apply fire-resistant material.

25 (e) Registration as a fire-resistant material applicator  
26 must be renewed annually.

1       (f) The Office shall develop a list of grounds for  
2 revoking certification as a fire-resistant material  
3 applicator. The Office may investigate allegations of actions  
4 that constitute grounds for revocation and may revoke  
5 certification if, in the Office's determination, a violation  
6 has occurred.

7       Section 99. Effective date. This Act takes effect upon  
8 becoming law.