

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.)