

1 AN ACT concerning regulation.

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

4 Section 5. The Pyrotechnic Distributor and Operator
5 Licensing Act is amended by changing Sections 5, 10, 30, 35,
6 50, 57, 60, 90 and by adding Sections 95 and 97 as follows:

7 (225 ILCS 227/5)

8 Sec. 5. Definitions. In this Act:

9 "1.3G fireworks" means fireworks that are used for
10 professional outdoor displays and classified as fireworks
11 UN0333, UN0334, or UN0335 by the United States Department of
12 Transportation under 49 C.F.R. 172.101.

13 "BATFE" means the federal Bureau of Alcohol, Tobacco, ~~and~~
14 Firearms and Explosives Enforcement.

15 "Consumer fireworks" means fireworks that must comply with
16 the construction, chemical composition, and labeling
17 regulations of the U.S. Consumer Products Safety Commission, as
18 set forth in 16 C.F.R. Parts 1500 and 1507, and classified as
19 fireworks UN0336 or UN0337 by the United States Department of
20 Transportation under 49 C.F.R. 172.101. "Consumer fireworks"
21 does not include a substance or article exempted under the
22 Pyrotechnic Fireworks Use Act.

23 "Display fireworks" means 1.3G explosive or special

1 effects fireworks.

2 "Facility" means an area being used for the conducting of a
3 pyrotechnic display business, but does not include residential
4 premises except for the portion of any residential premises
5 that is actually used in the conduct of a pyrotechnic display
6 business.

7 "Flame effect" means the detonation, ignition, or
8 deflagration of flammable gases, liquids, or special materials
9 to produce a thermal, physical, visual, or audible effect
10 before the public, invitees, or licensees, regardless of
11 whether admission is charged in accordance with NFPA 160.

12 "Lead pyrotechnic operator" means the individual with
13 overall responsibility for the safety, setup, discharge, and
14 supervision of a pyrotechnic display or pyrotechnic service.

15 "Office" means Office of the State Fire Marshal.

16 "Person" means an individual, firm, corporation,
17 association, partnership, company, consortium, joint venture,
18 commercial entity, state, municipality, or political
19 subdivision of a state or any agency, department, or
20 instrumentality of the United States and any officer, agent, or
21 employee of these entities.

22 "Production company" means any person in the film, digital
23 and video media, television, commercial, and theatrical stage
24 industry who provides pyrotechnic services or pyrotechnic
25 display services as part of a film, digital and video media,
26 television, commercial, or theatrical production in the State

1 of Illinois.

2 "Pyrotechnic display" or "display" means the detonation,
3 ignition, or deflagration of display fireworks or flame effects
4 to produce a visual or audible effect of an exhibitional nature
5 before the public, invitees, or licensees, regardless of
6 whether admission is charged.

7 "Pyrotechnic distributor" means any person, ~~company,~~
8 ~~association, group of persons, or corporation~~ who distributes
9 display fireworks for sale in the State of Illinois or provides
10 them as part of a pyrotechnic display service in the State of
11 Illinois or provides only pyrotechnic services.

12 "Pyrotechnic service" means the detonation, ignition, or
13 deflagration of display fireworks, special effects, or flame
14 effects to produce a visual or audible effect.

15 "Special effects fireworks" means pyrotechnic devices used
16 for special effects by professionals in the performing arts in
17 conjunction with theatrical, musical, or other productions
18 that are similar to consumer fireworks in chemical compositions
19 and construction, but are not intended for consumer use and are
20 not labeled as such or identified as "intended for indoor use".
21 "Special effects fireworks" are classified as fireworks UN0431
22 or UN0432 by the United States Department of Transportation
23 under 49 C.F.R. 172.101.

24 (Source: P.A. 94-385, eff. 7-29-05; 94-658, eff. 1-1-06;
25 95-331, eff. 8-21-07.)

1 (225 ILCS 227/10)

2 Sec. 10. License; enforcement. No person may act as a
3 pyrotechnic distributor, production company, or lead
4 pyrotechnic operator, or advertise or use any title implying
5 that the person is a pyrotechnic distributor, production
6 company, or lead pyrotechnic operator, unless licensed by the
7 Office under this Act. An out-of-state person hired for or
8 engaged in pyrotechnic services or a pyrotechnic display must
9 be employed by a licensed ~~have a~~ pyrotechnic distributor or
10 licensed production company and hold a lead pyrotechnic
11 operator license issued by the Office. No pyrotechnic services
12 or pyrotechnic display shall be conducted without a person
13 licensed under this Act as a lead pyrotechnic operator
14 supervising the display. The State Fire Marshal, in the name of
15 the People, through the Attorney General, the State's Attorney
16 of any county, any resident of the State, or any legal entity
17 within the State may apply for injunctive relief in any court
18 to enjoin any person who has not been issued a license or whose
19 license has been suspended, revoked, or not renewed, from
20 practicing a licensed activity. Upon filing a verified petition
21 in court, the court, if satisfied by affidavit, or otherwise,
22 that the person is or has been practicing in violation of this
23 Act, may enter a temporary restraining order or preliminary
24 injunction, without bond, enjoining the defendant from further
25 unlicensed activity. A copy of the verified complaint shall be
26 served upon the defendant and the proceedings are to be

1 conducted as in other civil cases. The court may enter a
2 judgment permanently enjoining a defendant from further
3 unlicensed activity if it is established that the defendant has
4 been or is practicing in violation of this Act. In case of
5 violation of any injunctive order or judgment entered under
6 this Section, the court may summarily try and punish the
7 offender for contempt of court. Injunctive proceedings are in
8 addition to all penalties and other remedies in this Act.

9 (Source: P.A. 93-263, eff. 7-22-03; 94-385, eff. 7-29-05.)

10 (225 ILCS 227/30)

11 Sec. 30. Rules. The State Fire Marshal shall adopt all
12 rules necessary to carry out its responsibilities under this
13 Act including rules requiring the training, examination, and
14 licensing of production companies, pyrotechnic distributors
15 and lead pyrotechnic operators. The rules of the State Fire
16 Marshal shall be based upon nationally recognized standards
17 such as those of the National Fire Protection Association
18 (NFPA) 1123 guidelines for outdoor displays, NFPA 1126 for
19 proximate audience displays, ~~and~~ NFPA 160 for flame effect
20 displays, and NFPA 140 for motion picture and television
21 production studio soundstages, approved production facilities,
22 and production locations. The State Fire Marshal shall conduct
23 the training and examination of pyrotechnic operators and
24 pyrotechnic distributors or may delegate the responsibility to
25 train and examine pyrotechnic distributors and operators to the

1 Department of Natural Resources.

2 (Source: P.A. 93-263, eff. 7-22-03; 94-385, eff. 7-29-05.)

3 (225 ILCS 227/35)

4 Sec. 35. Licensure requirements and fees.

5 (a) Each application for a license to practice under this
6 Act shall be in writing and signed by the applicant on forms
7 provided by the Office.

8 (b) After January 1, 2006, all pyrotechnic displays, both
9 indoor and outdoor, must comply with the requirements set forth
10 in this Act.

11 (c) After January 1, 2006, no person may engage in
12 pyrotechnic distribution without first applying for and
13 obtaining a license from the Office. Applicants for a license
14 must submit to the Office the following:

15 (1) A current BATFE license for the type of pyrotechnic
16 service or pyrotechnic display service provided ~~for~~
17 ~~distribution of display fireworks.~~

18 (2) Proof of \$1,000,000 in product liability
19 insurance.

20 (3) Proof of \$1,000,000 in general liability insurance
21 that covers the pyrotechnic display service or pyrotechnic
22 service provided.

23 (4) Proof of Illinois Workers' ~~Worker's~~ Compensation
24 Insurance.

25 (5) A license fee set by the Office.

1 (6) Proof of a current United States Department of
2 Transportation (DOT) Identification Number.

3 (7) Proof of a current USDOT Hazardous Materials
4 Registration Number.

5 (8) Proof of having the requisite knowledge, either
6 through training, examination, or continuing education, as
7 established by Office rule.

8 (c-3) After January 1, 2010, no production company may
9 provide pyrotechnic display services or pyrotechnic services
10 as part of any production without either (i) obtaining a
11 production company license from the Office under which all
12 pyrotechnic display services and pyrotechnic services are
13 performed by a licensed lead pyrotechnic operator or (ii)
14 hiring a pyrotechnic distributor licensed in accordance with
15 this Act to perform the pyrotechnic display services or
16 pyrotechnic services. Applicants for a production company
17 license must submit to the Office the following:

18 (1) Proof of \$2,000,000 in commercial general
19 liability insurance that covers any damage or injury
20 resulting from the pyrotechnic display services or
21 pyrotechnic services provided.

22 (2) Proof of Illinois Worker's Compensation insurance.

23 (3) A license fee set by the Office.

24 (4) Proof of a current USDOT Identification Number,
25 unless proof of such is provided by the employed lead
26 pyrotechnic operator.

1 (5) Proof of a current USDOT Hazardous Materials
2 Registration Number, unless proof of such is provided by
3 the employed lead pyrotechnic operator.

4 (6) Identification of the licensed lead pyrotechnic
5 operator being employed by the company.

6 The insurer shall not cancel the insured's coverage or
7 remove an additional insured from the policy coverage without
8 notifying the Office in writing at least 15 days before
9 cancellation.

10 (c-5) After January 1, 2006, no individual may act as a
11 lead operator in a pyrotechnic display without first applying
12 for and obtaining a lead pyrotechnic operator's license from
13 the Office. The Office shall establish separate licenses for
14 lead pyrotechnic operators for indoor and outdoor pyrotechnic
15 displays. Applicants for a license must:

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

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

19 (3) (Blank).

20 (d) A person is qualified to receive a license under this
21 Act if the person meets all of the following minimum
22 requirements:

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

24 (2) Has not willfully violated any provisions of this
25 Act.

26 (3) Has not made any material misstatement or knowingly

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

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

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

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

11 (7) Is not a fugitive from justice.

12 (8) Has, or has applied for, a BATFE explosives license
13 or a Letter of Clearance from the BATFE.

14 (9) If a lead pyrotechnic operator is employed by a
15 political subdivision of the State or by a licensed
16 production company, he or she shall have a BATFE license
17 for the pyrotechnic services or pyrotechnic display
18 services provided.

19 (10) If a production company has not provided proof of
20 a current USDOT Identification Number and a current USDOT
21 Hazardous Materials Registration Number, as required by
22 paragraphs (5) and (6) of subsection (c-3) of this Section,
23 then the lead pyrotechnic operator which it employs shall
24 provide such proof to the Office.

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

- 1 (1) Is at least 18 years of age.
- 2 (2) Has not willfully violated any provision of this
3 Act.
- 4 (3) Has not been declared incompetent by any competent
5 court by reasons of mental or physical defect or disease
6 unless a court has since declared the person competent.
- 7 (4) 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 (5) Has not been convicted in any jurisdiction of any
11 felony within the prior 5 years.
- 12 (6) Is not a fugitive from justice.
- 13 (7) Is employed as an employee of the licensed
14 pyrotechnic distributor or the licensed production
15 company.
- 16 (8) Has been registered with the Office by the licensed
17 distributor or the licensed production company on a form
18 provided by the Office prior to the time when the assistant
19 begins work as an employee on the pyrotechnic display or
20 pyrotechnic service.

21 (Source: P.A. 93-263, eff. 7-22-03; 94-385, eff. 7-29-05.)

22 (225 ILCS 227/50)

23 Sec. 50. Issuance of license; renewal; fees nonrefundable.

24 (a) The Office, upon the applicant's satisfactory
25 completion of the requirements imposed under this Act and upon

1 receipt of the requisite fees, shall issue the appropriate
2 license showing the name, address, and photograph of the
3 licensee and the dates of issuance and expiration. The license
4 shall include the name of the pyrotechnic distributor or
5 production company employing the lead pyrotechnic operator. A
6 lead pyrotechnic operator is required to have a separate
7 license for each pyrotechnic distributor or production company
8 who employs the lead pyrotechnic operator.

9 (b) Each licensee may apply for renewal of his or her
10 license upon payment of the applicable fees. The expiration
11 date and renewal period for each license issued under this Act
12 shall be set by rule. Failure to renew within 60 days of the
13 expiration date results in lapse of the license. A lapsed
14 license may not be reinstated until a written application is
15 filed, the renewal fee is paid, and the reinstatement fee
16 established by the Office is paid. Renewal and reinstatement
17 fees shall be waived for persons who did not renew while on
18 active duty in the military and who file for renewal or
19 restoration within one year after discharge from the service. A
20 lapsed license may not be reinstated after 5 years have elapsed
21 except upon passing an examination to determine fitness to have
22 the license restored and by paying the required fees.

23 (c) All fees paid under this Act are nonrefundable.

24 (d) A production company licensed under this Act shall pay
25 all applicable licensing fees for each lead pyrotechnic
26 operator it employs.

1 (Source: P.A. 93-263, eff. 7-22-03; 94-385, eff. 7-29-05.)

2 (225 ILCS 227/57)

3 Sec. 57. Training; additional lead pyrotechnic operators.

4 No pyrotechnic distributor or production company shall allow
5 any person in the pyrotechnic distributor's or production
6 company's employ to act as a lead pyrotechnic operator until
7 the person has obtained a lead pyrotechnic operator's license
8 from the Office. Nothing in this Section shall prevent an
9 assistant from acting as a lead pyrotechnic operator under the
10 direct supervision of a licensed lead pyrotechnic operator for
11 training purposes.

12 (Source: P.A. 94-385, eff. 7-29-05.)

13 (225 ILCS 227/60)

14 Sec. 60. Conditions of renewal; change of address;
15 duplicate license; inspection.

16 (a) As a condition of renewal of a license, the Office may
17 require the licensee to report information pertaining to the
18 person's practice in relation to this Act that the Office
19 determines to be in the interest of public safety.

20 (b) A licensee shall report a change in home or office
21 address within 10 days of the change.

22 (c) The licensee shall carry his or her license at all
23 times when engaging in a pyrotechnic service or pyrotechnic
24 display activity.

1 (d) If a license or certificate is lost, a duplicate shall
2 be issued upon payment of the required fee to be established by
3 the Office. If a licensee wishes to change his or her name, the
4 Office shall issue a license in the new name upon satisfactory
5 proof that the change of name was done in accordance with law
6 and upon payment of the required fee.

7 (e) Each licensee shall permit his or her facilities to be
8 inspected by representatives of the Office for the purpose of
9 administering this Act.

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

11 (225 ILCS 227/90)

12 Sec. 90. Penalties. Any natural person who violates any of
13 the following provisions is guilty of a Class A misdemeanor for
14 the first offense and a corporation or other entity that
15 violates any of the following provision commits a business
16 offense punishable by a fine not to exceed \$5,000; a second or
17 subsequent offense in violation of any Section of this Act,
18 including this Section, is a Class 4 felony if committed by a
19 natural person, or a business offense punishable by a fine of
20 up to \$10,000 if committed by a corporation or other business
21 entity:

22 (1) Practicing or attempting to practice as a
23 pyrotechnic distributor or production company, or lead
24 pyrotechnic operator without a license;

25 (2) Obtaining or attempting to obtain a license,

1 practice or business, or any other thing of value by
2 fraudulent representation;

3 (3) Permitting, directing, or authorizing any person
4 in one's employ or under one's direction or supervision to
5 work or serve as a licensee if that individual does not
6 possess an appropriate valid license.

7 Whenever any person is punished as a repeat offender under
8 this Section, the Office may proceed to obtain a permanent
9 injunction against the person under Section 10. If any person
10 in making any oath or affidavit required by this Act swears
11 falsely, the person is guilty of perjury and upon conviction
12 may be punished accordingly.

13 (Source: P.A. 93-263, eff. 7-22-03; 94-385, eff. 7-29-05.)

14 (225 ILCS 227/95 new)

15 Sec. 95. Display Reports. A lead pyrotechnic operator
16 shall file an Illinois Display Report, which shall include the
17 names and signatures of all lead pyrotechnic operators and
18 assistants participating in the pyrotechnic display or
19 pyrotechnic service and the name, department, and signature of
20 the fire protection jurisdiction, with the Office within 30
21 days following any pyrotechnic display or pyrotechnic service.

22 (225 ILCS 227/97 new)

23 (Section scheduled to be repealed on July 1, 2011)

24 Sec. 97. Music Entertainment Pyrotechnics Task Force. The

1 Music Entertainment Pyrotechnics Task Force (Task Force) is
2 established for the purposes of studying the provision of
3 pyrotechnic displays and pyrotechnic services in the indoor and
4 outdoor music entertainment industry in the State of Illinois,
5 reviewing present recommendations solely related to who can
6 provide pyrotechnic displays and pyrotechnic services for the
7 music entertainment industry in the State of Illinois, studying
8 appropriate insurance policies for providing pyrotechnic
9 displays and pyrotechnic services, and recommending any
10 changes that may be necessary to the Pyrotechnic Distributor
11 and Operator Licensing Act to the House of Representatives. The
12 Task Force shall consist of 5 members. The Speaker of the House
13 of Representatives and the Minority Leader of the House of
14 Representatives shall each appoint 2 members to the Task Force.
15 The Office of the State Fire Marshal shall appoint one member
16 to the Task Force. The members shall serve without
17 compensation. The Task Force shall meet as necessary. The
18 Office of the State Fire Marshal shall provide all staffing and
19 administrative support for the administration of the Task
20 Force. The Task Force shall report its findings and
21 recommendations to the House of Representatives by filing
22 copies of its report with the Clerk of the House of
23 Representatives no later than January 1, 2011. Upon filing its
24 report, the Task Force is dissolved. This Section is repealed
25 on July 1, 2011.

1 Section 10. The Fireworks Use Act is amended by changing
2 Sections 0.01, 1, 2.1, and 4.1 as follows:

3 (425 ILCS 35/0.01) (from Ch. 127 1/2, par. 126.9)

4 Sec. 0.01. Short title. This Act may be cited as the
5 Pyrotechnic Fireworks Use Act.

6 (Source: P.A. 86-1324.)

7 (425 ILCS 35/1) (from Ch. 127 1/2, par. 127)

8 Sec. 1. Definitions. As used in this Act, the following
9 words shall have the following meanings:

10 "1.3G fireworks" means those fireworks used for
11 professional outdoor displays and classified as fireworks
12 UN0333, UN0334, or UN0335 by the United States Department of
13 Transportation under 49 C.F.R. 172.101.

14 "Consumer distributor" means any person who distributes,
15 offers for sale, sells, or exchanges for consideration consumer
16 fireworks in Illinois to another distributor or directly to any
17 retailer or person for resale.

18 "Consumer fireworks" means those fireworks that must
19 comply with the construction, chemical composition, and
20 labeling regulations of the U.S. Consumer Products Safety
21 Commission, as set forth in 16 C.F.R. Parts 1500 and 1507, and
22 classified as fireworks UN0336 or UN0337 by the United States
23 Department of Transportation under 49 C.F.R. 172.101.

24 "Consumer fireworks" shall not include snake or glow worm

1 pellets; smoke devices; trick noisemakers known as "party
2 poppers", "booby traps", "snappers", "trick matches",
3 "cigarette loads", and "auto burglar alarms"; sparklers; toy
4 pistols, toy canes, toy guns, or other devices in which paper
5 or plastic caps containing twenty-five hundredths grains or
6 less of explosive compound are used, provided they are so
7 constructed that the hand cannot come in contact with the cap
8 when in place for the explosion; and toy pistol paper or
9 plastic caps that contain less than twenty hundredths grains of
10 explosive mixture; the sale and use of which shall be permitted
11 at all times.

12 "Consumer fireworks display" or "consumer display" means
13 the detonation, ignition, or deflagration of consumer
14 fireworks to produce a visual or audible effect.

15 "Consumer operator" means an adult individual who is
16 responsible for the safety, setup, and discharge of the
17 consumer fireworks display and who has completed the training
18 required in Section 2.2 of this Act.

19 "Consumer retailer" means any person who offers for sale,
20 sells, or exchanges for consideration consumer fireworks in
21 Illinois directly to any person with a consumer display permit.

22 "Display fireworks" means 1.3G or special effects
23 fireworks or as further defined in the Pyrotechnic Distributor
24 and Operator Licensing Act.

25 "Flame effect" means the detonation, ignition, or
26 deflagration of flammable gases, liquids, or special materials

1 to produce a thermal, physical, visual, or audible effect
2 before the public, invitees, or licensees, regardless of
3 whether admission is charged, in accordance with National Fire
4 Protection Association 160 guidelines, and as may be further
5 defined in the Pyrotechnic Distributor and Operator Licensing
6 Act.

7 "Lead pyrotechnic operator" means an individual who is
8 responsible for the safety, setup, and discharge of the
9 pyrotechnic display or pyrotechnic service and who is licensed
10 pursuant to the Pyrotechnic Distributor and Operator Licensing
11 Act.

12 "Person" means an individual, firm, corporation,
13 association, partnership, company, consortium, joint venture,
14 ~~or~~ commercial entity, state, municipality, or political
15 subdivision of a state or any agency, department, or
16 instrumentality of the United States and any officer, agent, or
17 employee of these entities.

18 "Production company" means any person in the film, digital
19 and video media, television, commercial, and theatrical stage
20 industry who provides pyrotechnic services or pyrotechnic
21 display services as part of a film, digital and video media,
22 television, commercial, or theatrical production in the State
23 of Illinois and is licensed by the Office pursuant to the
24 Pyrotechnic Distributor and Operator Licensing Act.

25 "Pyrotechnic display" means the detonation, ignition, or
26 deflagration of display fireworks or flame effects to produce

1 visual or audible effects of a exhibitional nature before the
2 public, invitees, or licensees, regardless of whether
3 admission is charged, and as may be further defined in the
4 Pyrotechnic Distributor and Operator Licensing Act.

5 "Pyrotechnic distributor" means any person who distributes
6 display fireworks for sale in the State of Illinois or provides
7 them as part of a pyrotechnic display service in the State of
8 Illinois or provides only pyrotechnic services and is licensed
9 by the Office pursuant to the Pyrotechnic Distributor and
10 Operator Licensing Act.

11 "Pyrotechnic service" means the detonation, ignition or
12 deflagration of display fireworks, special effects or flame
13 effects to produce a visual or audible effect.

14 "Special effects fireworks" means pyrotechnic devices used
15 for special effects by professionals in the performing arts in
16 conjunction with theatrical, musical, or other productions
17 that are similar to consumer fireworks in chemical compositions
18 and construction, but are not intended for consumer use and are
19 not labeled as such or identified as "intended for indoor use".

20 "Special effects fireworks" are classified as fireworks UN0431
21 or UN0432 by the United States Department of Transportation
22 under 49 C.F.R. 172.101.

23 (Source: P.A. 94-658, eff. 1-1-06; 95-331, eff. 8-21-07.)

24 (425 ILCS 35/2.1)

25 Sec. 2.1. Pyrotechnic displays or pyrotechnic service.

1 Each pyrotechnic display or pyrotechnic service shall be
2 conducted by a licensed lead pyrotechnic operator employed by a
3 licensed pyrotechnic distributor or a licensed production
4 company. Applications for a pyrotechnic display permit shall be
5 made in writing at least 15 days in advance of the date of the
6 pyrotechnic display or pyrotechnic service, unless agreed to
7 otherwise by the local jurisdiction issuing the permit and the
8 fire chief of the jurisdiction in which the display or
9 pyrotechnic service will occur. After a permit has been
10 granted, sales, possession, use, and distribution of display
11 fireworks for the display or pyrotechnic service shall be
12 lawful for that purpose only. No permit granted hereunder shall
13 be transferable.

14 Pyrotechnic display permits may be granted hereunder to any
15 adult individual applying therefor. No permit shall be required
16 under the provisions of this Act for supervised public displays
17 by State or County fair associations.

18 The applicant seeking the pyrotechnic display permit must
19 provide proof of liability insurance in a sum not less than
20 \$1,000,000 to the local governmental entity issuing the permit.

21 A permit shall be issued only after the chief of the fire
22 department providing fire protection coverage to the area of
23 display or pyrotechnic service, or his or her designee, has
24 inspected the site and determined that the display or
25 pyrotechnic service can be performed in full compliance with
26 the rules adopted by the State Fire Marshal and that the

1 display or pyrotechnic service shall not be hazardous to
2 property or endanger any person or persons. Nothing in this
3 Section shall prohibit the issuer of a permit from adopting
4 more stringent rules.

5 All indoor pyrotechnic displays and pyrotechnic services
6 shall be conducted in buildings protected by automatic
7 sprinkler systems and meeting the requirements of rules adopted
8 by the State Fire Marshal pursuant to this Act. At the time an
9 individual applies for an indoor pyrotechnic display permit
10 from the local jurisdiction, written notice of the permit
11 application and the indoor display or pyrotechnic service
12 information shall be made in writing at least 15 days in
13 advance of the date of the pyrotechnic display or pyrotechnic
14 service to the Office, unless agreed to otherwise by the
15 Office.

16 Permits shall be signed by the chief of the fire department
17 providing fire protection to the area of display or pyrotechnic
18 service, or his or her designee, and must identify the licensed
19 pyrotechnic distributor or licensed production company and the
20 lead pyrotechnic operator.

21 (Source: P.A. 94-658, eff. 1-1-06.)

22 (425 ILCS 35/4.1) (from Ch. 127 1/2, par. 130.1)

23 Sec. 4.1. The State Fire Marshal may adopt necessary rules
24 and regulations for the administration of this Act which shall
25 be based upon nationally recognized standards such as those of

1 the National Fire Protection Association (NFPA) 1123
2 guidelines for outdoor displays, NFPA 1126 guidelines for
3 proximate audience displays, ~~and~~ NFPA 160 guidelines for flame
4 effects, and NFPA 140 for motion picture and television
5 production studio soundstages, approved production facilities,
6 and production locations. The State Fire Marshal is authorized
7 to adopt rules that establish audience proximity distances for
8 consumer display fireworks.

9 The Office of the State Fire Marshal shall maintain a list
10 of approved consumer fireworks and update the list annually or
11 as new consumer fireworks items are submitted to the Office by
12 consumer distributors.

13 All applications, permits, and site inspection records
14 shall be on forms approved by the State Fire Marshal.

15 (Source: P.A. 94-658, eff. 1-1-06.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.