



Sen. Michael Noland

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1 AMENDMENT TO SENATE BILL 1408

2 AMENDMENT NO. _____. Amend Senate Bill 1408 as follows:

3 on page 1, line 5, after "Sections", by inserting "2-2,"; and

4 on page 1, line 5, after "2-20" by inserting "and by adding
5 Section 2-21"; and

6 on page 1, by inserting below line 6 the following:

7 "(430 ILCS 85/2-2) (from Ch. 111 1/2, par. 4052)

8 Sec. 2-2. Definitions. As used in this Act, unless the
9 context otherwise requires:

10 1. "Director" means the Director of Labor or his or her
11 designee.

12 2. "Department" means Department of Labor.

13 3. "Amusement Attraction" means an enclosed building or
14 structure, including electrical equipment which is an integral

1 part of the building or structure, through which people walk
2 without the aid of any moving device, that provides amusement,
3 thrills or excitement at a fair or carnival, except any such
4 enclosed building or structure which is subject to the
5 jurisdiction of a local building code.

6 4. "Amusement ride" means:

7 (a) any mechanized device or combination of devices,
8 including electrical equipment which is an integral part of
9 the device or devices, which carries passengers along,
10 around, or over a fixed or restricted course for the
11 primary purpose of giving its passengers amusement,
12 pleasure, thrills, or excitement;

13 (b) any ski lift, rope tow, or other device used to
14 transport snow skiers;

15 (c) (blank);

16 (d) any dry slide over 20 feet in height, alpine slide,
17 or toboggan slide;

18 (e) any tram, open car, or combination of open cars or
19 wagons pulled by a tractor or other motorized device which
20 is not licensed by the Secretary of State, which may, but
21 does not necessarily follow a fixed or restricted course,
22 and is used primarily for the purpose of giving its
23 passengers amusement, pleasure, thrills or excitement, and
24 for which an individual fee is charged or a donation
25 accepted with the exception of hayrack rides; or

26 (f) any bungee cord or similar elastic device.

1 5. "Carnival" means an enterprise which offers amusement or
2 entertainment to the public by means of one or more amusement
3 attractions or amusement rides.

4 6. "Fair" means an enterprise principally devoted to the
5 exhibition of products of agriculture or industry in connection
6 with which amusement rides or amusement attractions are
7 operated.

8 7. "Operator" means a person, or the agent of a person, who
9 owns or controls or has the duty to control the operation of an
10 amusement ride or an amusement attraction at a carnival or
11 fair. "Operator" includes an agency of the State or any of its
12 political subdivisions.

13 8. "Carnival worker" means a person who is employed (and is
14 therefore not a volunteer) by a carnival or fair to manage,
15 physically operate, or assist in the operation of an amusement
16 ride or amusement attraction when it is open to the public.

17 (Source: P.A. 94-801, eff. 5-25-06; 95-397, eff. 8-24-07;
18 95-687, eff. 10-23-07.); and

19 on page 6, line 8, after "Screeners.", by inserting "Any
20 criminal history checks performed by the Illinois State Police
21 shall be pursuant to the Illinois Uniform Conviction
22 Information Act."; and

23 on page 6, lines 9 through 14, by deleting "Carnival workers
24 who are foreign nationals and have been granted visas by the

1 United States Citizenship and Immigration Services in
2 conjunction with the United States Department of Labor's H-2B
3 or J-1 programs and are lawfully admitted into the United
4 States shall be exempt from the background check requirement
5 imposed under this subsection."; and

6 on page 8, by inserting below line 2 the following:

7 "(430 ILCS 85/2-21 new)

8 Sec. 2-21. Volunteers. Criminal background checks of
9 volunteers, who manage, physically operate, or assist in the
10 operation of an amusement ride or amusement attraction when it
11 is open to the public, shall be left to the discretion of local
12 law enforcement which has jurisdictional authority in the
13 community in which the event is being held. Volunteers shall be
14 required to comply with any training and age requirements as
15 prescribed by rule."