

SB2180



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB2180

Introduced 2/20/2009, by Sen. Michael Noland

SYNOPSIS AS INTRODUCED:

New Act

Creates the Retail Sale and Distribution of Novelty Lighters Prohibition Act. Defines a "novelty lighter" as a mechanical or electrical device typically used for lighting cigarettes, cigars, or pipes that is designed to appear to be a toy, features a flashing light, or makes musical sounds. Prohibits the sale and distribution of novelty lighters. Sets forth exceptions to the prohibition. Imposes a petty offense of not to exceed \$500 for each violation. Effective immediately.

LRB096 04327 RLJ 14373 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning novelty lighters.

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

4 Section 1. Short title. This Act may be cited as the Retail
5 Sale and Distribution of Novelty Lighters Prohibition Act.

6 Section 5. Findings. The General Assembly finds that
7 novelty lighters have features that are attractive to children,
8 including visual effects, flashing lights, musical sounds, and
9 toy-like designs. The federal Consumer Product Safety
10 Commission has recalled thousands of novelty lighters because
11 of the danger they present to public safety. The setting of
12 fires by juveniles has been identified as the fastest growing
13 fire threat in the United States, with more than 300 people
14 killed annually, 30% of whom are children, and almost \$1
15 billion in property has been destroyed.

16 Section 10. Definition. For the purposes of this Section,
17 "novelty lighter" means a mechanical or electrical device
18 typically used for lighting cigarettes, cigars, or pipes that
19 is designed to appear to be a toy, features a flashing light,
20 or makes musical sounds. The term includes but is not limited
21 to lighters that resemble cartoon characters, toys, guns,
22 watches, musical instruments, vehicles, toy animals, food, or

1 beverages. "Novelty lighter" does not include (i) a lighter
2 manufactured before January 1, 1980 or (ii) a lighter lacking
3 fuel or a device necessary to produce combustion or a flame.

4 Section 15. Prohibition against novelty lighters. A person
5 may not sell at retail or distribute for retail sale in this
6 State a novelty lighter. The prohibition specified in this
7 Section does not apply to the transportation of novelty
8 lighters through this State or the storage of novelty lighters
9 in a warehouse or distribution center in this State that is
10 closed to the public for purposes of retail sales.

11 Section 20. Violation. A violation of Section 15 is a
12 petty offense and the fine imposed is not to exceed \$500 for
13 each offense. Each day that a person violates this Section is a
14 separate offense.

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