

AN ACT concerning safety.

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

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

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

Section 10. Definition. For the purposes of this Act, "novelty lighter" means a mechanical or electrical device typically used for lighting cigarettes, cigars, or pipes that is designed to resemble a cartoon character, toy, gun, watch, musical instrument, vehicle, animal, food or beverage, or similar articles, or that plays musical notes, or has flashing lights, or has other entertaining features. A novelty lighter may operate on any fuel, including butane, isobutene, or liquid

fuel. "Novelty lighter" does not include any of the following:

- (1) A lighter manufactured before January 1, 1980.
- (2) A lighter incapable of being fueled or lacking a device necessary to produce combustion or a flame.
- (3) Any mechanical or electrical device primarily used to ignite fuel for fireplaces or for charcoal or gas grills.
- (4) Standard disposable and refillable lighters that are printed or decorated with logos, labels, decals, or artwork, or heat-shrinkable sleeves.

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

Section 20. Violation. A violation of Section 15 is a petty offense, for which a fine not to exceed \$500 for each offense may be imposed. Each day that a person violates Section 15 is a separate offense. A person who is employed as a clerk by a retail establishment shall not be in violation of this Act unless he or she sells a novelty lighter with the intent to violate this Act.

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HB5139 Enrolled

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Section 25. Enforcement. This Act may be enforced by the Office of the State Fire Marshal, by a State, county, or municipal law enforcement officer, or by a municipal code enforcement officer.

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