

1 AN ACT concerning safety.

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

4 Section 5. The Laser System Act of 1997 is amended by
5 changing Sections 15, 20, 30, 35, 40, 50, and 55 and by adding
6 Sections 16 and 17 as follows:

7 (420 ILCS 56/15)

8 Sec. 15. Definitions. For the purposes of this Act, unless
9 the context requires otherwise:

10 ~~(1)~~ "Agency" means the Illinois Emergency Management
11 Agency.

12 ~~(2)~~ "Director" means the Director of the Illinois
13 Emergency Management Agency.

14 ~~(3)~~ "FDA" means the Food and Drug Administration of
15 the United States Department of Health and Human Services.

16 ~~(4)~~ "Laser installation" means a location or facility
17 where laser systems are produced, stored, disposed of, or
18 used for any purpose. "Laser installation" does not
19 include any private residence.

20 "Laser installation operator" means an individual,
21 group of individuals, partnership, firm, corporation,
22 association, or other entity conducting any business or
23 activity within a laser installation.

1 ~~(5)~~ "Laser machine" means a device that is capable of
2 producing or projecting laser radiation when associated
3 controlled devices are operated.

4 ~~(6)~~ "Laser radiation" means an electromagnetic
5 radiation emitted from a laser system and includes all
6 reflected radiation, any secondary radiation, or other
7 forms of energy resulting from the primary laser beam.

8 "Laser safety officer" means an individual who is
9 qualified by training and experience in the evaluation and
10 control of laser hazards, as evidenced by satisfaction of
11 the training and experience requirements adopted by the
12 Agency under subsection (b) of Section 16, and who is
13 designated, where required by Sections 16 and 17, by a
14 laser installation operator or temporary laser display
15 operator to have the authority and responsibility to
16 establish and administer a laser radiation protection
17 program for a particular laser installation or temporary
18 laser display.

19 ~~(7)~~ "Laser system" means a device, laser projector,
20 laser machine, equipment, or other apparatus that applies
21 a source of energy to a gas, liquid, crystal, or other
22 solid substances or combination thereof in a manner that
23 electromagnetic radiations of a relatively uniform wave
24 length are amplified and emitted in a cohesive beam
25 capable of transmitting the energy developed in a manner
26 that may be harmful to living tissues, including, but not

1 limited to, electromagnetic waves in the range of visible,
2 infrared, or ultraviolet light. Such systems in schools,
3 colleges, occupational schools, and State colleges and
4 other State institutions are also included in the
5 definition of "laser systems". "Laser system" includes
6 laser machines but does not include any device, machine,
7 equipment, or other apparatus used in the provision of
8 communications through fiber optic cable.

9 ~~-(8) "Operator" is an individual, group of individuals,~~
10 ~~partnership, firm, corporation, association, or other~~
11 ~~entity conducting the business or activities carried on~~
12 ~~within a laser installation.~~

13 "Temporary laser display" means a visual effect
14 display created for a limited period of time at a laser
15 installation by a laser system that is not a permanent
16 fixture in the laser installation for the entertainment of
17 the public or invitees, regardless of whether admission is
18 charged or whether the laser display takes place indoors
19 or outdoors.

20 "Temporary laser display operator" means an
21 individual, group of individuals, partnership, firm,
22 corporation, association, or other entity conducting a
23 temporary laser display at a laser installation.

24 (Source: P.A. 102-558, eff. 8-20-21.)

25 (420 ILCS 56/16 new)

1 Sec. 16. Laser safety officers.

2 (a) Each laser installation whose function is for the use
3 of a temporary laser display shall use a laser safety officer.

4 (b) The Agency shall adopt rules specifying minimum
5 training and experience requirements for laser safety
6 officers. The requirements shall be specific to the evaluation
7 and control of laser hazards for different types of laser
8 systems and the purpose for which a laser system is used.

9 (c) If a laser safety officer encounters noncompliance
10 with this Act or rules adopted under this Act in the course of
11 performing duties as a laser safety officer, then the laser
12 safety officer shall report that noncompliance to the Agency
13 as soon as practical to protect public health and safety.

14 (d) No person may act as a laser safety officer or
15 advertise or use any title implying qualification as a laser
16 safety officer unless the person meets the training and
17 experience requirements of this Act and the training and
18 experience requirements established by the Agency under
19 subsection (b).

20 (420 ILCS 56/17 new)

21 Sec. 17. Temporary laser displays; temporary laser display
22 operators.

23 (a) Each temporary laser display operator shall ensure
24 that each temporary laser display has a laser safety officer
25 physically present at the setup, rehearsal, and performance of

1 the temporary laser display to ensure that all laser systems
2 in operation at the laser installation meet the requirements
3 of this Act and any rules adopted by the Agency under this Act.

4 (b) Each laser safety officer for a temporary laser
5 display shall act independently of any temporary laser display
6 operator for the temporary laser display.

7 (c) Each laser installation operator and temporary laser
8 display operator shall provide the laser safety officer access
9 to all necessary areas of the temporary laser display's
10 location, including, but not limited to, access during the
11 temporary laser display to any backstage area, and shall
12 provide all details regarding the laser installation and the
13 laser system necessary for the laser safety officer to ensure
14 that the temporary laser display is conducted safely and in
15 accordance with this Act and any rules adopted by the Agency
16 under this Act.

17 (d) Each temporary laser display operator shall ensure
18 that the registration and notification requirements under
19 Section 20 are complied with for each temporary laser display
20 that the temporary laser display operator conducts.

21 (e) Each temporary laser display operator shall indemnify
22 each laser safety officer and hold the laser safety officer
23 harmless from:

24 (1) the temporary laser display operator's failure to
25 comply with the provisions of this Act and rules adopted
26 by the Agency under this Act; and

1 (2) all damages, including, but not limited to, bodily
2 injury, death, and physical damage to property, resulting
3 from a temporary laser display.

4 (f) Each temporary laser display operator shall maintain a
5 policy of general liability insurance in an amount that is
6 commercially reasonable, but not less than \$1,000,000, and
7 that covers each temporary laser display and laser safety
8 officer.

9 (420 ILCS 56/20)

10 Sec. 20. Registration requirements; notification
11 requirements.

12 (a) Each ~~An operator of a~~ laser installation operator,
13 unless otherwise exempted, shall register the laser
14 installation with the Agency before using a laser system at
15 the laser installation ~~before the installation is placed in~~
16 ~~operation.~~ The registration shall be filed annually on a form
17 prescribed by the Agency and shall include the laser safety
18 officer's name. If any change occurs in a laser installation,
19 the change or changes shall be registered with the Agency
20 within 30 days. If registering a change in each source of laser
21 radiation or the type or strength of each source of radiation
22 is impractical, the Agency, ~~upon request of the operator,~~ may
23 approve blanket registration of the installation. Laser
24 installations registered with the Agency on the effective date
25 of this Act shall retain their registration.

1 (b) Each temporary laser display operator, unless
2 otherwise exempted, shall register as a temporary laser
3 display operator with the Agency before conducting a temporary
4 laser display in this State. A temporary laser display
5 operator must register only once with the Agency but must
6 update the temporary laser display operator's registration
7 information provided in obtaining the temporary laser display
8 operator's registration as needed. Registration may be
9 completed or updated at the same time as the notification
10 required under subsection (d). Registration shall be submitted
11 in a format prescribed by the Agency.

12 (c) Registration of a laser installation or temporary
13 laser display operator shall not imply approval of
14 manufacture, storage, use, handling, operation, or disposal of
15 laser systems or laser radiation, but shall serve only ~~merely~~
16 as notice to the Agency of the location and character of
17 radiation sources in this State.

18 (d) Once registered with the Agency, each temporary laser
19 display operator shall provide notice to the Agency of each
20 temporary laser display at least 10 working days before
21 conducting the temporary laser display. The notification shall
22 include any information required by the Agency by rule and the
23 name of a laser safety officer who will be physically present
24 during the setup, rehearsal, and performance of the temporary
25 laser display. For each notification submitted under this
26 subsection, the Agency shall provide a written approval or

1 rejection to the temporary laser display operator prior to the
2 temporary laser display.

3 (Source: P.A. 95-777, eff. 8-4-08.)

4 (420 ILCS 56/30)

5 Sec. 30. Registration fee. The Agency may establish by
6 rule a registration fee for laser installation operators and
7 temporary laser display operators ~~operators of laser machines~~
8 required to register with the Agency under this Act. The
9 Agency may by rule exempt State and local governmental
10 entities ~~public institutions~~ from the registration fee
11 requirement. Registration fees assessed shall be due and
12 payable within 60 days after the date of billing. If, after 60
13 days, the registration fee is not paid, the Agency may issue an
14 order directing the laser installation operator or temporary
15 laser display operator ~~operator of the~~ installation to cease
16 use of the laser machines located at the laser installation
17 for which the fee is outstanding or take other appropriate
18 enforcement action as provided in Section 36 of the Radiation
19 Protection Act of 1990. An order issued by the Agency shall
20 afford the laser installation operator or temporary laser
21 display operator a right to a hearing before the Agency. A
22 written request for a hearing must be served on the Agency
23 within 10 days of notice of the order. If the laser
24 installation operator or temporary display operator fails to
25 file a timely request for a hearing with the Agency, the laser

1 installation operator or temporary display operator shall be
2 deemed to have waived his or her right to a hearing. All moneys
3 received by the Agency under this Act shall be deposited into
4 the Radiation Protection Fund and are not refundable. Pursuant
5 to appropriation, moneys deposited into the Fund may be used
6 by the Agency to administer and enforce this Act.

7 (Source: P.A. 95-777, eff. 8-4-08.)

8 (420 ILCS 56/35)

9 Sec. 35. Agency rules. The Agency is authorized to adopt
10 rules for the administration and enforcement of this Act and
11 to enter upon, inspect, and investigate the premises and
12 operations of all laser installations ~~systems~~ of this State
13 and to inspect and investigate the operations of temporary
14 laser display operators, whether or not the laser installation
15 is ~~systems are~~ required to be registered or notification is
16 required by this Act. In adopting rules authorized by this
17 Section and in exempting certain laser systems from the
18 registration and notification requirements of Section 20, the
19 Agency may seek advice and consultation from engineers,
20 physicists, physicians, or other persons with special
21 knowledge of laser systems and of the medical and biological
22 effects of laser systems.

23 (Source: P.A. 95-777, eff. 8-4-08.)

24 (420 ILCS 56/40)

1 Sec. 40. Reports of ~~accidental~~ injuries. A laser
2 installation operator, temporary laser display operator, and
3 laser safety officer ~~The operator of a laser system~~ shall
4 promptly report to the Agency any ~~an accidental~~ injury to an
5 individual in the course of use, handling, operation,
6 manufacture, or discharge of a laser system.

7 (Source: P.A. 95-777, eff. 8-4-08.)

8 (420 ILCS 56/50)

9 Sec. 50. Public nuisance; injunctive relief. The
10 conducting of any business or the carrying on of activities
11 within a laser installation without registering a laser
12 installation, without registering a temporary laser display
13 operator, without providing notification required for a
14 temporary laser display, or without complying with the
15 provisions of this Act and any rules adopted by the Agency
16 under this Act ~~relating to the laser installation~~ is declared
17 to be inimical to the public welfare and public safety and to
18 constitute a public nuisance. It is the duty of the Attorney
19 General, upon the request of the Agency, to bring an action in
20 the name of the People of the State of Illinois to enjoin a
21 laser installation operator or temporary laser display ~~an~~
22 operator from unlawfully engaging in the business or activity
23 conducted within the laser installation until the laser
24 installation operator or temporary laser display operator ~~of~~
25 ~~the installation~~ complies with the provisions of this Act.

1 This injunctive remedy shall be in addition to, and not in lieu
2 of, any criminal penalty provided in this Act.

3 (Source: P.A. 95-777, eff. 8-4-08.)

4 (420 ILCS 56/55)

5 Sec. 55. Penalties. A laser installation operator or
6 temporary laser display operator ~~An operator~~ who fails to
7 comply with the provisions of this Act is guilty of a Class B
8 misdemeanor. Each day a laser installation operator or
9 temporary laser display operator ~~an operator~~ fails to comply
10 with the provisions of this Act constitutes a separate
11 offense.

12 (Source: P.A. 90-209, eff. 7-25-97.)

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