



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB0212

Introduced 1/31/2023, by Sen. Doris Turner

SYNOPSIS AS INTRODUCED:

20 ILCS 2905/5 new

Amends the State Fire Marshal Act. Defines "fire-resistant material" and "fire-resistant material applicator". Provides that it is unlawful for a person to engage in business as a fire-resistant material applicator in this State without being certified by the Office of the State Fire Marshal. Establishes a civil penalty of up to \$250 for each violation of the provisions. Requires the Office to regulate fire-resistant material applicators by developing and implementing a certification and certification renewal process, developing training requirements, and adopting rules. Allows the Office to charge a certification fee and a certification renewal fee. Provides that registration as a fire-resistant material applicator must be renewed annually. Requires the Office to develop a list of grounds for revoking certification as a fire-resistant material applicator. Permits the Office to investigate allegations of actions that constitute grounds for revocation and may revoke certification if, in Office's determination, a violation has occurred. Effective immediately.

LRB103 26238 CPF 52597 b

1 AN ACT concerning title.

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

4 Section 5. The State Fire Marshal Act is amended by adding
5 Section 5 as follows:

6 (20 ILCS 2905/5 new)

7 Sec. 5. Fire-resistant material applicator certification.

8 (a) In this Section:

9 "Fire-resistant material" means a cementitious or fibrous
10 material that is applied onto a substance to provide
11 fire-resistant protection to the substance.

12 "Fire-resistant material applicator" means an individual
13 in the business of applying fire-resistant material.

14 (b) It is unlawful for a person to engage in business as a
15 fire-resistant material applicator in this State without being
16 certified by the Office as provided in this Section and
17 without being otherwise in compliance with this Act. A person
18 who violates this Section shall be assessed a civil penalty by
19 the Office of up to \$250 for each violation. Each day's
20 violation constitutes a separate offense. The Attorney General
21 or the State's Attorney of the county in which the violation
22 occurs may bring an action in the name of the People of the
23 State of Illinois or may, in addition to other remedies

1 provided in this Act, bring an action for an injunction to
2 restrain a violation of this subsection.

3 (c) The Office:

4 (1) shall develop and implement a certification and
5 certification renewal process for fire-resistant material
6 applicators and a registry of persons certified as
7 fire-resistant material applicators under this Section;

8 (2) shall develop requirements for training to apply
9 fire-resistant material according to fire-resistant
10 material manufacturer specifications for persons seeking
11 certification as a fire-resistant material applicator;

12 (3) may charge a certification fee and a certification
13 renewal fee for persons seeking certification under this
14 Section; and

15 (4) shall adopt rules necessary to implement and
16 administer this Section.

17 (d) A person seeking certification as a fire-resistant
18 material applicator shall, in the judgment of the Office,
19 successfully complete the training requirements to apply
20 fire-resistant material developed under paragraph (2) of
21 subsection (c).

22 If a person satisfactorily completes the training, the
23 Office shall issue the person a certificate indicating that he
24 or she is certified to apply fire-resistant material.

25 (e) Registration as a fire-resistant material applicator
26 must be renewed annually.

1 (f) The Office shall develop a list of grounds for
2 revoking certification as a fire-resistant material
3 applicator. The Office may investigate allegations of actions
4 that constitute grounds for revocation and may revoke
5 certification if, in Office's determination, a violation has
6 occurred.

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