



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB5319

by Rep. Kevin Joyce

SYNOPSIS AS INTRODUCED:

430 ILCS 85/2-15

from Ch. 111 1/2, par. 4065

Amends the Carnival and Amusement Rides Safety Act. Provides that an owner or operator of an amusement ride or amusement attraction at a carnival or fair that violates the Act or a rule adopted under the Act is subject to a civil penalty not to exceed \$2,500 per violation for a first violation and not to exceed \$5,000 for a second or subsequent violation. Provides that each day the violation continues constitutes a separate violation. Provides that penalties may be recovered in a civil action brought by the Director of Labor and that the Director of Labor shall be represented by the Attorney General. Effective January 1, 2009.

LRB095 15419 WGH 41411 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Carnival and Amusement Rides Safety Act is
5 amended by changing Section 2-15 as follows:

6 (430 ILCS 85/2-15) (from Ch. 111 1/2, par. 4065)

7 Sec. 2-15. Penalties.

8 1. Criminal Penalties.

9 (a) Any person who operates an amusement ride or
10 amusement attraction at a carnival or fair without having
11 obtained a permit from the Director or who violates any
12 order or rule issued by the Director under this Act is
13 guilty of a Class A misdemeanor. Each day shall constitute
14 a separate and distinct offense.

15 (b) ~~2.~~ Any person who interferes with, impedes, or
16 obstructs in any manner the Director or any authorized
17 representative of the Department in the performance of
18 their duties under this Act is guilty of a Class A
19 misdemeanor.

20 2. Civil Penalties. Unless otherwise provided in this Act,
21 any owner or operator of an amusement ride or amusement
22 attraction at a carnival or fair that violates any provision of
23 this Act or rule adopted under this Act is subject to a civil

1 penalty not to exceed \$2,500 per violation for a first
2 violation and not to exceed \$5,000 for a second or subsequent
3 violation.

4 For purposes of this subsection, each day the violation
5 continues shall constitute a separate and distinct violation.
6 Penalties may be recovered in a civil action brought by the
7 Director of Labor in any circuit court. In this litigation, the
8 Director of Labor shall be represented by the Attorney General.

9 (Source: P.A. 94-801, eff. 5-25-06.)

10 Section 99. Effective date. This Act takes effect January
11 1, 2009.