

1 AN ACT concerning State government.

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 4 as follows:

6 (20 ILCS 2905/4 new)

7 Sec. 4. Rebuilt flame safeguard controls.

8 (a) Beginning July 1, 2012, the use of a rebuilt flame  
9 safeguard control in forced air heating equipment in any  
10 non-residential structure is prohibited, unless the rebuilt  
11 flame safeguard control is labeled and listed by a nationally  
12 recognized testing agency. This prohibition does not apply to  
13 structures used for production agriculture, as defined in  
14 Section 3-35 of the Use Tax Act.

15 For the purposes of this Section, "flame safeguard control"  
16 means a modular burner management system that is designed to  
17 provide automatic ignition and continuous flame monitoring for  
18 use in forced air heating equipment that uses gas or light oil  
19 fuels, or both.

20 (b) Willful failure to remove any rebuilt flame safeguard  
21 control in forced air heating equipment as required by this Act  
22 is a Class B misdemeanor.

23 Tampering with, removing, destroying, or disconnecting any

1 installed flame safeguard control, except in the course of  
2 inspection, maintenance, or replacement of the control, is a  
3 Class A misdemeanor for the first conviction and a Class 4  
4 felony for a second or subsequent conviction.