



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB4270

Introduced 8/11/2015, by Rep. Patrick J. Verschoore

SYNOPSIS AS INTRODUCED:

425 ILCS 35/2 from Ch. 127 1/2, par. 128
425 ILCS 35/2.2
425 ILCS 35/2.1 rep.

Amends the Pyrotechnic Use Act. Provides that it shall be unlawful for any person under the age of 18 to knowingly possess, offer for sale, expose for sale, sell at retail, or use or explode any display fireworks, flame effects, or consumer fireworks. Provides that fireworks may only be discharged by individuals over the age of 18. Removes provisions concerning permits for consumer displays.

LRB099 13068 MGM 36952 b

1 AN ACT concerning fireworks.

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

4 Section 5. The Pyrotechnic Use Act is amended by changing
5 Sections 2 and 2.2 as follows:

6 (425 ILCS 35/2) (from Ch. 127 1/2, par. 128)

7 Sec. 2. Possession, sale, and use of fireworks. Except as
8 hereinafter provided it shall be unlawful for any person under
9 the age of 18 ~~, firm, co-partnership, or corporation~~ to
10 knowingly possess, offer for sale, expose for sale, sell at
11 retail, or use or explode any display fireworks, flame effects,
12 or consumer fireworks; provided that city councils in cities,
13 the president and board of trustees in villages and
14 incorporated towns, and outside the corporate limits of cities,
15 villages and incorporated towns, the county board, shall have
16 power to adopt reasonable rules and regulations for the
17 granting of permits for pyrotechnic and consumer displays.

18 (Source: P.A. 93-263, eff. 7-22-03; 94-658, eff. 1-1-06.)

19 (425 ILCS 35/2.2)

20 Sec. 2.2. Private use. ~~Consumer displays.~~ Fireworks may
21 only be discharged by individuals over the age of 18. ~~Each~~
22 ~~consumer display shall be handled by a competent individual who~~

1 ~~has received training from a consumer fireworks training class~~
2 ~~approved by the Office of the State Fire Marshal. Applications~~
3 ~~for consumer display permits shall be made in writing at least~~
4 ~~15 days in advance of the date of the display, unless agreed to~~
5 ~~otherwise by the local jurisdiction issuing the permit and the~~
6 ~~fire chief of the jurisdiction in which the display will occur.~~
7 ~~After a permit has been granted, sales, possession, use, and~~
8 ~~distribution of consumer fireworks for display shall be lawful~~
9 ~~for that purpose only. No permit granted hereunder shall be~~
10 ~~transferable.~~

11 ~~Permits may be granted hereunder to any adult individual~~
12 ~~applying for a permit who provides proof that he or she has~~
13 ~~received the requisite training. The local jurisdiction~~
14 ~~issuing the permit is authorized to conduct a criminal~~
15 ~~background check of the applicant as a condition of issuing a~~
16 ~~permit.~~

17 ~~A permit shall be issued only after inspection of the~~
18 ~~display site by the fire chief providing fire protection~~
19 ~~coverage to the area of display, or his or her designee, to~~
20 ~~determine that the display is in full compliance with the rules~~
21 ~~adopted by the State Fire Marshal. Nothing in this Section~~
22 ~~shall prohibit the issuer of a permit from adopting more~~
23 ~~stringent rules.~~

24 (Source: P.A. 94-658, eff. 1-1-06.)

25 (425 ILCS 35/2.1 rep.)

1 Section 10. The Pyrotechnic Use Act is amended by repealing
2 Section 2.1.