



Rep. Robert Rita

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10200HB2898ham001

LRB102 13459 CPF 23009 a

1 AMENDMENT TO HOUSE BILL 2898

2 AMENDMENT NO. _____. Amend House Bill 2898 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Fireworks Regulation Act of Illinois is
5 amended by changing Section 2 as follows:

6 (425 ILCS 30/2) (from Ch. 127 1/2, par. 102)

7 Sec. 2. The following words and phrases, when used in this
8 Act, shall for the purpose of this Act have the following
9 definition and meaning:

10 (a) The term fireworks shall mean and include any
11 explosive composition or any substance or combination of
12 substances, or article prepared for the purpose of producing a
13 visible or audible effect of a temporary exhibitional nature
14 by explosion, combustion, deflagration or detonation, and
15 shall include blank cartridges, toy cannons in which
16 explosives are used, the type of balloons which require fire

1 underneath to propel the same, firecrackers, torpedoes, sky
2 rockets, Roman candles, bombs or other fireworks of like
3 construction and any fireworks containing any explosive
4 compound; or any tablets or other device containing any
5 explosive substance, or containing combustible substances
6 producing visual effects. The term "fireworks" shall not
7 include snake or glow worm pellets; smoke devices; handheld or
8 ground-based sparklers that are nonexplosive and nonaerial,
9 sometimes producing a crackling or whistling effect, and
10 containing 75 grams or fewer of pyrotechnic composition per
11 tube or a total of 500 grams or fewer for multiple tubes; trick
12 noisemakers known as "party poppers", "booby traps",
13 "snappers", "trick matches", "cigarette loads" and "auto
14 burglar alarms"; toy pistols, toy canes, toy guns, or other
15 devices in which paper or plastic caps containing twenty-five
16 hundredths grains or less of explosive compound are used,
17 provided they are so constructed that the hand cannot come in
18 contact with the cap when in place for the explosion; wood
19 stick or wire sparklers containing not more than 100 grams of
20 pyrotechnic mixture per item; and toy pistol paper or plastic
21 caps which contain less than twenty-five hundredths grains of
22 explosive mixture; the sale and use of which shall be
23 permitted at all times.

24 (b) The term "fireworks plant" shall mean and include all
25 lands, with buildings thereon, used in connection with the
26 manufacture or processing of fireworks, as well as storehouses

1 located thereon for the storage of finished fireworks.

2 (c) The term "fireworks factory building" shall mean any
3 building or other structure in which the manufacture of
4 fireworks, or in which any processing involving fireworks is
5 carried on.

6 (d) The term "magazine" shall mean any building or other
7 structure used for the storage of explosive raw materials used
8 in the manufacture of fireworks.

9 (e) The term "Office" shall mean the Office of the State
10 Fire Marshal.

11 (Source: P.A. 83-474.)

12 Section 10. The Pyrotechnic Use Act is amended by changing
13 Section 1 as follows:

14 (425 ILCS 35/1) (from Ch. 127 1/2, par. 127)

15 Sec. 1. Definitions. As used in this Act, the following
16 words shall have the following meanings:

17 "1.3G fireworks" means those fireworks used for
18 professional outdoor displays and classified as fireworks
19 UN0333, UN0334, or UN0335 by the United States Department of
20 Transportation under 49 C.F.R. 172.101.

21 "Consumer distributor" means any person who distributes,
22 offers for sale, sells, or exchanges for consideration
23 consumer fireworks in Illinois to another distributor or
24 directly to any retailer or person for resale.

1 "Consumer fireworks" means those fireworks that must
2 comply with the construction, chemical composition, and
3 labeling regulations of the U.S. Consumer Products Safety
4 Commission, as set forth in 16 C.F.R. Parts 1500 and 1507, and
5 classified as fireworks UN0336 or UN0337 by the United States
6 Department of Transportation under 49 C.F.R. 172.101.

7 "Consumer fireworks" shall not include snake or glow worm
8 pellets; smoke devices; trick noisemakers known as "party
9 poppers", "booby traps", "snappers", "trick matches",
10 "cigarette loads", and "auto burglar alarms"; handheld or
11 ground-based sparklers that are nonexplosive and nonaerial,
12 sometimes producing a crackling or whistling effect, and
13 containing 75 grams or fewer of pyrotechnic composition per
14 tube or a total of 500 grams or fewer for multiple tubes; toy
15 pistols, toy canes, toy guns, or other devices in which paper
16 or plastic caps containing twenty-five hundredths grains or
17 less of explosive compound are used, provided they are so
18 constructed that the hand cannot come in contact with the cap
19 when in place for the explosion; wood stick or wire sparklers
20 containing not more than 100 grams of pyrotechnic mixture per
21 item; and toy pistol paper or plastic caps that contain less
22 than twenty hundredths grains of explosive mixture; the sale
23 and use of which shall be permitted at all times.

24 "Consumer fireworks display" or "consumer display" means
25 the detonation, ignition, or deflagration of consumer
26 fireworks to produce a visual or audible effect.

1 "Consumer operator" means an adult individual who is
2 responsible for the safety, setup, and discharge of the
3 consumer fireworks display and who has completed the training
4 required in Section 2.2 of this Act.

5 "Consumer retailer" means any person who offers for sale,
6 sells, or exchanges for consideration consumer fireworks in
7 Illinois directly to any person with a consumer display
8 permit.

9 "Display fireworks" means 1.3G or special effects
10 fireworks or as further defined in the Pyrotechnic Distributor
11 and Operator Licensing Act.

12 "Flame effect" means the detonation, ignition, or
13 deflagration of flammable gases, liquids, or special materials
14 to produce a thermal, physical, visual, or audible effect
15 before the public, invitees, or licensees, regardless of
16 whether admission is charged, in accordance with National Fire
17 Protection Association 160 guidelines, and as may be further
18 defined in the Pyrotechnic Distributor and Operator Licensing
19 Act.

20 "Lead pyrotechnic operator" means an individual who is
21 responsible for the safety, setup, and discharge of the
22 pyrotechnic display or pyrotechnic service and who is licensed
23 pursuant to the Pyrotechnic Distributor and Operator Licensing
24 Act.

25 "Person" means an individual, firm, corporation,
26 association, partnership, company, consortium, joint venture,

1 commercial entity, state, municipality, or political
2 subdivision of a state or any agency, department, or
3 instrumentality of the United States and any officer, agent,
4 or employee of these entities.

5 "Production company" means any person in the film, digital
6 and video media, television, commercial, music, or theatrical
7 stage industry who provides pyrotechnic services or
8 pyrotechnic display services as part of a film, digital and
9 video media, television, commercial, music, or theatrical
10 production in the State of Illinois and is licensed by the
11 Office pursuant to the Pyrotechnic Distributor and Operator
12 Licensing Act.

13 "Pyrotechnic display" means the detonation, ignition, or
14 deflagration of display fireworks or flame effects to produce
15 visual or audible effects of an exhibitional nature before the
16 public, invitees, or licensees, regardless of whether
17 admission is charged, and as may be further defined in the
18 Pyrotechnic Distributor and Operator Licensing Act.

19 "Pyrotechnic distributor" means any person who distributes
20 display fireworks for sale in the State of Illinois or
21 provides them as part of a pyrotechnic display service in the
22 State of Illinois or provides only pyrotechnic services and is
23 licensed by the Office pursuant to the Pyrotechnic Distributor
24 and Operator Licensing Act.

25 "Pyrotechnic service" means the detonation, ignition, or
26 deflagration of display fireworks, special effects, or flame

1 effects to produce a visual or audible effect.

2 "Special effects fireworks" means pyrotechnic devices used
3 for special effects by professionals in the performing arts in
4 conjunction with theatrical, musical, or other productions
5 that are similar to consumer fireworks in chemical
6 compositions and construction, but are not intended for
7 consumer use and are not labeled as such or identified as
8 "intended for indoor use". "Special effects fireworks" are
9 classified as fireworks UN0431 or UN0432 by the United States
10 Department of Transportation under 49 C.F.R. 172.101.
11 (Source: P.A. 99-642, eff. 7-28-16.)

12 Section 99. Effective date. This Act takes effect January
13 1, 2022."