



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**

Introduced 02/05/04, by Marlow H. Colvin

**SYNOPSIS AS INTRODUCED:**

425 ILCS 30/2	from Ch. 127 1/2, par. 102
425 ILCS 35/1	from Ch. 127 1/2, par. 127

Amends the Fireworks Regulation Act of Illinois and the Fireworks Use Act. Provides that for purposes of each Act, the term "fireworks" does not include hand-held or ground-based sparklers of not more than 100 grams of pyrotechnic mixture per item (instead of simply "sparklers"). Permits the storage and possession (in addition to the sale and use) of items that are not "fireworks". Effective immediately.

LRB093 19818 RXD 45561 b

1 AN ACT concerning fireworks regulation.

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

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 explosive  
11 composition or any substance or combination of substances, or  
12 article prepared for the purpose of producing a visible or  
13 audible effect of a temporary exhibitional nature by explosion,  
14 combustion, deflagration or detonation, and shall include  
15 blank cartridges, toy cannons in which explosives are used, the  
16 type of balloons which require fire underneath to propel the  
17 same, firecrackers, torpedoes, sky rockets, Roman candles,  
18 bombs or other fireworks of like construction and any fireworks  
19 containing any explosive compound; or any tablets or other  
20 device containing any explosive substance, or containing  
21 combustible substances producing visual effects. The term  
22 "fireworks" shall not include snake or glow worm pellets; smoke  
23 devices; hand-held or ground-based sparklers of not more than  
24 100 grams of pyrotechnic mixture per item ~~sparklers~~; trick  
25 noisemakers known as "party poppers", "booby traps",  
26 "snappers", "trick matches", "cigarette loads" and "auto  
27 burglar alarms"; toy pistols, toy canes, toy guns, or other  
28 devices in which paper or plastic caps containing twenty-five  
29 hundredths grains or less of explosive compound are used,  
30 provided they are so constructed that the hand cannot come in  
31 contact with the cap when in place for the explosion; and toy  
32 pistol paper or plastic caps which contain less than

1 twenty-five hundredths grains of explosive mixture; the  
2 storage, possession, sale, and use of which shall be permitted  
3 at all times.

4 (b) The term "fireworks plant" shall mean and include all  
5 lands, with buildings thereon, used in connection with the  
6 manufacture or processing of fireworks, as well as storehouses  
7 located thereon for the storage of finished fireworks.

8 (c) The term "fireworks factory building" shall mean any  
9 building or other structure in which the manufacture of  
10 fireworks, or in which any processing involving fireworks is  
11 carried on.

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

15 (e) The term "Office" shall mean the Office of the State  
16 Fire Marshal.

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

18 Section 10. The Fireworks Use Act is amended by changing  
19 Section 1 as follows:

20 (425 ILCS 35/1) (from Ch. 127 1/2, par. 127)

21 Sec. 1. The term fireworks shall mean and include any  
22 explosive composition, or any substance or combination of  
23 substances, or article prepared for the purpose of producing a  
24 visible or audible effect of a temporary exhibitional nature by  
25 explosion, combustion, deflagration or detonation, and shall  
26 include blank cartridges, toy cannons, in which explosives are  
27 used, the type of balloons which require fire underneath to  
28 propel the same, firecrackers, torpedoes, skyrockets, Roman  
29 candles, bombs, or other fireworks of like construction and any  
30 fireworks containing any explosive compound, or any tablets or  
31 other device containing any explosive substance, or containing  
32 combustible substances producing visual effects: provided,  
33 however, that the term "fireworks" shall not include snake or  
34 glow worm pellets; smoke devices; trick noisemakers known as

1 "party poppers", "booby traps", "snappers", "trick matches",  
2 "cigarette loads" and "auto burglar alarms"; hand-held or  
3 ground-based sparklers of not more than 100 grams of  
4 pyrotechnic mixture per item ~~sparklers~~; toy pistols, toy canes,  
5 toy guns, or other devices in which paper or plastic caps  
6 containing twenty-five hundredths grains or less of explosive  
7 compound are used, providing they are so constructed that the  
8 hand cannot come in contact with the cap when in place for the  
9 explosion; and toy pistol paper or plastic caps which contain  
10 less than twenty hundredths grains of explosive mixture; the  
11 storage, possession, sale, and use of which shall be permitted  
12 at all times.

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

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law.