

1 AN ACT concerning public safety.

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

4 Section 5. The Furniture Fire Safety Act is amended by  
5 changing Sections 1003, 1004, and 1006 as follows:

6 (425 ILCS 45/1003) (from Ch. 127 1/2, par. 951-3)

7 Sec. 1003. (a) Articles of seating furniture, other than  
8 juvenile furniture and furniture used for and in facilities  
9 designed for the care or treatment of humans, which meet any of  
10 the following criteria are exempt from compliance with the  
11 provisions of this Act:

12 (1) Cushions and pads intended solely for outdoor use.

13 (2) Any article which is smooth surfaced and contains  
14 no more than one-half inch of filling material, if such  
15 article does not have a horizontal surface meeting a  
16 vertical surface.

17 (3) Articles manufactured solely for recreational use  
18 or physical fitness purposes, such as weightlifting  
19 benches, gymnasium mats or pads, sidehorses, and similar  
20 articles.

21 (b) Public occupancies and public assembly areas as defined  
22 in subsection (e) of Section 1002 must comply with the  
23 flammability testing and labeling procedures for seating

1 furniture for use in public occupancies as published in  
2 Technical Bulletin 133, as amended, State of California Bureau  
3 of Home Furnishings and Thermal Insulation. Those public  
4 occupancies that are fully protected by sprinkler systems in  
5 accordance with either National Fire Protection Association  
6 (NFPA) Standard 13, as amended, or Uniform Building Code  
7 Standard 38-1 are exempt from the provisions of this Code, but  
8 must comply with test requirements as set forth in the State of  
9 California, Bureau of Home Furnishings and Thermal Insulation  
10 Technical Bulletin Number 117, as amended, and Technical  
11 Bulletin Number 116, as amended, entitled respectively  
12 "Requirements, Test Procedures and Apparatus for Test  
13 Procedures and Apparatus for Testing the Flame Retardance of  
14 Filling Materials Used in Upholstered Furniture" and "Test  
15 Procedures and Apparatus for Testing the Flame Retardance of  
16 Upholstered Furniture".

17 (c) Effective July 1, 2008, all seating furniture, except  
18 as otherwise provided for in subsection (b) of this Section,  
19 sold in this State must comply with test requirements as set  
20 forth in the State of California, Bureau of Home Furnishings  
21 and Thermal Insulation Technical Bulletin Number 117, as  
22 amended, and Technical Bulletin Number 116, as amended,  
23 entitled respectively "Requirements, Test Procedures and  
24 Apparatus for Test Procedures and Apparatus for Testing the  
25 Flame Retardance of Filling Materials Used in Upholstered  
26 Furniture" and "Test Procedures and Apparatus for Testing the

1 Flame Retardance of Upholstered Furniture".

2 (Source: P.A. 86-631; 87-129.)

3 (425 ILCS 45/1004) (from Ch. 127 1/2, par. 951-4)

4 Sec. 1004. (a) The State Fire Marshal has the duty to  
5 administer and enforce this Act in accordance with the laws of  
6 this State.

7 (b) The State Fire Marshal shall adopt rules and  
8 regulations necessary for the administration and enforcement  
9 of this Act within 6 months after the effective date of this  
10 Act. The rules and regulations shall be in conformity with the  
11 flammability testing and labeling procedures for seating  
12 furniture ~~for use in public occupancies~~ as published in  
13 Technical Bulletins 116, 117, and Bulletin 133, as amended,  
14 State of California Bureau of Home Furnishings and Thermal  
15 Insulation. The State Fire Marshal shall periodically add,  
16 delete, revise and update such rules and regulations as may  
17 from time to time be required to conform with the requirements  
18 of Technical Bulletin ~~133~~.

19 (c) All rules and regulations adopted by the State Fire  
20 Marshal shall become effective not earlier than 90 days from  
21 adoption.

22 (Source: P.A. 86-631; 87-129.)

23 (425 ILCS 45/1006) (from Ch. 127 1/2, par. 951-6)

24 Sec. 1006. This Act applies to all seating furniture

1 manufactured on or after the effective date of this Act or the  
2 effective date of any amendment hereto, which is sold or  
3 intended for use ~~in public occupancies~~ in this State regardless  
4 of its point of origin. After the effective date of this Act,  
5 or the effective date of any amendment hereto, this Act  
6 prohibits the sale for use ~~in a public occupancy of~~ any seating  
7 furniture which fails to conform to the applicable flammability  
8 standard or labeling requirement set forth in this Act.

9 (Source: P.A. 86-631.)