

1 AN ACT concerning safety.

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

4 Section 5. The Smoke Free Illinois Act is amended by  
5 changing Section 45 as follows:

6 (410 ILCS 82/45)

7 Sec. 45. Violations.

8 (a) A person, corporation, partnership, association or  
9 other entity who violates Section 15 or 20 of this Act shall be  
10 fined pursuant to this Section. Each day that a violation  
11 occurs is a separate violation.

12 (b) A person who smokes in an area where smoking is  
13 prohibited under Section 15 of this Act shall be fined in an  
14 amount that is \$100 for a first offense and \$250 for each  
15 subsequent offense. A person who owns, operates, or otherwise  
16 controls a public place or place of employment that violates  
17 Section 15 or 20 of this Act shall be fined (i) \$250 for the  
18 first violation, (ii) \$500 for the second violation within one  
19 year after the first violation, and (iii) \$2,500 for each  
20 additional violation within one year after the first violation.

21 (c) A fine imposed under this Section shall be allocated as  
22 follows:

23 (1) one-half of the fine shall be distributed to the

1 Department; and

2 (2) one-half of the fine shall be distributed to the  
3 enforcing agency.

4 (d) Rulemaking authority to implement this amendatory Act  
5 of the 95th General Assembly, if any, is conditioned on the  
6 rules being adopted in accordance with all provisions of the  
7 Illinois Administrative Procedure Act and all rules and  
8 procedures of the Joint Committee on Administrative Rules; any  
9 purported rule not so adopted, for whatever reason, is  
10 unauthorized.

11 (Source: P.A. 95-17, eff. 1-1-08; 95-1029, eff. 2-4-09.)

12 Section 99. Effective date. This Act takes effect upon  
13 becoming law.