

AN ACT concerning safety.

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

Section 5. The Laser System Act of 1997 is amended by changing Sections 15, 20, 30, 35, 40, 50, and 55 and by adding Sections 16 and 17 as follows:

(420 ILCS 56/15)

Sec. 15. Definitions. For the purposes of this Act, unless the context requires otherwise:

~~(1)~~ "Agency" means the Illinois Emergency Management Agency.

~~(2)~~ "Director" means the Director of the Illinois Emergency Management Agency.

~~(3)~~ "FDA" means the Food and Drug Administration of the United States Department of Health and Human Services.

~~(4)~~ "Laser installation" means a location or facility where laser systems are produced, stored, disposed of, or used for any purpose. "Laser installation" does not include any private residence.

"Laser installation operator" means an individual, group of individuals, partnership, firm, corporation, association, or other entity conducting any business or activity within a laser installation.

~~(5)~~ "Laser machine" means a device that is capable of producing or projecting laser radiation when associated controlled devices are operated.

~~(6)~~ "Laser radiation" means an electromagnetic radiation emitted from a laser system and includes all reflected radiation, any secondary radiation, or other forms of energy resulting from the primary laser beam.

"Laser safety officer" means an individual who is qualified by training and experience in the evaluation and control of laser hazards, as evidenced by satisfaction of the training and experience requirements adopted by the Agency under subsection (b) of Section 16, and who is designated, where required by Sections 16 and 17, by a laser installation operator or temporary laser display operator to have the authority and responsibility to establish and administer a laser radiation protection program for a particular laser installation or temporary laser display.

~~(7)~~ "Laser system" means a device, laser projector, laser machine, equipment, or other apparatus that applies a source of energy to a gas, liquid, crystal, or other solid substances or combination thereof in a manner that electromagnetic radiations of a relatively uniform wave length are amplified and emitted in a cohesive beam capable of transmitting the energy developed in a manner that may be harmful to living tissues, including, but not

limited to, electromagnetic waves in the range of visible, infrared, or ultraviolet light. Such systems in schools, colleges, occupational schools, and State colleges and other State institutions are also included in the definition of "laser systems". "Laser system" includes laser machines but does not include any device, machine, equipment, or other apparatus used in the provision of communications through fiber optic cable.

~~-(8) "Operator" is an individual, group of individuals, partnership, firm, corporation, association, or other entity conducting the business or activities carried on within a laser installation.~~

"Temporary laser display" means a visual effect display created for a limited period of time at a laser installation by a laser system that is not a permanent fixture in the laser installation for the entertainment of the public or invitees, regardless of whether admission is charged or whether the laser display takes place indoors or outdoors.

"Temporary laser display operator" means an individual, group of individuals, partnership, firm, corporation, association, or other entity conducting a temporary laser display at a laser installation.

(Source: P.A. 102-558, eff. 8-20-21.)

(420 ILCS 56/16 new)

Sec. 16. Laser safety officers.

(a) Each laser installation whose function is for the use of a temporary laser display shall use a laser safety officer.

(b) The Agency shall adopt rules specifying minimum training and experience requirements for laser safety officers. The requirements shall be specific to the evaluation and control of laser hazards for different types of laser systems and the purpose for which a laser system is used.

(c) If a laser safety officer encounters noncompliance with this Act or rules adopted under this Act in the course of performing duties as a laser safety officer, then the laser safety officer shall report that noncompliance to the Agency as soon as practical to protect public health and safety.

(d) No person may act as a laser safety officer or advertise or use any title implying qualification as a laser safety officer unless the person meets the training and experience requirements of this Act and the training and experience requirements established by the Agency under subsection (b).

(420 ILCS 56/17 new)

Sec. 17. Temporary laser displays; temporary laser display operators.

(a) Each temporary laser display operator shall ensure that each temporary laser display has a laser safety officer physically present at the setup, rehearsal, and performance of

the temporary laser display to ensure that all laser systems in operation at the laser installation meet the requirements of this Act and any rules adopted by the Agency under this Act.

(b) Each laser safety officer for a temporary laser display shall act independently of any temporary laser display operator for the temporary laser display.

(c) Each laser installation operator and temporary laser display operator shall provide the laser safety officer access to all necessary areas of the temporary laser display's location, including, but not limited to, access during the temporary laser display to any backstage area, and shall provide all details regarding the laser installation and the laser system necessary for the laser safety officer to ensure that the temporary laser display is conducted safely and in accordance with this Act and any rules adopted by the Agency under this Act.

(d) Each temporary laser display operator shall ensure that the registration and notification requirements under Section 20 are complied with for each temporary laser display that the temporary laser display operator conducts.

(e) Each temporary laser display operator shall indemnify each laser safety officer and hold the laser safety officer harmless from:

(1) the temporary laser display operator's failure to comply with the provisions of this Act and rules adopted by the Agency under this Act; and

(2) all damages, including, but not limited to, bodily injury, death, and physical damage to property, resulting from a temporary laser display.

(f) Each temporary laser display operator shall maintain a policy of general liability insurance in an amount that is commercially reasonable, but not less than \$1,000,000, and that covers each temporary laser display and laser safety officer.

(420 ILCS 56/20)

Sec. 20. Registration requirements; notification requirements.

(a) Each ~~An operator of a~~ laser installation operator, unless otherwise exempted, shall register the laser installation with the Agency before using a laser system at the laser installation before the installation is placed in operation. The registration shall be filed annually on a form prescribed by the Agency and shall include the laser safety officer's name. If any change occurs in a laser installation, the change or changes shall be registered with the Agency within 30 days. If registering a change in each source of laser radiation or the type or strength of each source of radiation is impractical, the Agency, ~~upon request of the operator,~~ may approve blanket registration of the installation. Laser installations registered with the Agency on the effective date of this Act shall retain their registration.

(b) Each temporary laser display operator, unless otherwise exempted, shall register as a temporary laser display operator with the Agency before conducting a temporary laser display in this State. A temporary laser display operator must register only once with the Agency but must update the temporary laser display operator's registration information provided in obtaining the temporary laser display operator's registration as needed. Registration may be completed or updated at the same time as the notification required under subsection (d). Registration shall be submitted in a format prescribed by the Agency.

(c) Registration of a laser installation or temporary laser display operator shall not imply approval of manufacture, storage, use, handling, operation, or disposal of laser systems or laser radiation, but shall serve only ~~merely~~ as notice to the Agency of the location and character of radiation sources in this State.

(d) Once registered with the Agency, each temporary laser display operator shall provide notice to the Agency of each temporary laser display at least 10 working days before conducting the temporary laser display. The notification shall include any information required by the Agency by rule and the name of a laser safety officer who will be physically present during the setup, rehearsal, and performance of the temporary laser display. For each notification submitted under this subsection, the Agency shall provide a written approval or

rejection to the temporary laser display operator prior to the temporary laser display.

(Source: P.A. 95-777, eff. 8-4-08.)

(420 ILCS 56/30)

Sec. 30. Registration fee. The Agency may establish by rule a registration fee for laser installation operators and temporary laser display operators ~~operators of laser machines~~ required to register with the Agency under this Act. The Agency may by rule exempt State and local governmental entities ~~public institutions~~ from the registration fee requirement. Registration fees assessed shall be due and payable within 60 days after the date of billing. If, after 60 days, the registration fee is not paid, the Agency may issue an order directing the laser installation operator or temporary laser display operator ~~operator of the~~ installation to cease use of the laser machines located at the laser installation for which the fee is outstanding or take other appropriate enforcement action as provided in Section 36 of the Radiation Protection Act of 1990. An order issued by the Agency shall afford the laser installation operator or temporary laser display operator a right to a hearing before the Agency. A written request for a hearing must be served on the Agency within 10 days of notice of the order. If the laser installation operator or temporary display operator fails to file a timely request for a hearing with the Agency, the laser



installation operator or temporary display operator shall be deemed to have waived his or her right to a hearing. All moneys received by the Agency under this Act shall be deposited into the Radiation Protection Fund and are not refundable. Pursuant to appropriation, moneys deposited into the Fund may be used by the Agency to administer and enforce this Act.

(Source: P.A. 95-777, eff. 8-4-08.)

(420 ILCS 56/35)

Sec. 35. Agency rules. The Agency is authorized to adopt rules for the administration and enforcement of this Act and to enter upon, inspect, and investigate the premises and operations of all laser installations ~~systems~~ of this State and to inspect and investigate the operations of temporary laser display operators, whether or not the laser installation is ~~systems~~ are required to be registered or notification is required by this Act. In adopting rules authorized by this Section and in exempting certain laser systems from the registration and notification requirements of Section 20, the Agency may seek advice and consultation from engineers, physicists, physicians, or other persons with special knowledge of laser systems and of the medical and biological effects of laser systems.

(Source: P.A. 95-777, eff. 8-4-08.)

(420 ILCS 56/40)

Sec. 40. Reports of ~~accidental~~ injuries. A laser installation operator, temporary laser display operator, and laser safety officer ~~The operator of a laser system~~ shall promptly report to the Agency any ~~an accidental~~ injury to an individual in the course of use, handling, operation, manufacture, or discharge of a laser system.

(Source: P.A. 95-777, eff. 8-4-08.)

(420 ILCS 56/50)

Sec. 50. Public nuisance; injunctive relief. The conducting of any business or the carrying on of activities within a laser installation without registering a laser installation, without registering a temporary laser display operator, without providing notification required for a temporary laser display, or without complying with the provisions of this Act and any rules adopted by the Agency under this Act ~~relating to the laser installation~~ is declared to be inimical to the public welfare and public safety and to constitute a public nuisance. It is the duty of the Attorney General, upon the request of the Agency, to bring an action in the name of the People of the State of Illinois to enjoin a laser installation operator or temporary laser display ~~an~~ operator from unlawfully engaging in the business or activity conducted within the laser installation until the laser installation operator or temporary laser display operator ~~of~~ ~~the installation~~ complies with the provisions of this Act.

This injunctive remedy shall be in addition to, and not in lieu of, any criminal penalty provided in this Act.

(Source: P.A. 95-777, eff. 8-4-08.)

(420 ILCS 56/55)

Sec. 55. Penalties. A laser installation operator or temporary laser display operator ~~An operator~~ who fails to comply with the provisions of this Act is guilty of a Class B misdemeanor. Each day a laser installation operator or temporary laser display operator ~~an operator~~ fails to comply with the provisions of this Act constitutes a separate offense.

(Source: P.A. 90-209, eff. 7-25-97.)

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