

House Research Act Summary

CHAPTER: 243

SESSION: 2012 Regular Session

TOPIC: Fireworks

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Overview

Authorizes the sale and use of aerial and audible fireworks and reduces regulations imposed on the sale of sparkling devices and novelties.

1 Regulation.

Para. (a). Defines the following terms: "Aerial and Audible Devices," "APA 87-1," "Display fireworks," "Fireworks," "Novelties," and "Sparkling devices."

Para. (b). Prohibits the use of sparkling devices, novelties, and aerial and audible devices on public property. Prohibits the sale of the same to persons under the age of 18.

Para. (c). Authorizes local units of government to impose a reasonable license fee on retailers of aerial and audible devices. Local units of government may not:

- impose additional fees;
- require a permit, license, or charge on the retail or wholesale sale of sparkling devices or novelties;
- prohibit or restrict the sale of aerial and audible devices, sparkling devices, and novelties as long as they are sold in a structure that complies with accepted safety standards for the sale of fireworks;
- establish insurance or bonding requirements for fireworks retailers beyond those imposed on other businesses; or
- enact any ordinance, rule, or regulation that prohibits, limits, or restricts the wholesale or retail sale of sparkling devices or novelties.

Para (d). Authorizes cities to place reasonable restrictions and regulations on the use of aerial and audible devices and display fireworks. Cities may not ban the use of these items.

Para (e). Grants counties authority to regulate the use of fireworks. A county ordinance regulating the use of fireworks does not preempt a city's ordinance.

Para (f). Permits the sale and use of aerial and audible devices between June 1 and July 7 of each year.