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## **OLR Bill Analysis**

### **SB 140**

#### ***AN ACT CONCERNING THE SALE AND USE OF CONSUMER FIREWORKS.***

#### **SUMMARY**

This bill expands the types of fireworks that may be sold and used in the state to include any consumer fireworks allowed under federal law. Current state law only allows sparklers and fountains, which are non-explosive and non-aerial (CGS § 29-357(a)).

The bill allows anyone age 21 or older to purchase, possess, or use consumer fireworks. It also creates a new Department of Emergency Services and Public Protection (DESPP) license to allow federal licensees for certain explosives to sell consumer fireworks in Connecticut. The initial license and annual renewal fees are both \$1,500.

Under the bill, licensees (1) may store and sell consumer fireworks only from a permanent facility and (2) must have no prior convictions or violations related to fireworks and explosives within the two years before applying for the license.

As under existing law for those who violate the fireworks law, under the bill underage users or unlicensed sellers are subject to a class C misdemeanor (punishable by up to three months in prison, a fine of up to \$500, or both).

Lastly, the bill makes various minor, technical, and conforming changes.

EFFECTIVE DATE: October 1, 2024

#### **CONSUMER FIREWORKS LICENSE**

Under the bill, “consumer fireworks” are any small firework devices

designed to produce visible effects by combustion in compliance with the U.S. Consumer Product Safety Commission's regulations on construction, chemical composition, and labeling (27 C.F.R. § 555.11).

### ***Licensing***

Under the bill, anyone who offers or exposes for sale, sells at retail, or possesses consumer fireworks with intent to sell must hold a federal license for certain explosives (18 U.S.C. § 843) and the new DESPP license.

The bill authorizes the DESPP commissioner to issue a license to sell consumer fireworks to a federal licensee who:

1. establishes that his or her business will be located in a permanent structure that satisfies all applicable requirements of the State Building Code, Fire Safety Code, State Fire Prevention Code, zoning code, and municipal ordinances and
2. has not had any convictions involving, or violations of the laws or regulations on, fireworks or explosives, within the two years prior to applying.

The DESPP commissioner must set how to apply for the licenses. Before issuing the license, he may (1) conduct a criminal history records check and (2) inspect the site where the fireworks will be sold or stored.

The bill requires the DESPP commissioner to adopt implementing regulations for the new licensure requirements. The regulations must include requirements that the license applicant:

1. include (a) enough information to allow the commissioner to identify and evaluate the qualifications of anyone with a right to control the operations and policies of the applicant and anyone with an interest in the applicant and (b) information on the applicant's other business interests and
2. consult with the municipality where the consumer fireworks will be sold.

The regulations must also include the required notices that a licensee must give to consumers about fireworks law and safe use of consumer fireworks.

## **BACKGROUND**

### ***Related Bill***

sHB 5177, favorably reported by the Public Safety and Security Committee, expands the types of fireworks that may be sold and used in the state to include certain nonaerial and nonexplosive consumer fireworks.

## **COMMITTEE ACTION**

Public Safety and Security Committee

Joint Favorable

Yea 15    Nay 9    (02/29/2024)