

HCS HB 806 -- FIREWORKS PROTECTIONS

SPONSOR: Taylor (48)

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Conservation and Natural Resources by a vote of 12 to 0. Voted "Do Pass" by the Standing Committee on Rules-Legislative by a vote of 5 to 2 with 3 voting present.

The following is a summary of the House Committee Substitute for HB 806.

Currently, the ability of an individual, organization, or corporation to sell fireworks must not be affected by the issuance of a burn ban order by the State Fire Marshal. Such a county burn ban may prohibit explosions or ignitions of any missiles or skyrockets as defined by the 2012 edition of the American Fireworks Standards Laboratory. This bill mandates usage of the 2022 edition (Section 49.266, RSMo).

This bill expands the current definition of several terms, as well as provides definitions for new terms, as described in the bill (Section 320.106).

Currently, the State Fire Marshal charges certain fees for permits. This bill increases those permit and licensing fees in the following manner:

- (1) Manufacturer: current fee of \$775; new fee of \$1,000 per calendar year;
- (2) Distributor: current fee of \$775; new fee of \$1,000 per calendar year;
- (3) Wholesaler: current fee of \$275; new fee of \$500 per calendar year;
- (4) Jobber (now changed to Annual Retailer): current fee of \$525; new fee of \$750 per calendar year, per sales location; and
- (5) Seasonal Retailer: current fee of \$50; new fee of \$150 per calendar year, per sales location.

Currently, all fees collected for permits are deposited to the credit of the Fire Education Fund. This bill requires that the fees be deposited as follows:

- (1) 80% into the Fire Education Fund; and

(2) 20% into the Cigarette Fire Safety Standard and Firefighter Protection Act (Section 320.111).

Currently, the State Fire Marshal can revoke any permit upon evidence that the permit holder has violated certain fireworks regulations. This bill states that the Marshal can only revoke a permit if the violation is willful. Additionally, if the holder of a permit has multiple permit locations, a suspension or revocation must only apply to the location where the violation occurred. The Marshal can also refuse to issue a license or permit to an applicant when the permit or license is under current suspension or revocation. (Section 320.116).

Currently, the sale or display of fireworks that have been transported into Missouri from another state is limited to holders of a federal license and a distributor or manufacturer permit issued by the Marshal. This bill repeals this limitation.

This bill states that only holders of a state-issued manufacturer or distributor permit are allowed to sell display fireworks and articles pyrotechnics, as described in the bill, within Missouri. Such a permitted holder can sell display fireworks and articles pyrotechnic only to those who maintain either a state-issued permit, or have a state-issued display operator license or pyrotechnic effect operator license. For the sale of display fireworks, proof of any required federal license or permit must be required prior to finalizing any sale or transfer.

Currently, certain rules apply to municipalities, fair associations, amusement parks, organizations, persons, firms, or corporations that hold permits for display or proximate fireworks. This bill repeals such language and rules, and states that nothing must be construed to prohibit a holder of a manufacturer or distributor permit from transporting or selling display fireworks or articles pyrotechnic to persons who are not residents of Missouri (Section 320.126).

This bill sets rules and regulations to issue permits to municipalities, fair associations, amusement parks, organizations, persons, firms, or corporations for outdoor fireworks displays in front of certain audiences, as described in the bill (Section 320.127).

Currently, certain restrictions exist as to who can sell fireworks to seasonal retail dealers. This bill states that no wholesaler, annual retailer, or seasonal retailer can sell, store, or display any consumer fireworks that do not comply with regulations promulgated by the United States Consumer Product Safety Commission (Section 320.131).

This bill states that a person selling or offering fireworks must permit the Marshal to conduct inspections of premises where fireworks are stored, kept, or sold. Failure to cooperate can result in a permit suspension or revocation. This bill also regulates all new construction of or substantial improvements to a permanent structure in which fireworks are stored, kept, or sold, and that the Marshal can preview such plans for compliance (Section 320.147).

This bill is similar to SB 81 (2025) and HB 1466 (2024).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that this legislation was the culmination of three years of work by stakeholders. Statutes governing fireworks were last updated in 1987 and need to be modernized. The changes are protective of businesses and citizens and allow for enforcement of the regulations.

Testifying in person for the bill were Representative Taylor; Missouri Fireworks Association; John Walker, Spirit of '76, LLC; Arnie Dienoff.

OPPONENTS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill spoke to the current implementation and staffing by the Fire Marshall's Office.

Testifying in person on the bill was Tim Bean, State Fire Marshal Office.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.