

HCS SS SCS SBs 81 & 174 -- FIREWORKS PROTECTIONS

SPONSOR: Gregory (21) (Taylor)

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Emerging Issues by a vote of 11 to 1. Voted "Do Pass" by the Standing Committee on Rules-Administrative by a vote of 8 to 0.

The following is a summary of the House Committee Substitute for SBs 81 & 174.

This bill modifies several definitions relating to fireworks standards, manufacturers and sellers of fireworks, and other pyrotechnic definitions and updates the edition of the American Fireworks Standards Laboratory (AFSL) from the 2012 edition to the 2022 edition.

The bill modifies the permit and licensing fees and penalties which the State Fire Marshal is authorized to assess, as provided in the bill. Fees will be deposited to the Fire Education Fund and the Cigarette Fire Safety Standard and Firefighter Protection Act Fund as specified in this bill.

The State Fire Marshal may revoke or suspend any permit upon evidence that the influence of alcohol or any illicit controlled substance is taking place by any permit holder, employee, or representative within the permitted annual or seasonal retail sales location during normal business hours. The Fire Marshal may also refuse to issue a permit when the individual or partner of the individual is under suspension. This bill modifies provisions relating to permitting requirements for municipalities, fair associations, amusement parks, organizations, persons, firms, or corporations for outdoor fireworks displays. The permit must be submitted to the State Fire Marshal a minimum of 10 days prior to the event.

The bill provides that only holders of a state issued manufacturer or distributor permit are allowed to sell certain fireworks in Missouri and may only sell to persons who maintain a state issued manufacturer or distributor permit or a valid state issued display operator license or pyrotechnic effect operator license. Proof of any required federal license or permit is required to finalize the sale.

The State Fire Marshal must inspect any establishment, venue, or shoot site where certain fireworks are to be discharged. Any person selling fireworks must allow the State Fire Marshal to inspect any location where fireworks are stored, kept, or sold.

Failure to allow an inspection will result in suspension or revocation of the person's permit. Any new construction of a permanent structure in a jurisdiction without a local building code must submit a full set of construction plans to the State Fire Marshal for review.

This bill similar to SB 1395 (2024) and HB 2546 (2024).

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

PROPONENTS: Supporters say that this bill modernizes the language of existing statutory law, and brings the regulation of fireworks into equal and equitable standing. The last update to statutory language was 1985, and since that time, the fireworks industry has grown tremendously. For instance, many of the types of fireworks listed currently in statute do not even exist anymore. Supporters further say that Missouri is the nationwide leader in fireworks sales, so it should continue to lead the way.

Testifying in person for the bill were Senator Gregory; Arnie C. Dienoff; Missouri Fireworks Association; and John Walker, Spirit of '76 Fireworks.

OPPONENTS: There was no opposition voiced to the committee.

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.