



General Assembly

Amendment

January Session, 2025

LCO No. 9485



Offered by:

REP. VAIL, 52nd Dist.

REP. MCGORTY B., 122nd Dist.

To: Subst. House Bill No. **7054**

File No. 401

Cal. No. 262

**"AN ACT CONCERNING THE SALE AND USE OF NONAERIAL AND
NONEXPLOSIVE CONSUMER FIREWORKS."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 29-356 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2025*):

5 As used in sections 29-356 to 29-365, inclusive, as amended by this
6 act, and section 3 of this act:

7 (1) "Fireworks" means and includes any combustible or explosive
8 composition, or any substance or combination of substances or article
9 prepared for the purpose of producing a visible or an audible effect by
10 combustion, explosion, deflagration or detonation, and includes blank
11 cartridges, toy pistols, toy cannons, toy canes or toy guns in which
12 explosives are used, the type of balloons which require fire underneath
13 to propel the same, firecrackers, torpedoes, skyrockets, Roman candles,

14 Daygo bombs, and any fireworks containing any explosive or
15 flammable compound, or any tablets or other device containing any
16 explosive substance, except that the term "fireworks" shall not include
17 sparklers, [and] fountains and consumer fireworks, toy pistols, toy
18 canes, toy guns or other devices in which paper caps manufactured in
19 accordance with the regulations of the United States Interstate
20 Commerce Commission or its successor agency for packing and
21 shipping of toy paper caps are used and toy pistol paper caps
22 manufactured as provided [therein] in such regulations.

23 (2) "Sparklers" means a wire or stick coated with pyrotechnic
24 composition that produces a shower of sparks upon ignition.

25 (3) "Fountain" means any cardboard or heavy paper cone or
26 cylindrical tube containing pyrotechnic mixture that upon ignition
27 produces a shower of colored sparks or smoke. "Fountain" includes, but
28 is not limited to, (A) a spike fountain, which provides a spike for
29 insertion into the ground, (B) a base fountain which has a wooden or
30 plastic base for placing on the ground, or (C) a handle fountain which is
31 a handheld device with a wooden or cardboard handle.

32 (4) "Consumer fireworks" has the same meaning as provided in 27
33 CFR 555.11, as amended from time to time, except "consumer fireworks"
34 does not include sparklers or fountains.

35 Sec. 2. Section 29-357 of the general statutes is repealed and the
36 following is substituted in lieu thereof (*Effective October 1, 2025*):

37 (a) Except as provided in subsection (b) of this section, no person,
38 firm or corporation shall offer for sale, expose for sale, sell at retail or
39 use or explode or possess with intent to sell, use or explode any
40 fireworks. A person who is sixteen years of age or older may offer for
41 sale, expose for sale, sell at retail, purchase, use or possess with intent to
42 sell or use sparklers or fountains of not more than one hundred grams
43 of pyrotechnic mixture per item, which are nonexplosive and nonaerial,
44 provided (1) such sparklers and fountains do not contain magnesium,

45 except for magnalium or magnesium-aluminum alloy, (2) such
46 sparklers and fountains containing any chlorate or perchlorate salts do
47 not exceed five grams of composition per item, and (3) when more than
48 one fountain is mounted on a common base, the total pyrotechnic
49 composition does not exceed two hundred grams. A person who is
50 twenty-one years of age or older may purchase, possess or use consumer
51 fireworks and, if licensed pursuant to section 3 of this act, may offer for
52 sale, expose for sale, sell at retail or possess with intent to sell consumer
53 fireworks.

54 (b) The Commissioner of Emergency Services and Public Protection
55 shall adopt [reasonable] regulations, in accordance with the provisions
56 of chapter 54, for the granting of permits for supervised displays of
57 fireworks or for the indoor use of pyrotechnics, sparklers and fountains
58 for special effects by municipalities, fair associations, amusement parks,
59 other organizations or groups of individuals or artisans in pursuit of
60 their trade. Such permit may be issued upon application to said
61 commissioner and after (1) inspection of the site of such display or use
62 by the local fire marshal to determine compliance with the requirements
63 of such regulations, and (2) approval of the chiefs of the police and fire
64 departments, or, if there is no police or fire department, of the first
65 selectman, of the municipality wherein the display is to be held as is
66 provided in this section. No such display shall be handled or fired by
67 any person until such person has been granted a certificate of
68 competency by the Commissioner of Emergency Services and Public
69 Protection, in respect to which a fee of two hundred dollars shall be
70 payable to the State Treasurer when issued and which may be renewed
71 every three years upon payment of a fee of one hundred ninety dollars
72 payable to the State Treasurer, provided such certificate may be
73 suspended or revoked by said commissioner at any time for cause. Such
74 certificate of competency shall attest to the fact that such operator is
75 competent to fire a display. Such display shall be of such a character and
76 so located, discharged or fired as in the opinion of the chiefs of the police
77 and fire departments or such selectman, after proper inspection, will not
78 be hazardous to property or endanger any person or persons. In an

79 aerial bomb, no salute, report or maroon may be used that is composed
80 of a formula of chlorate of potash, sulphur, black needle antimony and
81 dark aluminum. Formulas that may be used in a salute, report or
82 maroon are as follows: (A) Perchlorate of potash, black needle antimony
83 and dark aluminum, and (B) perchlorate of potash, dark aluminum and
84 sulphur. No high explosive such as dynamite, fulminate of mercury or
85 other stimulator for detonating shall be used in any aerial bomb or other
86 pyrotechnics. Application for permits shall be made in writing at least
87 fifteen days prior to the date of display, on such notice as the
88 Commissioner of Emergency Services and Public Protection by
89 regulation prescribes, on forms furnished by the commissioner, and a
90 fee of one hundred dollars shall be payable to the State Treasurer with
91 each such application. After such permit has been granted, sales,
92 possession, use and distribution of fireworks for such display shall be
93 lawful for that purpose only. No permit granted [hereunder] pursuant
94 to this section shall be transferable. Any permit issued under the
95 provisions of this section may be suspended or revoked by the
96 Commissioner of Emergency Services and Public Protection or the local
97 fire marshal for violation by the permittee of any provision of the
98 general statutes, any regulation or any ordinance relating to fireworks.

99 (c) The Commissioner of Emergency Services and Public Protection
100 may grant variations or exemptions from, or approve equivalent or
101 alternate compliance with, particular provisions of any regulation
102 issued under the provisions of subsection (b) of this section where strict
103 compliance with such provisions would entail practical difficulty or
104 unnecessary hardship or is otherwise adjudged unwarranted, provided
105 any such variation, exemption, approved equivalent or alternate
106 compliance shall, in the opinion of the commissioner, secure the public
107 safety and shall be made in writing.

108 (d) Any person, firm or corporation violating the provisions of this
109 section shall be guilty of a class C misdemeanor, except that (1) any
110 person, firm or corporation violating the provisions of subsection (a) of
111 this section by offering for sale, exposing for sale or selling at retail or

112 possessing with intent to sell any fireworks with a value exceeding ten
113 thousand dollars shall be guilty of a class A misdemeanor, and (2) any
114 person, firm or corporation violating any provision of subsection (b) of
115 this section or any regulation adopted [thereunder] pursuant to said
116 subsection shall be guilty of a class A misdemeanor, except if death or
117 injury results from any such violation, such person, firm or corporation
118 shall be guilty of a class C felony.

119 Sec. 3. (NEW) (*Effective October 1, 2025*) (a) No person shall sell
120 consumer fireworks unless such person holds: (1) A valid federal license
121 issued pursuant to 18 USC 843, as amended from time to time, and (2) a
122 valid state license to sell consumer fireworks issued pursuant to
123 subsection (b) of this section.

124 (b) The Commissioner of Emergency Services and Public Protection
125 may issue a state license to sell consumer fireworks to any person who:

126 (1) Has a valid federal license issued pursuant to 18 USC 843, as
127 amended from time to time;

128 (2) Establishes that such person's business will be located in a
129 permanent structure that satisfies the requirements of all applicable
130 provisions of the State Building Code, Fire Safety Code, State Fire
131 Prevention Code, zoning code and municipal ordinances; and

132 (3) Within the two years preceding the date of submitting such
133 application for such license, has no convictions of an offense involving
134 fireworks or explosives and has not been found to have violated any
135 provision of sections 29-343 to 29-366, inclusive, of the general statutes
136 or regulations adopted pursuant to said sections.

137 (c) The commissioner shall prescribe the form and manner of
138 applications for such licenses. Prior to issuance of a license, the
139 commissioner may conduct a background investigation of an applicant,
140 pursuant to section 29-17a of the general statutes, and may inspect the
141 site at which the consumer fireworks are to be sold or stored. A license
142 shall be valid for one year and may be renewed annually. The fee for

143 issuance or renewal of a license shall be one thousand five hundred
144 dollars.

145 (d) The commissioner shall adopt regulations, in accordance with the
146 provisions of chapter 54 of the general statutes, to implement the
147 provisions of this section. Such regulations shall include, but need not
148 be limited to:

149 (1) Requirements for license applications, which shall include (A)
150 sufficient information to permit the commissioner to identify and
151 evaluate the qualification of any person with a right to control the
152 operations and policies of the applicant and any person with an interest
153 in the applicant, and (B) information on the applicant's other business
154 interests;

155 (2) Requirements for the applicant to consult with the municipality in
156 which consumer fireworks will be sold; and

157 (3) Notices a licensee shall provide to consumers about fireworks
158 laws and safe use of consumer fireworks."

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>October 1, 2025</i> | 29-356 |
| Sec. 2 | <i>October 1, 2025</i> | 29-357 |
| Sec. 3 | <i>October 1, 2025</i> | New section |