



# Senate

General Assembly

**File No. 297**

February Session, 2026

Substitute Senate Bill No. 368

*Senate, April 1, 2026*

The Committee on Public Safety and Security reported through SEN. GASTON of the 23rd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

## **AN ACT CONCERNING A STATE EXPLOSIVES, BLASTING AND PYROTECHNIC CODE.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2026*) (a) The Commissioner of  
2 Emergency Services and Public Protection, in coordination with the  
3 advisory committee established under subsection (b) of this section and  
4 in accordance with the provisions of section 2 of this act, shall adopt and  
5 administer a State Explosives, Blasting and Pyrotechnic Code based on  
6 nationally recognized standards and codes. The code shall be revised at  
7 the same time the State Building Code is revised pursuant to section 29-  
8 252 of the general statutes, and as deemed necessary to incorporate any  
9 subsequent revisions to such nationally recognized standards and codes  
10 not later than eighteen months following the date of first publication of  
11 such revisions. The State Explosives, Blasting and Pyrotechnic Code  
12 shall include provisions for explosives, blasting, gunpowder, fireworks,  
13 pyrotechnics and rockets.

14 (b) There is established, within the Department of Emergency

15 Services and Public Protection, an advisory committee consisting of the  
16 following eleven members: (1) The State Fire Marshal, or the marshal's  
17 designee, (2) two members representing local fire marshals, deputy fire  
18 marshals and fire inspectors, selected from a list of individuals  
19 submitted by the Connecticut Fire Marshals Association, (3) five  
20 members representing the Division of State Police within the  
21 Department of Emergency Services and Public Protection, (4) one  
22 member representing the advisory committee established under  
23 subsection (b) of section 29-291a of the general statutes, (5) one member  
24 representing the Connecticut Career Fire Chiefs Association, and (6) one  
25 member who has expertise in matters relating to the explosives or  
26 pyrotechnics industry. All appointments to the advisory committee  
27 shall be made by the Commissioner of Emergency Services and Public  
28 Protection.

29 (c) The Commissioner of Emergency Services and Public Protection  
30 may issue official interpretations of the State Explosives, Blasting and  
31 Pyrotechnic Code, including interpretations of the applicability of any  
32 provision of the code, upon the request of any person. The  
33 commissioner shall compile and index each interpretation and shall  
34 publish such interpretations at periodic intervals not exceeding four  
35 months.

36 Sec. 2. (NEW) (*Effective October 1, 2026*) (a) For the purposes of this  
37 section, "proposed code" means a proposal by the Commissioner of  
38 Emergency Services and Public Protection, in coordination with the  
39 advisory committee, for a new State Explosives, Blasting and  
40 Pyrotechnic Code or for a change in, addition to or repeal of any  
41 provision of the State Explosives, Blasting and Pyrotechnic Code and  
42 "advisory committee" means the advisory committee established under  
43 subsection (b) of section 1 of this act.

44 (b) Notwithstanding the provisions of chapter 54 of the general  
45 statutes, the adoption of the State Explosives, Blasting and Pyrotechnic  
46 Code and any amendments thereto shall not be required to comply with  
47 the provisions of chapter 54 of the general statutes, except as provided

48 in this section.

49 (c) Prior to the adoption of the State Explosives, Blasting and  
50 Pyrotechnic Code and any amendments thereto, the Commissioner of  
51 Emergency Services and Public Protection shall (1) post any proposed  
52 code, a statement of purpose for which the proposed code is proposed,  
53 a fiscal note associated with compliance with the proposed code  
54 prepared pursuant to section 4-168 of the general statutes and a  
55 regulatory flexibility analysis prepared pursuant to section 4-168a of the  
56 general statutes on the Internet web site of the Department of  
57 Emergency Services and Public Protection, (2) give notice electronically  
58 to the joint standing committee of the General Assembly having  
59 cognizance of matters relating to public safety and security, (3) give  
60 notice to any person who has requested the commissioner for advance  
61 notice of the proposed code adoption proceedings, (4) provide for a  
62 public comment period of forty-five days following the posting of such  
63 proposed code, statement of purpose, fiscal note and regulatory  
64 flexibility analysis, and (5) hold a public hearing on the proposed code  
65 not less than twenty nor more than thirty-five days after such posting.

66 (d) After the close of the public comment period, the Commissioner  
67 of Emergency Services and Public Protection, in coordination with the  
68 advisory committee, shall respond to each written and oral comment  
69 regarding the proposed code received during the public comment  
70 period and at the public hearing. Such response shall include any  
71 change made to the proposed code, if applicable, and the rationale for  
72 such change. The Commissioner of Emergency Services and Public  
73 Protection shall post such responses on the Internet web site of the  
74 Department of Emergency Services and Public Protection not later than  
75 thirty days after the close of the public comment period.

76 (e) The Commissioner of Emergency Services and Public Protection,  
77 in coordination with the advisory committee, shall create and maintain  
78 a code-making record for each proposed code, submit such code-  
79 making record electronically to the standing legislative regulation  
80 review committee and the joint standing committee of the General

81 Assembly having cognizance of matters relating to public safety and  
82 security and post such code-making record on the Internet web site of  
83 the Department of Emergency Services and Public Protection. Such  
84 code-making record shall include, but need not be limited to: (1) The  
85 final wording of the proposed code in a format consistent with  
86 nationally recognized standards and codes, (2) the fiscal note prepared  
87 pursuant to subsection (c) of this section, (3) the regulatory flexibility  
88 analysis prepared pursuant to subsection (c) of this section, (4) all  
89 written and oral comments received during the public comment period,  
90 and (5) the responses to such comments prepared pursuant to  
91 subsection (d) of this section.

92 (f) The standing legislative regulation review committee shall have  
93 not more than forty-five days from the date the code-making record is  
94 submitted to the committee pursuant to subsection (e) of this section to  
95 convene a meeting to approve, disapprove or reject without prejudice  
96 the proposed code, in whole or in part. If the proposed code is  
97 withdrawn, the Commissioner of Emergency Services and Public  
98 Protection shall resubmit the proposed code and the committee shall  
99 have not more than forty-five days from the date of such resubmittal to  
100 convene a meeting to approve, disapprove or reject without prejudice  
101 the resubmitted proposed code. If the committee notifies the  
102 Commissioner of Emergency Services and Public Protection in writing  
103 that it is waiving its right to convene a meeting or does not act on a  
104 proposed code or a resubmitted proposed code, as the case may be,  
105 within such forty-five-day period, the proposed code or resubmitted  
106 proposed code shall be deemed to be approved by the committee.

107 (g) If the committee disapproves a proposed code, in whole or in part,  
108 the committee shall notify the Commissioner of Emergency Services and  
109 Public Protection of the disapproval and the reasons for the disapproval.  
110 The Commissioner of Emergency Services and Public Protection shall  
111 not take any action to implement such disapproved code, except that the  
112 Commissioner of Emergency Services and Public Protection may submit  
113 a substantively new proposed code in accordance with the provisions of  
114 this section, provided the General Assembly may reverse such

115 disapproval in accordance with the provisions of section 4-171 of the  
116 general statutes.

117 (h) If the committee rejects a proposed code without prejudice, in  
118 whole or in part, the committee shall notify the Commissioner of  
119 Emergency Services and Public Protection of the reasons for the  
120 rejection and the Commissioner of Emergency Services and Public  
121 Protection shall resubmit the proposed code in revised form to the  
122 committee not later than thirty days after the date of rejection without  
123 prejudice. Each resubmission of the proposed code under this  
124 subsection shall include a summary of any revisions to the proposed  
125 code. The committee shall have not more than forty-five days after the  
126 receipt of the resubmittal to review and take action on such resubmitted  
127 proposed code in the same manner as provided in subsection (f) of this  
128 section.

129 (i) The State Explosives, Blasting and Pyrotechnic Code or any  
130 amendment thereto approved or deemed approved by the committee  
131 pursuant to subsection (f) of this section is effective and enforceable  
132 against any person or party upon its posting on the Internet web site of  
133 the Department of Emergency Services and Public Protection, except  
134 that: (1) If a later date is required by statute or specified in the code, the  
135 later date is the effective date, and (2) a code may not be effective before  
136 the effective date of the public act requiring or permitting the code. Such  
137 posting shall include a statement by the Commissioner of Emergency  
138 Services and Public Protection certifying that the electronic copy of the  
139 code is a true and accurate copy of the code approved or deemed  
140 approved in accordance with subsection (f) of this section. The electronic  
141 copy of the State Explosives, Blasting and Pyrotechnic Code posted on  
142 the Internet web site of the Department of Emergency Services and  
143 Public Protection shall be the official version for all purposes, including  
144 all legal and administrative proceedings.

145 (j) No provision of the State Explosives, Blasting and Pyrotechnic  
146 Code or any amendment thereto adopted after October 1, 2026, is valid  
147 unless adopted in substantial compliance with the requirements of this

148 section. A proceeding to contest any provision of the code on the ground  
149 of noncompliance with the requirements of this section shall be  
150 commenced within two years from the effective date of the code.

151 (k) The Commissioner of Emergency Services and Public Protection  
152 shall advise the public concerning how to obtain a copy of the State  
153 Explosives, Blasting and Pyrotechnic Code and any amendments  
154 thereto.

155 Sec. 3. Subsection (a) of section 29-349 of the general statutes is  
156 repealed and the following is substituted in lieu thereof (*Effective October*  
157 *1, 2026*):

158 (a) The Commissioner of Emergency Services and Public Protection,  
159 in coordination with the advisory committee established under  
160 subsection (b) of section 1 of this act and in accordance with the  
161 provisions of section 2 of this act, shall [have exclusive jurisdiction in  
162 the preparation of and may enforce reasonable] adopt regulations for  
163 the safe and convenient storage, transportation and use of explosives  
164 and blasting agents used in connection [therewith, which] with  
165 explosives. Such regulations shall (1) be made part of the State  
166 Explosives, Blasting and Pyrotechnic Code adopted pursuant to section  
167 1 of this act, (2) be enforced by the Commissioner of Emergency Services  
168 and Public Protection, and (3) deal in particular with the quantity and  
169 character of explosives and blasting agents to be stored, transported and  
170 used, the proximity of such storage to inhabited dwellings or other  
171 occupied buildings, public highways and railroad tracks, the character  
172 and construction of suitable magazines for such storage, protective  
173 measures to secure such stored explosives and blasting agents and the  
174 abatement of any hazard that may arise incident to the storage,  
175 transportation or use of such explosives and blasting agents.

176 Sec. 4. Subsection (b) of section 29-357 of the general statutes is  
177 repealed and the following is substituted in lieu thereof (*Effective October*  
178 *1, 2026*):

179 (b) The Commissioner of Emergency Services and Public Protection,  

---

180 in coordination with the advisory committee established under  
181 subsection (b) of section 1 of this act and in accordance with the  
182 provisions of section 2 of this act, shall adopt [reasonable] regulations [,  
183 in accordance with chapter 54,] for the granting of permits for  
184 supervised displays of fireworks or for the indoor use of pyrotechnics,  
185 sparklers and fountains for special effects by municipalities, fair  
186 associations, amusement parks, other organizations or groups of  
187 individuals or artisans in pursuit of their trade. Such regulations shall  
188 be made part of the State Explosives, Blasting and Pyrotechnic Code  
189 adopted pursuant to section 1 of this act. Such permit may be issued  
190 upon application to said commissioner and after (1) inspection of the  
191 site of such display or use by the local fire marshal to determine  
192 compliance with the requirements of such regulations, and (2) approval  
193 of the chiefs of the police and fire departments, or, if there is no police  
194 or fire department, of the first selectman, of the municipality wherein  
195 the display is to be held as is provided in this section. No such display  
196 shall be handled or fired by any person until such person has been  
197 granted a certificate of competency by the Commissioner of Emergency  
198 Services and Public Protection, in respect to which a fee of two hundred  
199 dollars shall be payable to the State Treasurer when issued and which  
200 may be renewed every three years upon payment of a fee of one  
201 hundred ninety dollars payable to the State Treasurer, provided such  
202 certificate may be suspended or revoked by said commissioner at any  
203 time for cause. Such certificate of competency shall attest to the fact that  
204 such operator is competent to fire a display. Such display shall be of  
205 such a character and so located, discharged or fired as in the opinion of  
206 the chiefs of the police and fire departments or such selectman, after  
207 proper inspection, will not be hazardous to property or endanger any  
208 person or persons. In an aerial bomb, no salute, report or maroon may  
209 be used that is composed of a formula of chlorate of potash, sulphur,  
210 black needle antimony and dark aluminum. Formulas that may be used  
211 in a salute, report or maroon are as follows: (A) Perchlorate of potash,  
212 black needle antimony and dark aluminum, and (B) perchlorate of  
213 potash, dark aluminum and sulphur. No high explosive such as  
214 dynamite, fulminate of mercury or other stimulator for detonating shall

215 be used in any aerial bomb or other pyrotechnics. Application for  
216 permits shall be made in writing at least fifteen days prior to the date of  
217 display, on such notice as the Commissioner of Emergency Services and  
218 Public Protection by regulation prescribes, on forms furnished by the  
219 commissioner, and a fee of one hundred dollars shall be payable to the  
220 State Treasurer with each such application. After such permit has been  
221 granted, sales, possession, use and distribution of fireworks for such  
222 display shall be lawful for that purpose only. No permit granted  
223 hereunder shall be transferable. Any permit issued under the provisions  
224 of this section may be suspended or revoked by the Commissioner of  
225 Emergency Services and Public Protection or the local fire marshal for  
226 violation by the permittee of any provision of the general statutes, any  
227 regulation or any ordinance relating to fireworks.

228 Sec. 5. Subsection (a) of section 29-357a of the general statutes is  
229 repealed and the following is substituted in lieu thereof (*Effective October*  
230 *1, 2026*):

231 (a) The Commissioner of Emergency Services and Public Protection,  
232 in coordination with the advisory committee established under  
233 subsection (b) of section 1 of this act and in accordance with the  
234 provisions of section 2 of this act, shall adopt regulations [, in accordance  
235 with chapter 54,] for the granting of permits for supervised displays of  
236 special effects produced by pyrotechnics, including sparklers and  
237 fountains, or flame producing devices by municipalities, fair  
238 associations, amusement parks, other organizations or groups of  
239 individuals or artisans in pursuit of their trade. Such regulations (1)  
240 shall be made part of the State Explosives, Blasting and Pyrotechnic  
241 Code adopted pursuant to section 1 of this act, (2) shall include  
242 provisions for determining the competency of persons intending to  
243 discharge or fire such special effects, [. Such regulations] and (3) shall  
244 not apply to ceremonial activities that include minimal use of  
245 pyrotechnics or flame producing devices.

246 Sec. 6. Subsection (b) of section 29-359 of the general statutes is  
247 repealed and the following is substituted in lieu thereof (*Effective October*

248 1, 2026):

249 (b) The Commissioner of Emergency Services and Public Protection,  
250 in coordination with the advisory committee established under  
251 subsection (b) of section 1 of this act and in accordance with the  
252 provisions of section 2 of this act, shall adopt regulations [in accordance  
253 with the provisions of chapter 54] defining the term "pyrotechnics" for  
254 purposes of subsection (a) of this section. Such regulations shall be made  
255 part of the State Explosives, Blasting and Pyrotechnic Code adopted  
256 pursuant to section 1 of this act.

257 Sec. 7. Subsection (a) of section 29-367 of the general statutes is  
258 repealed and the following is substituted in lieu thereof (*Effective October*  
259 *1, 2026*):

260 (a) The Commissioner of Emergency Services and Public Protection,  
261 in coordination with the advisory committee established under  
262 subsection (b) of section 1 of this act and in accordance with the  
263 provisions of section 2 of this act, shall adopt [, and may amend,  
264 reasonable] regulations [, in accordance with the provisions of chapter  
265 54,] concerning the safe design, construction, manufacture, testing,  
266 certification, storage, sale, shipping, operation and launching of rockets  
267 propelled by rocket motors, including, but not limited to, solid, liquid  
268 and cold propellant, hybrid, steam or pressurized liquid rocket motors.  
269 Such regulations shall (1) be made part of the State Explosives, Blasting  
270 and Pyrotechnic Code adopted pursuant to section 1 of this act, and (2)  
271 include provisions for the prevention of injury to life and damage to  
272 property and protection of hazards incident to the design, construction,  
273 manufacture, testing, storage, sale, shipping, operation and launching  
274 of such rockets. The commissioner shall enforce such regulations.

275 Sec. 8. Section 4-173 of the general statutes is repealed and the  
276 following is substituted in lieu thereof (*Effective October 1, 2026*):

277 The Secretary of the State may omit from the regulations of  
278 Connecticut state agencies posted on the eRegulations System (1) any  
279 regulation of a federal agency or a government agency of another state

280 that is incorporated by reference into a Connecticut regulation, (2) any  
 281 regulation that is incorporated by reference into a Connecticut  
 282 regulation and to which a third party holds the intellectual property  
 283 rights, (3) the State Building Code, (4) the State Fire Prevention Code,  
 284 [and] (5) the State Fire Safety Code, and (6) the State Explosives, Blasting  
 285 and Pyrotechnic Code. The Secretary of the State may post a link on the  
 286 eRegulations System to an electronic copy of the State Building Code,  
 287 the State Fire Prevention Code, the State Fire Safety Code, the State  
 288 Explosives, Blasting and Pyrotechnic Code and any document  
 289 incorporated by reference, if available and not prohibited by any state  
 290 or federal law, rule or regulation. Such link shall not be considered to be  
 291 a part of the official compilation of the regulations of Connecticut state  
 292 agencies. Each agency that incorporates a document by reference into a  
 293 regulation shall maintain a copy of such document readily available for  
 294 public inspection in the principal office of the agency, except for a  
 295 regulation of a federal agency or a government agency of another state  
 296 that is published by or otherwise available in printed or electronic form  
 297 from such federal or government agency. Copies of the State Building  
 298 Code, the State Fire Prevention Code and the State Fire Safety Code shall  
 299 be readily available for public inspection in the principal office of the  
 300 Department of Administrative Services. Copies of the State Explosives,  
 301 Blasting and Pyrotechnic Code shall be readily available for public  
 302 inspection in the principal office of the Department of Emergency  
 303 Services and Public Protection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2026	New section
Sec. 2	October 1, 2026	New section
Sec. 3	October 1, 2026	29-349(a)
Sec. 4	October 1, 2026	29-357(b)
Sec. 5	October 1, 2026	29-357a(a)
Sec. 6	October 1, 2026	29-359(b)
Sec. 7	October 1, 2026	29-367(a)
Sec. 8	October 1, 2026	4-173

**Statement of Legislative Commissioners:**

Section 8 was added for consistency with similar provisions of the general statutes.

**PS**      *Joint Favorable Subst. -LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 27 \$	FY 28 \$
Emergency Services and Public Protection, Dept.	GF - Cost	187,871	187,871
State Comptroller - Fringe Benefits <sup>1</sup>	GF - Cost	78,568	78,568

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill requires the Department of Emergency Services and Public Protection (DESPP) to adopt and administer a State Explosives, Blasting, and Pyrotechnic Code, resulting in a cost of \$266,439 annually for salary and fringe benefits associated with one new Staff Attorney and one new Paralegal Specialist. Developing, promulgating, and administering this code would be a new function for the agency and it is anticipated that DESPP will need these two new positions in its Legal Affairs Unit to meet the requirements of the bill.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

<sup>1</sup>The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 41.82% of payroll in FY 27.

**OLR Bill Analysis****sSB 368*****AN ACT CONCERNING A STATE EXPLOSIVES, BLASTING AND PYROTECHNIC CODE.*****SUMMARY**

This bill requires the Department of Emergency Services and Public Protection (DESPP) commissioner, in coordination with an advisory committee the bill creates, to adopt and administer a State Explosives, Blasting, and Pyrotechnic Code with provisions for explosives, blasting, gunpowder, fireworks, pyrotechnics, and rockets. It sets administrative procedures for adopting and amending this code that are substantially similar to those under existing law for the State Building Code, Fire Safety Code, and State Fire Prevention Code.

Current law authorizes DESPP to regulate explosives, blasting agents, fireworks, pyrotechnics, sparklers, fountains, flame producing devices, and rockets by adopting regulations according to the Uniform Administrative Procedure Act (UAPA). The bill makes these regulations part of the State Explosives, Blasting and Pyrotechnic Code and exempts them from the UAPA. It instead subjects them to the process set out in the bill for the State Explosives, Blasting, and Pyrotechnic Code, including that the DESPP commissioner adopt them in coordination with the bill's advisory committee. Generally, unlike the UAPA process, the new code's adoption process (1) does not require the attorney general to review the proposed codes for legal sufficiency and allows the Regulation Review Committee to waive its review and (2) deems a proposed code approved if the committee fails to meet or act within prescribed deadlines.

The bill also makes other conforming and technical changes.

EFFECTIVE DATE: October 1, 2026

---

**STATE EXPLOSIVES, BLASTING, AND PYROTECHNIC CODE MODEL, REVISION SCHEDULES, AND INTERPRETATIONS**

The bill requires the State Explosives, Blasting, and Pyrotechnic Code to be based on nationally recognized standards and codes. It must also be revised (1) at the same time as the State Building Code and (2) as needed to incorporate any subsequent revisions to the nationally recognized standards and codes within 18 months after they are first published.

Under the bill, the DESPP commissioner may issue official interpretations of the State Explosives, Blasting, and Pyrotechnic Code, including on the applicability of any code provision. It requires him to compile and index each code interpretation and publish them at periodic intervals at least every four months.

**ADVISORY COMMITTEE**

The bill creates an 11-member advisory committee made up of:

1. the state fire marshal (or her designee);
2. two members representing local fire marshals, deputy fire marshals, and fire inspectors, selected from a list submitted by the Connecticut Fire Marshals Association;
3. five members representing the State Police;
4. one member representing the State Fire Prevention Code's advisory committee;
5. one member representing the Connecticut Career Fire Chiefs Association; and
6. one member who has expertise in matters relating to the explosives or pyrotechnics industry.

All appointments to the committee must be made by the DESPP commissioner.

---

**STATE EXPLOSIVES, BLASTING, AND PYROTECHNIC CODE ADOPTION PROCESS*****Action Steps Preceding Code Adoption***

Under the bill, before the proposed State Explosives, Blasting, and Pyrotechnic Code or any amendment to it is adopted, the DESPP commissioner must do the following:

1. post the proposed code, a statement of its purpose, a fiscal note associated with compliance, and a regulatory flexibility analysis on the DESPP website;
2. send notice electronically to the Public Safety and Security Committee;
3. notify anyone who requested advance notice of proposed code adoption proceedings;
4. allow for a 45-day public comment period after the proposed code, statement of purpose, fiscal note, and regulatory flexibility analysis are posted; and
5. hold a public hearing on the proposed code between 20 and 35 days after posting the required information.

***Public Comments and Code-Making Record***

Under the bill, after the public comment period closes, the DESPP commissioner and the State Explosives, Blasting, and Pyrotechnic Code's advisory committee must respond to all written and oral comments received during the comment period and at the public hearing. The response must include any change made to the proposed code, if applicable, and the rationale for the change. The DESPP commissioner must post the responses on the DESPP website within 30 days after the comment period closes.

The DESPP commissioner and the advisory committee must create and maintain a code-making record for each proposed code, submit the record electronically to the Public Safety and Security and Regulation

Review committees, and post it on the DESPP website. The record must include the following:

1. the final wording of the proposed code in a format consistent with nationally recognized standards and codes,
2. the required fiscal note and regulatory flexibility analysis, and
3. all written and oral comments received during the public comment period, and the responses to them.

### ***Regulation Review Committee Deadlines for Action on Proposed Codes***

The bill gives the Regulation Review Committee up to 45 days after the record is submitted to the committee to convene a meeting to approve, disapprove, or reject without prejudice the proposed code, in whole or in part. If the proposed code is withdrawn, the DESPP commissioner must resubmit it and the committee has up to 45 days from the resubmittal to convene a meeting to approve, disapprove, or reject it without prejudice. If the committee notifies the commissioner in writing that it is waiving its right to convene a meeting or fails to act on a proposed or a resubmitted proposed code within the deadlines, it is deemed approved by the committee.

### ***Committee Disapproval of Code***

Under the bill, if the committee disapproves a proposed code, in whole or in part, it must notify the DESPP commissioner about its disapproval and the reasons for it. The commissioner cannot take any action to implement a disapproved code, but he may submit a substantively new proposed code. The legislature may also reverse the disapproval through existing provisions in the UAPA.

### ***Committee Rejection of Code without Prejudice***

If the committee rejects all or part of a proposed code without prejudice, the bill requires it to notify the DESPP commissioner about the reasons for the rejection. The commissioner must resubmit the proposed code in a revised form to the committee within 30 days after

the rejection. Each resubmission must include a summary of any revisions. The committee must review and take action on the resubmittal within 45 days after receiving it.

### ***Enforceability of Code***

Under the bill, the State Explosives, Blasting, and Pyrotechnic Code or any approved amendment to it takes effect and is enforceable once posted on the DESPP website, except that (1) if a later date is required by statute or the code, the later date is the effective date, and (2) a code cannot take effect before the effective date of the public act requiring or permitting it.

The DESPP commissioner must include a statement certifying that the electronic copy of the code is a true and accurate copy of the code approved or deemed approved in accordance with the bill. The electronic copy of the code posted on the DESPP website is the official version for all purposes, including legal and administrative proceedings.

### ***Code Validity***

The bill specifies that no provision of the State Explosives, Blasting, and Pyrotechnic Code or any amendment to it adopted after the bill's effective date is valid unless it substantially complies with the bill. A proceeding to contest any provision on grounds of noncompliance must be commenced within two years from the code's effective date.

### ***Public Access to the Code***

The bill requires the DESPP commissioner to advise the public on how to obtain a copy of the code and any amendments to it.

## **EREGULATIONS SYSTEM**

By law, the secretary of the state may omit certain regulations from the regulations of state agencies posted on the eRegulations System. As with the State Building Code, Fire Safety Code, and State Fire Prevention Code under existing law, the bill allows the secretary to omit the State Explosives, Blasting, and Pyrotechnic Code and post a link to

an electronic copy of it. It requires that copies of the code be readily available for inspection in DESPP’s principal office.

**BACKGROUND**

***Related Bill***

sHB 5401, § 1, favorably reported by the Public Safety and Security Committee, makes several changes to when and under what circumstances the State Building Code may be amended, including limiting the frequency with which the code can be revised to once every six years or once per two full “model code cycles” (i.e. the recurring period, typically three years, during which an edition of the nationally recognized model building code is published).

**COMMITTEE ACTION**

Public Safety and Security Committee

Joint Favorable

Yea 29    Nay 0    (03/17/2026)