

Jen Plumb proposes the following substitute bill:

Fireworks Revisions

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jen Plumb

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3 **LONG TITLE**

4 **General Description:**

5 This bill makes changes related to the sale of fireworks.

6 **Highlighted Provisions:**

7 This bill:

8 ▶ prohibits the sale of fireworks in restricted discharge areas under certain circumstances;

9 and

10 ▶ replaces incorrect terms related to fireworks.

11 **Money Appropriated in this Bill:**

12 None

13 **Other Special Clauses:**

14 None

15 **Utah Code Sections Affected:**

16 AMENDS:

17 **53-7-225**, as last amended by Laws of Utah 2024, Chapters 128, 438

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19 *Be it enacted by the Legislature of the state of Utah:*

20 Section 1. Section **53-7-225** is amended to read:

21 **53-7-225 . Times for sale and discharge of fireworks -- Criminal penalty --**

22 **Permissible closure of certain areas -- Maps and signage.**

23 (1) Except as provided in Section 53-7-221, this section supersedes any other code
24 provision regarding the sale or discharge of fireworks.

25 (2)(a) Except as provided in Subsection (2)(b) or (c), a person may sell ~~at a~~
26 division 1.4G common state approved ~~[explosives]~~ explosive in the state as follows:

27 (i) beginning on June 24 and ending on July 25;

28 (ii) beginning on December 29 and ending on December 31; and

29 (iii) two days before and on the Chinese New Year's eve.

30 (b) The restrictions in Subsection (2)(a) do not apply to:

- 31 (i) online sales to a person outside the state for use outside the state; or
 32 (ii) sales to persons described in Subsection 53-7-222(1)(b)(i)(A).
- 33 (c)(i) As used in this Subsection (2)(c), "temporary fireworks stand" means a stand,
 34 trailer, tent, or other non-permanent structure used for the sale of a division 1.4G
 35 common state approved explosive.
- 36 (ii) A municipality may prohibit the operation of a temporary fireworks stand in an
 37 area where the municipality has prohibited the discharge of a division 1.4G
 38 common state approved explosive under Subsection (5)(b)(ii)(A), if:
 39 (A) the municipality's chief fire official recommends the prohibition; and
 40 (B) the municipality's legislative body approves the prohibition.
- 41 (3) A person may not discharge [~~class=C~~] a division 1.4G common state approved [~~explosives~~] explosive in the state except as follows:
 42
 43 (a) between the hours of 11 a.m. and 11 p.m., except that on July 4 and July 24, the
 44 hours are 11 a.m. to midnight:
 45 (i) beginning on July 2 and ending on July 5; and
 46 (ii) beginning on July 22 and ending on July 25;
 47 (b)(i) beginning at 11 a.m. on December 31 and ending at 1 a.m. on the following
 48 day; or
 49 (ii) if New Year's eve is on a Sunday and the county or municipality determines to
 50 celebrate New Year's eve on the prior Saturday, then a person may discharge [~~class=C~~] a division 1.4G common state approved [~~explosives~~] explosive on that
 51 prior Saturday within the county or municipality;
 52 (c) between the hours of 11 a.m. and 11 p.m. on January 1; and
 53 (d) beginning at 11 a.m. on the Chinese New Year's eve and ending at 1 a.m. on the
 54 following day.
- 56 (4) A person is guilty of an infraction, punishable by a fine of up to \$1,000, if the person
 57 discharges a [~~class=C~~] division 1.4G common state approved explosive:
 58 (a) outside the legal discharge dates and times described in Subsection (3); or
 59 (b) in an area in which fireworks are prohibited under Subsection 15A-5-202.5(1)(b).
- 60 (5)(a) Except as provided in Subsection (5)(b) or (c), a county, a municipality, or the
 61 state forester may not prohibit a person from discharging [~~class=C~~] a division 1.4G
 62 common state approved [~~explosives~~] explosive during the permitted periods described
 63 in Subsection (3).
 64 (b)(i) As used in this Subsection (5)(b), "negligent discharge":

- 65 (A) means the improper use and discharge of a [~~class-C~~] division 1.4G common
66 state approved explosive; and
- 67 (B) does not include the date or location of discharge or the type of explosive used.
- 68 (ii) A municipality may prohibit:
- 69 (A) the discharge of [~~class-C~~] a division 1.4G common state approved [~~explosives~~]
70 explosive in certain areas with hazardous environmental conditions, in
71 accordance with Subsection 15A-5-202.5(1)(b); or
- 72 (B) the negligent discharge of [~~class-C~~] a division 1.4G common state approved [~~explosives~~]
73 explosive.
- 74 (iii) A county may prohibit the negligent discharge of [~~class-C~~] a division 1.4G
75 common state approved [~~explosives~~] explosive.
- 76 (c) The state forester may prohibit the discharge of [~~class-C~~] a division 1.4G common
77 state approved [~~explosives~~] explosive as provided in Subsection 15A-5-202.5(1)(b) or
78 Section 65A-8-212.
- 79 (6) If a municipal legislative body or the state forester provides a map to a county
80 identifying an area in which the discharge of fireworks is prohibited due to a historical
81 hazardous environmental condition under Subsection 15A-5-202.5(1)(b), the county
82 shall, before June 1 of that same year:
- 83 (a) create a county-wide map, based on each map the county has received, indicating
84 each area within the county in which fireworks are prohibited under Subsection
85 15A-5-202.5(1)(b);
- 86 (b) provide the map described in Subsection (6)(a) to:
- 87 (i) each retailer that sells fireworks within the county; and
88 (ii) the state fire marshal; and
- 89 (c) publish the map on the county's website.
- 90 (7) A retailer that sells fireworks shall display:
- 91 (a) a sign that:
- 92 (i) is clearly visible to the general public in a prominent location near the point of
93 sale;
- 94 (ii) indicates the legal discharge dates and times described in Subsection (3); and
95 (iii) indicates the criminal charge and fine associated with discharge:
- 96 (A) outside the legal dates and times described in Subsection (3); and
97 (B) within an area in which fireworks are prohibited under Subsection
98 15A-5-202.5(1)(b); and

99 (b) the map that the county provides, in accordance with Subsection (6)(b).

100 Section 2. **Effective Date.**

101 This bill takes effect on May 7, 2025.