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CHANGES TO FIREWORKS PROVISIONS
2024 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Matt MacPherson
Senate Sponsor: Lincoln Fillmore

LONG TITLE

General Description:

This bill modifies a provision relating to fireworks.

Highlighted Provisions:

This bill:

- provides that restrictions to when sales of fireworks can occur do not apply to specified online and other sales.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53-7-225, as last amended by Laws of Utah 2023, Chapter 341

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

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

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

Permissible closure of certain areas -- Maps and signage.

- (1) Except as provided in Section 53-7-221, this section supersedes any other code provision regarding the sale or discharge of fireworks.
- (2) (a) [A] Except as provided in Subsection (2)(b), a person may sell class C common state approved explosives in the state as follows:
 - [(a)] (i) beginning on June 24 and ending on July 25;
 - [(b)] (ii) beginning on December 29 and ending on December 31; and
 - [(e)] (iii) two days before and on the Chinese New Year's eve.

- 29 (b) The restrictions in Subsection (2)(a) do not apply to:
30 (i) online sales to a person outside the state for use outside the state; or
31 (ii) sales to persons described in Subsection 53-7-222(1)(b)(i)(A).
- 32 (3) A person may not discharge class C common state approved explosives in the state
33 except as follows:
- 34 (a) between the hours of 11 a.m. and 11 p.m., except that on July 4 and July 24, the
35 hours are 11 a.m. to midnight:
- 36 (i) beginning on July 2 and ending on July 5; and
37 (ii) beginning on July 22 and ending on July 25;
- 38 (b) (i) beginning at 11 a.m. on December 31 and ending at 1 a.m. on the following
39 day; or
40 (ii) if New Year's eve is on a Sunday and the county, municipality, or metro township
41 determines to celebrate New Year's eve on the prior Saturday, then a person may
42 discharge class C common state approved explosives on that prior Saturday within
43 the county, municipality, or metro township;
- 44 (c) between the hours of 11 a.m. and 11 p.m. on January 1; and
45 (d) beginning at 11 a.m. on the Chinese New Year's eve and ending at 1 a.m. on the
46 following day.
- 47 (4) A person is guilty of an infraction, punishable by a fine of up to \$1,000, if the person
48 discharges a class C common state approved explosive:
- 49 (a) outside the legal discharge dates and times described in Subsection (3); or
50 (b) in an area in which fireworks are prohibited under Subsection 15A-5-202.5(1)(b).
- 51 (5) (a) Except as provided in Subsection (5)(b) or (c), a county, a municipality, a metro
52 township, or the state forester may not prohibit a person from discharging class C
53 common state approved explosives during the permitted periods described in
54 Subsection (3).
- 55 (b) (i) As used in this Subsection (5)(b), "negligent discharge":
56 (A) means the improper use and discharge of a class C common state approved
57 explosive; and
58 (B) does not include the date or location of discharge or the type of explosive used.
- 59 (ii) A municipality or metro township may prohibit:
60 (A) the discharge of class C common state approved explosives in certain areas
61 with hazardous environmental conditions, in accordance with Subsection
62 15A-5-202.5(1)(b); or

- 63 (B) the negligent discharge of class C common state approved explosives.
64 (iii) A county may prohibit the negligent discharge of class C common state approved
65 explosives.
- 66 (c) The state forester may prohibit the discharge of class C common state approved
67 explosives as provided in Subsection 15A-5-202.5(1)(b) or Section 65A-8-212.
- 68 (6) If a municipal legislative body, the state forester, or a metro township legislative body
69 provides a map to a county identifying an area in which the discharge of fireworks is
70 prohibited due to a historical hazardous environmental condition under Subsection
71 15A-5-202.5(1)(b), the county shall, before June 1 of that same year:
- 72 (a) create a county-wide map, based on each map the county has received, indicating
73 each area within the county in which fireworks are prohibited under Subsection
74 15A-5-202.5(1)(b);
- 75 (b) provide the map described in Subsection (6)(a) to:
- 76 (i) each retailer that sells fireworks within the county; and
77 (ii) the state fire marshal; and
- 78 (c) publish the map on the county's website.
- 79 (7) A retailer that sells fireworks shall display:
- 80 (a) a sign that:
- 81 (i) is clearly visible to the general public in a prominent location near the point of
82 sale;
- 83 (ii) indicates the legal discharge dates and times described in Subsection (3); and
84 (iii) indicates the criminal charge and fine associated with discharge:
- 85 (A) outside the legal dates and times described in Subsection (3); and
86 (B) within an area in which fireworks are prohibited under Subsection
87 15A-5-202.5(1)(b); and
- 88 (b) the map that the county provides, in accordance with Subsection (6)(b).

89 **Section 2. Effective date.**

90 This bill takes effect on May 1, 2024.