

**Representative Matt MacPherson** proposes the following substitute bill:

**CHANGES TO FIREWORKS PROVISIONS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Matt MacPherson**

Senate Sponsor: Lincoln Fillmore

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**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

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*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.**



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

28 (2) (a) ~~[(A)]~~ Except as provided in Subsection (2)(b), a person may sell class C common  
29 state approved explosives in the state as follows:

30 ~~[(a)]~~ (i) beginning on June 24 and ending on July 25;

31 ~~[(b)]~~ (ii) beginning on December 29 and ending on December 31; and

32 ~~[(c)]~~ (iii) two days before and on the Chinese New Year's eve.

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

34 (i) online sales to a person outside the state for use outside the state; or

35 (ii) sales to persons described in Subsection [53-7-222\(1\)\(b\)\(i\)\(A\)](#).

36 (3) A person may not discharge class C common state approved explosives in the state  
37 except as follows:

38 (a) between the hours of 11 a.m. and 11 p.m., except that on July 4 and July 24, the  
39 hours are 11 a.m. to midnight:

40 (i) beginning on July 2 and ending on July 5; and

41 (ii) beginning on July 22 and ending on July 25;

42 (b) (i) beginning at 11 a.m. on December 31 and ending at 1 a.m. on the following day;

43 or

44 (ii) if New Year's eve is on a Sunday and the county, municipality, or metro township  
45 determines to celebrate New Year's eve on the prior Saturday, then a person may discharge  
46 class C common state approved explosives on that prior Saturday within the county,  
47 municipality, or metro township;

48 (c) between the hours of 11 a.m. and 11 p.m. on January 1; and

49 (d) beginning at 11 a.m. on the Chinese New Year's eve and ending at 1 a.m. on the  
50 following day.

51 (4) A person is guilty of an infraction, punishable by a fine of up to \$1,000, if the  
52 person discharges a class C common state approved explosive:

53 (a) outside the legal discharge dates and times described in Subsection (3); or

54 (b) in an area in which fireworks are prohibited under Subsection [15A-5-202.5\(1\)\(b\)](#).

55 (5) (a) Except as provided in Subsection (5)(b) or (c), a county, a municipality, a metro  
56 township, or the state forester may not prohibit a person from discharging class C common

57 state approved explosives during the permitted periods described in Subsection (3).

58 (b) (i) As used in this Subsection (5)(b), "negligent discharge":

59 (A) means the improper use and discharge of a class C common state approved  
60 explosive; and

61 (B) does not include the date or location of discharge or the type of explosive used.

62 (ii) A municipality or metro township may prohibit:

63 (A) the discharge of class C common state approved explosives in certain areas with  
64 hazardous environmental conditions, in accordance with Subsection 15A-5-202.5(1)(b); or

65 (B) the negligent discharge of class C common state approved explosives.

66 (iii) A county may prohibit the negligent discharge of class C common state approved  
67 explosives.

68 (c) The state forester may prohibit the discharge of class C common state approved  
69 explosives as provided in Subsection 15A-5-202.5(1)(b) or Section 65A-8-212.

70 (6) If a municipal legislative body, the state forester, or a metro township legislative  
71 body provides a map to a county identifying an area in which the discharge of fireworks is  
72 prohibited due to a historical hazardous environmental condition under Subsection  
73 15A-5-202.5(1)(b), the county shall, before June 1 of that same year:

74 (a) create a county-wide map, based on each map the county has received, indicating  
75 each area within the county in which fireworks are prohibited under Subsection  
76 15A-5-202.5(1)(b);

77 (b) provide the map described in Subsection (6)(a) to:

78 (i) each retailer that sells fireworks within the county; and

79 (ii) the state fire marshal; and

80 (c) publish the map on the county's website.

81 (7) A retailer that sells fireworks shall display:

82 (a) a sign that:

83 (i) is clearly visible to the general public in a prominent location near the point of sale;

84 (ii) indicates the legal discharge dates and times described in Subsection (3); and

85 (iii) indicates the criminal charge and fine associated with discharge:

86 (A) outside the legal dates and times described in Subsection (3); and

87 (B) within an area in which fireworks are prohibited under Subsection

88 15A-5-202.5(1)(b); and

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

90 Section 2. **Effective date.**

91 This bill takes effect on May 1, 2024.