

SESSION OF 2007

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2475

As Recommended by House Committee on
Federal and State Affairs

Brief*

HB 2475 would establish the Kansas Fireworks Act which would be administered by the State Fire Marshal. The bill would require any person who intends to sell, offer for sale, possess with intent to sell, any consumer fireworks, display fireworks or articles pyrotechnic or discharge, use, display fireworks or articles pyrotechnic would first be required to obtain the appropriate license from the State Fire Marshal. The license requirement would not apply to seasonal retailers. The license holder would be required to satisfy the requirements of the Act and rules and regulations adopted by the State Fire Marshal. The Act would require:

- The license holder to be at least 21 years of age when applying for a license;
- The license would not be transferable; and
- The State Fire Marshal would have the authority to charge fees as follows:
 - Manufacturer license annual fee not less than \$400 or more than \$600;
 - A hobbyist manufacturer license for a period of four year, not less than \$50 or more than \$80;
 - A distributor license annual fee not less than \$300 or more than \$500;

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

- A display fireworks operator or a proximate pyrotechnics operator license for a period of four years, not less than \$40 or more than \$80;
- A permit to conduct a fireworks display would be required to be obtained from the city or county where the fireworks display is to be discharged by the sponsor or operator; and
- No fee would be charged for a license or permit for any person who is an officer or employee of the state or any political or taxing subdivision of the state when that person is acting in his or her official capacity.

The owner of any display fireworks storage facility would be required to obtain a storage permit from the State Fire Marshal and the storage permit would not be required for day boxes used at a display site. The permit would be valid for a period of four years, with a fee of not less than \$25 or more than \$75.

Finally, all fees would be deposited in the state treasury to be credited to the State Fire Marshal Fee Fund, and the bill would provide rule and regulation authority to the State Fire Marshal.

The bill would take effect January 1, 2008.

Background

Proponents of the bill included two representatives of the Kansas Fireworks Association, and the Chief of Investigations for the Kansas State Fire Marshal.

The fiscal note indicates that the State Fire Marshal anticipates that enactment of the bill would generate \$36,700 in additional fees from the sale of licenses and permits. The

agency also anticipates that \$4,000 for operating expenditures from the Fire Marshal Fee Fund would be needed for additional office supplies and a vehicle to conduct inspections to implement the bill in FY 2008. Any fiscal effect resulting from this bill would be in addition to amounts included in *The FY 2008 Governor's Budget Report*.