

Dear Members of the Committee,

Thank you for the opportunity to submit testimony regarding SB 199.

I come from a family that has owned and operated fireworks stands throughout east-central Kansas for many years. My father began this venture at the age of 14, and the upcoming fireworks season will mark his 50th year in business.

Overall, I support the passage of SB 199 and respectfully ask the committee to consider the following points during deliberations:

DEFINITIONS OF 'PERMANENT RETAILER' AND 'SEASONAL RETAILER'

The definitions of 'Permanent Retailer' and 'Seasonal Retailer' in SB 199 appear to differ beyond just the permitted sale periods. Specifically, the wording distinctions between:

- *"...retail sale of consumer fireworks, including the receipt and possession with the intent to sell of consumer fireworks and the retail sale, delivery, consignment, gifting or other distribution at retail of consumer fireworks to any person..."*
- *Versus: "a person who receives consumer fireworks and sells, delivers, consigns, gives or otherwise furnishes consumer fireworks only to the public for their personal use..."*

It appears the wording provided in the 'Seasonal Retailer' definition mirrors the definition currently provided by K.S.A. 31-502, while 'Permanent Retailer' provides a new definition. If the intent is to create two categories for the retail sales of consumer fireworks with the difference being one can sell year-round and the other during a defined period, could this cause confusion?

In addition, the definition of 'Permanent Retailer' also specifies that sales must occur *"from a permanent structure at a permanent location."*

Would a 'Permanent Retailer' be allowed to sell or display consumer fireworks outside the walls of the structure but within its immediate vicinity on the same lot? Would this be permitted only during the defined seasonal retail sales period, or is it allowed on a temporary basis throughout the year?

Furthermore, could the term 'permanent structure' create conflicts with local zoning regulations that define it differently from SB 199's intent?

I ask the committee to consider revising the definitions for clarity and consistency and remove the term 'permanent structure' from the definition of a 'Permanent Retailer', such as:

"Permanent retailer" means a person who receives consumer fireworks and sells, delivers, consigns, gives or otherwise furnishes consumer fireworks only to the public for their personal use at a permanent location within this state on a year-round basis.

SEASONAL SALES PERIODS IN SURROUNDING STATES

Many neighboring states allow seasonal retail sales outside of the period set forth in SB 199:

State	4 th of July season	Other dates
Arkansas	June 20 – July 10	Dec. 10 – Jan. 5
Colorado	June 15 – July 5	N/A
Missouri	June 20 – July 10	Dec. 20 – Jan. 2
Nebraska	June 24 – July 5	Dec. 28 – Jan. 1
Oklahoma	June 15 – July 4	Dec. 15 – Jan. 2
Texas	June 24 – July 4	Dec. 20 – Jan. 1 *Feb. 25 – March 2 *April 16 – April 21 *May 1 – May 5

(*Denotes sales with restrictions)

While extending the existing seasonal retail sales period as currently included in SB 199 could provide additional revenue opportunities, I believe a greater impact would be felt by allowing seasonal sales outside of the 4th of July sales period, such as around the New Year's, Memorial Day, or other specified dates.

I encourage the committee to consider extending the seasonal retail sales period to include additional holiday dates.

THE ECONOMIC IMPACT OF FIREWORKS SALES

Many fireworks stands across Kansas are operated by local organizations rather than private individuals. The proceeds from these sales directly benefit local communities, supporting fundraising efforts for schools, churches, civic organizations, and other community-driven initiatives. By amending current firework regulations to allow more flexibility in sales periods, the committee can help sustain these positive economic and social contributions.

Thank you for your time and consideration. I appreciate the committee's efforts in reviewing SB 199 and look forward to any potential amendments that will support both Kansas businesses and local communities.

Sincerely,
Nathan Strawder, Constituent
House District 76