

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

HOUSE BILL 2107

4 By: Representatives Northcutt, Argue and Flanagin

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE § 20-22-708 TO PROHIBIT THE
9 POSSESSION, SALE OR USE OF SKY ROCKETS OR BOTTLE ROCKETS;
10 AND FOR OTHER PURPOSES."

11

Subtitle

12 "TO PROHIBIT THE POSSESSION, SALE OR USE
13 OF SKY ROCKETS OR BOTTLE ROCKETS."
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16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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18 SECTION 1. Arkansas Code § 20-22-708 is hereby amended to read as
19 follows:

20 "20-22-708. Possession, sale, and use unlawful - Exceptions.

21 (a) It shall be unlawful for any person to possess, sell, or use,
22 within the State of Arkansas, or ship into the State of Arkansas, except as
23 provided in § 20-22-711, any pyrotechnics, commonly known as fireworks, other
24 than the permissible items enumerated in this section, except as provided in
25 this subchapter.

26 (b) The permissible fireworks consist of those defined in Interstate
27 Commerce Commission regulations described as Class C fireworks only and shall
28 include the following:

29 (1) Roman candles, with no handle or spike affixed thereto, not
30 exceeding ten (10) balls spaced uniformly in the tube, total pyrotechnic
31 composition not to exceed twenty (20) grams each in weight. The inside tube
32 diameter shall not exceed three-eighths inch (3/8");

33 (2) Helicopter-type rockets, total pyrotechnic composition not to
34 exceed twenty (20) grams each in weight. The inside tube diameter shall not
35 exceed one-half inch (1/2");

1 (3) Cylindrical fountains, total pyrotechnic composition not to
2 exceed seventy-five (75) grams each in weight. The inside tube diameter shall
3 not exceed three-fourths inch (3/4");

4 (4) Cone fountains, total pyrotechnic composition not to exceed
5 fifty (50) grams each in weight;

6 (5) Wheels, total pyrotechnic composition not to exceed sixty
7 (60) grams for each driver unit or two hundred forty (240) grams for each
8 complete wheel. The inside tube diameter of driver units shall not exceed
9 one-half inch (1/2");

10 (6) Illuminating torches and colored fire in any form, except
11 items included in subdivision (a)(11) of this section, total pyrotechnic
12 composition not to exceed one hundred (100) grams in weight;

13 (7) Sparklers and dipped sticks, total pyrotechnic composition
14 not to exceed one hundred (100) grams each in weight. Pyrotechnic composition
15 containing any chlorate or perchlorate shall not exceed five (5) grams;

16 (8) Mines and shells of which the mortar is an integral part,
17 total pyrotechnic composition not to exceed forty (40) grams each in weight;

18 (9) Firecrackers and salutes with casings, the external
19 dimensions of which do not exceed one and one-half inches (1 1/2") in length
20 or one-quarter inch (1/4") in diameter, and other items designed to produce
21 an audible effect, total pyrotechnic composition not to exceed two (2) grams
22 each in weight;

23 (10) Novelties consisting of two (2) or more devices enumerated
24 in this paragraph, trick matches, and cigarette plugs, when approved by the
25 Federal Bureau of Explosives;

26 (11) Railway fusees, truck flares, hand ship distress signals,
27 smoke signals, and smoke pots.

28 No component of any device listed in this section which is designed to
29 produce an audible effect shall contain pyrotechnic composition in excess of
30 two (2) grams in weight excluding propelling or expelling charges.

31 (c) On and after September 1, 1995, the possession, sale and use of
32 skyrockets with sticks shall be unlawful within the State of Arkansas. This
33 prohibition shall include, but is not limited to, the common fireworks
34 devices customarily known as _bottle rockets_ or _stick rockets_. On and
35 after September 1, 1995, a skyrocket shall no longer be a permissible item

1 under this section. Provided, however, the possession or sale of skyrockets
2 with sticks by a manufacturer, importer, distributor, or jobber wholesaler to
3 a person outside the State of Arkansas for the purpose of resale outside the
4 state shall not be considered as possession or sale occurring with the State
5 of Arkansas. Any person violating the provisions of this subsection shall be
6 guilty of a Class C misdemeanor."

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8 SECTION 2. All provisions of this act of a general and permanent
9 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
10 Code Revision Commission shall incorporate the same in the Code.

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12 SECTION 3. If any provision of this act or the application thereof to
13 any person or circumstance is held invalid, such invalidity shall not affect
14 other provisions or applications of the act which can be given effect without
15 the invalid provision or application, and to this end the provisions of this
16 act are declared to be severable.

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18 SECTION 4. All laws and parts of laws in conflict with this act are
19 hereby repealed.

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