

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005  
4

As Engrossed: H3/15/05

# A Bill

HOUSE BILL 2727

5 By: Representatives Bradford, *Borhauer*  
6  
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## For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE § 20-22-708 TO  
10 PROHIBIT THE POSSESSION, SALE, OR USE OF BOTTLE  
11 ROCKETS; AND FOR OTHER PURPOSES.  
12

## Subtitle

14 AN ACT TO PROHIBIT THE POSSESSION, SALE,  
15 OR USE OF BOTTLE ROCKETS.  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. Arkansas Code § 20-22-708 is amended to read as follows:

21 20-22-708. Possession, sale, and use unlawful - Exceptions.

22 (a)(1) It ~~shall be~~ is unlawful for any person to possess, sell, or  
23 use, within the State of Arkansas, or ship into the State of Arkansas, except  
24 as provided in § 20-22-711, any pyrotechnics, commonly known as fireworks,  
25 other than the permissible items enumerated in this section, except as  
26 provided in this subchapter.

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

30 ~~(1)~~(A)(i) Roman candles, with no handle or spike affixed  
31 thereto, not exceeding ten (10) balls spaced uniformly in the tube, total  
32 pyrotechnic composition not to exceed twenty grams (20 g.) each in weight.

33 (ii) The inside tube diameter shall not exceed  
34 three-eighths inch (3/8");

35 ~~(2)~~(B)(i) Sky rockets, with sticks, total pyrotechnic  
36 composition not to exceed twenty grams (20 g.) each in weight.



1                   (ii) The inside tube diameter shall not exceed one-  
2 half inch (1/2").

3                   (iii) The rocket sticks must be securely fastened to  
4 the tubes.

5                   (iv) However, a skyrocket, customarily known as a  
6 "bottle rocket", is not permissible if the outside diameter of the casing is  
7 less than three-eighths of an inch (3/8"), and the casing is less than two  
8 and one-fourth inches (2 1/4") in length;

9                   ~~(3)~~(C)(i) Helicopter-type rockets, total pyrotechnic  
10 composition not to exceed twenty grams (20 g.) each in weight.

11                   (ii) The inside tube diameter shall not exceed one-  
12 half inch (1/2");

13                   ~~(4)~~(D)(i) Cylindrical fountains, total pyrotechnic  
14 composition not to exceed seventy-five grams (75 g.) each in weight.

15                   (ii) The inside tube diameter shall not exceed  
16 three-fourths inch (3/4");

17                   ~~(5)~~(E) Cone fountains, total pyrotechnic composition not  
18 to exceed ~~fifty (50) grams~~ fifty grams (50 g.) each in weight;

19                   ~~(6)~~(F)(i) Wheels, total pyrotechnic composition not to  
20 exceed sixty grams (60 g.) for each driver unit or two hundred forty grams  
21 (240 g.) for each complete wheel.

22                   (ii) The inside tube diameter of driver units shall  
23 not exceed one-half inch (1/2");

24                   ~~(7)~~(G) Illuminating torches and colored fire in any form,  
25 except items included in subdivision (a)(12) of this section, total  
26 pyrotechnic composition not to exceed one hundred grams (100 g.) in weight;

27                   ~~(8)~~(H) Sparklers and dipped sticks, total pyrotechnic  
28 composition not to exceed one hundred grams (100 g.) each in weight.

29 Pyrotechnic composition containing any chlorate or perchlorate shall not  
30 exceed five grams (5 g.);

31                   ~~(9)~~(I) Mines and shells of which the mortar is an integral  
32 part, total pyrotechnic composition not to exceed forty grams (40 g.) each in  
33 weight;

34                   ~~(10)~~(J) Firecrackers and salutes with casings, the  
35 external dimensions of which do not exceed one and one-half inches (1 1/2")  
36 in length or one-quarter inch (1/4") in diameter, and other items designed to

1 produce an audible effect, total pyrotechnic composition not to exceed ~~two~~  
2 ~~(2) grams~~ two grams (2 g.) each in weight;

3 ~~(11)(K)~~ (K) Novelties consisting of two (2) or more devices  
4 enumerated in this paragraph, trick matches, and cigarette plugs, when  
5 approved by the Federal Bureau of Explosives; and

6 ~~(12)(L)~~ (L) Railway fusees, truck flares, hand ship distress  
7 signals, smoke signals, and smoke pots.

8 (b) No component of any device listed in this section which is  
9 designed to produce an audible effect shall contain pyrotechnic composition  
10 in excess of ~~two (2) grams~~ two grams (2 g.) in weight excluding propelling or  
11 expelling charges.

12 (c)(1) After midnight, January 1, 2006, the possession, sale, and use  
13 of the common fireworks devices customarily known as "bottle rockets", as  
14 described in subdivision (a)(2)(B) of this section, is unlawful within the  
15 State of Arkansas.

16 (2) However, the possession or sale of bottle rockets by a  
17 manufacturer, importer, distributor, or jobber wholesaler to a person outside  
18 the State of Arkansas for the purpose of resale outside of the state shall  
19 not be considered as possession or sale occurring within the State of  
20 Arkansas.

21 (3) Any person who pleads guilty or nolo contendere to or is  
22 found guilty of violating this subsection is guilty of a Class C misdemeanor.

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24 /s/ Bradford, et al  
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